

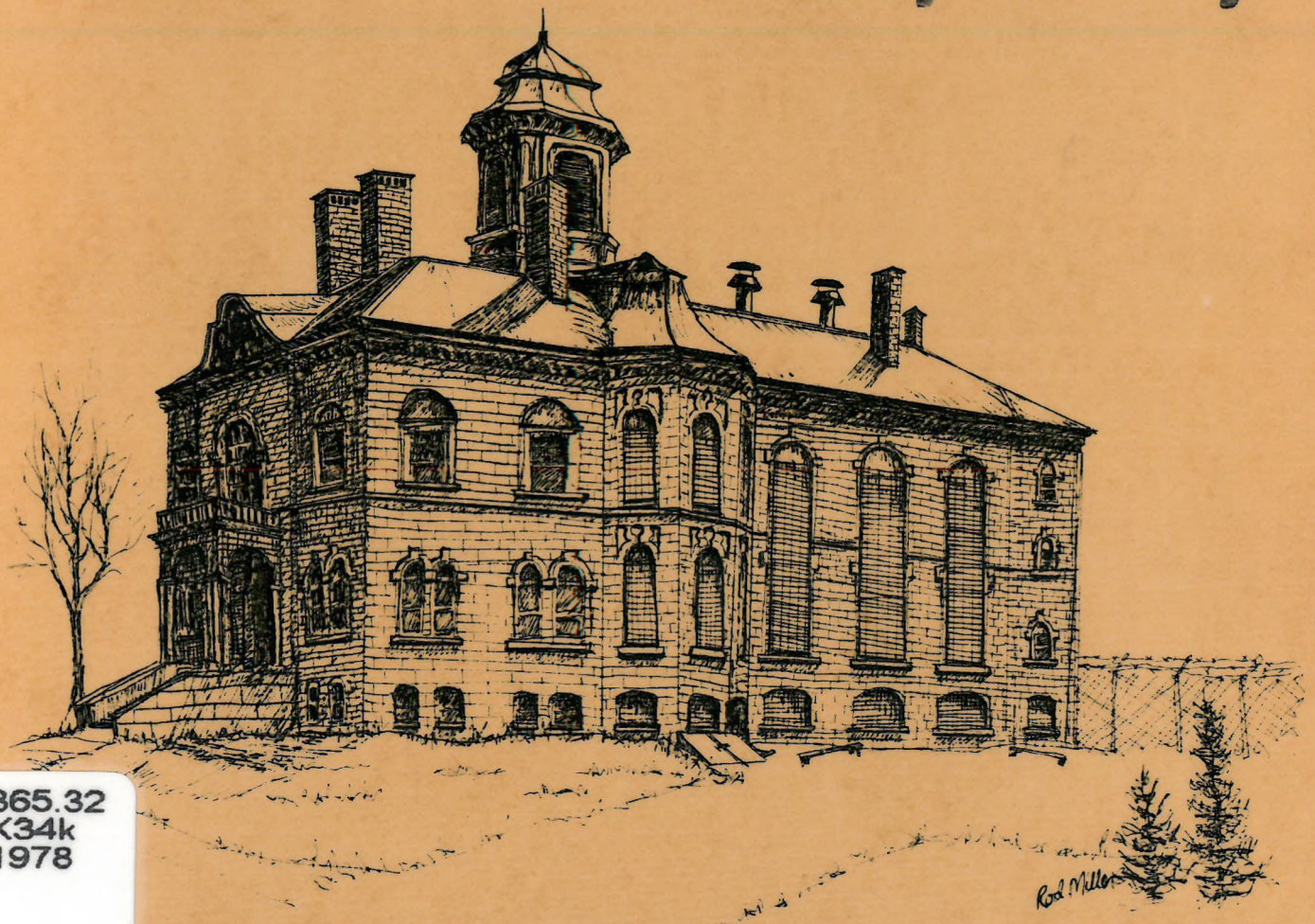
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JAILS

KENNEBEC COUNTY JAIL

Citizens Committee Report

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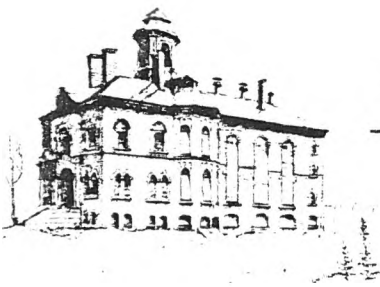
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AUGUSTA, MAINE

SEPTEMBER, 1978

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KENNEBEC COUNTY JAIL CITIZENS COMMITTEE

115 STATE ST. AUGUSTA, MAINE 04330

Honorable Paul F. McClay, Chairman
Honorable Charles E. Moreshead, Esquire
Honorable Kevin Hill, M.D.
Kennebec County Commissioners
Augusta, Maine

Gentlemen:

I am pleased to submit this report which has been prepared by the Kennebec County Jail Citizens Committee.

This report represents the findings and recommendations prepared by the Citizens Committee during the period April, 1977 to September, 1978. The Committee, comprised of County residents and assisted by Sheriff Leo Bazinet and his staff, Ralph Nichols - Classifications Officer, William MacDonald - County Planner and Rod Miller - Jail Consultant, have attempted to review and assess the County correctional system and its facility in an organized and thorough manner. To this end, the members of the Citizens Committee and the professional support staff have devoted 4200 hours of their time.

The Committee's report presents an overview of the County detention and corrections system and the jail, reviews the work of the Committee to date and presents and explains the findings and recommendations of the Citizens Committee.

The Committee has found that the most pressing problem is the physical condition of the Kennebec County Jail. Our recommendation to the Board of County Commissioners is that immediate action be taken to provide a safe, secure, suitable and humane facility for the detention, correction and rehabilitation of County inmates. We are presenting two alternative facility recommendations. The first recommends construction of a new facility and the second recommends renovation of the current jail and construction of a large addition.

The Committee appreciates the support and guidance it has received from the Board of County Commissioners. The Committee will continue to study and address the needs of Kennebec County. We await your comments and those of the general public as we continue our efforts.

Sincerely yours,

Stephen J. O'Donnell, Chairman
Kennebec County Jail Citizens Committee

SJO/lmg

KENNEBEC COUNTY JAIL - CITIZENS COMMITTEE REPORT

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KENNEBEC COUNTY JAIL CITIZENS COMMITTEE

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William MacDonald, Chairman (1977)

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KENNEBEC COUNTY COMMISSIONERS

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Kevin Hill, M. D.
Charles Moreshead, Esquire

KENNEBEC COUNTY SHERIFF'S OFFICE

Leo Bazinet, Sheriff

ACKNOWLEDGEMENTS

The Committee acknowledges the following for their assistance:

Community Resources Services, Inc., Winthrop, Maine, for providing more than 600 hours of professional consultation without charge as a public service project, the support of CRS has proven invaluable to the Committee in all facets of its work;

Kennebec County Sheriff's Office, whose staff offered many hours of assistance to the Committee;

Kennebec County Commissioners, for supporting the Committee in all of its work and for being receptive to citizen input;

Crisis and Counseling Center, for providing staff time and assistance to the Committee;

Maine Bureau of Corrections, for actively supporting the Committee and its work through participation in meetings;

North Kennebec Regional Planning Commission, for assistance and resources;

Maine Criminal Justice Planning and Assistance Agency, for assistance throughout the Committee process and for helping to produce this report.

SUMMARY REPORT

I. CITIZENS COMMITTEE PROCESS & METHODS

The Citizens Committee for the Kennebec County Jail was formed in April, 1977, by Sheriff Leo Bazinet and the Kennebec County Commissioners. The Committee was originally charged with the responsibility of reviewing the current operations and facilities of the jail, identifying problem areas and making recommendations for change. Since April, 1977, a total of 26 persons have been members of the Committee; members, staff and consultants have committed 4200 hours of their time to addressing the problems at the jail.

The Committee has attempted, with the aid of professional and support staff, to review the jail and its operational context in a systematic manner. To accomplish this the Committee has undertaken a wide range of tasks. In June, 1977, the Committee organized its data collection and analysis phase to assure that a broad base of information was assembled to enable them to analyze the problems of the jail and to assess resources for improvement.

The work during the summer of 1977 was organized into several categories. These were:

1. Base data and context
 - a. Legislative context (review all statutes)
 - b. State agencies (contact all relevant agencies)
 - c. Current operations profile (describe all aspects)
 - d. Contacts (establish contacts with relevant local, State and national agencies)
 - e. Fiscal overview (review funding of jail and County)
2. Data
 - a. Law Enforcement (complaints, arrests, clearance rates)
 - b. Courts (caseloads, dispositions, etc.)
 - c. Diversion (current use)
 - d. Jail (population, users, etc.)
 - e. Population projections
 - f. Bedspace projections
 - g. Community agency resources (available and used)
 - h. Inmate interviews
3. Alternatives
 - a. Programs
 - b. Facilities

Throughout the summer, members of the Committee and support staff collected information and established contacts, as outlined above. In September the full Committee reconvened to review the findings and to begin to outline the problems and interim recommendations for the fiscal year 1977-1978. The preparation and submission of the first Interim Report occupied the full attention of the Committee for the months of October and November. The report outlined problems in a variety of areas and presented corresponding recommendations. The problems were outlined in the following categories:

Administration and Management

Residents

Programming

Physical Setting

Systems

A range of interim recommendations were made. A Supplementary Budget for the County Jail was submitted which included funds for developing a classifications/intake process, short-term solutions (holding/observation area, visitation) and planning funds. The Supplementary Budget for the year 1978 totalled \$48,057.88. In 1978, some of these funds were reallocated to pay for renovations required by the Fire Marshal.

In February, 1978, the legislative delegation for the County approved the budget which was subsequently approved by the entire Legislature. A copy of the Interim Report is presented in Appendix E. During the months of December and January the Committee worked in small groups to develop bills for submission to the Maine Legislature. Two bills were drafted by the Committee and its support staff; these were submitted to the Legislature. These bills were eventually tied together and were not approved by the Legislature.

The Committee organized into three subcommittees, which were: Operations (administration and management, staffing, residents, programming and other aspects concerned with the operation of the jail); Physical Setting (facilities for detention and corrections, exploration of other settings, cost considerations, location analysis, bedspace projections and space needs); and Systems (systems related to the criminal justice process including human services, law enforcement, courts, prosecution, corrections and others).

Each of the subcommittees was organized with the following objectives:

1. Collect needed data and information
2. Identify and analyze problems
3. Review alternatives
4. Explore feasibility and costs of alternatives
5. Select and prioritize recommended alternatives
6. Prepare reports

The subcommittees met frequently during the Spring and early Summer of 1978. Some subcommittees met on a weekly basis; others met less frequently. During the month of April the subcommittees identified problems in their respective areas. During the months of May and June they explored alternatives and made recommendations. The subcommittees were diverted from their tasks when the Fire Marshal signed an order closing the jail.¹ The Committee and the subcommittees had a central role in exploring the Fire Marshal's identified problems, and in recommending appropriate actions to the Sheriff and County Commissioners.

-
1. The County Commissioners closed the jail prior to the date set by the Fire Marshal.

During the months of July and August the Committee reviewed recommendations and analysis and prepared this Summary Report. In September, the Committee finalized the report and released it for review on a County and State level. Throughout the Fall the Committee will be actively working with the Sheriff and the Commissioners to explore and implement solutions to the jail problems. The Committee plans to have an ongoing role in improving detention and corrections in Kennebec County. Pre-architectural work was initiated in June, 1978. In July, the County Commissioners decided to seek professional help for pre-architectural planning and allocated funds from the Supplementary Budget. In August and September the preliminary findings of the pre-architectural consultant (Community Resources Services, Winthrop, Maine) were made available to the Committee and to the County Commissioners. Based on these findings, the Committee has formulated its major facilities recommendations.

II. CONTEXT OF JAIL

The County Jail is part of a complex system which involves a wide range of agencies and individuals. The basic functions of the County Jail are defined by statute, but actual use of the Jail in its context is more complex than the statutory definition.

By statute, the Jail is used for detention purposes and short-term corrections (up to one year sentences). The statutory role of the jail has changed frequently during the past decade. According to statute, the Maine Department of Mental Health and Corrections is responsible for setting standards for all County Jails in the State of Maine, for inspecting jails and has the authority to order jails closed if they do not meet standards.

It is important to note that the Sheriff, as manager of the jail, has little or no control over the numbers or types of persons who are incarcerated at the jail. The primary agencies and entities which determine the jail population are:

Law enforcement agencies

Bail Commissioners

Courts

Bureau of Corrections

Each of these has a dramatic impact on the use of the jail and its occupancy.

Law enforcement agencies use the jail for the detention of defendants pending first appearance in the courts. The use of the jail by law enforcement agencies varies dramatically within the County as shown by the data which has been collected. The residents of the jail who are brought in by law enforcement agencies usually spend a short time in the jail pending bail or release on recognizance. However, the law enforcement agencies represent the primary means through which defendants are brought into the criminal justice system; and therefore, law enforcement agencies determine the primary flow of cases into the courts.²

Bail commissioners, under the current statutes, have an impact on the jail population. Bail commissioners are able to release selected defendants prior to their final disposition in the courts and sometimes prior to their first hearing in the courts. The practices and judgements of the bail commissioners determine to a large extent which defendants will be housed in the jail prior to disposition in the courts (as pre-trial detainees).

2. Law enforcement officers are authorized by statute to personal recognizance bail when the charges are classes D and E.

The primary function of detention is to provide secure holding for defendants to assure their appearance in the courts for final disposition. Persons are also held or detained at the jail pending transfer to another authority, such as military prisoners. Detainees should be held in safe, neutral or positive settings. Detainees are not offenders: recent court rulings in the United States have upheld the rights of detainees to have access to many of the resources of the community, and to have privileges above and beyond those usually accorded to sentenced offenders.

The Committee feels the goal of corrections is to handle convicted offenders in a way which discourages their future criminal behavior and which provides safety and security to the public during the period of their sentence. In many cases, corrections involves offering opportunities for offender treatment and rehabilitation. Under current statutes, adult offenders may be sentenced to the jail for periods of up to one year and juvenile offenders may be sentenced for terms up to 30 days. Under the current criminal code, jail sentences may be imposed on convicted offenders for all classes of crimes. A recent court trend is to use the jail as an alternative to sentencing offenders to State correctional facilities (this trend has expanded as the correctional facilities operated by the State of Maine have become crowded, and as the programs offered at the local jail have been recognized by the courts).

The population of the jail on an average day reflects the diversity of functions which the jail accommodates. On an average day, residents of the jail are being held prior to first arraignment in the courts, post arraignment but as pre-trial detainees awaiting final disposition of their cases in the courts, as convicts awaiting sentencing and as sentenced offenders.

The courts are the dominant influence on the daily population of the jail. The practices of the courts in processing the defendants (pre-trial practices) and the sentencing practices of the courts, combine to have a dramatic impact on the jail population. The role of the courts in reviewing or setting bail and bond for defendants has an impact on how many persons are released prior to disposition in the courts. For those individuals who are housed in the jail prior to disposition, the speed with which their cases are processed is a major determinant of the jail occupancy. Further, the use of the jail as a holding facility prior to sentencing of convicted offenders also affects the jail occupancy.³ Finally, the decisions of the courts in the sentencing of convicted offenders has proven to be the single most important determinant of the jail population. The use of the jail as a sentencing option by the courts appears to be increasing steadily. As a result, an increasing number of longer-term offenders are being incarcerated at the jail.

The preceding three entities have the most impact on the population of the jail on any given day. Other agencies using the jail are military and federal agencies which use the jail as a holding facility, and the Maine Bureau of Corrections, which often houses offenders for pre-release programming. The role of the Sheriff in determining the jail population is limited. He is required to accept and house all detainees and sentenced offenders within the guidelines of state and federal statutes. The primary method used by the Sheriff to control the jail population is to limit the number of prisoners who are "boarded" at the jail for other counties, for the State (pre-

3. Such "pre-sentence" incarceration poses a unique situation because the inmate is a convicted offender but has not been sentenced to the jail as a correctional measure.

release or work-release) or for federal authorities. The practice of pre-releasing State offenders through local jails and facilities has been endorsed by the Governor's Task Force of Corrections (1974).

The Kennebec County Jail serves a wide range of functions at the County, State and, to a limited extent, the federal level. Many restrictions and standards are imposed upon the jail by the State and increasingly at the federal level through court decisions. The jail is operated by the County Sheriff, an elected position with two-year-terms. The jail is funded as a component of the Sheriff's Department budget which is part of the Kennebec County budget, developed and implemented by the Kennebec County Commissioners. Although the County is responsible for funding and operating the jail, the annual County budget must be approved by the Maine Legislature. As shown with the recent crisis at the jail (cause by the Fire Marshal's order for closing and the subsequent County decision to do so). The fact that the Legislature appropriates County funds but is not in session many months each year is of pivotal significance.

Because the jail is a part of a larger system it is necessary to view the jail in its full context when looking for both problems and solutions. The Citizens Committee for Kennebec County Jail has attempted to approach its work with this "systemic" perspective. It is the conclusion of the Committee that the problems at the jail are part of a larger picture, and meaningful solutions must be addressed at all levels and through all components of the system of which it is a part.

III. FINDINGS

The following pages review the findings of the Committee, presented in three sections: facilities, operations and systems. The findings include both positive aspects of the

jail and problems. In section IV the problems are reviewed and corresponding recommended solutions are offered.

The Committee has reviewed several sets of standards and guidelines for detention and corrections. The primary set of standards used are the Maine Bureau of Corrections, Standards for Municipal and County Jails (1977). These standards govern the county jails in Maine and are the basis for the annual jail inspection reports.

The Committee also reviewed the following standards and guidelines:

- American Corrections Association, Manual of Standards for Adult Local Detention Facilities (1977)
- Nebraska State Bar Association, Jail Standards (1977)
- United States Department of Justice, Federal Standards for Corrections - Draft (1978)
- National Clearinghouse for Criminal Justice Planning and Architecture, Jail Standards - Draft (1978)

The Committee noted significant differences between these documents, including variations in the amount and types of spaces required, type of separation required and others. The Committee has attempted to select and apply standards and requirements which are both applicable to Kennebec County and offer long-range protection by anticipating future court decisions and rulings.

A. FACILITITIES

1. Impact of Jail Closing

As of June 20, 1978, the jail was closed by the Kennebec County Commissioners pending renovations required by the State Fire Marshal. On September 5th, the County Commissioners authorized contractors to draw proposed renovations required by the Fire Marshal in the areas of fire detection and suppression

(sprinkler system) and appropriate fire exits. If the plans are approved by the Fire Marshal, the Commissioners plan to proceed with renovations so that the jail may reopen. Final renovations are underway to allow the jail to open for 72-hour holding in September.

During the first 10 weeks following the closing of the jail, the County has experienced many difficulties and increased costs in meeting the needs of jail residents. Costs for housing inmates have increased by approximately 100% because of costs for boarding inmates at the Penobscot County Jail and related transportation costs. These increased costs have been incurred in spite of substantial staff efforts to find less expensive alternatives.

During the period from June 20th to August 3rd, 1978, the County was saved \$30,099.00 ⁴ through diversion efforts, short-term holding and the use of a "half-way house" setting.

A total of 22 inmates were diverted from further incarceration by jail staff efforts and coordination with the courts (a savings of \$14,940.00 in board costs and \$327.00 in transportation costs). Use of the jail for short-term holding has resulted in a savings of \$8,018.00. Finally, the establishment of a minimum security residential unit (in a local boarding house) has allowed 10 inmates to remain in Augusta and continue their employment. The resulting net savings to the County totalled \$6,933.00 from June 20th through August 31st, 1978.

The closing of the jail has caused hardships on inmates, their families, their attorneys and the Sheriff's Department. Costs for providing detention/corrections services have increased substantially; however, through the efforts of the

4. Report to Commissioners, September 1, 1978,
Kennebec County Sheriff

jail staff, and with the cooperation of the courts, human service agencies and the community, the impact of the jail closing has been reduced and new programs have been started.

2. Space

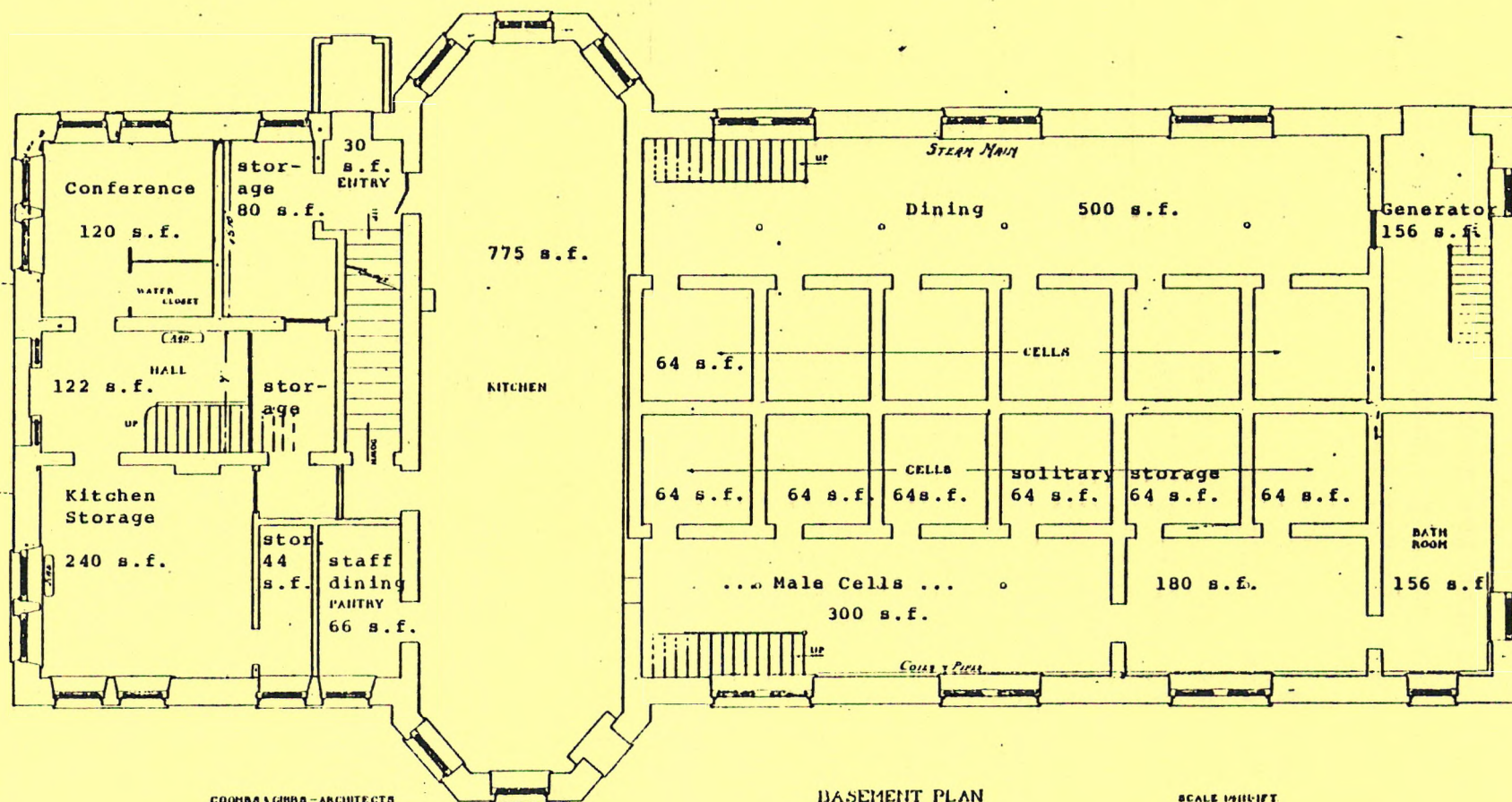
The Kennebec County Jail was opened in 1858. The floorplans presented on the following pages show the spaces in the facility, their size and uses.

The capacity of the jail, according to the 1977 State of Maine County Jail Inspection Report is a total of 80 inmates. This capacity is based on double occupancy of most cells in the jail. During normal use, the capacity of the jail is approximately 60 inmates (the limit set by the Sheriff's Department).

In 1978 the State Jail Inspector recommended that the County stop housing female inmates at the jail. Later in the year, housing of juvenile inmates was also halted by order of the Bureau of Corrections. Both recommendations were based on the lack of adequate separation of females and juveniles from the general jail population and on inadequate cell areas.

The 1977 Jail Inspection Report has been reviewed by the Committee. The report outlines the State's evaluation of the facility and its programs and operations. The Committee used this report frequently and it provides a basis for many of the conclusions presented here. The floorplans presented in the following pages show the current use of the jail.

A pre-architectural study assessed the current available space in the jail as 12,766 square feet. The study calculated current space needs for detention/corrections and law enforcement as 26,000 square feet and needs for the year



COOMBS & GIBBS - ARCHITECTS
LEWISTON ME

BASEMENT PLAN
KENNEBEC COUNTY JAIL
AUGUSTA - MAINE

SCALE 1/8" = 1'-0"
AUG. 8, 1907

Capacity

County - 8 males (1 "max")
State - 6 males

2000 as 28,500 square feet. The current building offers less than half the estimated current space needed. Detailed pre-architectural findings are presented in Appendix I.

The types of spaces and their arrangement in the jail are inadequate. Many of the cells in the jail are used for housing two inmates. The total floor area in these cells is 64 square feet; at double occupancy each inmate is allowed 31 square feet of total floor space. According to State and national standards, this is less than half the required space. Current standards require between 60 and 80 square feet of space per inmate. Further, State and national standards call for single occupancy housing of all inmates.

The sight and sound separation of females and juveniles (also required by standards) is not adequately accomplished at the jail. The female housing area is located on the third floor on the end of one of the male corridors. There is no visual observation of this area and access to this area is gained only through the male area of the jail. The female quarters are crowded and there are no provisions for recreation and exercise for the females. The provisions for juveniles are on the second floor of the building and have the same problems as those for the females.

The current operation and arrangement of spaces at the jail do not accomplish full separation of pre-trial detainees from sentenced offenders. Current court rulings in other States have put increasing pressure on county jails to make this separation. Separation of female and juvenile convicted offenders from pre-trial detainees is currently impossible.

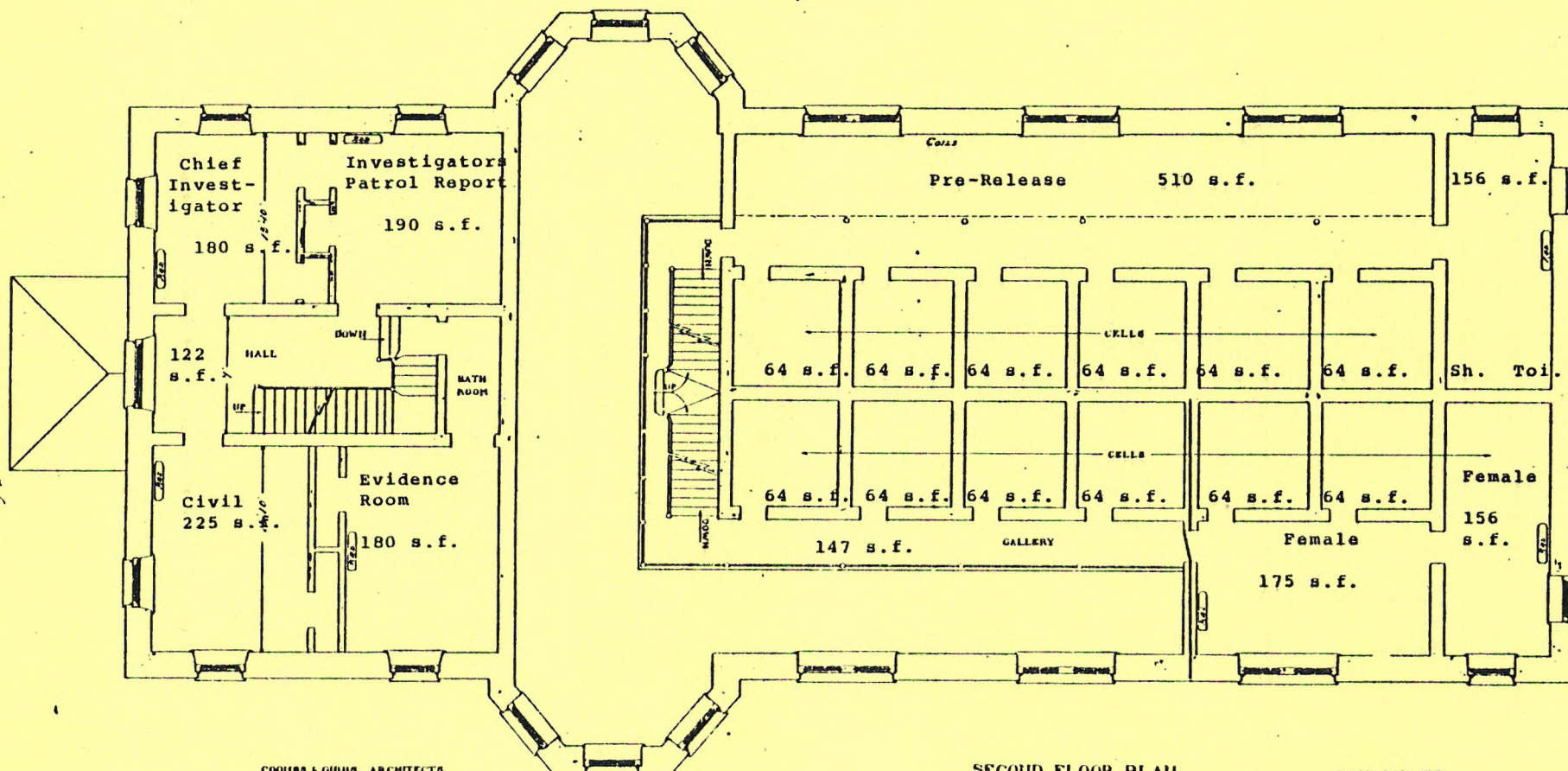
The current facility does not provide an adequate variety of cell areas. All of the cells in the jail are located

within the maximum security perimeter. Although there are administrative attempts to make distinctions between cells (minimum security cells are not locked, medium security are locked at night, maximum security are always locked) there is actually one classification of cells at the jail. In addition, there are no holding cells, observation cells or detoxification areas. The Committee has found a need for a variety of housing areas to safely and efficiently meet the needs of the residents.

Although provisions for program spaces have been made, the spaces available are not adequate due to size limitations and poor acoustics. There is no indoor recreation area available other than for non-contact passive recreation (i.e. playing cards and watching television). The existing outdoor recreation area is adequate but is used only in the evenings because of weather and staff constraints.

Visiting facilities at the jail are poor. Sentenced inmates are allowed to visit in the corridor and on the steps at the guard station (outside the cellblock security area). This poses a security problem because the area is not secured. Detainees are not allowed to leave the cellblock; therefore, they are required to visit through the screened-in cage near the guard station. Detainees have no options for "contact visits" (no barriers between inmate and visitor) which are allowed for the sentenced offenders. There is no privacy for any inmates during visits.

Incoming prisoners are brought through the public entrance and are booked at the receiving desk. They are then taken to the intake and booking area at the rear of the cellblock. This requires an incoming prisoner be taken through the general population area of the jail, posing a security problem and an inconvenience to the staff. This arrangement for intake is inefficient and poses several security risks.



SECOND FLOOR PLAN
KENNEBEC COUNTY JAIL
AUGUSTA - MAINE.

SCALE 1/8"=1'-0"
AUG. 8, 1907.

