



Summer 2005

Proceedings of the **Large Jail Network Meeting**

Inmate Entitlements & Benefits

The Character Quality Program

**Ethics & Professionalism:
The Holistic Approach**

**Evolution of Corrections in
Cuyahoga County, Ohio**

**Human Resource Issues:
Restricted Duty, Sick Leave
Abuse, Fitness, & Staffing**

The logo consists of the letters 'L', 'N', and 'J' in a stylized, overlapping arrangement. The 'L' and 'N' are in a dark blue color, while the 'J' is in black. The 'J' is positioned in front of the 'L' and 'N', with its top bar overlapping the 'L' and its stem extending downwards.

NIC Jails Division
Large Jail Network Meeting

Summer 2005

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MEETING HIGHLIGHTS

This document summarizes a meeting of NIC's Large Jail Network held in Longmont, Colorado, on July 10-12, 2005. Approximately 65 administrators of the nation's largest jails and jail systems attended the meeting, which focused on the following topics:

- Inmate entitlements;
- Ethics and character;
- Restricted duty policies;
- Employee attendance policies; and
- Staffing analysis

Following is a summary of the major sessions of the meeting:

- **Inmate Labor: Entitlements, Benefits, and Regulations.** Rod Miller, Director of the Bureau of Justice Assistance, Jail Work and Industry Center, pointed to some entitlements lost by jail inmates. He also summarized inmate labor issues and highlighted the statutes, regulations, and court decisions limiting the interstate commerce of inmate-made goods.
- **Social Security Administration: Inmate Reporting and Incentive Payments.** Diane Nest, Disability Specialist, clarified the Social Security Administration regulations affecting jail inmates and the payments made to jails that report inmates on SSI or Social Security. Katherine Brown, Council of State Governments spoke on some strategies to promote access to benefits to those released from jail. Don Ketchum, Social Security Administration, summarized state agencies' role in determining disability benefits and gave advice on the kinds of information needed to qualify inmates for disability benefits.
- **Third Party Reimbursements.** Phil Hoelscher, President, Alliance Medical Management, Lakeland, Florida, provided information on how to obtain third party payments, including Medicare, for inmates who receive services outside the jail facility.
- **Character Quality Programs.** Chaplain Argyl Dick, Oklahoma County Sheriff's Office, Oklahoma City, Oklahoma summarized the program, Character First, and pointed to its benefits for the Oklahoma County jail's staff, as well as its juvenile detainees.
- **Ethics and Professionalism.** Steve Thompson, Snohomish County, Washington, gave a presentation that summarized the approaches of Snohomish County and the State of Alaska's Department of Corrections in addressing ethics and professionalism issues among staff. He also presented the results of a survey of LJN members on the topic of ethics.

- **The Evolution of Corrections in Cuyahoga County, Ohio.** Ken Kochevar, Cuyahoga County, provided a brief history of how jails and prisons in Ohio have addressed inmates' rights, especially religious rights.
- **Employee-Restricted Duty: Policy and Practice.** Marilyn Chandler Ford, Volusia County, Florida, summarized that county's restricted duty policy and its results.
- **Employee Attendance Policy.** Marilyn Chandler Ford described Volusia County's attendance policy, which has resulted in a 1500 hour decline in sick leave hours taken between 2002 and 2003, when the policy went into effect. Anthony Dawsey, Miami-Dade County, Florida, discussed the collaborative process involved in his agency's development of a new "employee fitness policy," which addresses sick leave.
- **Staffing Analysis for Jails.** Rod Miller, Bureau of Justice Assistance, highlighted the ways in which Average Length of Stay (ALOS) and SFR (Shift Relief Factor) are misleading concepts for jails. He described the approach to staffing analysis put forth in the second edition of NIC's *Staffing Analysis: A Workbook for Jails* and pointed to its advantages over previous approaches.
- **Discussion of Next LJN Meeting: Schedule and Topics.** Richard Geaither led the meeting participants in a discussion of potential topics for the next LJN meeting, to be held in Longmont, Colorado, January 22-24, 2006. The final determination of the topics for the meeting will be made by Geaither and a group of LJN members.

INMATE LABOR: ENTITLEMENTS, BENEFITS, AND REGULATIONS

ROD MILLER, DIRECTOR, BUREAU OF JUSTICE ASSISTANCE, JAIL AND WORK INDUSTRY CENTER

INMATE ENTITLEMENTS

When inmates come to jail, many of their benefits disappear. Tonight, my focus is on inmates who work. On Monday, I'll talk about Medicaid benefits, and veterans' benefits.

- **PRINCIPLE:** When a citizen becomes a ward of the county/state, they are no longer in need of— *nor entitled to*— certain benefits, because their needs are being met while confined.
- The focus shifts to protecting basic inmate rights.

COLORADO, FOR EXAMPLE:

- Inmates lose medical and SSI benefits as soon as they are confined. This is typical of most state and federal laws. Once in your custody, their benefits are gone.
- Inmates in most places lose workers' comp benefits. California law says that inmates have workers' comp rights, but the state tries to take care of them through the medical system.
- In Colorado, which is typical, inmates no longer have access to workers' comp. Sheriffs get a bounty if they find someone on workers' comp and turn them in. However, up to 7/1/05, the Colorado DOC was required to help inmates get benefits restored upon release.

WHEN INMATES WORK

- Inmates are not “employees” under state or federal law.
- Additional codes and standards (such as OSHA) may apply. Some jails are working with state OSHA groups. Jails often get involved through complaints. In most states, OSHA can come to the jail in response to a complaint, usually a staff complaint. Once OSHA representatives are in, they tend to stay and do inspections. Be proactive re: OSHA; get hold of their regulations and use them to do self-audits.
- Federal criminal sanctions might be triggered if you cross a state line with a product to a private customer. If you do this, you have violated federal criminal law. I have spent several years working with jurisdictions that have been caught by this, so you need to be aware.
- You must know your state laws regarding inmate entitlements, exclusions, and potential limitations on inmate labor/compensation.
- Interpreting “silence” will be up to your agency's legal counsel. Sometimes a state law is silent on this issue or speaks only to prisons, not jails, so you will need to rely

on your county attorney. Many take the position that “if it is not specially authorized for jails, we will not do it.”

INMATES WHO WORK

- On an average day in the U.S., 20% of all jail inmates work 6 or more hours. We did a survey, which made clear that jails could not operate without this inmate labor. The 75-80 percent of inmates who are pretrial detainees pose an additional concern. It is easier to motivate sentenced inmates.
- According to an National Institute of Justice (NIJ) study, inmate labor accounts for as many hours as paid staff.
- Use of pretrial detainees as workers is growing– consistent with the growth in our jails.

A PRIMER FOR WORKING INMATES

- NIJ’s *Operating a Jail Industry, A Resource Manual*, provides the first comprehensive view.
- See Chapter 2, “Legislative, Legal and Professional Issues.”

FOUR PLACES TO LOOK AT ISSUES RELATED TO WORKING INMATES

- Statutes and Regulations
- Court Decisions
- Professional Standards
- Risk Management Guidelines

STATUTES AND REGULATIONS

- State legislation and regulations, including building codes, life safety codes, health, sanitation, and plumbing codes; and
- New regulations that might apply to inmate workers, including:
 - Labor and employment standards
 - Workplace safety regulations
 - Workers’ compensation
 - Worker training standards

FEDERAL STATUTES AND REGULATIONS

- There are Federal restrictions on the interstate commerce of prisoner-made goods
- Criminal sanctions apply for violations, not civil penalties. I don’t know of anyone who was put in jail for violating this statute. However, the reality of your exposure is that most of you work for or are elected officials, so the worry is that someone might discover your violation and make it a public issue.
- PIECP (Prison Industries Enhancement Certification Program) offers exemptions to federal interstate commerce regulations. Congress passed the PIECP in the ‘70s; it allows you, under very strict circumstances, to participate in interstate commerce of worker-made goods. [more on this later...]

COURT DECISIONS

- Just when you thought you had a handle on the courts...
- When inmates *work*, there are new areas of exposure.
- See Section 50 of Case law *Catalog (also Appendix 2-2 of Operating a Jail Industry.)*

INMATE LABOR ISSUES ADDRESSED BY THE COURTS

- Inmate right to work
- Inmate right to refuse to work
- Classification of inmates
- Equal protection
- Selecting inmate workers
- Assigning to jobs, transferring
- Work environment
- Inmate compensation
- Disposition of wages
- Reduction of sentence/good time
- AND (emerging) Religious issues—for example, an inmate who says he can't work on a certain day because of his religion. This is becoming an increasingly important issue.

SOMETIMES INMATES HAVE

- Property interest—This includes money, benefits, something tangible.
- Liberty interest—If an inmate is earning good time and you take him away from the job, you are interfering with his liberty interest.

TWO RECENT JAIL CASES...

- *Smith v. Board of County Com'rs*. County of Lyon, Kansas (2002)—The inmate alleged that he received a spinal chord injury from a fall while working in the kitchen. The District court held that the jail did not fail to supervise or train staff.
- *Kitchen v. Upshaw*, Riverside Regional Jail, VA (2002)—The Federal appeals court held that the inmate did not have a liberty interest under state law in participating in a work release program.

DON'T DISCOUNT PRISON CASES

- Monitor prison cases because there is often a “trickle down” process from prisons to jails (and precedents).
- It is easier to sue a state than an individual county.
- Use state and federal prison cases as warnings affecting jail cases.

STANDARDS

- State jail standards (if you have them) may be relevant.
- Professional Standards (ACA). You need to look at the Fourth Edition: *Performance-Based Standards for Adult Local Detention Facilities* (2004). The new edition change the whole way you approach standards. It makes much more sense. In the past, standards for jails were written after those for prisons, but jails have been addressed first in this instance. As a result, there are some exciting standards. Standards are important management tools, whether or not you choose to seek accreditation.
- Standards for correctional industries: Second Edition *Performance-Based Standards for Correctional Industries* (2002) **Pumansend Creek VA.**

RISK MANAGEMENT

- Identify and analyze your exposure to loss.
- Examine feasible alternatives to eliminate or minimize that exposure.
- Select the best technique(s), implement them, and monitor and improve them.

WATCH FOR A NEW RISK EVALUATION TOOL THIS FALL

- Vulnerability assessment is the new approach.
- The National Institute of Justice (NIJ) is working with Sandia National Laboratories to adapt 20 years experience protecting nuclear installations.
- Pilot tests are being done in Colorado (Supermax) and Texas (3,000 bed prototype).
- There will be a final test in Ohio, and then self-contained training and implementation materials will be finalized and published by NIJ.

HOW JAILS HANDLE INMATE INJURIES ON THE JOB

- Louisville, Kentucky—The medical department. provides care; there is no separate insurance. Work release inmates provide their own coverage.
- Palm Beach and Volusia, Florida—These jurisdictions are self-insured.
- Davidson County, Tennessee—State law indemnifies the county for death or injuries on work detail.
- Garfield County, Colorado, has medical liability insurance, which costs \$2.90/unit/month.

SOURCES OF INFORMATION

- Legal counsel, your agency
- Insurance company
- Regulatory agencies
- Private Industry Council (now workforce development/One-Stop)
- Labor organizations
- Chamber of Commerce

- Small Business Administration (See www.score.com.)
- Other...

STATUTE & GUIDELINE THAT CONTROL PRISON INDUSTRY ENHANCEMENT CERTIFICATION PROGRAM (PIECP) PARTICIPATION

- The Federal Criminal Statute: Title 18 of the U.S. Code Section 1761—Provides sanctions for the knowing transport, in interstate commerce, of prisoner-made goods. When enacted, the statute was intended to:
 - Protect the free world workforce from displacement due to prisoner labor; and
 - Stem unfair market advantage enjoyed by prison or jail industries over private sector producers of like goods.
 - It applies only to goods produced by prisoners, not to rendering of services (for now).
 - “Production” involves tangibles formed or transformed and of economic value.
 - The distinction between service and production is not always clear-cut.
 - Goods excepted include: farm machinery parts, agricultural products, and commodities manufactured in a Federal, DC, or state institution for use by same, or by not-for-profit organizations.
- The BJA Final PIECP Guideline (published in the Federal Register on April 7, 1999.)
 - PIECP is required if inmates are involved (in any way) with a product (not a service) that is sold to a private customer out of your state.
- The PIECP is a federal program that allows you to have inmates working on products that are sold interstate.
- Congress limits the number of Certificates for Participation in PIECP to 50 non-federal projects certified by the Director of BJA. As of March 31, 2005, 40 certificates had been granted, and there were 201 active cost accounting centers. The total number of inmates employed under PIE certificates was 5,103. There are still certificates available.
 - 34 states hold a PIE certificate;
 - Several counties hold certificates, including Hennepin County, MN; Belknap County and Strafford County, NH; Utah County, UT; and the Washington State Jail Industries Board (all counties).
 - In some states, counties may participate in PIE under the state’s certificate

REQUIREMENTS FOR CERTIFICATION INCLUDE THE FOLLOWING:

- Inmate wages—You must pay prevailing wages in your area.
- Non-inmate worker displacement—The PIECP must not displace employed workers or be applied in skills where there is a surplus of gainful labor in the locality.

