



Large Jail Network Proceedings



Meeting Proceedings

September 2010

Proceedings of the Large Jail Network Meeting: September 2010

Doubletree Hotel, Denver Southeast

Aurora, Colorado

ACA Core Jail Standards

Accountability and Leadership

Battling Complacency

Medical Leave Oversight

Staff/Inmate Fraternization

Substance Abuse and Self Awareness

Legislative Update

Open Forum

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**Proceedings of the Large Jail Network Meeting
Aurora, Colorado
September 13–15, 2010**

U.S. Department of Justice
National Institute of Corrections

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October 7, 2010

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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>.

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.

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.

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APPENDICES

Appendix A. LJN September 2010 Final Meeting Agenda

Appendix B. LJN September 2010 Participant List

Appendix C. Index of Past LJN Meeting Topics

ABOUT THIS MEETING

The September 2010 Large Jail Network meeting had 62 member agency staff in attendance.

The meeting began with an informal dinner on Monday, September 13, with participant and guest introductions. Two days of presentations and discussion followed.

Guests and speakers at the meeting included:

- Gwyn Smith-Ingley, Executive Director, American Jail Association, Hagerstown, Maryland.
- Kathy Black-Dennis, Director of Standards, Accreditation, and Professional Development, American Correctional Association, Alexandria, Virginia.
- Michael A. Kennedy, Police Surgeon, Suffolk County Sheriff's Office, Long Island, New York.
- Mark Lundholm, motivational speaker on addiction and recovery, San Jose, California.
- 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 TAKE-AWAYS IN BRIEF

ACA Core Jail Standards

- p. 3* Agencies of any size can attain certification on ACA's 138 core jail standards. Certified jails are operated in a constitutional manner, which provides risk management and other benefits.

Accountability and Leadership

- p. 7* Inspections and prompt follow-through on action items make the Broward County jail ready for "company" any time—not just when an audit is on the horizon.
- p. 11* The Kent County Sheriff's Department uses data-driven management to take the guesswork out of jail administration, ensure safety and security, and give command staff the information they need to educate others about jail issues.

Battling Complacency

- p. 13* Keeping the message front and center that what can go wrong will go wrong is essential to reduce risk to officers and their agencies. Kent County shares ways to stay vigilant.

Medical Leave Oversight

- p. 18* A bureau in the Suffolk County Sheriff's Office actively manages medical care for injured employees, ensuring high-quality care and helping staff return to work promptly.

Professional Association Initiatives

- p. 24* The American Jail Association and the American Correctional Association want jail leaders to contribute their expertise to new projects that will advance jail practice and to make their voices heard on federal legislation.

Staff/Inmate Fraternization

- p. 28* Getting staff to take seriously the risks of fraternization is a matter of Institutional culture. Speakers from three counties discuss how to apply the leverage of personal leadership, pre-service and in-service training, and legal back-up on the clarity of agency policy.

Addiction Recovery: Reaching Inmates

- p. 37* Jail inmates can confront their addictions, overcome poor childhood and youth experiences, and create real change in their lives. By being aware and communicating well, jail personnel in the Henrico County jail and elsewhere are helping make that change possible.

PROGRAM SESSION: CORE JAIL STANDARDS OVERVIEW

ACA Core Jails Standards

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

Kathy Black-Dennis described the development of the American Correctional Association's new Core Jail Standards, the benefits of attaining certification in them, and the certification process.

The standards were developed in 2008-2009 by an ACA working group in collaboration with the National Sheriffs' Association and the American Jail Association. Each standard is based in federal case law, documented research in best practices, and applicable codes. NIC has provided a print copy of the standards to each local detention facility in the U.S.

The first facility to receive certification in the new standards, in Etowah County, Alabama, was recognized in August 2010. Mackinaw County, Michigan, received certification through its participation as the initial test site for the standards. The U.S. Army Disciplinary Barracks at Fort Knox also was a test site. Several more facilities are scheduled for review in 2011.

Jail consultant Rod Miller has dedicated considerable work to the core jail standards project. Miller was recognized with ACA's 2010 Walter Dunbar Award for this work and many other achievements on behalf of local detention.

Resources

ACA is developing two new documents to aid in implementation of the core jail standards. The first will clarify the content of the standards and provide performance-based outcome measures. It is intended for jail managers who want to implement and maintain compliance with the core jail standards. Other audiences include risk managers, the legal community, academics, writers of state standards, training managers, and county officials who want to understand the content of the standards.

The performance-based format will provide instructions for how to collect relevant data and include diagrams to illustrate the physical plant standards. It will also address how to revise policies and procedures and how to write post orders. A digital library of sample policies and procedures will be available, as will case summaries, research citations, and other free resources.

LJN agency staff can assist the project by identifying helpful resources, providing sample policies and procedures, providing sample forms, and reviewing written drafts. For example, sample policies will need to be written in a way that can be easily adopted for use in any state.

In another aspect of the standards effort, ACA will map the differences between existing standards in specific states with the requirements of the new core jail standards.

Why Certify?

Attaining certification means that a jail is recognized as operating in a constitutional manner—the standards describe everything a jail should do to operate as a constitutional jail. This is especially helpful for jails in states that do not have their own jail standards, those that have inadequate standards, those that have voluntary rather than mandatory standards, and those that have standards but do not provide audits or inspection of jails.

ACA encourages agencies to regard the standards as a management tool. They can provide leverage to support better practice for safety and security. For example, they support adequate staffing to conduct thorough searches of new prisoners, funding to maintain a clean and up-to-date facility, and training that includes an orientation before an employee assumes a new position.

Agencies can choose to pursue certification on the Core Jail Standards, which define 138 standards to be met, or they can pursue full accreditation on ACA's standards for adult local detention facilities, which is based on 383 standards. For some agencies, certification on the core jail standards can be a stepping stone toward full accreditation at a later date. Once awarded, a jail's certification is in effect for 3 years.

Being certified on the Core Jail Standards offers tangible benefits.

- Because the chances of successful litigation are reduced, insurance premiums may be lower.
- The Core Jail Standards are easier to reach than full ACA accreditation for facilities that provide fewer programs or that have physical plant limitations.
- Certification promotes pride in the staff and community and boosts professionalism and morale.

Agencies that enter into the core standards certification process will collect key data that is useful for jail management. They will have clear guidance on expected practice, protocols, and process indicators (evidence that practices were implemented properly).

The format for each standard includes:

- A goal statement;
- A statement of the standard;
- Outcome measure(s);
- Expected practice(s);
- Protocol(s); and
- Process indicator(s).

The Certification Process

Agencies begin the certification process by undergoing a pre-certification assessment conducted by an ACA auditor. Agencies receive a confidential report from this phase.

Next, agencies apply to enter the certification process and submit a written organizational summary. On acceptance, a contract is signed, the agency moves to “correspondent” status, ACA assigns a standards specialist to that agency, and the agency assigns an internal manager. The agency conducts a self-evaluation for compliance and prepares 12 months of documentation on performance on the standards.

Agencies can request an on-site visit during this phase to prepare for the audit. ACA’s specialists are assigned to specific states to ensure they are up to date on state requirements. On submitting their self-evaluation, agencies enter “candidate” status.

Agencies can request a waiver on certain standards if they do not apply or cannot be met. Most waivers are for physical plant issues.

At audit, agencies must comply with 100% of the mandatory standards and 90% of the non-mandatory standards. Audits are scheduled with 6 to 8 weeks lead time. Auditor teams may include sheriffs, wardens, architects, community program directors, and other field professionals. The agency’s certification manager can attend the presentation to answer any questions and make the agency’s case. ACA’s auditors prepare a written report and can award certification, deny certification, place the facility on probationary status for possible later award, or return the facility to “correspondent” or “candidate” status.

ACA reviews the audit report and makes a preliminary judgment as to the agency’s compliance. A final decision is made at a formal hearing by the Commission on Accreditation for Corrections, represented by a panel of 3 to 5 commissioners. Agencies that win certification are required to submit annual statements confirming their compliance status for the three years of the certification period.

ACA Executive Director Jim Gondles states,

Jail standards at the state and national level have guided the improvement of jails for more than 30 years. I encourage jails of all sizes to adopt these core jail standards, subject themselves to independent assessment to ensure compliance, and seek accreditation.

Discussion

Jeffery Newton (Douglas County, Nebraska) asked about the cost differences for certification on the core jail standards vs. full accreditation. Black-Dennis said that certification has a maximum cost of \$7,900, which covers the auditors’ travel costs and per diem, materials, and ACA staff time. The ALDF accreditation process costs agencies \$13,000, not including travel and per diem costs.

Participants asked how the core jail standards compare with state jail standards. Black-Dennis said that this will be looked at on a state-by-state basis. In Kentucky, for example, state standards covered only 25% of the material in the core jail standards. State corrections agencies may leverage adoption of the core standards by housing state inmates only in counties with certified jails.

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Mike Jackson (NIC) asked whether agencies should pursue certification on the core jail standards if they are already accredited. Black-Dennis said agencies don't need both; accredited jails already qualify for certification.

A participant asked whether, once a facility has certification on the core standards, it will need to wait 3 years before pursuing full accreditation—for example, if the agency decides to seek “triple crown” accreditation from ACA, the Commission on Accreditation of Law Enforcement Agencies (CALEA), and the National Commission on Correctional Health Care (NCCHC). Black-Dennis said that agencies that reach certification can immediately begin the process of becoming accredited.

Participants asked whether ACA has data linking accreditation to cost savings. If so, it would be a useful leverage point in dealing with county commissioners and other decision-makers. An attendee observed that while his home county is experiencing controversy over jail issues, it helps the jail's position that it is accredited and has not been sued. Jeff Newton (Douglas County, Nebraska) pointed out that the benefits of certification and accreditation are hard to quantify, because jails that follow the standards are inherently performing better and are less likely to get sued. It is difficult to prove the cost benefit because it creates a drop in data.

Black-Dennis said when she talks with county commissioners, she finds they often don't understand local detention. She compares running a certified or accredited jail to being a certified plumber. Someone looking in the Yellow Pages for a plumber who wants the job done right will pick the plumber who is certified, because they've put in the extra effort. This is something commissioners can understand.

Ron Eddings (Jefferson County, Alabama) said he has given tours of the sheriff's office and jail to candidates for office as county commissioner. He hears four words over and over: “I had no idea.”

Darren Long (Travis County, Texas) brought up the matter of state jail standards and how they relate to certification. Black-Dennis said ACA will be working with state jail associations to make sure ACA staff understand the fine points of each state's standards.

Agencies that are facing consent decrees may be required to enter into the ACA accreditation process. Legislatures tend to put a lot of stock in national standards. It can be smart to be proactive

Danny Downes (Lubbock County, Texas) said that people who were in corrections when the Texas jail standards were being written understand the spirit of the standards, but inspectors put their own interpretation on them. This leads to inconsistency in their use. Black-Dennis said ACA can bring in expert teams to resolve this type of situation. ACA emphasizes thorough training for the audit teams.

Black-Dennis closed by inviting participants to provide sample materials for use in the forthcoming book and resource collections, and to be a reviewer for the project. ACA is aiming to have a complete draft of the first book by January 2011 for release around August 2011.

Contact information: Kathy Black-Dennis is the Director of Standards, Accreditation, and Professional Development for the American Correctional Association, located in Alexandria, Virginia. She can be reached at 703-224-0070 or kathyd@aca.org.

PROGRAM SESSION: ACCOUNTABILITY AND LEADERSHIP

Part 1. Accountability

Presenter: Kim Spadaro, Acting Jail Director, Broward County Sheriff's Office, Ft. Lauderdale, Florida

Kim Spadaro opened the session by linking budget cuts to accountability in the Broward County detention system. Position cuts, facility closures, program cuts, and other cost reduction measures make it even more important for jails to be accountable for what they do. Accountability is defined as willingness to accept responsibility for your own actions. In a jail, this comes down to getting people to do their jobs. People need to know exactly what they're responsible for. The jail command owns everything under its roof, even the elements that are contracted or provided by the county. Spadaro said that accountability rolls downhill, meaning the jail command needs to ensure accountability in everything from sanitation and maintenance to sick leave and contraband control.

Key tools for accountability include multiple levels of inspections, an expectation of immediate corrective action, and follow-up. The single most important tool is follow-up. If things aren't taken care of within 3 months and bright ideas acted on, things may go back to the way they were. The agency's "three-month rule" keeps amnesia from setting in.

Physical Plant

Spadaro emphasized that the jail doesn't "clean up for company"—operations are constantly monitored and kept up to standard, not just when inspected for reaccreditation. When work orders are needed to correct issues, the system ensures the orders are generated and that the work takes place. Each level of management has a role in inspections. First-line deputies conduct daily cell inspections. Sergeants review cell inspection forms and reinspect at least one unit at random. Lieutenants review the cell inspection forms and make sure that any deficiencies have been taken care of. Previously, deficiencies might be documented again and again with no work order created to act on it. Facility commanders review the work orders every week and make sure they're being competed, for reports due at the end of the month. Majors do facility walk-throughs of all the jail's facilities at least once a week.

Several types of inspections are conducted regularly.

- **After hours inspections.** These inspections are performed by majors, captains, and executive lieutenants during the night shift. Before they were instituted, command staff were seldom seen at night. This is a cross-inspection process, in which managers of operational areas inspect each others' sections. All managers are ACA auditors. Written reports document positive observations as well as issues that need to be addressed, with photographs for illustration and back-up. All inspectors have cameras on hand. Corrective action is taken and reported back. When these inspections were new, some inspectors

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were reporting no issues, but re-inspection uncovered several items needing work. The cross-team inspection has led to some healthy competition among units and overall a much cleaner and better-operating facility.