	Capacity	
	County	State
Female	4	2*
Male	6	4
Male Pre-Rel.	7	6
	17	12

*not recommended

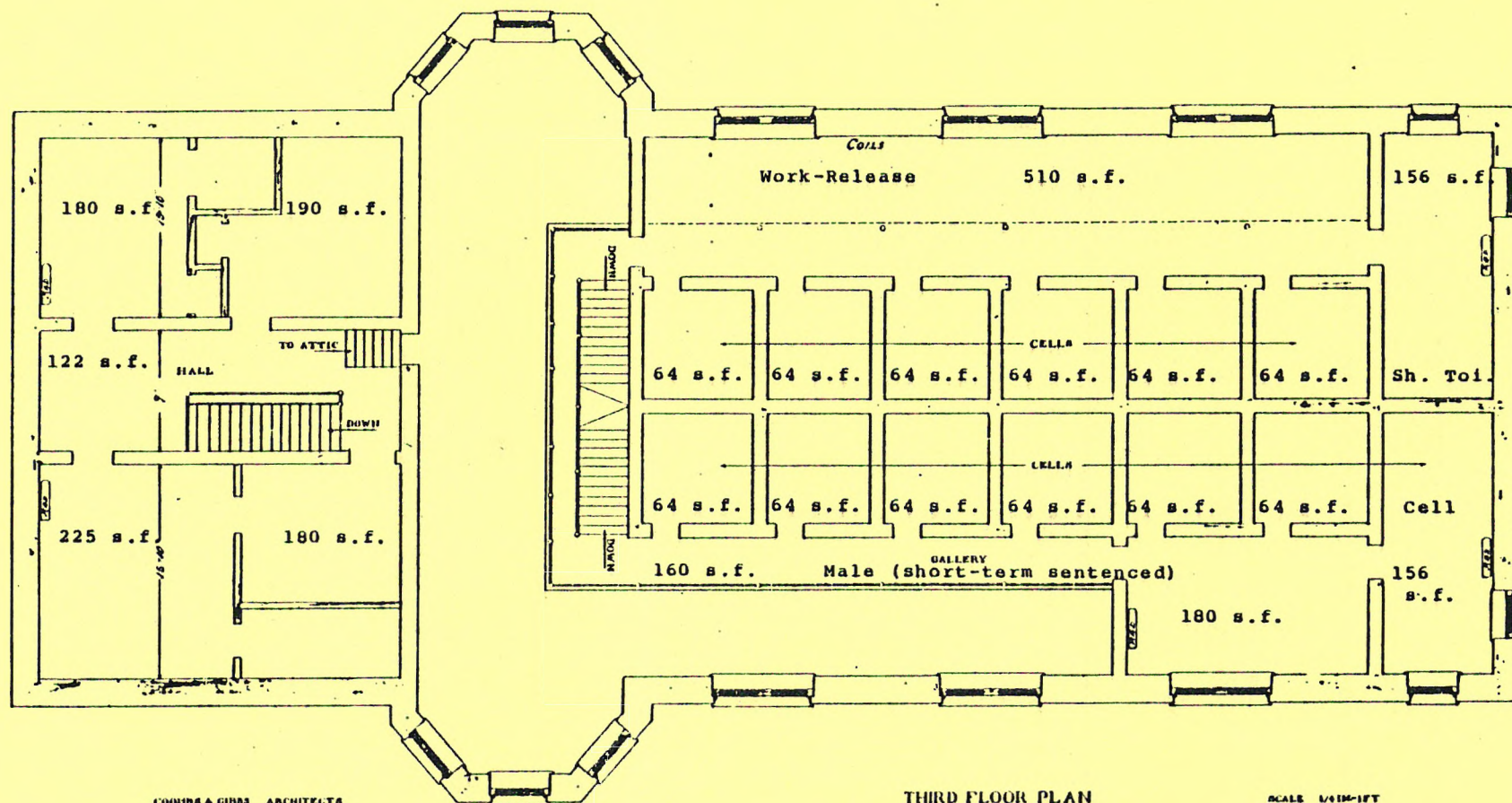
The lobby area of the jail presents several problems: it is undersized; there are no toilets for public use; the lobby is on the second floor; there is no elevator and there are no provisions for the handicapped.

The jail houses detention/correction and law enforcement services. Law enforcement activities compete for space with detention/corrections and law enforcement and jail staff are sometimes in conflict within the facility. There is no clear separation between law enforcement areas and detention/corrections areas in the current building.

3. Safety

The current jail poses severe and immediate safety problems for the staff, inmates and the community. Perhaps the most pressing problems are those of fire safety (fire detection, suppression and evacuation of residents). The State Fire Marshal has clearly outlined the fire code deficiencies and has ordered a plan for correction. The serious and critical concerns of the Fire Marshal are for fire detection, fire suppression (because the building has wood in it) and adequate provisions for fire escapes and evacuation (currently there is only one exit). Further problems involve lack of ventilation to move air in the building, lack of staff available in the event of an emergency, the use of flammable materials to paint the jail and a locking system which makes evacuation difficult.

The security of the jail is not adequate. Although the staff makes every effort to supervise the population, the design of the jail and lack of staff on each shift make it impossible to adequately supervise the inmate population. Further, there are no provisions in the facility for observation, holding or detoxification areas in which inmates who are in need of special services may be confined and observed. This presents problems for inmates who may hurt themselves, other inmates or staff.



COONS & GIBBS ARCHITECTS
LEWISTON ME.

THIRD FLOOR PLAN
KENNEBEC COUNTY JAIL
AUGUSTA-MAINE.

SCALE 1/8"=1'-0"
AUG 10 1967.

Capacity

County - Male 10 Trustee 1 W/R 12
State - Male 6 Trustee 1 W/R 6

The wiring and lighting systems in the cellblock are inadequate. Conduit pipes contain the electrical wiring which was added onto the jail after its construction. These pipes are exposed throughout the jail and are easily torn from the walls or ceilings, with the potential for fires and electrical shocks. It is a common occurrence for such conduit to be torn down. In one cellblock area there is no lighting; lights in cells in other areas consist of bare bulbs. In general, light levels are too low.

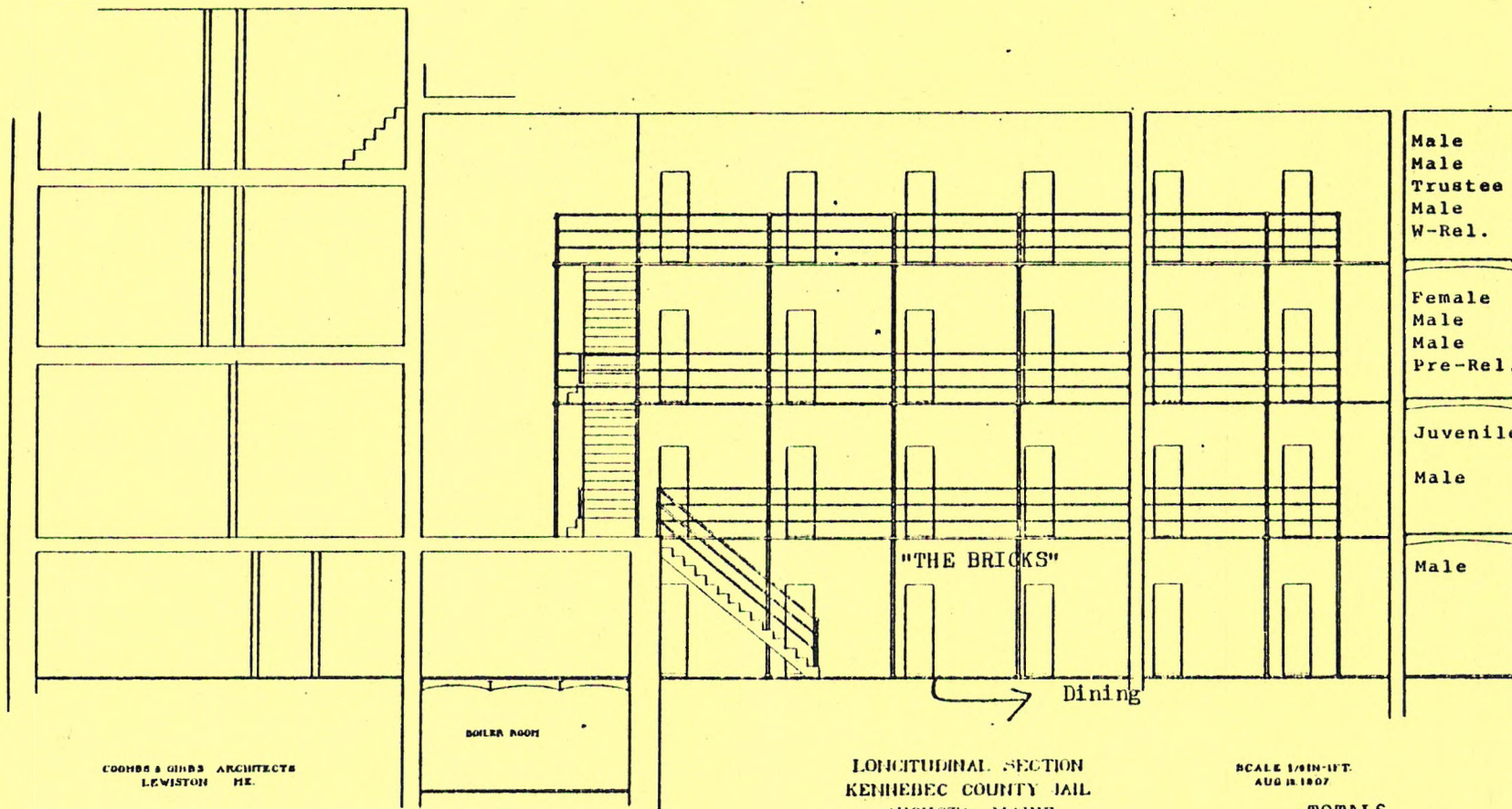
During 1977 a new flue system for the heating plant was installed, eliminating a health hazard caused by gases seeping from the old chimney.

The catwalks along the first and second floor cells pose a serious safety hazard in the facility. The floors of the catwalks are wooden and are coated with oil base paint. In the event of a fire these would burn, trapping the inmates in these areas. In addition, the steel columns supporting the catwalks are exposed, making it possible for inmates to climb on them. In 1977 one inmate did so and fell to his death from the top tier.

4. Other

The plumbing in the facility is totally inadequate. The number of toilets and showerheads available for the full population is not within standards or guidelines. There is no plumbing in any of the individual cells in the facility. When inmates are locked into these cells at night they are provided with a tin can. Guards are on duty at night and release individual prisoners to the toilets when needed.

Ventilation at the jail is very poor. There are no exhaust fans and there are no provisions for movement or exchange of air in the facility. The ventilation system which was originally built into the facility has been abandoned and is now a



COOMBS & GIBBS ARCHITECTS
LEWISTON ME.

LONGITUDINAL SECTION
KENNEBEC COUNTY JAIL
AUGUSTA - MAINE.

SCALE 1/8"=1'-0"
AUG 12, 1907

Capacity
Co. St.

Male	10	6
Male		
Trustee	1	1
Male		
W-Rel.	12	6
Female	4	2*
Male	6	4
Male		
Pre-Rel.	7	6
Juvenile	2	0
Male	12	6
Male	8	6

* not
recommend.

			TOTALS		
	County	State	Male	County	State
Total Male	56	35	General	36	22
Total Female	4	2	Trustee	1	1
Total Juvenile	2	0	W-Rel.	12	6
	62	37	Pre-Rel.	7	6
			Juvenile	2	0
				Eq	15

safety hazard. Since the ventilation system has been abandoned, inmates have used the ducts to deposit refuse, much of which is flammable. During 1978 there was a fire in one of these ducts, which posed a severe hazard to the jail population (the fire was difficult to locate and extinguish).

The roof of the jail was partially burned several years ago. Many of the timbers of the roof which were burned have not been replaced. Many pieces of slate in the roof are missing. During rain storms the roof leaks substantially. In addition to the leaking condition of the roof, the wooden rafters supporting the roof are a fire hazard. The ceiling in the main part of the jail needs to be repaired in many areas.

The current jail facility is expensive to maintain. The age and deteriorated condition of many of the mechanical systems require frequent repairs. Heat is provided by a hot water system which is exposed throughout the building. Temperature control is difficult.

There is no elevator in the facility. There are no provisions for the handicapped (inmates or visitors) in the building. There is a high noise level throughout the building.

5. Projected Needs

Calculating and projecting bedspace needs for Kennebec County was a long and difficult process. The process and methods used and the detailed results are presented in the report in Appendix C. The results are summarized here.

It is necessary to know how many beds will be needed in the future, what kinds of beds are needed (security classifications, length of stay, etc.) and the characteristics of the future population which will be coming into contact with the detentions/corrections system. Such projections are useful in all aspects of the planning process: Projections are

used to calculate the amounts and types of spaces needed in the area of facilities; projections are useful in the area of operations to help determine future staffing needs and programming; projections are also useful at the systems level to show areas in which new or continued programs are needed and how they will impact the system.

The chart on the following page represents the projected bedspace needs for the County as assessed by the Committee. The projections reflect the continued housing of prisoners from Lincoln and Sagadahoc Counties.

It should be noted that the Committee has recommended a wider variety of spaces than are currently offered in the jail. Specifically, the need for a large short-term holding unit is proposed. This unit will provide space for housing inmates for up to 72 hours. Based on the jail research it is projected that at least 60% of all persons admitted to the jail will be housed for only 72 hours or less. Further analysis shows that peak populations are usually caused by large increases in the short-term population which occur for one or two days at a time. The proposed short-term holding area, with its observation and detoxification and regular holding spaces, will provide a safe and efficient setting for future inmates. The provision of short-term holding spaces offers an effective solution to peak population problems.

The Committee has also calculated bedspace needs for the "longer-term" population (more than 72 hours). Types of housing have been calculated based on current practices and recommended practices for the future.

KENNEBEC COUNTY : PROJECTED DETENTION/CORRECTIONS BEDSPACE NEEDS ¹

²

SHORT-TERM
HOLDING

Observation &
Detoxification

General

Total Capacity
for Holding

LONG-TERM
HOLDING

Maximum Security

Medium Security

M General

N Work-Release

U Pre-Release

TOTAL LONG-TERM
CAPACITY

CURRENT AVAILABLE					1985					2000				
Total	Adult		Juv.		Total	Adult		Juv.		Total	Adult		Juv.	
	Male	Female	Male	Female		Male	Female	Male	Female		Male	Female	Male	Female
0	-	-	-	-	9	6	1	1	1	10	7	1	1	1
0	-	-	-	-	17	11	2	2	2	20	14	2	2	2
0	-	-	-	-	26	17	3	3	3	30	21	3	3	3
1	1	-	-	-	2	2	-	-	-	2	2	-	-	-
39	35	4	-	-	22	15	5	1	1	26	18	6	1	1
6	6	-	-	-	14	14	-	-	-	17	17	-	-	-
7	7	-	-	-	7	7	-	-	-	8	8	-	-	-
7	7	-	-	-	5	5	-	-	-	6	6	-	-	-
60	56	4	0	0	50	43	5	1	1	59	51	6	1	1

TOTAL	Short-term	0	-	-	-	-	26	17	3	3	3	30	21	3	3	3
	Long-term	60	56	4	0	0	50	43	5	1	1	59	51	6	1	1

1. Based on continued practice of housing Lincoln and Sagadahoc County Inmates
2. Based on current operations and use of space.

The Committee has prepared projections for the year 1985 and 2000. The Committee recommends that any new construction or renovations be designed to facilitate expansion in the future; this approach allows the County to build for shorter term needs (ten to twenty years) and to assess needs for additional spaces at a later date. It is the conclusion of the Committee that this would be the most efficient and cost effective approach.

The Committee also suggests that, if appropriate financial guarantees are secured, provisions for certain State prisoners be included in our long term plans. Two options are proposed which are outlined in section IV (Recommendations).

Briefly, the method used to generate base projections for the County was the ratio method. This is based on the assumption that there is a reasonable correlation between the use of the jail in recent years and the County population. Through this method ratios between the jail use characteristics and County population were calculated. Base data and projections were based upon information on the operations and use of the jail dating back to the year 1960. The base projections which were generated were modified using additional considerations not adequately reflected in previous calculations. The Committee's modified projections are based on the following types of considerations:

- To reflect information not previously considered
- To reflect anticipated changes or trends
- To reflect desired changes or trends

As a result, space projections were modified by a sub-committee of the larger group. Modifications were made in the following areas:

- a. Detoxification and observation - a need for these kinds of facilities for short-term crisis intervention was identified.
- b. Short-term holding - data showed that 60% of all persons admitted spent less than 72 hours in custody. Peak

periods were analyzed and a need for a large short-term holding area was identified. It was projected than on an average, only 6 spaces would be occupied in a short-term holding area; during peak periods in the year 2000 the entire area might be full for a short period of time.

- c. Diversion - the Committee considered a broad range of data and insights including interviews with relevant officials. The Committee concluded that diversion alternatives were not being adequately used and altered future projections based on the increased use of diversion alternatives.
- d. Juveniles - all indications are than an increasing number of juveniles will be committed to the jail and that the length of stay will increase. Subsequent changes were made in the population projections, although continued diversion is encouraged.
- e. Females - the Committee anticipated an increased number of females being committed to the jail. The number of beds was therefore increased.
- f. Sentenced Offenders - the use of the jail as a correctional setting for sentenced offenders has increased and this trend is expected to continue. Adjustments were made accordingly.
- g. State Options - long term arrangements with the Bureau of Corrections were discussed and considered. These are outlined in Section IV (Recommendations).

The projection of future populations was a difficult task which was thoroughly executed by the Committee. It was necessary to undertake this task in order to view the current jail and its operations in light of longer term considerations.

6. Summary

The facilities of the current jail are inadequate in many areas. The current facility poses severe safety hazards to the public, the staff and the inmates who are confined there. The building is difficult to operate and maintain, offers supervision difficulties and in many areas it is in bad repair. The building has been found to be structurally sound; renovations have proven difficult and expensive.

The current facility violates numerous State and national standards. The staff at the jail has made every attempt to lessen the negative impact of the facility on the population and the operations. However, the facility has been an overriding constraint on all facets of the Sheriff's Department and its operations.

Long term needs indicate that, although the total amount of beds needed will not increase substantially, the types of spaces needed to house the future population must be diversified and peak periods of occupancy should be accommodated in short-term holding areas.

B. OPERATIONS

The Committee explored the operations of the jail in depth. A variety of resources were used to accomplish this, including accumulation and analysis of staffing patterns and procedures at the jail, review of internal documents and several types of original research which were implemented on behalf of the Committee by consultants and staff. Through this effort a set of data and information was collected which helped the Committee to understand the dynamics of the jail and its population. The following pages present a brief summary of the information which was collected by the Committee. The data describing the population of the jail is presented in its original form in Appendix A; examples of information describing jail operations is presented in Appendix B.

1. Jail Population

It was necessary to undertake extensive data collection and analysis in order to adequately identify the kinds of persons who are being held in the jail and the dynamics of the jail usage. The first data collection effort undertaken was a 30% sample of all persons admitted to the jail during the years 1973, 1974, 1975 and 1976. The information was extracted from the "In-book" and the "County book". 20 pieces of

information were collected for each admission. A total of 1,163 cases were included in the data base. For the purposes of this report, a case is defined as one person being booked into the jail one time, whether one or more charges were involved.

The results of this data collection effort are presented in Appendix A. Some of the key findings are summarized here. The charge for each individual (offense with which one is charged) was recorded in each case. The 11 most frequent individual charges in the sample were: AWOL (14.9% of the sample), Burglary (13.1%), Operating under the Influence (8.9%), Disorderly Conduct (5.2%), Unlawful Possession of Schedule X, Y, Z Drugs (4.1%), Assault (4.0%), Intoxification (3.9%), Failure to Appear (3.5%), Aggravated Assault (3.3%) and Traffic Violations (3.1%).

By combining separate charges into offense categories a different perspective is achieved. The 11 most frequent offense categories in the sample were:

<u>Offense Category</u>	<u># of Cases</u>	<u>% of Sample</u>
1. Robbery (armed burglary, etc.)	230	19.8%
2. Military (AWOL) *	173	14.9%
3. Alcohol (intoxification, operating under influence)	148	12.7%
4. Assault (assault, aggravated assault, criminal threatening)	100	8.6%
5. Traffic (operating after suspension, speeding, driving to endanger, etc.)	79	6.8%
6. Drugs (sale, possession, etc.)	78	6.7%
7. Offenses against public order (disorderly conduct, false alarm, etc.)	66	5.7%
8. Theft (stolen property, etc.)	60	5.2%
9. Failure to appear/comply	53	4.6%
10. Forgery	40	3.4%
11. Offenses public administration (escape, obstruction, etc.)	35	3.0%

* This was prevalent only in 1974-75.

The cases in the sample were arrested by a variety of different authorities. They were, in order of frequency:

<u>Arresting Authority</u>	<u># of Cases</u>	<u>% of Sample</u>
1. Not given	362	31.2%
2. Augusta P.D.	232	20.0%
3. Military Police	164	14.1%
4. No. Kenn. District Court	104	9.0%
5. Me. State Police	103	8.9%
6. Kennebec County Sheriff	67	5.8%
7. Waterville P.D.	50	4.3%
8. Gardiner P.D.	41	3.5%
9. Winthrop P.D.	14	1.2%
10. Hallowell P.D.	10	.9%
11. Inland Fish & Game	3	.3%
12. Somerset County Sheriff	3	.3%
13. Federal	2	.2%
14. Knox County Sheriff	2	.2%
15. Waldo County Sheriff	1	.1%
16. Androscoggin County Sheriff	1	.1%
17. Other County Sheriffs	1	.1%

The majority of the cases at the jail were being processed by the Kennebec District Court (52.0% of the sample). The second most frequent court involved was Kennebec Superior Court (16.8%).

The reason for incarceration for each case was recorded in all but 154 cases. The reason indicates legal status of each case. 75.5% of all persons admitted were housed as pre-trial detainees; 16.8% of the persons were pre-trial and then sentenced. Only 3.9% were housed prior to arraignment and 2.7% were sentenced to the jail.

The reason for release from jail was recorded for all but 4 cases. Persons were released for the following reasons:

<u>Reason for Release</u>	<u># of Cases</u>	<u>% of Sample</u>
1. Court Bond	376	32.4%
2. Immediate Bond	266	23.0%
3. Released to another authority*	254	21.9%
4. Time served	169	14.6%
5. Personal recognizance	41	3.5%
6. Time served and fine paid	21	1.8%
7. Time served in lieu of fine	17	1.5%
8. Fine Paid	15	1.3%

*includes release to probation and/or program

The total length of time incarcerated for each case varied greatly in the sample. 53.9% of all of the cases spend 3 days or less at the jail. 13.1% spent 4 to 5 days at the jail; an additional 10.1% spent 6 to 9 days at the jail. A total of 77.1% of all the persons in the sample spent 9 days or less at the jail. Only 3.1% of all persons booked into the jail in the sample spend more than 100 days in the jail.

95.8% of all the persons in the sample were male, and the remaining 4.2% were female.

The home address of each of the cases was recorded at the time of booking. The most frequent home addresses were in the following locations:

<u>Home Address</u>	<u># of Cases</u>	<u>% of Sample</u>
1. Augusta	294	25.4%
2. Waterville	126	10.9%
3. Gardiner	109	9.4%
4. Winthrop	29	2.5%
5. Hallowell	17	1.5%
6. Kennebec County (other Towns)	212	18.3%
7. Lewiston/Auburn	30	2.6%
8. Portland	18	1.6%
9. Bangor	12	1.0%
10. Other Me. Counties	184	15.9%
11. New England States	32	2.8%
12. Other States	47	4.1%

The types of bond were recorded in all but 32 cases in this sample. 69.8% of all the cases had none set or had no information on the bond. 16.9% of all the cases had a surety bond set. 8.9% had a cash bond set. Only 4.1% of all the cases in the sample were released on personal recognition.

The type of sentence (if any) was recorded for all but 65 cases. The results of the tabulation showed that 54.4% of all the cases had no sentence involved (these were primarily pre-trial detainees). 21.7% of the sample had restitution as a part of their sentence. 15.7% of the sample had jail incarceration as part of their sentence. 4.9% were fined and 2.6% were sentenced to prison terms.

In addition to the research done in the four years, it was necessary to conduct "daily counts" to provide a cross-section view of the daily jail population. The data collected through a 30% sample gave us an idea of the characteristics of each case; however, it is necessary to know more about the daily operation of the jail and its population. Counts were taken for a total of six months. During that time the population of the jail fluctuated greatly with peak periods in the 50's and with low periods in the low 20's.

Counts were taken at different times of the day and on different days of the week. The analysis of the data shows that counts taken on the week-ends were generally higher during the six month period. This shows the impact of the short-term pre-arraignment population in the jail.

Perhaps one of the most important pieces of the information gathered through this daily count process was a description of the status of each inmate on a given day. The status of inmates was broken into four categories:

1. Pre-arraignment - composed of residents who are housed prior to their first contact with the courts. An average of 18% population on a daily basis was composed of pre-arraignment detainees.

2. Pre-trial - pre-trial residents are defined for the purposes of this report as defendants who have been arraigned but whose guilt or innocence has not been established. 29.1% were in this category.
3. Pre-sentenced - pre-sentenced residents have been convicted in the courts but have not yet been sentenced. 2.2% were in this category.
4. Sentenced - the sentenced population consists of adjudicated offenders who have been sentenced to the jail as all or part of their sentence (51.4%).

It is important to note than on an average day a little more than half of the population is sentenced to serve time in the jail. 43.7% of the average daily population is classified as pre-trial or pre-arraignment detainees. As has been noted, ensuring the constitutional rights of these individuals presents special problems in the operation and the design of the jail.

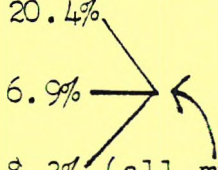
On an average day, 56.9% of all inmates at the jail are being processed or have been sentenced in the Superior Court. 42.9% of the population are involved with District Court proceedings. This contrasts the findings of the jail research which showed most admissions being involved with the District Court. It also shows that the daily population and occupation of the jail is composed of more serious defendants and offenders rather than the short-term (72 hours or less) detainees.

80.2% of the persons on an average day are committed by Kennebec County law enforcement agencies. 4.4% of the average daily population is from Sagadahoc County, 10.9% of the average population is from Lincoln County and 4.4% of the population is from other locations.

97.3% of the daily population is Caucasian. 97% of the daily population is male. Only .5% of the daily population is less than 18 years of age. 42% of the daily population is 18 to 25 years of age and the remaining 57.5% of the population is more than 25 years of age.

Another important insight gained from the daily count analysis was an understanding of the types of housing required by the daily population. On an average day, the population of the jail was housed as follows:

<u>Housing Type</u>	<u>% of Daily Population</u>
Maximum security	1.5% (80% of which were sentenced)
Segregation (all females & juveniles)	2.6% (50% of which were sentenced)
Medium Security	42.4% (37% of which were sentenced)
Other (prison, Seton, AMHI, treatment programs, etc.)	17.7% (80% of which were sentenced)
General minimum security	20.4%
Pre-release (minimum)	6.9%
Work-release (minimum)	8.3%
	(all minimum security and release inmates are sentenced)



The jail daily counts show us that the sentenced population of the jail composed approximately half of the daily population. It also shows that the majority of the inmates at the jail do not need maximum security confinement.

In addition to the two preceding sources of information, a survey of jail inmates was undertaken. Through this survey a total of 22 inmates were collected which were not available from any other source. Key findings from this survey showed the following:

- 45% report not getting along well with family members
- 36% report highest educational attainment is high school (55% report highest attainment junior high or lower)
- 41% report disliking school
- 36% report difficulty holding jobs
- 45% report using drugs daily
- 59% report having a problem with alcohol
- 45% report not using a rational process when making decisions
- 46% estimate that they have at least a 50% chance of returning to jail

Additional sources of data were also reviewed. These included data collection and analysis that have been undertaken by jail staff of previous years and statistics provided by the Community Justice Project. Two key findings from these sources are that 79% of the inmates report annual incomes of \$5,000 or less and 71% were unemployed prior to incarceration.

2. Operations

An extensive set of information describing the operations and staffing of the jail was assembled by the jail staff. Much of this information is presented in Appendix B. An analysis of this showed the staffing patterns of the facility, time and days of the week on which staffing of the jail was inadequate and gave insights into the responsibilities and job description of each of the staff members.

One of the key findings from the analysis was that the time of day in which the least number of staff are available and on duty at the jail is the period from 1:00 a.m. to 8:00 a.m. in the morning. During this time the staff consists of a desk officer, an inside turnkey and a cook (comes in at end of the shift). This staffing pattern holds true during week days and throughout the week-ends.

An analysis of the data shows that the time of day during which commitments to the jail are heaviest is after midnight on week ends. It is therefore ironic that the staffing of the jail at this time is the lowest of any time of the day. It was the further finding of the Committee that because of the booking procedures that are required at those hours and the physical and mental condition of some of the incoming inmates, the need for additional staff is particularly acute. The Committee also recognized the need for a more detailed and formal intake and classifications procedure, through which incoming inmates would be processed and classified into their appropriate housing assignments.

The need for an intake/classifications process was identified in the Interim Report (Nov., 1977). Funds for the development of a process were allocated in the Supplementary Budget. During the past 8 months jail and consultant staff have researched intake and classifications systems, observed various systems in Maine and attended national conferences. Based on this extensive research a detailed intake/classification system has been developed.

Traditionally, intake/classification systems have been implemented in large correctional institutions and not in detention centers. Most systems are used to determine the custodial/management needs of the inmates with little concern for protecting the public or identifying individual inmate treatment needs. Identifying custodial/management needs are a very necessary component of any intake system. However, the new Kennebec County system is designed to meet the needs of the public (protection), the jail and the inmate.

The goals of the Kennebec County Intake/Classification system are:

- a. To protect the public from individuals identified as posing a threat to the community.
- b. To identify individuals posing no threat to the community.
- c. To provide safe and secure housing in the least restrictive manner possible.
- d. To provide housing consistent with constitutional guarantees of defendants and offenders.
- e. To identify inmate needs and problems clearly so that services and resources may be used effectively.
- f. To operate the system in a cost-effective manner.

The intake/classifications system has been designed in response to these goals. A five-phase process has been developed through which classification efforts are allocated based on the length of time an inmate is incarcerated.

Appendix F provides a detailed description of the intake/classification system and reviews the research on which it is based.

2. Administration and Management

In the area of administration and management, the Committee found several problems. In general, the goals of the jail are unclear. There are also conflicts between correctional philosophies. In 1977 some staff members were leaning toward a restraint model while others were very committed to the community-based model. The staff has resolved these conflicts in recent months. The Committee recommends the community-based model.

Within the Department the lines of authority and accountability between staff are not clear. There is a need for more communication between different personnel and a need for a clear understanding of staff roles and functions. However, the Committee found that the Sheriff had very good intentions in the way that he ran the jail and had an open-door policy with his staff.

The job descriptions which are available do not seem adequate. In some instances job descriptions are out-dated and need revision.

There are few standard operating procedures for the facility, particularly for the detention and corrections areas. Lack of such procedures is not uncommon to jails in Maine but poses a severe problem during times when there is no supervisory staff in the building to direct line staff in their activities. Procedures are currently being drafted.

The Committee also found that there were no grievance procedures for inmates at the facility. This opens up some legal concerns and liabilities which should be explored. A grievance procedure has been drafted and has been submitted to the Attorney General for approval. At the beginning of the Committee's efforts there was no disciplinary procedure for

inmates at the jail. In January, 1978, the Sheriff's Department and his staff began to develop and implement a disciplinary procedure which has been tested and adopted as part of the new jail procedures.

Detainees at the jail must be handled in strict accordance with the Maine statutes. Statutes do not allow detainees to be used in positions of trust and require that detainees be housed in a maximum security setting. Because of this, detainees are being denied privileges which are allowed to sentenced offenders. This poses a conflict with the constitutional guarantees for detainees and is a very vulnerable point of liability for the Sheriff's Department.

Sanitation procedures at the jail are inadequate (certain areas of the jail are not cleaned regularly). The facility does not meet standards for sanitation and cleanliness although the staff and inmates do an admirable job within the constraints of the building.