- Inmate-worker benefits—PIECP inmates must receive benefits comparable to those secured by the government for private employees, including workers comp and possibly FICA.
- Allowable deductions from wages—Wage deductions are discretionary. They may be taken only for taxes, support, room and board, and victims’ compensation. The deductions cannot exceed 80%. The inmate’s 20% must go to his/her benefit.
- Voluntary participation—Inmates must indicate in writing that they want to participate and agree to all wage deduction arrangements.
- Consultation with organized labor—You must consult with local union bodies prior to initiating a project. Approval is not necessary, but the “consultation must be effective.”
- Consultation with business—You must consult with local, private businesses that may be economically impact. Approval is not necessary, but the “consultation must be effective.”
- Compliance with NEPA (National Environmental Policy Act)—Bureau of Justice Assistance must ensure that designated or certified projects meet NEPA requirements. Cost Accounting Centers must submit information.

CERTIFICATE HOLDER DESIGNATION AUTHORITY

- A certificate can be used for other jurisdictions within the state. A state can share with a county, and counties can share with each other. (Hennepin County just received a certificate with that in mind.)
- Certificate Holders may designate and undesignate CACs (Cost-Accounting Centers, or specific projects).
- The Certificate Holder must insure CAC compliance.
- Under certain circumstances, the Certificate Holder may designate CACs in private prisons.

WHY BOTHER: INMATE BENEFITS

- Productive time
- Education
- Work ethic
- Good behavior
- Re-entry skills
- Income: family, savings, restitution
- Employability

JAIL BENEFITS

- Management tool:
 - Reduced Idleness

- Educational Incentive
- Vocational Training
- Community Support
- Role Models for Peers
- Good Behavior
- Positive staff
- Reduced recidivism
- Quality products and services
- Real outside money!

PRIVATE PARTNER BENEFITS

- A stable workforce
- Low absenteeism
- High quality work
- Positive motivation
- Productivity
- Trained workers for potential employment after release
- A positive partnership

RESOURCES

- NIC—a partner since 1987 on this.
- BJA Jail Work and Industry Center (www.jailwork.com)
- National Correctional Industries Association (NCIA) (www.nationalcia.org)

For additional information, contact Rod Miller, Director, Bureau of Justice Assistance, Jail Work and Industry Center, 925 Johnson Drive, Gettysburg, PA 17325; 717-337-1461; rodemiller@earthlink.net

SOCIAL SECURITY ADMINISTRATION: INMATE REPORTING AND INCENTIVE PAYMENTS

DIANE NEST, DISABILITY ANALYST, CENTER FOR DISABILITY, DENVER, CO

DEFINITIONS

- Social Security benefits include Retirement, Survivors (including surviving spouse and surviving child benefits), and Disability. To receive disability benefits, you must have worked at least 20 of 40 quarters and must have an illness or disability that is expected to last a year or could result in death.
- Insurance benefits are paid based on credits paid into the Social Security program.
- Supplemental Security Income (SSI)—SSI is often confused with Social Security. SSI provides disability payments to the poor and disabled whose income and resources are below certain limits, even if they have never worked. Payments are also made to those 65 and over, on a needs basis.

PRISONER PROVISIONS

- SSI—Residing in a public institution throughout a calendar month makes one ineligible for SSI. When a jail reports an inmate on SSI, payments won't be stopped until the person has been in the jail for an entire month.
- Social Security:
 - October, 1980: No payments to disabled incarcerated felons.
 - May, 1983: Extended to all incarcerated Social Security beneficiaries.
 - February, 1995: Extended to NGRI (Not Guilty for Reasons of Insanity) and those unable to stand trial.
 - April, 2000: Extended to all convictions resulting in incarceration of more than 30 days.

INCENTIVE PAYMENTS

- The following payments are made to jails that report inmates on SSI or Social Security to the Social Security Administration (SSA):
- SSI (3/1997)
 - \$400 if reported in the first month
 - \$200 if reported in the second month
- Social Security (4/2000)
 - \$400 if reported in the first month
 - \$200 if reported in the second month

When someone is on either program and payments stop, it can be a problem. The provisions require suspended payments for the entire first month and the following month in which any days are spent in jail. Moreover, payments are actually made to the person in the month following their release, which means the released person can have a hard time financially.

REPORTING TO SSA

- It's the law! (Section 202(x)(3) of the Social Security Act, [42 USC 402 (x) (3)])
- The correctional facility does not have to directly identify who may be receiving benefits. SSA identifies them through a list of inmates sent from the correctional facility.

HOW TO REPORT

- Initiate a reporting agreement with the local Social Security office. There are four types of agreements (only an Incentive Payment Memorandum of Understanding [IPMOU] generates incentive payments). Social Security Number feedback can be included in the agreement.
- Reports can be submitted via magnetic media (tape or cartridge); diskette (formatted by SSA for data entry); electronic transmission to SSA's computer center; paper; or eDATA (an internet-based reporting mechanism now being piloted).
- Incentive payments are deposited directly into the facility's bank.

RESULTS

- Between 1997-2003, \$113 million was paid to 5000 institutions in incentive payments.
- Taxpayer savings: \$5 billion.

For additional information, contact Diane Nest, Disability Specialist, Social Security Administration, 1961 Stout Street, Room 1052, Denver CO 80294; 303-844-7377.

RE-ENTRY FROM JAIL AND FEDERAL BENEFITS

KATHERINE BROWN, COUNCIL OF STATE GOVERNMENTS, CRIMINAL JUSTICE PROGRAM, NEW YORK, NY

The Council of State Governments coordinates two projects that may be of interest to jail administrators:

- The Re-Entry Policy Council--established in 2001 to assist state government officials grappling with the increasing number of people leaving prisons and jails and returning to the community.
- The Criminal Justice/Mental Health Consensus Project—involves local, state, and federal policymakers, and criminal justice and mental health professionals to improve the response to people with mental illness who are involved with the criminal justice system, or at risk of becoming involved.

OTHER BENEFIT PROGRAMS FOR JAIL INMATES

Your inmates might be eligible for Medicaid or Medicare. Medicaid is a federal-state program run by a federal agency. Provisions vary by state; Medicaid is essentially a health insurance plan that can help cover continuity of care.

KEY POINTS

- Continuity of care is the key to keeping people out of jail, and getting them access to benefits is a key part of making sure they get care in the community.
- Access to benefits for people released from jail must be considered in a context of fiscal crisis, complicated and varying rules, and obstacles or disincentives to enrollment for this population.
- Various strategies are being tried by jail administrators to promote access to benefits the day someone leaves jail.

UNDERSTANDING THE NEED

- More than 1 out of 3 jail inmates reports some physical or mental disability.
- U.S. jails and prisons spend approximately \$6 billion annually on health care.
- The investment is wasted if those who received treatment in jail fail to access medication and treatment after release, fall out of recovery, and recidivate.

RESEARCH IMPLICATIONS

- Among people with mental illness released from King County, WA and Pinellas County, FL jails, those who had Medicaid on the day of release gained access to services faster; accessed significantly more services; and had fewer detentions and were more likely to remain in the community after one year.

CONTEXT OF EFFORTS TO PROMOTE ACCESS TO BENEFITS FOR THOSE RELEASED FROM JAIL

- Medicaid is in fiscal crisis; there has been a 63% increase in the last 5 years, to \$300 billion annually.
- State agencies in charge of Medicaid are not looking to swell their rolls further.
- The response: The cost of NOT enrolling people may be even higher, in terms of emergency and crisis services.
- Federal, state, and local governments are all involved in benefits administration. Every jurisdiction does it differently.
- Different agencies and levels of government may provide conflicting guidelines.
- Existing benefits systems may discourage enrollment of those in the jail population.

STRATEGIES TO PROMOTE ACCESS TO BENEFITS ON RELEASE FROM JAIL

- Seek an agreement (MOU) with your local SSA office.
- Include assistance in applying for benefits as part of your discharge planning, and start the application process before an inmate is released.
- Co-locate staff from the local disability office or relevant nonprofit agency at the corrections facility.
- Suspend, don't terminate, Medicaid benefits.
- Set up a revolving fund to cover health services and medication while applications are pending.
- Find out who works with benefits applications in your jurisdiction and partner with them.

For additional information, contact Katherine Brown, Policy Analyst, Criminal Justice Programs, Council of State Governments, 40 Broad Street, Suite 2050, NY, NY 10004, 2120482-2320; kbrown@csg.org

SSI AND MEDICARE DISABILITY PAYMENTS FOR INMATES

DON KETCHAM, EXECUTIVE OFFICER, OFFICE OF THE REGIONAL COMMISSIONER, SOCIAL SECURITY ADMINISTRATION, DENVER

TWO DIFFERENT POPULATIONS

There are two populations: those on SSI and those receiving Social Security disability benefits. For someone who was already receiving SSI benefits when they entered your facility and was released after incarceration for less than a year, SSA can do a re-determination of eligibility, which is a simple review of income. If the person was incarcerated for more than a year, unfortunately, he/she needs to file a new SSI application and undergo a new medical determination, which is the slow part of the process.

If you have an inmate who is disabled and you think might be entitled to SSI or Social Security benefits, we encourage you to develop a partnership with the local field office. It is possible to work out agreements between correctional facilities and the local office to receive and process Social Security or SSI applications. They are usually flexible and sometimes set up a single liaison.

STATE AGENCY DETERMINES DISABILITY BENEFITS

Each state has an agency responsible for determining Social Security disability benefits, so it is important to involve them. They know medical requirements for receiving benefits better than anyone else. Establishing a linkage between that office and your case manager and medical staff can be very important to help in understanding what disabilities are allowed. There is a “blue book” that defines all conditions that are eligible, the kinds of impairments, or level of severity, or combination of impairments that are allowed. Knowing what Social Security is looking for can reduce some of the frustration.

Some decisions are yours and are based on resources. Efforts to serve disabled inmates can range from a phone call to using an electronic system for Social Security applications on which you provide information on the disability, where the person received care, and the kinds of medications provided. Such a form is a starting point for the state disability office to make a determination of eligibility when the person is released.

I recommend that you start application as early as possible, preferably 90 days in advance of release. States vary in terms of the time it takes to establish eligibility, but you want an agreement to be final when the person is being released.

IMPORTANCE OF MEDICAL RECORDS

Medical records are the key to success in the disability process. I understand the pressures on your system to provide medical care, but a record that indicates that the person is getting meds is not sufficient. We will be looking for the person’s ability to perform work despite the disability. The quality of a longitudinal medical record, especially for mental impairment, is crucial to see how the person will ultimately be able to function in society.

For additional information, contact Don Ketcham, Executive Officer, Office of the Regional Commissioner, Social Security Administration, 1961 Stout Street, Denver, CO, 303-844-3482.

ROUNDTABLE DISCUSSION: ENTITLEMENTS

During this session, meeting participants had the opportunity to ask questions and raise issues in response to the previous presentations on Social Security and other entitlements. Following is a summary of some of the points made by participants:

Comment: You talk about applying 90 days prior to release. I know that AJA and NIC have done a good job in educating people on the difference between prison and jail, but I'm not sure the Social Security Administration (SSA) is entirely clear. In jail, the average length of stay is never as long as 90 days; the national average is probably about 17 days. We are glad you came to talk about this, but our population is, by law, not guilty and yet their benefits are being terminated. I would appreciate if you would keep the jail perspective in mind.

Response: Many are not being terminated. We are supposed to make sure that the person has spent the entire month in jail before they are suspended. They are also sent a due process form for appeal. Re: the 17 days: When a person is released, if Social Security makes a mistake, it would be helpful if the inmate had a release paper to take into the Social Security office, as it would enable us to put them back immediately into the system.

Comment: Does the due process notice go to the jail?

Response: It goes to the mailing address on record.

Comment: Then the person will never see it.

Comment: We don't report to the state until the end of the month, so the person may have already gotten a check. This means you are not really working on a real-time basis.

Response: We don't want to deprive someone who is eligible, but we also don't want to give payments to those who are not eligible.

