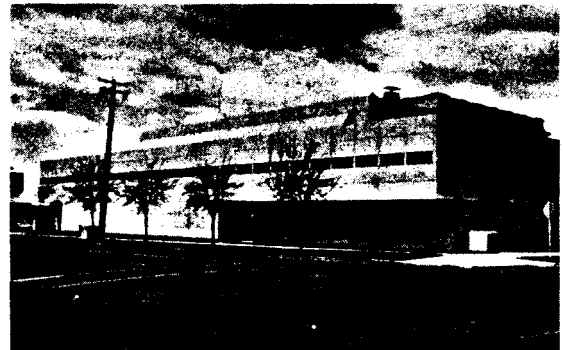
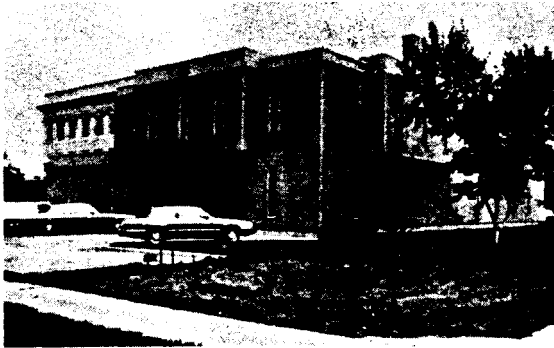




# Small Jail SPECIAL ISSUES



**Cover photos, clockwise from top right: Webster County Jail, located within the Webster County Law Enforcement Center, Fort Dodge, Iowa; Walla Walla County Jail, Walla Walla, Washington; Beadle County Regional Correction Center, Huron, South Dakota; Lincoln Parish Detention Center, Ruston, Louisiana.**

# Small Jail SPECIAL ISSUES

by

**KIMME Planning & Architecture**  
Champaign, Illinois

Principal Authors:

Dennis A. Kimme, Architect, Project Director  
Gary M. Bowker, Associate Project Director  
Bruce R. Bounds, Corrections Specialist  
Robert G. Deichman, Architect  
Harry L. Baxter, Architect

with the assistance of

Donald C. Maase, Architect  
Peggy Hills, Sue Van Matre, Word Processors  
Karl Lee, Graphic Assistance

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February 1986

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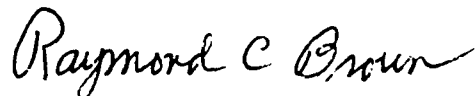
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**FOREWORD**

Since 1977 the National Institute of Corrections has been providing information, training, and technical assistance services to local jurisdictions involved in construction or major renovation of jail facilities. As part of that effort, the Institute funded a two-year grant project entitled "Model Architectural Plans for Small Jails." The purpose of the project was twofold: (1) to survey jails that had been designed and built over a recent ten-year period, and (2) to develop a design guide, based on the results of the survey, that would assist local jurisdictions in the planning, design, and construction of small jails.

In conducting the survey, the study team identified several planning issues that were problematic and seemed to have caused difficulties for many of the responding jurisdictions. Each of these nine issues was considered to be important enough to be the subject of a special issue paper, all of which are included in this document.

The papers have been written for the widest possible audience. They are detailed enough to help the professional, yet basic enough to be easily understood by the interested lay public. It is our hope that these materials will benefit local jurisdictions engaged in the planning, design, and construction of new jail facilities.

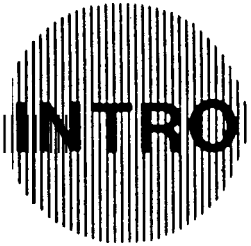


Raymond C. Brown, Director  
National Institute of Corrections

### ACKNOWLEDGMENTS

These Special Issues papers were a product of surveying 255 new small county jails and visiting 32 of them. As such, the work herein is a direct result of the kindness, cooperation and insights of many sheriffs, jail officers, and dispatchers throughout the nation. It is also the result of the care and concern of our NIC project monitor, Mike O'Toole, to whom we are indebted. The Special Issues papers are also the result of time given by many kind people to edit or review their contents: Nancy Sabanosh, Barbara Krauth, Jill Goldhart, Allen Patrick, William Delaney, Marie Mactavish, and Lynn Lund.

# Small Jail SPECIAL ISSUE



## INTRODUCTION TO THE SPECIAL ISSUES

### BACKGROUND TO THE DOCUMENT

As many as 500 counties across the United States have opened new jails with 50 beds or less since 1974. The estimated value of these facilities<sup>1</sup> in January 1985 terms is a staggering \$670 million, or approximately \$1.4 million per jail. Clearly, planning and designing small jails has become a serious and costly business.

Unfortunately, many operators of these new facilities have had problems that have left them less than satisfied with their buildings. Many have experienced overcrowding, damage to their jails, and difficulties in separating various types of inmates. Others have also found themselves fighting lawsuits, struggling to attain standards-compliance, and experiencing serious space shortages. Most, if not all, of these jurisdictions hardly expected such problems with their new jails. And, in fact, they had little reason to expect such problems given the fact that much of the caselaw and policy development affecting the jail field had already been established by the mid-70's, presumably in time to benefit those people planning during the period of 1974 to 1984.

After having surveyed 255 new small jails<sup>2</sup> and having visited 32 facilities in 1984 and 1985 under a grant from the National Institute of Corrections, KIMME Planning & Architecture has identified some frequently ignored issues that seem to have a clear impact on a community's ability to develop and maintain a successful small-scale facility. These special issues are presented in this document in order to alert local officials and planners to their importance and thus to help them plan and finance a more successful, problem-free small jail. The result, hopefully, will be safer, more effective, and more enduring facilities that better utilize the precious few dollars available to small communities. Getting the project right the first time is more important than ever, given the public's current reluctance to finance jail projects and given the simultaneous increase in legal and statutory requirements.

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<sup>1</sup>Not counting law enforcement and other functions sharing the same building with the jail.

<sup>2</sup>See The Nature of New Small Jails: Report and Analysis by KIMME Planning & Architecture, October 1985.

**WHY FOCUS ON  
THE SMALL JAIL?**

Small facilities have been targeted in this document in recognition of the fact that little has even been written about small facilities, despite the fact that small facilities comprise three-quarters of the nation's jails and hold one-quarter of the nation's jail inmates. The problems they face are quite unique and the design of the small facility is in many ways as great a challenge as is the design of a large jail. Indeed, in some ways it is more difficult to design a small jail since it must meet the same kinds of requirements and accommodate the same range of inmates as does a big city jail. Large communities have greater and more varied resources, however, and can benefit from the efficiencies of a larger scale, even sometimes building separate facilities for different types of inmates. The opposite is true for small communities. By contrast, small communities face limited resources, the inefficiencies of small scale, and the reality of building a single facility that must be all things to all people.

**WHAT THE SPECIAL  
ISSUES COVER**

The special issues presented in this document do not include details of architectural design. That subject is covered in other publications and is not the main target here; we are concerned, instead, with more general subjects that have a distinct impact on the direction that a building project takes both before and after the architect's work.

The special issues selected are not meant to represent all issues relevant to the planning, design, and operation of a new small jail. Brevity is perhaps the most striking feature of each issues piece. The documents are not meant to tell readers everything they want to know about the subject. There are plenty of other publications that perform this role, some of which are cited in each issues piece for further reference. Each of these "suggested readings" can be obtained from the National Institute of Corrections Information Center, 1790 30th St., Suite 130, Boulder, CO 80301 by calling (303) 444-1101.

Each piece is designed to be a briefing paper that could be easily and quickly read by a diverse audience within the local community: commissioners, sheriffs, judges, prosecutors, jail officers, citizens, and others. In reading them participants in the jail planning process will gain a better understanding of key issues, which will hopefully create a knowledge-based planning and design process for the community, even though the technical aspects of the process may be executed by others.

Each issues piece stands alone so that it can be independently copied and distributed. In this way, key local officials,

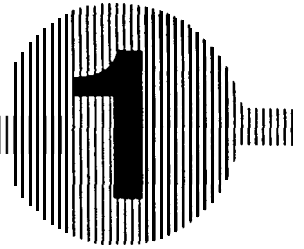


either individually or in a planning group, can focus on a single issue that seems important at a particular point in the planning process.

We hope that these special issues pieces will make a helpful contribution to your efforts to achieve a jail design that really works; Based on past evaluations of small jail problems, attention to these issues should make the architects' time on the drawing board much more fruitful and lead to a better expenditure of your construction dollar. In the end, everyone in your community will benefit from a well-planned, well-designed facility based on knowledge of the issues and good old hard work by everyone involved.

Good luck with your project!

# Small Jail SPECIAL ISSUE



## WHAT YOU SHOULD KNOW BEFORE YOU DESIGN A JAIL

### INTRODUCTION

When it becomes clear that a county needs a new jail, most local officials want to just get on with designing one. Whether they must build a new jail because of a court order or a state mandate, or whether they want to build a new jail because of an unacceptable existing situation, most officials are eager to get a design on the drawing boards. However, rushing into design without careful deliberation can create a whole new set of problems that local officials did not bargain for.

The quick leap from a bad jail to a design for a new jail has left many counties confronting some of the following difficulties.

A new jail with too little capacity and too little land on which to expand.

A new jail that local officials could afford to build but could not afford to run.

A new jail that failed to comply with statutory, professional, or legal (constitutional) standards.

A new jail that solved past problems but was poorly laid out and, therefore, difficult to operate.

A new jail that was cheap to build but lacked essential spaces and did not hold up well over time.

A new jail that solved jail problems but crowded adjacent court and law enforcement buildings and, thus, created other problems.

A new jail plan for which a bond issue could not be passed.

### BASIC PRE-DESIGN ISSUES

There is basically only one good, consistent way to avoid such problems and that is to think ahead, to take the time to look at all the angles before you design a new jail. Some of the basic issues you need to consider carefully follow.

**CAPACITY.** The jail's bed capacity depends not only on how many people are likely to be jailed some 20 years hence but who. Special capacity considerations are frequently required for special groups such as women, juveniles, intoxicants, and persons thought to be mentally ill. Another thing to remember is that capacity demands are likely to be greater than past jail data would indicate. Past data do not take into account the fact that judges who were reluctant to sentence offenders to the old, "bad"

jail will feel no such reluctance to use the new "good" jail of the future.

**COSTS.** Many costs are associated with a new jail in addition to that of construction. The cost of financing a building can triple the overall cost of the project, and related project costs can add another third to the construction cost. Of greatest significance, however, is the annual operating cost, which over a 30-year period can result in expenditures 10 times greater than the initial construction cost.

**STAFFING.** The key to the success of a jail and the key to controlling operational costs is staffing. Staff costs typically represent 60% - 80% of annual operating costs. For the small jail, staff costs can become critical in meeting requirements for full-time 24-hour-a-day, seven-day-a-week coverage and "same-sex" staffing (that is, female staff for female prisoners, male staff for male prisoners).