- **Quality assurance inspections.** In these inspections, six teams thoroughly inspect one facility from top to bottom using a 16-page checklist based on jail standards, standard operating procedures, and other guidelines. Each team inspects for specific items needing corrective action. Team reports are due by the end of the week, and the facility has 10 days to take corrective action. A plan for addressing the issue is not acceptable. Timeliness is a priority. Reports typically include before and after photos.
- **Emergency Response Team inspections.** ERT teams inspect inmate areas of the facility. If they find anything, sanctions will follow. The teams use specialized equipment, such as mirrors for viewing hidden corners. Finding something as simple as food trash indicates a problem. Graffiti has disappeared. Sanctions for inmates in lockdown can involve taking their pencils, having them repaint the cell, or removing their phone privileges or visitation.
- **Compliance unit inspections.** Spadaro said Broward County has found it very helpful to have a dedicated unit for compliance monitoring. Unit staff are responsible for the agency's inspections tracking, accreditation processing, event report files, case files, medical contract monitoring, grievance database monitoring, use of force review committee actions, policy development, and fire safety assurance. Regular sanitation inspections mean that the staff no longer walk past maintenance items and not see them.

Unit staff received training on inspection items in medical services, such as medical records storage, medication expirations, and use of sharps containers. The agency won an award last year from the National Commission on Correctional Health Care. Among its food service issues, the team looked at kosher meals and found that more than half of the inmates on kosher diets were ordering non-kosher items from commissary. The county was able to move many inmates off the kosher list and saved money.

- **Intake inspections.** A renewed emphasis on contraband control at intake has made a difference in facility safety. Any items missed by the arresting officer are documented on a contraband accountability log that is routed to area police chiefs. It identifies what items were found, where they were found, and the arresting agency and officer. Contraband found at intake has dropped from 46 items when the log was introduced to one item in June 2010. Raising the issue with the police chiefs greatly improved performance. Before the jail began sharing this information, the police chiefs were unaware that contraband was going undetected. Mitch Lucas (Charleston County, South Carolina) commented that including photographs can help to combat complacency. A photo of an overlooked 6-inch knife makes a strong point. Officers and agencies don't want to be embarrassed, and the information is useful for training.

Personnel

Accountability for staff time is critical for budget control.

- **Sick leave.** Supervisors were challenged to reduce their shifts' use of sick leave by 10 percent. Employees who call in sick must call their shift commander directly rather than

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calling the switchboard. Lieutenants report for duty an hour earlier than line officers and can be reached by cell phone for this purpose. They also handle payroll and time cards. Cards are reviewed biweekly to ensure the lieutenants are dealing with any discrepancies or potential abuse. Mary Sabol (York County, Pennsylvania) asked if this works in a union setting. Broward County's contract defined when officers needed to call in but did not specify whom they were required to call.

- **Overtime.** Before the start of each fiscal year, Spadaro gives each facility a budget for how much overtime they can use per pay period for the year ahead. If the facility goes over the allotment in one pay period, it needs to use less the next period. Shift lieutenants are held accountable. Budget managers produce an overtime report by command that shows where the jail needs to allocate resources. The overtime allotment factors in training time and use of staff at special events.
- **Authorized leave.** Spadaro reviews daily reports of authorized leave that are signed by the shift captain and major. Shift captains must document any instances when more staff are on leave than what is specified in the union contract. Regular review of leave reports and employee time cards ensures that any patterns in leave usage are detected.

Spadaro noted that the agency tries to use volunteers for overtime rather than making it mandatory, rotates overtime among staff, and tries to use staff at lower hourly rates. Shift commanders have learned to be more frugal with their rosters. Posts are defined as either mandatory or utility. Mandatory posts—housing unit and security posts—are always filled. Utility posts, such as visitation and movement deputies, can be closed if necessary. The specific posts that are shut down vary.

The union contract specifies that officers can work no more than 40 hours of overtime per pay period. Now that overtime is more closely controlled, officers work less overtime and are performing better on their regular hours as a result. When coverage gaps occur, captains look at the shifts and the pay period overtime allotment and make adjustments. The agency is bound by the union contract to let off up to 7 percent of assigned staff.

Spadaro answered a number of questions about overtime and coverage.

- The agency's tactical teams are formed from regular deputies who leave their assigned post if there's an emergency situation.
- Staff who work overtime can choose comp time and take time off during the same pay period rather than taking overtime pay. Staff who take sick leave during the same week as overtime do not receive overtime pay until they meet the hours threshold. The agency would like to change this to a pay period basis.
- Roving deputies and movement deputies are the main providers of backup for officer breaks.
- The agency cannot call staff in from scheduled vacations to provide needed coverage.

This approach to reducing overtime use has worked very well. Overtime costs have been cut from \$12 million 3 years ago to around \$2.5 million in 2010.

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For budgetary reasons, the agency also has been changing some positions from certified to civilian and has laid off some officers or moved them to civilian technician jobs in control rooms, classification, property, and support. Staff can return to deputy position later as vacancies occur, with retraining if the duration is longer than a year. The sheriff has agreed to maintain staff members' certifications because they are likely to return to deputy positions in the future.

- Employee discipline. Broward County has a new "admit it and move on" policy. If an employee has an infraction that does not rise to termination level, it's advantageous for the agency to avoid a full-blown investigation. With an admission, the employee gets a written notice and completes appropriate disciplinary action, and the incident is done.

Spadaro said the point of employee discipline is to motivate the person to change. It's not that important whether a person serves a 1- or a 2-day suspension. She gives supervisors some latitude to work out a solution. Majors meet with the employee at a pre-disciplinary conference where they discuss appropriate discipline. This has reduced appeals by 75 percent.

Another participant noted that disciplinary situations can be an incentive for employees to participate in education. For example, an employee can be offered a choice of a 3-day class and 2 days of suspension, or 5 days of suspension.

An examination found that some suspensions without pay were not actually enforced. Whenever there's a sustained case, Spadaro checks the employee's timecard to make sure the suspension is served. A participant noted that his county's suspension orders include the dates of the suspension.

Management Meetings

Management meetings have replaced the agency's StarTrac process, modeled after New York City's COMPSTAT system, which put managers on the spot to explain issues and solutions under way. Management meetings are less stressful and have proven to be better for ensuring accountability.

The meetings include all of the facility's command and civilian managers, including the budget manager, the maintenance chief, the classification manager, the representative for the medical contractor, etc. The meetings focus on corrective actions taken, and the length of the meetings has dropped as a result of their efficiency. Each manager has developed his or her own team to get things done.

Spadaro reiterated the agency's motto that it doesn't clean house for company. It's up to jail leadership to set expectations and ensure prompt follow up on issues. Accountability needs to be practiced every day.

Contact information: Kim Spadaro is a Major at the Broward Sheriff's Office in Ft. Lauderdale, Florida. She can be reached at 954-831-5922 or Kim_Spadaro@sheriff.org.

Part 2. Department Management

Presenter: Jon Hess, Undersheriff, Kent County Sheriff's Department, Grand Rapids, Michigan

Jon Hess discussed the advantages of managing by data, stating that data-driven management helps agencies monitor issues, evaluate managers' abilities, and allocate resources. Hess studied systems such as Broward County's StarTrac and New York City's COMPSTAT, considered to be roughly equivalent to 6-Sigma and Total Quality Management (TQM) for jails. Systematic, data-driven tools help corrections agencies make their jails safer. Use of COMPSTAT helped the New York City Department of Corrections reduce stabbings from 1,000 in 1995 to 19 in 2008.

Kent County used the same principles to create a process that would be a better fit, establishing quarterly meetings of division commanders. The process is described in an article by Randy Demory, "Measuring what Matters" (*Large Jail Network Bulletin*, 2001, <http://nicic.gov/Library/period192>). Sheriff's data show trends over time in areas such as personnel, projects, inspections, road patrol, and detective bureau case management. As a result, agency management knows much more about what's going on in the department. Compiled annual reports for the last several years are available online at <http://www.accesskent.com/CourtsAndLawEnforcement/SheriffsDepartment/CorrectionsFacility/reports.htm>.

The agency is also using technology for community outreach. The CopLogic online application allows residents to report nonviolent crimes online, which gets incidents on file without staff data entry time and also facilitates accountability for follow-up.

When do managers need illuminating data?

- When they are being held accountable for results;
- When they are doing PR for the agency;
- When they are applying for a grant or asking for money from county commissioners;
- When they are making a proposal;
- When they are evaluating a policy change or planning for the future.

Using data, managers can avoid classic types of poor decision-making:

- "Gut" decisions, which are vulnerable to bias and false assumptions;
- "Flying blind" decisions, which are by definition uninformed and may fall on the wrong side of data;
- "Snap judgment" decisions ("Don't bother me with the facts.")
- "Quick fix" decisions, which can offer a short term reward but cause a long-term disaster. (Are you fixing the wrong thing? Is the fix worse than the problem?)

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Hess said people will respond to a report is direct and to the point, tells a simple story, provides a take-away message, and sounds an early warning when needed. First the data will convince you—then you can get the data into the hands and heads of people you want to influence. He commented, “Statistics can prove anything, even the truth.”

Data can be used to show trends, such as changes in use of force, jail admissions, or average length of stay. Managers can put the data in context and ask more questions to explore causes and options for taking action. Data can also illuminate extremes.

Putting a human face on data can make the message stick. Kent County identified the person with the most jail admissions and made him familiar to staff as the “recidivist champion,” while also explaining his current charge and background of mental illness. Jail leaders can also use data to influence community perceptions.

When an issue needs attention, managers don’t want no data, slow data, late data, or the wrong data. They need to be able to question the data and ask follow-up questions. Data overcomes the dominance of “CYA” thinking, finger pointing to fix the blame but not the problem, and compartmentalization of issues, which makes agencies unable to find a global solution. Data breaks up resistance to change, groupthink, and institutional inertia.

Hess favors the attitude, “If it ain’t broke, fix it anyway.” The quality of any solution is equal to the quality of thinking that went into finding it.

The Kent County Sheriff’s Office holds quarterly meetings to elements such as overtime usage, project updates, staffing issues, and divisional planning. Every topic is supported with data. Some competition between divisions is evolving, and divisions’ reports are becoming more detailed and extensive. People are proud of what they’re accomplishing. The meeting process is so successful that facility captains are adopting the same techniques to their work with lieutenants, who are carrying the accountability message down to the sergeant level.

Even when agencies have access to the best data, this information is not the only tool needed for management. Hess commented that when he became a captain, he heard complaints about a lack of command staff visibility in the jail. He spends the equivalent of a month each year working all the shifts on his command. Working the various posts and talking with the staff keeps him current on issues and needs, and the staff appreciate seeing him.

In sum, Hess said that jail managers must tailor their agencies’ data management to their own needs. Organizations will be better off when jail leaders are on top of their management information.

Presenter information: Jon Hess is the Undersheriff at the Kent County Sheriff’s Department in Grand Rapids, Michigan. He can be reached at undersheriff@kentcountymi.gov or 616-632-6101.

PROGRAM SESSION: BATTLING COMPLACENCY IN LINE STAFF AND FIRST-LEVEL SUPERVISORS

Complacency: Letting What Can Go Wrong, Go Wrong

Presenter: Jon Hess, Undersheriff, Kent County Sheriff's Department, Grand Rapids, Michigan

Just about any incident in a jail can be traced to complacency. But what is complacency?

A feeling of pleasure or security often unaware of some potential danger, or the like; self satisfaction or smug satisfaction with an existing situation, conditions. Feeling of contentment or self satisfaction coupled with an unawareness of danger, trouble, or controversy.

Hess said, "Complacency can pop you in the head like a 2' x 4'." The Titanic is a good example: a catastrophe occurred because leaders overlooked elements that individually might not have led to disaster—such as no safety drills, too few lifeboats, the knowledge that other ships had seen ice, and a lack of binoculars in the crow's nest. Complacency also has caused the failure of sports teams and loss of life by people who chose not to flee natural disasters.

Four states of being lead to errors: rushing, frustration, fatigue, and complacency.

- When leaders become complacent, they no longer think strategically. They are comfortable with past, and their thinking becomes short-term and inward-looking.
- When strategic management and supervision are absent, an issue or situation will deteriorate and become a problem.
- Complacency is the cause of 80 to 90 percent of fatal or nonfatal workplace accidents.

Complacency happens to everyone. Jail managers can combat complacency by reviewing processes, conducting security audits, reviewing policies and procedures annually, and reviewing the causes of all accidents and incidents that occur anywhere in the jail.

Safety consultant and speaker Gary Higbee identifies three types of complacency risk in the workplace:

- **Intentional complacency**—staff members know full well that they're acting against instructions and creating risk. Examples are propped doors or a paper clip left on the control room sensor to keep a door open.

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- **Unintentional complacency**—staff members are unaware that their actions are creating risk. An example is inadequate searches of inmates. A CNN story told about an inmate who successfully concealed a gun through intake. Often these situations can be remedied with better training. Staff need to understand what they are working with and why, what they will be doing and why, where they will be going and why, and what could go wrong and why. Staff need to fully know their equipment, to understand what behavior to watch for from inmates, and to know their partners, volunteers, and themselves.
- **Habitual complacency**—staff members are aware their actions create risk but have been breaking the rules so long, they are no longer alert to the risk. Examples are cursory searches at transfer or opening vehicle doors before the garage door is fully closed. A preventable escape from a Kent County sallyport in 2006 resulted in the shooting of a veteran police officer.