Comment: I don't understand the Medicaid and veteran's issue. If the offender makes bond, he gets benefits, but if he is too poor to make bond, then he is cut off. How does that work? These people need benefits. When they get out, they receive same benefit as if they hadn't been in jail.

Response: We need to make a distinction between Social Security and SSI. What you are saying is only true of SSI, because it is a needs-based program. If a person on SSI is in jail, a state-funded nursing home, or out of the country, he/she is not eligible for a full calendar month. I understand that they still have needs, but the point is that SSI goes beyond jails; it's a needs-based program.

Comment: We provide data on a daily basis to SSA. Does anyone have an auditing system to track whether they are getting payments from SSA?

Response: Your MOU includes the address to which we send information. Where that ends up in the state, I don't know. There is a mechanism for knowing whose benefits have been terminated and for whom you are getting bounty.

Comment: What about someone on home detention?

Response: If you're not providing food and shelter, they are eligible for benefits.

Comment: That means that those on alternatives to incarceration should not be on the list that goes to the SSA.

Response: I'm not sure how this works with corrections. With the state hospital, it depends on state laws and the labels in the individual state. There may be some local differences for corrections as well.

Comment: I am still concerned about the requirement for redetermination.

Response: Redetermination is not complex. We also have the ability to make an immediate payment when necessary. Contact your local SSA office and find out how they can work with the person on the day of release. You should try to establish strong relationships with your local office.

Comment: I'm really impressed with this group. Ten years ago, many of us said, "You're going to give them benefits?" A few observations: At the front end of the process, say I'm on SSI before I'm arrested, do I know that I lose benefits? At the other end of the process, I struggle.

When I tell the Rotary Club that I cut off benefits and get a bounty, they cheer. And when I say they get back on benefits when they are released, they don't approve. There really is a dichotomy in society on this issue. This group feels differently, and we are caught in the middle. The real issue is how to stop them from committing crimes. Otherwise, the problem continues. The SSA should certainly connect to probation departments, because probation officers ought to be trained in how to help them get benefits as well as how to get a job. Our goals are not the same. There has certainly been an evolution in thinking in this group because now we are looking at ways to facilitate reentry.

Response: Public education is crucial. We at CSG have emphasized this, because it is an important step in making sure these people don't return to jail. In addition, if you don't get these people enrolled, you'll end up paying through crisis centers or hospitals.

Comment: You talk about re-entry planning and about case managers, but even though we represent the largest group of jails in the country, discharge planning is an incredible challenge in our systems. We start discharge planning on admission. The idea of giving them a piece of paper at 3 am when they are discharged and telling them to contact a Social Security office is ridiculous. We make referrals immediately on admission, and the agencies come to the jail and work with people. We have no idea when 80% of our inmates will get out of jail.

Comment: We have a medical contract, which pays our medical bills. We get benefit at a lower rate. Why can't all inmates get Medicaid, and then we reimburse the government?

Comment: We actually have a lower rate than Medicaid.

FINAL COMMENTS BY PRESENTERS

Diane Nest: I understand that there are flaws in the system that are costing you money, but I don't know how we can fix the system. Some of it is the result of legislation that is out of our control. A comment on dialysis: inmates can be under Medicare and would be covered for dialysis if it is done off-site. Medicare would not be suspended while the person is in jail as long as the premiums are being paid. If coverage ends while someone is in jail, they would be eligible again upon release. In some cases, counties pick up the insurance premiums for Part B coverage. With regard to the short stay in jail, that seems to be a continuing issue. I can only say that our field offices are supposed to check carefully before suspending someone.

Katherine Brown: We at CSG want to hear the kind of challenges you face and the solutions you have found. We would like to expand beyond our work in prisons to look at county systems. I have provided two documents dealing with mental illness and the state prison systems, but we'd like to hear from you so that we can expand our focus.

Don Ketcham: You have stated the problems in the system. There is clearly a dichotomy between "we're here to punish" and "we're here to help." There is also the challenge of diverse state laws that have different results. Once again, it is important for you to establish a relationship with the local SSA office. With respect to your concern about people being prematurely cut off from benefits, one thing you might consider is waiting until the second month to report them, so that you are sure they are really not eligible and should be cut from benefits.

THIRD PARTY REIMBURSEMENT POTENTIAL FOR INMATE MEDICAL/MENTAL HEALTH EXPENSES

**PHIL HOELSCHER, PRESIDENT, ALLIANCE MEDICAL MANAGEMENT,
LAKELAND, FLORIDA**

I am the owner of a small consulting business, which currently serves about 17 counties. Some provide their own medical services, and others have chosen to contract these services. I have provided contract monitoring for about 20 years. Richard asked me to talk about what I put into my contracts regarding third party reimbursements. I also want to talk about how your providers can bill Medicare (not Medicaid, but Medicare). Be sure and stop me if you'd like to ask any questions.

THIRD PARTY PAYMENTS

Third party payments can cover medical costs for inmates who require off-facility services. How many of you know if in your state there are regulations that allow you to empower the service provider to bill an insurance company? If you don't know or don't have this opportunity in place, you should check to see if you have this type of power via legislation because it enables you to deflect dollars away from your budget.

Comment: Most insurance policies include small print that disallows payment if you are incarcerated.

Response: Yes, a number of inmates are still covered, though. Most insurance companies have gotten smart and put exclusion clauses in their policies, but not all have done so. In reality, of course, most inmates are indigent and don't have resources.

I have some good news for you. First, I encourage those of you who provide services off site to bill some of those services to a third party. A Florida statute, for example, specifically empowers counties to encourage service providers to follow a trail of recovery for payment.

MEDICARE ELIGIBILITY

There is also an opportunity to bill Medicare itself for some off-site health care services. Medicare is a possible resource for payment if the inmate is Medicare eligible. There are specific, fairly stringent, requirements, including:

- State law—There must be a state or local law that requires all individuals to repay the cost of medical services they receive while incarcerated.
- Eligibility for Medicare—Medicare includes Part A, hospitalization, and Part B, physicians and clinics. When you turn 65, you are notified that you are eligible for Part A; Part B is optional. A surprising number of inmates are over 65, and Medicare disability covers a number of others, including those with conditions such as renal failure. The important thing to realize is that eligibility is not only defined by age, but by conditions.

You should determine at intake whether an inmate has Medicaid or Medicare to determine what payment resources are possible. If you contract for services, be sure your provider is asking questions at intake. In Florida, we find that a number of inmates are eligible for Medicare on the basis of either age or type of disability.

Comment: Virginia law says that if the inmate has a pre-existing condition, you can hold him responsible. I used this on a dialysis case.

Response: Most chronic conditions are preexisting, of course.

HOW TO MAKE THIS WORK

In reality, professional providers may say that they won't provide treatment unless they are assured they will be made whole. In response, you should make clear that you will try to collect from the inmate and point to the statute requiring this.

You must also have in place a policy that requires you to pursue payment from the inmate or from insurance. You must also make sure that your system is indiscriminately applied to all inmates and is trackable.

How many of you know if your health care providers will bill Blue Cross/Blue Shield? In most cases, onsite providers won't do this. Usually, the easiest path is to have an off-site provider bill an insurance company or Medicare because they do it every day. If you have an inmate copay program in which you charge for services provided onsite, that program helps you pass the test of Medicare, but the eligibility test is really whether your county enforces any statute requiring inmates to pay. It is important to be able to show that you have a system in place and that there was an attempt made to recover payment.

Comment: It makes no sense to have eligibility for Medicare payment if you send an inmate off site, but not if care is provided at the facility.

Response: Care may actually be provided by an offsite contractor who comes into the jail.

Comment: This requirement may discourage inmates from seeking unnecessary medical care outside. If they know they will be pursued for payment, it might cut down on unnecessary appointments, which would provide another benefit.

Response: What I'm encouraging facilities to do is to expand the categories in which an attempt will be made to recover payment. You can collect from their commissary accounts, but, of course, they may not have funds there. The Feds don't say you have to recover the money, only that you have to make an effort.

Comment: I'm not sure about the cost-benefit ratio here. Won't inmates just avoid going to the doctor so the condition will worsen and, in the long run, cost more? Discouraging inmates from getting good health care doesn't make sense to me.

Answer: What is necessary is a balance. A lot of inmates don't have the sense to go to the doctor even if they are sick. But no one is denied care if they can't pay. What we have seen is that, when you initiate a copay program, you see a decrease in frivolous sick calls.

Comment: How do you go after inmates for both subsistence costs and medical copays?

Comment: It's true that you can deplete inmates' resources if you charge the commissary account. We charge for everything, but we keep charges relatively small. On the other hand, you have to encourage inmates to have money in their commissary account, or no one will put money into their account because it will be charged. You have to be creative. We started taking hot and cold carts around from 6-11 pm selling things like ice cream and pizza to inmates. When we started this, people had huge debits in their accounts, but they started paying them off to pay for things from these hot and cold carts. Inmates also had to have good behavior, but a surprising number would pay off their accounts in order to get hold of some of these things. The next thing we're planning to do is give them a "Meal of the Week," which they can get with 30 days of good behavior and money in their accounts.

For additional information, contact Philip Hoelscher, President, Alliance Medical Management, 5025 Lake in the Woods, Lakeland, FL 33813, 863-647-9052; allmedmgm@aol.com

THE CHARACTER QUALITY PROGRAM

CLIFF URANGA AND CHAPLAIN ARGYL DICK, OKLAHOMA COUNTY SHERIFF'S OFFICE, OKLAHOMA CITY, OKLAHOMA

CLIFF URANGA'S OPENING REMARKS

We realize that although a character program has made a significant difference in our facility, it might not do so in yours. We are not trying to market Character First. It happens to be our program because it is located in Oklahoma City. I have found that jail and prison ministries and character programs have changed the lives of many inmates.

Chaplain Argyl Dick has been with our agency for about 6 years. He is the chaplain for inmates and employees, the volunteer coordinator, wellness coordinator, and he ministers to several truck stop ministries. I am proud to present him to you.

CHAPLAIN ARGYL DICK

I am not trying to sell Character First, but I do see character programs as successful. I also head up a faith ministry of correctional facilities through which we provide counseling and chaplain services at no cost. I work with 90 volunteers who do one-on-one counseling, and we also have professional counselors. We have had absolutely phenomenal success. We can respond to inmate requests by reaching out to other religious communities, so if an inmate wants to see a Mormon or a Muslim, we can respond. Such an approach can work in your facility.

BACKGROUND TO CHARACTER FIRST

A few years ago, Major Uranga came to me with a problem. We had serious juvenile offenders who were causing considerable damage to the facility, and he asked if we could do something positive with these inmates. I decided to teach them "character," but I had no idea where I would find materials for this. My wife got on the Internet, and she kept coming back to an Oklahoma City program. She said there was a gentleman three blocks away who had everything we needed. I met with the Executive Director of Character First, who had been interested in getting the program into a detention facility. They didn't know how to teach character to juveniles, though, so I became the one to teach character to them. Six months after we began the program, all destruction stopped. Needless to say, when we began to save money because of this change, the sheriff took notice. One day, one of the juveniles said to me, "Chaplain, you need to start teaching character to your employees." From there, we began a process of developing character within the whole facility. It is an ongoing process.

WHAT IS "CHARACTER"?

Character is not something you can teach. It takes time to develop itself in the lives of inmates or employees. We have a card that lists the 49 Character Qualities, and we cover one every month with our employees.

What is character? "Character is defined as the inward motivation to do what is right even when no one is watching and is the key to true success in every area of life. Character is the stable and distinctive qualities built into an individual's life which determines his

response regardless of circumstances. Character transcends race, religion, education, position, gender, and personality.”

If you have employees with good character, you don't have to worry about them doing something wrong. Character is “who you are, even when no one else is watching.” It is the most accurate predictor of future actions and the key that opens the door to true success.

A “CHARACTER” ORGANIZATION

The sheriff became a strong supporter of character, and the total operation became a character organization. Your organization can develop character by:

- *Emphasizing* character in day-to-day relationships;
- *Requiring* character; and
- *Recognizing* character in employees. Do the 3 things above.

Emphasize through training and support materials. I distribute to the leadership team my notes for the lecture on the month's character, and they may then pass them on to staff. We also use the following materials to emphasize character:

- A copy of the Bulletin is distributed to each employee every month. Bulletins deal not only with the work context, but also with the family. Each is 3-hole punched, and is a real benefit to the employee. The bulletins are totally accepted by staff, who recognize them as an investment the sheriff is making in them as an individual.
- An 11x17 poster is posted behind plexiglas on every floor at the elevator and in every pod office.
- Every month, a 23x36 poster of the month's featured character is hung in the dining room where every employee sees it. At some point, we will have all 49, continually reminding our employees of what counts to the organization.
- Web resources are available and help me in preparing my presentations.

