



PROCEEDINGS
OF THE
LARGE JAIL NETWORK
MEETING

RECEIVED JUL 31 2001

January 1999

PROPERTY OF
NIC INFORMATION CENTER

VF 1010
017023

National Institute of Corrections

Jails Division

Large Jail Network Meeting

January 10-12, 1999

Longmont, Colorado

Table of Contents

Meeting Highlights	1
Post-Traumatic Stress Syndrome and Critical Incidents: Preparation, Response, and Review	3
Thomas Scarano, Licensed Clinical Psychologist	
Post-Traumatic Stress: The Value of Peer Support	7
Dan Nelle, Ed Stelle, Bill Gatzke, Multnomah County Sheriff's Office	
Programs that Address Post-Traumatic Stress Syndrome in Employees	11
John Sells, Caddo Parish, Louisiana	
David Balagia, Travis County, Texas	
Standardized Emergency Management and Critical Incident Command Systems	15
Dennis Scheuller, Alameda County, California	
Critical Incident Training: Preparation, Response, and Review	19
James Nunn, San Bernardino County, California	
Critical Incident Response	21
Michael Schweitzer, Forsyth County, North Carolina	
Legal Issues	27
William Collins, Attorney at Law	
Future Meeting Topics	31
Richard Geather, NIC Jails Division	

Meeting Highlights

Large Jail Network Meeting

January 10-12, 1999

Longmont, Colorado

These proceedings present highlights of a meeting of The National Institute of Corrections' (NIC) Large Jail Network held in Longmont, Colorado, on January 10-12, 1999. Approximately 60 administrators of the largest jails and jail systems in the country attended the meeting.

The meeting focused principally on topics related to critical incidents and employees' response to traumatic events. As is the custom at Large Jail Network meetings, the meeting also included an update on current legal issues affecting jails.

- ◆ **Opening Address:** In the opening address, Dr. Thomas Scarano, a licensed clinical psychologist, discussed post-traumatic stress syndrome and its relation to critical incidents. He highlighted important issues for large jail systems to address when dealing with employees suffering post-traumatic stress.
- ◆ **Post Traumatic Stress: The Value of Peer Support—**Dan Noelle, Sheriff of the Multnomah County, Oregon Sheriff's Office, introduced two members of his staff to describe the agency's Peer Support Program. Ed Stelle, the Chaplain, and Sergeant Bill Gatzke summarized the purpose, origins, and activities of the Peer Support Program and made recommendations to other agencies interested in developing such a program.
- ◆ **Post-Traumatic Stress—**John Sells of Caddo Parish, Louisiana, pointed out the importance of a jail administrator's support in creating a successful post-traumatic stress program for employees. David Balagia, Travis County, Texas, described the roles of Travis County's Critical Incident Stress Management Teams.
- ◆ **Standardized Emergency Management and Critical Incident Command Systems—**Dennis Scheuller of Alameda County, California defined the basic elements of that county's Standardized Management System, outlined the

elements of an Operations Plan, and summarized the functions of the California Master Mutual Aid Agreement and the Operational Area Satellite Information System.

- ◆ **Critical Incident Training**—James Nunn, San Bernardino, California, emphasized the importance of Critical Incident Training, especially the crucial role of the incident commander. Michael Schweitzer of Forsyth County, North Carolina, described the issues that arose when 732 inmates had to be evacuated from the jail because of a serious fire nearby.
- ◆ **Legal Issues**—William Collins, Attorney at Law, Olympia, Washington, provided a briefing on several legal issues in which there have been recent developments affecting jails. The issues he addressed were sexual harassment, use of force, the Prison Litigation Reform Act, and a variety of other topics.
- ◆ **Future Meeting Issues**—Richard Geaither of the NIC Jails Center led a discussion of possible topics for the next Large Jail Network meeting. Selected was the topic "Recruitment and Retention of Staff." In addition, the meeting will include an update on legal issues affecting jails.

Post-Traumatic Stress Syndrome and Critical Incidents: Preparation, Response, and Review

Thomas Scarano, Ph.D., Licensed Clinical Psychologist, Denver Sheriff's Department

Experiencing, witnessing, or being confronted by a traumatic and catastrophic event or critical incident can cause post-traumatic stress. Such an incident may involve actual or threatened death, serious injury, or a threat to a person's physical safety or that of others. The person's response to a critical incident is likely to involve intense fear, helplessness, or horror. In addition, the incident violated the person's assumptions, expectations, and belief systems.

Post-Traumatic Stress Syndrome

Post-traumatic stress syndrome is a set of emotions and reactions that form an identifiable pattern. Reactions to a traumatic event may be:

- Acute— The expected initial reaction to a critical incident is an acute stress reaction, which may or may not lead to post-traumatic stress disorder.
- Chronic—If symptoms of stress persist, the person may be suffering from post-traumatic stress disorder (PTSD).
- Delayed—Symptoms may not be immediate. Some people exposed to a trauma have an immediate acute reaction, but don't develop a disorder. Others do not display symptoms immediately but do develop a post-traumatic stress disorder.

History of Post-Traumatic Stress Disorder

In the 1890s, PTSD was called "hysterical neurosis." After that period, interest in the problem subsided until after World War I and II, when psychiatric problems were identified principally in prisoners of war. After the Korean War, psychologists gathered research that showed that the percentage of "psychiatric casualties" was approximately the same for every war—from 11%-13%. Those who suffered were described as having "shell shock" or "war neurosis."

Psychologists began to develop strategies for preventing the problem in the next war. These strategies, which were implemented during the Vietnam War, included:

- Prescreening—to identify some past event that predisposed men to suffer post-traumatic stress; that is, psychologists were looking for a "preexisting condition."
- Limiting combat time—The military decided that one year was the optimal time to be exposed to battle. The Marines determined, however, that their personnel could serve for 13 months.
- Educating those in a war zone—The intention was to help those in the military anticipate what to expect in order to reduce their psychological reaction.
- Including a mental health professional in every division—This was done to enable everyone to see a mental health professional within 24 hours after they were exposed to a traumatic event.

The Vietnam War was a major influence on today's understanding of PTSD. Following the Vietnam War, psychologists began to assess those returning to see how many were suffering from stress. Initially, only 3-5% seemed to be suffering from post-traumatic stress disorder, and the decline was attributed to the prevention strategies.