4. Staff

The Committee found that the staff of the jail was in general highly motivated, competent and open to increasing their skills and effectiveness. The Committee found the need to improve the recruiting and hiring procedures of the Sheriff's Department. Public Law 431 requires the jail to be operated according to professional standards.

Staff salaries are low. For example, a first year turnkey makes \$6,988.80; after 10 years the salary is \$8,486.92. Staff turnover is high and there is no "career ladder" for advancement within the Department.

The Committee has concluded that the facility is understaffed during several shifts; security and programming staff levels are lowest. Although the staff makes every effort to execute their responsibilities, the facility and the

population are constraining. In addition, the current staffing pattern is not optimal. There is no matron coverage on a full-time basis (not needed since the jail inspector has recommended that females not be housed). If females are to be housed at the jail additional matron coverage is needed.

As with any correctional setting, there are certain conflicts between custody staff and program staff. There are many ways to resolve these conflicts and this situation has improved steadily since the Committee first noted the problem in 1977.

Finally, the Committee found that additional training is needed for all jail staff.

5. Resident Programs and Services

The jail surveys and research showed the Committee many characteristics of the inmates who comprise the jail population. It is clear to the Committee that residents of the jail have many critical and pressing needs.

An active jail program has been in existence for several years. It is staffed by a minimal component of well-trained and dedicated personnel. Within the constraints of the facility and the staffing pattern, these staff strive to deliver maximum services and programming to inmates with little expense to the County. The program staff have adopted a strong community-based correctional philosophy. This approach has proven successful, effective and very cost efficient. The Committee commends the jail staff for operating exemplary programs under difficult circumstances.

The Committee has concluded that there is a need for more programming at the jail. Standards and guidelines for jail programs are needed. More linkages between the jail and existing resource agencies in the community are needed and commitments from these agencies for delivery of these services must be secured. Additional program staff are needed to accomplish the preceding.

In November, 1977, the Committee stated in its Interim Report that there was a need for a thorough intake/classifications procedure at the jail. Such a procedure has been developed (as previously noted) and promises to be a major asset to the operation and safety of the jail.

Services and facilities available to jail residents are not adequate. Recreational alternatives for inmates need to be expanded, although the use of the YMCA has proven to be an excellent way to increase alternatives for the sentenced population. Similarly, the facilities available for visiting are inadequate. The current restrictions placed on visitors, length of visits and the visiting times are caused by the lack of appropriate facilities and adequate numbers of staff. Attorney/client visitation is not adequate.

In general, the residents of the jail bring some problems and needs to the facility and develop additional needs while in residence. It is essential that the staff of the jail, both program and security, be aware of these needs and make every effort to meet them on a safe, secure and efficient manner. The Committee has observed that the security and program staff have strived consistently to do so under extremely difficult conditions. An extensive set of programs are available using minimal County funds and maximum participation from the community.

C. SYSTEMS

The Committee found it essential to view the jail as one part of a larger criminal justice and human services system. Through the analysis of the jail population and the conditions of their incarceration, the relationships between all facets of the criminal justice system and the jail and to many aspects of the community and its agencies were explored. Because of

these complex relationships, it was necessary to thoroughly study the total "systemic" context of the jail in order to reach reasonable conclusions and to make meaningful recommendations.

Although the study of the systems perspective in Kennebec County is not nearly complete, the Committee has arrived at several conclusions. Several of these conclusions, if acted upon, will expedite further identification of problems and should lead to their resolution.

The Committee concluded through interviews, research and observation, that the use of alternatives to incarceration for pre-trial detainees (diversion) is not optimal. A briefing document describing diversion alternatives was presented to the Committee in 1977 and is included in Appendix D of this report. Based on this document and subsequent research, the Committee has formulated a series of recommendations pertaining to diversion.

The Committee has concluded that the bail and bonding system in Maine is inadequate. The statutory definition of the system needs careful study, review and revision. It is particularly ironic that the system calls for a fee to be paid to a bail commissioner when an inmate is bonding out on personal recognizance (PR bonds were used in only 4% of all cases). The purpose of personal recognizance bonds is to allow inmates a non-monetary alternative for release from the jail. The Committee determined that some inmates are unable to pay the fee to be released on their own recognizance. Law enforcement officers are allowed to offer PR bail to suspects charged with Class D and E offenses. This option is seldom used. These, and other problems with the bail system, have the impact of filling the jail with more detainees than is necessary.

The Committee concluded that the bail and the diversion system must be revised to assure that only those persons who

absolutely need confinement to assure their appearance in court, or those who pose serious threats to the public, be confined at the jail.

One way to increase the effectiveness of the bonding process is to secure more information about each defendant at the time of bond setting and review. If this is done, the courts and the bail commissioners will have a better idea of what conditions need to be set in order for this defendant to be released from jail prior to disposition.

Similarly, additional information is needed prior to the sentencing of offenders. The State Probation and Parole staff conduct pre-sentence investigations on a limited basis at the request of the courts. The Committee has concluded that detailed pre-sentence information and recommendations should be developed for all serious offenders prior to sentencing. It is possible that the intake/classifications procedure being developed at the jail could be an integral part of this pre-sentence effort.

The Committee has found that the use of the jail by law enforcement agencies in the County is inconsistent. Some agencies use the jail as a short-term lock-up; other agencies are bringing cases to the jail which do not require booking or incarceration. The impact on the jail is that more persons are being housed and processed at greater expense to the County.

The Committee has also concluded that the impact of politics on the jail can be harmful. The fact that the Sheriff is responsible for the jail and is elected for a two year term makes the efficient operation of the jail difficult. The distraction and pressures of running for office every two years detract from effective management and planning. It would be difficult to lessen the impact of politics on the jail but means to do so should be seriously explored. Ideally, the jail

should be operated in a professional manner and should be insulated from political concerns and considerations.

As indicated earlier, there is a need for additional commitments from local agencies and resources to the jail and its residents. It will be necessary for a major effort to be made to develop such commitments and to involve more resources in the facility providing services to jail residents.

Throughout its efforts the Committee was frustrated by the lack of a central coordinating body or council with which to discuss and explore criminal justice system problems and alternatives. The criminal justice system is composed of a number of agencies including law enforcement agencies, detention and correction agencies, courts, prosecution and human services. There is currently no forum through which staff and officials from these agencies are able to meet and discuss common problems and resources. It is the conclusion of the Committee that the lack of such a forum greatly decreases the efficiency and effectiveness of the criminal justice system.

As indicated earlier in the findings, many of the inmates at the jail do not require maximum security housing. Since such housing is expensive to construct and operate, and since the philosophy of community-based corrections has been adopted on a County level, the Committee has found that it would be more appropriate to locate some of the bedspaces for the jail in a community residential setting. Not only would this be consistent with the philosophies and approaches adopted by the County, it would also provide cost efficiencies for the entire system.

The Maine Bureau of Corrections is currently re-writing its plan for delivering adult correctional services and is considering the establishment of several small regional centers which would house sentenced offenders either in lieu of, or after incarceration in State institutions. Kennebec is one of the areas

being considered for such a center. The Committee has explored several options for further involvement with the Bureau of Corrections and from a systems perspective sees many advantages for continuing to explore these options. Corresponding recommendations are presented in Section IV.

D. SUMMARY

The Committee has conducted a thorough investigation and research into all facets of the operation, facilities and systems of the jail. It has concluded that the current facility is totally inadequate. The Committee has also observed that the staff of the Sheriff's Department has made efforts to provide a safe and efficient operation detention and corrections operation. The staff should be commended for their efforts and for their commitment. The Committee has also concluded that the jail has serious problems in its context as a part of the criminal justice system. These problems are perhaps the most difficult to resolve because they involve a number of different agencies with different accountabilities and approaches to criminal justice.

The Committee has found many positive aspects of the Sheriff's Department and the jail. It has also found a series of problems. It is the problems with which we are concerned in this report. The following section outlines in short form the specific problems which the Committee has identified, followed by corresponding brief recommendations.

IV. PROBLEMS AND RECOMMENDATIONS

The following presents summaries of specific problems which the Committee has identified during the past sixteen months. These problems are not meant to be exhaustive, nor are they totally explicit. Rather, they serve as a starting point for discussion and hopefully for improvement of the system.

It should be underscored that the Committee is not criticizing the Sheriff's Department, the County or other agencies. The Committee has identified and supported positive actions and activities by the Sheriff's Department and the County; however, it is necessary to identify problems and seriously explore their resolution.

The problem statements are followed by brief recommendations. The Citizens Committee is an ongoing group in Kennebec County; The Committee recommendations will carefully follow and expand all recommendations. This section is a summary of the proposed activities that should take place.

A. FACILITIES

PROBLEMS:

1. Space

The current facility has double occupancy cells which provide approximately half of the required square footage for each inmate, according to State standards.

There is not adequate separation of males from females, juveniles from the general population or detainees from sentenced inmates.

There are not adequate types of housing available.

Program spaces and their condition are inadequate.

Recreation and exercise areas are inadequate.

Visiting facilities are inadequate.

The intake area is not adequate or safe.

There is no security garage.

There are no secure interview rooms in the facility.

The lobby area is inadequate.

There is no clear separation of law enforcement from detention/corrections.

There is no separate entrance to the womens cells.

The total amount of space available for Sheriff's Department functions is approximately half of the estimated current needed spaces.

2. Safety

There are severe fire hazards in the present facility (inadequate fire escapes, no fire detection, no fire suppression, combustible materials within the structure, etc.).

It is difficult to supervise residents throughout the facility.

There is no observation cell.

There is no detoxification area.

There is no holding area.

The building is not secure.

Single locks and an antiquated locking system make cell evacuation difficult.

3. General

Wiring and plumbing are poor.

The jail is subject to law suits on a variety of facilities issues.

Sanitation and physical setting pose health hazards.

The building is expensive to maintain.

The building does not offer adequate neutral or positive housing of detainees.

There is poor ventilation in the facility; there is no air exchange in the building.

There is a high noise level when the building is occupied.

There is no elavator in the building.

There are no provisions for handicapped persons (inmates or visitors).

The number of available beds within the facility is approximately 70% of the estimated needs for the year 2000.

Comments

The Citizens Committee has concluded that major physical changes are required to solve long-term detention and correction needs and to address the critical and pressing problems at the jail. It is the conclusion of the Committee that current facilities are not adequate. Provisions for adequate detention/corrections and law enforcement spaces for the current operations and for long-term needs should be carefully planned to provide for adequate spaces and potential expansion.

The Committee has reviewed several options for addressing long-term needs. A detailed space analysis describing the potential renovation of the current building has been made. This, and other findings of the pre-architectural research are presented in Appendix I.

The Committee considered the relative advantages of renovating and adding spaces compared to those of new construction. Key considerations were location criteria, construction costs, operating costs, maintenance costs, potential for expansion and flexibility of design. After long discussions, the Committee concluded that new construction on a larger site offers the most practical means to ensure that the County will have adequate facilities and options in the future. The Committee has not ruled out the renovation/addition option, but concludes that with the information currently available, it is the second choice as a long-term solution.

Recommendation A-1: The County should address its long-term needs through major construction efforts.

Option 1 (preferred): The County should act immediately to develop plans and to construct a new facility to house all detention, corrections and law enforcement functions. The new facility should be located on a site in or near Augusta which meets the criteria of:

- community corrections concerns (access to local resources)
- easy access by the public
- ample land for construction and future expansion (estimated 8 - 10 acres)
- availability of city water and sewer services

The size and functions to be housed in this facility are outlined in Appendix I.

Option 2 (second choice): The current facility could be renovated and additional spaces could be constructed on the current site (approximately 13,500 square feet of additional space is needed).

Recommendation A-2: The Citizens Committee should work closely with architects during the development of designs to assure efficient accommodation of County needs. Operating costs should be a primary consideration for developing designs.

Recommendation A-3: In addition to the long-term changes, it is necessary to make some immediate changes at the jail. The Committee has recommended previously (June, 1978) that renovations be undertaken at the jail to meet the minimum standards of the Fire Marshal so that the jail may reopen. Plans for these renovations have been authorized and the renovations will proceed after the Fire Marshal has approved the plans.

Recommendation A-4: In addition to the immediate changes required by the Fire Marshal, the Committee recommends that the facility undergo minor renovations to improve the visiting facilities and to construct a short-term observation and holding area in the current jail. These immediate changes in the jail are necessary to improve the safety and efficiency of the jail, which will be used until better facilities have been constructed.

Recommendation A-5: In addition to the immediate renovations of the jail, it is recommended that the County and the Committee explore short-term changes, which would be undertaken consistent with the long-term plans for the building. If the existing jail is to be used by the County in the future, changes may be made inside the jail consistent with its long-term planned use.

Recommendation A-6: The Committee recommends that the existing Kennebec County Jail be used on an interim basis until such time as new and improved facilities are available. The Committee acknowledges that the current facility is deficient in many areas, but has concluded that, with the immediate changes proposed, it provides a safer and more humane setting for Kennebec County prisoners than do other alternative facilities. In particular, inmate access to courts, attorneys, families and local programming are considered reasons to use the current facility on an interim basis.

B. OPERATIONS

Administration and Management

PROBLEM - Jail goals need review.

Recommendation B-1: The goals for the jail should be reviewed and revised annually; clear objectives should be defined.

PROBLEM - There are conflicts between correctional philosophies at the jail.

Recommendation B-2: A clear and concise correctional philosophy should be established. The Committee recommends that the concept of community-based corrections be continued.

PROBLEM - Some law enforcement functions conflict with jail functions.

Recommendation B-3: A clear separation should be established between detention/correction functions and law enforcement functions. This should be accomplished both physically and operationally.

PROBLEM - Lines of authority are unclear; communication between staff and administrators is inadequate.

Recommendation B-4: A modified form of "participatory management" should be implemented at the jail. Responsibilities within the staffing structure of the jail should be reallocated and a management study should be undertaken of the entire Sheriff's Department.

PROBLEM - Some job descriptions are inaccurate or outdated.

Recommendation B-5: All job descriptions for staff and the Sheriff's Department should be reviewed and revised.

Procedures

PROBLEM - Policies and procedures have not been written for all aspects of the Department and Jail.

Recommendation B-6: Standard operating procedures are needed for all facets of the Sheriff's Department and jail operations.

PROBLEM - There is no inmate grievance procedure.

Recommendation B-7: The inmate grievance procedure which has been drafted and implemented at the jail should be approved by the Attorney General.

PROBLEM - There was no written disciplinary procedure for inmates of the jail.

Recommendation B-8: The Sheriff is commended for implementing a disciplinary procedure.

PROBLEM - Selection/designation of trustees is not uniform; statutes conflict with constitutional guarantees.

Recommendation B-9: The laws and procedures regarding the selection and use of inmates as trustees at the jail should be changed. Opportunities should be opened to use pre-trial detainees as trustees in a limited manner. Statutes should be revised.

PROBLEM - The jail is not always sanitary.

Recommendation B-10: The sanitation at the jail should be improved through strict and supervised procedures.

Staff

PROBLEM - Staff recruiting and hiring practices are inadequate.

Recommendation B-11: The recruiting and hiring of staff should be improved. Recruiting plans should be prepared and clear hiring criteria should be established and used.

PROBLEM - Staff salaries are low.

Recommendation B-12: Staff salaries should be carefully reviewed and in some instances should be upgraded. The basis for upgrading staff salaries should be the revised job descriptions.

PROBLEM - The jail is under-staffed.

Recommendation B-13: Additional staff are needed at the facility, particularly in the areas of security and programming. The Committee has discussed several plans to improve staffing.

PROBLEM - The current staffing pattern is not optimal.

Recommendation B-14: Changes in the current staffing pattern are needed. Additional matrons are needed and the possibility of reassigning current staff positions for better coverage of the facilities should be carefully explored.

PROBLEM - At times there are conflicts between the security staff and program staff.

Recommendation B-15: A new position, "Correctional Specialist" should be established and filled at the jail. This position would require daily activities in both custody and programming. In other facilities around the country similar positions have been successfully used to bridge the gap between security and programs.

PROBLEM - Additional training is needed for jail staff.

Recommendation B-16: Additional pre- and in-service training opportunities should be established and funds should be allocated to implement these programs and to pay for staff time to participate.

Residents services and programs

PROBLEM - More programming is needed. There are not enough program staff.

Recommendation B-17: Increased emphasis should be placed on programs. Residents have many needs. Many residents are repeat offenders. Additional program staff are needed at the jail and reallocation of the current staff may facilitate increased efficiency. Additional resource agencies need to be identified and need to become more fully involved with services at the jail and in the community. Services should be recruited more actively, use of volunteers should be increased, and where necessary, services should be purchased from existing agencies in the community. To facilitate this, a separate program budget should be developed each year as a part of the Sheriff's Department budget.

PROBLEM - There are no standards or guidelines for programming at the jail.

Recommendation B-18: Standards for the jail programs should be reviewed from national and State sources. Where appropriate, such standards should be adopted for Kennebec County.

PROBLEM - More commitments from community agencies are needed.

Recommendation B-19: Community-based resources should be used for programming and services for jail residents. Community-based resources should be used whenever possible; failing that, in-house programs should be offered. To facilitate this, more links need to be established with community-based resources in the region.

PROBLEM - There is no intake/classifications procedure.

Recommendation B-20: The intake/classifications procedure which has been developed should be implemented at the jail. Such a procedure is critically needed to identify the physical and emotional condition of incoming residents at the jail, to identify pre-critical situations and as a tool for assigning inmates to housing areas and allocating services and programs.

PROBLEM - Detainees have less privileges than sentenced offenders.

Recommendation B-21: Services to detainees must be increased. Contacts with family should be increased. Personal services must be offered, as well as more opportunities for recreation, referral, release programs and voluntary participation in programs.

PROBLEM - Visiting hours are too limited.

Recommendation B-22: Visiting hours should be expanded and offered on various days of the week and at a variety of times. Policies which limit visitors should be reviewed.

C. SYSTEMS

PROBLEM - Diversion alternatives are not used to their full potential in Kennebec County. Use of personal recognizance bail and conditional release is low.

Recommendation C-1: The use of pre-trial diversion should increase in Kennebec County. Specifically, the use of personal recognizance bond should increase and the "fee" for securing this bond should be abolished. The use of conditional release options should be developed and various forms of supervisory release should be explored. Referral to existing community residential facilities should also be considered. The impact of these changes would be to reduce the use of the jail for the housing of pre-trial detainees in cases where it is not warranted.

PROBLEM - The bail system is inadequate. Information about defendants is not available when bail is set.

Recommendation C-2: Additional information should be provided to the courts and to the bail commissioners to assist in setting bonds for defendants. The jail should provide as much information as possible (within the parameters of the law) to the courts through its intake and classifications procedure. This information will help the courts in the setting and review of bond for defendants. Bail reform is needed.

PROBLEM - Additional information is needed on convicted offenders prior to the time of sentencing. Additional information about actual available correctional alternatives is also needed.

Recommendation C-3: Additional information should be provided to the courts prior to the sentencing of convicted offenders. Such pre-sentence information should prove useful in outlining the needs of each offender and the relevant options for correctional programming which correspond. The resources developed

through the intake classifications system at the jail should be used in this area. A pilot project should be developed in Kennebec County through which additional linkages are made between the courts, law enforcement, bail commissioners, corrections and the jail. Such a pilot project would attempt to increase the efficiency and the effectiveness of the criminal justice system on a county level by providing additional information on defendants and offenders at the appropriate times.

PROBLEM - Use of the jail by law enforcement agencies is inconsistent. Some agencies use the jail as a lock-up. There is inadequate screening by some law enforcement agencies.

Recommendation C-4: The use of the jail by various law enforcement agencies should be carefully reviewed. In instances where law enforcement agencies appear to be using the jail inappropriately, or inconsistently with other agencies established practices, attempts should be made to make appropriate changes.

PROBLEM - Politics have a harmful influence on the operations of the jail.

Recommendation C-5: The impact of politics on the jail should be diminished wherever possible. The clarification of responsibilities and authorities and also revision of certain laws should help in this area. The term of the Sheriff should be increased to 4 years and Sheriffs should be elected on a non-partisan ballot. Policy decisions at the jail should be based on professional judgement rather than external factors.

PROBLEM - Additional support for jail programs and residents is needed from community resource agencies. Commitments for services must be secured. There is a need to develop close working relationships with agencies at all levels to explore and develop resources.

Recommendation C-6: The Sheriff's Department and jail should continually increase the numbers and types of community resources and agencies which are involved with delivering services to the jail and its residents. The Citizens Committee should be a resource to the Sheriff's Department in this area.

PROBLEM - There is a need for increased communication and coordination throughout the criminal justice system. There is no central body to address problems such as detoxification, diversion and others.

Recommendation C-7: The Committee recommends the immediate establishment of a criminal justice coordinating council. This council would be organized by the Kennebec County Commissioners and would have membership including representatives from:

Courts
Prosecution
Law Enforcement
Detention and Corrections
Human Services Agencies

Such an organization would help to address problems which are unique to the "system" and would help to assemble relevant officials and staff on a regular basis to explore alternative solutions. Such a body would also help to address the overall need for increased communication and coordination between agencies at the county level.

PROBLEM - Many of the residents of the jail do not require medium or maximum security housing. Many residents would benefit from participation in a minimum security community-based residential program.

Recommendation C-8: Up to 16 minimum security beds (from the year 2000 projections) should be located away from the central jail in a "community" setting similar to a house. There may be more than one such facility depending on the types of options and characteristics of the population to be served. Residents of these facilities would usually be serving sentences and would spend their days working or studying in the community. Staff should provide guidance and assistance and night-time supervision. Rules and procedures for these facilities should be carefully developed to assure that assignment to or removal from the facilities is not arbitrary. This facility(ies) should be administratively and operational distinct from the jail. The current residential program has proven safe, effective and cost efficient and should be continued and expanded.

PROBLEM - The State correctional system (Bureau of Corrections) needs community-based facilities through which to pre-release its offenders. The State also is interested in housing some offenders closer to their homes in lieu of incarceration in larger institutions.

Recommendation C-9: The Committee recommends that 2 options be seriously explored with the Maine Bureau of Corrections. Both of the options involve the development of long-term

contracts with the Bureau for the housing and treatment of State prisoners. The Committee suggests that, if appropriate financial guarantees are secured, provisions for these prisoners be included in County plans. The two options are:

- Pre-release: Receiving State prisoners who are planning to return to the region, prior to the expiration of their sentence, to be housed at the jail or adjunct facilities and to participate in "re-integration" programming. Target population: 10 minimum security beds (the County is currently providing similar services for a small number of State prisoners).

- Alternative to State Facility: Receiving State prisoners in lieu of their incarceration in a State facility, to participate in County programs. Such an option would keep some local offenders closer to their home community while providing a range of security and programming. Target population: 20 beds (medium and minimum security).

The Committee suggests that exploration of these 2 options would be consistent with the goals and objectives of "community-based corrections".

PROBLEM - The current process through which the jail is funded is inadequate. It is difficult to secure funds when the Legislature is not in session. Local control of jail funding and operations is not complete.

Recommendation C-10: Alternative funding processes should be explored to increase local control of the jail and to assure that financial assistance is available in crisis situations.

PROBLEM - Lincoln and Sagadahoc Counties do not operate jails. Other Counties may experience overcrowding in the future.

Recommendation C-11: The Committee is receptive to long-term agreements between Kennebec County and other counties to provide jail space and services. The projections developed by the Committee are based on the continued practice of housing prisoners from Lincoln and Sagadahoc Counties. Arrangements for such services should be carefully explored.

V. RECOMMENDATIONS CHECKLIST

The following chart presents a list of all recommendations and checklists showing persons/groups responsible for implementing the recommendations and the status of each.

In many cases, more than one person/group is responsible for implementation. The Committee plans to monitor progress on all recommendations. The status checklist will help the Committee, Sheriff and Commissioners to follow progress.

The Committee views this Report as part of an ongoing effort to improve detention and corrections in Kennebec County. This checklist will facilitate consideration and implementation of recommendations.

RECOMMENDATIONPERSON - GROUP
PRIMARYLY RESPONSIBLE
FOR IMPLEMENTATIONSTATUS

	Sheriff	Commissioners	Legislature	Committee		Under consideration	Approved	Being implemented	Implemented
<u>FACILITIES</u>									
A-1 long-term solutions		x	x						
A-2 work with architects				x					
A-3 immediate change (Fire Marshal)		x	x			x	x	x	
A-4 other immediate changes (visit, holding)		x	x						
A-5 short-term changes		x	x						
A-6 use current facility on interim basis		x					x		
<u>OPERATIONS</u>									
B-1 review goals	x								
B-2 establish correctional philosophy	x								
B-3 separate law enforcement/detention/corrections	x								
B-4 management	x			x					
B-5 revise job descriptions	x								
B-6 standard operating procedures	x								
B-7 grievance procedure	x								
B-8 implement disciplinary procedure	x								x

RECOMMENDATIONPERSON - GROUP
PRIMARYLY RESPONSIBLE
FOR IMPLEMENTATIONSTATUS

	Sheriff	Commissioners	Legislature	Committee		Under consideration	Approved	Being implemented	Implemented
B-9 change laws and procedures concerning detainees	x		x	x					
B-10 improve sanitation	x								
B-11 improve recruiting and hiring	x								
B-12 upgrade salaries	x	x							
B-13 add staff	x	x		x					
B-14 change staffing pattern	x								
B-15 add "correctional specialist"	x	x							
B-16 more training	x	x							
B-17 increase programs/staff	x	x							
B-18 program standards	x			x					
B-19 community resources	x	x		x					
B-20 intake/ classifications	x	x							
B-21 increase services to detainees	x	x	x						
B-22 increase visiting	x								
<u>SYSTEMS</u>									
C-1 increase pre- trial diversion		x		x					
C-2 additional information on bonds; bail reform	x		x	x					

RECOMMENDATIONPERSON - GROUP
PRIMARYLY RESPONSIBLE
FOR IMPLEMENTATIONSTATUS

	Sheriff	Commissioners	Legislature	Committee		Under consideration	Approved	Being implemented	Implemented
C-3 additional information for sentencing	x	x		x					
C-4 review jail use by law enforcement	x			x					
C-5 minimize impact of politics/ 4 yr. term	x	x	x	x					
C-6 increase community agency involvement	x			x					
C-7 criminal justice coordinating council		x							
C-8 community residential facility(ies)	x	x							
C-9 explore options with Bureau of Corrections				x					
C-10 alternative funding process		x	x	x					
C-11 explore other County involve- ment	x	x		x					

APPENDIX A

JAIL RESEARCH

This appendix presents four reports describing the jail population and operations. They are presented in their original form, as they were developed and used by the Committee.

The first report, Jail Research, presents the results of data collection and computer analysis of over 1000 cases during a three year period. It provides detailed insights into the types of persons who are brought to the jail.

The second report, Daily Counts, presents the findings from the use of daily count forms over a six month period. This information gives insights into the daily population of the jail.

The third report presents the findings from interviews with inmates of the facility; this offers detailed personal insights which are not available from other sources.

The final report presents statistics developed by the jail staff in 1977 describing the population of the jail.



BRIEFING DOCUMENT:

JAIL RESEARCH

For: Citizens Committee for Kennebec County Jail

From: Rod Miller, CRS

The following pages present the first draft summary of extensive jail research. During the past four months jail staff have gone through hundreds of cases to record information for this research.

This research represents a 30.1% sample of cases booked into the jail during the years 1973, 1974, 1975 and 1976, excluding Lincoln and Sagadahoc counties. The information in this sample was extracted from the "In Book" and the "County Book". A total of 20 pieces of information were sought for each case; most of the information recorded was descriptive of the circumstances of each case (charge, legal status, length of stay, etc.) and the amount of personal information was very limited.

A total of 1163 cases are included in the sample. Because this represents 30.1% of all cases booked during the four year sample period, the sample has high validity and reliability as being representative of all cases in the four years, in terms of the use of the jail by Kennebec County only.

For the purposes of this research, a case is defined as one person being booked into the jail for one charge; at this time the research has not been analyzed to show the actual individuals represented. Further analysis is needed to produce an individual perspective.

The following sections present the findings of the first computer print-out. The current findings are in the form of "histograms", or lists of the cases for each variable. The next computer analysis will cross-tabulate (compare) two and three variables at one time. Further, the use of the jail by other counties will be tabulated in the next report.

1. YEAR BOOKED

The cases in the sample were booked into the jail in the following years:

<u>Year Booked</u>	<u># of Cases</u>	<u>% of Sample</u>	<u>% of all Cases that Year</u>
1973	373	32.1%	33.3%
1974	291	25.0%	28.3%
1975	252	21.7%	30.1%
1976	246	21.2%	27.8%

The year of release correlated closely to the year of booking.
(one case was missing from this section)

2. MONTH BOOKED

During the four year sample period the cases were booked into the jail in the following months:

<u>Month Booked</u>	<u># of Cases</u>	<u>% of Sample</u>
January	118	10.2%
February	106	9.1%
March	101	8.7%
April	97	8.3%
May	108	9.3%
June	101	8.7%
July	80	6.9%
August	97	8.3%
September	98	8.4%
October	102	8.8%
November	77	6.6%
December	77	6.6%

The month of release correlated closely to the months of booking.
(one case was missing from this section)

3. DAY BOOKED

The day of the month was recorded for each case. A review of the days booked shows a relatively even dispersion of cases. Further analysis of the data, using a "calendar function" could be used to produce an analysis of the day of the week booked and released.

4. CHARGE (OFFENSE) INDIVIDUAL

During the four year sample, individuals who were booked into the jail were charged with a range of offenses. The following is a list of all charges with which at least 1% of the cases were charged.

<u>Charge</u>	<u># of Cases</u>	<u>% of Sample</u>
1. AWOL	173	14.9%
2. Burglary	152	13.1%
3. Operating under influence	103	8.9%
4. Disorderly conduct	61	5.2%
5. Unlawful possession of schedule x, y, z drugs	48	4.1%
6. Assault	46	4.0%
7. Intoxication	45	3.9%
8. Failure to appear	41	3.5%
9. Operating after suspension	39	3.4%
10. Aggravated assault	38	3.3%
11. Traffic violation	36	3.1%
12. Robbery	34	2.9%
13. Theft by taking or transfer	34	2.9%
14. Criminal trespass	23	2.0%
15. Unlawful trafficking in in scheduled drugs	22	1.9%
16. Armed robbery	21	1.8%
17. Receiving stolen property	20	1.7%
18. Escape	20	1.7%
19. Negotiating a worthless instrument	19	1.6%
20. Forgery	17	1.5%
21. Criminal threatening	16	1.4%
22. Rape	14	1.2%
23. Unlawful sexual conduct	13	1.1%
24. Violation of probation	13	1.1%
25. Violation of parole	13	1.1%
26. Failure to comply	12	1.0%

A total of 26 other charges were represented in the sample; all of these charges had less than 1% of the cases.

An analysis of offense categories yields a different perspective than this review of individual categories.