Require by raising standards for employees and lowering tolerance for bad character. Organizations need to start hiring on the basis of character. Communicate the importance of character for your organization. The major reasons for human error are:

- Standards are unclear, impractical, or nonexistent (a standards failure).
- Standards exist but are not known or the ways to achieve them are not known (a training failure).
- Standards are known but not enforced (a leadership failure).

Recognize by praising employees for acts that demonstrate good character. Begin by recognizing employees for character at staff meetings. At the anniversary of his or her employment, we recognize each employee for a specific character quality. We present a certificate on which the supervisor identifies the character quality, how it was exemplified, and how the organization benefited.

This past year, the sheriff initiated a Christmas party recognition. One employee is recognized from each division for an outstanding character quality in his/her life.

POLICE TRAINING

The State of Oklahoma has adopted “Character First” for all its police training. A seminar on Police Dynamics, focused on character-based principles for effective law enforcement, will be held in Oklahoma City on October 25-26.

CONCLUSIONS

Patch the holes in your organization with character. Find someone in your organization to be the champion. If your top leadership is not in support of character, it will not work.

Question: What was the reaction of your adult population to your use of the program with youth?

Response: We have had the same result with shot callers in the adult and youth populations. I focus on the negative of the character quality, that is, carelessness, not attentiveness. I don’t mention God or the Bible in my teaching, but the inmates still call it “Bible Study.” About two years ago, they began to ask me at the close if I would pray, so every week I prayed with the gang members, who hold hands in a circle. Now I ask inmates if they want to pray.

For additional information, contact Chaplain Argyl Dick, Oklahoma County Sheriff’s Detention Bureau, 201 N. Shartel, Oklahoma City, OK 73102, 405-713-1046; soargdic@oklahomacounty.org

ANNOUNCEMENTS

VIRGINIA HUTCHINSON, CHIEF, NIC JAILS DIVISION: JAIL MANAGEMENT SURVEY

Within the next two weeks, you will be receiving a survey that we would like for you to complete. I know that you recently completed a survey for us, but this one, which is specifically for jails, has been in the works for more than a year. It is not a needs assessment. We are simply trying to get a sense of the nation's jails in relation to the effective components of jail management.

The survey will be on the LJN listserv and should not be difficult to respond to. Please respond and be honest. Your answers will inform the development of our services. Larry Linke and Connie Clem at the NIC Information Center will be the contact people for the survey and will be able to answer any questions you might have.

WILLIAM J. SMITH, MARYLAND DIVISION OF PRETRIAL DETENTION: NEED FOR CHARACTER TRAINING

I really enjoyed the presentation on Character First; it offered an excellent segue into what I'd like to tell you. On May 14, 2005, we had an incident in which a correctional staff assaulted a detainee. It happened on a housing unit where a female officer had been having a problem with a frequent jail inmate, who was basically harmless, but a troublemaker. The detainee assaulted the female officer, not seriously, but she called the alarm. Several officers responded, and they beat and stomped the inmate, who eventually died. It was the worst case of a character flaw I've ever seen and represented a total disregard for human life. I really wish I'd had Character First in my facility, and I can't wait to get back and try and impart some information on the program to my staff.

Training was an issue. When the news media got involved, reporters asked about training. We teach protection, but I couldn't anticipate that we would need to train people not to stomp on inmates. I'm not trying to sell anything, but you don't know what staff might do. I'm sure that character training would prevent staff from using excessive force. I've tried to send a clear message, but if staff don't have good character, they may do something as horrible as they did in our facility.

TIM RYAN, ORANGE COUNTY (FLORIDA) CORRECTIONS

I want to bring your attention to something I'm involved in: The Commission on Safety and Abuse in America's Prisons, sponsored by the Vera Institute. The Commission will "examine the nature and extent of violence, sexual abuse, degradation, and other serious safety failures and abuses in American prisons and jails, and the consequences for prisoners, corrections officers, and the public. Much of the inquiry will be conducted through hearings, open to the public, in four cities around the country." After a year, the Commission will issue a report, including recommendations. We have already had several meetings and will meet soon in New Jersey to talk about medical issues. We will also talk about how the entertainment industry creates images of correctional facilities. One reason I agreed to sit on the Commission is that they needed someone with corrections experience to balance the perceptions that are out there. I hope you'll be okay with the results and with my name being associated with the project. For more information, see http://www.vera.org/project/project1_1.asp?section_id=3&project_id=75

DAVE PARRISH, HILLSBOROUGH COUNTY, FLORIDA: NIC BOARD'S PUBLIC HEARINGS

NIC regularly holds public hearings on a variety of topics on which they invite representatives of different groups to make presentations. Most recently, NIC held hearings on faith-based programs. The results will be available soon. The next opportunity for public comments will be in Ohio on mental health issues. I am not sure how people are selected, but if you have something worthwhile to say on mental health issues, see Richard.

A number of years ago, we had a discussion analyzing data, and I brought some materials along to show you what you can do. I now have a Population Analyst whose sole job is to analyze the population, and she put together a report. If you're not doing something like this, feel free to call Darlene on my staff. Four to five thousand people a year come through on a tour of our facility, and this book has the information I want them to know about the facility.

Joe Schmitz and I had a similar idea to put a kiosk in the pods, but he beat us to the punch. We now have had two of them in use for the past three months and have a bid out to put one in each of 64 units. They have been incredibly successful in answering inmates' many questions, which relieves officers from the drudgery of answering. They cost about \$2,000 a unit, which we are paying from the inmate canteen fund. The inmates are happy with it.

ETHICS AND PROFESSIONALISM: THE HOLISTIC APPROACH

STEVE THOMPSON, SNOHOMISH COUNTY, WASHINGTON

The following summary is a distillation of two PowerPoint presentations, “Ethics: The Holistic Approach,” developed by Mike Addington, Alaska Department of Corrections, and “Ethics and Professionalism: A guide to Career Survival,” a 6-hour course on ethics and professionalism that is given to staff of Snohomish County Corrections (SCC), Washington. Steve Thompson, Snohomish County Corrections gave the presentation, as Mike Addington was unable to attend the meeting.

SNOHOMISH COUNTY CORRECTIONS STATISTICS

- Tardy slips given to staff in 2004: Supervisors—10, Line Staff—60, a total of 70.
- Discipline related to misconduct, 2004-Feb. 2005:
 - Misconduct – no longer working here –1
 - Misconduct - written reprimand – 3
 - Insubordination – suspension – 2
 - Dishonesty – no longer working here – 2
 - Falsification – suspension 5 days – 1
 - Theft – no longer working here – 1

ALASKA DEPARTMENT OF CORRECTIONS

Ethical lapses among staff of the Alaska Department of Corrections included the following:

- Theft of interview questions;
- Inappropriate use of inmate labor;
- Sick leave abuse;
- Misuse of power and authority; and
- Contraband for Cash

WE WERE MAKING NEWS—SOME HEADLINES ABOUT SNOHOMISH COUNTY

- “Police investigate jail staffer”
- “Jail problems require investigation, resolution”
- “Former inmates sue county”
- “County jail director out”
- “Trouble for jail’s money records”
- “Jail problems tied to poor supervision”

SURVEY SENT TO LARGE JAIL NETWORK

Following are results of a survey sent by Mike Addington to Large Jail Network members, who were asked to respond to a series of statements relating to their own departments:

- “I perceive that senior officials in my Department are less likely to be disciplined for violating ethical standards than other employees”
 - Strongly Agree—6%
 - Agree—16%
 - Neutral—13%
 - Disagree—38%
 - Strongly Disagree—28%
- “This Department makes a serious effort to detect violations of ethical standards.”
 - Strongly Agree—16%
 - Agree—44%
 - Neutral—22%
 - Disagree—19%
- “Employees who are caught violating ethics policies at this Department are consistently and appropriately disciplined.”
 - Strongly Agree—16%
 - Agree—59%
 - Neutral—16%
 - Disagree—9%
- “Employees in this Department are expected to do as they are told whether it is ethical or unethical.”
 - Agree—9%
 - Neutral—9%
 - Disagree—53%
 - Strongly Disagree—28%
- “Employees in my Department easily recognize ethical issues when they arise.”
 - Agree—34%
 - Neutral—41%
 - Disagree—25%
- “Employees can speak freely with their supervisors about problems without fear of having comments held against them.”
 - Strongly Agree—3%
 - Agree—56%
 - Neutral—31%
 - Disagree—9%
- “Employees can speak with their supervisors freely about problems without fear of having comments communicated to others.”
 - Agree—31%
 - Neutral—44%
 - Disagree—25%

- “Harassment is allowed to go on in this Department unchecked.”
 - Strongly Agree—6%
 - Agree—3%
 - Neutral—3%
 - Disagree—35%
 - Strongly Disagree—52%
- “Do you think that you can currently ignore ethics in your Department and still get ahead (promoted, etc.)?”
 - Yes—6%
 - No—94%
 -
- “Introduction of unauthorized items into a facility (marijuana, tobacco, movies, or any other non-authorized item)”
 - Extremely Unethical/Frequently Happens—6%
 - Extremely Unethical/Occasionally Happens—29%
 - Extremely Unethical/Seldom Happens—52%
 - Is Unethical/Occasionally Happens—6%
 - Is Unethical/Seldom Happens—3%
 - Should Not be Viewed as Unethical/Occasionally Happens—3%

WHY ETHICS TRAINING IS NEEDED

- Ethics training in academies was poor.—Historically, academies across the nation have devoted little time to ethics in their curriculum.
- In-service ethics training was non-existent.—Virtually none of the 17,000 criminal justice agencies across the nation provided any in-service ethics training.
- Many of the lawsuits filed against agencies are based on allegations of ethical misconduct.—Examples of such misconduct include excessive force; discrimination; theft; false statements/reporting; and sexual misconduct.
- With the exception of dying in the line of duty, nothing is more devastating to an officer’s personal life, a manager’s career, or an agency’s respect than an allegation of ethical misconduct.
- Employees sometimes commit suicide as a result of such allegations—Each year two to three times more officers commit suicide than die in the line of duty. Some commit suicide over a 3-second decision that they believe has ruined their lives. They feel they have lost their career, dignity, and self-respect.

A CORRUPTION CONTINUUM

1. Indifference—Administrative indifference to integrity results in:
 - The quality of recruitment and hiring;
 - The perception that discipline or promotions are unfair;
 - Disgruntled field officers;
 - Supervisors treating people with a lack of respect.

2. Ignoring Problems—Ignoring obvious ethical problems results in:

- Allowing poor leadership role models to exist;
- Having disgruntled field training officers;
- Conducting ineffective background checks;
- Permitting political interference to lower hiring and promotion standards;
- Allowing lack of accountability to flourish;
- Ignoring the perception of workers feeling victimized.

3. Hypocrisy and Fear—Hypocrisy and fear dominate the culture. This is only possible after several years of indifference and is characterized by:

- Fear
- Extreme bitterness
- Constant harsh criticism by large groups of people
- Open defiance of administrators
- Workers rationalize doing unethical things.

4. Survival of the Fittest—This is the final level on the continuum of corruption and is characterized by:

- The administrators' lack of knowledge;
- Good honest employees fear the corrupt;
- Long tradition of ignoring misconduct;
- The Code of Silence is condoned and encouraged;
- Field Training Officers are resentful and bitter;
- There is an unwritten priority to keep corruption out of the papers at all cost;
- Chief administrators believe they will be fired if the truth is known, so they hide it;
- No one thinks the situation will get better.

A SENSE OF VICTIMIZATION

Over time, staff can develop a perceived sense of victimization. While staff have absolute control over their own integrity and professionalism, someone else controls the rest of their corrections role. Policy, rules, procedures, equipment, work assignments, dress codes, and many other day-to-day and long-term activities are out of their control.

Acts of Omission—Feeling like a victim (whether real or imagined) is the first stop on the continuum of compromise. When officers feel victimized, they can rationalize and

justify behaviors they might not otherwise engage in. Acts of Omission occur when officers rationalize and justify not doing things they are responsible for doing.

Acts of Commission (Administrative)—Once officers routinely omit job responsibility, the journey to the next step is not a difficult one to make. Instead of just omitting duties and responsibilities, officers commit administrative violations. Breaking small rules that seem inconsequential or stand in the way of “real police work” is the first step. This can set the stage for continued progression down the continuum.