Critical errors happen when staff members don't keep their eyes on the task at hand, are not focusing their attention on the task, when they are in or move into the line of fire, or when they take the wrong physical actions.

In fraternization with inmates, complacency can compromise the staff member's professional ethics. It can begin as simply as forgetting to write up a conversation with an inmate.

Staff can learn techniques to reduce complacency:

- Know your own triggers;
- Analyze close calls and learn from them;
- Observe others; and
- Work on your own habits.

Working safely is not easy or automatic, especially for staff working in the same environment week after week. Familiarity breeds complacency, and it is contagious. Staff need to combat complacency constantly with the greatest degree of awareness. This means acting on unknowns, hunches, and suspicions: "When in doubt, check it out." Staff and their managers need to watch for shortcuts and bad habits that can spread from one worker to another.

Key points for helping staff improve themselves and be all they can be:

- Don't let down your guard.
- Don't underestimate the risk others may pose.
- Be quick or be dead.
- Don't fall asleep at the wheel.
- Don't be lazy.

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Complacency kills, by putting employees on auto-pilot, by making them lose attention, and by causing them to take shortcuts. The trainable habit of attention overcomes the risky habit of complacency.

Complacency can be reduced through training, audits, and policy and procedure. To get a feel for the effects of complacency in a jail, jail commanders can consider whether staff members enjoy coming to work, how the facility looks, and whether security has room for improvement. Have services such as transportation and recreation been reviewed in recent memory?

Hess said that risk management expert Gordon Graham emphasizes using everyday training to combat complacency. Ten-minute briefings on high-risk, low-frequency incidents can be repeated to the point of nausea to get the message across. Transport duty is an example a suitable training topic. There is no such thing as a “non-emergency transport”—every transport needs the same level of preparation, due diligence about the destination (medical, funeral home, juvenile facility, etc.), searching, confirming arrival, and planning for extraordinary circumstances.

Inspections and logs are more pieces of the accountability puzzle. A preparedness audit could be useful. Vigilance is essential on items such as who looks at floor logs. Policies and procedures need to be current and followed. Complacency becomes an element of the agency culture. If leaders allow the agency culture to go slack, such that professionalism is not upheld, the agency itself will be the victim.

Jail leaders need to think outside box and retain a strategic viewpoint. It’s not possible to eliminate complacency, but agencies must keep working at it. If jail commanders and their employees are not thinking about what could go wrong every day, all day, while they work in corrections, they will not be completely safe.

Hess closed his remarks with a quote from Colin Powell: “If it ain’t broke, don’t fix it’ is the slogan of the complacent, the arrogant, or the scared. It’s an excuse for inaction, a call to non-arms.”

Discussion

Tim Ryan (Miami-Dade County, Florida) commented that when he began his career, jail sergeants and senior officers would sit down with staff and say, “Here’s what you have to pay attention to.” Ryan observed that senior officers don’t seem to do this anymore. Both officers’ peers and their supervisors need to pay attention to behavior that compromises facility safety and do something about it. If an officer talks on the phone all night, his fellow officers should confront him and say, “You’re making me unsafe; you’re not being professional, and it affects me.” If rule infractions are a problem only if the sergeant knows about them, that attitude needs to be confronted.

Hess agreed that especially in a “young” department with fewer long-term staff, there often is more tolerance of loose interpretation of procedures, resulting in security risk. Participants observed that there seems to be less attachment to the profession these days. People are more attached to their private lives than to their professional lives, as reflected not only in their job performance but in their tattoos and use of the social media. Staff show less professionalism on the job. Mike Tidwell (Orange County, Florida) commented that staff from the Veterans generation lived, ate, and slept the jail business. For younger workers, the job is an interruption.

Well-run jails can become victims of own their success, in the sense that jails with no recent disturbances have less institutional memory of why security practices matter. Newer staff don’t

understand the magnitude of the risk, which makes it harder to get them to engage with security training concepts..

People will find easier ways and shortcuts for doing things. The challenge is to notice these practices and intervene before they are exploited by inmates.

Complacency in the jail has led to innumerable errors and risks.

- An inmate was left alone overnight in a courthouse lock-up.
- Two inmates were left in a locked van in a sallyport until they were missed in a housing unit count.
- In a jail where one-finger APHIS scans are used to allow inmates to move through the facility, inmates noticed and exploited the fact that their arrival at their destination was not being reported.
- Ryan described an incident in which four officers were escorting an inmate down a hallway and thought they didn't need to apply cuffs. Their injuries included broken bones and a concussion.
- Hess gave the example of a patrol officer who pulled over a moped-riding couple. The man turned out to be a parolee with a gun, who opened fire.
- Mike Tidwell (Orange County, Florida) gave the example of jail staff failing to perform suicide watches and checking off their cell visits in advance, allowing a suicide to occur.
- Ronaldo Myers (Richland County, South Carolina) said it occurred to him to check the fire escape steps several years after they were installed. An inspection found two steps with rusted bolts.
- Some escapes can be traced to an officer revealing too much information, such as what time the supervisor comes on shift, what kind of car the officer drives, and where he keeps his keys.
- When an inmate is going outside the jail to a medical specialist, giving out the time and date of the appointment creates vulnerability for the escort team and adds to the risk of escape.
- In the Mecosta County jail in Michigan, the wrong type of Plexiglass was used in a skylight. An inmate was able to use toenail clippers to create an escape route.
- Mitch Lucas (Charleston County, South Carolina) brought up the example of release errors. In each case, the errors can be traced to staff who did not follow policy.

Participants discussed how to deal with complacency.

- Mitch Lucas said that discipline needs to be consistent, whatever the error. Jail leaders need to micromanage and be a tough disciplinarian to combat complacency.
- Chris Kneisley (Palm Beach County, Florida) said that critical incident debriefings uncover a range of things that went wrong. Managers can use this information to change the way people think.
- Ronaldo Myers (Richland County, South Carolina) said realistically, jail leaders can't expect staff to turn each other in for infractions such as bypassing doors—even their supervisors will deny it and defend it as the way things have always been done. It's a major challenge to confront this.
- Darren Long (Travis County, Texas) suggested using cameras to verify activity. His philosophy is to "trust but verify."
- Kim Spadaro (Broward County, Florida) said that using incident case studies in roll call training can demonstrate why deputies need to intervene when they notice other staff performing to lower standards.

Presenter information: Jon Hess is the Undersheriff at the Kent County Sheriff's Department in Grand Rapids, Michigan. He can be reached at undersheriff@kentcoountymi.gov or 616-632-6101.

PROGRAM SESSION: MANAGING STAFF MEDICAL LEAVE

Medical Evaluation Units

Presenter: Michael A. Kennedy, Police Surgeon, Medical Evaluation Unit, Suffolk County Sheriff's Office, Long Island, New York.

Suffolk County, New York, founded its Medical Evaluation Unit (MEU) in 2001 to better manage care, pay, and duty status for sheriff's staff and academy trainees who are injured or become ill on the job. The MEU plays a key role in ensuring employees receive effective and expedited medical care so they can return to work at appropriate duty levels as quickly as possible.

The unit reports directly to the sheriff's chief of staff. This connection makes clear the economic value provided by the unit. The unit is staffed by a commanding officer, one or two inspectors, one or two clerical staff, and 1.5 FTE police surgeons. The inspector and police surgeon positions need continual coverage, including nights and weekends. The inspectors provide surveillance on suspicious cases.

The MEU works closely with risk management, which had been the coordination point for medical leave accountability before the MEU was established. Suffolk County recently moved to an electronic medical records system. Records are accessible by risk management.

Most employee injuries are musculoskeletal in nature, involving the head, back, knees, and extremities. Contusions, sprains/strains, and motor vehicle injuries are fairly common. Heart disease is commonly found.

Kennedy's goal for the MEU is to return officers to work safely. Any staff members who are injured or become ill on the job become the responsibility of the MEU. Staff are familiar with the system and are consistently cooperative. As of September 2010, the MEU has processed about 900 cases this year out of a staff of about 4,000.

Role and Responsibilities

The MEU assesses all staff injuries and workplace-related illnesses within 48 hours. They establish an incident medical record for the employee, make a record of initial impressions of the injury and recommended treatment, document the employee's immediate duty status, and schedule a follow-up appointment on the case with the MEU.

Typically the employee will have received treatment from a private medical doctor, an urgent care center, or an emergency room. The MEU assessment ensures that the employee is on the right track with tests and treatment and is seeing the right physician. The MEU communicates with the employee's physician to understand the planned course of treatment, track follow-up appointments, and review treatment recommendations. The employee's physicians sign a release so the MEU has access to all medical records and test results. The MEU also works with surgeons and doctors as needed to help

them understand what types of reduced duty work may be available to the employee so employees do not spend unnecessary time on medical leave.

MEU unit staff are not involved in delivering or recommending treatment. Their role is to review the recommendations of the employee's medical caregiver. The caregivers sometimes ask for the MEU's opinion on specialty providers, sources for second opinions, and alternative treatments such as acupuncture.

Process/401 Status

Employees are placed on 401 status and on the MEU's roster so they can continue to be paid. The MEU completes an initial medical evaluation, including an injury/incident report that documents the date and mechanism of the injury, and initiates an internal medical record for the employee.

Employees are temporarily reassigned to the command of MEU for administrative and supervisory purposes. The MEU receives a form from the personnel department verifying that the employee is out of work status but continuing to get paid. Staff are placed on a Monday-to-Friday schedule with duty hours from 0900 to 1700. Staff members on 401 status are not permitted to do any activity that might interfere with their return to the job. Primarily this means they cannot take or continue any outside job.

MEU staff may visit the employee at home or at the hospital during scheduled hours. Staff must call in to the MEU if they are leaving their home for an appointment or any other reason. In more than 9 years of MEU operation, few employees have tried to abuse the system.

The initial medical evaluation brings together the incident report, PMD medical report, X-ray reports and films, the emergency department record, the initial diagnosis, discharge instructions, and an estimated date for return to duty or reevaluation. The MEU may send the employee to a specific clinic or care provider that can see him/her more quickly than the provider recommended by the primary physician. Employees have a follow-up appointment with the MEU in one week. The Police Surgeon makes a duty status recommendation. An employee with a mild back sprain may be back to work in a week. If the employee needs restricted duty, the specific restrictions are put in writing.

The MEU process helps expedite care. Physicians typically put the patient on an anti-inflammatory and schedule them for follow-up in a month, with no work in the meantime. The sheriff's office wants to monitor progress more closely and get staff back to work reasonably. Staff generally want to get back to work, too. There has been little push-back or conflict with the employees' primary care physicians. A third-party arbitration process is available if needed.

Medical Record

The MEU has developed a standardized, simple template that documents the injury and captures relevant characteristics. It notes status factors such as the employee's ability to drive a car and to take care of him- or herself. Also recorded are the employee's participation in physical therapy, family history, and examination data such as vital signs, range of motion, weaknesses, and motor functioning. The agency sends employees for functional capacity testing when needed.

Jeff Newton (Douglas County, Nebraska) asked if the agency has baseline data for employees that can be used for comparison against evaluation findings. Kennedy said they do not have documentation

of employees' medical history at this level of detail, so it isn't always possible to tell if an injury could be a reactivation or flare-up of a preexisting condition.

A participant asked if Kennedy's team has noticed differences between employees in their early, middle, or late careers in terms of willingness to share their medical information. Kennedy said there is no difference; they have good cooperation because if staff don't permit data sharing, they can't be placed on 401 status and get paid.

Assessment of Duty

Employees on the MEU roster are classified as being on no duty, limited duty, light duty, or full duty status. Authority to designate employees' duty level rests with the police surgeon. Fine-tuning the duty status of officers is the "secret sauce" of the MEU program. For complex cases, Kennedy meets with the commanding officer and an inspector to review treatment and duty status options.

If there are disagreements or questions about duty status, employees are sent to Med-Scope, a third-party case reviewer approved by the union. Med-Scope may recommend restrictions and schedule the employee for a follow-up appointment in 6 weeks.

The MEU regularly monitors which staff are on limited and light duty to ensure that cases are resolved in a timely manner and staff return to full duty as soon as they can. By monitoring use of sick leave and FMLA time off, the MEU helps employees avoid exhausting their benefits.

Back to Work

Suffolk County has found that when employees can return to limited or light duty, they come back to work more quickly. Most limited and light duty shifts happen to be daytime shifts, such as working in the mail room or answering telephones. Being on limited or light duty restricts employees' ability to make extra income through overtime, which is an incentive for staff to get better.

People who come back sooner have increased work satisfaction, and most prefer to avoid being stuck at home. Three months away from work appears to be a psychological turning point. Unexpected things do happen. In one case, an officer underwent routine shoulder surgery for a labial tear and became unable to raise his arm. The longer employees are unable to work, the more likely it is that frustration and depression may set in.

The MEU ensures that staff receive the care they need, including any counseling therapy. All the help and concern sends a strong signal that the staff appreciate. In some cases the physician approves an employee to return to work, but the MEU holds people back to avoid them being reinjured.

The MEU process helps find suitable work assignments for staff who can work and provides assurance to physicians as needed. This can be a process of educating the physicians about what lighter duty posts are available. Physicians tend to think in black and white terms: either work or no work, with nothing in between. Generally staff have a better attitude if they can get back to work promptly in some capacity.