5. OFFENSE CATEGORIES

By combining the separate charges into offense categories, a different perspective is achieved. The cases in the sample were charged with the following offense categories (listed in order of frequency):

<u>Offense Category</u>	<u># of Cases</u>	<u>% of Sample</u>
1. Robbery (armed, burglary, etc.)	230	19.8%
2. Military (AWOL)	173	14.9%
3. Alcohol related (intoxication, operating under influence)	148	12.7%
4. Assault (assault, aggravated assault, criminal threatening)	100	8.6%
5. Traffic (operate after suspension, speeding, driving to endanger, etc.)	79	6.8%
6. Drugs (sale, possession, etc.)	78	6.7%
7. Offenses against public order (disorderly conduct, false alarm, etc.)	66	5.7%
8. Theft (theft, stolen property, etc.)	60	5.2%
9. Failure to appear/comply	53	4.6%
10. Forgery	40	3.4%
11. Offenses against public administration (escape, abstruction, etc.)	35	3.0%
12. Sex offenses (rape, gross misconduct)	31	2.7%
13. Violation of probation, parole	26	2.2%
14. Other (runaway, hitchhike, dog loose, etc.)	15	1.3%
15. Homicide (first, 4th, 6th)	11	.9%
16. Arson	6	.5%
17. Fraud	6	.5%
18. Kidnapping	4	.3%
19. Offenses against family (endanger welfare of child)	2	.2%

20. Prostitution and public indecency	0	0
21. Unlawful gambling	0	0
22. Falsification	0	0

6. ARRESTING AUTHORITY

The cases in the sample were arrested by a variety of different authorities. They were, in order of frequency:

<u>Arresting Authority</u>	<u># of Cases</u>	<u>% of Sample</u>
1. Not given	362	31.2%
2. Augusta P.D.	232	20.0%
3. Military Police	164	14.1%
4. No. Kennebec District Court	104	9.0%
5. Maine State Police	103	8.9%
6. Kennebec County Sheriff	67	5.8%
7. Waterville P.D.	50	4.3%
8. Gardiner P.D.	41	3.5%
9. Winthrop P.D.	14	1.2%
10. Hallowell P.D.	10	.9%
11. Inland Fish and Game	3	.3%
12. Somerset County Sheriff	3	.3%
13. Federal	2	.2%
14. Knox County Sheriff	2	.2%
15. Waldo County Sheriff	1	.1%
16. Androscoggin County Sheriff	1	.1%
17. Other County Sheriff	1	.1%

(3 cases were missing in this section)

7. COURT

The court in which each case was being processed was tabulated for many of the cases in the sample. The results were (in order of frequency):

<u>Court</u>	<u># of Cases</u>	<u>% of Sample</u>
1. Kennebec District	596	52.0%
2. Kennebec Superior	193	16.8%
3. Other	8	.7%
4. Federal	4	.3%
5. Transfer	2	.2%
6. Somerset Superior	1	.1%
Not given	342	29.8%

8. REASON(S) FOR INCARCERATION

The reason for incarceration was recorded for all but 154 cases. The reason indicates the legal status of each case.

<u>Reason</u>	<u># of Cases</u>	<u>% of Sample</u>
1. Pre-trial	762	75.5%
2. Pre-trial then sentenced	170	16.8%
3. Pre-arraignment	39	3.9%
4. Sentenced	27	2.7%
5. Pre-sentence	6	.6%
6. Pre-trial then pre-sentence	4	.4%
7. Pre-arraignment through sentenced	1	.1%

(154 cases missing)

9. REASON FOR RELEASE

The reason for release from jail was recorded and tabulated for all but 4 cases.

<u>Reason for Release</u>	<u># of Cases</u>	<u>% of Sample</u>
1. Court Bond	376	32.4%
2. Immediate Bond	266	23.0%
3. Released to another authority*	254	21.9%
4. Time served	169	14.6%
5. Personal recognizance	41	3.5%
6. Time served and fine paid	21	1.8%
7. Time served in lieu of fine	17	1.5%
8. Fine paid	15	1.3%

(4 cases missing)

* includes release to probation and/or program

10. TOTAL TIME INCARCERATED

The total time spent in the jail was recorded for each case.

<u>Number of Days</u>	<u># of Cases</u>	<u>% of Sample</u>
3 days or less	627	53.9%
4 - 5 days	153	13.1%
6 - 9 days	116	10.1%
10 - 14 days	60	5.2%
15 - 19 days	35	3.0%
20 - 29 days	60	10.1%
30 - 39 days	24	2.0%
40 - 49 days	18	1.5%
50 - 59 days	10	.8%
60 - 69 days	7	.6%
70 - 79 days	2	.2%
80 - 89 days	5	.4%
90 - 99 days	3	.3%
100 - 119 days	6	.5%
120 - 150 days	6	.5%
150 - 179 days	5	.4%
180 - 209 days	5	.4%
210 - 239 days	3	.3%
240 - 269 days	4	.4%
270 - 287 days	3	.3%

11. SEX

The composition of the cases in the sample was:

<u>Sex</u>	<u># of Cases</u>	<u>% of Sample</u>
Male	1114	95.8%
Female	49	4.2%

12. PLACE OF RESIDENCE

The home address of each of the cases was recorded at the time of booking.

<u>Home Address</u>	<u># of Cases</u>	<u>% of Sample</u>
Augusta	294	25.4%
Waterville	126	10.9%
Winthrop	29	2.5%
Gardiner	109	9.4%
Monmouth	4	.3%
Winslow	4	.3%
Hallowell	17	1.5%
Readfield	1	.1%
Pittston	5	.4%
Togus	2	.2%
Clinton	2	.2%
Dresden	1	.1%
Kennebec County (general)	212	18.3%
Skowhegan	2	.2%
Brunswick	1	.1%
Rumford	2	.2%
Portland	18	1.6%
Lewiston-Auburn	30	2.6%
Bangor	12	1.0%
Sagadahoc County	1	.1%
Knox County	2	.2%
Franklin County	1	.1%
Waldo County	2	.2%
Androscoggin County	1	.1%
Somerset County	5	.4%
Lincoln County	1	.1%
Aroostook County	5	.4%
Other Maine County	184	15.9%
New England States	32	2.8%
Other States	47	4.1%
Not U.S.	7	.6%
(4 cases were missing)		

13. TYPE BOND

The type of bond was recorded for all but 32 cases (at the time of booking):

<u>Type of Bond</u>	<u># of Cases</u>	<u>% of Sample</u>
1. None set/no information	789	69.8%
2. Surety	191	16.9%
3. Cash	101	8.9%
4. Personal recognizance	46	4.1%
5. Cash (undetermined)	2	.2%
6. Third party	1	.1%
7. Disposed	1	.1%

14. AMOUNT OF BOND

The amount of bond set for the cases with money bonds were:

<u>Amount of Bond</u>	<u># of Cases</u>	<u>% of Sample</u>
0 - \$25	27	9.0%
\$26 - \$50	9	3.0%
\$51 - \$100	16	5.4%
\$101 - \$300	41	13.7%
\$301 - \$500	35	11.7%
\$501 - \$1000	25	8.4%
\$1001 - \$5000	107	35.8%
\$5000 - \$10,000	13	4.3%
Over \$10,000	26	8.7%

(864 cases were missing - not applicable)

15. TYPE OF SENTENCE

The type of sentence (if any) was recorded for all but 65 cases. The results of the tabulation are:

<u>Type of Sentence</u>	<u># of Cases</u>	<u>% of Sample</u>
No sentence	597	54.4%
Restitution	238	21.7%
Jail time	172	15.7%
Fine	54	4.9%
Prison	28	2.6%
Jail and fine	3	.3%
Jail and suspended	3	.3%
Jail and probation	1	.1%
Program	1	.1%

BRIEFING DOCUMENT: JAIL DAILY COUNTS

FOR: Citizens Committee for Kennebec County Jail

FROM: Rod Miller, CRS

The following pages present the first attempt to tabulate and analyze the data collected in the jail daily counts. A series of 60 consecutive counts were executed by Ralph Nichols during the months of July and August, 1977. The counts were designed to fill a variety of informational needs which are not covered by other research and data collection. In order to fully understand and interpret the daily counts, the findings need to be compared and contrasted to the jail research (which is currently being computerized).

The jail daily counts were taken over a two month period on a daily basis. The time of each count varied between four target times: 6:00 a.m., 12:00 noon, 6:00 p.m. and 12:00 midnight.

The daily counts provide a "cross-section" view of the jail population. A variety of detailed information was extracted for each jail resident at the time of each count. A copy of the data collection format is included at the end of this report. The daily counts offer a valuable perspective on the legal status of each resident, peak loads, the dynamics of day-to-day jail operations and housing assignments.

SUMMARY OF FINDINGS (summary charts follow at end of report)

A. Occupancy

The total count of the jail population ranged from a low of 27 (7/25, Monday noon) to a high of 48 (8/28, Sunday midnight). The average count for the two month period was 37.9; the average for the month of July was 33.2, and the average for August was 42.3.

Counts taken during the weekends were generally higher during the two months. The average weekend count for July was 34.7 and for August was 44.1. It should be noted during the weekends, the jail is staffed by part-time deputies who may lack training and management information about individual inmates experience needed to handle peak populations.

Counts did show significant variations based on the time of day. Counts taken in the evening and late night were usually higher than the average, and counts taken at noon were lower than the average. Ralph Nichols has noted that local police departments tend to keep defendants in their lock-ups until after 6:00 p.m. and then transfer them to the jail.

In general, the higher counts were late at night, on weekends, and showed the highest percentage of pre-arraignment residents. Also, female residents were at their maximum during several of the highest counts.

B. Sex

The majority of the population housed during the two months were males. Females comprised from zero to eight percent of the daily population of the jail. At most, there were only three females in the jail on any day. An average of one female (3% of the total) was present in the jail during the two month period in which counts were taken.

A total of 82 female detention days were represented during the two month period (a detention day is the equivalent of one person residing in the jail for one day). Of the 82 days, they were distributed as follows:

<u>Arresting Agency</u>	<u>#detention days</u>	<u>% of all female days</u>
Sagadahoc County	44	54
Waterville PD	28	34
Augusta PD	4	5
Kennebec Sheriff	3	4
Somerset County	2	2
Waldo County	1	1

C. Age

At this time, the analysis has focused on juvenile residents. When the jail research results become available a broader review will be made.

Juveniles were housed in the jail on several occasions during the two months. On July 3, one 17-year old was brought in for two days (pre-trial); another was housed for three days under sentence.

On July 4, one 17-year old was housed for one night, pre-arraignment. On July 21, one 17-year old was housed for three days, pre-trial; another was housed for one night. On Friday, August 12, two 17-year olds were housed, both pre-arraignment; one was released Saturday and the other on Sunday. On Friday, August 26, one 17-year old was housed, pre-arraignment, and released on Sunday.

All of the juveniles housed were male, and 17-years of age. All of the juveniles were housed in medium-security segregation. Only one juvenile was sentenced to the jail during the two months.

D. Current Status

The jail daily counts were successful as a means of reviewing the daily composition of the jail population. The current status of each resident was defined based on the point in the legal process at which each resident was when incarcerated. A review of the four categories follows.

1. Pre-arraignment

This category is composed of residents who are housed prior to their first contact with the courts.

The pre-arraignment population of the jail ranged from a low of 5% (midweek) to a high of 35% (Sunday night). The overall average percentage of pre-arraignment residents was 20.6% (26% in July; 15.6% in August).

As expected, higher percentages of pre-arraignment residents were present during weekends and early morning (when courts are closed).

It is generally acknowledged that pre-arraignment residents are the most unstable and unpredictable component of the jail population. Pre-arraignment residents are often intoxicated or under the influence of drugs; they are also more prone to violent and self-destructive behavior.

The first hours and days which a resident spends in the jail are critical; during this period the resident's anxieties are usually high. It is necessary for the jail staff to assess resident needs and problems as soon as possible so that appropriate housing and handling may be prescribed.

It is ironic, therefore, that the staffing patterns of most jails provide less staff (and usually less experienced staff) during times when pre-arraignment populations are the highest.

2. Pre-trial

Pre-trial residents are defined, for the purposes of this report, as defendants who have been arraigned but whose guilt or innocence has not yet been established.

The pre-trial population of the jail ranged from a low of 10% (midweek) to a high of 32% (early morning). The overall average for pre-trial populations was 21.7% (18.2% in July; 25.0% in August).

The increase of 9.4% in the average pre-trial population for the months of July and August should be noted. This increase had a marked impact on the total counts in August, more than offsetting a 7.8% drop in the pre-arraignment population.

3. Pre-sentence

Pre-sentence residents have been convicted in the courts but have yet to be sentenced. Pre-sentence residents are adjudicated offenders.

The pre-sentence population ranged from a low of 2% to a high of 9%. The average pre-sentence population was 4.6% (4.4% in July; 4.7% in August).

The pre-sentence population was relatively stable and comprised a very small proportion of the daily population. Although pre-sentence residents are convicted offenders, they have not been sentenced to the jail as a correctional measure. Because of this, program participation must be on a voluntary basis.

4. Sentenced

The sentenced population consists of adjudicated offenders who have been sentenced to the jail as all, or part, of their correction. In some cases, sentenced jail residents are being pre-released to treatment facilities as part of an individual treatment plan.

The sentenced population of the jail ranged from a low of 44% (Saturday and Sunday midnights) to a high of 65% (midweek). The overall average sentenced population was 55.0% (54.7% in July; 55.3% in August).

Further analysis of the sentenced population will be accomplished using the results of the jail research.

Sentenced residents represented a consistent component of the jail population. The sentenced residents are the best candidates for jail programs.

5. Summary of status

The following chart summarizes the average distribution of residents in the four categories.

Residents in the first two categories (pre-arraignment and pre-trial) are an average of 42.3% of the daily count. These residents are not offenders and may not be handled as if they have been convicted.

Convicted offenders comprise an average of 59.6% of the daily population (pre-sentence and sentenced).

	AVERAGE % OF DAILY POPULATION		
	<u>July</u>	<u>August</u>	<u>Overall</u>
Pre-arraignment	26.0	15.6	20.6
Pre-trial	18.2	25.0	21.7
Pre-sentence	4.4	4.7	4.6
Sentenced	54.7	55.3	55.0

E. Hold

During the two months, a low of 20% of the residents (7 persons) and a high of 38% (15 persons) had "holds" on them during their incarceration.

The holds prevented their release from jail; holds included warrants for other agencies, cases in which bond could not be set, parole violations, military police holds, and others.

F. Housing

The daily counts provided an opportunity to tabulate the daily use of various categories of housing in the jail. This tabulation will prove very useful in the projection of future bedspace needs.

The Kennebec County Jail is somewhat unusual in its physical setting. Technically, the entire cell-block area could be classified as "maximum security"; however, through the differentiation of lock-ups and bedchecks, the staff is able to provide a range of security classifications within the walls.

For the purposes of this report, nine categories of housing have been defined. They are explored in the following sections. A master chart of housing assignments is included at the end of this report.

1. Segregation - medium security

As the name implies, this type of housing keep residents separate in a medium security setting. All female and juvenile residents are housed in such a setting (as required by law).

The use of medium security segregation ranged from a low of zero to a high of 5 beds. The use of this setting corresponded very closely to the presence of female and juvenile residents.

2. Segregation - maximum security

This category requires separation of residents with regular cell checks and close supervision. During the two months, use of this option ranged from a low of zero to a high of 2 beds.

This option was used primarily for male residents who posed severe security risks.

3. Maximum security

This setting offers the highest security without complete segregation. During the two months, use of maximum security ranged from a low of zero to a high of six beds.

Maximum security was used for adult male residents.

4. Medium security

Medium security was the most frequently used housing option. In the Kennebec County Jail, medium security residents are locked up at night and for counts, but are allowed access to the cell block during the day.

Use of medium security ranged from a low of 12 beds to a high of 28. As indicated, the majority of male residents were housed in medium security.

5. Minimum security

Residents held in minimum security are similar to those in medium, with the additional option to go outside of the cell block area.

Use of minimum security ranged from a low of 3 to a high of 9. Residents classified as minimum security are usually designated as "Trustees" and work around the jail.

6. Pre-release(minimum)

Residents on pre-release status are classified as minimum security and are completing long sentences in prison or jail. These residents are involved in activities which prepare them for release from incarceration. Often, pre-release residents are away from the jail on furloughs.

No fewer than 2 residents were housed as pre-releasees during the two months; a maximum of six were housed.

7. Work release (minimum)

Residents on work-release status are classified as minimum security. They leave the jail daily to work in the community, but return to the jail after work.

During the two months a low of one resident and a high of five residents were housed as work-releasees.

7. Education release (minimum)

Residents who are on education release are also classified as minimum security. They participate in educational programs during the day and stay at the jail each night.

During the two months, one resident was on education release for 42 days.

8. AMHI

During the two months no more than one resident was referred to Augusta Mental Health Institute by jail staff at any given time.

9. MSP

During the two months, one resident was sent to the Maine State Prison because of the difficulty which the jail staff had in handling him in a safe and humane manner.

COMMENTS

The use of maximum security at the jail seems to be very moderate and reasonable. At the most, no more than 17% of the daily population was confined to maximum security.

On most days, the use of minimum security settings was at least twice that of maximum.

G. Conclusion

The preceding pages present a preliminary analysis of some of the data collected in the daily counts. The following charts offer more detailed data and should be carefully reviewed.

Of particular interest are the activities on July 26 to 28. (Note increase in pre-arraignment) and August 27 to 30 (Note fluctuation of count and pre-arraignment).

A review of the charts will also underscore the consistent proportion of sentenced residents.

Further reports will provide a more detailed analysis of the daily counts, including a review of age, arresting authority and other data. The daily counts will be compared and contrasted to the jail research as soon as the computer-analysis of the research is complete.

WORKSHEET - SUMMARY

DAILY COUNTS

p. 1

CURRENT STATUS

CODE #	DAY	TIME	1977 DATE	TOTAL COUNT	MALE	FEMALE	%	PRE-ARRESTMENT		PRE-TRIAL		PRE-SENTENCE		SENT.		HOLD	
								#	%	#	%	#	%	#	%	#	%
001	Sun.	Midnight	7/3	38	36	2	5	9	24	6	16	2	5	21	55	8	21
002	M	6AM	7/4	36	34	2	6	12	34	4	11	1	3	19	53	8	22
003	T	Noon	7/5	31	30	1	3	7	23	3	10	1	3	20	65	8	26
004	W	6PM	7/6	31	30	1	3	7	23	4	13	2	6	18	58	9	29
005	Th	Mid.	7/7	31	31	0	0	5	16	6	19	1	3	19	61	7	23
006	F	6AM	7/8	33	32	1	3	7	21	6	18	1	3	19	58	8	24
007	Sat.	Noon	7/9	34	33	1	3	9	26	6	18	1	3	18	53	10	29
008	Sun.	6PM	7/10	33	32	1	3	11	33	5	15	1	3	16	48	10	30
009	M	Mid.	7/11	30	29	1	3	9	30	4	13	1	3	16	53	7	23
010	T	6AM	7/12	30	29	1	3	9	30	4	13	1	3	16	53	7	23
011	W	Noon	7/13	30	29	1	3	9	30	4	13	1	3	16	53	7	23
012	Th	6PM	7/14	35	34	1	3	8	23	7	20	2	6	18	51	8	23
013	F	Mid.	7/15	36	35	1	3	8	22	9	25	2	6	17	47	11	31
014	Sat.	6AM	7/16	36	35	1	3	8	22	9	25	2	6	17	47	11	31
015	Sun.	Noon	7/17	37	36	1	3	9	24	9	24	2	5	17	46	12	32
016	M	6PM	7/18	36	35	1	3	8	22	8	22	1	3	19	53	10	28
017	T	6PM	7/19	32	31	1	3	8	25	6	19	2	6	16	50	7	22
018	W	Mid.	7/20	31	30	1	3	7	23	6	19	2	6	16	52	7	23
019	Th	Noon	7/21	35	34	1	3	10	29	7	23	2	6	16	46	11	31
020	F	6PM	7/22	34	32	2	6	10	30	7	20	1	3	16	47	10	30
021	Sat.	Mid.	7/23	36	33	3	8	9	25	9	25	2	6	16	44	11	31
022	Sun.	6AM	7/24	32	31	1	3	8	25	7	22	2	6	15	47	10	31
023	M	Noon	7/25	27	26	1	4	6	22	6	22	1	4	14	52	8	30
024	T	6PM	7/26	28	27	1	4	7	25	6	23	1	4	14	50	8	29
025	W	Mid.	7/27	36	35	1	3	12	34	6	17	2	6	16	47	11	31
026	Th	6AM	7/28	32	30	2	6	9	28	6	19	1	3	16	50	9	26
027	F	Noon	7/29	33	31	2	6	8	24	5	15	2	6	18	55	7	21
028	Sat.	6PM	7/30	33	32	1	3	9	27	5	15	1	3	18	55	9	27
029	Sun.	Mid.	7/31	37	36	1	3	13	35	5	14	2	5	17	46	14	38

WORKSHEETS - SUMMARY DAILY COUNTS

CURRENT STATUS

P. 2

CODE #	DAY	TIME	MTG DATE	TOTAL COUNT	Male	Female	%	PRE-ARRESTMENT		PRE-TRIAL		PRE-SENTENCE		SENT		HOLD	
								#	%	#	%	#	%	#	%	#	%
030	M	6 AM	8/1	35	34	1	3	9	26	8	23	1	3	17	49	11	31
031	T	Noon	8/2	34	33	1	3	7	21	6	18	2	6	19	56	10	30
032	W	6 PM	8/3	39	38	1	3	7	18	8	21	2	5	22	56	13	33
033	Th	Midnight	8/4	40	39	1	3	4	10	11	28	2	5	23	58	13	33
034	F	6 AM	8/5	42	41	1	2	4	10	11	26	3	7	24	57	11	26
035	Sat.	Noon	8/6	45	44	1	2	5	11	11	24	4	9	25	56	11	24
036	Sun.	6 PM	8/7	45	44	1	2	5	11	12	27	3	7	25	56	10	22
037	M	Mid.	8/8	43	42	1	2	5	12	11	26	2	5	25	58	10	23
038	T	6 AM	8/9	44	42	2	5	6	14	11	25	2	5	25	57	11	25
039	W	6 AM	8/10	45	44	1	2	7	16	11	24	2	5	25	56	12	27
040	Th.	6 PM	8/11	44	43	1	2	5	12	12	27	2	5	25	57	10	23
041	F	Mid.	8/12	44	43	1	2	6	14	12	27	2	5	24	55	12	27
042	Sat.	6 AM	8/13	45	44	1	2	7	16	12	27	2	5	24	56	13	29
043	Sun.	Noon	8/14	41	40	1	2	5	12	11	27	2	5	23	56	11	27
044	M	6 PM	8/15	42	41	1	2	6	14	11	26	2	5	23	55	10	24
045	T	Mid.	8/16	39	38	1	3	4	10	12	31	2	5	21	54	9	23
046	W	6 AM	8/17	38	37	1	3	2	5	12	32	1	3	23	61	8	21
047	Th.	Noon	8/18	39	38	1	3	2	5	12	31	1	3	24	62	7	18
048	F	6 PM	8/19	40	39	1	3	4	10	12	30	1	3	23	58	8	20
049	Sat.	Mid.	8/20	43	42	1	2	5	12	13	30	2	5	23	53	11	26
050	Sun.	6 AM	8/21	42	41	1	2	7	17	11	26	1	2	23	55	13	31
051	M	Noon	8/22	40	39	1	3	5	13	11	28	1	3	23	58	9	23
052	T	6 PM	8/23	36	35	1	3	4	11	9	25	1	3	22	61	10	28
053	W	Mid.	8/24	36	35	1	3	5	14	8	22	2	6	21	58	10	28
054	Th.	6 AM	8/25	39	38	1	3	8	21	8	21	2	5	21	54	13	33
055	F	Noon	8/26	40	39	1	3	9	23	8	20	2	5	21	53	8	20
056	Sat.	6 PM	8/27	44	42	2	5	10	23	9	20	2	5	23	52	11	25
057	Sun.	Mid.	8/28	48	45	3	6	16	33	9	19	2	4	21	44	15	31
058	M	6 AM	8/29	47	44	3	6	15	32	9	19	2	5	21	45	14	30
059	T	Noon	8/30	35	34	1	3	6	17	8	23	2	6	19	54	9	26
060	W	6 PM	8/31	35	34	1	3	7	20	8	23	1	3	19	54	8	23

JAIL Daily COUNTS

Summary of Housing

CODE #	SEGREGATION					Minimum				
	MED	MAX	MAX	MED	MIN	PRE-REL.	WORK-REL.	ED-REL.	AMHI	MSP
001	4	1	6	16	3	3	5	0	0	0
002	4	1	6	16	3	3	3	0	0	0
003	2	1	6	13	3	2	4	0	0	0
004	0	1	5	13	3	3	5	0	0	0
005	0	0	4	16	3	3	5	0	0	0
006	1	0	4	17	3	3	5	0	0	0
007	1	0	4	18	3	3	5	0	0	0
008	1	0	4	17	3	3	4	0	0	0
009	1	0	3	15	3	3	4	0	1	0
010	1	1	3	14	4	3	3	0	1	0
011	1	1	3	14	3	3	4	0	1	0
012	1	1	3	19	3	3	4	0	1	0
013	1	1	3	19	5	3	3	0	1	0
014	2	0	3	18	5	3	4	0	1	0
015	2	0	3	18	6	3	4	0	1	0
016	1	1	3	15	6	3	4	0	1	0
017	1	1	3	14	6	3	3	0	1	0
018	1	1	3	13	6	3	2	1	1	0
019	2	1	2	17	6	3	2	1	1	0
020	4	1	1	15	6	3	2	1	1	0
021	5	2	2	13	7	3	2	1	1	0
022	3	1	2	14	6	3	1	1	1	0
023	1	1	2	12	5	3	1	1	1	0
024	1	1	2	12	5	4	1	1	1	0
025	2	1	2	17	7	4	1	1	1	0
026	3	1	2	12	7	4	1	1	1	0
027	2	1	2	14	7	4	1	1	1	0
028	3	1	2	14	7	4	1	1	1	0
029	3	1	1	19	6	4	1	1	1	0
030	1	1	3	18	3	5	2	1	1	0
031	1	1	2	16	5	5	2	1	1	0
032	2	1	2	18	7	5	2	1	1	0
033	2	1	2	20	7	4	2	1	1	0
034	2	1	1	22	8	4	2	1	1	0

CODE #	SEGREGATIONS					Minimum				
	MED	MAX	MAX	MED	MIN	PRE-REL.	WORK REL	ED. REL	AMNI	MST
035	2	1	1	25	8	4	2	1	1	0
036	2	1	1	25	8	4	2	1	1	0
037	2	1	2	22	7	5	2	1	1	0
038	2	1	2	23	7	5	2	1	1	0
039	2	0	2	25	6	5	2	1	1	1
040	1	0	1	25	7	5	2	1	1	1
041	3	0	1	24	7	4	2	1	1	1
042	4	0	2	23	8	4	1	1	1	1
043	1	0	1	23	7	4	2	1	1	1
044	1	0	1	22	9	4	2	1	1	1
045	1	0	1	21	7	4	2	1	1	1
046	1	0	0	22	6	4	2	1	1	1
047	1	0	0	23	6	4	2	1	1	1
048	1	0	0	25	7	3	2	0	1	1
049	2	0	2	25	7	3	2	0	1	1
050	1	0	2	25	6	4	2	0	1	1
051	2	0	2	22	5	5	2	0	1	1
052	2	0	1	19	5	5	2	0	1	1
053	2	0	0	19	5	6	2	0	1	1
054	4	0	0	20	5	6	2	0	1	1
055	2	0	0	23	5	6	2	0	1	1
056	3	0	0	26	5	6	2	0	1	1
057	4	0	0	28	6	6	2	0	1	1
058	4	0	0	28	6	5	2	0	1	1
059	1	0	0	18	6	6	2	0	1	1
060	1	0	0	19	5	6	2	0	1	1

4200. 001.

Time of Day

Taken by

[illegible]

KENNEBEC COUNTY JAIL SURVEY

PURPOSE:

The purpose of this survey was to gain some insight into the perceptions and attitudes of inmates in the Kennebec County Jail, in hopes of being able to better determine "inmate needs".

The results will be tabulated with other statistical data and survey results in order to make conclusions regarding responsive treatment programming for jail residents.

SAMPLE:

Consisted of twenty-two male adult residents of the Kennebec County Jail between the ages of eighteen and forty-eight.

The incarceration status breakdown was as follows:

Pre-trial	10
Sentenced	9
Combination Pre-trial detention and sentenced	3
Total	<hr/> 22

METHODOLOGY:

Residents were interviewed on a one to one voluntary basis during the month of August.

The person conducting the interviews was Dawn St. Clair, who did not have any affiliation with the jail.

The interviewer used the Kennebec County Jail Inmate Survey form as a guide in the interview process. Interviews took from 30 - 90 minutes each depending on the individual being interviewed.

Questionnaires for the survey were prepared by Reid Stevens, Dawn St. Clair and Ralph Nichols.

The results are as follows.

The average age of the group surveyed was twenty-six and one-half years of age.

Results were as follows:

1. Family (how do you get along with?)

- 23% report getting along well with family members
- 45% report not getting along well with family members
- 32% report sometimes they get along and sometimes don't

2. Social (how do you get along with other people)

- 45% report getting along well with people
- 14% report not getting along well with people
- 41% report sometimes they get along and sometimes they don't

3. A. How do you see yourself?

- 59% report they see themselves positively
- 27% report they see themselves negatively
- 14% don't know how they see themselves

B. How do others see you?

- 33% report others see them positively
- 27% report others see them negatively
- 14% report they don't know how others see them

4. A. Education

- 9% report highest educational attainment - college
- 36% report highest educational attainment - high school
- 41% report highest educational attainment - Jr. high school
- 14% report highest educational attainment - grammar school
(or less)

B. Attitude about school.

41% report disliking school

32% report liking school

27% report neither liking or disliking school

5. Jobs (trouble find and/or holding)

50% report no problems finding or holding jobs

36% report trouble holding jobs

14% report trouble finding jobs

6. Skills (work related - carpentry, electronics, etc.)

68% report having at least one work skill

27% report having no work skills

5% did not answer

7. Drugs (do you use them? How often?)

45% report using drugs daily

36% report using drugs two times per week or less

18% report not using drugs

Types of drugs:

59% use marijuana

14% use marijuana with amphetamines

5% use valium

5% use cocaine

18% report having a problem with drugs

8. Alcohol

- 55% report using alcohol daily
- 36% report using alcohol twice a week or less
- 59% report having a problem with alcohol
- 9% report not using alcohol

9. Decision making

- 45% report not using a thought out process when making decisions, (most responses indicate reacting spontaneously to situations)
- 14% report having no problems when making decisions
- 41% report sometimes having a problem with decisions

10. Ideal self (if you could be anything what would you be?)

- 18% report not knowing
- 18% report having a good job
- 14% report being rich
- 25% report individual occupations (mechanic, electrician, etc.)
- 5% report being a hermit
- 55% of responses are career or work related

11. Spouse (how do you get along with?)

- 64% report getting along with wife or girlfriend
- 18% report not getting along with wife or girlfriend
- 18% report sometimes getting along with and sometimes not

12. Chances of coming back to jail

- 36% report 50% chance or more of coming back to jail

13. Item requiring most attention

23% report family needs most attention

18% report alcohol problem deserves most attention

18% report needing a general overhaul of "total self"

9% report interpersonal issues need most attention

9% report jobs need attention

other responses individual i.e. life plan, driving, education

14. What do you need to stay out of jail

27% reported help with alcohol problems

27% reported not needing anything

14% reported trouble with their relationships with police

14% reported needing jobs

9% reported they needed to stay away from driving

5% reported needing money

5% reported staying out of trouble

15. What do other inmates need

55% report more recreational activities

41% report either fixing up or building a new jail

27% report better food preparation

23% report more jobs and job skills

23% report need for better visitation procedures

14% report need for better qualified guards

14% report need for educational programs

9% report needs for help with legal (case neglected) hassels

9% report need for counseling

Overall:

50% report need for fundamental rule changes (i.e. more
sleep, inmate counsel, privacy, rights for detainees)

5% report that higherups should cooperate with Ralph more

KENNEBEC COUNTY JAIL
INMATE STATISTICS
JULY 1975 - JUNE 31, 1976
JUNE - AUGUST - 1977

PURPOSE -

The purpose of gathering the statistics found in this report was to get some insight into the demographic and social-economic makeup of individuals found in the jail system of Kennebec County with the hope of providing programs in the needed areas identified.

DATE BASE -

Questionnaires were filled out on each individual received by the Kennebec County Jail as part of the Jail's intake process. See attached sample questionnaire.

SAMPLE -

A. Time Period

1. July 1975 through June 31, 1976
June - August, 1977

B. Interviews

1. Consisted of 958 individuals accused of crime, or sentenced to the Kennebec County Jail from Kennebec County, Lincoln, County, Somerset County and Sagadahoc County.