Acts of Commission (Criminal)—Unsuspecting officers can unwittingly travel to the next and final stage of the continuum. In the final stage on the continuum, officers engage in and rationalize behavior that just a few years before could not be imagined.

ENTITLEMENT VS. ACCOUNTABILITY

Staff can develop an overwhelming sense of victimization and an intense resentment toward the supervisors and administrators who control their job or role. This can lead to another dilemma—a sense of entitlement. Entitlement is the mindset that suggests “we should stick together” and we “deserve special treatment.” Entitlement allows both on and off duty staff to operate with the belief that many of the rules don’t apply to them.

Most staff members want to be known as a loyal person of integrity. A problem occurs when a sense of victimization and over-identification with the job sets into motion the dilemma of “loyalty versus integrity.” (Mollen Commission 1994)

WHAT CAN BE DONE?

The progression is clearly predictable and is often preventable. The resources spent preventing ethical lapses include thorough, credible instruction and proactive supervision. The resources required are clearly less than it takes to conduct internal and criminal investigations, convene commissions, and restore community trust and community relations. If agencies are going to foster an atmosphere of irreproachable ethics, they must use a comprehensive strategy.

SOLUTIONS TO CORRUPTION

- **Courage to Acknowledge Problems**—Conduct a Needs Assessment and honestly acknowledge findings. Fix problems involving officers as soon as possible.
- **Quality Recruiting**—It is impossible to have an exceptional organization without good people applying for employment. Be creative and devote resources. Get employees to encourage good people to apply.
- **Quality Hiring (Backgrounds)**—Facilities across the nation have been hiring people they never would have hired in the past. “Backgrounds” is the most crucial hiring step. Past performance is the best predictor of future behavior.
- **Quality Field Training Officer (FTO) Program**—If FTOs feel unappreciated and angry, they can devastate the agency’s culture by replicating their bad attitudes with new officers. Most FTOs feel unsupported by administrators.
- **Prevent Political Interference**—Types of interference include hiring, promotions and transfers, discipline, enforcement of laws, and providing adequate resources.

- Ethical Role Modeling of Leaders—It is unlikely that officers will hold themselves accountable for their own integrity when some leaders demonstrate they are unethical while other leaders do not openly demonstrate their integrity.
- Self-Accountability (especially leaders)—The only right way to address accountability is for administrators to openly hold themselves accountable for not addressing ethical problems they have been ignoring and then demand self-accountability from other leaders.
- Fight the Code of Silence—Acknowledge that it exists, but ensure that it is not occurring with leadership. Have Internal Affairs investigators look for it, have FTOs train about it, conduct internal training, and have written policies addressing it.
- Quality Promotions and Transfers—Poor promotions or transfers were a major cause for several of the worst government scandals in history. Make integrity one of the highest considerations for promotion.
- Care about Personal Needs of Employees—Develop a quality Employee Assistance Program. Look for opportunities to demonstrate that you care about all workers. Present voluntary personal finance programs.
- Prevent Anger and Frustration—To prevent corruption, you must identify and eliminate the causes of officers becoming angry, frustrated, and demoralized. Most misconduct is rationalized through anger over an internal situation. The number one cause of anger is the perception of favoritism.

LEADERSHIP ACCOUNTABILITY & YOU

Demand leadership accountability. Assign direct responsibility for each area to a specific leader. Require reports on each area at your regular leadership meetings. Support leaders in making improvements.

Leadership accountability starts from the top down. Leadership accountability starts with you.

For additional information, contact:

Steve Thompson, Snohomish County Corrections, 3000 Rockefeller Ave., M/S 509, Everett, WA 98201-4046; 425-388-3474; steve.Thompson@co.snohomish.wa.us or

Michael Addington, Director of Institutions, Alaska Department of Corrections, 4500 Diplomacy Drive, Suite 109, Anchorage, AK 99508, 907-269-7405; Michael_addington@correct.state.ak.us

THE EVOLUTION OF CORRECTIONS IN CUYAHOGA COUNTY, OHIO: CHANCE OR INTELLIGENT DESIGN?

KEN KOICHEVAR, CUYAHOGA COUNTY, OHIO

Religious rights are one of the emerging litigious issues in corrections. The first Amendment to the Constitution and related Supreme Court decisions address this issue, of course, as does the Religious Land Use and Institutional Persons Act (RLUIPA). All say that inmates have certain religious rights.

HISTORY

In the '60s, in Cuyahoga County, Muslims were originally appeased. There was a great deal of tension in the jail, and the warden believed that giving them certain rights would appease them. The jail was a crazy place to work. We had our share of demonstrations, including a 1969 July action related to defendants in a murder case, which was organized by the 23rd Defense Committee and United Front for Political Defense. There was a growing population in the city of Cleveland at that time as well as an increase in rates of homicide and crime in general. Inmates heard the term "political prisoners" to mean that they didn't need to be incarcerated.

In 1972 a group organized to bring grievances to jail administrators. Originally, it included only inmates, but outside organizations began to come in. Through the Prisoner Solidarity Committee, inmates were encouraged to share their experiences. When a hunger strike didn't accomplish anything, they tried to disrupt operations. Spokespeople advocated violent actions to bring about radical changes in jail operations. They used the Civil Rights movement and war protests as examples.

In 1973, a group was formed to look at prison conditions, including guard brutality. Thirty years later, we are still looking at the same issues. Testimony coming from the process affected the conditions of confinement and policies in institutions.

STATE CORRECTIONS

This was also a tumultuous time at the state level. In 1968, following two days of riots, Howard Cardwell, former head of the Ohio State Patrol, was appointed to head the penitentiary. His task was to clean up operations, including guard brutality. He was noted as "tough but firm" and resigned when the tide turned toward more liberal policies.

The first director of the Ohio's Department of Corrections after it split from the Department of Mental Health was Bennett Cooper. In the '70s, court cases suggested that inmate rights needed to be addressed in a radical way, and Bennett brought in professors to craft new policies related to inmate rights. He decided on radical changes in policies, such as communications and the right to form groups, including religious ones. The mood of the agency was to give inmates some latitude. Visiting rights became very liberal.

A history lesson can be gleaned from a 1972 letter to an inmate from an attorney, talking about the "brutal harassment these pigs enjoy." It is shocking in that it is a public employee using such language, but it is also indicative of the times. Inmates then circulated letters with crude language.

CUYAHOGA COUNTY JAIL, YESTERDAY AND TODAY

A new justice center was built in 1977, a 10-story building with a 23-story court tower. Another jail was later added. The jail was a podular direct supervision facility and was very staff-intensive. The original capacity was 773, and, after renovations, it can now hold 1200. The building as originally designed has gone through many changes in design and function:

- *Inmate rights:* Law enforcement runs county jails. They initially gave inmates many rights, including I.D. cards similar to those of staff. The idea was that inmates would have dignity if they were treated on an even plane with staff. However, inmates learned to jimmy their cells with the cards and get out, so that didn't work.
- *Cafeteria:* The cafeterias were originally open spaces, with fixed metal furniture, like a school cafeteria. It sounded like a good idea, but we had to close them because we had nothing but problems, including fights. Because the cafeteria didn't work, we gained a lot of beds by creating dorms in those areas.
- *Visitation:* We originally had contact visitation, but we had trouble with contraband, so we switched to non-contact visitation.

THE PLACE OF RELIGION IN CORRECTIONS FACILITIES IN 2005

We are being sued because a female inmate book on kidnapping was not allowed to wear her hijab. She is suing for \$125,000, saying that we discriminate on the basis of religion, race, and gender. She was released in less than 24 hours, but her objection is that, after booking, she was not given either her own hijab or a substitute. One irony is that the officer herself is a Muslim.

So it does seem that we have an ongoing problem of addressing inmates' religious rights. The White House has proposed a number of faith-based initiatives for inmates and those being released to the community. There is certainly a real interest today in saying that nothing else seems to work, so there is a turn to religious programs and religious rehabilitation efforts. But just as Harold Caldwell in 1972 objected to the direction things were taking, so did the Cleveland *Plain Dealer* object to the Ohio Department of Rehabilitation and Correction's introduction of faith-based initiatives, on the grounds that the state is attempting to impose religion on offenders.

I wanted to focus on some of these issues, especially the controversy growing on the place of religion in local corrections. Perhaps faith-programming does work, but some people believe we're slipping in terms of violating the separation of church and state. The changes in the role of religion over the past 30 years have been monumental, and we are hearing some sophisticated plans.

I always come away remarking how far we have come in this profession. The hellhole where I started was an unconstitutional environment, and it is commendable how far this profession has come in terms of recognizing inmate rights. I am proud to be a part of it.

For additional information, contact Ken Kochevar, Director of Corrections, Cuyahoga County Corrections Center, 1215 West Third St., Cleveland, OH 44113, 216-443-6002, shkfjk@www.cuyahoga.oh.us

OPEN DISCUSSION

LARRY SOLOMON

I would like to present a different perspective on where we are. I lived through the '70s in Massachusetts, and we saw the same things as Ohio. What we were doing wasn't in any way grounded in research evidence. Now, though, we are all using research as the basis of our operations.

Martinson said "nothing works," but that wasn't quite his point if you read his book. From the '80s until the present, there were different approaches to dealing with offenders. Most of the research actually showed that if you met certain conditions, you could certainly make a difference, especially with high risk-high needs offenders. There is now a pretty good body of evidence that this is true and that we can affect criminogenic behavior and recidivism.

At our recent NIC Hearings, we wrestled with the issue of religion and faith-based approaches. There was no attempt to argue that religion per se will affect offenders in terms of recidivism. However, if faith-based groups want to argue that they can impact behavior, they must meet the same standards of research as other groups. If any group wants to stake such a claim, they must undergo the same type of rigor as others do. There has been very little research so far on the effects of these programs. The proceedings of the hearings will be available soon.

RICHARD GEATHER: ETHICS AS A TOPIC

Why was the ethics topic so important this afternoon? Because staff issues are at the center of how you spend your time. Human resources, training, appraising, and keeping good staff are all important. Is the topic of ethics so important that we may not have covered it today?

COMMENTS ON ETHICS

If we ask for help with ethics, it's not for us, it's for staff and inmates. People want to know what we can do and what it costs. It's also important to talk about leadership, and we need for those with experience and wisdom to share information with us. Ethics is a bigger issue. Most of us are basically "liberal," and we know that ethics and good treatment of inmates are important. But what's coming down the pike in the next few years? We need to set the tone for corrections in our society. That's why we need to talk about ethics.

TERMINATION FOR ETHICAL OFFENSES

Summarized below are comments made by participants on the topic of termination for unethical behavior.

- If we don't give an honest answer to the question of why we fire someone, the person just goes to a smaller jail. We found that those fired just went to a smaller department if they were let go because of unethical or criminal behavior. They may commit the same kind of offense there. It's the fault of the agency that gets rid of them when this happens. The media has been looking into this issue in our jurisdiction, and you may find this happening in yours as well.

- In Florida, certification is not being pulled for such behavior as it used to be. The offending officer is just being sent to ethics training.
- The referral system and law often require us simply to say that the person is no longer employed, but to provide no additional information. Can we go around HR regulations by asking, “would you hire this person again?” If not, then you know something is wrong.
- You can also require a waiver of information from job applicants.
- You don’t have to accept a resignation, which protects their record. You can simply fire them.
- Sometimes the body of case law in HR runs against the effective operation of correctional facilities. Even if we fire someone, Civil Service won’t give out anything except dates of employment and termination.
- “Resigned in lieu of termination”—The union prefers this to “termination.”
- You can put into your policy that someone can’t resign if they are under an internal investigation.
- When a person resigns when under investigation, tell them you have scheduled a “name clearing hearing.” If they don’t show up, they are judged guilty, which goes on their record.

RICHARD GEATHER: LEADERSHIP AND THE CULTURE OF AN ORGANIZATION

I asked the question because the issue of ethics comes up so often. Someone made the point that the picture is so complex and varied in different places that it may not be easy for us to cover it. Do programs like Character First or Steve Thompson’s program address your issues? An article in the current LJN Exchange points out the problems in the culture of Douglas County, Nebraska, and what it took to change it. Is there beneath the surface of the organization a culture that you and programs cannot affect?