**STANDARDS.** Almost every state in the union has jail standards even if they are only advisory standards from the state sheriff's association. It is in your best interest to learn about these standards even if they are not mandatory; your state may at some later date adopt the standards and judge your facility by them. It is also wise to learn about national and professional standards since they are based on the best professional opinion available and on civil law suits that have defined constitutionality. Many state standards have been patterned after these national standards.

**OPERATIONS.** What the jail's daily activities will be, how those activities are to be executed, and how inmates are to be supervised dictate what rooms will be needed in the jail and how those rooms should be organized and built. They also have a lot to do with your need for staff and the probable effectiveness of that staff in running a safe and effective jail.

**THE LONG VIEW** It is important to take the long view when determining how much space to provide and what materials to use. Making the decision to solve only today's problems by opting for less expensive, second-rate materials or by skimping on essential spaces is likely to be pennywise but pound foolish. It doesn't make sense to solve today's problems by creating tomorrow's problems.

**SITE SELECTION.** Any potential jail site must take into account not only initial space needs and future expansion but also the effect of the new jail on adjacent buildings. This is

particularly true when the adjacent buildings are the courthouse and the sheriff's facility. Some anticipation of their needs is essential, for a growing jail population will be accompanied by a growth in the justice agencies that deal with those same offenders.

**PUBLIC SUPPORT.** Public support is essential if you are to pass a bond issue. To get that support, you must generally build your case over a period of time. If you jump quickly into a design, neither the facts to support your case nor the time to develop them is generally available.

In brief, it is in your best interest to resist the temptation to design first and ask questions later. It is much more fruitful to take some time to think through your needs, evaluate your budget, and build your case for the project before the architect gets the green light.

#### CONCLUSION

In order to make the planning process most beneficial, it is helpful to do some homework on how jails have changed. The past decade and a half has seen some major changes in philosophies, standards, and technology. Before you make decisions that will affect your community for decades to come, it is worth taking some time to brush up on the subject. Toward that end, you can call on many agencies such as the National Institute of Corrections and many publications to help. But remember, the basic point is to stop, look, and listen--to understand and determine what you need before you begin to design. Your architect will appreciate your approach and will, in fact, do a better job for you if he/she knows more about what you need.

#### FURTHER READING:

Seven Steps to Plan a Better Jail

Seven Stumbling Blocks to Planning

Transfer 14: The Total Systems Planning Process

These documents are available from the NIC National Information Center, 1790 30th Street, Suite 130, Boulder, Colorado 80301; telephone 303-444-1101.



# Small Jail SPECIAL ISSUE

# 2

## LAWSUITS AND LIABILITY

### ISSUES AND IMPACTS

Today one of every three jails in the nation is under court order or has lawsuits pending in Federal Court under Section 1983 of the Civil Rights Act of 1871. Results from the National Institute of Corrections' Model Architectural Plans for Small Jails Survey of 255 facilities constructed since 1975 revealed that 42% had "problems" with lawsuits.

The federal courts will no longer tolerate antiquated, inhumane jails that contribute to inmate violence, suicide, and death. Injured or ill-treated inmates often seek and win damages from the county or city or from the public officials or employees involved. Sheriffs, jailers, and wardens have been held personally liable for millions of dollars in damages in prisoner lawsuits. The figures are astounding, as the following examples show.

\$2,000,000 -- Contempt fines issued against county commissioners who failed to comply with a court order to reduce population at their county jail. (Mobile County Jail Inmates v. Purvis, 581 F. Supp 222 [S. D. Ala., 1984])

\$706,845 -- Former director and assistant warden held personally liable for injuries and deaths ensuing from prison riot in Pontiac. (Walker v. Rowe, 80-C-5-310 [N. D. Ill., 1985])

\$576,064 -- Awarded a man who was sexually assaulted by three other men in a drunk tank at a jail. A jury found that the jail officers acted with "deliberate indifference" and "callous disregard." (Lickliter v. Riverside County, reported in Jail and Prisoner Law Bulletin [March, 1985])

\$502,000 -- County held liable for failure to train a deputy at a jail. The deputy did not immediately cut down an inmate who had hanged himself with a bedsheet. (Condon v. Ventura County, U. S. Dist. Ct. [S. D. Cal., 1983])

\$210,000 -- County held liable for conditions in county jail, which the court found was a "terrible facility" that "exceeded permissible constitutional limitations" because of overcrowding, poor sanitation, and understaffing. (McElveen v. County of Prince Williams, 725 F.2d 954 [4th Cir., 1984])

\$33,000 -- Settlement by a Tennessee county in a suit contending that a sheriff failed to segregate an inmate from two dangerous prisoners who raped him. A chief deputy

**maintained that the jail officers made every effort to segregate dangerous prisoners from others but that it was difficult in a poorly designed and overcrowded jail. (Reported in Jail and Prisoner Law Bulletin [March 1985])**

**\$32,500 -- Two correctional officers and three high-ranking officials found personally liable because the officers had used brutality (water hoses, tear gas, billy clubs) against an inmate. (Slakan v. Porter, 737 F.2d 368 [4th Cir., 1984])**

UNCONSTITUTIONAL  
CONDITIONS:  
EXAMPLES

**The following physical plant conditions have been held unconstitutional, usually when found in combination with each other:**

**Inadequate square footage, i. e., overcrowding**

**Inadequate lighting and heating**

**Lack of toilets and sinks in cells**

**Fire code violations**

**Inadequate ventilation systems.**

**The U. S. Supreme Court has twice ruled that double bunking is not, by itself, unconstitutional (Bell v. Wolfish, (1979); Rhodes v. Chapman, (1981)). There are compelling administrative reasons, however, for a county to construct a single-cell facility, including the desire to reduce staff members and staff stress, as well as the expectation that single cells would reduce inmate violence. Results from the small jail survey clearly demonstrate this point. The following conditions, some of which are related to building design, have also been held unconstitutional.**

**Failure to segregate violent inmates from non-violent inmates, regardless of status (i. e., pre-trial or convicted, felon or misdemeanor, etc.).**

**Inadequate medical treatment or facilities. This includes the failure to segregate sick prisoners from other prisoners.**

**Inadequate opportunities and space for inmates to exercise.**

**Denial of right to worship.**

**Lack of sound-proofed rooms for attorney visits.**

**Strip searches in public view.**

In fact, a new facility inadequate in any of these areas might be found unconstitutional by the federal courts. Note that the constitutionality of conditions generally varies with the length of an inmate's stay. Conditions that an inmate could tolerate for three days might be intolerable for 30 days, 90 days, or a year.

**YOU PAY THE  
ATTORNEY FEES**

In addition to courts holding government entities liable for damages and individual' sheriffs, administrators, jail officers, and county commissioners liable for personal liability awards, Title 42 of the United States Code, Section 1988, provides that prevailing parties may receive attorney fees as part of the costs to be paid by the losing party. Examples of recent awards to prevailing parties (where the state or county lost the court battle) include the following.

Ruiz v. Estelle, (Ct. App. 1983), Texas

Rams v. Lamm (Dist. 1979, Ct. App. 1983), Colorado

Cherco v. Sonoma County, 1985, California

**MORE BAD NEWS**

A city or county cannot claim "We do not have the funds available to build a constitutional jail." The courts have rejected this defense with very strong language:

"If the State cannot obtain the resources to detain persons awaiting trial in accordance with minimum constitutional standards, then the State will simply not be permitted to detain such persons." Hamilton v. Love, (Dist. 1971)

"Let there be no mistake in the matter, the obligation of the respondents' government to eliminate existing unconstitution- alities does not depend on what the legislature may do, or upon what the governor may do, or indeed upon what the respondents may actually be able to accomplish. If Arkansas is going to operate a penitentiary system it is going to have to be a system that is countenanced by the Constitution of the United States." Finney v. Arkansas Board of Corrections, (Ct. App. 1974) affirmed by the U.S. Supreme Court in Hutto v. Finney, (1478).

A public official or employee also cannot claim that he/she didn't know that a statutory or constitutional right was being violated. He/She is liable if the typical official would have



known of the right. Of course, the right must be clearly established--such as by statute, by a decision of the U.S. Supreme Court, or by a rule or precedent accepted by all the lower federal courts. The principle here is affirmative duty--to know and to do.

CONCLUSION

**Avoid litigation. Become informed.**

**The purpose of this paper has been to make you aware of potential unconstitutional jail conditions and of the potential legal liability of county commissioners, architects, sheriffs, or jail officers from prisoner lawsuits resulting from those conditions.**

**The potential liabilities of local officials make it crucial for them to be informed of the constitutional requirements for jails in the 1980s. The best way to deal with prisoner lawsuits is to avoid them by following clearly established constitutional standards.**

**NOTE: This monograph was adapted with permission from material entitled Civil Liabilities, Unconstitutional Jails and Planning of New Institutions prepared by Lynn J. Lund, Mark J. Mrrise and Alton Jordon for the National Institute of Corrections.**

# Small Jail SPECIAL ISSUE



3

## CONSIDERING THE MULTI-JURISDICTIONAL JAIL OPTION

### INTRODUCTION

Results from the NIC Model Architectural Plans for Small Jails survey of 255 facilities indicate that small jurisdictions have serious problems providing the broad array of services necessary to maintain proper care and custody of jail inmates. Inmate supervision in the small jail is often compromised by the necessity of using dispatchers or part-time employees as jail officers. Local facilities with daily inmate populations of 15 or 20 inmates cannot afford to recruit qualified staff and retention is impeded by lack of an attractive career ladder. The small and constantly fluctuating average daily inmate population (ADIP) prohibits implementation of cost-effective, long-term programs and service. Contributing to small jails' problems is the fact of diminished state and federal resources. Typically, no dedicated funding is exclusively available for the jail, and administrators must thus compete with other city or county offices for shrinking revenues.

The multi-jurisdictional jail model has been seen by many as a potential solution to some of the problems faced by small and medium-sized jurisdictions. Local, state, and federal officials continue to flirt with the concept since it seems so rational, so logical. However, except in Minnesota, where regionalization is underwritten by a Community Corrections Act, few truly multi-jurisdictional jails have been developed. To be certain, there are numerous jurisdictions with an overabundance of space which they "rent" to neighboring jurisdictions without a jail or adequate space. But very few jurisdictions actually engage in some form of cooperative, formula-based sharing of capital construction and on-going operational costs. This is puzzling since so many local governments clearly do not have the financial resources to develop sound, long-term independent correctional solutions in their individual jurisdictions. If the multi-jurisdictional approach bears so much promise, then why have counties and cities across the country been unable to forge agreements to construct and operate shared facilities? The answer may lie in their failure to recognize and appreciate the importance of addressing a number of key issues that can determine the feasibility of a multi-jurisdictional jail. These issues are as follows.