Third Party Arbitration

Suffolk County's MEU process was negotiated with organized labor. This had the effect of strengthening relations with the union. The MEU has worked with the unions to resolve difficult cases, and the unions tend to view the agency very favorably. The arbitration process gives labor a place at the table.

MEU inspectors handle the paperwork for cases that go to arbitration. Med-Scope is the third party option available in the process. Their decision is final and binding. Med-Scope reviews every piece of the case documentation and produces a 10-page report that summarizes the injury, the treatment, and the employee's progress or non-progress. The Med-Scope report becomes part of the officer's permanent medical record.

Suffolk County pays a flat fee of \$600 for each Med-Scope transaction. The number of cases reviewed has gone down over time.

At the request of the MEU or risk management, employees can be referred for independent medical evaluations by specialists, such as orthopedic surgeons, neurosurgeons, and hand surgeons. The MEU is generally comfortable with their objectivity and reliability. The process is transparent, and reports are freely shared for review.

Arbitration makes clear the importance of the careful treatment monitoring provided by the MEU and the police surgeon.

Disability

Employees may sustain an injury that prevents their return to work, or treatment may fail. Disability status is determined through an assessment process. A correlation must exist between the injury and the job. It is the job of the MEU inspectors to monitor and manage cases that may rise to disability. A final determination is made by a New York State board of review based on reports and physical assessments.

Worker's Compensation

New York State worker's compensation provides that the employee's medical costs will be paid, and the employee will be paid lost wages. Benefits go to the employee's spouse and children if the employee is deceased. The insurance company can appeal, and the officer or survivors can contest the payment awarded.

207-c Municipal Law

New York State code includes General Municipal Law SS 207-c, which provides for the payment of the regular salary of certain law enforcement employees, including correctional officers, when injured in the line of duty. Kennedy said injuries from incidents such as slips and falls are excluded unless related to a specific duty. For chronic diseases such as heart disease or ulcers where there is no causal relationship, 207-c does not apply.

Cost Containment

The MEU process reduces costs to Suffolk County in several ways.

- It reduces use of overtime, limited duty time, and sick time by trained, high-value staff.
- It speeds accurate diagnosis and tracks treatment and appointments for efficiency.
- It reduces unnecessary tests and procedures.
- It uses on-site examination rooms so that simple checks are easy to perform.
- It provides weekend coverage to ensure prompt referrals to treatment, which contributes to rapid recovery.

Before the program was instituted, there was little accountability for medical leave. More people were out for longer periods of time. A sprained ankle might have an employee off the job for 6 months. People would be sent home for 6 weeks at a time, and then an appointment might be made for an MRI in another six weeks. Employees got lost in the system. The MEU makes sure that if employees need a test, they get it within one week and they get the results directly. The MEU streamlines the process of getting medical care.

Conclusions

Agencies can adapt a similar model handling medical issues. When the Suffolk County Sheriff's Office championed the MEU approach, it amounted to a culture shift—one that has worked well.

- An officer sustained a bicep tear on July 6, had surgery on July 14, was back on limited duty on August 28, and was scheduled to return to full duty on September 25.
- An employee injured his back on August 5, was authorized for physical therapy on August 10, and was back to full duty on August 20.
- An officer was evaluated for a knee injury, had surgery within 2 weeks, was placed on limited duty 2 weeks later, and was back to full duty in 4 weeks.

Now, everyone knows the system. It sends a strong accountability message to employees. The MEU's theme is, "early assessment, early intervention, and early return to work." Getting the tests and getting the surgery promptly is a win-win for everyone. Close tracking ensures that officers are not lost in the system and remaining out of work for no reason.

Discussion

Some industries, especially those that are federally regulated, have standards for required annual medical examinations and/or random drug testing. Kennedy noted that random drug testing has taken hold in the hotel and casino industries, reducing illness and theft. It is becoming more common in investment banking.

- Darren Long (Travis County, Texas) said that annual physicals have been mandatory for jail staff for 3 years. Staff at first thought this was intrusive and unnecessary, but now the

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agency is getting thank you letters from people who have benefitted from early detection of medical issues. Leroy Kierkegard (Las Vegas Metropolitan Police Department) said baseline medical information is useful to have.

- Bobby Wyche (Caddo Parish, Louisiana) said that staff with a major illness can miss work for up to 10 days on regular leave, then move to FMLA status, which grants them 12 weeks of medical leave. After that, they return to work or are terminated, unless the sheriff grants them additional time off. Staff who are injured on duty are not subject to termination.
- Kennedy shared the example of a young 9/11 responder who has been suffering from chronic pulmonary issues as well as eczema, lesions, migraines, and depression. The MEU has been assisting him for several years and working with his physicians. MEU got him to a hyperbaric care center, which helped his wounds heal and reduced swelling.
- Dick Carberry (Onondaga County, New York) had a staff member on the payroll but not working for 20 years as a result of union influence. The agency finally was able to get the employee to retire.
- Another participant observed that some injuries become long-term problems. An officer with a spinal injury needed repeat surgeries. The case took 5 years to be resolved.
- Leroy Kierkegaard said that the Las Vegas Metropolitan Detention Center has a disability review board to examine cases.
- Oscar Aviles (Hudson County, New Jersey) asked whether Suffolk County has had difficulty enforcing the prohibition on outside work for employees on 401 status or has had that rule challenged. Kennedy said he is not aware of any problems or disciplinary actions. Allowances might be possible for non-physical teaching or quality assurance work, but security work would be off-limits.
- A participant asked how Suffolk County manages cardiovascular problems, since there is a tendency for public safety officers to experience chest pain and heart issues as a result of stress. Kennedy said arrhythmias and similar issues need to have a relation to job duties. He would look at the employee's medications and information from the cardiologist and clear the employee for work if possible. A participant pointed out that Florida statute considers heart disease and hypertension to be directly related to the job of correctional and other law enforcement officers, unless proven otherwise (see Florida State Statute 112.18.) Kennedy replied that context may be significant. If an employee is in a shakedown and has a heart attack, that's different than if he walks out of the cafeteria and begins feeling chest pain. Kennedy offered to follow up on this question after the meeting and said he is available to help large jail agencies with medical questions.

Presenter information: Michael A. Kennedy is Police Surgeon with the Medical Evaluation Unit at the Suffolk County Sheriff's Office in Long Island, New York. Kennedy also is the President and CEO of CLK Medical Consulting (<http://www.expertmedicalcare.com>), where he can be reached at 631-838-4472 or docmk@optonline.net.

PROGRAM SESSION: ASSOCIATION NEWS AND LEGISLATIVE UPDATE

American Correctional Association News

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

Kathy Black-Dennis congratulated LJN meeting participant Darren Hall (Travis County, Texas) on his election to serve as the president of ACA, the first time a jail practitioner has held that post.

ACA's Publications Department has received 13 consecutive years of awards from APEX, including a best journal issue award and a book award. ACA's On the Line newsletter can now be delivered by email, but some members are not registered with an email address. Corrections Compendium surveys this year will address budgets, mental health services, PREA standards and compliance, and reentry. Upcoming Corrections Today issues will cover juvenile justice, eco-friendly facilities, disaster preparations, and training technology. Submitting an article is a good way to earn visibility for your agency. The June issue will recognize the best in the business, and ACA seeks applicants in several categories.

ACA's winter convention will take place in San Antonio from January 28 – February 2, 2011. Typically the conference has 8 to 10 detention-specific programs and many other sessions relevant to jails. Agencies are encouraged to submit proposals for presentation.

The Government and Public Affairs Department is tracking five pieces of federal legislation. They address creation of a national criminal justice commission, cell phone jamming, criminal justice reinvestment, recidivism reduction through prompt restoration of government benefits, and death in custody reporting.

ACA's standards and accreditation department is glad to have Sheriff Michael Wade of Henrico County, Virginia, as a commission member. More auditors are needed, especially in local detention. Online training is available for auditors. Auditors are compensated for their travel expenses and receive an honorarium. The department is making advances in training for auditors, standardization for the audit process, and better communications between auditors, agencies, and ACA headquarters. Also this year, four or five of ACA's standards volumes are being updated.

ACA's correspondence courses are now delivered online, totaling 58.5 available training hours. ACA, AJA, and other partners share these courses, and information is available on either association's web site. Per-course fees range from \$9.99 to \$59.99.

Jeff Newton commented that Douglas County is moving into online training. Essential Learning is an established provider in mental health and other professional fields. The system provides training management and delivers several hours of the agency's own training content, plus hundreds of other courses, to the workstation at a cost of \$0.50 per employee.

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Face-to-face training has its own merits. ACA is seeing more use of online training and less interest in on-site, face-to-face programs.

ACA's online academy allows agencies to certify staff in executive management, security threat groups, correctional nursing, and many other specialties. Public and private providers see advantages in having certified staff.

The "Discover Corrections" web site is a BJA-funded project to attract college graduates, job changers, and retirees into corrections careers. ACA is also involved in several federally funded projects, including resource centers focusing on reentry, parole decision-making, and PREA.

Kathy concluded with the observation that ACA wants to complement AJA's initiatives. Jail professionals have many opportunities to contribute their expertise. She noted that officials from the government of Saudi Arabia are being trained in jail issues and will tour an American jail. She invited other jail leaders with international experience to let her know if they or their jails might be a resource for similar tours in the future.

American Jail Association News

Presenter: Gwyn Smith-Ingley, Executive Director, American Jail Association, Hagerstown, Maryland.

The group recognized several former AJA presidents, certified jail managers, Jail Leadership Command Academy graduates, and participants who have been honored as Jail Manager of the Year.

AJA's fifth National Jail Command Academy class will take place in the fall of 2010. Demand remains strong, sessions have been added for 2011 and 2012, and the curriculum continues to be refined. The program fee is \$1,560 including the week of instruction plus food and lodging, or \$1,360 for a shared room. The program takes place at Sam Houston State University in Huntsville, Texas. A shuttle is provided for travel from the airport in Houston. Participants have come from the largest and smallest jails in the nation. The program is considered very valuable for developing middle managers and confers credit points toward achieving Certified Jail Manager status.

AJA is reviewing all of its course materials to see which can be adapted for the Corrections Online Training Collaborative. The training committee is also reviewing ACA programs to identify those that are suitable for jail practitioners or could be modified slightly for jail audiences. The next phase will involve developing new materials for online delivery that meet further subject needs.

AJA's Board of Directors will meet this fall. Mitch Lucas (Charleston County, South Carolina) is chairing AJA's legislative committee chair this year. Mid-term elections, including 37 governors' races, may lead to many changes in leadership. In her work on Capitol Hill, Smith-Ingley is focusing on leaders who are not up for reelection this cycle. She encouraged LJN participants to meet with their congressional representatives and send letters on issues of concern. That way, she can reinforce messages they are hearing from their constituents. As a representative of a non-profit association, she can't lobby per se, but she can initiate conversations and educate leaders and staff.

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Mitch Lucas agreed that if a spokesperson represents a congressperson's constituency, it is much easier to be heard. The existence of a relationship matters more than he imagined.

Smith-Ingley encouraged jail leaders to join the AJA board of directors and become part of its very dedicated and enthusiastic team.

AJA has several collaborative projects underway.

- AJA is on the planning team for an Office of Justice Programs-sponsored 2011 national symposium on pretrial services and will ensure the jail perspective is shared. Pretrial services sometimes face a bias from probation, which makes collaboration and mutual understanding a potential challenge. The bail bonding industry is pouring money into ballot measures in many states, and legislators may be open to one-sided influence.
- A project with funding from the Robert Wood Johnson and Langeloth Foundations is examining the connection between jails and community health, with special attention to mental health issues, and the potential effects of health care reform on criminal justice. Details are available at the Community Oriented Community Health services website, <http://www.cochs.org/>. Smith-Ingley has been invited to take part in this project will focus on sharing information with jails and feeding into the project the perspectives of jail leaders.
- The National Institute of Justice has an advisory working group for offender tracking standards project. The group's first meeting will take place this month.
- AJA is developing online "tool kits" to meet jails' needs for management team development and succession planning. A tool kit on mentoring and coaching is being piloted this fall at the National Jail Leadership Command Academy.
- AJA has received an NIC grant to develop an updated jail directory. It will not follow the earlier "Who's Who" print format. Agencies will update their own data online. The product will be a searchable database with an annual access fee. Query options are being developed in collaboration with practitioners.
- AJA will contribute to a project to develop an online resource center on cost containment for corrections. This is an NIC-funded project awarded to the Moss Group and Price-Waterhouse-Cooper:
- NIC has funded the development of a tool kit for corrections on appropriate responses to lesbian, bisexual, gay, transgendered, and intersex inmates. The project has been awarded to the American University's Washington College of Law.
- The effects of health care reform on public health are being explored in a webinar from the Substance Abuse and Mental Health Services Administration (SAMHSA). Programs are archived for convenient viewing.

Legislative Update

Gwyn Smith-Ingley reviewed the status of federal legislation affecting the corrections field.