- It’s about leadership. Ethics starts at the top of an organization. If we let a lot of little things slide, even letting people come in late, that’s when our troubles start. Employees have to respect the values of the organization.
- It can take a decade to make strong changes in an organization. If you’re going to change things in 6 months, there will have to be a lot of retirements and firings.
- We haven’t found a successful way to address the code of silence. The sanctions and training are not powerful enough to overcome the harassment, or worse, that comes from being seen as a “snitch.”
- You can change the culture. It takes a different set of people at the top, and it takes determination to do it. Staff want change, actually. You don’t need to fire them or wait for retirement. They are waiting for good supervision. Most of the time, we create a bad culture, not them.
- Internal Affairs and Special Standards functions are an important part of managing. We have two detective sergeants who act as lead investigators. Their attributes are outstanding investigative skills and, more important, they are the most ethical people

in our organization. Their integrity is helpful in getting past the code of silence. They find the truth. When someone is not guilty, they make clear that they know he or she is not guilty. Staff are not afraid to talk because they know these guys are ethical.

- What do you do when the code of silence is there, and ethics is not blossoming at the top?
- You maintain your sense of ethics right where you are. You do your part. Document what seems not to be going well. At some point, the leaders will have to decide whether they want to defend themselves against what you have said. Do everything you know how to do and pass it on up. Sooner or later, someone will pick it up. You can't give up or ignore the problem.
- If you do a survey, you will get a mandate, because you can say, "this is just what we got from our staff. Is this enough to make changes?" You have to be ready to have the staff blast you, but then you have a mandate. That's the only answer. Get a mandate that you can't run from.
- The ethical problems in society at large relate to ethics problems in our facilities. Our staff have different attitudes about ethics. We need to get away from relativistic and situational ethics and spell out the specifics for them.
- I'm going through the process now. I had to keep the same upper level managers, but we're getting rid of supervisors one at a time. It's hard work.
- When you talk about ethical behavior, the focus is on a small minority of employees. The focus should be on the majority, who don't have ethical problems. You must communicate your expectations to everyone. If you take the same amount of time to recognize good employees as to discipline employees, you can change the climate.

RICHARD GEATHER

I asked the question for another reason. Let me give a brief commentary. I assume you know that you are known nationally and that you are thought of very highly. When people around the country want to know what's going on with respect to major jail issues, when they ask the question of who will give the best information about an issue, the answer is "members of this group."

Approximately 119,000 inmates are represented by this group in the room. You are considered ethical persons with a high degree of integrity. My point is that you may not see yourselves as warranting the kind of respect others have for you because you are immersed in day-to-day details. But the attempts you make in increasing your level of knowledge, building relationships with other jail administrators, being leaders, taking responsibility for the safety security and well-being of inmates, is unequalled anywhere in the country. You are well respected for this.

EMPLOYEE-RESTRICTED DUTY: POLICY AND PRACTICE

MARILYN CHANDLER FORD, VOLUSIA COUNTY, FLORIDA

Most of you know “restricted duty” as “light duty.” My presentation ties into yesterday’s discussion of character, as we certainly hope that most of our employees have good character. In controlling absenteeism, however, we’re dealing with those who have some character issues.

VOLUSIA COUNTY’S POLICY ON RESTRICTED DUTY

It is the policy of the Volusia County Division of Corrections:

- To offer temporary work accommodations to employees who are injured on the job and
- To provide fair and consistent procedures in assigning such temporary work accommodations.

GENERAL PROVISIONS

- Injured on duty—Temporary work accommodations are provided only to employees who are injured *on duty*. The injury must be duty-related. That is, an injury sustained at the workplace which is not duty-related does not qualify. Prior to 2003, “light duty” was available to anyone, and there were many light duty posts. However, employees got used to the idea that they could request a light duty position, and we wanted it to be clear that such posts are only temporary.
- Injury must be duty-related—In addition, the duty *must be duty-related*. That is, it can’t be the result of horseplay or something that happens in the parking lot. If the employee is injured elsewhere, they can continue to earn their same salary somewhere else in the county. However, the placement will typically be in an 8-hour position rather than a 12-hour position, so they do lose money.
- The employee cannot perform all the essential job functions of his/her position.
- A staffing need exists in the identified area of placement.
- The employee must submit written instructions from a health care provider on file with County Risk Management.
- Restrictions from specific duty positions are not accepted. That is, the doctor cannot specify posts, only activities.
- County Risk Management can contact the authorized health care provider to clarify the type of work activities that can/cannot be performed.
- All this must be done before a temporary work assignment is made or granted.

STRUCTURE OF TEMPORARY WORKPLACE ACCOMMODATIONS

- Temporary accommodations are authorized for up to 90 days; one additional 90-day extension may be granted.

- Who can authorize? Only the Corrections Director.
- Temporary work accommodations may involve assignment to a combination of posts; a combination of duties; or a combination of shifts, as appropriate and needed during the period of accommodation.
- An employee does not have a right to a temporary work accommodation if the employee's medical restrictions significantly impact the nature of the job to be performed or correctional operations.
- A temporary work accommodation on one occasion does not establish a right for a similar work accommodation on another occasion if staffing needs or medical restrictions differ or where other contingencies affecting correctional operations apply.

PROCEDURE

- The correctional officer or employee must turn in medical work restrictions form.
- The supervisor(s) meet with the officer/employee. The purpose of the meeting is to determine whether a reasonable temporary accommodation can be made.
- If a temporary work accommodation is identified, the on-site supervisor makes an assignment, pending review by a committee. If a temporary work accommodation cannot be identified, the employee is sent home.
- The review committee is comprised of individuals representing Operations and Administration (a minimum of two individuals, one from each section). The committee makes a final determination about an appropriate and reasonable temporary work accommodation.
- Document, document, document! A written copy of the accommodations being offered is prepared, and the officer/employee receives a copy. Copies are placed in the officer/employee's file and sent to County Risk Management. The report includes: the end or review date for the temporary accommodations, a list of duty positions for which the officer/employee is eligible, and any other accommodations that are established.

MEDICAL WORK RESTRICTION WORKSHEET

- Activities to be assessed include the following:
 - Standing/Sitting
 - Walking/Running
 - Bending/Lifting/Stair Climbing
 - Repetitive Movements
 - Inmate Contact
 - Other
- We also send a copy of the job description to the doctor, who must tell us for each activity whether there are no restrictions, restrictions, the duration of the restrictions, and expiration date, and a review date.

POLICY RESULTS

In 2003, we had more than 2300 hours of on-the-job-injuries. In 2004, there were only 1240 hours. This leads us to believe that the policy is having an impact.

DISCUSSION

Question: Has your agency experienced any problems as a result of this policy?

Answer: No, because we are very picky. If a request comes from a questionable, individual, we may say that we don't have an appropriate position here, but you may work for the county.

Question: Do you have a union?

Answer: Not now, but we did have a union when the policy was developed, and it passed muster with the union. At the point when an employee comes to us, we look at the institutional need in terms of function. For example, if someone is on the night shift but can run the control room, we may shift the person to the day shift.

Question: We have had people get doctors to excuse them from jobs they don't like, e.g., saying they can't work the night shift. We've had some problems with that.

Answer: When people get sent to civilian jobs in the community, they are unhappy and return to us very quickly. One reason may be the 8-hour shift rather than 12, or it may be because they are seen as an outsider. A typical officer works 84 ³/₄ hours in a 14-day period, so they lose 4 ³/₄ hours in a county job. They remain on our payroll even when they are placed elsewhere. Most temporary work accommodations last 30 days or so; they are usually cleared by their next doctor's appointment.

Question: Do you ever get a doctor's description of restrictions as "no inmate contact"?

Answer: No, restrictions may only be in terms of movement or what they can lift.

Question: What about pregnant women? Do they come in with light duty requests?

Answer: We treat our pregnant women very well. As soon as they report it, we offer a reduced contact post. However, we just had one female employee who continued to work the unit, and she had no qualms and no problems.

Question: We had one pregnant officer we finally moved to a different post. She didn't want to be treated differently, but we were worried something would happen to her.

Answer: Yes, we have had this happen, too. Typically, when we have a pregnant officer, we don't say "no inmate contact," which sounds like different treatment.

Question: Do you make any accommodation for those injured off the job?

Answer: No, our accommodations are restricted to those injured at work. You must have a tight policy, or you have a nightmare.

For additional information, contact Marilyn Chandler Ford, Ph.D., CJM, Volusia County Corrections, 1300 Red John Rd., Daytona Beach, FL 32120-2865, 386-323-3524; mcford@co.volusia.fl.us

EMPLOYEE ATTENDANCE POLICY: CONTROLLING THE ABUSE OF SICK LEAVE

MARILYN CHANDLER FORD, VOLUSIA COUNTY, FLORIDA

VOLUSIA COUNTY'S SICK LEAVE POLICY

- To provide all employees standard procedures for reporting absences and to provide guidelines for the verification of absences.
- The Division is committed to managing excessive absenteeism as it directly affects the productivity of staff and increases the Division's budgetary concerns due to overtime.
- Excessive absenteeism controls shall be applied in an equitable, consistent, and responsible manner.

DEFINITIONS

- **Unscheduled absence:** Any absence not approved at least 72 hours in advance.
- **Excessive unscheduled Absences:** Eight (8) unscheduled absences during a 12-month period (this coincides with the employee's annual evaluation period).

PROCEDURES

- Reporting unscheduled absences—Employees shall notify the supervisor at least 2 hours prior to his/her scheduled reporting time.
- Two types of unscheduled absences are accepted:
 - **Illness-related:** Employees shall not feign illness or injury. Employees who are too ill/incapacitated to telephone shall have a reliable person call on their behalf. The caller must report a contact phone number where the employee can be reached.
 - **Non-illness related:** The reason must be emergency-related. The supervisor has the discretion to approve an emergency absence if the need can be verified at the time of call-in. If the need for emergency leave is not verified at the time of call-in, then the employee is responsible for providing an explanation and/or documentation to demonstrate the need for the emergency leave, and it must be submitted on the employee's next scheduled work day.
- Unscheduled absences are tracked for a 12-month period. Once an employee has reached 7 unscheduled absences or has demonstrated a pattern of unscheduled absences, he/she is subject to administrative review.

ABSENCES: ADMINISTRATIVE REVIEW

- The shift supervisor is responsible for conducting administrative reviews. They must discuss the absences with the employee to determine any justifiable reason for the excessive absences.
- If it is determined that no action is necessary, a notation will be made in the supervisor's notebook form for that employee. If it is determined that action is necessary, the appropriate process will be initiated.

CORRECTIVE PRACTICE

- 1st administrative review (7 unscheduled absences)—record of counseling;
- 2nd administrative review —up to a written reprimand;
- 3rd administrative review—up to 1 day suspension;
- 4th administrative review—up to 3 day suspension;
- 5th administrative review—up to termination.

ANCILLARY CONSIDERATIONS

- Supervisory discretion
- Invitation to take more than 1 day?
- Emergency leaves
- Intermittent FMLA leave—We have become very tough with this.

RESULTS

We have found that our sick leave declined 1500 hours between 2002 and 2003, after this policy went into effect. It has cured those who were marginal; they are now coming to work. We still have a few problems, such as a single mother with childcare issues, who is a good officer. I'm not sure what will happen to her. We know that if she gets terminated, it will get everyone's attention. Everyone already knows that she has had a 30-day suspension.

DISCUSSION

Question: Isn't sick leave an entitlement?

Answer: It's a benefit, but not an entitlement.

Question: What do you do about times when the flu hits the facility?

Answer: Employees can group absences, which means that if they have the flu for a week, this can count as one absence.

Question: What was the average sick leave in number of days?

Answer: The countywide average is 6 days. Our average is 6.7-6.8, so we are getting close to the county average.

Question: Must an employee use sick leave before FMLA kicks in?

Answer: Yes. County policy says this. We now have an employee who used FMLA whenever he was assigned overtime. We told him that he was expected to work overtime, and it has worked.

Question: We are going through bargaining on light duty with our union. How many of you have a light duty program? How many of you provide light duty for off-the-job injuries?

Answer: (Nearly all participants indicated that they provide light duty for off-the-job injuries. Volusia County's policy is an exception.

For additional information, contact Marilyn Chandler Ford, Ph.D., CJM, Volusia County Corrections, 1300 Red John Rd., Daytona Beach, FL 32120-2865, 386-323-3524; mcford@co.volusia.fl.us

ANTHONY DAWSEY, MIAMI-DADE COUNTY, FLORIDA

THE “KINDER, GENTLER EMPLOYER” OF THE PAST

Our policy is called an “employee fitness policy.” We have been known as the kinder, gentler employer because, for years, we accommodated everyone. We always found some place for everyone to go because we believed that it was to our advantage to have them working somewhere. We always accommodated pregnant employees, mostly with booth assignments. We never designated a specific number of positions, but just accommodated our employees. The result was that we had a large number of employees on restricted duty, sometimes for a very long period of time.