RESULTS -

Demographic Make-up

	<u>No.</u>	<u>%</u>
I. Female, adult	46	4.8
Male, adult	851	88.8
Male, juvenile	61	6.4
II. <u>Age</u>	<u>No.</u>	<u>%</u>
13 - 17	61	6.4
18 - 20	266	27.8
21 - 25	247	25.8
26 - 30	150	15.7
31 - 35	75	7.8
36 - 40	54	5.4
41 - 50	61	6.4
51 - 60	29	3.0
61+	15	1.6
III. <u>Residence</u>	<u>No.</u>	<u>%</u>
Kennebec County	691	72.1
Other Counties	189	19.7
Out of State	78	8.2
IV. <u>Length of residence in Kennebec County</u>	<u>No.</u>	<u>%</u>
Less than 1 year	51	7.4
1 - 5 years	75	11.0
6 - 10 years	43	6.2
11 - 15 years	522	75.4

V.	<u>Marital Status</u>	<u>No.</u>	<u>%</u>
	Single	548	57.2
	Married	230	24.0
	Divorced	178	18.6
	Widow	2	.2
VI.	<u>Dependents</u>	<u>No.</u>	<u>%</u>
	A. Married, # of:		
	0	40	17.4
	1	64	27.7
	2	59	25.7
	3	31	13.5
	4+	36	15.7
	B. Divorced, # of:		
	0	41	23.0
	1	46	25.8
	2	50	28.2
	3	25	14.0
	4+	16	9.0
VII.	<u>Race</u>	<u>No.</u>	<u>%</u>
	White	944	98.5
	Non-white	14	1.5
VIII.	<u>Employment</u>	<u>No.</u>	<u>%</u>
	Employed	282	29.4
	Unemployed	676	70.6
IX.	<u>Occupation</u>	<u>No.</u>	<u>%</u>
	Skilled	208	21.7
	Unskilled	750	78.3

X.	<u>Length at Current Job</u>	<u>No.</u>	<u>%</u>
	0 - 6 months	96	34.0
	6 months - 1 year	66	23.4
	1 - 3 years	46	16.3
	4 - 6 years	22	7.8
	7 years +	52	18.5
XI.	<u>Income Levels</u>	<u>No.</u>	<u>%</u>
	\$ 0 - \$5,000 yearly	762	79.5
	\$5,500 - \$7,400	134	14.0
	\$7,500 - \$10,000	50	5.2
	\$10,000 +	12	1.3
XII.	<u>Educational Levels</u>	<u>No.</u>	<u>%</u>
	Less than 8th grade	78 - /	8.1 -
	8th grade	146 /	15.2 /
	9th grade	132 624	13.8 65%
	10th grade	171 /	17.8 /
	11th grade	97 -	10.1 -
	12th grade	225	23.4
	GED	61	6.4
	12th grade +	48	5.2
XIII.	<u>Governmental Assistance</u>	<u>No.</u>	<u>%</u>
	Receives:		
	Food Stamps	100	10.0
	SSI	131	13.2
	Welfare	9	.9
	Vocational Rehab.	8	.8
	None	745	75.1

Note: One individual may be receiving assistance from more than one program.

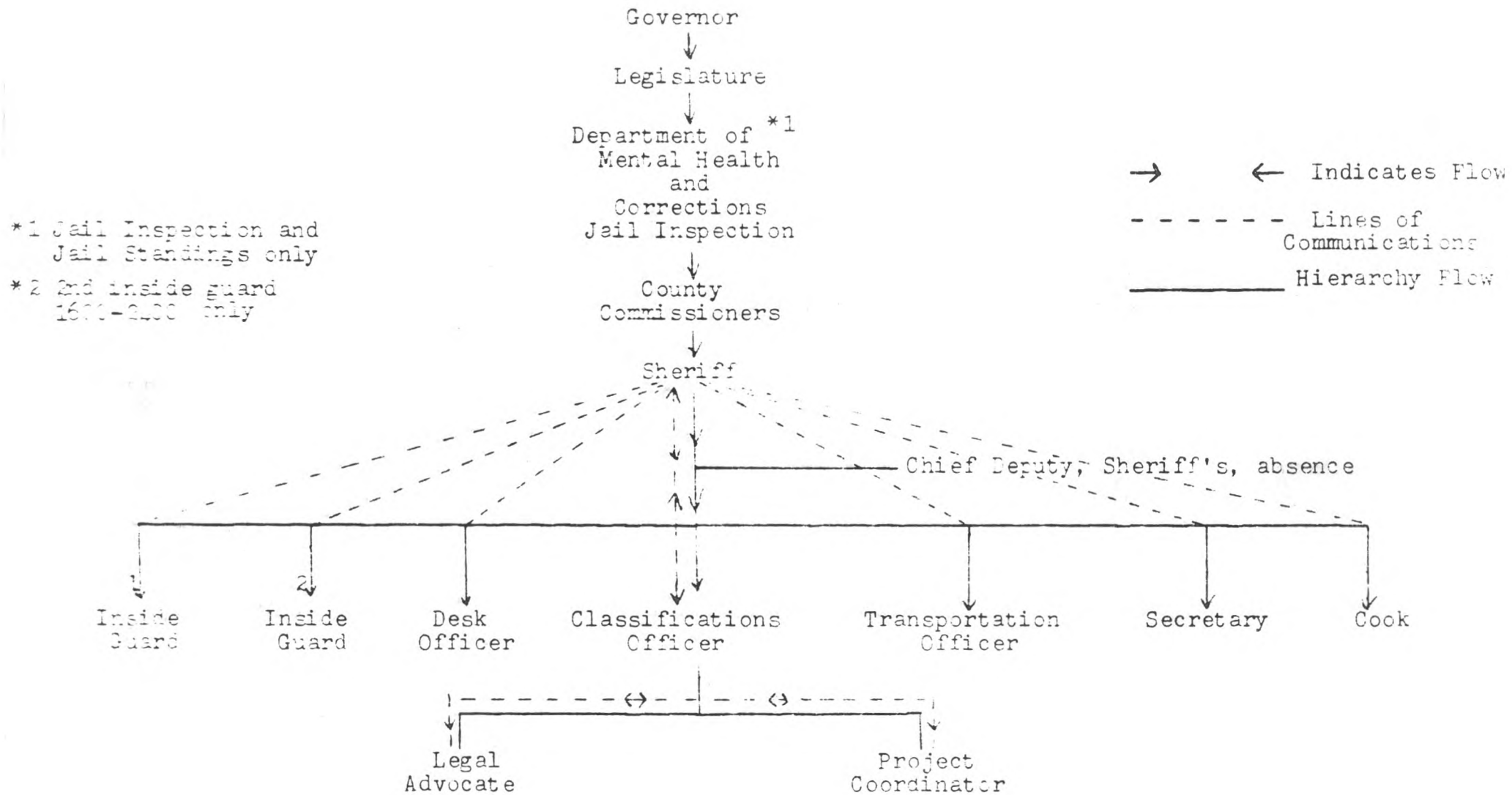
XIV.	<u>Previous Incarceration</u>	<u>No.</u>	<u>%</u>
	1st incarceration	309	32.3
	2nd incarceration	197	20.6
	3rd incarceration	153	16.0
	4th incarceration	60	6.3
	5th + incarceration	239	24.8

APPENDIX BOPERATIONS

The following pages present examples of the research conducted by the Committee and the jail staff. The Committee reviewed the staffing of the facility, outlined the responsibilities of each staff person on each shift and developed several flowcharts describing the systems which bring inmates to the jail. Examples of these provided in this appendix. Detailed research is available from the Sheriff on request.



KENNEBEC COUNTY JAIL HIERARCHY CHART



KENNEBEC COUNTY JAIL

JAIL EMPLOYEE'S

ROSTER

<u>Monday - Friday</u>	<u>Position</u>	<u>Shift</u>	<u>Age</u>
Kenneth Wing	Desk Officer	0800-1600	52
Peter Benner	Inside Turnkey	0800-1600	41
Anne Harris	Project Coordinator	0900-1700	25
Ralph Nichols	Classifications Officer	0900-1700	27
John Willard	Desk Officer	1600-2400	49
William Fletcher	Inside Turnkey	1600-2400	43
Steve Golden	Desk Officer	0001-0800	22
Gene Reitchel	Inside Turnkey	0001-0800	20

<u>Saturday - Sunday</u>	<u>Position</u>	<u>Shift</u>	<u>Age</u>
Albert Foster	Desk Officer	0800-1600	51
Norman LaChance	Inside Turnkey	0800-1600	51
Edward Morin II	Inside Turnkey	0800-1600	39
Napoleon Blais Jr.	Desk Officer	1600-2400	31
Howard Norton	Inside Turnkey	1600-2400	71
Roland Mador	Inside Turnkey	1600-2400	43
Robert Sear	Desk Officer	0001-0800	51
Arnold Ricker	Inside Turnkey	0001-0800	61

Note: As of September 19, 1977, the second Inside Turnkey position on all appropriate shifts has been dropped due to budget problems.

KENNEBEC COUNTY JAIL STAFFING PATTERN

Day	0800-1600	1600-2400	0001-0800
Monday thru Thursday	Sheriff #1 Desk Officer Inside Turnkey Classifications #1 Officer Project #1 Coordinator Transportation #2 Officer Cook Secretary	Desk Officer Inside Turnkey Inside Turnkey Cook	Desk Officer Inside Turnkey Cook
Friday	Sheriff Desk Officer Inside Turnkey Project Coordinator Transportation Officer Cook Secretary	Desk Officer Inside Turnkey Inside Turnkey Cook	Desk Officer Inside Turnkey Cook

Day	0800-1600	1600-2400	0001-0800
Saturday	Desk Officer Inside Turnkey Inside Turnkey Classifications ^{#3} Officer Cook	Desk Officer Inside Turnkey Inside Turnkey Cook	Desk Officer Inside Turnkey Cook
Sunday	Desk Officer Inside Turnkey Inside Turnkey Classifications ^{#3} Officer Cook	Desk Officer Inside Turnkey Inside Turnkey Cook	Desk Officer Inside Turnkey Cook

- #1. 0900-1700, one hour overlap to next shift.
2. Position not filled at this time.
3. 1200-1530 outside visitation.
4. Three hours per day, seven days a week full-time position, on call.

Note: The Desk Officers and Turnkeys who man the jail Saturdays and Sundays are part-time employees. This creates many problems with administration, employees and inmates.

1. These employees receive little or no training.
2. It is especially hard to find replacements for a weekend employee who wants a weekend off or leaves the Department. Replacement is usually done on a spur of the moment basis.

3. Communications with weekend employees between administration, employees and inmates causes many problems as weekend employees do not know what is happening internally with jail administration or inmates. This problem has been partly solved by the utilization of the type log, desk log and the presents of the Classifications Officer. However, many problems are still present especially in the area of inmate status.

This problem also exists for weekday employees from shift to shift. The overall results being a very inconsistent management, according to the individuals on each shift, of the jail and a breakdown in administration, employees and inmate communications causing much confusion, anxiety and manipulation.

Other Problem Areas

1. Turnkey to inmate ratio
2. Job description and accountability
3. Goals and objectives, conflict in philosophy
4. Training, in corrections areas, behavioral

INSIDE TURNKEY
One Employee 0001-0800

Cell Block Functional Areas

Exterior Cell Block Functional Areas

<u>Intake</u>	<u>Supervision</u>	<u>Jail Security</u>		<u>Supervision</u>	<u>Security</u>	<u>Other</u>
Book #1	Maximum, Medium <u>Inmates</u>	Maximum Segregation Checks $\frac{1}{2}$ hr.		Minimum Security <u>Trustees</u>	Trustee Work Area	Release Desk Officer, Meals, Breaks
Cell Assignments	Behavior	$\frac{1}{2}$ hour bed		Behavior		
Inmate Bedding, Towels	Jail Rules	checks and requested checks		Maintenance of kitchen		
Jail Rules	Policing					
Observation	All Areas	0500 Trustee Wake-up				
Inmate Behavior	Morning Clean Up 0700	Work Release Wake-up				
		0530 Complete Wake-up (jail)				
		Breakfast Escort				
		Jail Counts				

#1 Fingerprints, photos, strip search, shower.

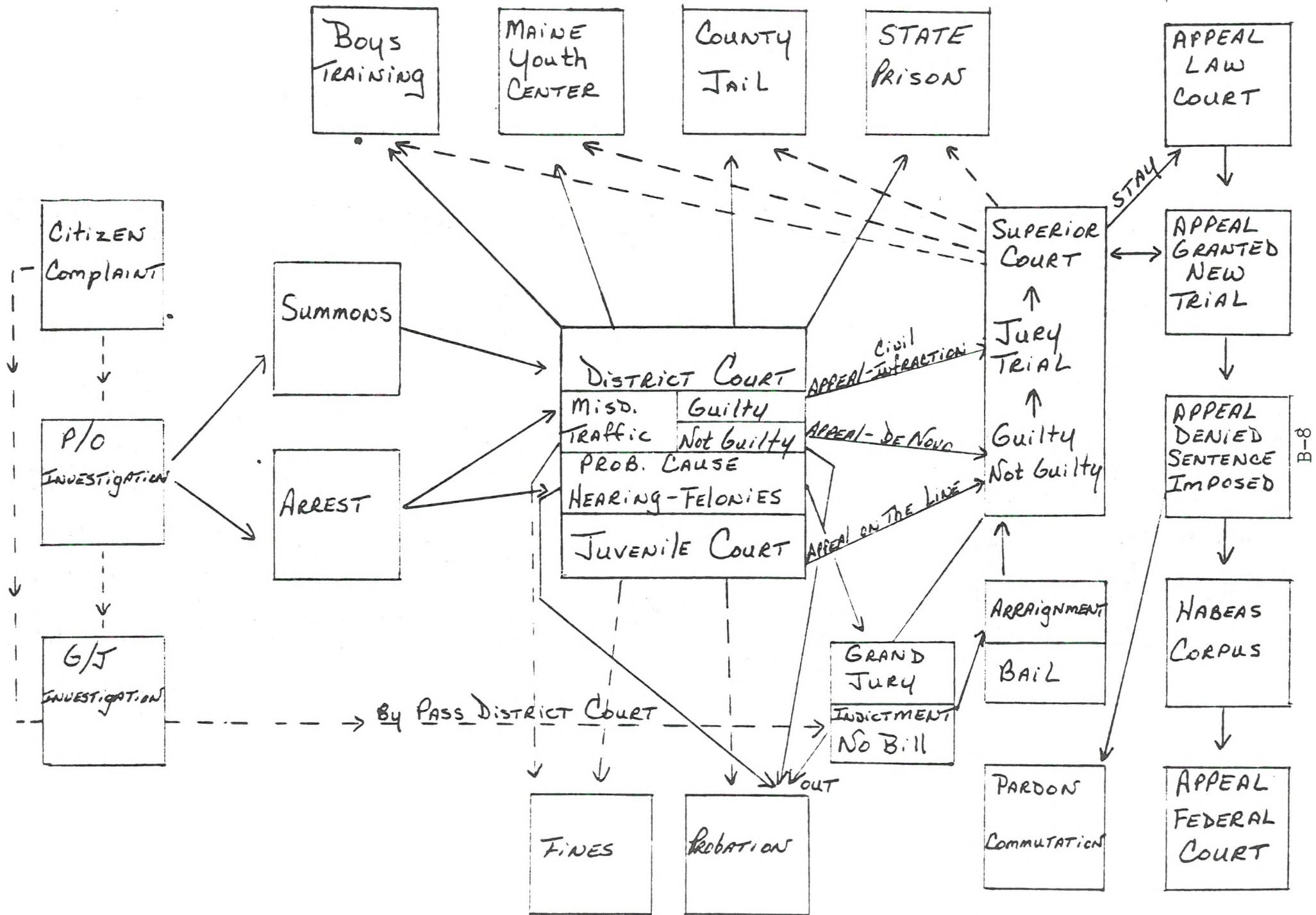
Note: Individual must cover two areas at one time leaving one area unsupervised.

PROJECT COORDINATOR 0900 - 1700

Programatic Areas			Custodial
<u>Work Release</u> ¹	<u>Educational</u> ¹	<u>Volunteer Services</u>	<u>Replace Matron</u> <u>When Not</u> <u>Available</u>
Eligibility		Coordinate	
Petition	Wide Range	Volunteers with	Meals
Work Release	Aptitude Testing	Inmate Educational	Transportation
Rules/Regulations	Educational, Tutoring	needs	Officer
Job Development	Volunteers		Lawyer
Referral, Counseling	General Educational		Escort
Career Planning,	Diploma		Escort for
Testing, Counseling	Vocational		Booking
Community Passes	Educational		Medical Needs
Spot Checks/	Testing		Needed
Security	Post Secondary		Services
Release Schedules	Education		
Progress Reports	<u>Educational Release</u>		
Employee/Employer	Petition		
Conflicts	E/R Rules		
	Regulations		
	Community Passes		
	Spot Checks/Security		
	Release Schedules		
	Progress Reports		

1. Non Treatment Plans, and Treatment Plans, Community based and in-house. Coordinations of defined program areas, not treatment areas.

KENNEBEC COUNTY COURTS FLOW CHART



APPENDIX CDETENTION POPULATION PROJECTIONS

This appendix presents a report prepared for the Committee summarizing the process through which projections were made and the resulting projections. The report was submitted by Community Resource Services, Inc., as a public service.



SUMMARY: KENNEBEC COUNTY JAIL BEDSPACE PROJECTIONS

Prepared by: Rod Miller, CRS, Inc.

Dated: May 31, 1978

I. INTRODUCTION

Calculating and projecting bedspace needs for Kennebec County has been a long and difficult task. The Citizens Committee for the Kennebec County Jail has focussed on this task during several meetings in recent months. County and CRS staff have committed more than 200 hours of research and analysis to this task during the past 2 months; members of the Committee have contributed at least 60 hours of effort in reviewing and modifying projections. The following report presents the results of the Committee and staff efforts and reviews the process used.

The Committee and the County must have a solid grasp on the future needs of the County in the area of detention and corrections. It is necessary to know how many beds will be needed, what kind of beds (security classifications, length of stay, etc.) and the characteristics of the future population which will be coming into contact with the detention/corrections system.

Projections are useful in all aspects of planning:

Facilities - projections are used to calculate the amounts and types of spaces needed for detention/corrections functions in the County. This "space needs assessment" may then be used to evaluate the adequacy of the current building and its potential for future use. The same "space needs" may be used to evaluate the adequacy of other buildings and to estimate costs of renovations, additions and/or new construction.

Operations - projections are useful to help determine future staffing needs and to plan for programming.

Systems - projections are useful in showing areas in which new or continued programs will impact the detention/corrections population (i.e. diversion) and in showing areas where various components of the system may have a larger role in the process.

The Committee has prepared projections for the years 1985 and 2000. The Committee recommends that any new construction or renovation be designed to facilitate expansion in the future; this approach would allow the County to build for shorter-term needs (10-20 years) and to assess needs for additional spaces at a later date. The Committee has concluded that this would be the most efficient and cost-effective approach.

II. PROJECTED NEEDS

The chart on the following page presents the projected bedspace needs, as assessed by the Committee. Current bedspaces are listed on the chart to provide a basis for comparison.

It should be noted that the Committee has recommended a wider variety of types of spaces than are currently offered in the jail. In particular, the need for a larger short-term holding unit is proposed. This unit would provide space for housing inmates for up to 72 hours. Based on extensive jail research, it is projected that at least 60% of all persons admitted to the jail will be housed 72 hours or less. Further analysis shows that peak populations are usually caused by large increases in the short-term population which occur for one or two days. The proposed short-term holding area, with its observation, detoxification and regular holding spaces, will provide a safe and efficient setting for future inmates. Provision of short-term holding spaces offers an effective solution to peak population problems and decreases the impact of holding functions on the longer-term population.

The Committee has calculated bedspace needs for the "longer-term" population (more than 72 hours). Types of housing has been calculated based on current practices and recommended practices.

The Committee recommends that 2 options be seriously explored with the Maine Bureau of Corrections. Both of the options involve the development of long-term contracts with the Bureau for the housing and treatment of State prisoners. The Committee suggests that, if appropriate financial guarantees are secured, provisions for these prisoners be included in County Plans. The two options are:

- Pre-Release: receiving State prisoners who are planning to return to the region, prior to the expiration of their sentence, to be housed at the jail or adjunct facilities and to participate in "re-integration" programming. Target population: 10 minimum security beds (the County is currently providing similar services for a small number of State prisoners).
- Alternative to State Facility: receiving State prisoners in lieu of their incarceration in a State facility, to participate in County programs. Such an option would keep some local offenders closer to their home community while providing a full range of security and programming. Target population: 20 beds (medium and minimum security).

The Committee suggests that exploration of these 2 options would be consistent with the goals and objectives of "Community-based corrections".

KENNEBEC COUNTY : PROJECTED DETENTION/CORRECTIONS BEDSPACE NEEDS ¹

SHORT-TERM HOLDING

Observation &
Detoxification

General

Total Capacity
for Holding

LONG-TERM HOLDING

Maximum Security

Medium Security

M General

I Work-Release

M Pre-Release

TOTAL BEDS

CURRENT AVAILABLE					1985					2000				
T o t a l	Adult		Juv.		T o t a l	Adult		Juv.		T o t a l	Adult		Juv.	
	M a l e	F e m a l e	M a l e	F e m a l e		M a l e	F e m a l e	M a l e	F e m a l e		M a l e	F e m a l e	M a l e	F e m a l e
0	-	-	-	-	9	6	1	1	1	10	7	1	1	1
0	-	-	-	-	17	11	2	2	2	20	14	2	2	2
0	-	-	-	-	26	17	3	3	3	30	21	3	3	3
1	1	-	-	-	2	2	-	-	-	2	2	-	-	-
39	35	4	-	-	22	15	5	1	1	26	18	6	1	1
6	6	-	-	-	14	14	-	-	-	17	17	-	-	-
7	7	-	-	-	7	7	-	-	-	8	8	-	-	-
7	7	-	-	-	5	5	-	-	-	6	6	-	-	-
60	56	4	0	0	50	43	5	1	1	59	51	6	1	1

1. Based on continued practice of housing Lincoln and Sagadahoc County Inmates.

2. Based on current operations and use of space.

III. PROJECTION METHODS AND PROCESS

A. INTRODUCTION

The process used to develop bedspace projections was complex and thorough. Data and information was secured from a variety of sources, including:

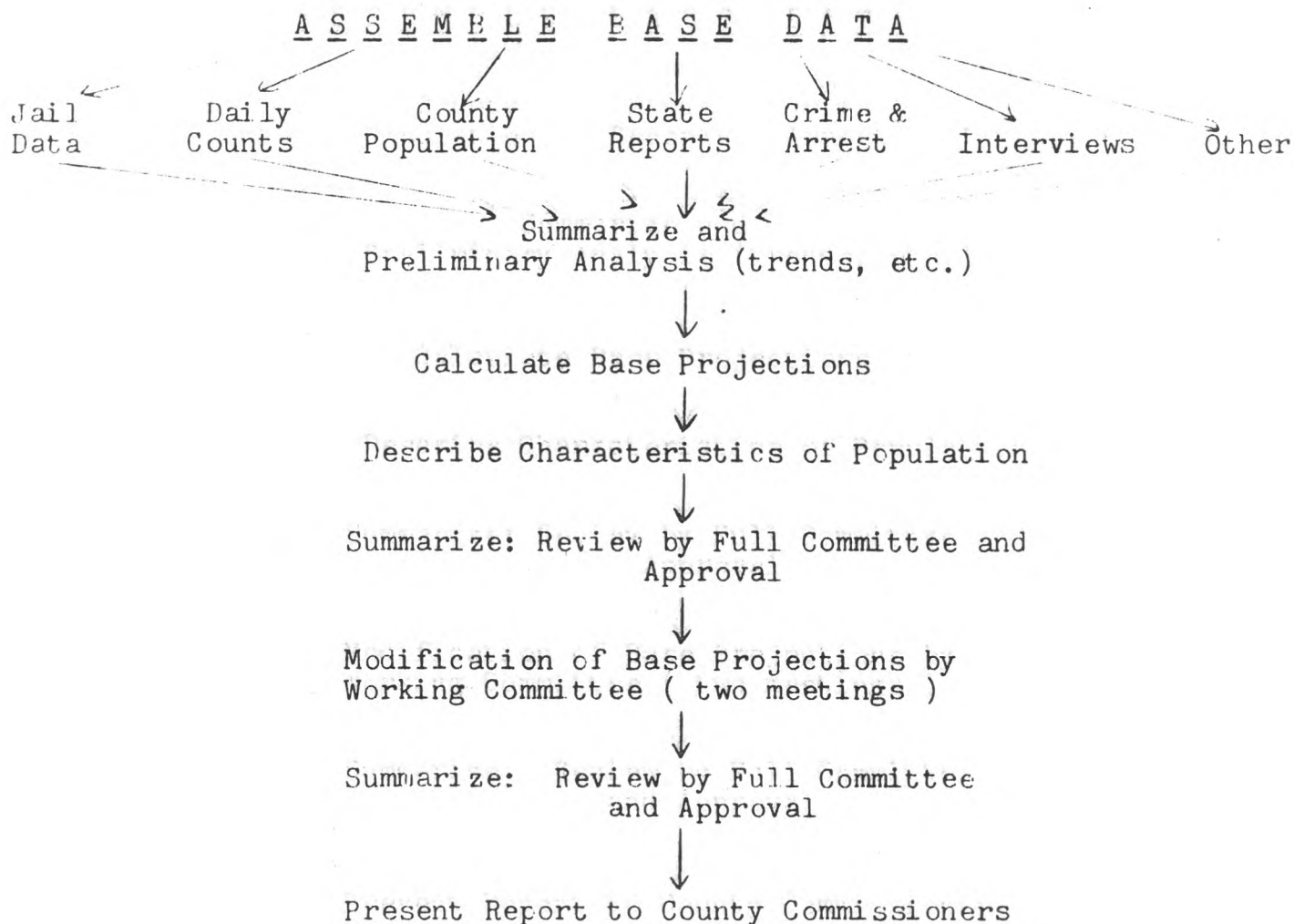
- jail research (30% sample of all admissions for four years; interviews with inmates; previous research)
- jail daily counts, covering a 9 month period, hand-tabulated for this process
- State Jail Inspections, annual reports 1955-1977
- County Annual Reports
- Crime and Arrest Data
- County Population Data
- National Research and Statistics
- Interviews with local and State officials and staff

The following flow chart described the steps through which the Committee and staff calculated bedspace needs. Some of the strengths of the process are the amount of input from Committee members, the breadth and depth of data and information assembled and the contacts made with officials and staff in all parts of the Criminal Justice System.

The working committee which proposed the modifications of the base projections included:

- Committee Chairperson (local attorney)
- Sheriff
- County Planner
- Jail Program Coordinator
- Jail Program Staff
- Juvenile and Adult Counselor
- Probation and Parole Officer
- Committee Secretary
- Criminal Justice Planning Consultant

FLOWCHART : PROJECTIONS PROCESS



B. METHODS : BASE PROJECTIONS

"Base Projections" are calculated using data and information from past jail activities. Base projections are used to generate initial estimates of future detention/corrections populations based on the continuation of current (and recent) practices. Two methods were used to calculate base projections.

1. Methods

a. Ratio method - This method is based on the assumption that there is a reasonable correlation between the use of the jail during recent years and the County population. This method calls for the calculation of ratios between jail use characteristics (daily counts, admissions and detention weeks) and County population. The ratios which are developed for each year are compared to see if any trends are identified. An average ratio is calculated and is then multiplied by the projected population of the County in the target years (1982, 1990, 2000). The resulting figures represent projected detention/corrections population. In some instances, high and low ratios are identified and are used to generate a range of potential populations and use.

b. Best Fit Line - This method is more complicated but has certain advantages. This method uses the "scattered" events of recent years to project future trends and use. In this method, a "best fit line" is developed which passes through a set of points so as to minimize the sum of the squares of the distances between the points and the lines. In our case, the points represent the use of the jail during recent years. Projection of future detention/corrections populations is accomplished by calculating the points on the line for future years, based on projected County population.

C. BASE DATA

In order to calculate the base data, a set of data describing use of the jail and general county population was assembled. This data was labelled "base data". The base data used is presented in the following chart. Selected graphs follow the chart. The data includes average headcounts, admissions and detention weeks. There is some doubt about the accuracy of the data which is available. In some instances different sources actually conflict in their statistics. County population figures were secured from the State Planning Office.