- **National Criminal Justice Commission Act**, S. 714, H.R. 5143. This measure, led by Senator Jim Webb (D-Virginia) would examine drivers of the criminal justice population. The bill has passed the House, but Webb is too busy this session to push it in the Senate. It will likely be reintroduced in next year's session. The lead sponsor in the House is Rep. Delahunt (D-Massachusetts 10th District). Jail-specific issues were not initially addressed in the legislation but that was successfully changed.
- **Criminal Justice Reinvestment Act**, S. 2772, H.R. 4080. This bill would provide grants to states and localities to analyze criminal justice trends, develop policy options, implement programs, and measure impact. The bill has passed in the Senate but was held up in the House Judiciary Committee.
- **Safe Prisons Communications Act**, S. 251, H.R. 560. This bill would allow the Federal Communications Commission to permit corrections agencies to use cell phone jamming equipment. It was passed by the Senate. In the House, the measure was referred to the Energy and Commerce Committee and the Judiciary Committee. A study by the National Telecommunications and Information Administration is expected in December 2010.
- **Restoring the Partnership for County Health Care Costs**, H.R. 2209. This bill reflects the view of the National Association of Counties and others that pretrial inmates should not lose Medicare, Medicaid, and Social Security benefits. Past logic suggested inmates do not need those benefits while jailed, but there is significant delay in getting benefits reinstated once they are terminated or suspended. Nationwide, about two-thirds of jail inmates are in pretrial status. In Baltimore, the figure is 90 percent. The bill is under consideration by the House Energy and Commerce Committee and the Ways and Means Committee via the House Rules Committee as an amendment to H.R. 3200 on health care reform.
- **Recidivism Reduction Act** of 2009, H.R. 2829. The measure would require that inmates' eligible treatment needs are covered from the moment they are released, in terms of medical and dental care, psychiatric care, and medications. The Bazelon Center and other organizations presented a Congressional briefing in May 2010. The bill is under consideration in the House Energy and Commerce and Ways and Means Committees.
- **Demonstration program bill**, not yet introduced. Jim McDermott (D-Washington) is developing legislation for a demonstration program on Medicare, Medicaid, and Children's Health Insurance Program reimbursement for health and mental health care for adult and juvenile inmates. The King County Sheriff is on the National Sheriffs' Association executive committee and providing input. The current plan would use up to 20 jails in two states as pilot sites. Funding would come from penalties for Medicare fraud.

PROGRAM SESSION: ADDRESSING STAFF/INMATE FRATERNIZATION

Staff Sexual Misconduct

Presenter: Robert Sowel, Jail Administrator, Clayton County Sheriff's Office, Jonesboro, Georgia.

Robert Sowel shared perspectives on staff sexual misconduct with inmates from his experience in Clayton County, Georgia. The agency warns all new employees about fraternization using a prepared presentation. Sowel commented that most jurisdictions don't spend enough time with staff on this subject because it's uncomfortable, but not giving it proper attention constitutes a failure to properly train staff. Younger staff in particular can find it difficult to deal with manipulative inmates.

Clayton County delivers these messages to staff in its training.

- Sexual misconduct is behavior or activity of a sexual nature involving an inmate. It doesn't always involve the agency's own staff. It also can involve vendor personnel, volunteers, etc.
- Sexual misconduct includes actual or attempted sexual assault, abuse, harassment, remarks, unnecessary invasion of privacy, suggestions of a romantic or sexual relationship, etc.
- Sexual misconduct is against the law in all states, even if the conduct is consensual.
- Sexual misconduct violates the constitutional rights of persons in custody. It exposes the entire agency and staff to civil and criminal liability.
- Sexual misconduct destroys trust, creates a hostile work environment, undermines professionalism, and undermines public support for jail and the jail's personnel. It victimizes persons further.

Most of the misconduct incidents Sowel has observed involved inmate workers. He shared several anecdotal examples of staff showing poor judgment, with serious consequences.

Staff need to be on their guard, because inmate games start small. An inmate may ask, "Can I just get out of my cell for a little extra time?" "Can I call my mom?" Once a rule is bent, the next favor will be a little more against the rules. Soon the staff member is mailing items for the inmate or making phone calls on his behalf. If staff don't realize what's happening and tell their supervisor should matters get this far out of hand, they are putting their careers in jeopardy. Next they may find themselves bringing in cigarettes, drugs, or cell phones, or helping an inmate to escape.

Presenter: Robert Sowel is the Jail Administrator at the Clayton County Sheriff's Office in Jonesboro, Georgia. He can be reached at 770-477-4410 or Robert.Sowel@co.clayton.ga.us.

Part 2. Addressing Staff/Inmate Fraternization

Darren Long, Major, Travis County Sheriff's Office, Austin, Texas

Within jails, complacency plus a lack of accountability breed fraternization. Darren Long shared a news video and other details about an incident in Travis County that has shaped the agency's approach to improving staff judgment and performance.

Inmate Gobert had been housed in the Travis County jail system for 7 years on charges involving murder and domestic violence. A woman officer with 8 months of experience on the job became involved with him after starting work on the maximum security unit. He began grooming her, and she came to doubt whether he was guilty of the charges. She brought him a cell phone concealed in a snack food bag. Later he was detected with cellophane stuffed into the lock on his leg restraints.

Gobert had been planning to attempt an escape by shooting officers on his way out. He knew where staff parked their cars and where the keys were. The officer's involvement was immediately suspected. She was escorted to an interview room, confessed, charged with a third-degree felony, and placed in protective custody on her own shift. The felony charge was based on a 2003 statutory change that added providing cell phones, tobacco products, and money to inmates to a list of items with a felony penalty. (See Sec. 38.11, Prohibited Substances and Items in Correctional Facility).

Long was astonished by the information the officer shared in interviews. She had been talking with the inmate daily by cell phone. The cell phone was in the cell, hidden in the wires behind the television, and staff had failed to see the charger in use for more than 2 weeks. The officer also had been getting the keys to the inmate's unit from another officer so she could talk with him, another serious security breach.

The officer herself suggested that Travis County should provide better officer training on inmate con games and manipulation, promote better communication and observation skills among officers, and not place new hires in maximum security units.

As a result of a wish for better security in general and this incident in particular, Travis County is acting on several ideas to improve security.

- A new rotation policy calls for a maximum of 6 years in one building and in a post. A new system for post rotation on 14 to 28 day cycles is being considered.
- Random drug testing of staff has been instituted.
- New hires complete 9 weeks of academy training before working in the jails. Training includes a segment on recognizing and avoiding inmate manipulation/con games.
- In-service staff members receive annual refresher training on inmate con games.
- The jail is adding surveillance cameras in hallways and dead areas at a cost of \$600,000.
- Staff members are now being searched before entering jail facilities.

- The only staff who are allowed cell phones in the jail are the watch commander, the tactical team leader, and the life safety commander.

Security Search Practices

Staff searches were instituted January 1, 2010 after a facility shakedown uncovered a high number of cell phones and other contraband. Background investigations, including polygraphs, were not effective in flagging staff who would likely introduce contraband.

- All staff, volunteers, and visitors enter through the inmate visitation entry. This totals around 500 staff and 1,000 visitors.
- Entry screening includes the command staff and the sheriff.
- Entry screening is similar to screening in an airport: all personal belongings are placed on a conveyor belt and X-rayed. Travis County uses the CEIA walk-through metal detector and the SMD600 Multi Zone Metal Detector. The X-ray scanning equipment is the SMITH Detection System and HI-SCAN 6040ds.
- People walk through a scanning unit and/or are wanded. The wand is used for people with metal medical implants or pacemakers and to localize the problem when something on the person item triggers a persistent alarm from the scanning unit. The frisking wand is the Garret SuperWand, model 1165800.
- Roughly every fifth person is asked to empty their pockets.
- Staff can store items in locker rooms before screening and now bring fewer items with them onto their posts.
- Vehicles are screened on the way in and out of the jail grounds. This includes contractor vehicles, delivery vehicles, and employee vehicles.

Instituting this level of inspection has had its pros and cons:

- | PRO | CON |
|------------------------------------|------------------------------------------------|
| ➤ Deters intentional smuggling | ➤ Staff need to allow more time to get to post |
| ➤ Reduces contraband inside jail | ➤ Staff/visitors sharing same parking lot |
| ➤ Increases professionalism | ➤ Increased workload on staff |
| ➤ Appearance to public and inmates | ➤ Staff morale effects |

Evolving Attitudes

Staff were not initially happy with the new emphasis on screening and accountability. A formal letter suggested that the jail's main contraband problems were excess laundry and hoarded food rather than anything dangerous to security. Nine months later, staff are backing up the screeners if someone gives them a hard time.

A supportive opinion was published in the staff association newsletter in August 2010.

By now everyone is getting used to being screened at entry points to TCCC and CBF/TCJ. Considering the circumstances of the Gobert plan, it was almost prophetic of the Administration to start with new screening procedures on January 1st. If there was a question in anyone's mind before, there should absolutely not be one now. This latest incident only reinforces the need for more stringent security practices. We all have felt a little like we are being looked at with a jaded eye, however, these security measures are not directed towards 99% of our staff. They are designed to keep that 1% who might be tempted by love or money to rethink what they would do. These measures are not perfect and will inherently require fine tuning periodically to ensure the most safe and secure environment for staff and inmates alike. Is it inconvenient? Yes! Is it necessary? Absolutely, without a doubt! Rather than complain or whine when we are checked closely, we should instead question when someone doesn't seem enthusiastic about doing a thorough job. It is everyone's safety that is at stake. Anyone who does not get on board with the increased security practices needs to take a step back and try to see the big picture. In our new age of micro electronics, micro weapons and home cooked chemical threats, we cannot be too careful when it comes to our own security. We applaud the Sheriff's Office Administration for their move in the right direction and their dedication to a safe working environment for all of us.

The Gobert incident was bad for morale and for publicity, but Long has been able to turn it to the advantage of security. One example has been getting the funds approved to install surveillance cameras. Long continues to look for new ideas for reducing contraband and staff/inmate fraternization.

Discussion

A participant asked if the screeners are considered reliable. Long said that the screeners have supervision oversight, but it is conceivable that a screener could do a favor for a friend. More often, detected contraband is accidental—staff forget they're wearing a sidearm or that they have a cell phone in their pocket.

An Arizona jail system conducts quarterly searches of every employee on every shift. If the dogs alert, the employee's vehicle is also searched. Searches are videorecorded using a portable camera on a tripod.

Presenter information: Major Darren Long works in the Corrections Bureau of the Travis County Sheriff's Office. He can be reached at 512-854-9348 or darren.long@co.travis.tx.us.

Part 3. “What Were They Thinking?”

Presenter: Tim Ryan, Director, Miami-Dade County Detention Division, Miami, Florida

Every jail administrator has experienced or heard about stories of poor judgment by public safety officers and staff. It's clear that poor judgment jeopardizes security. Lately it seems the number of incidents is increasing. Agency commanders provide training and supervision but repeatedly end up wondering, what are these people thinking?

- A patrol officer gets in the back seat of a cruiser with a woman, shuts the door, and has no way to get out.
- A command staff member has an affair with a jailed prostitute and marries her secretly, ending his career.
- An officer gives his wife's pager number to an inmate.
- A cook is found having sex with an inmate in the warehouse.
- An inmate transport that usually takes 30 minutes suddenly takes 2 hours.
- An officer gives birth to an inmate's child.
- After staff are warned to watch for manipulation attempts by an inmate facing charges of serial murder, on his second day at the jail an officer comes in carrying doughnuts for him.
- A sheriff's technician on a midnight shift allows an inmate into the control booth, from which the maximum security population could have been released.
- A videorecorder with taped footage for an internal investigation is left on a table overnight.
- A jail officer's son is arrested, jailed, and sent to prison; the state corrections agency later finds the son with his cell phone, which his mother removed from jail property and had smuggled to him.

Strategies

Ryan suggested a few key steps for agencies that want to make a dent in inappropriate employee behavior.

- **Look at your policy.** Review what policy specifically says in relation to statutes and caselaw specific to your state. Ask your attorneys to review the policy to make sure it gives them the leverage they need in prosecuting a case.
- **Be sure that your staff know the policies that apply to them in your own agency.** Rules about fraternization may be different for state agencies or between agencies that are located close to each other. A staff member may believe he can date a former inmate as long as the inmate was not held in his facility.

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- **Make sure your county attorneys support you.** They need to understand the importance of the issue and of a successful and defensible management approach.
- **Continue to work on the institutional culture.** It should not be acceptable to break the rules for friendship, sex, or love. The jail command can't tell an officer who he can date or marry, but command can make it clear that the officer can't do those things and remain a correctional officer.

Addressing Culture

Cultural issues are the hardest to handle. One officer told Ryan that in her community, she can't find a man who hasn't been involved in the criminal justice system. An officer who bore the child of an inmate denied she had had a relationship with him; they only got together for sex.

The goal is to get staff to understand that if they become compromised, they will put others at risk. Zero tolerance is the message.

Recruitment is the first opportunity to help officer candidates understand the job. Raising some eye-opening questions could help. For example, "If you think it's OK to do (X), or if you have a lot of people in your family or among your friends who have been involved in the justice system, maybe you don't belong here." Ryan speculated whether these types of questions can be asked in recruitment or in a pre-hire polygraph.

Orientation and training also cover fraternization and ethics. Ryan's video for new staff calls fraternization one of the agency's "cardinal sins" that leads to termination.

- Covering fraternization in an FTO program could connect the message with where it needs to be applied.
- Having staff sign off annually on the rule could keep it front-of-mind.
- Repeating the message over and over until they're tired of it might help it sink in.
- It's also important to make sure supervisors get training on why fraternization matters, how to detect it, and what to do about it. Don't assume your middle managers understand the rules.

Staff newsletters can run articles when staff are terminated for fraternization, with the message: here's what they did, don't you do it too. Mitch Lucas (Charleston County, South Carolina) said that one jail tried posting photos of terminated staff in the muster room, but it had no effect.

Jails should develop a process for handling situations where staff have problematic connections. For example, an officer may run into a school classmate on the housing unit. Officers should be encouraged to tell their supervisors when this type of issue arises so the agency can find a solution, such as moving the officer, or the inmate, to a different unit, shift, or facility.