This situation came to a head when able-bodied employees came to us complaining that someone was “stiffing us.” We believed that we couldn’t do anything about it. We’ve gone through six administrations in my 20 years, and each time, we went through changes and differing priorities. We have also dealt with a number of unions and quasi-unions that represent social or advocacy groups. We have a very diverse community that is highly politicized. If you make a decision, you can guarantee that at least two groups will be angry. This atmosphere must be considered when you decide to address a problem.

A NEW POLICY

At some point, we decided that we needed to put some teeth in our policy. First, we decided who our stakeholders were. They included:

- Employees—They wanted an able-bodied person standing next to them.
- Bargaining unions—We have several, and they are all strong. We had to work closely with them.
- Legal advisors
- County Employee Relations Department

After we identified the stakeholders, we brought them together in groups and asked them to describe the existing policy and what it was trying to accomplish. We went through the policy line by line up on the board. We came to agreement on what parts of the policy needed to go and what should stay. We identified key issues such as on-duty injuries, off-duty injuries, compulsory leave, and so forth.

A lead person was designated from the unit that writes policy and procedures. We circulated an initial draft, then provided opportunities for change. The final draft was submitted in advance to the bargaining unit for comments. They were asked to join us in the initial meetings, but they didn’t.

One thing we realized as we dealt with this process was that some good people had been caught and burned by the policy because of our desire to be equitable. We felt that we had to include off-the-job injuries. However, we needed some time limits because of malingerers. Off-the-job injuries can now result in a limited duty assignment for up to 90 days. For on-the-job injuries, we agreed that the department director could authorize up to 6 months of a limited duty assignment and then the employee could go another 6 months on

restricted duty. When we put that in front of the union, they approved it as long as we treat everyone the same way.

We started a fresh timeline for each employee and treated everyone the same. We made it clear that everyone had to live by the same standards.

PROBLEM EMPLOYEES

Many employees began to get “healed,” but we wound up with about eight employees who we forced to take compulsory leave because they had been milking us for so long. The majority of those involved were African Americans, and one group accused us of taking food out of black babies’ mouths 2 days before Thanksgiving. We knew the cast of characters, and it didn’t matter what spin they wanted to put on the issue. This kind of thing happens when you challenge people to come to work. We met with those eight people and pointed out all the county policies to help them; then we said, “here are your options.” One mistake we made with these people was bringing them all in as a group. It would have been better to deal with them individually.

The county has an “earned leave pool” in the county that people can draw on, although you can’t be a chronically absent or tardy person and get in the pool. If someone has exhausted all leave, there is also a county assistance program. We also have a program for someone who has reached maximum leave, which allows the county to work with the ADA office, enabling the county doctors to get involved.

PROCEDURES

For all injuries, County Risk Management must determine whether they are considered on-the-job or off-the-job injuries. It has been important to make sure everyone understands everything. We found employees playing games, saying they had turned in forms to Personnel, but Personnel said they had turned the forms in at the facility. We decided that it made more sense to have everything handled through Personnel.

Required physicals became a problem. Some people who had been on the street a long time felt that they were fine, but doctors found otherwise. We let the county doctors and the employee’s personal doctor work things out.

RESULTS

We reduced the number of employees on restricted duty from 100 to 59. The policy still needs some work, but we are a long way from when we had people languishing on restricted duty for years and years. I just want to warn you that this is all coming to you real soon!

For additional information, contact Anthony Damsey, Assistant Director, Miami-Dade County Corrections & Rehabilitation Department, 2525 NW 62nd Street, Miami FL 33147, 787-263-5899; adamsey@miami-dade.gov

ANNOUNCEMENTS

MIKE JACKSON, NATIONAL SHERIFFS' ASSOCIATION (NSA)

- Jail Evacuation Training—We are still presenting the Jail Evacuation Planning & Implementation course under NSA's Weapons of Mass Destruction initiative. We have scheduled 42 training programs this year. Next week, we undergo an Office of Justice Programs review, which we are looking forward to. The cost of the training is covered by our grant. Let me know if you would like to schedule the program for your jurisdiction. Class size is limited to 50.
- The National Sheriffs' Institute—This is a great course and is run right here in Longmont. For those who are new sheriffs or even for those who have been around a while, it's very valuable. Jim Barbee is the point person at NIC, and Fred Wilson is the NSA contact.
- Jail Intelligence-Gathering—This course should be getting off the ground by mid-October. If you are interested in setting up an intelligence-gathering program and knowing what to do with it, this training will help you. Fred Wilson is the contact person.
- First- and Second-Line Supervisors Correspondence Course—This has been around for a while, but has not been marketed. There are 30 chapters to cover, and the cost is \$50. The course is not difficult to pass, but it provides a lot of good information for someone interested in becoming a supervisor or who has recently become one. We are trying to get the course and tests online.

BOB PATTERSON, PRESIDENT, AMERICAN JAIL ASSOCIATION (AJA)

There are a number of AJA Certified Jail Managers in the room. We are very interested in the results of the Vera-sponsored commission and also in the results of data collection on prison rape. I think we are going to take a hit on that, and we are keeping our eyes on it.

DAVE PARRISH, HILLSBOROUGH COUNTY, FLORIDA

We are finally opening our day care center, and you can see it at the next AJA meeting. It should be operational in a year, with a capacity of 75, after six years of trying to make it happen. The Sheriff's Office will maintain it. It will be open 7 days a week, 16 hours a day, but not over night. We will give it free to a private vendor, who will charge less than the going rate to employees.

We did one survey establishing the need for the center, and then the new sheriff had some qualms about it. We thought it was going down the tubes until we did another survey. We banked \$2 million to pay for it, and then had the county commissioners and sheriff sign a contract to ensure that it happened.

STAFFING ANALYSIS FOR JAILS

ROD MILLER, BUREAU OF JUSTICE ASSISTANCE

VULNERABILITY ASSESSMENT PROJECT

I wanted to remind you of the project on vulnerability assessment being run by the National Institute of Justice, the American Correctional Association, and Sandia National Labs. The project was not initially focused on jails but now includes jails, because they are in the front line of homeland security. We have one more training session to field test. We would love to have a jail involved in the beta testing, which will begin in the fall.

- Two Aging Concepts
- ALOS—Average Length of Stay
- SRF—Shift Relief Factor

I recommend that you consider some newer concepts and tools.

AVERAGE LENGTH OF STAY (ALOS) IS MISLEADING

- In many (most?) jails, over 70% of the inmates are released within 72 hours.
- These short-term detainees skew the calculation of average length of stay and make it meaningless for jails
- It is important to look at the length of stay for inmates based on the percentage of annual beds used. This provides an accurate profile of the daily inmate population.
- ALOS gives the impression that most of the inmates in our jail today will spend 10-15 days. This discounts the huge short-term detention function that is like a police lock-up.
- ALOS also implies that inmates are not confined long enough for programs, which is not true.
- ALOS implies that inmates are not serious offenders. We need to keep reminding people that those in state prisons all start in county jail.

STAFFING ANALYSIS FOR JAILS

In 1985, NIC took on staffing as an issue. Previously, staffing analysis had been the province of experts. By 1987, we had come up with a workbook that NIC could give you. This was one of the most satisfying things I have done in my career. The flip side is that the process is as important as the analysis itself. It needs a team that includes HR and budget people to work on it, or it will be sabotaged later.

The second edition of *Staffing Analysis: A Workbook for Jails*, published in 2001, involves fewer steps and fewer forms. It is a great tool to use when you are staffing a new facility or revising staffing in an existing one.

The approach in the workbook is different than in the past because it quantifies staffing on an *hourly* basis, rather than on a shift basis. Jails operate with a variety of shift schedules.

SHIFT RELIEF FACTOR: LET'S RETIRE IT

- Was developed when only one shift pattern was used in a jail, usually an 8-hour shift. Multiple shift patterns are now most common.
- Does NOT easily address more than one shift structure at the same time.
- Does NOT easily address discontinuous posts or other variations.
- NAWH—Net Annual Work Hours—has proven more accurate and versatile.

10-STEP STAFFING ANALYSIS PROCESS

This process breaks the work into manageable tasks:

1. Profiling the jail—The Context
2. Calculating net annual work hours—The Math
3. Developing a facility activity schedule—Daily Operation
4. Developing a staff coverage plan—Deployment
5. Completing a staff summary.
6. Developing a schedule—Putting Staff in Place
7. Evaluating, revising, and improving the plan—Equalizer!
8. Calculating operational costs—The Bottom Line
9. Preparing a report.
10. Implementing the plan and monitoring results.

The process demands that you create the context and screen your existing practices before you ask for more staff. With everyone around the table, the process is participatory and works very well.

APPENDICES

- Methods for optimizing staff resources.
- A discussion of the myth of staff-to-inmate ratios.
- Blank copies of all forms used in the analysis.

JAIL STAFFING ISSUES

- Unexpected overtime costs;
- Excessive compensatory time earned by staff;
- Overworked staff who burn out;
- Staff turnover;
- Frequent understaffing—essential posts and inability to provide breaks for staff;
- Lack of proper staff backup to handle emergencies;
- Over-reliance on part-time and reserve staff;

- Inability to supervise staff properly; and
- Inability to provide adequate staff training, because time cannot be scheduled.

SYMPTOMS VERSUS CAUSES: THE OVERTIME EXAMPLE

- A certain amount of staff overtime is inevitable in jails (unexpected staff shortages due to sickness or emergencies.)
- Some prefer incurring higher rates of overtime to hiring more full-time staff.
- Overtime provides a better-trained and more experienced workforce.
- Most overtime can be predicted.
- Once overtime causes are understood, proactive steps can be taken to manage/reduce them.
- What causes overtime?

WORKBOOK WILL HELP JAIL OFFICIALS, STAFF, AND OTHER TO:

- Predict future staffing needs;
- Diagnose the cause of staffing problems; and
- Design better staffing practices to address future staffing problems.

OBSERVATIONS

There are lots of staffing problems. Administrators often latch onto a “solution” that does not really address the problem (e.g., a 12-hour shift). They don’t look at underlying issues. Often, the real solutions are found in changing operations, schedules, policies, and practices. The staffing analysis process enables you to identify what is really happening. It forces you to look at all the issues and all the potential solutions. You must look at underlying problems and be willing to change sacred practices. The newest dimension of a staffing analysis is an emerging focus on “solution sets,” which are a combination of physical plant, operational, and staffing changes.

THE BASIC MATH IS USUALLY WRONG

- I have never seen a NAWH that *over-estimates* the number of hours that staff are actually able to work. The average used to be considered 1600, but it’s dropping because we collect better data now.
- An inaccurate NAWH means that you don’t ask for the necessary number of Full Time Equivalent (FTEs) in the first place; you start out in a hole.
- What happens when you are short FTEs?
- The critical step requires collecting and analyzing information, which produces accurate net annual work hours for each position, replacing the older shift relief factor calculation.

MONTGOMER COUNTY, MARYLAND

Montgomery County has refined the methodology. On your CD is an article from *American Jails* about Montgomery County’s experience and improvements in the NAWH

process. They learned they were 10% short on staff in their budget request because of the NAWH math.

SHIFT RELIEF FACTOR (SRF)

- The term traditionally describes the number of full-time-equivalent staff (FTE) needed to fill a post or position that is relieved (covered on a continuous basis).
- Several underlying problems associated with the use of shift relief factors have produced serious shortcomings, usually manifested in the jail personnel budget.
- SRFs may assume that a single shift can be used as the primary unit of measurement rather than using the more basic (and flexible) hour unit.

OLD SRFS OFTEN FAIL TO CONSIDER:

- Preservice and inservice training time;
- Long-term medical disability;
- Provisions of the Family and Medical Leave Act of 1993;
- Light-duty assignments required for injured staff;
- Leave without pay;
- Time away from the job while on special assignment;
- Time it takes to fill a vacancy;
- Jury duty;
- Worker's compensation time off;
- Use of comp time; and
- Unexcused absences.

OTHER SRF SHORTCOMINGS

- The calculation was not recently updated.
- Inaccurate or incomplete data were used.
- Separate calculations were not made for distinct job classifications.
- Only time-off allowances from contracts or personnel agreements were used, rather than actual time taken for the past several years.
- Data were examined for only 1 year instead of several years, without considering short-term conditions or long-term trends.

NIC METHODOLOGY

NIC methodology is simpler, more accurate, and more flexible. It involves the following:

- Describe all relieved posts and positions; define hours of operation, days of the week, and classification of staff.
- Calculate total annual coverage hours for each classification of staff.