BASE DATA

Year	County Population	Detention Weeks	Admissions	Average Daily	Highest Populations	Lowest
1960	89,200			33	57	21
61	88,900			--	--	--
62	90,500			47	65	32
63	89,000			45	52	29
64	90,600			60	67	42
1965	91,800			57	66	49
66	92,100			50	69	32
67	94,200	2668	1317	45	65	27
68	94,700	2372	1330	--	--	--
69	95,003	1923	1193	--	--	--
1970	95,306	1868	1200	--	--	--
71	96,559	2185	1431	40	60	24
72	97,854	1815	1343	29	42	19
73	99,150	1626	1298	--	--	--
74	99,950	1830	1310	--	--	--
1975	100,745	1535	1025	--	--	--
76	101,960		788	37	52	27
77	103,220		1069	44	59	24
////						
<u>PROJECTED</u>						
1982	108,220					
1990	118,773					
2000	131,085					

Headcount

70
60
50
40
30
20
10

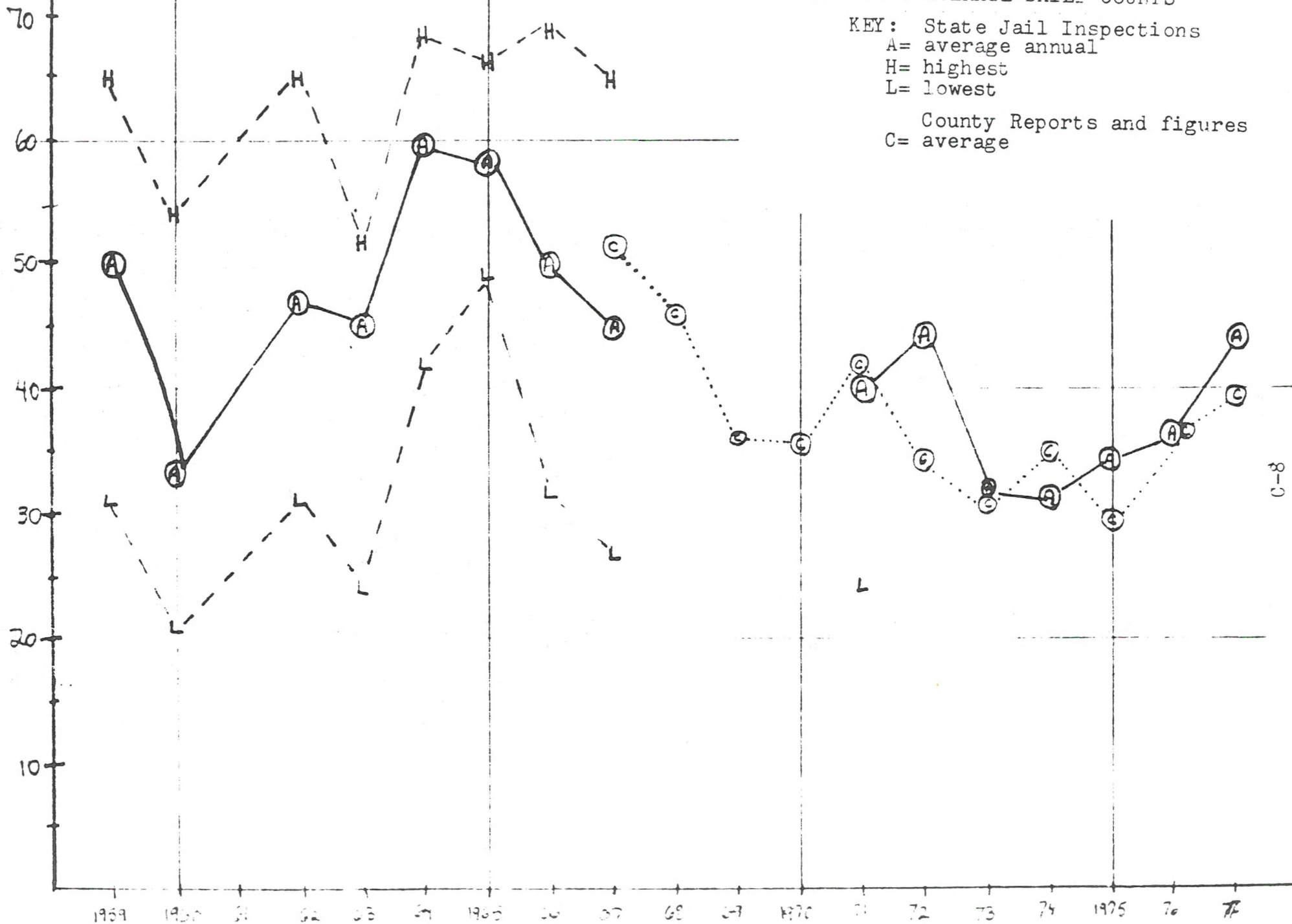
BASE DATA : AVERAGE DAILY COUNTS

KEY: State Jail Inspections
A= average annual
H= highest
L= lowest

County Reports and figures
C= average

1959 1960 61 62 63 64 1965 66 67 68 69 1970 71 72 73 74 1975 76 77

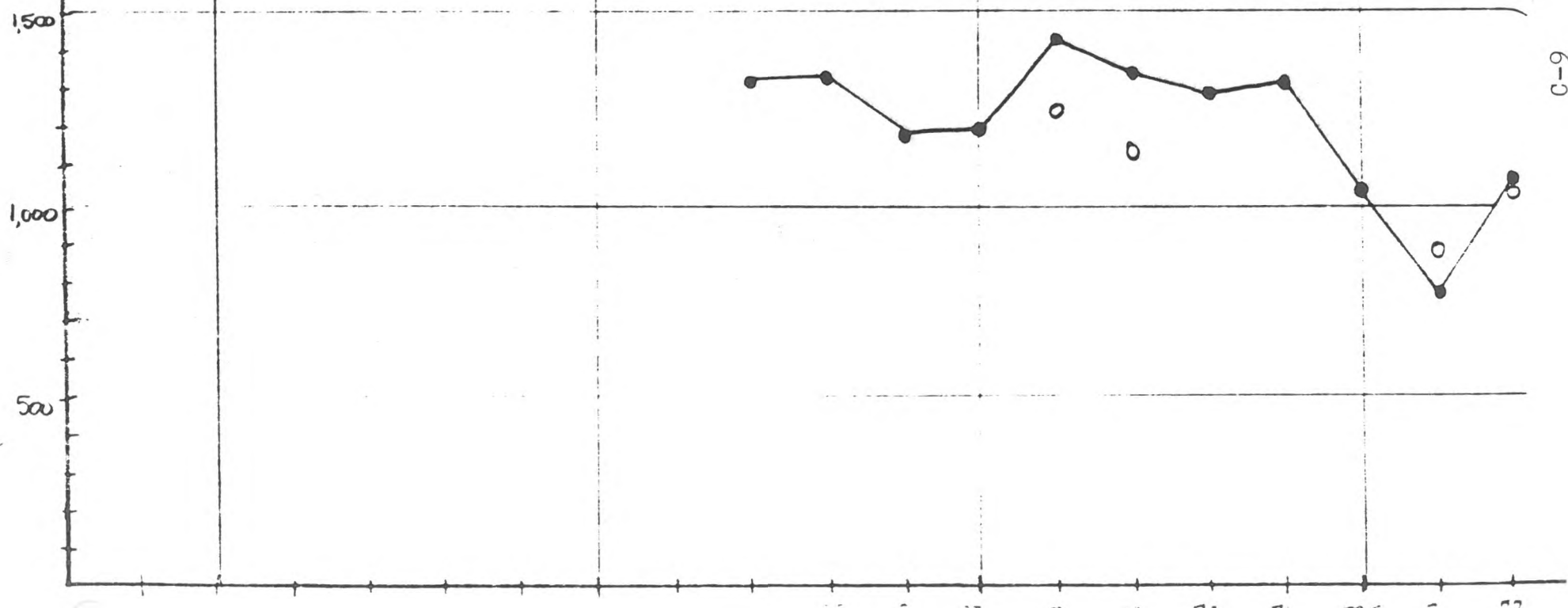
C-38



Admissions

BASE DATA : ADMISSIONS

● = State Jail Inspections Stats.
○ = County Stats.



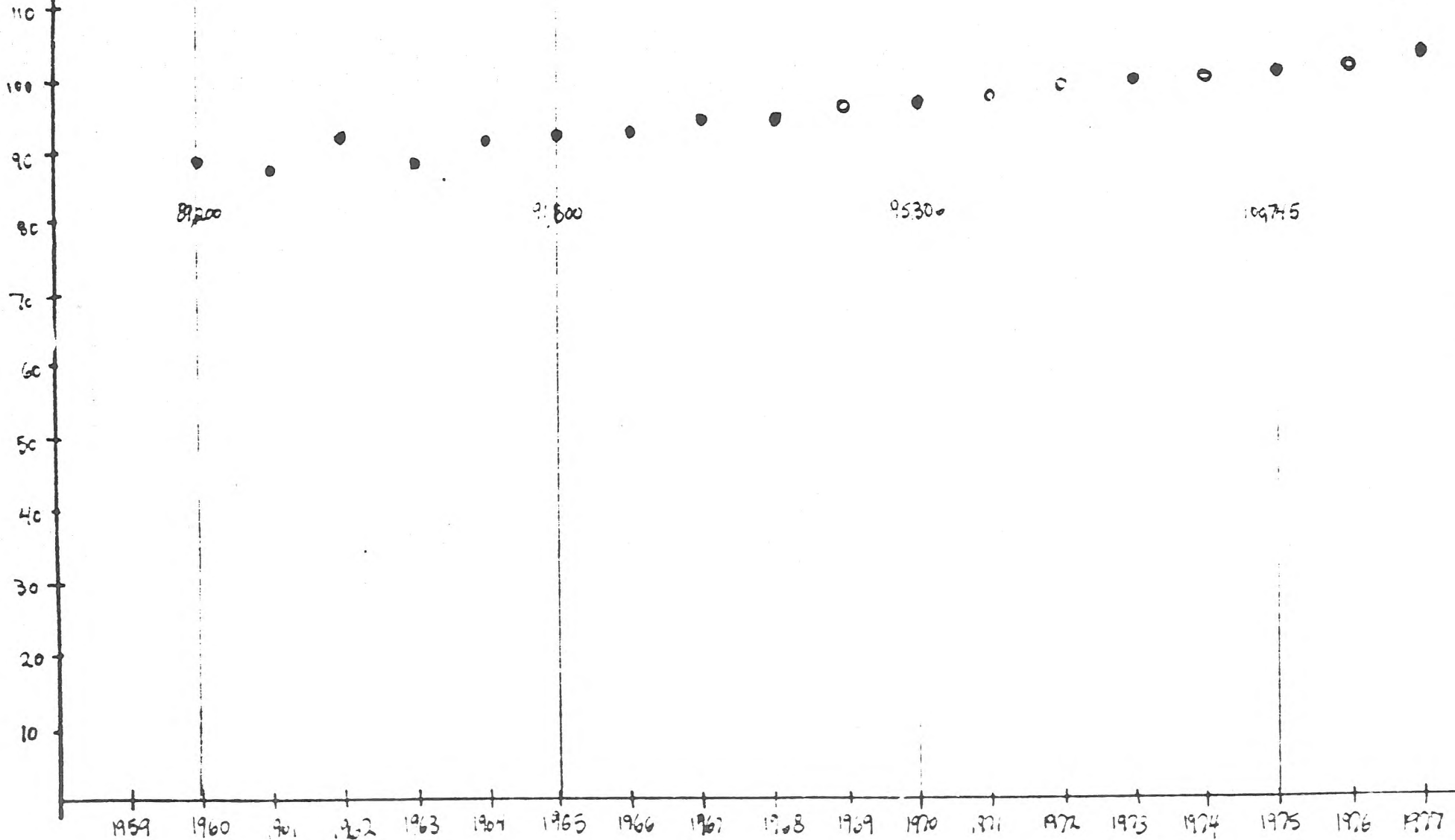
BASE DATA : GENERAL POPULATION

Source: U.S. Bureau of Census

Key: ● = Actual

○ = Interpolated

Population
in millions



D. BASE PROJECTIONS

1. Best Fit Line - Projections for future populations were generated using this method. In all cases, the results show a steady decrease in population and admissions. The best fit line in each instance had a negative slope.

The results of this method of calculation are not presented because they are not considered to be a meaningful representation of future trends. The projected steady growth of County population is not reflected in this method.

2. Ratio Method - Using the ratio method, a series of projections were generated; these are summarized on the chart below. The diagram on the right-hand side of the chart graphically shows the years from which data was drawn for each of the sets of projections. It is interesting to note that projections for Average Daily Populations vary markedly based on the years used in the data base.

PROJECTIONS - RATIO METHOD

				YEARS IN DATA BASE					
				1	2	3	4	5	6
1.	<u>Detention Weeks</u>								
	<u>Weeks</u>								
	1982	2217							
	1990	2433							
	2000	2685							
2.	<u>Admissions</u>								
	<u>#Admissions</u>								
	1982	1345							
	1990	1477							
	2000	1630							
<u>Average Daily Populations</u>									
	3. (1959-77)	4. (1971-77)							
	1982	47.8	45.5						
	1990	52.4	50.0						
	2000	57.8	55.2						
	5. (1959-67)								
	1982	57.2							
	1990	62.7							
	2000	69.3							
6.	<u>High and Low Populations</u>								
	(high and low occupancy)								
	<u>High</u>	<u>Low</u>							
	1982	67.4	34.3						
	1990	74.0	37.6						
	2000	81.6	41.5						

3. Base Projections - Recommended Base Projections - Projection sets 3 and 6 from the ratio method were selected as base projections. These sets of numbers project average daily populations and high and low populations. They were chosen because:

- a. The data base for these projections includes data for 16 years (#3) and 10 years (#6).
- b. The data sources are consistent.
- c. The number of years covered in the data base helps to compensate for short-term trends (1972-74; 1975-77).
- d. The resulting projections appear reasonable considering recent events and projected County growth.
- e. The high and low figures provide insights into fluctuations in population.

The Base Projections are:

Base Projections: Daily Population

	<u>Average</u>	<u>Highest</u>	<u>Lowest</u>
1982	47.8	67.4	34.3
1990	52.4	74.0	37.6
2000	57.8	81.6	41.5

The method of projection is a simplified approach which calls for using only two or three variables. A number of other variables have a continuing impact on the use of detention/corrections facilities. Unfortunately it is very difficult to statistically incorporate these variables into the projection process.

Subsequent work by the Committee and staff resulted in the inclusion of other variables in the final projections. The work of the Committee is described in the following pages.

E. DESCRIPTION/CHARACTERISTICS OF BASE POPULATION

A variety of sources may be used to predict the characteristics of the projected population. The primary source of information is the Daily Counts. These describe the daily dynamics of the jail. Counts have been taken by Ralph Nichols during 9 of the past 10 months. Counts were taken on all of the days in July and August and on 60% of the days (random sample) during the months of October through April. The results of the counts were hand-tabulated by Lorraine Gardner and Maroon George.

Another major source is the Jail Data which was collected in 1977. This data is a 30% sample of all cases admitted to the jail during the years 1973-76. This data has been extensively computer-analyzed.

Other sources include State Jail Inspections Reports, data from the District Attorney and State Corrections data.

The following list presents some major projected characteristics, expressed in percents of daily populations.

PROJECTED CHARACTERISTICS

<u>Characteristic</u>	<u>% of Daily Population</u>
<u>Age:</u> less than 18	.5%
18 - 25	42.0%
more than 25	57.5%
<u>Sex:</u> male	97.0%
female	3.0%
<u>Race:</u> Caucasian	97.3%
all other	2.7%
<u>County:</u> Kennebec	80.2%
Sagadahoc	4.4%
Lincoln	10.9%
Other	4.4%
<u>Court:</u> Superior	56.9%
District	42.9%
Other	.2%
<u>Status:</u> Pre-arraignment	14.6%
Pre-trial	29.1%
Pre-sentence	2.2%
Sentenced	54.1%
<u>Housing Security:</u> Maximum	1.5% (80% of which were sentenced)
Segregated* (all females and juveniles)	2.6% (50% of which were sentenced)
Medium	42.2% (37% of which were sentenced)
Other (prison, Seton, Treatment / General programs, etc.)	17.7% (80% of which were sentenced)
Minimum	20.4%)
/ Pre-release	6.9%) (100% of which were sentenced)
/ Work-release	8.3%)

F. MODIFICATIONS

It was necessary to review both the base projections and the projected characteristics in light of many considerations which were not adequately reflected in the previous calculations and data base. This part of the planning process involved a great deal of speculation because most of the considerations are not easily quantified and applied to the projections.

The Committee reviewed a broad set of considerations and decided that the projections should be modified. Three reasons prompted the Committee to modify the projections:

1. To reflect information not previously considered (i.e. if the Committee thinks that crime rate data is significant, modifications may follow).
2. To reflect anticipated changes or trends (i.e. if the Committee expects the County population to be older and less crime-prone, modifications may result).
3. To reflect desired changes or trends (i.e. if the Committee decides to encourage increased diversion, or more use of minimum security settings, the projections may be modified to facilitate or accommodate the changes).

The jail is part of a complex system and is effected (directly or indirectly) by social, economic and political events. To adjust the projections, the Committee formed a working group composed of citizens and professionals with the necessary insights to make necessary modifications. The working Committee met twice and recommended a variety of modifications, all of which were approved by the full Committee. The modifications, and their bases, are summarized in the following sections.

1. Detoxification and Observation - Based on the review of crime and arrest data, jail data and the experiences of jail program staff, the need for special holding facilities for observation and detoxification was identified. Projections were modified accordingly.

2. Short-term Holding - The jail data showed that more than 50% of all persons admitted to the jail spent less than 72 hours in custody. Analysis of Daily Counts showed that most peak periods of occupancy were caused by increases in the number of short-term inmates; such peaks usually lasted less than 24 hours.

Based on these and other insights, the Committee concluded that peak periods of occupancy should be accommodated by short-term holding facilities (3 days or less), and that a total of 30 spaces would be needed in the year 2000. It is estimated that 6 spaces would be used on an average day and the remaining 24 would be used during peak periods.

3. Diversion - The Committee considered a broad range of data and insights, including interviews with relevant officials. The Committee concluded that diversion alternatives were not being used enough. The Committee recommends the increased use of diversion options such as Personal Recognizance and the development of new options such as Conditional Release. In anticipation of increased diversion and as a means of encouraging increased diversion, the Committee has decreased the number of regular beds by 12.

4. Juveniles - All indicators (data, court trends, new laws) point to increases in the number of juveniles committed to the jail and their length of stay. In response, the Committee increased the number of juvenile beds (regular) to from 0 to 2, and made allocations for male and female short-term holding.

5. Females - The Committee increased the number of regular female beds from 1 to 6, based on the review of statistics and data. Provisions for short-term holding of females were also made.

6. Sentenced Offenders - The use of the jail as a corrections setting for sentenced offenders has increased in recent years. Overcrowding in State correctional facilities has been a factor in compelling the courts to sentence more serious offenders for longer periods of incarceration at the jail.

The Committee anticipates increased use of the jail for sentenced offenders and has increased the number of regular beds by 12.

7. State Options - Two long-term arrangements with the Maine Bureau of Corrections were discussed. The Committee recommends exploration of these options in the near future.

APPENDIX DDIVERSION

This appendix presents a report which was submitted to the Committee as a briefing document. The report outlines various aspects of diversion alternatives and establishes a common vocabulary for diversion. The report was prepared by Community Resource Services, Inc.



CRIMINAL JUSTICE DIVERSION ALTERNATIVES

BRIEFING DOCUMENT - DIVERSION

FOR: Citizens Committee for Kennebec County Jail

BY: Rod Miller, CRS

The following document is an updated version of a document prepared by Rod Miller and John Breitmeyer for the Clinton and Cratiot Counties (Michigan) Jail Studies.

This document is offered as an introduction and description of criminal justice diversion alternatives. During the following weeks detailed information will be provided describing diversion efforts and alternatives in Kennebec County. This document will define terms and lay the foundation for the interpretation and analysis of detailed data.

I. INTRODUCTION

"Diversion" is a term which has been broadly applied to the juvenile and criminal justice systems. For the purposes of this document, we define it as: the process which moves the suspect, defendant, or offender out of the criminal or juvenile system, of which bypasses certain functions or facilities in either system.

Diversion efforts in the criminal and juvenile justice systems represent a major method used by the police, prosecutor, courts and corrections. The concept of diversion is not new; practice of diversion locally is common. We are concerned with diversion during this stage of planning because:

1. We want to identify the types of diversion currently used.
2. We want to discover the extent to which diversion is used locally and the way in which it is applied.
3. We want to thoroughly explore and evaluate the development of other diversion types and increased use of current types.
4. As planners we must assess the impact of current and new diversion efforts on the jail population.

The preceding reasons help to explain Kennebec's concern with diversion. At a state and national level, much concern has also been shown.

The Report of the Governor's Task Force on Corrections (In the Public Interest, 1974) states that:

"It is the purpose and intent of this report, therefore, to recommend changes aimed first at diverting as many individuals as possible from the criminal justice system...."

More recently, the Adult Correctional Master Plan (1976) proposes the development of pre-sentence diversion programs.

On a national level, several recent Commissions have urged the development of a broad range of diversion efforts. The recommendations of recent Commissions are mentioned several times in the following sections.

II. CLASSIFICATION OF DIVERSION TYPES

For the purposes of this document, we will classify the various types of diversion efforts into the following categories, based

upon the experiences which the suspect, defendant or offender has after he/she has been diverted:

1. No further processing in the criminal or juvenile justice system.
 - a. Diverted out of system without referral to other systems or program (simple release).
 - b. Diverted out of system into alternative program(s).
2. Processing continues -- facilities or process component avoided.
 - a. Diverted from detention (incarceration) prior to disposition.
 - b. Treatment without incarceration after adjudication.
 - c. By-pass process components.

These five types of results basically cover the impact of all diversion efforts on suspects, defendants or offenders.

III. RATIONALE FOR DIVERSION TYPES

Although the five diversion types which have been described have many things in common, the reasons for which they may be used vary greatly. Some brief examples of some reasons for using the five types of diversion are:

- 1(a). (Diverted - no program) There are no grounds to pursue the case; justice would not be served by further processing; deterrence from future crimes may have already been accomplished; system may be overloaded.
- 1(b). (Divert to program) Alternative programs may be more effective, less costly, and therefore serve the purposes of the system better; the system may be too flooded with cases for regular processing.
- 2(a). (Diverted from detention) To be sure the only persons who absolutely require secure detention are housed; less costly; less disruptive to the defendant's life; facilities may be crowded; facilities unsafe.

- 2(b). (Treatment without incarceration) Alternative may be more effective, less costly, less disruptive, and therefore serve the community better; facilities may be full.
- 2(c). (By-pass) Complete processing too costly; system is overloaded and cannot fully process; results may be similar with less cost and time expended.

These reasons are by no means the only reasons why diversion can be used, but they are examples. It should be noted that rationale for diversion can, and does range from, "best, most effective action" to "due to crowding and overloads there is no choice". In some instances, diversion is used by choice as the best alternative; in many other instances, diversion is the only choice. In general, it is recommended that diversion be a set of alternative actions, so that it may be used selectively for the overall protection of the public.

IV. PROCESS CATEGORIES FOR DIVERSION

To facilitate a comprehensive review of diversion efforts, the criminal and juvenile justice processes will be divided into five categories, based upon the flow of the criminal or juvenile case. These five categories are described in the following narrative.

A. Pre-Arrest

This category includes all the criminal and juvenile justice activities which occur before any arrest is made, or before a suspect is actually charged with an offense. For example, if a law enforcement officer stops a car and questions the driver, it is included here. When arrest is made, or citation is issued, then from that point on, it is in the next category. Until charged, the person involved is a "suspect"; after being charged or arrested, the suspect becomes a "defendant".

B. Pre-Arraignment

This category covers the time following the formal charging or arrest of the suspect by a law enforcement agent up to first formal contact of the defendant with the court (arraignment).

C. Pre-Trial

This category covers the time following first arraignment to the determination of innocence or guilt by the court. The defendant may go through the entire process and may ultimately be judged guilty or be acquitted, or the case may be dismissed at some point prior to the determination of innocence or guilt. If guilt is established, from that point forward the defendant has become an adjudicated offender. In many cases, an offender is not sentenced immediately after conviction.

D. Pre-Sentence

This is the period which follows conviction of an offender prior to the imposition of a sentence by the court. During this time the offender has been convicted but has not yet been subjected to corrective or punitive measures.

E. Sentence

This category covers the many correctional and punitive measures which are imposed on the offenders by the courts. They range from fines and restitution to imprisonment.

V. REVIEW OF DIVERSION OPTIONS

The following narrative reviews many types of diversion options currently practiced in the United States. They are presented in five sections, according to the point at which the diversion occurs. The diversion options are briefly described in this document. The current use of each option in the county and the potential impact of each option on the county will be presented in subsequent reports.

A. Pre-Arrest

1. Diversion of public inebriants: Persons who are intoxicated but not committing any other offenses may be diverted instead of arrested. In many communities, these persons are taken home by law enforcement officials.

2. Juveniles and adults who are suspected of a crime may be released without being charged by law enforcement officers.

3. Juvenile and adult suspects may be reprimanded by a law enforcement officer and then released without charges.

4. Juvenile and adult suspects may be referred to other resources for programming outside of the justice system. Programming covers a broad range of services, facilities and activities. Persons who are referred in this way do not have charges brought against them in the juvenile or criminal justice system.

5. Juveniles may be diverted to alternative programs by a local Youth Service Bureau, operated as an independent local organization.

Diversion at the pre-arrest level is largely a matter of exercising police discretionary powers. National groups recommend the following for both adult and juvenile pre-arrest efforts.

- That persons be diverted whenever diversion is more effective;
- That local law enforcement agencies develop written policies and procedures about diversion and discretion;
- That special provisions for diversion for the mentally ill be made;
- That no further law enforcement actions be taken in any case that has been diverted.

B. Pre-Arrest

1. Law enforcement officers may issue a citation in lieu of an arrest, requiring appearance and an arraignment. This effort diverts defendants from detention prior to arraignment.

2. A summons release may be issued in lieu of an arrest warrant, requiring a defendant to appear for arraignment. This also diverts defendants from detention.

3. Courts may authorize immediate bonds to be set at detention facilities prior to arraignment for certain offenses. This shortens the length of stay for some defendants in detention facilities.

National Commissions endorse the use of citations and summons, and outlines guidelines for their application. They also recommend that investigation into the character and background of each detainee be initiated immediately upon their arrival at the facility. The information discovered by this investigation should be used at arraignment, or possibly before arraignment to determine what type of bond or what type of pre-disposition arrangements should be made.

4. It is possible for many of the pre-trial release options to be applied prior to the formal arraignment. In these cases, court-sponsored staff is usually involved. These release options are described in the next section.

5. Charges against the defendant may be dropped by the law enforcement or prosecutor prior to arraignment without any referrals being made.

6. Charge against the defendant may be dropped by the law enforcement officer and the prosecutor prior to arraignment with referrals to other programs and agencies being made as an alternative.

C. Pre-Trial

The first set of options presented here represent pre-trial release efforts. They attempt to shorten or eliminate the use of detention prior to disposition. National Commissions recommend that detention be used only as a last resort and urge that a thorough investigation be made into every defendant's circumstances as soon as possible after arrest or being charged. It is also recommended that the use of non-financial means of assuring appearance be explored and implemented. Of the following options, National Standards recommend the selection of the first which would be adequate to assure appearance.

1. Release on recognizance without further conditions.
2. Release on the execution of an unsecured appearance bond in an amount specified.
3. Release into the care of a qualified person or organization reasonably capable of assisting the accused to appear at trial.
4. Release with the supervision of a probation officer or some other public official.

5. Release with imposition of restrictions on activities, associations, movements and residence reasonably related to securing the appearance of the accused.
6. Release on the basis of financial security to be provided by the kin.
7. Imposition of any other restrictions other than detention reasonably related to securing the appearance of the accused.
8. Detention, with release during certain hours for specified purposes.

The second set of options represent efforts that result in the diversion of the defendant from the criminal justice or juvenile justice system.

9. Formal proceedings against an accused person may be stopped at any point if there is not enough evidence to support the charges, or if the continuation of the case does not serve the cause of justice. National Commissions recommend that in such cases charges be dropped as soon as possible.
10. The charges against the defendant may be dropped, suspended, or the case may be deferred, if the defendant participates in an approved diversion program. Persons diverted this way should have either admitted guilt or have been certain of conviction.
11. The prosecutor may defer or suspend charges pending the successful completion of a voluntary probation program. The program may include special conditions and requirements. This type of program, usually called "deferred prosecution" has been developed in many counties in the United States. Clearly defined implementation and screening criteria must be established, so that the prosecutor should be assured of the guilt of the participants. If the program is completed successfully by the participants the charges are usually dropped by the prosecutor. Some Commissions recommend the establishment of this type of program in all prosecutorial jurisdictions and outlines guidelines for the program's implementation.
12. Juveniles may be diverted into similar programs of the juvenile justice system. The diversion of all juveniles may be accomplished as soon as possible in instances where the juvenile would be better served in programs outside the juvenile justice system.

The final type of option involves by-passing of certain functions and elements of the criminal justice process.

13. Negotiated pleas may be taken as a means of speeding up the criminal justice process and avoiding costly trials.

D. Pre-Sentence

1. Pre-trial release options may be either continued or applied during this period.
2. Sentencing may be deferred pending the participation of the offender in special programs, or pending the fulfillment of special conditions by the offender. Usually, if the offender successfully fulfills the conditions and/or finishes the program, the charges are dropped or no sentence is imposed.
3. Sentencing may be delayed pending the participation of the offender in a probation program. In many cases (especially with first-time youthful offenders) charges are dropped and the case is dismissed if the probation is successfully completed.

E. Sentence

For the purposes of this report, sentencing options which avoid incarceration, or shorten the length of incarceration, may be considered to be a kind of diversion option. According to many Commission reports, confinement should be used only as a last resort. They also recommended a series of guidelines and criteria to be used before sentences are imposed. The following options, which are basic sentencing options, are presented because they either avoid or reduce the use of incarceration.

1. Offenders may be release unconditionally.
2. Offenders may be released with the imposition of certain conditions (restitution, association, activities, etc.)
3. A fine may be levied.
4. Offenders may be released with supervision (probation) in the community.
5. Offenders may be sentenced to residential facilities or halfway houses located in the community as a condition of probation.

6. Temporary release for employment or education purposes, early release because of good behavior, and pre-parole release to residential facilities, all result in the decreased use of incarceration. Release on parole prior to the termination of the sentence also reduces the use of incarceration.

VI. SUMMARY

The preceding pages outline a system for classifying diversion activities and describe a range of specific activities. During the months of October and November the current use of diversion in Kennebec County will be defined. Further, the impact of current and potential diversion efforts will be assessed.

APPENDIX EINTERIM REPORTS AND SUPPLEMENTARY BUDGET

The Interim Report was submitted by the Committee to the County Commissioners in November, 1977. Based on the preliminary findings of the Committee, several recommendations were made. Many of these recommendations were implemented by the Sheriff and the Commissioners and the corresponding Supplementary Budget was approved.



T A B L E O F C O N T E N T S

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First Interim Report	1 - 8
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Job Descriptions	14 - 16

Prepared for:

CITIZENS COMMITTEE
for
KENNEBEC COUNTY JAIL
and
COUNTY COMMISSIONERS

Dated: November 1, 1977.

CITIZENS COMMITTEE FOR KENNEBEC COUNTY JAIL

FIRST INTERIM REPORT

November 1, 1978

I. INTRODUCTION

The Citizens Committee for the Kennebec County Jail was formed in April, 1977, by the Sheriff and County Commissioners. The Committee has been charged with the responsibility of reviewing the current operation and facilities of the Jail, identifying problem areas and making recommendations for changes. The Committee is composed of 20 members, representing a cross-section of the County's citizenry and professional community.

During the past six months, the Committee has met 9 times. Committee members have contributed an estimated 30 days of their time to this effort. In addition, several staff persons (Jail staff, County planning counseling staff, consultants) have committed a substantial amount of time to the Committee and its work (a total of 125 staff days).

The methods of the Committee have been designed to produce a thorough and detailed analysis of the Jail and related functions. The Committee has collected and reviewed information in the following areas:

1. Legislative context of Jail
2. Roles of state agencies (current and proposed)
3. Current profile of operations (staff, staffing, peak periods, etc.)
4. Contacts with other Counties, State agencies, National sources
5. Fiscal profile of County and Jail
6. Law enforcement data for the County
7. Data and observations from the County courts and D.A.
8. Diversion efforts and statistics
9. Jail statistics
 - a. "Daily counts" showing daily operations
 - b. 33% sample of all admissions from 1973 to present (computerized)
 - c. Interviews with inmates
 - d. Previous surveys and data on inmates
10. Community Agency Inventory

The Committee is well into the Study and is continuing to collect and analyze relevant information. The Committee has made many tentative conclusions, and is exploring a wide range of options; however, the Committee is not in the position to make final recommendations at this time.

The following pages present a preliminary analysis of problems and alternatives, and some preliminary and interim recommendations. It should be clear that the Committee has much more work to do before a set of final findings may be presented.

II. PRELIMINARY LIST OF PROBLEMS AND ALTERNATIVES

The following is a preliminary list of jail-related problems (left column). The problems have been identified by the Committee, using data, interviews, staff input, review of case law and State jail reports. This list of problems is not exhaustive, but provides a basis for initial consideration of needed changes.

A set of corresponding actions and alternatives has been provided (right column). These are some preliminary ideas which might address the problem areas. The alternatives should not be viewed as recommendations at this time.

A set of interim recommendations is presented in Section III of this report.