### KEYS TO FEASIBILITY

#### Legal Authority

State statutes need to be carefully researched in order to determine if they include any prohibitions against a multi-county correctional system or jail. In the past; local governments have

sometimes been confronted with a limitation of their legal authority to raise public funds for expenditure on capital projects to be built in other jurisdictions. However, most state legislatures are now cognizant of the "local jail situation and are often quite ready to support enabling legislation which would remove unnecessary impediments to interlocal cooperation among jails.

#### Control by Elected Officials

Sheriffs have traditionally expressed uncertainty about an erosion of authority with regard to the jail administration portion of their statutory authority. County governing bodies, which largely control fiscal matters, may also fear a loss of control over the fiscal reins when moving from a more or less autonomous system to the collaborative environment of a multi-jurisdictional approach to jails. These concerns must be addressed if a multi-jurisdictional jail is to be considered.

#### History of Poor Inter-Jurisdictional Relationships

Local history and tradition affect the ability of governments to fuse a workable jail compact. Where there have been feuds over attempts at collaborative efforts in other governmental services, it is doubtful that a regional jail project can thrive. Conversely, a track record of successful cooperation on projects, such as solid waste management or water treatment, bodes well for the potential success of a jail project.

#### Values and Goals

Reorganization under a multi-jurisdictional system should be governed by a dominant concern for improvement of service delivery. However, many jurisdictions have different goals and values when it comes to actually setting forth a jail mission statement and then implementing it with an appropriate budget and management approach. For example, jurisdictions may disagree about correctional philosophy and approaches for dealing with inmates, or about whether staff will reflect a uniformed, paramilitary image or a non-uniformed, civilian approach. Other jurisdictions might disagree about the time-worn custody versus treatment issue: should the facility reflect the punishment model or the treatment model? Such disagreements need to be addressed in advance.

### Geography and Population Distribution

Jurisdictions characterized by small geographic size and short travel distances between key inter-jurisdictional population centers have surmounted one of the most common stumbling blocks to regionalization. However, many counties in the western half of the United States exceed 2,000 square miles, and many have driving distances of 200 miles or more across the counties themselves. Long travel distances, mountainous terrain, and often inclement weather create an environment that presents serious obstacles to the efficient and timely transportation of prisoners. These problems can be surmounted through careful planning that makes provisions for short-term holding and a shared transportation system

### Establishing a Governing Body

It is important for each participating jurisdiction to receive services from the facility that meet specific local interests and needs. The design of the governing body forged through an interlocal agreement must assure that the elements of trust through accountability are present. Local officials must decide on a structure for such a governing body and include within its membership such key people as the sheriff from each jurisdiction as well as representatives from county boards and the district attorneys' offices.

### Short-Ten Holding and Transportation

The greater the travel distances between inter-jurisdictional population centers, the greater the need for each county to retain a short-term holding capability. In some cases, the necessity of administering such a "mini-jail" leads jurisdictions to opt for their own full-service facility.

Depending on site location, travel distances may not seem fair and equitable for all participant jurisdictions. A few counties have sought an answer to this problem through creation of a transportation system administered by the regional facility. Participants negotiate a relative share of the transportation costs under such a system

### Development of a Cost-Sharing Formula

The operation of any correctional facility involves fixed costs as well as costs that increase or decrease depending on such factors as the number of bookings, inmate population, and inmate characteristics (i.e. healthy versus unhealthy or maximum security

risk versus minimum security risk). Jurisdictions can become hopelessly mired in the development of a cost-sharing formula that facilitates each participant's payment of its fair share of operational costs. While there is no single answer to this problem, local jurisdictions are encouraged to use imagination and service "trade offs" in arriving at a solution.

#### Cooperation from Judiciary

When the service area of a multi-jurisdictional facility covers more than one judicial district, administrators often find it difficult to serve the courts effectively. This is particularly true when judges of the various courts are either unwilling or unable to work with facility administrative staff to resolve scheduling and transportation problems.

The variations among judges' philosophy about what the "jail experience" should be can result in a lack of congruence between the judges' expectations and the mission and services of the facility. In general, it is more difficult to manage the relationship between the facility and the courts when multiple judicial districts are involved.

#### Location of the Jail

Generally speaking, a full-service, multi-jurisdictional jail needs to be located in close proximity to community resources and services which are necessary for inmate programs, including medical and dental care, psychiatric and psychological care and counseling, education, work release opportunities, etc. The presence of such services is a primary criterion in site selection. Smaller jails are dependent upon community services because it is fiscally impossible for them to deliver all such services on an in-house basis.

#### **ORGANIZATIONAL MODELS**

In their study of multi-jurisdictional models in Unification of Community Corrections, authors Nelson, Cushman, and Harlow outline the following three potential multi-jurisdictional arrangements. Even in the face of the complex issues involved, local jurisdictions are encouraged to consider a multi-jurisdictional option. Smaller jurisdictions with a history of "getting things done" rather than being overburdened by bureaucracy present the best hope for a multi-jurisdictional approach. There is no single, model way to tackle the planning, implementation, and administration of a multi-jurisdictional jail.

**Larger Rural Counties**

This option joins several larger rural counties with sparse populations and small population centers (cities and villages). The arrangement could embrace two or more counties with more or less equal populations. The correctional facility or system would be administered under a joint powers agreement.

**Suburban Clusters**

The second model is characterized by a large urban population center which is surrounded by adjacent, or at least nearby, smaller jurisdictions. The large jurisdiction serves as the focal point for delivery of detention and other services. As with the first model, the jurisdictions are unified under a joint powers agreement administered by a representative board.

**Small Jurisdictions**

While the first model seems particularly suited for large, sparsely populated jurisdictions, this model appears best suited to serving a greater number of smaller jurisdictions such as are characteristically found in states with numerous small counties. Here, more jurisdictions can become involved because participants are not hindered by geography and by transportation distances.

**STRUCTURAL  
ARRANGEMENTS**

The foregoing models focus on population and geography as factors influencing the types of multi-jurisdictional arrangements that occur. These cooperative ventures can also be viewed and understood from a fiscal and administrative perspective, which is more or less independent of the criteria of geography and population. Structure, here, is largely in terms of specific service needs of the participant jurisdictions as well as in how the facility is to be administered and funded. While probably many more scenarios could exist, at least three structural arrangements seem probable.

**Structural Arrangement #1**

Two or more counties would share pro-rata funding of the capital and operational costs of the facility, which would be administered by a department of corrections and overseen by some form of jail board. While counties might retain a local, short term holding operation, no county would continue to operate a full-service jail.

**Structural Arrangement X2**

Under this proposed structure, a regional jail would exist in addition to other local jails operated by participating jurisdictions. There would still need to be pro-rata funding and some form of jail board. The regional jail would have its own annual budget. The difference between this and the first arrangement is that participant jurisdictions would continue to operate their own local jails, and the regional facility would be designed and administered to fill one or more of the following needs:

- o Reduce overcrowding in local facilities**
- o Serve a special purpose such as housing only long-term sentenced inmates;**
- o House only females or males in order to alleviate classification and space problems in local jails; or**
- o Provide for the care and custody needs of special inmates requiring administrative segregation, medical attention, high security, or rehabilitation programming that is not available in the less adequately staffed and programmed local facilities.**

**Structural Arrangement X3**

The first two arrangements might be seen as truly regional in nature, for they are characterized by pro-rata funding, a department of corrections, and a jail board with oversight and policy-making authority. The last arrangement is one that is most often in place across the country, and its dominant feature is that of a single jurisdiction making space available to another for a fee. Another significant difference between this arrangement and the first two is that the sheriff would continue to administer the jail. Other jurisdictions may or may not continue to operate a jail (usually they do), and there would typically be no arrangement for pro-rata capital or operational funding. The scenario is simple: County A holds inmates for County B for a fee based on A's average daily inmate cost. The counties may or may not have a formal contract.

The problems with this third arrangement as a long-term solution are predictable.

- 1. Often a county will plan and build additional bed space in anticipation of 'renting' space to other counties only to**

have those jurisdictions disagree over the fee and seek space elsewhere or decide to build their own jails.

2. Population increases in the host jurisdiction reduce the amount of bed space available to other jurisdictions and they are "cut off" with relatively short notice, leaving them in an untenable situation that results in huge transportation costs for trips to remote sites or a hurried and often ill-conceived effort to plan, design, and build their own jails.

## CONCLUSION

Lawsuits brought by inmates combined with the ever-increasing costs of jail construction and operation make it imperative that smaller, local units of government investigate cost-effective solutions to their detention needs. The question of whether or not a shared multi-jurisdictional jail would effectively address regional correctional needs is not easy for local governments to answer. Too often, jurisdictions considering this approach commission a so-called "feasibility" study without careful consideration of the questions they hope to have answered. In order to avoid misdirection during the early stages of commissioning such an analysis, local leaders should strive to develop the strong local leadership required to work through the initial planning tasks and to develop subsequent financial and operational agreements. Remember that while state and federal technical assistance (even in the form of funding) is beneficial, "locals" must forge a strong cooperative process that will serve them when other assistance is gone. Participant jurisdictions are encouraged to seek early agreement regarding their mutual purposes and goals of reform through multi-jurisdictional cooperation. Planning and evaluation should not go forward until agreement has been reached about the purposes and goals of unification.

Finally, if issuing a request for proposals for outside professional planning assistance, jurisdictions should clearly indicate the requirement that the individual or firm employ a comprehensive planning methodology that addresses the regional jail question, providing a range of available options, associated costs, and relative benefits.

Price. Barbara Raffel and Newman. Charles. Multi-jurisdictional and State Jails: A Study in Organization and Management. Prepared under Grant Number AF-8 awarded to the Pennsylvania State University by the National Institute of Corrections, February 1979.



**Nelson, E., K. Jr., Cushman, Robert, and Harlow, Nora. Program Models: Unification of Community Corrections. Prepared under Grant Number 77-NI-99-0065 awarded to the American Justice Institute by the National Institute of Justice, April 1980.**

# Small Jail SPECIAL ISSUE



4

## DETERMINING THE BED CAPACITY OF A SMALL JAIL

### INTRODUCTION

Deciding on the inmate bed capacity, that is, on the number of inmates the jail will be designed to hold, is perhaps the most important choice to be made in the planning process for a new jail. Capacity is the crucial determinant of the cost of a new jail, and insufficient capacity in the old jail is often the strongest motivator in the decision to build a new one. Many new jails, however, have been designed with an inadequate bed capacity. Respondents to a survey of 255 small jails recently completed as part of the National Institute of Corrections' Model Architectural Plans for Small Jails project indicated that:

- o 44% of small jails built since 1974 have experienced some problems with overcrowding;
- o 15% have experienced "very serious" or "somewhat serious" overcrowding problems;
- o 40% of small jails had at least one day in 1984 in which the inmate count exceeded the jail's capacity.

### WHY NEW JAILS GET OVERCROWDED

Planners of new small jails usually believe that a newer, bigger jail will solve all existing problems with overcrowding. The fact that they often design their new jail with bed capacities that turn out to be inadequate seems to occur for two reasons. The first reason relates to unanticipated shifts in public and political pressures or new state statutes. The second reason is that planning has neglected to take into account the impact of local criminal justice policy.