Discipline up to and including termination is the last resort. In some cases, it may make sense to keep the officer on board, but with a contract that sets out specific agreements about his or her future behavior on the job.

Roundtable Discussion

Small groups talked about new ideas for educating staff to try to prevent fraternization from happening.

General comments—

- Finding the infractions is one thing; keeping it from happening in the first place is another.
- Internal affairs won't go out of business as long as there's greed, lust, and love.
- Fraternization is not just a nuisance. It ends lives and careers.
- Creating a deterrent is difficult. Staff are resourceful in justifying their behavior. They think the rules don't apply and that they won't get caught.

Culture and messages—

- Target the jails' messages about prevention for different types of cases: romantic attachments, manipulation by inmates, recreational sex, sexual abuse or harassment by staff, the friend or acquaintance in jail. Staff can be compromised in any of these ways.
- Share the message: "If you know something is going on, you are just as culpable." Staff can be disciplined and/or charged for failure to report. It's always true that "somebody saw something."
- Be sure state law is reflected in agency policy. In some states, officers who have knowledge of an inappropriate relationship and don't report it face a 1-year sentence.
- Ask the inmates—they'll tell you what's really going on.

Training strategies—

- Try using trainers who are of the generation as the trainees to see if they can be better heard and trusted.
- Recruiting a staff person to make presentations on the subject makes it appear less top-down. It frames the issue from a peer's perspective: "Here's why this matters, and why it concerns me."
- Early intervention is a good teaching tool. Specific examples of good employees who got close to the line but stopped before crossing it make an excellent illustration.
- Invite a state justice training commissioner to talk to the jail academy and say, "You have no idea how big this problem is until you see the statistics." Knowing how many officers are being decertified could erode the sense that this doesn't really happen, and I'm not vulnerable.
- Keep letting people know when it happens—it makes the threat more real.

- Continue to train and provide supervision—don't give up. Training should cover what to look for and what to do about it.

The administrator's role—

- Get to know your new employees.
- Set clear expectations about what is and is not allowed. The message needs to go beyond just talk into the facility culture for it to be believed.
- Model appropriate behavior.
- Pay attention to what's going on in the facility—don't get too busy with meetings and high-level tasks.
- Keep an open mind while investigations are under way. Be prepared for intense pressure from the media, the district attorney, and others.
- Address the staff yourself in training and in mass briefings. Make it a personal mission that the message be clear and the response fair and consistent.
- When the agency has sufficient evidence of misconduct, don't allow the staff member to resign: terminate him or her instead. This gets the matter on permanent record so perpetrators won't be hired by another agency.
- Act on a gut level when necessary. If there is a potentially suspicious situation, don't ignore it; go deeper.

Personnel and operations—

- Rotating staff daily can reduce their ability to form inappropriate relationships. Glenn Kurtz (Sedgwick County, Kansas) implemented a computer program that automates staff rotations, so they may be in a housing pod one day, then in hallways or intake processing. With 21 housing blocks, there are plenty of different places to assign staff.
- Establish new rules for greater security. For example, prohibit a staff member from entering a housing unit if he or she is not working there.
- Jail supervisors need to try to identify gullible staff members. Despite attempts to combat it, complacency sets in over and over.
- Jails should not put any new staff in a special management setting without adequate prior experience. In some facilities, all the rookies work in maximum security, but this helps set them up for inmate manipulation.
- Get serious about the qualifications to do the job during the interview process. Expose potential hires to the reality of the work situation. "What would you do if an inmate began masturbating in front of you?" If that's a problem, an officer position is not the best fit.

Technology—

- Install cameras.
- Establish a toll-free phone line (“snitch line”) and encourage inmates to report inappropriate staff behavior.
- Cross-reference the phone numbers being called on agency equipment.

Complicating factors—

- There’s no sense of shame anymore when people are caught in sexual misconduct. The sense of stigma seems to be missing in society if people do something wrong. Lapses of judgment or ethical errors have become a joke instead of a source of dishonor or embarrassment.
- Supervisors can keep an eye on their staff to watch out for early warning signs, but they can’t ask personal questions about relationships and what staff members are doing in their spare time.
- Data are regularly collected that could indicate a problem, but no one looks at the data until after the problem is already known.

Presenter information: Tim Ryan is the Director of the Miami-Dade County Department of Corrections, Miami, Florida. He can be reached at 786-263-6010 or timryan@miamidade.gov.

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PROGRAM SESSION: SUBSTANCE ABUSE AND SELF AWARENESS

Past These Walls

Presenter: Mark Lundholm, Comedian, Speaker, Actor, Author, San Jose, California.

Sheriff Michael Wade (Henrico County, Virginia) introduced Mark Lundholm, a speaker who uses humor to share incisive messages about addiction and recovery. Lundholm speaks to jail and prison inmates around the U.S. at no charge. His taped program, *Past These Walls*, was recorded in the Henrico County jail. He also presents at conferences and in programs with agency staff. His talks use humor to engage audiences while explaining the personal and family dynamics that lead to substance abusing behavior.

Lundholm's perspective is that of an ex-offender and recovering addict. He described himself as a criminal by nature, a comedian by choice. His childhood family life was dominated by abusive and substance-abusing parents.

In households where children lack a healthy developmental environment, they grow to lack a sense of their own personhood, value, and substance. Alcohol and other addictions fill the gap. Most people who become involved in the criminal justice system experienced a bad childhood environment. They were not respected for their individuality, became accustomed to abuse and low social status, and had poor experiences in school. They seldom understand they can rise above their past, so they choose to settle where they are. Lundholm's mission is to change this by challenging the underlying thinking.

According to Lundholm, addiction accepts everybody and it kills everyone equally. More than 90% of inmates have a substance abuse problem. Jail leaders should realize that their jails provide sanctuary for inmates so they can recognize their addictions and undertake to stop being victimized by them.

"First thought wrong" is a theme of self-abandonment: the child in an unhealthy household learns to believe, "I'm not worth anything better." Even negative and abusive attention is enough, because it is attention that allows the child to belong. They fight back in a battle to matter, to be significant, and to be emotionally tough on the outside. They drink or take drugs because the opportunity is present and it seems to make a difference. Understanding that this is the personal history of many inmates can help staff reach them with the message that they can change their lives.

This is hard work. Lundholm pointed out that jail professionals also experience stress and emptiness and can lose sight of their purpose. Working hard to make a difference can leave staff with nothing left for themselves, leading to burnout, apathy, and low self-image.

When asked what they are selling, LJN participants said jails are selling opportunity, safety, security, and a better future. Lundholm said that jail professionals are really selling themselves. "If I buy you, I'll buy all those things," he said. Authenticity is essential.

Children in poor family environments, including those who later become jail inmates, learn several consistent messages. Examples include:

- Someone who is loud is important. If I'm loud, I matter.
- I need substance because I have none. I'm insubstantial.
- I can control people and situations by being funny or charismatic.
- I'm a victim of the circumstances surrounding me.

Better lessons are:

- The fight I win is the one that doesn't happen.
- I can laugh at something to separate from it.
- Negative labels only work if I answer to them; "I am what I answer to."
- Manhood means never breaking my word.
- For a shortcut to the mindset of recovery, ask yourself, "Would I do this in front of the woman who raised me?"

Inmates may in fact care about what the jail staff are trying to tell them, but it takes a risk to reach them. The staff need to understand that below the inmates' behavior patterns is a deep and valid anger. Through honesty and humor, staff need to be able to handle that rage as it is uncovered and acknowledged.

For a 5-year-old, life is simple: I want, I need, I'm afraid. In the same way adults should not break their word to a child, jail staff must not break their word with inmates, or they will lose trust and credibility.

Honesty is necessary to move forward. Things that people are afraid to talk about will never be addressed. Lundholm noted, for example, that most people are in jail because of mental health issues—is that something a community can talk about, or do we just say we don't have the resources to help them all and leave it at that?

Lundholm emphasized that getting sober is just the start of recovery. Like a graduation, it's the first step toward the future. The kids who got locked up are our kids, and we need to help them reach a different future.

Presenter information: Mark Lundholm is based in San Jose, California, and can be reached at 408-371-1776 or via his website, <http://marklundholm.com>.

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.

TOPIC 1: LESS THAN LETHAL FORCE

Mitch Lucas described the use of a modified shotgun for less than lethal control. In the jail discussed, only the members of a special operations team carry weapons, including Tasers. They also carry a modified shotgun, the use of which has allowed the jail to cut back from having full-time coverage by an emergency response team. The specialized shotgun is typically used when a team goes into a housing unit in large numbers, not for ordinary cell extractions.

The first round fired is blank. Rounds can be fired at two speeds, the faster speed at 750 feet per second. The shotgun sights with a green dot instead of the red dot used by the Taser.

Inmates confronted with the shotgun have rapidly complied with orders. Assaults on officers have stopped, and there have been fewer injuries related to take-downs. The shotgun is secured on a lanyard. The district attorney’s office has reviewed the tactical response and technology.

Lucas reviews every Charleston County incident involving use of force. This allows him to see patterns. For example, when Charleston County first began using Tasers, the same officer was involved every time it was deployed. His partners were letting him use it so they could avoid writing the use of force reports. Lucas commented that these tools should be used by staff who aren’t testosterone-driven. If a team begins getting too aggressive, he splits up the members.

Less than lethal tools offer benefits:

- They reduce injury resulting from physical contact with inmates.
- They make it easier to quantify the amount of force used. After staff physically subdue an inmate, it is difficult to objectively describe the amount of force applied. It’s easier to describe objective actions like deploying a Taser than subjective use of physical techniques.
- They give agencies more options for ensuring safety and security.
- Lucas stated that since the agency began using the shotgun, he has not seen as much top-level use of force. It has raised employee morale and gotten the support of the sheriff. Use of force should be reviewed with the sheriff, and levels of force compared by shift to drive down overall use of force. Unit commanders are responsible and can drive the message.

Discussion

A participant described an escape attempt in the jail's recreation yard. According to policy, lethal force can be used to prevent escape only if the inmate is a violent felon. It's impossible to know this from the guard tower in a yard with dozens of inmates. The agency is equipping towers with less-than-lethal shotguns that fire a long-range beanbag. Dye markers are another choice.

Some agencies are using shotguns to deploy Tasers. From a tower, accuracy is a concern, to avoid hitting people in the face. Tests show the shotgun is most safe and effective at a range of about 35 yards. At close distances, even a beanbag can cause serious injury.

Weapon retention was raised as a concern. A few participants mentioned instances where officers lost pepper spray, stinger flashlights, etc. Lucas took the position that good training makes this a non-issue.

Ronaldo Myers (Richland County, South Carolina) said that pod officers should never be in the position of making decisions about use of force. They should rely on interpersonal skills and avoid use of force altogether as much as possible. Participants concurred that pod officers should not carry pepper spray or similar tools. Teams can be relied upon to respond if an assault or disturbance occurs.

Bobby Wyche said that in Caddo Parish, Louisiana, Tasers are carried only by the emergency response team and transportation officers. In non-emergency situations, three levels of intervention take place before the Taser is used: the officer gives the inmate an order, followed by the sergeant, then the lieutenant.

Tim Ryan (Miami-Dade County, Florida) said that sometimes officers seem to want to use the tools, but their use needs to be deliberate rather than spontaneous. In almost all situations, there is plenty of time to record video of how the inmate responds to the staff's verbal instructions. Issues of noncompliance are usually resolvable, as long as the inmate is not hurting him/herself. It's worth remembering that many inmates are mentally ill in some form or another, which could be a factor in their non-compliance.

Michael Tidwell (Orange County, Florida) recommended focusing on the officer, not the tool. Officers need to know when to take what type of action. A use of force continuum is clear and easy for officers to follow and also easy for inmates to understand.

Pat Tighe (Port St. Lucie County, Florida) said that inmates will match force with force, so it's better not to initiate it if it can be avoided. A tactical retreat is sometimes appropriate.

TOPIC 2 — VISITATION BY PERSONS WITH A CRIMINAL HISTORY

Chris Kneisley (Palm Beach County, Florida) sought updates on agencies' experiences with visitation when the visitor has a known criminal background. Palm Beach County does not allow active gang members to visit. Eligibility is determined by conviction date. To date, the policy has not been challenged. The agency will be implementing video visitation next year, and concern will drop.

TOPIC 3 — VISITATION BY ATTORNEYS

Tim Ryan (Miami-Dade County) asked how jails ensure access by the appropriate attorneys. Is visitation limited to the attorney of record? If the inmate's family hires a private attorney but the public defender is the attorney of record, who should be allowed to visit? Tom Merkel (Hennepin County) said that attorneys also may be representing an inmate on a civil matter. Hennepin County asks the attorney of record to approve all visits by other attorneys, even for civil matters.

Jeff Newton (Douglas County, Nebraska) said the jail has no way to know who the attorney of record is, so they go by the bar code. Douglas County only allows contact visits for attorneys and clergy, and is increasing its searches of these visitors and allowing them to bring in fewer items. Recently, an attorney was visiting a known drug dealer and unbeknownst to the jail, was wearing a wire microphone. Now the attorney is claiming he was not the inmate's attorney of record and is a material witness in a case in federal court.

Ryan also asked how jails handle attorneys who do not follow jail regulations. In Miami-Dade County, an attorney was discovered having sexual relations with an inmate. When this was reported to the bar, the bar said the jail should trust them. Mitch Lucas told about a woman attorney who was sitting suggestively on a desk in a miniskirt. Officers can order attorneys to comply with normal rules.