However, much later, large numbers of veterans began to go to mental health professionals, complaining that they could not adjust to society. Up to 25-28% seemed to suffer this delayed reaction—a much higher rate than for previous wars. This result prompted a great deal of funding to support investigations into why this had happened and why some exposed to the war developed post-traumatic stress disorder and others did not.

Pertinent Features of PTSD

The research identified four distinguishing factors in PTSD:

- The person experienced or witnessed an identifiable trauma or critical event.
- The event is persistently re-experienced; the person experiences intrusive images and thoughts of the event, including dreams.
- The person avoids stimuli associated with the event, including people or places that might trigger a reminder.
- The person has secondary symptoms, including hyper-vigilance, sleeplessness, difficulty concentrating, or periodic outbursts of anger.

These factors are the criteria for making a diagnosis of PTSD. It is impossible to diagnose the condition until at least four to six weeks after the event.

Understanding, Diagnosing, and Treating PTSD

Factors that determine how PTSD should be treated include:

- Type of trauma—A protracted trauma (Type II), such as being in war or being taken hostage, is treated differently than an acute—or single event—trauma (Type I). The prognosis is much better for those exposed to a Type I trauma than to a Type II trauma.
- Type of person—The primary factor that assists people in handling trauma is self-esteem.

Important Issues for Large Jail Systems

Personnel policies in jails should include:

- Mandatory time off for those exposed to a critical incident;
- Mandatory treatment;
- Established criteria for returning to work, including release by a mental health professional; a fitness-for-duty evaluation; determination of whether the employee will return to the same post or another one; a briefing of supervisors and officers on how they can help a returning employee; and a follow-up with the employee.
- A proactive stance on critical incidents. This can help new recruits know what to expect if they experience a traumatic event.

Treatment issues that must be agreed on:

- Whether to use internal or external mental health professionals;
- The importance of recognizing cultural and gender differences in reactions to critical incidents;
- Questions related to critical incident debriefing:
 - ◇ Who should conduct the debriefing— a mental health professional or a peer support officer? There are advantages to both approaches.
 - ◇ How soon after the critical incident should the debriefing take place? An investigation may supercede the debriefing.

- ◇ Who should participate and where should it be held?
- ◇ Primary purpose of the debriefing? Its purpose should be to prevent PTSD following the initial trauma.
- ◆ The only effective treatment is catharsis; the person must revisit the event and recapitulate what happened. Hypnosis or sodium pentathol are sometimes used to assist in this process. Through a debriefing conducted in a supportive, non-judgmental environment, you can reduce the likelihood of PTSD by 40%.

Peer Support Programs

- ◆ Issues to consider in developing peer support programs include selection of peers; treatment; members, which should be from all levels; roles, e.g., debriefing or expanded role; liability; resources and support from the administration; the degree of involvement from mental health professionals.
- ◆ Involving spouses and/or families as part of the recovery process is most effective if they are included in treatment. If gone untreated, PTSD can have serious effects on the family as a whole.
- ◆ A specific group for trauma survivors can be run by peers and should include those who were involved in critical incidents in the past.

For additional information, contact Dr. Thomas Scarano, (303) 757-2340.

Post Traumatic Stress: The Value of Peer Support

Dan Noelle, Sheriff, Multnomah County, Oregon; Ed Stelle, Chaplain, Multnomah County Sheriff's Office; and Sergeant Bill Gatzke, Multnomah County Sheriff's Office

Purpose

The purpose of Multnomah County Sheriff's Office's Peer Support Program is "to provide confidential, moral support in order to help Multnomah County Sheriff's Office employees and their families deal with emotional and physical needs during a time of crisis."

Program Origins

The program began when Ed Stelle, the Chaplain, realized that many officers were alcoholic and that many had been through traumatic incidents. The sheriff suggested bringing together a group of these officers. However, at the first meeting, all the officers indicated that they were having no problems. The psychologist attending the session suggested that the meeting should be held again but without his presence. At the second meeting, officers did acknowledged having serious problems.

A jailbreak in which officers were severely beaten created significant pressure on staff. In addition, the county had recently lost about one-third of its deputies as a result of the expansion of the city of Portland. This situation meant that job security was lost, and the remaining officers no longer had seniority. There was a great chasm between law enforcement and corrections personnel. Morale was terrible, and the sheriff requested that a program be developed to return good morale to staff.

At that time, only one other peer counseling program in a jail was identified, which was in Seattle. It then took another three years to find qualified people to train as peer counselors. Eventually six officers were selected—three from corrections, and three from law enforcement. The decision was made to refer to the program as one of "peer support" rather than "peer counseling."

How to Begin

- ◆ Choose peer support team members from the bottom. They are likely to be the least known and recognized. It is important to have

involvement from top administrators, but you must start recruiting at the bottom. This approach reinforces the idea that every person in the department is important, which in turn strengthens morale.

- ◆ Choose a qualified director who will be specifically charged with the responsibility for the program. The chaplain fills this position in Multnomah County.
- ◆ Each department needs a coordinator who knows all members of the support team and works with the director. The coordinators are charged with recruiting, planning, and training peer support volunteers.
- ◆ A secretary assists the director and sends cards on behalf of the support group to employees who are ill or who have lost loved ones.
- ◆ Team members are all employee volunteers who are selected by the director and coordinators. An effective peer support team member is alert, unobtrusive, listens, available, encouraging, pleasant, and positive. He or she knows about available resources, seeks advice, and is not an enabler of weakness.

Specialized Teams

Multnomah County Sheriff's Office's program has three specialized teams:

- The Trauma Team functions when a traumatic event occurs. The team offers support to the affected employee, including personal support, communications with family, and, if needed, food, clothing, and transportation.
- The Debriefing Team is activated through a call-out system initiated by an incident commander. The team works to defuse an event and to de-mystify a traumatic incident by helping employees understand and deal with their experience.
- The Alcohol and Drug Abuse Team includes members who have a personal knowledge of the effects of addiction. Team members continue to work with those exposed to trauma and, in general, know what resources are available to help those struggling with alcohol and drug abuse.

Recommendations

1. Obtain support from administrators. You must have support from management to make a program successful.

2. Establish a written policy before beginning a program. Getting legal guidance will help your department avoid potential litigation.