One example of a change in public sentiment and law that could not have been foreseen is the recently enacted drunk driving laws. The tough laws now being written reflect current public outcry against drunk drivers, and they have the unanticipated effect of filling local county jails. This change could not have been foreseen but has, nonetheless, clearly contributed to crowding pressures at small county jails.

The only way to deal with unforeseen but potential changes that could affect jail capacity in the future (short of overbuilding to the point of bankruptcy) is to provide for a clear, easy to enact expansion capability.

For some jurisdictions, the act of setting a capacity is a five-second exercise capsulized in a single thought: "We've got

20 beds now, let's double it to 40!" While they may accidentally get it right, they generally get it wrong, missing the opportunity to either build less or, more frequently, to know to build more. They certainly have not determined how those 40 beds are to be distributed among the various inmate types, nor generally thought about how and for whom the building might be expanded.

PROJECTIONS ARE  
NOT ENOUGH

Most jurisdictions do take a closer look at the problems, but fail in correctly determining capacity needs because they tend to take half a look. The half a look tends to come in the form of a 'projection' of the inmate population. Generally done by an architect or a planner, the projection takes historical jail counts, and sometimes county population data, and mathematically projects into the future the trends they depict (declining, flat, or increasing). In other words, they mathematically answer the question: "Where would we be if the future was like the past?" While impressive to the layman and important to the project, the answers received from these projections can be harmful if they represent the entirety of the capacity-setting effort.

EVALUATE  
LOCAL POLICIES

The key to the effort is to go one step further and look for foreseeable changes that would affect projection results. Such changes have to do with past and future practices by local judges and prosecutors, that is, local criminal justice policy.

By examining ways in which local judges and prosecutors have adjusted and plan to adjust their sentencing and prosecuting approaches in response to conditions at the existing jail, planners can modify strict mathematical projections of capacity need to take into account the more subtle and problematic response of the local criminal justice system to the new jail.

Question 1: How have judges and the prosecutor in the past altered their preferred practices of bonding and sentencing due to overcrowding and/or other conditions of the jails?

The answers to Question 1, which deals with past changes in local criminal justice practice, can invalidate a projection. If the judges and prosecutor have been significantly reducing bonds and lessening sentences in deference to poor jail conditions, then projections based on past inmate populations will not accurately reflect future needs. The projected capacity figures will be too low because the past population data was artificially held down. If the projected figures are used, the new jail could easily become overcrowded as the judges and prosecutor abandon the previously imposed limits once newer, larger facilities are available. The impact of judges abandoning restrictive past

practices doubled the anticipated inmate population in one Illinois facility. Examples of local practices or policies used because of poor existing conditions include:

**Inappropriately low bonds**

**Probation or fine in lieu of a sentence**

**Shorter sentences**

**Refusal to detain females**

**Refusal to detain juveniles.**

Once past changes are accounted for, Question 2 regarding future changes must be addressed.

**Question 2: How will judges and the prosecutor change future pre-trial release and sentencing practices once new, standards-compliant facilities of adequate size are available?**

Given the prospect of much improved and much larger facilities, local criminal justice practitioners may define a broader role for the jail. A broader role inevitably means more inmates, which, in turn, could lead to overcrowding if not anticipated.

An example of how a broadened role affected capacity needs is found in a small Ohio county. There the judges stated unequivocally that they would, in the future, place certain youthful first-time felons in the new jail for up to 6 months as a condition of probation. Previously, such offenders had received either straight probation or a sentence at the state prison. Neither was perceived as a good option in all cases, but both were preferable to the unacceptably poor county jail. The new jail represented a viable third option. The impact was to increase the jail population by about one-third. Not knowing that this change was coming would almost certainly have led to the immediate overcrowding of a facility whose statistically projected capacity was to have been adequate to the year 2005.

Potential changes that could be made because of new facilities that increase capacity include:

**Elimination of all earlier compromises in sentencing**

**Creation of a work release program to which people are sentenced**

**Sentencing felons to jail as a condition of probation**

**Sentencing more people to the facility because of desirable program and services.**

**Once past or future policy changes are known, the next critical task for the planner is to find a way to quantify or calculate their impacts.**

**POLICY AS A TOOL  
TO REDUCE  
CAPACITY**

**An evaluation of local criminal justice policy can also have another positive aspect. It can be used to reduce the jail population as well as to generate the need to plan for greater bed capacities. This is an important distinction since a \$50,000 average per bed cost can mean that local demand for more bed space than projected will result in significantly higher costs to the county, including greater annual operating costs. Such costs might knock a project out of the realm of feasibility.**

**Reducing the size of the jail population is achieved by reducing the number of people detained and/or reducing the inmates' length-of-stay. The former has been done in many communities through the creation of various alternative sentences and a greater use of non-money bail releases for arrestees. Lengths-of-stay have been reduced, principally with respect to pre-trial detainees, by accelerating the case schedules of jailed persons and doing a quicker, more effective job of establishing bail conditions.**

**Two other factors that will affect final capacity needs should be considered.**

- 1. Classification. The need to separate different kinds of inmates from each other means, essentially, the need to create mini-facilities within each jail. The violent must be separated from the non-violent, the old and weak from the young and aggressive, the drunk and mentally deficient from the general population, and the criminally sophisticated from the first-time offender. In order to keep inmates separate, adequate allowances in capacity must be made to account for fluctuations in the population of each group. This inevitably leads to a greater capacity need than that derived from projections based only on the overall population and the overall fluctuation rates.**

2. **Design.** As the architect designs your jail, he/she will seek an economy of design that will tend to change your capacity figure. For example, rather than meet your exact projections for a 7-bed maximum security area, a 7-bed medium security area, and a 9-bed low security area, the architect may propose that they all have 8 beds. This might allow for a more uniform design that is easier and less costly to build. In this example, however, the architect's recommendation would have raised your capacity by one.

## **CONCLUSION**

Establishing a proper facility capacity is a tough task. A county's chances of success are greatly enhanced, however, if the county recognizes the role of local criminal justice policy in setting capacity needs and looks at ways to assess and control its impact as well as doing legitimate population projections. When all is said and done, though, there are no guarantees in the capacity setting business. Planning for future expansion is the best hedge against the unforeseen changes that may increase local capacity needs beyond projected levels.

Other approaches to reducing the jail population that should be considered include:

- Greater use of non-money releases (recognizance releases)
- Quicker pre-trial releases
- Prioritizing cases of jailed defendants
- Using community service work in lieu of jail
- Diversion programs
- Creating separate, self-supporting low security facilities for work releasees, drunk drivers, and so forth.

### **FURTHER READING:**

**How to Collect and Analyze Data** by Gail Elias

**Jail Population Checklist: An Assessment Survey.** National Institute of Corrections Jail Center, 1983.

These documents are available from the NIC National Information Center, 1790 30th Street, Suite 130, Boulder, Colorado 80301; telephone 303-444-1101



# Small Jail SPECIAL ISSUE

5

## MODES OF SUPERVISION IN SMALL JAILS

### INTRODUCTION

The results of a survey recently conducted as part of the National Institute of Corrections' "Model Architectural Plans for Small Jails" project indicate that most small jails in this country use a type of inmate surveillance that can be called "intermittent." In 88% of the small jails surveyed, the primary surveillance method is for officers to make periodic rounds through each cellblock or past each individual cell. The remaining 12% that do not use the intermittent approach use one of the following methods.

**Direct Supervision** -- Posting an officer around-the-clock within each cellblock or pod in direct, barrier-free contact with inmates. This practice has become known in the past few years as "direct supervision." About one percent of the jails- under a 50-inmate design capacity reported that they use this approach to supervision.

**Remote Surveillance** -- Posting an officer around-the-clock in a secure guard station outside of a group of cellblocks or pods, but looking directly into them from either a non-secure post or a secure control post. Five percent indicated that they use this method, which has come to be referred to as "remote surveillance."

**CCTV/Audio** -- Utilizing a dispatcher or other staff person to scan closed circuit television (CCTV) screens and/or monitor audio equipment, but not to actually enter cellblocks on a regular basis. Approximately six percent of survey respondents indicated that they use this method.

### PROBLEMS WITH "LINEAR" JAILS

For the most part, intermittent surveillance is a function of the nature of the design of many jails. As pointed out by Stephen Gettinger in New Generation Jails: An Innovative Approach to an Age-Old Problem

Many of the problems of traditional jails can be traced to their design. Cellblocks are usually "linear"--a hallway or corridor lined with cells. This creates intermittent surveillance: An officer walks down the hallway periodically, but the rest of the time the inmates are out of sight. The result is that officers can control only the areas they work in or have clear sight lines into at all times--primarily hallways and administrative areas.



This style of architecture and the accompanying surveillance approach form what is currently referred to as "linear-intermittent surveillance." The term surveillance is used rather than supervision because most correctional experts agree that true supervision requires a level of interaction between staff and inmates that is relatively unattainable with the linear-intermittent approach. '

The inability to supervise inmates inherent in these settings leads to problems that administrators of large and small jails know all too well:

#### Inmates are in Control

As one veteran sheriff put it, "We control the hallways and they control the cells." Interaction in the linear jail is impeded by the design itself. Even the most aggressive attempts at supervision can usually be thwarted by inmates in such jails.

#### Tension and Violence

Since inmates control cell areas to a certain extent, tension and violence flourish in an atmosphere that breeds fights, vandalism, manufacture of weapons, and physical and sexual assault. Coercion and intimidation tend to be the "management" tools employed by occupants of these types of jails.

#### Staff Problems

For years we counseled the youth of this country that "Jail is Not a Good Place to Be!" Jail officers working in old linear facilities feel the same way. For many staff, the jail is a battle zone--a place where one must learn to survive through intimidation and physical force. It is a place where many simply "pay their dues" while waiting for a "real" law enforcement job as a street officer. Morale is often poor, and problems of absenteeism and lackluster performance abound.

#### Idleness

Inmates who have nothing to do will, in fact, find something to do. That something may be tearing out a light fixture, hassling another inmate, or engaging in other counterproductive behavior. Enforced idleness is not only unconstitutional, but it works against the goals of sound jail management.

### Movement

Linear jails inhibit the convenient movement of inmates to programs and services because they usually require escorted movement to decentralized locations such as a rooftop recreation yard. To the degree that services can be arranged around the inmates in close proximity to housing areas, unnecessary and burdensome movement will be reduced.

### Information

Intermittent surveillance impedes the flow of information between inmates and staff. Infrequent contact between officers and staff occurs because the environment is not conducive to quality communication. Both inmates and officers need a flow of information in order to remain correctly oriented to their respective roles.

### Inconveniences

Traditional jail design does not lend itself to the reduction of "hassles." Instead it contributes to the number of minor and major inconveniences that jail staff face each day. These include providing inmates access to the telephone, escorting them from one place to another, and being required to directly supervise inmate work activities in remote areas.