* = probably no cost except existing staff time if augmented and reallocated

PROBLEMS

ACTIONS/ALTERNATIVES

A. ADMINISTRATION & MANAGEMENT

1. Administration

need to review/revise goals-- --	review/revise goals*
for jail	
need to review/revise job - - -	review/revise job descriptions*
descriptions	
not adequate written policy-- --	review/revise policies & procedures
& procedures	
lines of authority/account- - -	develop an organizational chart*
ability are unclear	
conflict between functions of - -	establish a clear separation between
staff: law enforcement functions	law enforcement and detention/
vs. jail functions, dual roles	corrections
conflict between correctional - -	establish clear philosophy
philosophy; restraint model vs.	
community-based model	
no set disciplinary procedure - -	establish disciplinary procedures
	in writing*
sanitation problems (see 1976 - -	change operations, facilities
inspection)	

2. Politics

politics have too much influence - -	clarify authorities responsibilities
on the operations of the jail	review/revise laws
	Committee assist in clarifying the
	role of Sheriff & Commission

PROBLEMS

3. Staffing

not adequate numbers and types of staff (see State jail report)

need to improve recruiting and hiring to assure qualifications of staff (new law makes this a greater problem)

more training is needed for jail staff (recent improvements are commended)

need full-time matron coverage - inadequate guard coverage and not enough program staff

4. Procedures

inadequate medical services - - - -

need inmate grievance procedure - -

not enough visits; restrictions on visitors

no SOPs (standard operating procedures)

designation/selection of trustees is not uniform; some restrictions on choice by law

5. County Law Enforcement (Sheriff's Patrol)

poor location (congestion, response time, space)

6. General

budget is low - - - - -

competition for space between law enforcement and detention/corrections

no clear separation between detention/corrections and law enforcement

7. Laws

jail is prone to law suits in health, safety, separation, constitutional guarantees, detainees, communications, recreation and other areas

ACTIONS/ALTERNATIVES

a. add staff

b. reallocate responsibilities (management study)

prepare recruiting plans, establish clear hiring criteria and implement

establish a pre and in-service training *

add matrons and/or reallocate staff

establish and fill "correctional specialist" position (correctional specialist has both guard and program responsibilities)

increase services and budget

establish procedure, but sure it is legal*

offer more visiting hours, change restrictions

establish SOPs*

law changes and procedure changes, write procedures*

relocate

review budget/add \$ where warranted

add spaces, reallocate (see Physical)

reallocate spaces* (see Physical)

see respective areas for remedial actions (i.e., Physical, Staff, Federal Court could close

PROBLEMS

ACTION/ALTERNATIVES

B. RESIDENTS

1. General

residents have many needs
emotional, family, money, - - - - -
counseling, visits, contacts
with community, employment
and job related, substance
abuse and others

address needs by: visiting
policies changes, increased
programming, use of volunteers *
(see Programming and Administrative
Management)

many residents are repeat - - - - -
offenders

develop effective programs
to deter future crimes

2. Detainees

high % of population is - - - - -
detainees

explore ways to decrease
detention population

laws limit roles and - - - - -
treatment

change laws *

unstable at first, need - - - - -
diagnosis and sometimes
crisis help

see "Programs - Intake"

no clearly established - - - - -
boundary between law enforce-
ment and detention/corrections

see Administration/Management

some are housed in lieu of - - - - -
"lock-up" or law enforce-
ment functions

refuse to house? * and/or
change law enforcement
practices * (see Systems)

detainees clearly have less - - - - -
privileges than sentenced
inmates

increase services to detainees

inadequate recreation - - - - -
(especially females)

increase recreation options

PROBLEMS

ACTIONS/ALTERNATIVES

C. PROGRAMMING

- | | |
|---|---|
| <p>1. <u>Intake/Classification</u>
need a thorough intake
procedure to do assess
risk, housing, program
potential, psychological
profile, needs</p> | <p>develop an intake/classification
process
use volunteers to supplement a
strong staff function at time of
admission</p> |
| <p>2. <u>Detainees</u>
limits to what can be done
with detainees because of
laws, time, turnover, policies</p> | <p>change laws*, change policies*,
develop short-term programs with
links to community and offering
continuity after release</p> |
| <p>3. <u>Programs</u>
lack of staff time to develop
and coordinate services; legal
"advocacy" needed</p> | <p>add staff; reallocate staff time
coerce agencies into providing
service; actively recruit service
increase use of volunteers;
add programs: purchase services;
check on agency mandates;*
develop "advocacy" function for
services</p> |
| <p>no separate "program" budget</p> | <p>develop separate budget</p> |
| <p>4. <u>Community-Based Resources</u>
need to develop more links
with existing services; need
to secure commitments from
them</p> | <p>develop more links with and
secure commitments from
existing agencies</p> |

PROBLEMS

D. PHYSICAL SETTING

1. Space

need to convert doubles to single cells (see State report)
not adequate separation (male/female, juvenile, detainees)
not adequate types of housing
not adequate program spaces
not adequate recreation/exercise
not adequate visiting facilities
not adequate, convenient, intake area
no security garage or entrance
no secure interview room(s) (atty., counseling, etc.)
lobby area inadequate
no clear separation of law enforcement - detention/correction
no separate entrance to female area

2. Safety

fire hazards (fire detection, etc.)
hard to supervise residents
no observation cell(s)
no detoxification area
no holding area
building not secure
no smoke detection or fire suppression
not enough exists; single locks on cells make evacuation difficult

3. General

wiring, plumbing (see State jail report) are poor
jail is subject to lawsuits on many physical issues
health hazards
building is hard/expensive to maintain
does not permit "neutral or positive" housing of detainees
poor ventilation
high noise level
no elevator
no provisions for handicapped (inmates or visitors)

ACTIONS/ALTERNATIVES

further study is needed, especially in the areas of space projections, architecture and engineering study, and needs

some immediate changes are needed (mechanical, plumbing, security)

some short-term changes may be required

during further study and review the following major physical options will be thoroughly considered:

I. Keep current jail - no changes*

- a. no supplementary facilities
- b. use supplementary facilities long-term
- c. use supplementary facilities short-term (trial basis)
 1. Stevens School
 2. Other

II. Renovate current jail

- a. short-term use
- b. long-term use

III. Renovate current jail and add spaces

- a. add on existing site
- b. add other facilities
 1. AMHI (renovate)
 2. Stevens School (renovate)
 3. residential center (small minimum security for sentenced)
 4. renovate other for corrections
 5. build new other
 6. separate facility for law enforcement
 - a. renovate
 - b. build new
 - c. satellites
 7. Other.

IV. Replace current jail

- a. single facility
 1. renovated (Stevens, AMHI)
 2. new

V. Construct or renovate multi-County facility (same options as I through IV above)

PROBLEMS

E. SYSTEMS

- | <u>PROBLEMS</u> | <u>ACTIONS/ALTERNATIVES</u> |
|--|--|
| 1. <u>Human Services</u>
need commitments for services for inmates
need more support in jail and in the community | work with agencies & funding sources
work with agencies & funding sources (Commission should assist)
actively explore assuming more roles in the County |
| 2. <u>Diversion</u>
diversion alternatives are not used to their full potential | work with law enforcement, courts, bail commissioners, probation, D.A., etc., * (See "Overall") |
| 3. <u>Law Enforcement</u>
some agencies use jail as "lock-up"
erratic bonding practices
inadequate screening by some agencies | attempt to alter use *
reform/revise bond procedures (may require law change) *
attempt to change law enforcement practices * |
| 4. <u>Corrections</u>
role of jail uncertain in State Master Plan
role of jail changed by law frequently | work with Dept. of Mental Health & Corrections to clarify & possibly revise *
attempt to get consensus of jail role and stabilize laws * |
| 5. <u>Courts</u>
bond/bail reform needed
use of Personal Recognizance bond is low
need to speed up handling of jail cases
grand jury schedule causes crowding in jail
lack of sentencing options for offenders | reform bail/bond *
attempt to increase use *
explore alternatives to speed process *
explore alternatives *
explore & develop more options (i.e., residential corrections, specialized treatment settings, etc.) |
| 6. <u>Overall</u>
need increased communication & coordination; no body to address problems such as detoxification, diversion
laws need to be reviewed and unnecessary ones removed
need to develop working relationships with relevant agencies at all levels to address and solve problems | create "Criminal Justice Coordinating Committee" as arm of Commissioner to address system problems and needs (composed of key Criminal Justice, Human Service officials and staff)
change laws
establish working relationships with State, County, other Counties, and other relevant agencies and groups (assign responsibility for this) |

III. INTERIM RECOMMENDATIONS

The preceding section presented some preliminary problems and alternatives. The Committee has collected and analyzed a substantial amount of information; however, several key insights are still missing. Because of these informational gaps, final recommendations will not be made at this time.

The Committee offers the following interim recommendations, based on informational needs and some tentative conclusions. These interim recommendations, if accepted and acted upon, will not limit future options and alternatives; rather, they will expedite the decision-making process and will fill obvious needs at the Jail.

A. Process

To further the Committee's process, the following actions should be taken:

1. Calculate long-term jail bedspace needs and projections for Kennebec County
2. Explore future collaborations with other Counties
3. Execute an architectural/engineering evaluation of current jail facilities
4. Assess current and long-term jail-related space needs

B. Actions which will not require County Funds

The Committee should be assigned to facilitate these kinds of changes.

C. Actions requiring County funds (see "Supplementary Budget")

1. Staffing
2. Programs
3. Facilities

KENNEBEC COUNTY JAIL - SUPPLEMENTARY BUDGET - 1978

I. STAFFING

Of the number of problems faced by the Kennebec County Jail, inadequate staffing, in the areas of custodial supervision and programming, is a serious problem which we, as members of the Citizens Committee for the Kennebec County Jail, feel should be strongly considered in the fiscal year 1978. However, we also feel, at this stage in the planning process, that a substantial increase in staffing would be inappropriate at this time. We do recommend that three existing staff positions be reallocated for Correctional Officers to the new positions of Correctional Counselors, see job descriptions, with the addition of two new full-time Correctional Officers, thus minimizing the increase of new staff, by combining the roles of custodial supervision and programming in the new position of Correctional Counselors.

The possibility of CETA funding to support the new Correctional Officers positions should not be overlooked.

1st Position - Corrections Counselor

This position would consist of a female staff member who would act as a matron and program person for female residents from 0900-1700. When female residents are not being housed at the jail, this staff person would continue programming for the male residents of the jail.

This individual is presently employed as a program person under CETA. Additional funds would not be necessary until July, 1978 to finish of the year. Amount needed - \$4,500.00

2nd and 3rd Positions - Correctional Counselor

These individuals are presently employed by the jail as guard or correctional officer. Each individual would provide custodial supervision and programming on his respective shift, 0800-1600 and 1600-2400. No additional correctional officer would be needed on the 1600-2400 shift. One additional correctional officer would be needed on 0800-1600 shift to replace this individual. Additional funds needed - \$2,032.88 to upgrade present salary to \$9,000.00

1st Correctional Officer

This position would provide custodial supervision of female residents on the 1600-2400 shift. Additional funds needed - (possibly CETA) - \$7,000.00 Uniforms - \$400.00

2nd Correctional Officer

This position would provide custodial supervision of male residents 0800-1600 to replace correctional officer moved up to correctional counselor. Additional funds needed - (possibly CETA) - \$7,000.00
Uniforms - \$400.00

3rd Correctional Officer - (female - matron)

Part-time female Correctional Officer: to provide custodial supervision for female residents weekends and holidays. Additional funds needed - \$4,000.00. This is in the present Jail (1050) budget.

II. PROGRAMMING BUDGET FOR 1978

A. Classification/Intake Process

The development and implementation of a Classifications/Intake process to identify residents' risk factors, programming potential, psychological needs and housing assignments at the Kennebec County Jail is a necessary step in the fiscal year 1978.

This will be accomplished by using in-house staff to study existing classifications/intake processes as well as contracting for professional services in the related fields to develop and implement such a process.

Consultant, M.D., Clinical Supervision	2,000.00
Program Consultant, M.S.	1,600.00
Travel	600.00
Materials	400.00
	<hr/>
	\$4,600.00

B. Identified special program needs for fiscal year 1978

Substance abuse educational/prevention	1,000.00
Behavioral insight groups and individual treatment	1,500.00
Recreational equipment, LEAA funding, has been applied for	

C. Staff Program Training

Reality Therapy, Crisis Intervention, Mutual Agreement Programs, Behavioral Theory	1,000.00
Materials	500.00

D. Art, Leather Craft Program

Materials	1,800.00
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III. FACILITIES NEEDS FISCAL YEAR 1978

A. Immediate Need

Presently there is no adequate maximum security cell at the Kennebec County Jail to house residents who pose a danger to the jail staff, the general jail population, the resident himself and the security of the jail.

We recommend that one cell at the Kennebec County Jail be designated as a maximum security cell and that it be adequately equipped with the necessary facilities to be self-sustaining while insuring the individual humane rights as well as protection from self-destructive behavior.

It should be further noted that the cost of housing an individual at the Maine State Prison, because of the lack of an adequate maximum security cell at the jail, is about \$1,000.00 every fifty days.

Renovation cost - \$1,500.00

B. Short-term solutions

1. Holding/Observation Area

The most critical time, behaviorally and psychologically, for resident being committed to the jail is the first twenty-four hours. It is during this time period that residents whose behavior is questionable should be placed in a holding/observation area to insure his protection for volunteer or involuntary self-destructive behavior, while allowing program staff a chance to observe his behavior and make appropriate referrals.

It is felt by this Committee that one area should be designated as an observation/holding area and appropriate renovations be made.

Renovation cost - \$5,000.00

2. Visitation

The lack of adequate visitation facilities at the Kennebec County Jail is a very serious problem, especially for residents awaiting trial who must visit with relatives or friends through a barred screen mesh door in the main cell block area. This area is very small and allows for one inmate to visit at a time limiting the length of the residents visit. State law mandates that residents in a detention status remain within the secured area of the jail, thus prohibiting detained residents from visiting in the receiving area of the jail.

Sentenced residents are allowed to visit in the receiving area of the jail which is very limited in available space and again limits the length of residents visits. The physical design of this area makes it virtually impossible to insure private conversation and secure visits. This problem is somewhat alleviated during summer months when sentenced inmates are allowed to visit within the fenced in area of the jail under supervision.

We recommend that funds be appropriated to develop better visitation facilities at the Kennebec County Jail.

Funds needed - \$3,000.00

C. Long-term Solution

The County should allocate funds to retain architects in mid-78 to explore specific physical alternatives (estimate cost, preliminary plans, cost/benefit analysis, etc.). Such architectural input will help the County to select a course of action and to take initial design steps.

Funds needed - \$6,000.00

KENNEBEC COUNTY JAIL - SUPPLEMENTARY BUDGET - 1978

STAFFING

3 Correctional Counselors, up-grade present salary	\$ 6,532.88
2 Correctional Officers, possible CETA funding	14,000.00
Uniforms	800.00

PROGRAM BUDGET

Develop/Implement Classifications Intake Process	4,600.00
Identified special program needs	2,500.00
Staff program training	1,500.00
Art Leather craft	1,800.00

FACILITIES

Immediate needs	1,500.00
Short-term	8,000.00
Long-term	6,000.00
Planning application matching funds	825.00

TOTAL	<u>\$ 48,057.88</u>
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\$14,000.00 possible CETA funding

PROGRAMMING PERSONNEL - CLASSIFICATIONS OFFICER

RESPONSIBILITIES:

1. determines "risk factors" on individual inmates
2. gathers information and determines needs of individual inmates
3. combines data from "risk" analysis and need classifications to make up individual M.A.P.s with participating resident
4. establish mutual agreement program and assign appropriate counseling staff
5. conducts one-to-one and group counseling sessions as needed
6. establishes and maintains community resource participation for purposes of inmate treatment
7. supervises staff of two correctional counselors and administers program budget
8. directly responsible to Sheriff
9. evaluate treatment program on an ongoing basis
10. attend weekly case conferences and staff meetings

COMPETENCES

1. ability to work as a helper in one-to-one and group counseling relationships
2. ability to work with social service and psychological treatment practitioners
3. working knowledge of behavioral theory and Reality Therapy
4. ability to develop and implement mutual agreement programming
5. ability to coordinate treatment staff and treatment programs
6. ability to develop and present proposals to future funding sources

40 hours per week

CORRECTIONS COUNSELOR - (female)

RESPONSIBILITIES:

1. spends 50% of time as a "matron" responsive to needs of female inmates
2. spends 50% of time as a counselor for male inmates with mutual agreement programs, as directed by Classifications Officer
3. responsible to Classifications Officer
4. counsels and advocates for inmates according to specifics of mutual agreement program
5. responsible to Classifications Officer and inmate for successful completion of program's stated commitment to treatment contract
6. attend weekly staff meetings and case conferences

COMPETENCES

1. ability to work as a helper, with people in a one-to-one and group counseling relationship
2. ability to work effectively with social service and psychological treatment practitioners
3. ability to implement treatment design
4. working knowledge of Crisis Theory, Behavior Theory and Reality Therapy

40 hours per week

CORRECTIONS COUNSELOR - (male)

RESPONSIBILITIES:

1. spends 100% of time as a counselor for male inmates with mutual agreement programs as directed by Classifications Officer
2. responsible to Classifications Officer
3. counsels and advocates for inmates according to specifics of mutual agreement program
4. responsible to Classifications Officer and inmate for successful completion of program's stated commitment to treatment contract
5. attend weekly staff meetings and case conferences

COMPETENCES

1. ability to work as a helper, with people in a one-to-one and group counseling relationship
2. ability to work effectively with social service and psychological treatment practitioners
3. ability to implement treatment design
4. working knowledge of Crisis Theory, Behavior Theory and Reality Therapy

40 hours per week

APPENDIX FINTAKE/CLASSIFICATIONS

The jail staff and consultants spent several months in 1978 researching intake and classifications systems and developing a system for Kennebec County.

The results of the research and a description of the system developed for Kennebec County are presented in this appendix.



INTAKE SYSTEM

What is Intake?

It was our consensus that the best way for us to define an intake system would be to identify what we hope to accomplish by its use. The following is a list of goals we hope to accomplish:

An intake system is the initial receiving and processing component of a classifications system that would allow our agency to:

- a. Provide a systematic and operational approach for the management of staff and inmates at the time of receiving without violating individual constitutional rights or the safety of our staff.
- b. Complete all legally required documentation and procedures of commitment.
- c. Gather as much information possible about individuals received, within constitutional restraints, that would better assist the Jail staff and other Criminal Justice components in making initial decisions concerning individuals received at the Jail within a reasonable time.
- d. Provide appropriate services to meet the initial identified special needs of the inmate at the time of receiving.
- e. Identify and provide, at the time of receiving, safe and secure housing for inmates in the least restrictive manner.
- f. Provide pre-trial screening and diversion programs for inmates identified as posing no threat to the community.
- g. An information gathering system to assist the Jail staff in evaluating its intake system and future Jail planning.

Research on Intake System:

The second step in our planning process was to research legal precedents regarding intake systems and review existing model systems throughout the Country in hopes of developing the better points of each system to meet our stated goals. The following is an appendix listing the Courts decisions regarding intake systems and the existing systems studied.

Court Decisions, Legal Issues

U. S. Constitution, the 5th, 8th and 14th Amendments

5th due process rights
8th cruel and unusual punishment
14th equal protection

Most legal suits against correctional institutions in regard to intake/classifications systems are based on the 5th, 8th and 14th Amendments and are filed under U. S. Federal Code 1987, Blue Book Edition.

In all cases reviewed by the Courts, they have required the correctional institution to develop and implement written intake and classification plans through the gathering of reliable information to base intake and classification decisions on. The Courts have held the correctional institutions liable for not establishing such plans. In some cases the Court has spelled out exactly what these plans will consist of and has appointed Federal officials to oversee the development and implementation of these plans in the institutions.

O'Prion vs. County of Saginaw, Michigan 1978
Albert vs. Sheriff of Harris County, Texas

In these cases the Court required the establishment of pre-trial screening and diversion programs, substance abuse programs, medical review and psychological screening as part of the intake/classifications plan and required the County Commissions to provide funds for this purpose.

Finney vs. Arkansas Board of Commissioners, 1974

In this case the Court required the Jail to employ a Classifications Officer and develop intake and classifications plans.

Jones vs. Wittenburg, Ohio, 1970

Held the institution liable for no intake/classifications plans or programs. The Court listed what was to be included in the intake/classifications plan.

Kelly vs. Brewer, U. S. Supreme Court, 1974

The Court required the Jail to implement intake/classification plans to include equal protection under the 14th Amendment from self, other and to prevent escapes through administrative segregation with periodic reviews and documentation of each case held in administrative segregation.

Wolf vs. McDonnell, U. S. Supreme Court, 1974

14th and 15th Amendments: Due Process. The Court required that Due Process, which includes; a, advanced written notice; b, written findings; c, right to a hearing, for those inmates whose re-classifications would mean less freedom, less privileges or a loss of goodtime.

Meachum vs. Fana, U. S. Supreme Court, 1976
Montayne vs. Haynes, U. S. Supreme Court, 1976

14th Amendment: Equal protection for all. In this case the Court stated that the inmate has a right to be protected from arbitrary action from government. Intake/classifications systems must be consistent, fair and based on reliable, documented information.

In general, the Courts have required that intake/classification systems contain the following characteristics:

1. That an intake/classification system be consistent, fair and based on reliable information.

1. That individuals be separated according to race, sex, Court status and other relevant areas such as violent from non-violent, hard core offenders from first time offenders, mentally, physically ill, etc.
2. That some means of review be present to provide for due process in the cases of re-classification to a higher security.
3. That individual classification plans be reviewed periodically.
4. That classifications be completed within a reasonable time.
5. That re-classification plans not be the decision of one person.
6. That the following areas will be included in intake/classification systems:
 - a. Determination that an individual is being legally committed to the institution.
 - b. Medical review.
 - c. Documentation of commitment and identify.
 - d. Clean clothing and personal hygiene items be issued.
 - e. Complete search of the individual.
 - f. Inventorying, packing and storing of clothing and personal possessions, inmate to receive receipt.
 - g. Orientation to the institution and inmate rules, regulations and rights.
 - h. Interviews to determine individual needs.
 - i. Pre-trial screening and diversion programs.
 - j. Identify inmates special needs, protection, mentally ill, physically ill, substance abuse.
 - k. Housing assignments, least restrictive possible.
 - l. Develop courses of treatment plans.
 - m. Re-classification process and review of intake/classification plans.

Reviewed Intake Systems and Standards

The third step in our planning process was to review existing model intake systems, state and federal standards, our goals and objectives, the most recent Court decisions and incorporating different relevant components for this information to develop our own intake system. Included here are standards and systems reviewed.

Standards

State of Maine, Department of Mental Health and Corrections, County Jail Standards January 1977, pages 1 - 4.

National Advisory Commission on Criminal Justice Standards and Goals. Corrections January 1973, Chapter 6, Standards 6.1, 6.2, 6.3, Chapter 8, Standards 8.1, Chapter 9, Standards 9.4, 9.5.

In the Public Interest, Governor's Task Force on Corrections, August, 1974. State of Maine, Chapter II, page 33. Recommendations 32, 33.5, 35, 36.

Federal Standards for Correction, U. S. Department of Justice, June 1978. page 43, 47.

The Nebraska State Bar Association Committee on Correctional Law and Practice. Jail Standards, February, 1977. Section #1, 1-5,6; Section #6, 1-2-3-4-5-12; Section #8, 1-2-3-4; Section #9, 5; Section #12, 1, 2, 3, 4, 5; Section #14, 2,3.

State of Missouri, Correctional Standards, 1977. Jail Administration and Procedures Manual. Central Missouri State University, Missouri Council on Criminal Justice, Section II.

Model Correctional Evaluation Study, Southern Michigan Council of Government, April 1974, page 10. Classifications.

Systems Reviewed - Intake

Alachua County, Florida
Dade County, Florida
Boulder County, Colorado
Cumberland County, Maine
Maine State Prison
Baltimore City Jail, Maryland
Saginaw County, Michigan
Kennebec County, Maine
Manhattan Bail Project, New York
Des Moines Project, Iowa

Recommended intake/classifications systems

The following flow chart represents a systematic, manageable intake/classifications system which we feel will meet our departments stated goals, required constitutional precedents, required standards and our inmates needs.

The flow chart is organized into five phases, phase one (1) and phase two (2) begin our recommended intake system. Phases three (3) through five (5) deals with a more indepth diagnostic classifications and programming system. The research done in phases three (3) through five (5) are presented in this report.

A narrative of the procedure of each phase is included at the end of the flow chart.

PHASE 1, Intake

Courts

Intake Officer

Medical Officer

- F-5

Phase I - Intake Procedure 1 through 10

Responsibility of: Custodial Management Staff, Intake Officer will be the primary receiving agent for the Center.

Responsible for:

I. Review all cases received to determine if commitment to the center is legal.

How:

- a. Review of all commitment papers from Criminal Justice Agencies, Courts, etc.
- b. Establishing all case status, probable cause, pre-arraignment, pre-trial, pre-sentenced, sentenced and what Court is case in.
- c. Informing arresting agency of the date that cases must go to Court if status is probable cause or pre-arraignment at a District Court level.
- d. Establishing whether offense is an incarcerable offense if status is probable cause or pre-arraignment at the District Court level.

II. Interim Physical Condition.

How:

- a. Visually check and observe individual for questionable physical condition
- b. Ask questions of the individual being committed and the delivering officer concerning any obvious physical conditions in question.
- c. The Intake Officer may require the delivering officer to obtain a written statement from a physician stating that the individual in question has been treated or is not in need of immediate medical treatment before the Intake Officer will accept custody of the individual.
- d. If treatment was required, the Intake Officer will require a summary of the treatment provided along with any further instructions from the physician. The delivering officer shall be required to furnish this before the Intake Officer shall accept individual.

III. Arrest report from arresting agency.

- a. The Intake Officer will require written arrest reports from the arresting officer on all individuals being committed to the Center in the status of probable cause or pre-arraignment at the District Court level before accepting custody.
- b. All arrest reports will contain the following information.

1. Name of arresting agency and arresting officer.
2. Name of Defendant, address, DOB, SS#.
3. Offense class and MRSA citation #.
4. Date and time of offense.
5. Date and time of arrest.
6. Brief description of offense.
7. Amount of bail set, if any, and set by whom.
8. Brief description of any problems the arresting officer may have had when arresting the individual.
9. Contain a signed statement from the arresting officer stating that the individual has been informed of the offense he has been charged with.

IV. Accept custody.

- a. The Intake Officer will base this decision on the requirements of Steps I, II and III of intake.

V. Pat search, metal detection, devices.

VI. Inventory of pocket property and valuables.

- a. Enter pocket property on:
 1. Mittimus card.
 2. Money card.
 3. Sign for all property received on appropriate cards.
- b. Provide inmate with receipt for valuable property being held.
- c. Package and store property.

VII. Documentation of committment.

The Intake Officer will be responsible to complete the following procedures to document committments to the Center:

- a. Enter committment into the Mittimus log and obtain Mittimus identification number.
- b. Enter committment into the Center's daily log which will include:
 1. Date and time of committment.
 2. Mittimus number and name.
 3. Offense and bail set, if any.

4. Arresting agency or Court committing.
5. Status.
- c. Enter into daily count sheets.
- d. Complete Muttimus cards.
- e. Complete statistical information sheets.

VIII. Enter commitment on status board.

IX. Booking requirements.

Finger printing

Photographs - if none on record or if more than two years old.

X. Released on bail if available. Phone calls.

- a. Reverse intake process.

XI - XV. Intake Procedures.

Responsibility: Custodial Management Staff, Assistant Medical Officer will be responsible for completing intake procedures eleven through sixteen. These intake procedures are to be completed in the medical intake unit of the Center.

XI. Strip search.

1. There are a number of advantages of having strip searches completed by medical staff

lessens the embarrassment of the inmate
allows two purposes to be completed at one time:

- a. search for contraband
- b. visual examination of physical condition of the body and personal hygiene
- c. visual examination of body vermin.

XII. Shower and decontamination, if necessary.

XIII. Inventory of clothing and non-pocket property.

1. Muttimus card.
2. Clothing card.
3. Provide inmate with receipt for property.
4. Sign for all appropriate property received.
5. Package and store property.

XIV. Issue jail clothing and personal hygiene items.

1. Have inmate sign for clothing and items received.

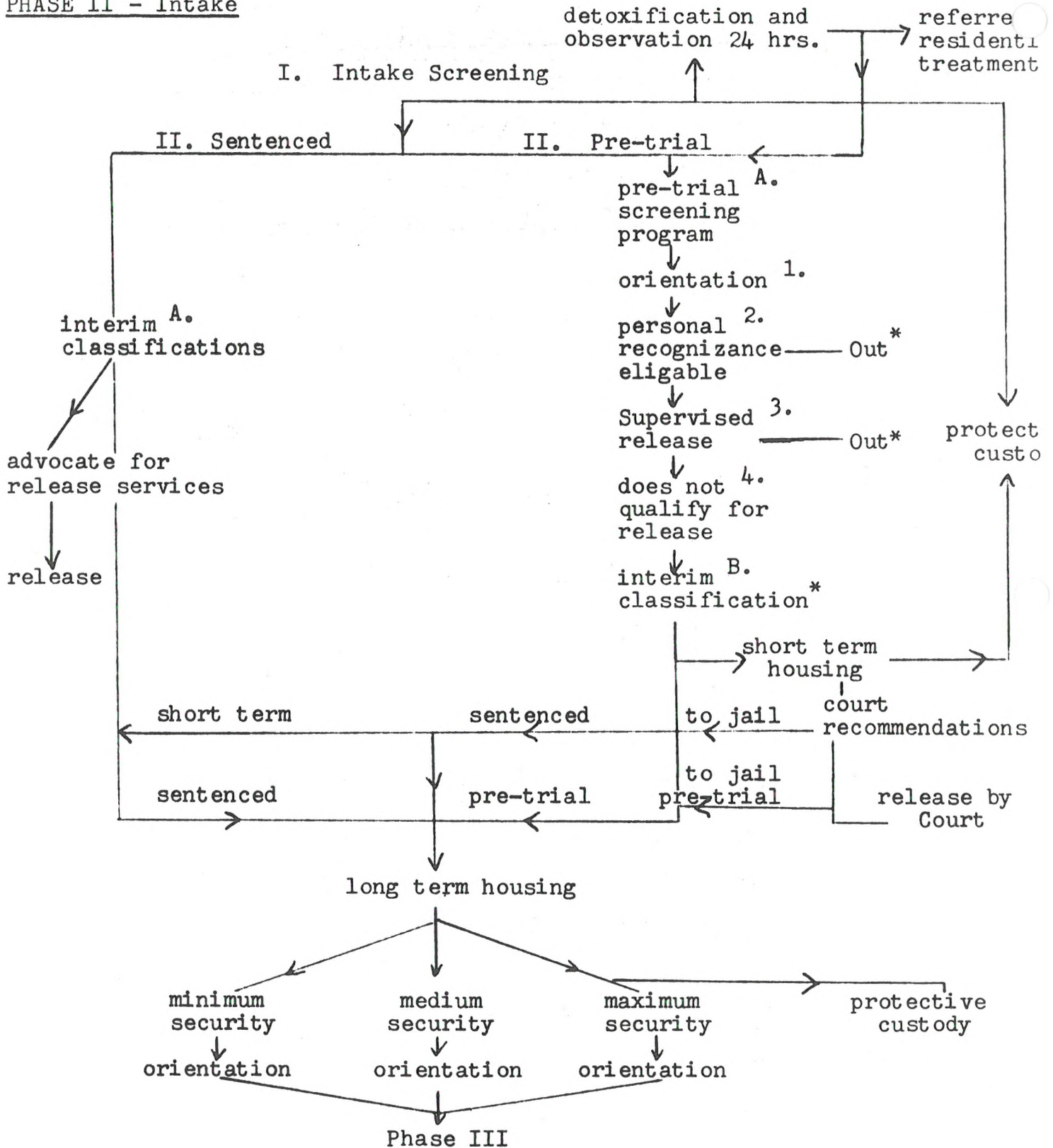
XV. Medical history and interim medical examination.

1. Fill out medical history forms.
2. Carry out interim medical examination.
3. Verify information received.

XVI. Notify appropriate staff of inmate special needs, housing, food, etc.

Intake/classifications Flow Chart

PHASE II - Intake



*more detailed flow chart enclosed, pre-trial screening

Phase II - Intake/classification

Responsibility of: Classification Officer, Classifications and Program Staff

Responsible for: identifying and providing individual interim needs in the areas of:

1. Detention
 - a. Personal, family, etc. contacts
 - b. Medical, physical, psychological, substance abuse, protection in terms of housing and program alternatives pre-trial.
2. Pre-trial screening and diversion programs.
 - a. Information gathering and verification
 - b. Recommendations to bail commissioners and Courts, PR, SR, further classifications
3. Housing assignments, interim classifications
 - a. Short term, minimum, medium, maximum security
 - b. Long term, minimum, medium, maximum security
 - c. Protective custody, administrative segregation

Phase II - Procedures

I. Intake Screening - to identify special interim needs

How - interview

- a. Immediate personal needs
 1. Family, self - allow to make contacts and arrangements
 2. Psychological, medical, substance abuse needs, protective custody needs and provide alternative housing or residential treatment needs
 3. Either detention or sentenced
 4. Gather information on forms for documentation and further analysis

II. Pre-trial defendants

- a. Pre-trial screening - to gather and verify information for classification staff, bail commissioners and Courts to assist in the decisions of bonds and alternative programs for defendants identified as not needing incarceration in detention status.