Peer Support Roles

- ◆ Demographics—Half of the staff have been on the job for less than five years; half are under 35 years old. This is the first time most have had to deal with traumatic incidents. Both sworn and unsworn staff participate in the peer support program.
- ◆ Interaction—Peer support teams let staff talk. They must be very honest with the employee. Confidentiality is the cornerstone of the relationship. Team members act as a resource person, not a counselor. Their role is to send employees to outside professionals who can help them with their problems.
- ◆ Relationship to management—Managers may come to peer support people with identified problems. The team member then deals with the employee's problems but does not go back with a report to the manager.
- ◆ Relationship to the union--The relationship to the union is also very positive.

Incident Initiatives

- ◆ In the case of traumatic events, the chaplain and coordinators are paged, and the trauma team is sent to deal with employees' needs. The focus is not on the incident itself, but on the employee's basic needs, including warm clothing, food, transportation, childcare. The team tells employees what to expect and describes available assistance, including incident leave.
- ◆ A debriefing is held in a safe place away from the traumatic incident. Unless they were directly involved, no managers are present at the debriefing; this approach creates a clear understanding of confidentiality. The employees are given a chance to verbalize what they saw and how they feel. The debriefing is held as close to the incident as possible, as a person's reaction is liable to occur within 72 hours. In another important step, two to three weeks later, the debriefing process is repeated.

Peer Support Works

- ◆ Peer support saves lives by keeping employees healthy. It also saves time and money. In 1997 4.4% of Multnomah County officers were away from work on trauma leave or stress leave. There was a 1% decrease during 1998, which was attributable to the peer support program.
- ◆ FMLA relationship—The Family and Medical Leave Act (FMLA) is handled by the personnel division, which is a separate division. FMLA used to be a way

for employees to rebel against management, but this tactic is being minimized by talking directly to the employee.

- ◆ There are five psychologists on retainer who receive referrals from the program. The program also works closely with the Employee Assistance Program, although it is designed to help officers who can't be reached by the EAP.
- ◆ Employees can participate in a catastrophic leave program, which enables them to donate time to other employees to help them get through the 90 day eligibility time.

For additional information, contact Dan Noelle, Sheriff, Multnomah County, OR; (503) 251-2400.

Programs that Address Post-Traumatic Stress Syndrome in Employees

John Sells, Caddo Parish, Louisiana

Caddo Parish is the county in the northwest corner of Louisiana; it borders Texas and Arkansas. Louisiana is usually ranked as being among the ten states with the worst jails.

In developing a program to deal with post-traumatic stress, it is important that the head of the department does not ruin what is essentially a good idea.

Administrators' Role

1. You must agree with the concept. Administrators must recognize that times have changed, that the "be a man" attitude previously encouraged when employees suffer post-traumatic stress is no longer appropriate. It is important to understand that if something is good for the staff, then the agency benefits.

John Wayne is dead; we don't act like him any more. The question to ask when considering a program to address post-traumatic stress is "does this further our mission"?

2. You as administrator must understand the process. Best practices change as we grow. Issues such as confidentiality have certainly changed over the years. We also used to force someone to see a mental health professional, but that is not our current approach to dealing with employees who are suffering stress. In understanding the process, you must understand that if you as manager get too involved, you might kill the program.
3. You must understand the importance of providing resources for a program that addresses post-traumatic stress. Enable staff to make the program work. To further the mission of the program, you must provide the necessary resources.

◆ After you have taken in these three important things, then get out of the way!

For additional information, contact John Sells, Assistant Chief, Caddo Parish Sheriff's Office, Shreveport, LA; (318) 667-5296.

David Balagia, Travis County, Texas

Programs addressing post-traumatic stress in employees face important issues of confidentiality and liability. It is important for administrators to get legal advice before developing a program. Courts respond differently in different jurisdictions. Despite these concerns, though, we have to do what is right.

Critical Incident Stress Management Teams

- ◆ Travis County has five teams, each of which has a leader and team coordinator. The leader works for Victim Services. Within teams, the members are civilian volunteers, mental professional volunteers, and peer support groups of both law enforcement and corrections staff. Our interpretation of the Fair Labor Standards Act is that staff need to be paid for such a role; everyone else volunteers their time.
- ◆ Team members work with those who have been involved in a traumatic event. As a first step, they recommend that staff get counseling from the Employee Assistance Program or from a counselor. If someone seems to be having an especially hard time, team members can order the person to go to the EAP; as a final stage, they may mandate that someone see a psychiatrist.

Defusing and Debriefing

Those involved in a critical incident are given an opportunity for defusing immediately after the incident. After 24-72 hours, the teams conduct a debriefing in which those involved speak about what happened and how they feel. This debriefing session is mandatory for all those involved in the incident. Even those who are scheduled to be off for the day must come back and participate in the debriefing.

Critical Incident Reporting

Critical incident reporting is a totally separate activity from defusing and debriefing. The supervisor in charge when the incident occurred writes the report, which must address what caused the incident, describe the ability of staff to function during the incident, identify problems that might be corrected through training, and note any problems with the facility itself. The purpose of the report is to evaluate how jail operations can potentially be improved.

Team Roles

- ◆ The coordinator keeps track of how everyone is doing. He calls supervisors to check individuals' well being. If the supervisor believes it is needed, the coordinator also facilitates additional talks and counseling.

- ◆ When there is a death in an officer's family, another officer is assigned as peer support to be with the officer for up to three days.

Conclusion

Travis County has learned a lot through its post-traumatic stress program. It is important for us to do more in terms of educating all staff about the program's mission. Essentially, though, the program does not need to be sold. Everyone can see its benefits.

For additional information, contact David Balagia, Major, Travis County Sheriff's Department, Austin, TX; (512) 473-9348.

Standardized Emergency Management and Critical Incident Command Systems

Dennis Scheuller, Alameda County, California

Standardized Emergency Management System (SEMS)

A number of incidents in the Alameda area prompted the use of a Standardized Emergency Management System (SEMS), including the 1991 Eastbay Hills Firestorm. That incident, along with others, made clear that departments couldn't readily communicate with each other. Their fire hoses wouldn't fit into hydrants, and their radio systems were not compatible.

In addition, Government Code Section 8607 required state agencies to use the SEMS system. Cities, counties, and special districts must use SEMS in order to be eligible for state disaster reimbursement funds.