### Cost

Vandalism and other forms of damage to jail property and equipment take a tremendous financial toll. Common targets of attack are lighting fixtures, window frames and glazing, bathroom fixtures, and bedding material. Effective surveillance--much less supervision--is difficult to attain in a linear facility.

None of the so-called "state-of-the-art" security hardware and materials will resist sustained and unrestrained attack. The key is proactive supervision, which creates the potential for normalizing the environment and for reducing costs through the use of less expensive alternatives in construction and furnishings.

### Discipline

Discipline is difficult to maintain in the linear type facility. Because surveillance is intermittent, offenders are difficult to identify and even more difficult to prosecute, either through criminal or administrative procedure. Infractions occur in housing areas, which are primarily the domain of the inmate.

Many violations go undetected and seriously undermine the safety and security of the jail.

As one sheriff put it, "Discipline cannot be a sometimes thing. It is a constant, a tone that is set in a jail." Too often, we equate discipline with punishment. Ideally, discipline is the day-to-day correction of undesirable inmate behavior rather than the assessment of a major penalty when behavior deteriorates beyond the point of correction. To be corrected, misbehavior must be readily observable to staff who have full control of the jail.

**SELECTING A  
SUPERVISION  
MODE**

Experience over the past few years seems to indicate that good results can be achieved by placing a highly trained officer directly in the housing pod in constant contact with the inmates and in control of the housing unit. This approach to inmate management is referred to as **PODULAR-DIRECT SUPERVISION** and achieves excellent results in terms of reduction in vandalism, injuries to staff, and anti-social behavior.

An important principle of the direct-supervision approach is that an officer is assigned directly within each housing area. Typically, inmate capacities range from 45 to 50 in these pods. Only those inmates who cannot or will not behave rationally, such as drunks, the mentally ill, disruptive, and special management inmates, are housed in different accommodations. Unfortunately, podular-direct supervision is difficult to implement in small jails because of the following factors.

1. The inmate population is so small that it is simply not staff-efficient to post an officer directly in each housing unit created by a basic classification system (i.e., male, female, protective custody/administrative segregation, drunk, and disruptive, etc.).
2. State jail standards often require separation of inmates according to a variety of other criteria, such as sex, offense, court status, or other characteristics. This places restrictions on the types of individuals who may share a common housing unit.
3. The level of activity in a small jail often does not justify designation of a separate full-time staff person for every function or post. Thus, officers must perform a variety of duties, without compromising inmate supervision. The podular-direct supervision approach dedicates one full-time position to the sole purpose of inmate housing supervision. In most small jails, this is not feasible.

The problem of choosing the best architectural style-supervision approach for the small jail is thus quite difficult. Although information based on recent experience suggests that the podular-direct supervision approach is ideal for large facilities, legal, economic, and operational restrictions limit its applicability to small jails. The widely used linear-intermittent approach, however, poses many problems related to safety, security, and custody.

Podular-remote surveillance represents a move away from the wholly negative aspects of linear design and intermittent surveillance toward some of the more proactive management features of podular-direct supervision. Podular-remote surveillance involves posting an officer in a secure guard station outside a group of cellblocks or pods but looking directly into them

**MAKING  
PODULAR-REMOTE  
WORK**

At its-worst, remote surveillance is nothing more than utilizing an officer as a sort of human television camera: the officer observes inmate activity areas but has no interaction with the activity and no effect on inmate behavior. Remote surveillance is primarily a reactive management approach, but it can be successful if the following guidelines and principles are observed.

**Adequate Staffing is Crucial to Success.**

Consensus opinion among legal experts and experienced correctional practitioners is that a minimum of two staff persons should be on duty in the jail at all times. It is recommended that one officer occupy a secure, podular-remote surveillance post located and designed so that its occupant can provide visual surveillance of inmate housing. The second officer would function as a rover OF floor officer and would carry only those keys necessary for his/her duties on the floor. From a secure, remote post, the control officer would be able to monitor the welfare of inmates and staff as well as to control the operation of doors and locking mechanisms. Thus, the incentive for attacks against staff as a means of escape is greatly reduced.

**Specialized Training in Effective Methods of Supervision is Necessary.**

Regardless of the architectural style or the supervision mode used, no jail can be operated successfully without an adequately trained staff. Most correctional officers receive some pre-service or first year in-service training. Typically, the curriculum includes such topics as self defense, key and tool control, cell and personal searches, report writing, and other basic skills and procedures,

**Sometimes overlooked or underemphasized in this training is the fact that officers must be trained in communication skills and ways of influencing human behavior through positive techniques.**

**Officers must be trained to seek out contact with inmates rather than to avoid it. To the degree possible, rovers and floor officers should attempt to retain total control of the jail facility by reducing inmates' opportunities for long periods of unsupervised congregation. In the podular-direct supervision jail, contact between officers and staff is constant, but remote surveillance jails provide only relatively constant surveillance by the floor officer or rover. Ideally, both officers would be cross-trained to rotate between positions and would function as a team. The limitations of podular-remote surveillance can be mitigated if rovers and pod control officers interact and share information about inmate behavior gained through both visual/audio surveillance and personal interaction.**

#### **Design Complements the Ability to Supervise**

**Inmates From a Secure, Remote Post.**

**The officer operating in a direct supervision mode has maximum flexibility to move, to see, and to be seen by inmates in his/her housing unit. This is not true of the pod control officer, who sits in a "glass bubble." When the rover or floor officer is absent from a particular housing area, it is essential that the pod officer have an unobstructed view of all activity areas in the pod. Jail design features that maximize supervision ability include:**

- Adequate lighting in the pod day room and cells.**
- Absence of "blind spots" created by remote shower rooms or other recessed areas. Open back stairs are recommended for two-level pods.**
- Vertical glass observation windows on cell doors rather than small windows at eye level only.**

**Inmates Should be Able to Communicate Freely with the Pod Control Officer.**

**Personal interaction and the flow of information between inmates and officers are keys to successfully managing the inmate population in any jail. Secure control rooms with high-security glazing present a problem for voice communication in many podular remote supervision jails. An electronic two-way voice communication capability must be**

established in order to facilitate conversations between inmates in cells and dayrooms and the officer located in the confines of the control room

**The Jail Design and Operation Must Address the Need to Reduce Inconveniences and the Necessity for Unescorted Movement.**

The pod control officer is primarily an observer and cannot leave his/her post to perform the duties of a rover. The following steps can be taken to avoid overloading the rover position with unnecessary duties.

- Reduce the need for escorted movement to programs, services, and activities by bringing services to inmates (e.g. library books distributed on a moveable cart) and designing recreation yards, inmate visiting areas, and multi-purpose rooms so that they are adjacent to inmate housing units and accessible via short, observable travel patterns.
- Analyze the most frequent sources of labor-intensive activities, such as providing regular access to telephones, and create design solutions that help to eliminate the "hassles" (e.g., telephones in housing units rather than at remote locations).

**Maintain Total Control of all Areas of the Jail and Consistently Enforce Rules Through Disciplinary Procedures.** To be corrected, misbehavior must be observed by jail staff who have total control of the jail. In a direct supervision jail, supervision is relatively constant and rule violations are easily detected. Remote surveillance requires coordination between the rover and the pod control room officer, who must act as a team in order to compensate for the fact that the rover's presence in the housing unit is periodic rather than constant. When infractions are noted, immediate action must be taken to implement informal or formal disciplinary proceedings ranging from a verbal reprimand to immediate removal from the general population housing unit. In all cases, procedures should be followed that guarantee the inmate's right to due process.

**Plan for the Provision of Back-Up Assistance to the Rover in Case of Emergencies.**

There will be occasions when the pod control officer will be forced to summon other personnel to provide assistance to the roving officer(s) who work in the housing areas and other parts of the jail. Under no circumstances should a pod

control officer leave a secure post to render assistance unless there is a facility master control to assume responsibility for monitoring building security. Therefore, it is essential that other personnel be available to provide assistance as soon as possible. This presents special problems in the small sheriff's department or correctional system since other department employees may be relatively remote from the jail and unable to respond in a timely fashion. Where this is the case, officials should develop cooperative agreements with other agencies, such as municipal police and fire departments or the state police, which can render assistance in the event of serious threats to safety and security in the jail.

The facility design and security/control systems should respond to a logical classification and custody plan. Early in the planning process for a new jail, the local jurisdiction should project a total capacity for the jail. That projection must be broken down into anticipated cell space needs for various classifications of inmates requiring separation and differing levels of supervision and security. At a minimum separate housing areas should be available to allow jail officials to segregate males, females, and juveniles (juveniles are not recommended to be held in adult facilities). Depending on individual statutes, reliance on nationally accepted standards, and management's correctional philosophy, the physical plant may also have to allow for separate housing for the following inmate classifications:

- Pre-trial inmates
- Sentenced inmates
- Misdemeanants
- Felons
- Civil holds
- Trustys or institutional workers
- Week-enders
- Aggressive or violent "predators"
- Weak or passive "prey"
- Administrative segregation (protective custody)
- Disciplinary segregation
- Work release.

This is not to suggest that a separate, dedicated housing area must be designed for each distinct classification of

inmates. It is important, however, for the jail's housing units to be sufficient in number, size, type of security, furnishings, and hardware to permit the implementation of a logically conceived and legally defensible classification plan that allows staff to manage the population safely and securely.

#### CONCLUSION

Many recently constructed jails are characterized by a linear design that dictates the relatively ineffective intermittent surveillance of inmates by staff. The reason(s) many small jurisdictions use a linear design rather than a more progressive one is something about which knowledgeable corrections professionals and architects can only speculate. It may be that:

- o Small jurisdictions often do not attract jail-experienced architects with knowledge of contemporary design options and their operational impact.
- o They fail to develop an adequate statement of inmate management goals and objectives as part of an adequately prepared pre-architectural program
- o They hesitate to use high technology electronic control equipment found in modern, well-equipped control rooms.
- o They want the facility to "look like a jail" in spite of the fact that a punitive environment is probably not desirable or legal for jails that confine a largely pretrial population.
- o They fail to conduct a staffing analysis to determine the manpower needs and problems that accompany the linear --intermittent surveillance approach.

Just as there is no one way to "skin a cat" there is no single way to design and operate a jail. But as has been previously discussed, a few basic principles have emerged from research, innovative design efforts and the practical experiences of jail managers. To ignore these emerging principles is to doom ourselves to repeat the failures of the past and saddle our local governments with new, small jails that duplicate the operational, fiscal and legal liabilities they hoped to escape.