TOPIC 4 — VIDEO VISITATION FOR FAMILIES AND ATTORNEYS

Dick Carberry (Onondaga County, New York) asked for updates on agencies' experiences with video visitation. Mitch Lucas said public defenders' offices are clamoring for video visitation, and creating just one a link with the police department is a major efficiency. Several agencies represented at the meeting have video visitation systems. One participant said video visitation is available from 8:00 to 22:00. There is a limit of only one adult visitor per inmate per day.

Dan Simovich said that sheriff's office in Pinellas County, Florida, brings a bus equipped for video visitation into neighborhoods at local community centers. This gives more visitation access to family members. The public defender's office is also connected. The county is considering video visitation as a revenue generator because it saves so much time for private attorneys, they are willing to pay an access fee. Use of video visitation is purely voluntary, because face-to-face visitation is also available.

Video visitation also appeals to attorneys because it spares them the intrusive searches needed to enter the jail. Mike Tidwell said that the public defender in Orange County, Florida, is enthusiastic about video visitation, but the private bar still wants to come into the jail. Attorneys can no longer bring laptop computer or cell phones into the jail. The jail has purchased 10 netbook computers using inmate welfare fund moneys for use in attorney visits, and the attorneys can bring in flash drives to retrieve their files after the visit.

Another LJN agency provides six visitation booths for attorneys and is placing 13 new booths in the courthouse.

Ron Freeman (Ada County, Idaho) worked with a local technology contractor to set up a system that includes video stations in the dormitories. Families only need a microphone on their home computer to connect with the inmate, and they can visit from anywhere in the country. People

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appreciate that children can visit without entering the jail. Inmates enter information into the system for people they want to see. The first two visits are free, and after that there is an access fee. Staff can monitor the sessions. The system records the sessions, and recordings are retained for 2 weeks.

Agencies have experienced few problems with video visitation. Installation is the main hurdle. Mitch Lucas advised making sure the units have an adjustable camera so people's faces aren't cut off because of the table or desk height and a fixed camera angle.

Court security grants may be a source of funding for new systems.

Tim Ryan said that under Florida's "sunshine" laws, the media are demanding video recordings. Mitch Lucas said that Charleston County, South Carolina, does not currently record the audio of these sessions. Kim Spadaro (Broward County, Florida) said that the tapes can support prosecution of active cases, which provides grounds for refusing to release recordings to the media. Inmates are told the sessions may be recorded, but they share useful or incriminating information anyway. Jails are missing out on a lot of useful intelligence if they are not using video visitation and recording the sessions.

Mike Tidwell (Orange County, Florida) said that courts in the state of Florida regard this type of recording part of the public record. As soon as recordings are made, they're being requested under the Freedom of Information Act (FOIA). James Kimble (Pinal County, Arizona) stated that if recordings are related to an active case, they are not in the public record.

TOPIC 5 — AGING INMATES: IMPACT ON JAIL MANAGEMENT

David Diggs (Seminole County, Florida) asked for a discussion of medical care and other issues related to the aging inmate population.

Hospice care—

- Aging is hard to define in a jail population. A hard-core alcoholic may die at age 50. Glenn Kurtz (Sedgwick County, Kansas) has had more than a few inmates with 1-year sentences for driving under the influence, four of whom have died of natural causes while in the jail.
- Some jails provide hospice care in their clinics. Mitch Lucas (Charleston County, South Carolina) said that hospice services come to the jail, so the jail does not need to directly provide this type of specialty care.
- Mike Tidwell (Orange County, Florida) said that hospice services are provided under contracts with several hospice centers. He will not allow a hospice to be run within the jail.
- One jail had two people under hospice care last year. In an election year, even people held on relatively minor charges may not be given a compassionate release. This is especially the case for "career criminal" who have been in and out of the jail.
- Ruby Starks (Palm Beach County, Florida) said that decisions are made on a case by case basis. Compassionate release can be abused. Mitch Lucas heard of an incident when an inmate was released to hospice care and was rearrested on burglary charges within a few days.

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- Glenn Kurtz discussed net savings from the purchase of two dialysis machines. A contractor runs the dialysis unit in a secure location. Reductions in transport and overtime paid for the machines. Six to seven inmates per day are receiving dialysis care. Mitch Lucas said a dialysis unit comes into the infirmary in Charleston County.
- Jails can bring in specialists for senior care issues such as hip replacements and kidney, heart, and vision issues.
- Gary Wilson (Denver, Colorado) partnered with the state corrections department to implement cost reductions. Medical care costs had doubled over the past decade. Denver's new detention center has an infirmary that can handle a lot of chronic care issues inside the jail. Some inmates can be diverted from the jail for care, but this carries safety risks.
- In Michigan, a significant number of state corrections releasees are reoffending and ending up in county jails. The state is examining how this affects jail costs, including medical costs.
- Mark Bolton (Louisville, Kentucky) suggested that jails can partner with more than provider. The county partners with the state for on-site dialysis, and on-site OB-GYN care is provided through the University of Louisville.
- Mike Tidwell (Orange County, Florida) said that public agency providers work in the jail and are funded through the jails' budget, though they work for a different agency. The jail practices a public health model of medicine, which expands the focus of services.
- Paul Laxton (Marion County, Florida) said that the sheriff put together a local not-for-profit group of health professionals to provide services for the jail. This was effective at providing a community standard of care. Mitch Lucas said jails can join with other agencies to form a federally qualified non-profit entity to provide medical care. A national organization, Community Oriented Correctional Health Care (<http://www.cochs.org>) helps get these groups set up. Advantages include lower costs for pharmacy purchases.
- Tim Ryan (Miami-Dade County, Florida) has tried placing inmates age 40 and above in their own housing unit. The jail has also found that older inmates have a better work ethic, and the kitchen staff prefers to have older inmates on their work teams.

TOPIC 6 — PRISON RAPE ELIMINATION ACT: STATUS OF NEW STANDARDS

Gwyn Smith-Ingley (Executive Director, American Jail Association) summarized a conversation with Marlene Beckman, Senior Policy Analyst with the Office of Justice Programs, about the proposed PREA standards.

- The Department of Justice is drafting a re-write of the standards in September 2010. The draft is expected to go to the Attorney General shortly. Next, it will go to the Office of Management and Budget. An open comment period will follow.
- The standards are expected to be final by January 2012.

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- The Attorney General is being very deliberate, thorough, and receptive to the extensive input and comments that have been submitted. A New York Times editorial said that the standards should not be watered down or delayed. However, the Attorney General takes seriously the concerns raised about difficult issues, such as cross-gender supervision, videotaping throughout facilities, and audits.
- The Attorney General's goal is to produce standards that are within the reach of agencies and within the spirit and intent of the legislation. The Attorney General understands that corrections agencies, as well as outside interest groups, have a target of zero tolerance.
- Agencies may be hearing from consulting groups that they should be acting now to comply with the proposed standards. This is not true.
- The review process that is being followed is required by federal law. There is no intention to delay release of the final standards. Some interest groups want quicker action, but the process takes longer than the original schedule allowed for.
- The Moss Group has received some funding for technical assistance to agencies. Typically this will focus on encouraging people to look at their operations: zero tolerance, appropriate professional standards, and policies and procedures that support the agency's ability to control sexual violence in facilities. Sheriffs who are getting local pressure on this issue may want to talk with Andie Moss, and she'll forward reliable information.

A participant asked if it's known whether the PREA implementation will include a standard business model for compliance and audits. Smith-Ingley said that if the standards include an audit component, they must also specify how it will be implemented. Typically the Department of Justice will work with an independent agency for monitoring, as in the example of the National Commission on Correctional Health Care.

TOPIC 7 — SOLUTIONS TO RELEASES IN ERROR

Accidental release of the wrong inmate occasionally does occur. Meeting participants offered some suggestions.

- Discipline staff who don't follow procedure, up to and including termination.
- Use biometrics as part of a multi-layer accountability schema. Biometric tools are inexpensive, at about \$200 for a reader, and they work extremely well.
- Adopt a bar code system with armbands. An example is the system from Guardian.
- Develop a release checklist. Kim Spadaro said that Broward County, Florida uses a checklist. The deputy signs off on it, and then it goes to the sergeant. The agency has not had an erroneous release in 6 years.

One participant observed that sometimes identity is not the main problem—the problem is paperwork from outside agencies (courts, parole, or probation) that arrives after hours or is inaccurate and doesn't make sense.

TOPIC 8 — HIGH-PROFILE INMATES

Participants discussed ideas for handling housing and public relations issues related to celebrity inmates or inmates in jail on suspicion of highly publicized crimes.

- As much as possible, place high-profile inmates in the general population, but be careful which unit you place them in.
- Follow existing jail rules “to a T” and make sure everyone in the agency agrees. Don’t change your rules just because someone is high-profile. Glenn Kurtz (Sedgwick County, Kansas) said, “Tell the media you’re sorry but stand your ground.”
- Mark Adger took direct responsibility for security on repeat violent offender Brian Nichols when he returned to the Fulton County Jail in Atlanta, Georgia. Nichols was charismatic, resourceful, and an expert manipulator of civilian staff and his fellow inmates. Nichols had multiple escape plans, many involving getting out for hospital care (e.g., overdosing on Tylenol and claiming back pains and respiratory ailments). Adger made sure that his own officers traveled with Nichols whenever he was transported, using reserve deputies who were also EMTs. He was not allowed to travel by ambulance. Agency physicians also provided his medical care; no outside agencies were allowed. During trial, he continued to challenge security. When the court stopped the jail staff from knotting Nichols’s leg chains to shorten his stride, the jail switched to humane restraints made from leather, which also shortened his steps.
- Tim Ryan (Miami-Dade County, Florida) said this is a task for the incident command system. It’s necessary to sit down and make decisions about the specific inmate. Start by outlining every contact anyone will have with the individual while he or she is in the jail and how any other jail operations will be affected. In the O.J. Simpson case, the jail experienced a big spike in mail. Make a checklist of how the staff will be affected in transportation, medication, housing, mail, attorney access, etc. Meet with all the staff who will be involved. Involve the police in planning to prepare for the courtroom phase. Prepare a media plan and meet with media representatives to let them know your procedures. Let the media and attorneys know your rules and don’t let them drive you nuts.
- Mike Tidwell (Orange County, Florida) agreed that media relations are challenging in this era of tabloid-style news reporting. In a prominent case, the agency affirmed it would not give special treatment or allowances. It’s also important to keep your staff out of the spotlight. Two of Tidwell’s staff are now giving depositions on a case, which he finds inappropriate. A high-visibility woman inmate in his facility is given a physical examination each month, including a pregnancy test to be sure she has not become pregnant while in jail custody.

TOPIC 9 — LOANING INMATES TO OTHER GOVERNMENT ENTITIES

Tim Ryan (Miami-Dade County, Florida) raised the question of how to keep track of inmates who are placed in community programs. People may be placed in a program but are still legally in the custody of the Miami-Dade County Department of Corrections. Ryan gave the example of an inmate who became ill and was hospitalized, but no one notified the jail.

Another participant said that people under the jail's custody are often released from supervision, without the jail's knowledge, when they successfully complete community programs.

- Kim Spadaro (Broward County, Florida) requires inmates to complete their criminal sentence first, before they are released to a community program.
- Tony Wilkes (Davidson County, Tennessee) said inmates from his jail were being handed over to federal marshals, treatment centers, and other destinations, then were released back to the streets. To prevent this from happening, jail staff began identifying contacts in outside agencies, including their name and direct phone number, and calling them weekly to make sure the former inmate was still there. In the case of the U.S. Marshals Service, inmates were being allowed to leave after their court proceedings, but they remained in the data system as being in Marshals Service custody. Mitch Lucas said that if there is no release order, the Marshals Service is acting in contempt of court. Communicating this should be leverage for a solution.
- Tim Ryan said Miami-Dade has stopped releasing inmates to programs because it lacks the legal authority to release inmates to another agency's custody. If there's interest in placing an inmate in an outside program, the proper channel is to ask the court. The catch is, courts are hesitant to release inmates because of re-election concerns. The situation is near an impasse.
- Don Pinkard (Gwinnett County, Georgia) said that one system that works is when the inmate's sentence can be suspended on acceptance into a community-based program. If there's cause, the release status can be revoked and the inmate returned to custody. Judges have been comfortable with this procedural option.

TOPIC 10 — DEALING WITH TRANSGENDER ISSUES

Jails are continuing to learn how to manage issues related to transgendered or transgendering inmates and staff.

- Brian Head (Pasco County, Florida) said the jail's main concern is how to conduct searches.
- No agencies represented at the meeting have experienced litigation on this issue, but some have had litigation threatened.

- Mitch Lucas (Charleston County, South Carolina) mentioned the possibility that transgender individuals will seek jobs in the jail. If applicants' transgender status is the jail's only reason not to hire them, jails should hire them.

TOPIC 11 — DISCIPLINE ARISING FROM SOCIAL MEDIA

Mitch Lucas (Charleston County, South Carolina) asked whether other LJN agencies are finding it necessary to discipline staff as a result of content they've posted on the social media, such as Facebook. He gave the example of an officer who calls in sick but tells her friends on Facebook that she's traveling to see her boyfriend, and word gets back to the jail. Participants shared similar examples.