Incident Command System (ICS)

The Incident Command System (ICS) was originally copied from fire departments. The idea originated in the 1970s. The use of ICS facilitates the flow of information and resources, coordination among responding agencies, and the rapid mobilization, deployment, and tracking of resources.

Basic Features of an ICS

- ◆ **Personnel Accountability**—You must know where all personnel are located, so that agencies do not duplicate efforts. You also need to know where to send food and replacement personnel.
- ◆ **Common Terminology**-- Common terminology is an important aspect of the concept, because it is important for all agencies to use the same terms in communicating with each other.
- ◆ **Resources Management**—Resources must be accounted for; this can be done by establishing mandatory initial check-in procedures and by tracking all resources, locations, and status.
- ◆ **Integrated Communications**—There must be a central communications point, and there must be agreements on frequency sharing and use of mobile/portable radio equipment.
- ◆ **Unified Command**—Some one must be designated as responsible for all decisions. Agencies involved must determine overall incident objectives and select strategies.

ICS Primary Functions

The primary functions of an Incident Command System are:

- ◆ **Command/Management**—Defines the mission and identifies goals. Command does not do actual work but is responsible for overall emergency planning and for ordering and/or controlling resources and personnel in the field.
- ◆ **Operations**—Responsible for coordinating the tactical response with the Incident Action Plan. The operations head coordinates all jurisdictional operations in support of the field response.
- ◆ **Planning/Intelligence**—Collects, evaluates, and documents all information related to the incident. The Planning Section is the primary source of information in a developing situation and is responsible for maintaining reports on all operational deployments.
- ◆ **Logistics**—Responsible for all supplies and support necessary to conduct the emergency operations. A key function. It is important to have people who know how to get what is required to help the operations people succeed. The wheelers and dealers in a department are good for the logistics position.
- ◆ **Finance and Administration**—Responsible for cost accountability. It is important to track expenditures during an emergency in order to recoup reimbursable costs later.

Action Plan—An Action Plan is the documented strategy decided on by the Incident Commander and is the basis for all tactical plans and operations. It must include the following elements:

- ◆ Statement of objectives
- ◆ Organization
- ◆ Task to be accomplished
- ◆ Resources needed
- ◆ Support plans

Operations Plan Format

- ◆ Following is the format for an operations plan.

I. Situation

- A. Type of action. Is it a search/arrest warrant, a combination, disaster, hostage situation, etc.
- B. Locations involved
- C. Subjects involved—A general description only
- D. Mission—A brief statement of the objective of the operation's purpose

II. Intelligence

- A. Specific subject description—criminal background, weapons, propensity for violence
- B. Location description—photo, floor plan, or videotape of area

III. Concept of the Operation

- A. General—who goes where, who does what
- B. Strategy of the operation—surround/call out, provide security, perimeter, etc.

IV. Execution

- A. Actions at Objective
 - ◆ Team and individual assignments
 - ◆ Specialized resources required

V. Coordinating Instructions

- A. Order of Movement—vehicles, teams, personnel assignments
- B. Time Schedule—departure, execute, entry/search, secure times.
- C. Rules of Engagement—types of weapons, types of force authorized, what to do if an officer is down.
- D. Rehearsal/Inspection—if a planned event rather than a disaster
- E. Routes to Objective

- F. Inter/Intra-Agency Coordination—identify jurisdiction, division, area. Ensure all agencies are on the same page.
- G. Area Isolation/Perimeter Control—specific units and duties defined.
- H. Demobilization plan—how to end the event.
- I. Critique of the incident

California Master Mutual Aid Agreement

Signed in 1950, this agreement is for agencies in the state of California to voluntarily assist each other in the event of a disaster. Six mutual aid regions are defined in the state, with three regional offices to administer mutual aid coordination. The assistance is discipline-specific; that is, fire departments assist other fire departments, sheriffs' departments assist sheriff's departments. The home agency pays salaries, and the receiving agency pays maintenance costs.

Operational Area Satellite Information System (OASIS)

The OASIS system provides satellite links from operational areas to the state's regional offices and to the state Emergency Operations Center in Sacramento, which centralizes the management of emergency operations.

Importance of Emergency Operations Planning

Planning in advance is important; the more you can anticipate, the better off you are. A major emergency requires that a plan is in place. Alameda used regular staff to develop its emergency operations plan. If resources are not available to hire full-time emergency management staff, it is possible to send existing staff to Incident Command Training. An emergency bulletin should also be developed to define policies related to responding to emergencies. The topic should be addressed in annual staff training. It may also be wise to hold joint training with the fire department.

For additional information, contact Dennis Scheuller, Commander, Alameda County Sheriff's Department, Oakland, CA; (510) 272-6866.

Critical Incident Training: Preparation, Response, and Review

James Nunn, San Bernardino County, California

Incident Command System

San Bernardino's initial involvement in an Incident Command System was a huge fire that was burning out of control. We found at that time that radio communications systems could not communicate with each other. Personnel reporting to the fire had no idea where to get food or to sleep. Englewood was in charge but had never had any training to prepare the agency for such an emergency. San Bernardino then set up an Incident Command System. The After Action Report was essentially a critique suggesting that all nearby agencies need to respond in the same way.

An Incident Command System works well in a variety of circumstances. When involved in an emergency, it is important to keep good accounting records so that you can get reimbursement from the Federal Emergency Management Administration.

Critical Incident Training

- ◆ Here is my basic message: Critical Incident Training is not something you can master through a three-day class. In a correctional setting, you must practice it all the time. Everyone needs to understand what it means to be an incident commander. If you do not practice, your system will not work when it really matters.
- ◆ In an Incident Command System, the first person at the incident is the Incident Commander. This rule fits any circumstance outside the ordinary. Empower everyone in the organization to be the Incident Commander. Everyone involved has a role, but operations begin with the first person on the scene. All personnel must understand what is involved in this position.
- ◆ In California, fire departments are better prepared than sheriffs' departments. Preparedness is crucial in San Bernardino County, which has 22,000 square miles. A once-a-year drill is inadequate.

Other Suggestions for Responding to Critical Incidents

- ◆ Develop checklists. Every sergeant has a manual describing all policies related to critical incidents, but the most useful information tool is a small foldout brochure. It fits in a shirt pocket and can be used by the Incident Commander to review duties. Operations has a corresponding brochure. Some agencies also use software to log people and equipment in.