# Small Jail SPECIAL ISSUE

# 6

## WHAT IT WILL COST TO OPERATE YOUR NEW JAIL

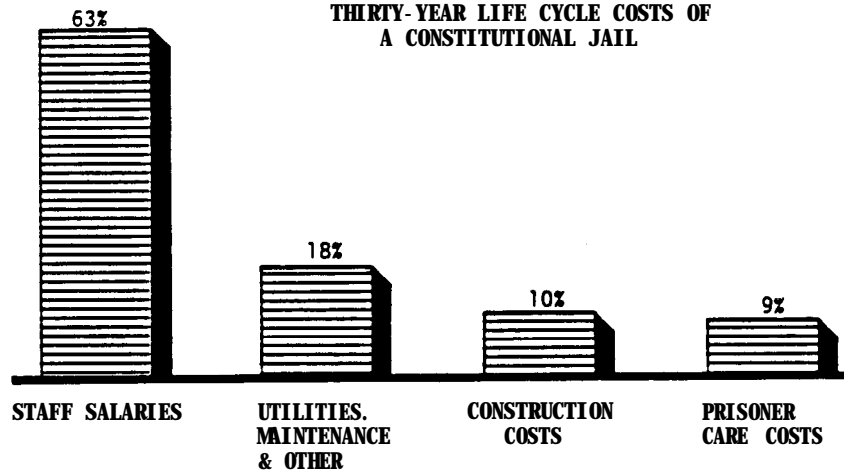
All too often in the small jail planning and design process, staffing and operational costs are overlooked in the excitement and enthusiasm for the new building. This is a critical oversight, which often results in the best of jail designs not meeting the expectations of those who must operate and manage the jail. In fact, several new jails across the country have remained unoccupied at the completion of construction due to a failure to plan and budget for staffing and operational costs. Understanding and preparing for the cost of operating a new jail are essential to its success.

### CAPITAL COSTS VS. OPERATING COSTS

Planners, architects, sheriffs, county commissioners, and the public must be alert to the fact that over the 30-year life cycle of a correctional facility, construction costs will amount to only ten percent of the total facility costs. Over the 30-year period, operating -costs should be projected at nine times more than the initial capital construction costs. This, in dollar translations, means that for every one million dollars invested in capital construction costs in 1985, you will spend another nine million dollars for operations by the year 2015. (See Figure 1)

FIGURE 1

THIRTY-YEAR LIFE CYCLE COSTS OF  
A CONSTITUTIONAL JAIL



### STAFFING COSTS

The key to the success of any jail, including the small jail, is that it has enough staff to perform all necessary duties and discharge all responsibilities. Staff costs typically represent 70% of annual operating costs.

Figure 2 represents the actual average per diem costs of jails surveyed by Kinne Planning and Architecture staff for the National Institute of Corrections. The average per diem (daily cost per inmate) was \$50.00 per day. Although this figure may seem unrealistically high, it is important to bear in mind that the average county has been found to underestimate its actual jail operations costs by 28%. Consequently, officials in an average county with a new jail might think the jail only costs \$39 per day for each inmate.

FIGURE 2

	COST	PERCENT OF TOTAL
PERSONNEL	\$35.00	70.0%
PRISONER CARE	\$ 5.00	10.0%
BUILDING MAINTENANCE AND OPERATIONS	\$10.00	20.0%
TOTAL:	\$50.00	100%

AVERAGE PER DIEM OPERATING COSTS - 1985

**24-HOUR COVERAGE**

Staff costs in a properly operated jail are high because jails are so unlike other county operations. For example, although a county's administrative offices might only be open from 8:30 am to 4:30 pm Monday through Friday, jails never close. They require 24-hour-a-day, seven-days-a-week coverage and "same sex" staffing (that is, female staff for female prisoners and male staff for male prisoners is a requirement in many states).

A 24-hour post (such as Central Control) requires approximately five persons to operate 24 hours a day, 365 days a year. Ordinarily three eight-hour shifts staff jails and prisons. Staff on each shift are typically available to work approximately 217 days per year; the remaining 140 days include regular days off, vacation, sick leave, training days, etc. Figure 3 is a graphic representation of why one 24-hour post requires five persons for coverage. The relief factor of 1.67 is calculated by dividing the number of days the post must be covered (365) by the number of days a staff person is available to man the post. Example:  $365 / 217 = 1.67$ .

FIGURE 3

STAFFING ANALYSIS							
Position or Post		Day	Eve.	Night	Total Positions	Relief Factor	Total Staff
CENTRAL CONTROL	Ref. +	1	1	1	3	1.67	5.0

Additional personnel are required for other functions that are not 24-hour posts, such as jail administration, cooks, medical staff, and court transport staff.

DESIGN AND  
MANAGEMENT  
DECISIONS

Critical decisions made during the planning and design phase can have a significant impact on personnel costs for a new jail. The most important factors are as follows.

**Facility Design:** Perhaps the most critical determinant of staffing needs for the small jail is the physical plant design. - A multi-level design, for example, can drive staff costs to levels that counties cannot afford. (If each floor requires a 24-hour post, a three-floor jail would require a minimum of 15 security staff: 3 floors x 3 posts x 1.67 relief factor = 15 staff.) A Central Control room designed to provide surveillance of primary inmate living areas, inmate activity areas, and public and staff ingress and egress can minimize staffing levels. For very small jails (under 20-bed capacity), a combined Central Control and law enforcement dispatch can often be used to minimize staffing requirements.

**Mission:** The mission statement, when put into operation, will reflect the county's commitment to the types of services and programs to be provided to the inmate population. These programs will require inmate movement and staff supervision.

**Standards and Court Orders:** Most state jail standards mandate minimum levels of services for such programs as visitation, exercise, and health care. Federal courts have made it clear that those who fund and operate jails have a duty to protect inmates from violence and to provide for their safe and secure detention. Staff must be available to classify inmates and to provide continuous supervision.

**Type of Population:** The types of inmates housed in the facility can dictate the types and number of staff needed. A facility that houses both male and female inmates, for instance, should have both a male and female corrections officer on duty at all times. If the population is a long-term sentenced population, increased programs and services (exercise, visitation, work release, counseling, mental health services, etc.) must be provided to prevent the debilitating effects of long-term incarceration. A facility that detains primarily violent felons and career criminals requires more intensive staffing than one that houses non-violent misdemeanants such as DWIs and minor property offenders.

**Location of the Facility:** The impact of the facility location on staffing is based on the need to transport inmates between the jail and court. The more time involved in transporting inmates to and from courts, the more staff will be required. Those contemplating developing a new jail at a location remote from court facilities should consider the staffing impact or such alternatives as video arraignment or an arraignment court at the jail.

The remaining 30% of the operational costs for the new facility are typically divided into two areas: prisoner care (10%) and building maintenance and operations (20%).

**Prisoner Care:** These costs typically represent nearly 10% of the total operating budget. Costs associated with prisoner care include food service; medical and dental supplies; vehicles and prisoner transportation costs; office supplies; records and forms; telephones; laundry supplies and inmate clothing; inmate hygiene items; and other equipment and supplies needed for inmate programs and activities.

Those responsible for preparing the new facility's budget must consider that when new jails open, the inmate population tends to increase dramatically over the "old jail's" population.

**Building Maintenance and Operations:** This cost represents approximately 20% of the total operating budget and generally reflects a significant increase over comparable costs for the "old jail." The need for around-the-clock operation of a jail is a key factor in the building maintenance and utility costs. Jails suffer more wear and tear on the building and mechanical system than any other public facility, with the exception of mental institutions and public hospitals. Lighting, heating, air conditioning systems, and electrical security hardware require energy for non-stop operations. In addition, the new jail's total square footage can easily be four to six times the size of the old facility, driving energy costs to unanticipated levels. Maintenance costs for new high technology security systems and hardware should not be underestimated; high tech locking and audio-visual surveillance systems need ongoing maintenance and repair.

Because the recurring costs of building maintenance and operation will represent approximately one-fifth of the total operating costs, the county should pay careful attention to this area as it projects operational costs for the new jail.

#### **SUMMARY**

A jail is a unique institution in that it involves an around-the-clock operation as opposed to the eight-hour day of most other county services. Adequate staffing is the single most important (and most expensive) factor contributing to the ultimate success or failure of the new jail. The long-term financial commitment required to operate a new jail in a safe, secure, and constitutional manner mandates that the issue of operational costs be addressed early in the jail planning, design, and transition processes.

#### **FURTHER READING:**

**Planning and Evaluating Prison and Jail Staffing, Volumes I and II, 1981, F. Warren Benton, Ph. D.**

**Preparation of the Manpower Request: A Sheriff's/Administration Guide to Determining and Presenting Personnel Needs, Gary M Bowker and Bruce R. Bounds, 1980.**



# Small Jail SPECIAL ISSUE

7

## TRANSITION PLANNING FOR THE SMALL JAIL

### WHAT IS TRANSITION PLANNING?

The transition from an old jail to a new one involves much more than simply moving inmates, supplies, and equipment from the old facility to the new one and telling staff to report at a different address the next day. A county will probably move to a new jail only once every 50 to 100 years, and such a move creates important and far-reaching changes for everyone involved--changes in philosophy, technology, equipment, the work environment, and, ideally, positive changes in inmate behavior resulting from the management philosophy and design of the new jail. The transition is a total "passing" from the old place, old conditions, old activities to new ones. One cannot expect to make this passing and manage the accompanying changes without adequate preparation and commitment. Transition planning is the key to ensuring that the entire process is successful.

Transition planning begins with designing the new facility-- what should it be and do--and culminates with the movement of inmates from the old facility to the new one. The actual transition period, from the time the design is converted to construction until occupancy begins, is as critical as the pre-architectural planning and the eventual operation. Transition is that part of the process that ties the acts of planning and execution together.

**What is Transition Planning? It is scenario development (showing the sequence of how such activities as booking will occur in the new building). It is writing policies and procedures. It is developing orientation and training programs. It is developing staffing plans and budgets. It is action planning. It is, most of all, hard work!**

### WHY DO TRANSITION PLANNING?

The following principles define the importance of transition planning and describe the basic elements to include in the transition planning process.

#### People Support What They Help Create.

The best way to get people to accept change is to involve them in the change plans. Let supervisory and line staff have a role in defining their jobs in the new jail.

#### Take the Time and Do it Right.

Building and occupying a new jail happens only once every 50 to 100 years in a county. How you prepare for the occupancy and initial operation will have a lasting impact on the inmates who



live there, the staff who work there, and the public who will visit friends or relatives there. Take the time to do it right.

**New Buildings Alone Do Not Resolve All Problems--People Do.**

The safety and security of the new jail will primarily depend on the staff who work there. Staff, not buildings, respond to combative or emotionally disturbed inmates. It is the jail staff who must deliver programs and services and implement security procedures. There must be a sufficient number of jail staff working at the right place, at the right time, doing the right things. The staff must be prepared for the operation of the new building and should have an active part in planning the transition.

**Take Advantage of the Opportunity to Review Past Practices.**

The transition process provides an opportunity for a review and close scrutiny of the way things have been done in the past. Make a concerted effort to eliminate practices that produced negative consequences or are deemed unacceptable by today's evolving standards. Build on the practices that will allow your people and organization to grow. This is your opportunity to develop management and operational procedures that will fit with the facility design. Take every chance to eliminate those practices from the old jail that won't "fit" or be compatible with the new jail.