- Divide that by the corresponding NAWH.
- The result is the FTEs needed in the budget (as full-time, part-time, and overtime).
- The approach is simple, accurate, and flexible. It is not tripped up by different schedules and shift patterns.

FORM C AND FORM A

- Form C makes it easy and accurate. For each relieved post you record the classification of staff, actual hours of operation, days of the week, and total hours per week. You multiply that by 52.14 (weeks in a non-leap year), then divide by NAWH, which results in the number of FTEs. Form C is in Excel.
- Form A is used to calculate NAWH. You collect all needed data, no matter how difficult. The value of the NAWH calculations depends on the accuracy and thoroughness of the research that went into the calculation. It is easy to convert NAWH to SRF for comparison to previous relief factor figures. Appendix D describes a simple formula.

TIPS

- An accurate NAWH for each job classification requires information on all possible time-off categories.
- Different classifications of employees will have different NAWHs because of the amount of vacation time or training time that is allotted and used.
- Update frequently.
- Create new record-keeping and data collection practices to make NAWH more accurate next year.
- The article on Montgomery County gives you details on collecting data; estimating; “accrual” vs. “actual” data decisions; weighted averages; and other categories to consider, including benefits and activities that take staff away from their posts.

NAWH.....

- Hours instead of “a shift”
- Flexible
- Accurate
- ESSENTIAL to ensure that you seek the right amount of funding to provide coverage
- For more information, see the recent article in *American Jails* (on the LJN CD).

For additional information, contact Rod Miller, Director, Bureau of Justice Assistance, Jail Work and Industry Center, 925 Johnson Drive, Gettysburg, PA 17325; 717-337-1461; rodemiller@earthlink.net

DISCUSSION OF NEXT LJN MEETING: SCHEDULE AND TOPICS

RICHARD GEAITHER, NIC JAILS DIVISION

The next LJN meeting will be held January 22-24, 2006. The Tuesday session will run from 8am until 5pm rather than until noon, as past meetings have been scheduled. Invitations will go out in September.

PROPOSED TOPICS

Richard Geaither led participants in a discussion of potential topics for the next Network meeting. Suggested topics included the following:

- Legal issues update—use of force and strip searches;
- BJS jail survey update;
- Succession planning for executive leadership and middle managers;
- Putting statistics to work;
- Human resource issues: overtime management, pay structures, etc.;
- Performance management—best practices;
- What's New—overview of new programs or solutions to problems;
- Emergency response teams;
- Early warning systems on employee conduct;
- Grant opportunities;
- Tazers in jails;
- Security threat groups—update;
- An action agenda—identify specific problem issues ahead of time and work on them at meeting, with action agenda result; this format is designed to leverage the authority of the group.

Richard Geaither will make a final determination of next meeting's topics in collaboration with a group of LJN members who agreed to work with him on planning the meeting.

APPENDIX A: MEETING AGENDA

LARGE JAIL NETWORK MEETING

July 10-12, 2005

Radisson Hotel and Conference Center
Longmont, CO

Agenda

Sunday, July 10, 2005

- 6:00 p.m. Introduction and Overview Richard Geaither
Correctional Program Specialist
Virginia Hutchinson, Chief
NIC Jails Division
Larry Solomon, Deputy Director
National Institute of Corrections
- 6:30 p.m. INFORMAL DINNER
- 7:00 p.m. *Inmate Labor: Entitlements, Benefits, and Regulations* Rod Miller, Director
Bureau of Justice Assistance
Jail Work and Industry Center
- 8:30 p.m. ADJOURN

Monday, July 11, 2005

- 8:00 a.m. *Social Security Administration: Inmate Reporting and Incentive Payments* Diane Nest, Disability Analyst
Center for Disability
Denver, CO
- How and Why Medicaid Matters for the Mentally Ill Released from Jail* Katherine Brown, Policy Analyst
Council of State Governments
New York, NY
- Third Party Reimbursement Potential for Inmate Medical/Mental Health Expenses* Phil Hoelscher, President
Alliance Medical Management
Lakeland, FL
- 10:30 a.m. *The Character Quality Program: It's Effect on Employees and Inmates* ... Cliff Uranga
Chaplain Argyl Dick
Oklahoma County, OK

12:00 noon LUNCH

1:00 p.m. *Ethics in the Administration of the Jail* Steve Thompson
Snohomish, WA

2:00 p.m. BREAK

2:15 p.m. Round Table and Open Forum Discussions

3:00 p.m. *The Evolution of Corrections in Cuyahoga County, OH: Ken Kochevar*
Chance or Intelligent Design Cuyahoga County, OH

5:00 p.m. ADJOURN

Tuesday, July 12, 2005

HUMAN RESOURCE ISSUES: 2005-2015

8:00 a.m. *Employee Restricted Duty: Policy and Practice* Marilyn Chandler Ford
Employee Attendance Policy: Controlling Abuse of Sick Leave Volusia County, FL
Anthony Dawsey
Miami-Dade County, FL

Montgomery County, MD: An Approach to Equipping the Human Rod Miller
Resource Department and the Jail to Accurately Calculate Staffing Budget Needs

10:00 a.m. BREAK

10:15 a.m. Round Table and Open Forum Discussions

11:00 a.m. Presentation of Future Meeting Issues & Meeting Evaluations Richard Geaither

11:30 a.m. Recap and Closeout Richard Geaither

12:00 noon ADJOURN

A box lunch is available.

APPENDIX B: LIST OF MEETING ATTENDEES

Large Jail Network Meeting – 05J2402

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Sunday, July 10, 2005-Tuesday, July 12, 2005 Longmont, CO

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LARGE JAIL NETWORK MEETING

July 10-12, 2005

Longmont, CO

Presenters and Guests

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Summer 2005 Newsletter for NIC's Large Jail Network

NJC Jails Division Networks' Mission Statement

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

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



National Institute of Corrections Large Jail Network

Network Goals

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



Katherine Brown, Policy Analyst

Please welcome Katherine Brown, policy analyst for the criminal justice program for the Council of State Governments/Eastern Regional Conference (CSG/ERC).

The CSG/ERC offers committee and task force work and public/private sector dialogue on varied issues, including agriculture, economic development, energy, environment, transportation, and criminal justice.

For this LJN meeting, Brown will discuss the issues of Medicaid and SSI/SSDI (Supplemental Security Income/Social Security Disability Insurance) eligibility for inmates.

Many people who enter jail were eligible for or enrolled in Medicaid and/or SSI/SSDI prior to incarceration. Research suggests that enrollment in these programs upon release is an important component of maintaining continuity of care.

As jurisdictions struggle to control the costs of medical and mental health treatment for inmates, access to Medicaid and SSI/SSDI becomes a pressing issue. Jail administrators spend vast amounts of money treating people with mental illnesses or medical issues while they are incarcerated. That investment is wasted if those who received treatment in jail fail to access medication and treatment after release, fall out of recovery, and recidivate.

Extended LJN Meetings

During the past several years LJN members have demonstrated an interest in extending the meetings. Though not finalized, plans are being made for the winter 2006 meeting to be extended to two full days. This will not only give participants greater travel accommodations and scheduling flexibility, but it will also allow variety and creativity in the meeting content.

NIC will be surveying the LJN over the next six months. Please let us know how the meetings can better serve you by e-mailing rgeaither@bop.gov.

NEW ATTENDEES

We want to acknowledge those who are attending the Large Jail Network Meeting for their first time. Please take some time to give each a warm welcome.

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Blue Ridge Regional Jail, VA*

Michele Braatz, Commander
San Diego County, CA

Anthony Callisto, Chief Deputy
Onondaga County, NY*

Keith Chambers, Colonel
Palm Beach County, FL

Rollin Cook, Chief Deputy
Salt Lake County, UT

Argyl Dick, Chaplain
Oklahoma County, OK

Brian Gillen, Deputy Superintendent
Plymouth County, MA

Marlin Gusman, Criminal Sheriff
Orleans Parish, LA

Reed Holtgeerts, Director
King County, WA

Willie Johnson, Assistant Director
Hinds County, MS

Mitch Lucas, Jail Administrator
Charleston County, SC

Katina Mihelis, Detention Chief
Stanislaus County, CA

NEW ATTENDEES CONT.

Margaret Mims, Assistant Sheriff
Fresno County, CA

Greg Trindle, Assistant Sheriff
San Mateo County, CA

Allen Ust, Undersheriff
Bergen County, NJ

Lupe Valdez, Sheriff
Dallas County, TX

Martin Vitale, Captain
Middlesex County, NJ

David Walcher, Division Chief
Jefferson County, CO*

James Wilbourn, Captain
Adams County, CO*

**Indicates agencies new to the Large Jail Network.*

SPECIAL GUESTS

Michael Jackson, Project Manager
Representing Tom Faust, Executive Director
National Sheriffs' Association

Robert Patterson, President
Representing Steve Ingley, Executive Director
American Jail Association

Larry Solomon, Deputy Director
National Institute of Corrections

Agency-Paid Participants

Please remember that due to meeting room space and hotel limitations, we may not be able to approve every request for additional agency-paid participants. We respond to each of these requests individually. Thanks.

Diane Nest, SSA Specialist

Diane Nest will share her knowledge as a disability specialist with the Social Security Administration. She has worked in many aspects of the social security and the supplemental security income claims process. She also was involved with post entitlement events that affect benefits such as incarceration of prisoners and notification of fugitive felons.

Nest will present facts about social security and SSI entitlement programs and how these benefits become suspended due to incarceration or fugitive felon status. She will also review how beneficiaries can get reinstated on benefits and the amount of time the process takes.

She will review with the LJNI the SSA law about prisoner reporting responsibilities of jails, the methods of reporting, and the incentive payments they can receive.

Rod Miller, NCJA

Please welcome Rod Miller, as he represents the National Correctional Industries Association (NCIA), a non-profit professional association that encourages networking and joint ventures among correctional industries.

Correctional industries are the work programs in correctional facilities that provide real world work experiences to inmates, teaching them transferable job skills and work ethic to help them prepare for post-release, reentry, and employment.

In the context of jails, NCIA's focus has been broader, to include all forms of inmate labor. They strive to promote excellence and credibility in correctional industries through professional development and innovative job solutions.

Miller operates a national clearinghouse on jail work and industries program through a grant to NCIA from the Bureau of Justice Assistance. Miller will discuss inmate workers, their wages, and benefits. He will also address the most common errors that are made in the calculation of staffing needs.

Philip Hoelscher, Health Care

Philip Hoelscher comes to this meeting as a health care professional with over 25 years of experience in providing medical services to jails. He has coordinated the successful development of health care operations, financial performance reviews, and inmate health care contracts for jails--some of which are members of the LJNI!

Hoelscher has developed and coordinated operational activities with several health care providers, including health maintenance organizations, preferred provider organizations, health insurance companies hospital associations, and physicians groups. Hoelscher's presentation will address third party reimbursement potential for inmate medical/mental health expenses.

Comments...

"The winter 2005 meeting gave me enough information and ideas to keep me busy for the next two years." --Lehigh County, PA

"Gained knowledge of how to overcome operating problems in managing mentally ill inmates and using training for strategic management." --Escambia County, FL

"We just completed our ACA audit and it would not have been successful without the help and advice that we received from several large jail network members."
--El Paso County, TX

Current LJNI Membership

The number of LJNI member jurisdictions stands at 163, including the six state unified systems (Alaska, Connecticut, Hawaii, Rhode Island, Vermont, and Delaware).

We would like to keep this membership listing up-to-date. Please review the membership list while you are here and provide us with current information and be sure to notify Richard Geaither at 800-995-6429, ext. 139 or rgeaither@bop.gov when a chief executive officer leaves or changes position.

Invitations for the
January 22-24, 2006 meeting
will be mailed during the month of
September to all 163 jurisdictions.
An e-mail will be sent on the LJNI
Listserv to alert members of the
mailing and to urge agencies to
respond within two weeks.

Hotel and Airfare Changes

We have been informed that NIC can only authorize roundtrip airline tickets from a traveler's home airport to the event location and return to the home airport. Travelers cannot reimburse NIC or pay the difference for an airline ticket if they need to do other travel while participating in an NIC sponsored event. We will keep you informed if this policy should ever change.

Hotel accommodations for single rooms for our meetings may continue to become more difficult. The hotel is under new management and has reminded us that the contract with them does not guarantee a single room to everyone who stays at the hotel, but they will book single rooms based on availability. Unfortunately, if you chose to stay somewhere other than the Radisson Hotel, NIC will not be able to reimburse you for lodging and meal expenses.

If these policies remain, we hope they will not interrupt our ability to meet your professional needs through the LJNI.

NJC Fails Division

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LJNI News Brief

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