- ◆ Designate a media contact person. One person should be designated to communicate with the media. This will ensure that a single message is presented.
- ◆ ***For additional information, contact James Nunn, Deputy Chief, San Bernardino Sheriff's Department, San Bernardino, CA; (909) 387-3636.***

Critical Incident Response

Michael Schweitzer, Forsyth County, North Carolina

Detention Center Evacuation of 732 Inmates

The biggest fire in Winston-Salem, North Carolina, history was on August 27, 1998. The fire broke out in a building that had previously been an RJ Reynolds warehouse. The wind from Hurricane Bonnie spread the fire to other buildings and made it difficult to get water on the flames. Because the jail was at risk of being burned, the sheriff decided to evacuate it. Staff had three and a half hours to get 732 inmates out of the jail.

Some Lessons Learned

The sheriff's office had a good evacuation plan in place, as well as check-off sheets and agreements with other sheriff's offices. Despite the plan, administrators had not thought of everything. Following are some issues that need to be addressed in a similar evacuation.

Staffing Issues

- ◆ When calling in off-duty staff, identify the reporting area, as the area identified in the evacuation plan may need to be changed.
- ◆ Staff should report to the facility in uniform if possible in order to project a professional image.
- ◆ Assess available staff resources immediately.
- ◆ Define an alternate staff parking location.
- ◆ If possible, do not use the on-coming shift or an off-duty shift during an emergency; it is important to have a fresh, rested team..
- ◆ Leave sufficient staff at the facility with emergency keys to allow emergency personnel into the building after the evacuation.
- ◆ Document who is working at each location and for how long.
- ◆ Require housing officers to stay with inmates.
- ◆ The evacuation site commander and an advance team of supervisors/officers should report to the evacuation site to set up the site, establish security, set up communications, and make assignments as additional staff report to the site.

- ◆ Before moving inmates back to the facility, security, medical, and support staff must be in place to process inmates back into the facility.

Security Issues

- ◆ Make use of force decisions and let law enforcement officers know which inmates are sentenced felons and which might pose a risk to the community.
- ◆ Use less-than-lethal weapons inside the evacuation site, if possible.
- ◆ Determine if armed staff should be inside the evacuation site and, if so, how close to inmates it is safe for them to be.
- ◆ Decide if shotguns will be loaded or unloaded.
- ◆ Establish a barrier between staff with weapons and the inmate population and unarmed staff.
- ◆ Provide flex cuffs for general population inmates and handcuffs and leg irons for high-security-risk inmates.
- ◆ Determine locations and number of staff needed for a sufficient show of force.
- ◆ At the evacuation site, group inmates by housing units if possible. A coliseum or gym with bleachers is an ideal evacuation site for a short-term evacuation or for a staging area from which to move inmates to other secure facilities.
- ◆ Communicate the location of the command center to all staff.

Evacuation Sites

- ◆ Identify at least three evacuation sites. Check the schedule of events at facilities such as coliseums, convention centers, or civic centers to be sure they are available.
- ◆ The evacuation plan should include a diagram of the evacuation sites. The plan should be practiced, including practice in setting up the evacuation site and testing communications equipment.
- ◆ Male and female inmates must be kept apart, ideally at two different sites, during the evacuation.

Inmate Movement

- ◆ If time permits, inmates should be informed of the situation and the need for evacuation.
- ◆ If possible, use an emergency route without stairs for high-risk inmates, as leg irons may cause a problem going down stairs.

Transportation Issues

- ◆ If possible, obtain state Department of Corrections secure transportation vehicles to transport high-risk inmates. Use local or school buses to transport general population inmates.
- ◆ Use TransAid vehicles for transporting inmates in wheelchairs.
- ◆ Be sure that hose jumpers are available so that buses can drive across hose lines during a fire. If hose jumpers are not available, coordinate routes with the fire commander.
- ◆ Arrange transportation to get staff to and from the evacuation site or other location in the event of a long-term relocation.
- ◆ If possible, transport inmates from one housing unit in each vehicle back to the facility.

Medical Issues

- ◆ Make sure that your medical contractor has an emergency plan and that medical records are available in portable files.
- ◆ Keep medical staff and emergency equipment wherever there are inmates.
- ◆ Be sure snacks for diabetic inmates are available as soon as they arrive at the evacuation site.
- ◆ Identify in advance inmates with special medical needs.

Documentation Issues

- ◆ Appoint someone to work with the incident commander to document the entire process.
- ◆ Videotape or photograph the event.

- ◆ Make provisions for maintaining all records on disk. Maintain inmate records in portable files so that they can be removed from the facility in the event of a fire or long-term evacuation.

Food Service Issues

- ◆ Arrange for food and drinks for inmates early in the evacuation decision.
- ◆ Issue beverages in cups, as water bottles or boxed drinks can be thrown by disruptive inmates.
- ◆ Be sure that the food service vendor or the facility has a back-up plan if the kitchen is not available.
- ◆ Arrange for staff meals at the site. Local restaurants may provide food free of charge.

Communication Issues

- ◆ Test communications equipment at the evacuation site when developing the evacuation plan.
- ◆ Use a bullhorn or public address system to communicate at the evacuation site.
- ◆ Make provisions for communicating with the fire department incident commander during the emergency.
- ◆ Designate the type of radio and communication channels that will be used for all agencies. It is essential for the incident commander to have radio communications with the evacuation site at all times.
- ◆ Establish a group beeper system to enable a call-in of all staff.

Media

- ◆ Arrange for media access to the evacuation site.
- ◆ Establish a media contact in the department if you do not have a media officer.

Equipment

- ◆ Appoint an equipment officer for the emergency.
- ◆ Identify equipment needs at evacuation sites.

- ◆ Maintain a stock of flex cuffs in storage.

Inmate Issues

- ◆ Relocate high-risk inmates and females to a secure facility as soon as possible.
- ◆ Identify and classify in advance all high-risk inmates who pose a danger to the community.
- ◆ Keep inmates informed about what is happening as much as possible.
- ◆ Provide restrooms for inmates; make sure the company knows whether the Port-a-Johns will be needed inside or outside.
- ◆ Conduct a building sweep to be sure no one is left.