**Assume Control of the Jail.**

Many jails in the country are actually dominated or controlled by the inmate population. This inmate control is a result of poor design, lack of adequate staffing, and dependence on inmates to make the jail work. Transition planning provides you with the opportunity to take control of your jail.

**Overcome Resistance to Change.**

This principle is closely linked to the principles of taking control of your system and of eliminating marginal or unacceptable operational practices. Allow staff to participate in the transition process; make them aware of proposed changes; let them become involved in the changes that will have a dramatic impact on them. The transition process requires staff to go through an inner reorientation process-- to stop doing things the way they used to and to start doing them differently. It is this aspect of the transition process that determines whether the new facility will work.

**Avoid Embarrassment.**

Failure to do transition planning can and has resulted in new facilities not opening or, even worse, in opening and then encountering problems with escapes or major equipment failures. Of course, such experiences cause significant embarrassment to sheriffs and county commissioners. Following are some examples of situations in which a failure to prepare for the transition caused some red faces.

After occupancy, the maintenance man hired to maintain a new jail noticed that the windows could be kicked out.

Separate jails in South Dakota and Washington State did not open due to failure to plan for staffing and operational budgets.

In an Oregon jail, the window design would have allowed inmates to kick more than 30 windows out with relative ease. Food and other storage space was totally non-existent, and the laundry area lacked ventilation.

In a Louisiana jail, the master control panel was not organized or marked. Only trial and error led to the discovery of what switches operated which doors. To complicate matters, about 50% of the switches had been installed upside down; when they were switched to a locked position, the door was actually open.

In a Montana jail, officers discovered upon moving in at the order of the county commissioners that the smoke detector didn't work, the electric door operation functioned sporadically, some locks failed when the door was pushed, and manual override cylinders were never installed. (When a door was electronically switched open but failed to open, tamper-proof fasteners on the operating mechanism had to be removed manually, which involved a 2 1/2-hour process.) In the event of a fire, the results would have been tragic.

In a Texas jail, hot food carts would not fit through the corridors and cellblock doors. The food carts required 220 outlets for heat during serving and only 110 outlets had been installed.

In several states, the height of the vehicular sallyport entry was too low to permit entry of emergency vehicles and inmate transport vans with overhead light bars.

PRIMARY TRANSITION  
TASKS

The primary emphasis of transition planning is to prepare the new facility for operation. Six critical tasks have been identified that must take place if the transition is to be successful. These critical tasks are described below.

Monitoring of Facility Construction

It is a good idea for a representative of the sheriff's jail staff to provide oversight of the jail construction process. This person will observe the construction, check conformity to drawings and specifications, anticipate potential security and operational problems, and become familiar with mechanical and electronic systems. This monitoring will be beneficial to the move and initial operation because this staff person will serve as a rich resource in orienting and training new staff.

Staffing

The specific personnel needs for administration, security, programs, and support services must be defined.

Budgeting

Determine what resources will be required above and beyond those used in the existing operation in the areas of personnel, training, supplies, food, health care, utilities, maintenance, and other inmate programs and services.

Scenario and Policy and Procedure Development

For all activities, written scenarios (a sequencing of tasks for all jail functions) should be developed and tested in the new building. Once scenarios have been tested and revised, written policies and procedures should be developed and staff trained and tested on the procedures. Post orders defining the tasks for each staffing post must also be developed.

Move Logistics

All staff must receive training and orientation for the new facility. All equipment must be tested. Plans must be made for actually moving the inmates and occupying the facility. The public and outside law enforcement agencies should receive an orientation to the new facility.

### Facility Maintenance

The county maintenance department and/or maintenance person assigned to the facility must monitor the construction of the building and serve as a key part of the transition effort. Understanding and maintaining the new mechanical and security systems will be important in making the building work and in ensuring inmate and staff safety.

#### **HOW DO YOU DO THE TRANSITION?**

Small jails, with limited budgets and personnel, face a much greater challenge with transition than do larger facilities. Larger facilities typically use an overall Transition Coordinating Committee, five or six Task Forces (Security, Programs, Support Services, Move Logistics, and Orientation and Training), plus several full-time staff dedicated to the transition process over an 18-month or two-year period. Options on that scale are not practical for the small county. Nonetheless, the transition tasks outlined in preceding sections of this document must be completed.

### Transition Coordinator

Small jails should consider the appointment of a key member of the existing jail or sheriff's department staff to be the Transition Coordinator. The coordinator should be designated during the design development stage, although early stages of the planning and design process will not require his/her full attention. The primary role of the coordinator would be to serve as liaison, to ensure that communication exists between the planners and operators. One year prior to opening, the Transition Coordinator should be appointed on at least a half-time basis to perform these tasks. During this last year, additional jail staff should be appointed to assist the coordinator, who will continue to function in his/her normal position. However, as project activities escalate in number and intensity, the sheriff must be prepared to commit more of the Transition Coordinator's time to the effort. The coordinator will require assistance in developing scenarios, writing policies and procedures, developing post orders, and in developing and delivering orientation and training programs. Clerical support will also have to be dedicated to the effort during the last year.

### Staffing Needs Assessment and Budget

It is critical that a staffing needs assessment and preparation of the operating budget begin 18 months prior to opening. The sheriff, of course, will have the lead responsibility in this area.

One tool that can aid in the organization of the transition process is action planning, a planning tool that specifies all required tasks, assigns a person to be responsible for these tasks, places a due date on the completion of the tasks, and specifies the resources required to achieve the end result or complete the activity.

The transition process is hard work, but it is critical to the successful opening and operation of a new jail. Commitment in terms of time and resources devoted to the process will pay off in a smoothly functioning new jail.

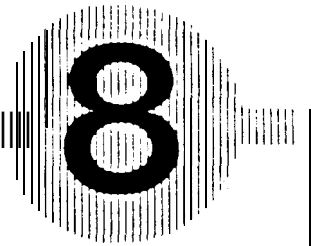
**FURTHER READING:**

How to Open A New Institution--Resource Guide, National Institute of Corrections Jail Center, 1984.

Opening New Prisons, Jails and Community-Based Centers, John T. Milosovich and David Dupree, Undated.

These documents are available from the NIC National Information Center, 1790 30th Street, Suite 130, Boulder, Colorado 80301; telephone 303-444-1101.

# Small Jail SPECIAL ISSUE



## PLANNING FOR JAIL MAINTENANCE: FACILITY FITNESS

### INTRODUCTION

Responses to a national survey of small jails conducted in connection with the NIC's Model Architectural Plans for Small Jails project indicated that approximately one-third of recently built jails had serious maintenance problems when they were occupied or soon after. In many cases, the problems were serious enough to endanger operational security. Following is a breakdown of the jails' experiences.

- 46% of respondents had problems with the durability of building materials and/or hardware; 61% of this group (28% of all respondents) indicated that these problems were a serious concern.
- 66% experienced equipment failures; 51% of these (34% of the total) were serious in nature.
- 51% had problems obtaining equipment replacement parts; 68% of this group (nearly 35% of the total) believed that these delays created a serious problem
- 48% had difficulty getting proper repair services; 63% of these (over 30% of the total) judged this to be a serious problem

The specific problems experienced by these agencies were diverse, and the solutions to them were unique. Almost all of the problems could have been anticipated to some degree, however, and lessened, if not eliminated, during the design and construction phases of the new facility. The following discussion will identify the reasons such problems are likely to occur, especially in small jails, and will present strategies to plan for effective building maintenance.

### WHY SO MANY PROBLEMS?

The surprising extent of maintenance problems in new facilities was confirmed through follow-up site visits to a sample of survey respondents. These on-site discussions with jail operators identified a range of circumstances and issues that related to maintenance problems in small jails.

- Contemporary jails are designed, equipped, and operated very differently than older jails, and many communities have underestimated these changes or were simply unprepared for them. Examples of these differences include:

--newer jails provide for more inmate activity and movement;

--newer jails are equipped with technologically advanced electronic controls;

--newer jails are subject to greater expectations for efficiency, safety, and cleanliness.

These factors all contribute to making new jails more dependent on the durability of building materials and installations, as well as more vulnerable to breakdowns or malfunctions of equipment, than in the past. While difficult to contend with, these new demands on jail operations reflect the mandates of our society expressed through new building codes, jail standards, sanitation standards, and judicial rulings.

- Limited resources hamper small communities' ability to prepare adequately for maintenance problems.

--Staff shortages often prevent small communities from using staff in the planning and design process and providing training and equipment testing prior to building occupancy.

--Frugal construction budgets make it difficult to plan for maintenance. The less costly the building, the more compromises in quality of materials and equipment are necessary.

- Other problems related to maintenance that were frequently cited in the survey of small communities included:

--the need for a maintenance man who would be responsible for keeping equipment in shape and for anticipating problems;

--the necessity of using out-of-town repair service on some equipment;

--the inaccessibility of equipment or areas in the jail that frequently need repair or maintenance.

#### **HOW TO MINIMIZE PROBLEMS**

A new jail facility is a costly investment that should last a long time. Communities can avoid unnecessary maintenance problems in their new facilities by involving as many experienced

participants in the planning process as possible and by making an extra effort to identify potential problems early in the process. "Get everyone involved," recommended one sheriff surveyed. Although some small communities may see such a planning process as a potential burden on staff, county leaders, and citizens and prohibitive in terms of cost and time, the extra effort will prove beneficial.

Plans for handling jail maintenance should include the following.

- **Include a maintenance specialist on the staff--**The most frequent comment of users was that a maintenance man was necessary. The need for this staff position must be anticipated early in the financial planning process. An on-staff maintenance expert who understands the potential problems of secure detention facilities can also be a valuable source of advice throughout the planning and development process.
- **Develop a plan for routine maintenance--**Insist on cleaning, preventive servicing, and regular replacement of damaged, broken, or malfunctioning equipment. Follow manufacturers' recommendations on the care and servicing of equipment. Develop a realistic maintenance budget to support these tasks; it is well worth the expenditure to prevent premature deterioration of your facility.
- **Design for maintenance--**Facilities whose design emphasizes direct, continuous staff supervision have an advantage in terms of maintenance problems related to inmate vandalism. Facility layouts that emphasize views into inmate housing have fewer problems than those layouts that permit only intermittent surveillance. Emphasizing direct staff supervision also minimizes the need for closed-circuit television, audio listening devices, and movement detection monitors. While these alternatives can provide a good back-up to security officers, they are expensive and inclined to break down.
- **Choose finishes, hardware, and equipment carefully--**Survey respondents indicated that small agencies have a special problem in choosing hardware, equipment, and finishes. It is important to remember that inmate-accessible jail spaces will be used 24 hours a day and that an inmate population is potentially abusive to these areas. Assume some things will need regular replacement, and plan for replacement cost and time. Consider such



things as standardizing sizes of windows to allow immediate repairs.