- Marilyn Chandler Ford said that, aside from getting the news faster, the issue is no different from before social media. Supervisors still need to contact staff who call in sick and follow up with discipline if they're calling in illegitimately. Lucas added that the jail has their own words to use against them.
- Jon Hess said that jails may need to consider union concerns. Jails don't have the staff time to go looking for incriminating content, but if the staff think you do have time, it helps keep them in line.
- Jails can require access to Facebook and email accounts during the background investigation for new staff. However, staff could evade the intent by creating a second Facebook account.
- Brian Edwards (Tulsa County, Oklahoma) said that his internal affairs investigators find people are getting smarter, making policy changes necessary. A conference session at the ACA conference in August was useful. Some agencies are requiring staff to accept the agency as a "friend" so posts can be monitored. Edwards would like NIC to develop a model policy in this area.
- Most agency policies on social media cover a few basics: staff do not represent the agency online, and staff who refer to the agency will be terminated or subject to disciplinary action.
- Michael Marks (Essex County, Massachusetts) had an officer who was suspended for 30 days for posting content about facility captains on Facebook and whose profile revealed that he was a correctional officer for the agency.

In a different twist, an employee approached his agency for help because he was the subject of derogatory comments from other staff on Facebook and felt harassed. The posts did not specifically mention the workplace, and the supposed harassment might not create a hostile work environment, since it was not taking place at work. It was unclear whether an agency has a responsibility for responding to this type of situation.

TOPIC 12 — MEDICALLY INDIGENT ASSISTANCE ACT

Mitch Lucas suggested jail administrators become familiar with the Medically Indigent Assistance Program, which provides that tax revenues be disbursed to hospitals to cover indigent care. Technically, pretrial detainees should pay for their own medical care, and jails should cover the costs of care for sentenced inmates. But many inmates are indigent. If the state provides medical care for people on the streets, it should also cover costs for treating pretrial inmates. This may provide a source of medical care funding for jails.

TOPIC 13 — SCANNING MAIL

Mail scanning technology is helping agencies keep contraband out of their jails. Examples of items found are a cell phone concealed in a bar of soap, and a book purchased from a well-known bookstore chain in which an inmate's mother concealed a handcuff key.

Mail scanning by the U.S. Bureau of Prisons has been challenged in Florida court and the practice was upheld.

TOPIC 14 — ADDRESSING STAFF STRESS

Mitch Lucas brought attention to the concept of employee support committees. They are non-profit entities that are not tax exempt but still an effective way for employees to fund assistance to colleagues who need help. Voluntary contributions might be in the range of \$2 per pay period, deducted automatically. A committee typically approves who receives monetary awards. One fund of this type has given away over \$1 million.

Money can be awarded for various reasons.

- When an officer was injured in a motorcycle accident in South Dakota, his family needed help traveling to be with him.
- The family of an officer who was laid off may need help getting by.
- An officer may have difficulty making a child support payment.
- A staff member may have a family medical emergency, such as a child with cancer.

Kim Spadaro said that Broward County, Florida, has a police officer assistance trust. This fund is available for families if an officer is injured or killed in the line of duty. Charleston County also has a separate fund for this purpose, in addition to the employee support committee.

Tim Ryan (Miami-Dade County, Florida) said that when an agency experiences a death in the ranks, the psychological and financial help the agency can provide is invaluable. Miami-Dade invites banks to review mortgages and find ways to reduce financial pressure. Mortgage companies initially resisted doing this but came to understand that these clients merited the assistance.

TOPIC 15 — KIOSKS FOR MONEY HANDLING

Kiosk systems for accepting inmates' pocket money at intake saves significant staff time. Inmates feed their money into the kiosks, and the kiosks automate the process of accurately counting the money. An additional benefit of the kiosk machines is counterfeit bill detection.

Kiosks can be programmed with fixed withdrawal increments, such as \$200, for inmates to transfer money from their credit card accounts.

At release, inmates' money often is returned to them in the form of a cash card, but it may also be returned as a check or in currency.

Agencies use different approaches to fees for using money management systems.

- One participant said inmates pay a \$3.50 fee when issued the cash card.
- In another agency, the card is purchased at intake.
- Mark Bolton's vendor in Louisville, Kentucky does not charge inmates for loading money into their accounts, but it does charge families a fee for internet access to transfer funds.
- Another approach is to charge no fee if the inmate uses the card in a single transaction. Adding subsequent transactions incurs a fee.
- Ronaldo Myers said the jail in Richland County, South Carolina chose not to impose a fee. In South Carolina, fees are generally considered to be inappropriate.
- Jeff Newton (Douglas County, Nebraska) agreed it doesn't seem appropriate to charge inmates to give them back their own money.
- Danny Downes (Lubbock County, Texas) commented that fees or no fees, the difference is absorbed by the vendor when it comes off their profits, as negotiated in the contract.

Kiosks can generate revenue in other ways.

- At least one jail has sold kiosk advertising to attorneys.
- Brevard County allows attorney advertising throughout the jail. There has also been a request for a billboard at the jail's farm.
- Housing unit kiosks can be used for electronic messaging, which could replace physical inmate mail. A fee of \$0.50 or \$0.60 per message is being considered.

Oscar Aviles (Hudson County, New Jersey) said his agency has experienced some complications when the vendor's on-site teams don't want to leave their firearms outside the jail. Armored car companies also resist surrendering their arms. Mitch Lucas said this needs to be spelled out in the vendor's contract.

Ronaldo Myers said that he or a single staff member handle the kiosk money.

TOPIC 16 — PRIVATIZING JAIL SUPPORT SERVICES

Participants discussed their use of contracting for jail functions. For-profit and not-for-profit organizations can be good partners.

- Glenn Kurtz (Sedgwick County, Kansas) said that a new medical care contract meant that the county no longer was involved in hiring physicians to work in the jail. One contractor handles everything from pharmacy management to hospitalizations, saving the jail money. Because the contractor pays for pharmaceuticals, they have an incentive to save by using generics.
- Lucas described the need to iron out some complications. Charleston County had different providers for mental health care and medical care, each using a different formulary. In a creative solution, the mental health service was hired by the medical care provider.
- Lucas noted that the jail spends about the same amount of money on HIV medications as on psychotropics. The agency determined that if HIV-positive inmates have not been taking their HIV medications regularly, the jail can wait 2 weeks before starting them. Also, the jail learned that starting the medications earlier may cause harm. The waiting period also saves money.
- Jails can also contact their county's public health clinic, which may cover the cost of medications. Mitch Lucas said injections for hemophiliacs cost \$5,000 per dose.
- Tony Wilkes said the Davidson County jail in Tennessee partners with the county wellness center. The agencies share data access: once people enter the jail, the wellness agency knows they're there.
- One problem with medical contracting is loss of control over staffing. Mike Tidwell (Orange County, Florida) said that having a flood of new nurses who don't know a thing about jails is a problem. LPNs, PRNs, and part-timers cycle through the jail. There is no consistency in the level of care. The suggestion was made that this can be headed off during development of the contract with performance measures.

TOPIC 17 — "AMNESTY BOXES" IN INTAKE

Participants shared ideas on the use of a no-fault drop box in pre-booking, sallyports, etc., as a last chance for detainees to surrender drugs or other contraband undetected by the arresting officer.

- Kim Spadaro (Broward County, Florida) said that if the contraband is evidence for a crime, the arresting officer should seize it. It's up to the arresting agency to act, not the jail.
- Brian Head (Pasco County, Florida) said the jail's drop box collects a lot of tobacco products and other minor contraband.

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ANNOUNCEMENTS

NIC News

Richard Geaither, a Correctional Program Specialist at the NIC Academy, invited meeting participants to enroll their senior leaders and managers in a new NIC virtual training program, "Unleash Your Leadership Competency Potential." Trainees will complete self-assessments, identify needed learning interventions, and make an action plan for further development of their leadership competencies.

The program will be delivered through three, 2-hour live sessions from October to December 2010 at NIC's online Learn Center (<http://nic.learn.com>). Attendees will also complete pre-session work and inter-session assignments totaling 6 hours of offline study.

Other News

- David Diggs (Seminole County, Florida) was recognized for being named AJA's Large Jail Administrator of the Year.
- Lindsay Hayes, of the National Center on Institutions and Alternatives, has completed an important new report on jail suicides. He identified several shifts in the incidence of jail suicide, including the fact that suicides are becoming less likely to happen at intake and more likely to happen after inmates have been in jail custody for some time. The new report, *National Study of Jail Suicide: 20 Years Later*, is available at <http://nicic.gov/Library/024308>.
- Glenn Kurtz (Sedgwick County, Kansas) would like to arrange visits to other LJN agencies with his county commissioners to educate them about jail issues. He invited agencies that are willing to host these visits to contact him.
- Marilyn Chandler Ford (Volusia County, Florida) distributed brochures about the Association of Women Executives in Corrections (www.AWEC.us). LJN meeting participants either are women or they employ women. AWEC was formed by women who went through NIC's leadership program for women in corrections, developed at the initiative of Susan Hunter when she was Chief of NIC's Prisons Division. AWEC recognizes that women bring different skills and strengths to senior level management. AWEC is about mentoring women managers throughout the criminal justice system: in institutional corrections, probation, parole, and juvenile justice. Chandler Ford asked LJN participants to let their senior women know about AWEC and suggested the men present become friends of the association.

LARGE JAIL NETWORK BUSINESS

Future Meeting Topics

Meeting participants selected the following topics for the next meeting of the Large Jail Network, to be held March 25 – 27, 2011, in Aurora, Colorado.

- Legal issues update, with Bill Collins.
- Discussion of Prison Rape Elimination Act standards and implementation, with Andie Moss of the Moss Group, an organization that has provided expertise to the PREA process and works with corrections agencies on inmate sexual victimization and agency culture.
- Technology advances, such as X-ray scanners and cell phone detection tools.
- Suicide prevention focusing beyond the intake phase.
- Use of data to influence policy.
- Identification of inmates who may be involved in Islamic terrorism.

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Appendix A

**Large Jail Network
September 2010 Final Meeting Agenda**

LARGE JAIL NETWORK MEETING

September 13-15, 2010

Doubletree Denver
Southeast Hotel

Aurora, CO

Agenda

Monday, September 13

- 6:00 p.m. Introduction and Overview Mike Jackson
Correctional Program Specialist
- 6:30 p.m. INFORMAL DINNER
- 7:30 p.m. Orientation for New Members TBD
- 8:00 p.m. ADJOURN

Tuesday, September 14

- 8:00 a.m. Open Forum: Hot Topics..... Mitch Lucas
Charleston Co, SC
- 10:00 a.m. Core Jail Standards Overview..... Kathy Black-Dennis
American Correctional Association
- 12:00 noon LUNCH
- 1:00 p.m. COMSTAT Approaches for Accountability and Leadership John Hess
Kent Co, MI
Rick Frey
Broward Co, FL
Gordon Bass
Jacksonville, FL
- 3:00 p.m. Battling Complacency in Line Staff and 1st Level Supervisors John Hess
Kent Co, MI
Ronaldo Myers
Columbia, SC
Tony Wilkes
Davidson Co, TN
- 5:00 p.m. ADJOURN

Wednesday, September 15

- 8:00 a.m. Return to Work/Terminating the Legitimately Ill Dr. Michael Kennedy
Suffolk County, NY
- 10:00 a.m. Legislative Updates..... Gwyn Smith-Ingley
AJA Executive Director
- 12:00 noon LUNCH
- 1:00 p.m. Addressing Staff/Inmate Fraternization Darren Long
Travis County, TX
Robert Sowell
Clayton Co, GA
Tim Ryan
Miami-Dade, FL
- 3:00 p.m. Substance Abuse and Self Awareness Mark Lundholm
- 4:30 p.m. Future Meeting Topics Mike
Jackson
Correctional Program Specialist
- 5:00 p.m. ADJOURN

Appendix B

**Large Jail Network
September 2010 Participant List**

National Institute of Corrections

Mike Jackson

Betsy Matten

FINAL PARTICIPANT LIST

10J2402

Large Jail Network Meeting

Aurora, Colorado

Monday, September 13, 2010 - Wednesday, September 15, 2010

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Appendix C

Index of Past LJN Meeting Topics

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

1990	June	System Approaches to Jail Crowding and Population Management
1991	January	Crowding Strategies and the Impact of Court Decisions
	July	Managing Jail Litigation Linking Jail and Community Programs
1992	January	Fair Labor Standards Act Writing and Negotiating Contracts
	July	Americans With Disabilities Act
1993	January	Blood-Born and Airborne Pathogens Health Care Costs in Jails
	July	Privatization Programs for Women Offenders
1994	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
1995	January	Gangs, Jails and Criminal Justice
	July	Trends in Employee Relations; Sexual Harassment
1996	January	The Dilemma of In-Custody Deaths The Crime Bill and It=s Impact on Jails
	July	Juveniles in Adult Jails
1997	January	Meeting the Competition of Privatization
	July	21st Century Technology and it's Application to Local Jail Information and Operational Needs.
1998	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.
1999	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)

2000	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.
2001	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
2002	January	The Future of Jails, Corrections and Criminal Justice Legal Issues Update
	July	Inmate Medical Care Cost Containment Succession Planning for Future Jail Leaders
2003	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
2004	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 Clothing Searches
	July	Effectively Managing Inmate Gangs in Jails Identifying Problems/Managing Inmate Mental Health
2005	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

2006	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
2007	January	15 th 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
2008	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
2009	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
2010	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

2010	September	ACA Core Jail Standards
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		Comstat Approaches to Accountability and Leadership Battling Complacency in Line Staff and 1 st Line Supervisors Return to Work/Terminating the Legitimately Ill Employee Addressing Staff Inmate Fraternization