Miscellaneous Issues

- ◆ List agencies and businesses that assisted in the emergency so that you can later send thank-you letters to them.
- ◆ Be sure that staff log off computer systems before leaving their posts to prevent the system from crashing.
- ◆ Be sure that the evacuation plan addresses the relocation of essential functions, such as booking.
- ◆ The emergency plan check sheets should group duties logically and note the staff assigned to carry them out.
- ◆ Update staff and emergency plan phone numbers every month.

Recognize that normal security procedures may have to be bypassed during the emergency.

For additional information, contact Michael Schweitzer, Deputy Director, Forsyth County Sheriff's Office, Winston-Salem, NC; (910) 748-4223. Mr. Schweitzer will also write an article that includes more details about this incident for the 1999 Large Jail Network Bulletin.

Legal Issues

William Collins, Attorney at Law, Olympia, Washington

Sexual Harassment

- ◆ Same-sex harassment also applies in sexual harassment cases. Sexual discrimination or hostile work environment actionable under Title VII may be in an all-female or all-male workforce.
- ◆ The employer is liable for a hostile work environment created by a supervisor even if the employee didn't report the harassment and the employer had no knowledge of it. This is significant because a county is seen as having deep pockets; a jury is more apt find against a county than against an individual. This liability also applies to racially based harassment.
- ◆ Vicarious liability is not absolute. An affirmative defense is available IF there was no "tangible employment decision" linked to the harassment. The employer must show:
 1. it "exercised reasonable care to *prevent* and promptly *correct* any sexually harassing behavior" and
 2. the employee "unreasonably failed to take advantage of any *preventive or corrective opportunities* provided by the employer."
- ◆ This means that you must prevent harassment before it starts and correct it if it happens.

Maximizing the affirmative defense requires having a comprehensive sexual harassment policy that addresses prevention and correction. It must explain what sexual harassment is and give common examples. The policy must make clear that there is zero tolerance for sexual harassment in the agency.

- ◆ Communicate the policy to all staff in multiple ways and at multiple times.
- ◆ You must also practice the policy yourself.
- ◆ Emphasize the importance of the policy to supervisors and require them to report known or suspected harassment.

- ◆ Give employees adequate avenues for asserting sexual harassment complaints.
 1. Respond promptly and effectively to complaints.
 2. Allow complaints to bypass the immediate supervisor, who may be the harasser.
- ◆ Conduct effective and thorough harassment investigations.
 1. Establish a special investigative process sensitive to problems related to such allegations.
 2. Use outside investigators from an internal affairs unit or outside the department.
 3. Ensure confidentiality as much as possible.
- ◆ Respond effectively to confirmed harassment. Whatever remedy you choose should be designed to prevent a recurrence. In addition to termination, remedies include therapy, education, or suspension.
- ◆ Guard against retaliation or fear of reprisal. You can solicit what the employee wants to happen, but it should be only one factor in the broader context.

Use of Force

Types of force incidents that generate lawsuits include use of restraints, forced movements, use of chemical agents, alleged assaults by officers, cell extractions, searches/suicide, riots/disturbances, K9s, breaking up fights.

- ◆ Department's interest is in defending a case with a minimal investment of time and money and in avoiding a trial.
- ◆ The Questions Courts Ask: "*Was force used in good faith to restore order, or maliciously and sadistically for the purpose of causing pain?*" Five factors are used to determine the answer to these questions:
 1. Need
 2. Amount of force used
 3. Injuries sustained
 4. Threat reasonably perceived by the officer.
 5. Efforts to temper the situation.

- ◆ The court will ask these questions but will generally defer to the jail's judgment.

- ◆ **How to Get Rid of Use of Force Cases Quickly**

1. Make a motion to dismiss the case, acknowledging that it happened but pointing to the fact that no inmate rights were violated or that there were very minor injuries.
2. Request a summary judgment. Add additional facts on paper to show what really happened.

Note: If material facts are in dispute, if serious questions exist about the use of force, these approaches won't work. You will have to go to court. If you have a marginal case, then consider a settlement; if a defensible case, go to court.

3. Document the five factors the court will examine. Records generated that can document what happened include videos or written reports documenting the incident, a physician's report, reports on officers acting on the basis of training on the progressive use of force. In large incidents, you can use an "observer" sensitive to these elements to describe what happens.

Prison Litigation Reform Act

The PLRA is being upheld. There was a decline in Section 1983 cases from 40,000 in 1995 to 22,000 in 1998. However, the fear is that these cases will shift to state courts. Some states have passed state-level PLRAs. Specific aspects of the PLRA:

1. Filing fees—being upheld.
2. Termination—generally being upheld. There is some question of retroactivity prior to passage of the PLRA.
3. Exhaustion of remedies-- Exhaustion of remedies is required if a remedy is apparently futile.
4. Limits on attorneys' fees—In the first case accepted by the Supreme Court, it will be decided if fees limitations apply to cases taken prior to the passage of the PLRA.

ADA

The rule is that the jail must *accommodate* inmate disabilities, to allow *participation* in jail *services and programs*, unless doing so creates an *undue hardship*. There is a process for handling inmates with disabilities; you need an expert on staff to process ADA issues.

- ◆ Examples of undue hardship include financial burden, although this is more difficult for a large jail to claim. It is not necessary to change the fundamental character of a program. Security may also be a partial reason for claiming undue hardship, but it is difficult to find a security-related issue related to disabilities.
- ◆ Types of inmate disabilities include hearing, mobility, sight, mental health, developmentally disabled, medical, amputees, and being HIV positive. The most common disabilities are hearing, mobility, and mental health limitations.
- ◆ A recent Supreme Court case found that you need to justify it in writing if you deny accommodation.

Other Issues

- ◆ Suicide—Your jail must do what it says it will with suicide risks. Asking the questions to identify an inmate at risk of suicide is not enough; booking staff must know what actions are required.
- ◆ Lying—An employee who lies during a disciplinary investigation can be disciplined even if he/she was not under oath.
- ◆ Religious diets—Kosher diets may be required. Common fare may not be sufficient. A recent court decision required a jail to provide a kosher diet. Check with your counsel on how you deal with religious diets.
- ◆ Losing inmates—No matter who loses an inmate, you are responsible. Be sure and have checks and balances and an effective grievance process for inmates. Encourage staff to ask "why is this guy still here?"
- ◆ Disciplinary hearings, witnesses—An inmate is entitled to have live witnesses. Give the inmate the option of having a live witness or a witness statement. A statement is allowed if it is on the record that the inmate agreed to this approach. You should require the inmate to designate witnesses prior to the hearing.