- **Locate for maintenance--Plumbing, heating and air-conditioning installations and electrical fixtures should be located so that they are easily accessible for maintenance. One agency noted the need to squeeze into a pipe chase to replace a light bulb; another had to remove 20 security screws to access water valves and drains. Minor tasks that are unnecessarily difficult may pose security problems if their inaccessibility discourages necessary repair work.**
- **Test installations before occupancy--Many facilities operators contend with malfunctioning or poorly installed equipment from the day the building is occupied. Repair work in functioning, secure housing areas is difficult for both repairmen and security officers. Prior to accepting the completed building and committing to occupancy, check out the performance of as many building systems as possible. Train staff in the use of building security features and use their knowledge of inmate behavior to anticipate problems before the building is occupied. Modify weaknesses prior to occupancy.**

CONCLUSION

**In conclusion, remember that a well-maintained building is vital to the security and well-being of both staff and inmates. Take the time to plan in advance for the maintenance of your new facility.**

# Small Jail SPECIAL ISSUE



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## USING AN ARCHITECT

A county that needs a new jail usually solicits proposals from local architects to prepare the documents necessary for obtaining construction bids. The county typically provides little input to the architect during the design of the facility. The difficulty with this process is revealed only at the point when the facility is completed and doesn't meet the expectations of the county. An architect alone cannot provide the answers to potential management, operations, and security problems of the facility, but many county officials assume that he/she can.

It is important for counties to recognize the relationships and responsibilities of both the local jurisdiction and the architect in designing a new jail. Counties planning a new jail often have unrealistic expectations of the architect chosen to design the facility. Local architects, on the other hand, are often unaware of the complex issues related to local jails. Both the client and the architect need to be aware of these issues, and county representatives should work closely with the architect throughout the planning and design process.

### BASIC SERVICES OF AN ARCHITECT

The standard "basic services" contract between an architect and owner includes the following services.

#### Schematic Design Phase

- **Architecture Program** - Provided by the owner (i.e., the county, not the architect), the program should provide, in addition to a square footage listing of functions, specifics related to functional relationships, descriptions of security systems, operations and management requirements, inmate capacity analysis, and staffing patterns desired.
- **Schematic Design** - From the program, the architect prepares schematic designs, consisting of drawings and other documents illustrating the scale and general relationship of project components. A preliminary estimate of construction cost is provided.

#### Design Development Phase

- The architect prepares definitive drawings and documents that define the size and character of the project as to architectural, structural, mechanical, and electrical systems, materials, and security systems appropriate to the project. The construction cost is further defined.

**Construction Documents Phase**

- The architect prepares drawings and specifications that detail all requirements for the construction of the project. When specifying special systems, such as security, the architect relies on technical data supplied by the county or manufacturers.

**Bidding Phase**

- The architect assists the owner in obtaining competitive construction bids or negotiated proposals and in preparing construction contracts with contractors.

**Construction Phase**

- The architect visits the construction site at appropriate intervals to observe the work in progress and to clarify the contractor's questions about the drawings. Note that the architect is not responsible for negligence of the contractor with respect to construction methods or for failure of specified systems to work properly.

**WHAT'S EXPECTED OF THE CLIENT**

Working with the architect will involve the following commitments on the part of the county.

- Regular participation in the planning/design process for the new facility.
- An expression of specific goals and expectations for the new facility.
- An attempt to define potential problems in the early stages of the process.
- An openness to suggestions from the architect to develop design solutions.
- A willingness to define project limits and to make decisions.
- An ability to understand the architect's contract.

**WHAT YOU CAN EXPECT OF THE ARCHITECT**

If the county fulfills these obligations, the following can be expected of the architect.

- The architect and his/her staff should work closely with the county for the duration of the project.

- The architect should be responsive to the county's input during the design process.
- The architect should know the questions to ask.
- The architect should give good, sound advice.
- The architect should provide workable options and solutions.
- The architect should provide proper resources for data analysis and product specifications.
- The architect should work within a realistic budget.
- The architect should satisfy the work schedule.
- The architect should coordinate all work among professionals.

WHAT AN ARCHITECT  
SOMETIMES CANNOT  
DO

In addition to the cooperation of the county and the architect, the project may require one or more specialists besides the architect. This will be necessary in cases where neither the county nor the architect is able to provide knowledge of the following issues.

- Current state and national jail standards;
- Sound management principles;
- Good operational flow within the building plan;
- Appropriate security and separation of inmates;
- Appropriate capacity levels of inmates and projected needs for future expansion;
- Appropriate materials, hardware, and details;
- Ability to develop an operational program
- Staff efficient design;
- Reliable cost estimates.

A criminal justice planner may be required to deal with some of these issues. He/she should be able to prepare a concise document addressing them which the county can use in working with the architect. A jail operations specialist may be needed to work with the sheriff or jail administrator to develop an operations manual that is based on an up-to-date management technique not being utilized in the present jail. If a local architect with no experience with jails is developing the bid documents, a jail architectural specialist may be required to develop a preliminary design and a material and equipment schedule, which can be given to the local architect.

Any combination of these specialists and the architect would constitute a team. A team approach could involve expanding the basic services of an architectural agreement, listed above, to include any combination of the following services.

- Owner/jail needs analysis;
- Inmate capacity projections;
- Jail operations and program development and implementation;
- Architectural space planning;
- Jail policy and procedure development;
- Determination of staff needs and training;
- Financial feasibility and budget analysis;
- Planning for transition into the new facility.

The ultimate goal of developing a new jail is to obtain a building that will meet local needs, be affordable, and satisfy justice standards. An architect is a key to meeting this goal, but an architect cannot do it alone. The cooperation and participation of the county and the services of other experts are also necessary.

#### **SELECTING AN ARCHITECT**

A number of small jails across the country have suffered from not utilizing the appropriate expertise during the planning and design stages of the project. County administrators often do not know what kinds of information to request or what questions to ask of prospective architects and planners. They are often told to hire local architects in order to ensure direct responsibility and accountability to the project. The administrators are sometimes unaware, however, that a modern jail project is so complex that local architects often do not have the necessary technical expertise to design the best facility for the county.

Several options exist for utilizing either local architects in connection with other specialists or a nationally recognized jail architect to design a new jail. Some of these options follow.

- A local architect is experienced in the issues related to the planning and design of jails. This architect has the technical knowledge to provide a complete planning and design service without the need for additional consultants.
- A specialist is used to prepare a pre-architectural study for the county. This study would be used by the local architect to design the jail. The specialist would

maintain an advisory role throughout the project to ensure that the local architect interprets the document correctly and to serve as a source of technical information to the architect and the county.

- A specialist prepares the pre-architectural study, as in the preceding approach. However, there is no need for the planner to maintain an ongoing role because the local architect is competent to develop a quality project.
- A jail architectural specialist is hired to do the planning and preliminary design of the project, including an outline specification of materials and equipment. A local architect is then hired to prepare the construction documents and to observe the construction process. The architectural specialist may or may not be retained as an ongoing advisor during the project.
- The county has the necessary expertise to provide the pre-architectural information to the local architect. All preparations of design and bid documents are done by the architect with assistance from the county.

#### **REQUESTS FOR PROPOSAL**

After the county determines its needs for planning and architectural services, selection criteria should be developed for evaluating prospective architects. A Request for Proposal (RFP) stating the selection criteria should also be developed. Criteria for selection might include:

- Past experience with a project of this type or a related project.
- Composition, size, and range of pre-architectural and/or architectural services provided.
- If a joint venture team (more than one organization), definitions of specific project responsibilities of each firm
- Client references for similar projects.
- Identification of people to be assigned to the project, their roles, qualifications, and amount of time to be committed.
- Identification of the specific services needed for the project.

- **Expectations of the organization's relationship to the county as an information source.**
- **Time required to complete the project.**
- **Type of fee reimbursement.**

**The RFP should also contain the following information.**

- **A basic statement defining what the RFP solicitation is for.**
- **A description of the community and its characteristics.**
- **Definition of the problems that are to be resolved by the project (old jail not in compliance with standards, etc..).**
- **Description of planning and/or architectural work already completed.**
- **Identification of consultants already under contract and/or to be retained.**
- **Specific description of services desired.**
- **Specific description of services to be provided by others.**
- **Description of proposal conditions and format. Elements that would disqualify respondents should be stated, i.e., proposal good for 60 days, Affirmative Action requirements, geographic boundaries of respondents, experience, minimum number of completed projects.**
- **List of local contact person or persons.**
- **Identification of the review committee members by name and occupation.**

**A good RFP might be fairly lengthy, and it would be expensive to distribute it to all known specialists. Either of the following distribution methods is appropriate.**

- **The county may have a specific list of prospective respondents to which the RFP could be sent directly.**

- A short announcement in trade journals, newsletters, or newspapers can be used to solicit inquiries for the RFP. Complete RFPs can then be mailed to those who request them

Approximately four weeks should be allowed for formal responses to the RFP. After this deadline, the county should determine a "short list" of three to six organizations to interview. The interviews should be limited to as few firms as possible to facilitate the county's decision.

From those interviewed, the review committee should select the architect on the basis of responsiveness to specifics in the RFP, good standing in the profession, technical competence or ability to assemble a strong team, business capacity, integrity, and ability to cooperate with all those involved in the project.

The process of acquiring appropriate expertise to develop a new jail is complex and time-consuming. However, careful attention to the crucial decisions involved in obtaining an architect and other experts will be rewarded by a successful project.





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Secretary  
South Dakota Dept. of Corrections  
Joe Foss Building, Suite 405  
523 East Capitol  
Pierre, SD 57501

Mr. Newman Flanagan  
Suffolk County District Attorney  
New Court House  
Pemberton Square  
Boston, MA 02108

Ms. Jo Anne Barnhart  
Assistant Secretary for Children  
and Families  
Dept. of Health & Human Services  
370 L'Enfant Promenade, SW, Ste.600  
Washington, DC 20447

Dr. Steven D. Dillingham  
Acting Assistant Attorney General  
Office of Justice Programs  
633 Indiana Avenue, NW  
Room 1300  
Washington, DC 20531

Ms. Susan Humphrey-Barnett  
3970 Alitak Bay Circle  
Anchorage, AR 99515

Professor NorvaL Morris  
University of Chicago Law School  
1111 East 60th Street  
Chicago, IL 60637

Mr. Barry J. Nidorf  
Chief Probation Officer  
Los Angeles Probation Department  
9150 East Imperial Highway  
Downey, CA 90242

Mr. Don Omodt  
Sheriff  
Court House, Room 6  
300 South 4th Street  
Minneapolis, MN 55415

Mr. John A. Prescott  
P.O. Box 142  
Cape Porpoise, ME 04014

Mr. J. Michael Quinlan  
Director  
Federal Bureau of Prisons  
320 First Street, NW  
Washington, DC 20534