For additional information, contact William C. Collins, Attorney at Law, Olympia, WA; (360) 754-9205.

Future Meeting Topics

Richard Geaither, NIC Jails Division

Richard Geaither led a discussion of meeting participants on topics proposed to be addressed at the next meeting of the Large Jail Network. Proposed topics included:

- ◆ Recruitment and retention of staff
- ◆ Funding—bond issues, marketing the jail
- ◆ A summary of legal issues
- ◆ Emerging technologies—e.g., use of "smart cards"
- ◆ Terrorist activity
- ◆ Restorative justice
- ◆ A software program developed in Santa Clara County to capture a wide variety of data
- ◆ High profile inmates
- ◆ How to fire employees legally

The topic selected was "recruitment and retention of staff." The group also confirmed its intention of having a summary of recent court decisions affecting jails at every future meeting.

The next meeting of the Large Jail Network will be held in Longmont on July 11-13, 1999.

APPENDIX A

Meeting Agenda

LARGE JAIL NETWORK MEETING

Longmont, Colorado

January 10-12, 1999

Raintree Plaza Conference Center

Agenda

Sunday, January 10, 1999 from 6:00 PM - 8:30 PM

Welcome to the

NATIONAL INSTITUTE OF CORRECTIONS

Introductions and Program Overview Richard Geaither
Correctional Program Specialist, NIC Jails Division

Informal Dinner

Opening Address:

Presentation

"Post-Traumatic Stress Syndrome" AND "Critical Incidents: Preparation, Response, and Review"

. Thomas Scarano, Ph.D.

Licensed Clinical Psychologist

Denver County Sheriff's Department

8:00 AM

Legal Issues

..... William Collins, Attorney at Law
Olympia, WA

10:30 AM

Presentation of Future Meeting Issues and meeting evaluations

11:00 AM

RECAP AND CLOSEOUT Richard Geaither



<i>Meal times are as follows:</i>	<i>BREAKFAST</i>	<i>6:45 - 7:45 AM</i>
	<i>LUNCH</i>	<i>12:00 - 1:00 PM</i>
	<i>DINNER</i>	<i>5:30 - 6:30 PM</i>

APPENDIX B

Meeting Participants

Large Jail Network Meeting

January 10-12, 1999

Longmont, Colorado

FINAL PARTICIPANT LIST

Mr. Dennis G. Scheuller, Commander
Sedona County Sheriff's Office
401 Lakeside Drive - 12th Floor
Akron, OH 44308
(510) 208-9812 FAX: 510-208-9818

Mr. Chauncey A. Spencer, Deputy Chief
Bexar County Adult Detention Center
200 North Comal
San Antonio, TX 78207
(512) 270-6219 FAX: 512-270-6199

Mr. Calvin A. Lightfoot, Warden
Allegheny County Jail
50 2nd Avenue
Pittsburgh, PA 15219-3100
(412) 350-2100 FAX: 412-350-2032

Mr. John M. Sells, Assistant Chief
Caddo Parish Sheriff's Office
P.O. Box 70110
Shreveport, LA 71137-0110
(318) 667-5296 FAX: 318-667-5297

Mr. LaMont W. Flanagan, Commissioner
Maryland Division of Pretrial Deten. & Services
400 East Madison Street
Baltimore, MD 21202
(410) 209-4290 FAX: 410-209-4250

Mr. David S. Owens, Jr., Warden
Camden County Correctional Facility
330 Federal Street
Camden, NJ 08103
(609) 225-7632 FAX: 609-614-8097

Mr. John W. Duffy, Assistant Warden
Bergen County Sheriff's Department
160 South River Street
Hackensack, NJ 07061
(201) 646-2919 FAX: 201-646-2166

Mr. Joseph M. Norwick, Captain
Dane County Sheriff's Office
115 West Doty St.
Madison, WI 53703
(608) 284-6165 FAX: 608-284-6112

LARGE JAIL NETWORK MEETING

Mr. J. Daren Hall, Chief Deputy
Madison Co. Sheriff's Dept.-Admin.
5 Second Avenue, No
Memphis, TN 37201
(901) 862-8166 FAX: 615-862-8619

Mr. Thomas Rovelli, Chief of Operations
Hampden County Sheriff's Department
627 Randall Road
Ludlow, MA 01056-1079
(413) 547-8000 FAX: 413-547-8357

Ms. Dolores Messick, Captain
Paso County Jail Annex
501 Montana
Paso, TX 79938
(951) 856-4815 FAX: 915-856-4849

Mr. Carl P. Borchers, Major
Harris County Sheriff's Department
1301 Franklin Street
Houston, TX 77002
(713) 755-6067 FAX: 713-755-8405

Mr. Mike Jackson, Commander
Stafford County Sheriff's Office
1520 Judicial Drive
Stafford, VA 22030
(804) 246-4432 FAX: 703-273-2464

Mr. Richard A. Esensten, Inspector
Hennepin County Sheriff's Office
Rm 6, Courthouse - 350 So 5th Street
Minneapolis, MN 55415
(612) 348-4163 FAX: 612-348-4208

Mr. Michael Schweitzer, Asst. Sheriff
Worsyth County Sheriff's Office
P.O. Box 21089
Winston-Salem, NC 27101
(703) 748-4180 FAX: 336-748-3056

Mr. David M. Parrish, Colonel
Hillsborough Co. Sheriff's Office
P.O. Box 3371
Tampa, FL 33601
(813) 247-8310 FAX: 813-247-8897

Mr. Carlos Mestas, Captain
Fresno County Sheriff's Department
225 M Street
Fresno, CA 93721
(559) 488-2917 FAX: 559-488-3982

Mr. Ronald J. Bahl, Director
Jackson County Dept. of Corrections
1300 Cherry Street
Kansas City, MO 64106
(816) 881-4233 FAX: 816-881-4241

Mr. L. Larry Briggs, Deputy Chief
Fulton County Sheriff's Department
701 Rice Street, NW
Atlanta, GA 30318
(404) 853-2034 FAX: 404-853-2045

Mr. Jon Hess, Captain
Kent County Sheriff's Office
701 Ball Avenue NE
Grand Rapids, MI 49503
(616) 336-3175 FAX: 616-336-2141

LARGE JAIL NETWORK MEETING

Mr. Arthur Wallenstein, Director
King County Dept. of Adult Deten.
1005 5th Avenue
Seattle, WA 98104
(206) 296-1268 FAX: 206-296-0570

Mr. Dan Noelle, Sheriff
Multnomah County Sheriff's Office
12240 N.E. Glisan Street
Portland, OR 97230
(503) 251-2400 FAX: 503-251-2428

Mr. Robert R. Pash, Chief
Los Angeles County Sheriff's Dept.
50 Bauchet Street - Room E-801
Los Angeles, CA 90012-2907
(213) 893-5001 FAX: 213-473-6058

Mr. William T. Partain, Chief Deputy
Norfolk Sheriff's Office
811 East City Hall Ave.
Norfolk, VA 23510
(757) 664-4955 FAX: 757-664-4951

Mr. Bill Williams, Chief of Custody/Ops.
Maricopa County Sheriff's Office
1002 West Madison Street
Phoenix, AZ 85003
(602) 256-5375 FAX: 602-258-2081

Mr. Jerriel Duke, Asst. Chief
Nueces County Sheriff's Office
901 Leopard - P.O. Box 1940
Corpus Christi, TX 78403
(512) 887-2301 FAX: 512-887-2240

Mr. Richard C. Cox, Superintendent
Milwaukee County House of Correction
1004 North 10th Street
Milwaukee, WI 53233
(414) 427-4756 FAX: 414-427-8017

Mr. Jerry Krans, Asst. Sheriff
Orange County Sheriff's Department
P.O. Box 449 - 550 No. Flower Street
Santa Ana, CA 92702
(714) 647-1802 FAX: 714-953-3092

Mr. Mark Warichak, Inspector
Milwaukee County Jail
949 No. 9th Street
Milwaukee, WI 53233
(414) 226-7059 FAX: 414-226-7099

Mr. Harold B. Wilber, Director
Palm Beach County Sheriff's Office
3228 Gun Club Road
West Palm Beach, FL 33406
(561) 688-4410 FAX: 561-688-3027

Mr. Gary J. Hilton, Director
Monmouth County Corrections, Youth Services
1 Waterworks Road
Freehold, NJ 07728
(732) 431-5977 FAX: 732-294-5985

Mr. George C. Wigen, Chief of Corrections
Pierce County Sheriff's Office
910 Tacoma Avenue South
Tacoma, WA 98402
(253) 798-3101 FAX: 253-798-3969

LARGE JAIL NETWORK MEETING

Mr. Barry L. Stanton, Director
Prince George's County DOC
400 Dille Drive
Upper Marlboro, MD 20772
(301) 952-7015 FAX: 301-952-7285

Ms. Lynne Pierce, Commander
San Diego County Sheriff's Dept.
9621 Ridgehaven Ct. - Box 429000
San Diego, CA 92142
(619) 974-2278 FAX: 619-974-2291

Mr. William Cudworth, Deputy Warden
Rhode Island Dept. of Corrections
100 Howard Avenue
Providence, RI 02920
(401) 462-3802 FAX: 401-462-3094

Mr. Paul Cooper, Captain
San Joaquin County Sheriff's Department
7000 Michael Canlis Boulevard
French Camp, CA 95231
(209) 468-4457 FAX: 209-468-4380

Mr. Bob Dotts, Chief Deputy
Riverside County Sheriff's Dept.
P.O. Box 512
Riverside, CA 92502-0512
(909) 955-2400 FAX: 909-955-2428

Mr. Timothy P. Ryan, Chief
Santa Clara County Dept. of Corrections
180 West Hedding Street
San Jose, CA 95110-1772
(408) 299-4005 FAX: 408-288-8271

Mr. Dean Carr, Chief Deputy
Salt Lake County Sheriff's Office
1001 South State #S2700
Salt Lake City, UT 84190
(801) 468-3914 FAX: 801-468-3938

Mr. Rob Sprecher, Director
Shelby County Division of Corrections
706 Walnut Valley Lane
Cordova, TN 38018
(901) 758-2482 FAX: 901-377-4503

Mr. William Pedrini, Asst. Sheriff
San Mateo County Sheriff's Department
1000 County Center
Redwood City, CA 94063
(650) 363-4045 FAX: 650-599-1327

Mr. Vincent Vaughn, Superintendent
St. Louis Co. Dept. of Justice Services
100 So. Central Avenue
Clayton, MO 63105
(314) 615-5750 FAX: 314-615-5747

Mr. James E. Nunn, Deputy Chief
San Bernardino Co. Sheriff's Dept.
P.O. Box 569
San Bernardino, CA 92402
(909) 387-3636 FAX: 909-387-3402

Mr. Savala Swanson, Chief Deputy
Tarrant County Sheriff's Department
100 N. Lamar
Fort Worth, TX 76102
(817) 884-3162 FAX: 817-884-3173

LARGE JAIL NETWORK MEETING

Mr. David Balagia, Major
Davis County Sheriff's Office
100 West 10th Street
Austin, TX 78701
(512) 473-9348 FAX: 512-473-9035

Mr. Robert L. Davis, Deputy Commissioner
Westchester County Dept. of Correction
P.O. Box 389, Headquarters Bldg.
Valhalla, NY 10595
(914) 347-6537 FAX: 914-347-6240

Mr. James E. Coleman, Director
Union County Jail
15 Elizabeth Town Plaza
Elizabeth, NJ 07207
(908) 558-2613 FAX: 908-527-4097

Guests from Multnomah County, OR

'Peer Support Coordinators'
Ed Stelle and Bill Gatzke

Mr. Ken Kipp, Chief Deputy
Ventura County Sheriff's Department
1000 South Victoria Avenue
Ventura, CA 93009
(805) 654-2305 FAX: 805-645-3500

Mr. Michael T. O'Malley, Director of Security
Public Protection Services
Vermont Department of Corrections
103 South Main Street
Waterbury, VT 05671-1001
(802) 241-2383 FAX: 802-241-2377

Mr. Francis T. Moore, Director
Volusia County Dept. of Corrections
Caller Service Box 2865
Daytona Beach, FL 32120
(904) 254-1552 FAX: 904-254-1524

Ms. Amy Dale, Deten. Administrator
Washington BOP - C.C. & Detention Div.
400 1st Street NW, Room 2025
Washington, DC 20534
(202) 307-2755 FAX: 202-307-2204