1. Orientation of program
 - a. Written agreement of participation in pre-trial screening program
 - b. Written release of information forms
- 2 & 3. Pre-trial release interview forms
 - a. Complete vera point schedule
 - b. Verify information
 - c. Determine eligibility for personal recognizance
 1. Contact bail commissioners and Courts for those who qualify for PR release
 2. Release and complete statistical data
3. Not eligible for PR but may be for supervised release
 1. Identify appropriate program alternatives
 2. Make program resource contacts and arrange supervision
 3. Contact bail commissioners and Courts to recommend alternative supervised program
 4. Obtain written program and supervision agreement
 5. Release and complete statistical data
 6. Supervise
 7. Refer for further classifications
4. Refer for further classifications - if not qualified for pre-trial release, bail commissioner denial, Court denial or client does not want to participate in program.
- b. Interim classifications - to identify and provide safe and secure interim housing arrangements in the least restrictive manner, short term or long term housing, detention.

II. Sentenced

Responsibility of: Classification Officer, classification and program staff

Responsible for:

1. Providing safe and secure housing on an interim basis for all sentenced individuals in the least restrictive manner possible
2. Advocate and refer short term sentenced individuals to appropriate resource agencies for re-entry services
3. Housing long term sentenced individuals for diagnostic classification
- a. Interim classifications - to identify and provide safe and secure interim housing arrangements in the least restrictive manner, short and long term sentenced
 1. Complete interim classifications vera point schedule and verify information
 2. Determine long or short term housin needs
 - a. committment orders from Courts
 3. Assign security housing arrangements in appropriate areas via 1 and 2
- b. Short term housing
 1. Provide relevant information to custodial staff in housing unit concerning the individual
 2. Orientation of all residents to Center's procedures, rules and regulations, programming available and residents' rights. Custodial staff responsibility for housin unit.
 3. Provide written documents of 2 to residents.
 4. Advocate and refer individuals to appropriate resource a encies for re-entry services.
 5. Complete statistical data, housing, programming.

III. Long Term Housing

- a. Provide relevant information to custodial staff in the unit individual is assigned to.
- b. Orientation of all residents to the Center's procedures, rules and regulations, programs available and residents' rights. Custodial responsibility of each unit.
- c. Provide written documents of b to residents.
- d. Schedule for diagnostic classifications.

Classification staff are responsible for all areas except for orientation which is the responsibility of custodial staff assigned to the housing unit.

III. Orientation

1. Explanation to the resident by staff of what diagnostic classifications is and what it will accomplish
2. Complete voluntary participation for pre-trial defendants
3. Complete release of information forms for all participants
4. Complete check list for testing

IV. Pre-testing

1. Complete wide range attitude test to determine reading, spelling and math grade levels
 - a. Determine if grade levels are high enough to complete non-taped testing
 - b. Arrange for taped testing for low verbal and reading levels
2. Complete Culture Fair IQ test, on tape, to determine if further testing can be comprehended by individuals

V. Testin

1. Complete all testing, CAQ II, 16 PH, MAT, MMPI
2. Mail all test to PR for interpretation

VI. Interview inmates and defendants for input

1. Interview includes, individual perceptions of
 - a. Substance abuse
 - b. Mental health problems and previous treatment
 - c. Decision making process
 - d. Educational, employment, family problems
 - e. Criminal justice involvement
 - f. Responsibility for behavior
 - g. Future goals/direction
 - h. Ideal self

VII. Community information input

1. Contacting: family, agency, employer regarding perception of individual and needs

VIII. Substance abuse evaluation

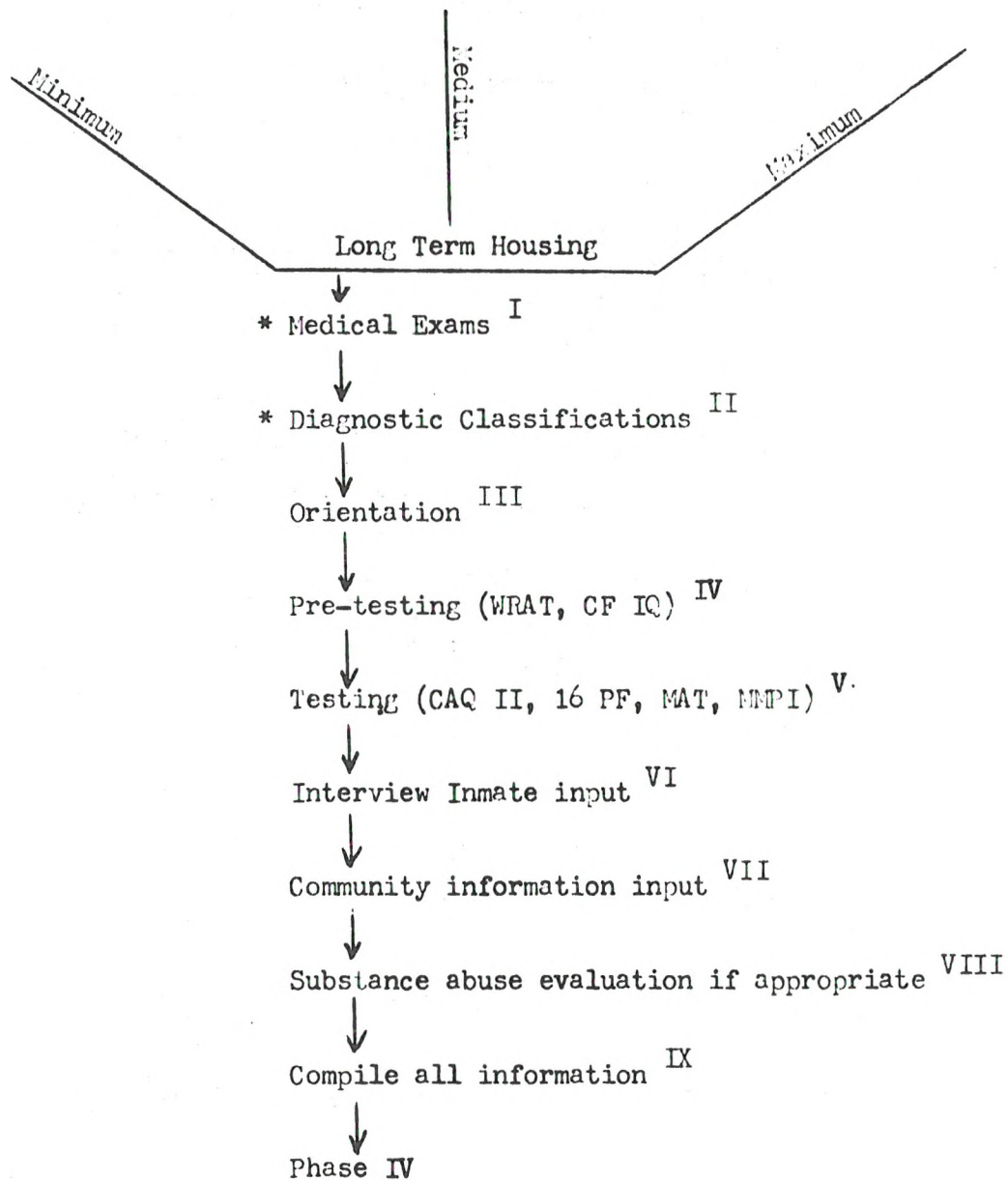
If substance abuse is indicated by way of interviews, medical history, PR system, individual will be referred to appropriate agency for evaluation and treatment recommendations.

IX. Compile all information

The Classifications Officer will compile all information relevant to classifications, programmin and make recommendations to the Classifications team and inmate for their input and decision.

Kennebec County Correctional Center - Diagnostic Classifications - Flow Chart

PHASE III



* Long term housing only

* Diagnostic classifications process must be done on a voluntary basis for pre-trial defendant or at the request of the Court. This will be a mandatory process for sentenced or pre-sentenced individuals.

Phase III

Responsibility of: Classifications Officer and Classifications staff.

Responsible for:

1. Carrying out all processes of Phase III, except medical exam, and compiling information for classifications team

Phase III Procedures

I. Medical Exam

1. All inmates held over 72 hours will have a complete medical exam by a licensed physician.
2. All medical information verified and test results will be reviewed by the physician.
3. The medical officer will be responsible to schedule all exams, needed testing and notify appropriate staff of special needs as determined by physician in writing.
4. Special needs, physical handicaps, etc. will be conveyed to the Classifications Officer in writing by the medical officer who will include this information for the classifications team.

II. Diagnostic classifications

1. Complete interim classification vera point schedule and verify information
2. Determine long term or short term housing
 - a. pre-arraignment or probable cause District Court leve, short term
 - b. pre-trial, pre-sentence Superior Court level, long term
 - c. assign security housing arrangements in appropriate areas via 1 and 2
3. Short term housing
 - a. Provide relevant information to custodial staff in housing unit concerning the defendant
 - b. Provide pre-trial screening information and program recommendations to the Courts, attorneys or staff person assigned to supervised released at time of Court appearance
 - c. Recommendations to Courts - diagnostic classifications
 - d. Orientation of all residents to Center's procedures, rules and regulations, programs available and residents' rights, custodial responsibility
 - e. Provide written documents of d to the resident
 - f. Provide all information gathered to Classifications Team
4. Long term housing
 - a. Provide relevant information about the individual to custodial staff in the unit assigned
 - b. Orientation of all residents to Center's procedures, rules and regulations, programs available and residents' rights, custodial responsibility
 - c. Provide written documents of b to the resident
 - c. Provide information gathered to Classification Team for voluntary or Court ordered diagnostic classifications

PHASE IV

Procedures

Responsibility of: Classifications Officer

Responsible for: Coordinating Phase IV and assign responsibility for task areas and supervision of programming staff for implementation and evaluation of programs/treatment plans, as assigned by the Classifications team.

Procedures I - IX

The classifications team will consist of the Classifications Officer, interim program staff assigned to case, line staff member assigned to the inmates housing unit and the inmate. Other staff members may participate if he or she wishes.

Purpose I - IX

- a. To review all information compiled by intake and classifications to assist in making final decision on:
 1. Security assignment, housing
 2. Programming/treatment plans, development
 3. Assigning of program staff to case
- b. To gain as much input as possible including the inmate concerning the classifications of the inmate
- c. Review progress of plans and reclassify. Team will consider positive behavior as well as negative behavior
- d. Provide avenues of appeal of classifications or re-classify to the inmate in cases of higher security assignments

PHASE V

Responsibility of: Classifications Officer

Responsible for: collecting and compiling all progress and statistical reports for the purpose of:

1. Referring case for reclassifications
2. Evaluating use of system
3. Readjust system where needed
4. Future jail planning

- I. Program treatment evaluation: report will be provided to the Classifications Officer by Correctional Counselors assigned to individual cases for referrals for re-classifications.
- II. Re-test: will be completed on each case to evaluate progress or regression.
- III. To gather and compile progress evaluation on individual case from staff, agencies involved, consulting psychologist.
- IV. Inmate input - interview to record inmates perception of progress or regression.
- V.
 - a. Refer for re-classification for movement to lesser or higher security of program involvement.
 - b. Recommend system changes.
- VI. Compile statistical reports from intake, classifications and program staff to assist in future jail planning.
- VII. Periodic follow ups to compile periodic followups completed by correctional counselors on individual cases.

Follow ups will be completed at 30, 90 and 150 days after release by correctional counselors assigned to cases.

KENNEBEC COUNTY CORRECTICNAL CENTER INTERIM CLASSIFICATIONS VERIFICATION

Resident's Name _____ DOB _____

Interviewer _____ Date _____

Status: ☐ Pre-arraignment ☐ Pre-trial ☐ Pre-sentenced ☐ Sentenced

I. PRESENTLY BEING HELD OR SENTENCED ON A

Class _____ crime Type _____

Verification made by: ☐ warrant ☐ committment papers ☐ D.A.
☐ NKDC ☐ SKDC ☐ KSC ☐ arresting Officer ☐ other Court

II. PRIOR CRIMINAL RECORD:

Verification by: ☐ SCI ☐ FBI ☐ Jail records ☐ teletype NCIC

Class of Criminal Convictions used in classifications

Class of crime _____ type _____ year convicted _____

Class of crime _____ type _____ year convicted _____

III. OTHER PENDING COURT ACTION

Pending Charge Class _____ Type _____ Verification by: ☐ NKDC
☐ SKDC ☐ KSC ☐ D.A. ☐ NCIC ☐ Policy Agency ☐ Probation/Parole

IV. ESCAPE RISK

Verification by ☐ MSP ☐ MCC ☐ MYC ☐ KCJ ☐ Other County Jail
☐ SBI ☐ FBI ☐ NCIC ☐ AMHI Date of most recent conviction _____
Place of most recent conviction _____

V. DEPENDENCY PROBLEMS

☐ KCJ staff ☐ AMHI ☐ KVMHC ☐ Probation/Parole ☐ Crisis and
Counseling ☐ other _____
Type of dependency ☐ drug ☐ alcohol ☐ mental health ☐ other

VI. RESIDENCE

Verification made by: ☐ City Clerk ☐ Family ☐ Jail records
Address _____ Tel.# _____

VII. LIVING ARRANGEMENTS

☐ City Clerk ☐ Landlord ☐ Family ☐ Friends ☐ Institution

VIII. FAMILY TIES ☐ Wife ☐ Family

IX. EDUCATION ☐ School _____ Tel.# _____

X. EMPLOYMENT ☐ Employer length of employment yr. _____ and _____ mos.
Name of Employer _____
Address _____

Interviewers Comments may be written on the back of this sheet.

KENNEBEC COUNTY CORRECTIONAL CENTER INTERIM CLASSIFICATIONS

Resident's Name _____ DOB _____

Status: ___ Pre-arrigment ___ Pre-trial ___ Pre-sentenced ___ Sentenced

Interviewer _____ Date _____

nt. Ver.

I. PRESENTLY BEING HELD OR SENTENCED ON A

2	-2	Class A Crime	
0	0	Class B Crime	
2	2	Class C Crime	*use most severe crime class if
3	3	Class D Crime	held on more than one charge
4	4	Class E Crime	

II. PRIOR CRIMINAL RECORD

4	4	No Criminal Convictions
2	2	No Criminal Convictions in the past year
2	2	One C,D,E Criminal conviction in the past year
1	1	3 or more Class C,D,E convictions
2	-2	2 or more Class A,B convictions

III. OTHER PENDING COURT ACTION

4	4	No pending Court action
3	3	Pending Class D, E charge
0	0	Presently on Probation/Parole or pending Class C Crime
	-2	Pending Class A or B charge
		*includes crimes not used in section one, if being held on more than one charge

IV. ESCAPE RISK

4	4	No escapes or attempted escape convictions
2	2	Has failed to appear on bail
1	-1	Has a walk away history or has been convicted of escape from a mental health institute or minimum security correctional institute
2	-2	Has an attempted escape or escape conviction from a correctional institution
		*for each additional escape, attempted escape conviction subtract one point

V. DEPENDENCY PROBLEM (mental illness history, suicide
circle one attempts, drug abuse, alcohol abuse)

3	3	No dependency problems
2	2	Prior problem/occasional abuse
0	0	Current dependency problem

VI. RESIDENCE

	4	Present residence in Maine 3 years or more
	3	Present residence in Maine 1 - 3 years
2	2	Present residence in Maine 6 - 11 months
0	0	Present residence in Maine less than 6 months
1	-1	Transient

VII. LIVING ARRANGEMENTS

4	4	Owns home
2	2	Rents
2	2	Lives in family home
1	1	Lives in friends home, no cost
0	0	Lives in institution (AMHI, VA, MCC, MSP, MYC other
-1	-1	No living arrangements county jail - no cost)

VIII. FAMILY TIES

4	4	Lives with spouse and has contact with other family members
3	3	Lives with spouse or parents
1	1	Lives alone with family contact*
0	0	Lives alone with no family contact

IX. EXTENT OF EDUCATION

3	3	Completed post H.S. education or training
3	3	High School graduate or obtained GED
2	2	8 - 11 grades completed
1	1	less than 8th grade completed

X. EMPLOYMENT

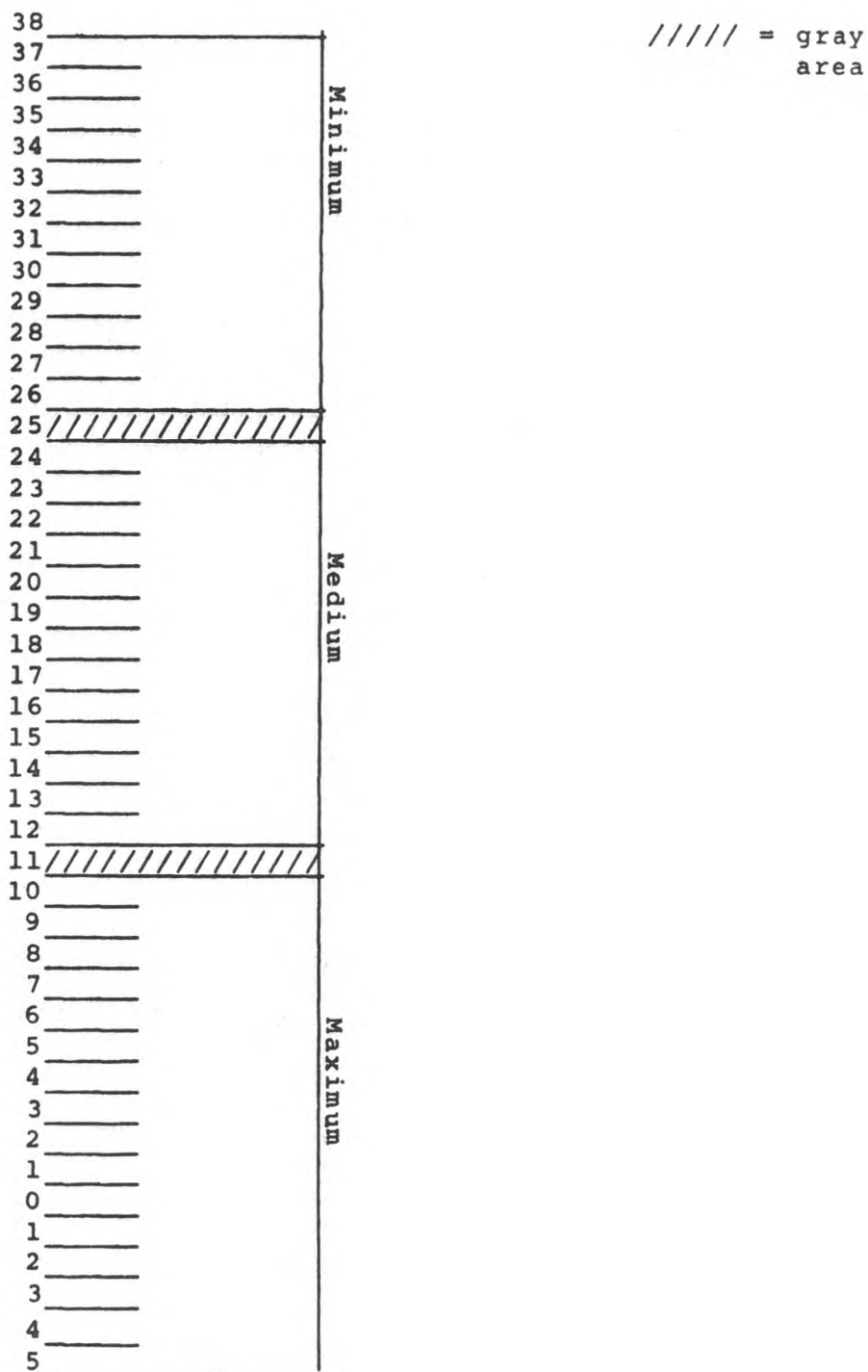
4	4	Present job 1 year or more
3	3	Present job 6 - 11 months
2	2	Present job 3 - 5 months
1	1	Current job less than 3 months or:
		1. unemployed 3 mos. with at least 9 mos. or more prior job
		2. supported by family
		3. receiving unemployment compensation or welfare
		(SSI, WIN, VA, disability)
		* deduct one point from the first 3 questions under
		employment if job is: a. not steady, b. no salary
		involved or c. resident has no investment in it
0	0	Unemployed receiving no compensation

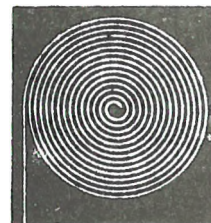
INTERVIEWER'S COMMENTS: _____ score; _____ classification,

RATING SCALE

1. To be placed in minimum security housing, resident's score must fall in a point range of 26 - 38.
2. To be placed in medium security housing, resident's score must fall in a point range of 12 - 25.
3. To be placed in maximum security housing, resident's score must fall in a point range of -8 to 11.

NOTE: If score range in any classification falls in gray area dividing two classification areas, resident will be classified in the highest security area of the two.





PSYCHOLOGICAL RESOURCES
74 Fourteenth Street, N. W., Atlanta, Georgia 30309
(404) 892-3000

20JUL1978

Mr. Ralph Nichols
Classification Officer
Kennebec County Jail
115 State Street
Augusta, Maine 04330

Dear Mr. Nichols,

This letter will serve as an offer from Psychological Resources Inc. of Atlanta Georgia to provide services under a contractual agreement to the Kennebec County Jail, located in Augusta, Maine.

PR proposes to furnish the following services on a fee per case basis:

- A. All test materials
 - 1) Booklets
 - 2) Answer Sheets
 - 3) Tapes for tests needing that form of administration
- B. Scoring and Interpretation of tests submitted on proper answer sheets
- C. Diagnosis and recommendations addressed to those areas of concern identified by personnel of the Kennebec County Jail
- D. Reasonable consultation with PR concerning implementation of the above mentioned services

Mr. Ralph Nichols
Page 2

- E. Reasonable consultation in the area of training staff in the use and interpretation of the reports generated from the data provided by the test battery
- F. Reasonable consultation in the area of research, population norming, and specific predictive equations and data analysis

The proposed fee per case for the above stated services provided by PR is hereby set at fifteen dollars (\$15.00) per case.


The Kennebec County Jail will be billed on a monthly basis for all cases processed during the previous month.

In the event that legal defense of the test battery and its results require a personal appearance in court of any member of the PR staff (requested by Maine personnel), expenses and fees for such an appearance are not a part of this proposal and shall be billed separately and distinctly from the standard fee stated for the above services.

I hope that the foregoing information meets your requirements.

We are looking forward to a mutually beneficial relationship in which both your staff and PR can perform a much needed service to the correctional field, that of helping both society and the offender.

Sincerely,



Paul F. Brassell, Ph.D.
Vice President
Psychological Resources

Classification - What is it?

By definition, classifications is the process of placing things or people into classes according to some idea or plan. It is the term used to designate smooth, organized procedures. Classifications ... contributes to a smoothly, efficiently operated correctional program by the pooling of all relevant information concerning the offender or defendant, by developing a program for the individual based upon custodial responsibility and the individuals needs. It furnishes an orderly method to the institutions administration by which varied needs and requirements of each resident may be followed through from commitment to release. Through its diagnostic and coordinating components, classifications not only contributes to the objective rehabilitation, but also to custodial management requirements, office and inmate relationships and the effective use of training opportunities.

Through the data it develops, it assists in long-term planning and development, both in the correctional system and in the individual institution.

In the jail setting the initial classifications process begins at the intake and receiving center. The intake staff must have some form of classifications at his or her disposal. A jail facility not having an intake/classifications screening process has a good possibility of being caught in a legal entanglement. In Goldshy vs. Carnes, the court stated the following:

"Classification procedures shall be instituted, and inmates shall be classified according to age, sex, physical aggressiveness, or other criteria which would warrant separate housing arrangements."

A classifications system should sift information about a prisoner with which to distinguish one inmate from another. For the classifications officer the classification process is a diagnostic and predicative instrument indicating possible treatment methods. Classification can be utilized to find remedies for various problems existing within the jail, escapes, assaults, suicides, etc., thus providing custodial staff with custodial management tools which directs how an inmate should be handled.

Presently, the trend in classifying jail prisoners is to evaluate them according to age, sex, pre-trial, sentenced, assaultive, suicidal, insane and physically ill. However, it is evident that jails are now beginning to classify inmates according to treatment needs as well as custodial management requirements and placing individuals in maximum, medium or minimum settings and providing treatment needs in these settings as well as providing for the traditional classifications described above.

State of Missouri, Corrections
Jail Administrations and Procedures Manual, 1977
Classifications page II 19

The following is a summary of the activity Reid Stevens, Program Consultant, and Ralph Nichols, Classifications Officer, have been involved in in the planning and selection of a classifications system for Kennebec County Jail residents.

Initially our first task was to think in terms of just what we wanted to accomplish as far as "inmate programs". Since we deal with an inmate population with a diversity of needs and a correctional facility with another set of needs it became immediately apparent that we must respect the needs of both.

To plan programs for inmates without considering the realistic limitations placed on inmates, as a result of community needs for protection and jail management needs for safety and security, would be a grave mistake.

PROGRAM GOALS

In considering, "what we wanted from our inmate programs," while being aware of community and management issues, we decided on the following goals:

- A. Reduction of recidivism among jail inmates successfully partaking in program activities. (Programs should be designed to address the psycho-social, educational and vocational needs of the inmates).
- B. Programs should insure a realistic level of safety for the community. (Inmates offering no threat to the community should not be solely confined to activity in the jail).
- C. Programs should provide a structure and information system which could be effectively used by jail management. (Management issues such as: security classifications, custodial care, correctional officer training, etc.... should be responded to by programs.)

A major responsibility of the jail is to protect the community from individuals which a legal authority has labeled "criminal". Since within the internal structure of the jail operation, incarceration comes under jail management, we decided that goal B (safety for the community) was a direct reflection of jail management decisions.

If we place goal B under management we then have treatment and management as the two areas of emphasis for inmate programs. In hoping to add additional clarity to these two areas of emphasis we created the following working definitions:

1. Treatment - Any activity which will enable a resident to move toward socially normative behavior and perceptions.
2. Management - Coordination and supervision of staff and residents in order to maximize the goals of the jail. (Jail goals are assumed to be some of the following: carrying out of court sentences, safety of inmates, feeding and housing of inmates, community protection, etc...)

A common entity addressing both areas of emphasis, treatment and management, is inmate characteristics. By this we don't mean the "nature of the offense", but the "nature of the person".

An inmates psycho-social make-up, personal, educational and vocational needs are essential for treatment as well as management decisions. (Such as: security risk, work release, levels of community involvement , etc...) A person's individual characteristics matched to environment largely determine his behavior.

To be able to create or discover a procedure which would gather and record these essential individual characteristics would clearly be a first step in designing relevant jail programming.

Traditionally such a procedure is called "an inmate classifications system". Since locally most of these systems primarily address management needs of recording fingerprints and taking mug shots it became obvious that the more comprehensive systems, of which we wanted, may be difficult to thoroughly investigate because of lack of regional visibility.

In designing an approach to review existing systems of inmate classifications we decided on the establishment of two sets of guidelines.

1. System Evaluation - In order to better assess each system we wrote up a list of commonly acceptable inmate and management needs. These needs were derived from inmate needs assessments, demographic data and assumed jail goals.

Statements which we could define as "essential elements" in any classifications system were adopted into our evaluative critereon.

The following is a list of eleven elements we decided would be essential in an inmate classifications system.

What we want from a classifications system

1. Actual tests and data gathering techniques must be sensitive to low verbal levels (WRAT score of 6.0 on reading).
2. System must be relatively inexpensive. (Figuring on 600 inmates who are exposed to system in one year it would not be feasible to do conventional psychological exams at \$35-50 per hour per inmate).
3. Results which would give specific recommendations for comprehensive treatment. (Vocational, educational, psychological - relevent to existing resources).
4. Results which would give specific recommendations for "risk classifications".
5. System which could be administered, scored and summarized within five days.
6. Results which would be generally understood by para-professional counselors delegated with the responsibility of treatment and other non-psychological professionals, judges, lawyers, law enforcement.
7. System which incorporates non-predjudicial cultural attitude. (Indian, French).
8. System which can measure movement toward social norms.
9. System in which long-term accumulated results can be used in future program planning.

10. Any testing within system must be standardized, possess high validity and reliability scores.

11. System which has had various elements used in criminal justice system.

DEVELOPMENTAL GUIDELINES

The second set of guidelines we developed deal with the issue of what to do after a system was decided on. Since finding a system on paper is only half-the-battle we decided that application of the system had to be demonstrated.

The following objectives map out the sequence of steps which will be used prior to long term committed use of a chosen system.

- I. Evaluation of existing systems - (according to first set of guidelines: (what systems satisfy our statements?))
- II. Decision on system - (post paper evaluation)
- III. Test system - compare results of applied system to other systems and tests, personal observations, etc.... (Validation study)
- IV. Implement system - on a short term basis (assuming steps I - III are agreeable)
- V. Gather results
- VI. Draw conclusions from characteristics and make specific plans for:
 - a. types and scope of inmate programs
 - b. future program directions
 - c. possible funding sources according to results
 - d. management alterations if needed

APPLICATION OF LIST OF "ESSENTIAL ELEMENTS" TO EXISTING "SYSTEMS"

The following are those "systems" analysed according to our list of "eleven essentials".

Human Needs Model - used primarily by the Community Justice Project as their chief assessment process

FIRO-B - mentioned in textbooks on correctional counseling, uses in correctional settings as well as probation and parole

MAINE STATE PRISON - lengthy, multi-component system, recently planned but not fully implemented at Maine State Prison

MORAL DEVELOPMENT THEORY - used in some correctional settings mostly in group context. (Paiget)(Kohlberg)

INTERPERSONAL MATURITY LEVELS - used extensively by California Youth Authority - classifies not only inmates but counselors

PSYCHOLOGICAL RESOURCES - classifications system used in Georgia, Oklahoma and Colorado with all state prisoners

MAGARGEE's MMPI SYSTEM - recently developed system, still being researched, (Florida State University Professor of Psychology)

HUMAN NEEDS MODEL

1. Individual tests must be analyzed in this regard (assumed to be passable, GAT-B, Edwards needs, MMPI)
2. Relatively expensive:
 - a. only some testing done in-house
 - b. GAT-B done at employment security on contractual basis
 - c. special training needed to administer score and interpret testing
 - d. special training in "human needs model" in order to apply interview and test results to "human needs theory"
3. Yes - results are (or can be) comprehensive
4. No risk classification - originally developed for community program
5. Could be done in five days
6. Some jail employees and area para-professional social service delivery persons report having trouble interpreting treatment recommendations
7. Difficulty establishing cultural fairness
8. Could measure movement
9. Could be used in programming
10. Individual tests standardized - interview is not
11. Used almost entirely with community based criminal justice project

The basic shortcomings of this system lie in the cost of testing, the high degree of skill (clinical) and knowledge one must have to interpret the test results, the need for thorough training in the understanding of the "human need theory" and the difficulty of para-professionals to accurately understand the results and recommendations for treatment.

FIRO

1. No information on low reading, however, seems simple to read
2. Relatively inexpensive \$2-\$3/inmate
3. No vocational data - no educational or intelligence data, personality inventory - 3 scale rating differential
4. No specific recommendations for security
5. Yes, could be done in one hour
6. Yes, results are uncomplicated - easy to understand
7. No mention of cultural direction or sensitivity
8. Yes, has standardized aspect
9. Yes, possibly
10. Seems to be okay on validity and reliability
11. Has been used with P & P - correctional treatment

Comments - FIRO system seems to be a useful tool in selection and processing as related to "group individual counseling". To be considered as a comprehensive system for classifications would be a mistake. It only bases itself on 3 scales, there is no IQ or vocational data and treatment recommendations are based on types verses unique individuals. Too limited.

THOMASTON - MSP

1. Initial parts seem relatively low verbal, however, verbal tests are used in later stages if needed
2. Flexible costs depending on inmates tested - some would require more testing than others - the more clinical testing done the more likely the cost would approach \$35 - \$40 cost per hour
3. Flexible enough to provide data
4. Has risk assessment component
5. This again depends on inmate and amount of personality problems. System was devised for Thomaston has yet to be fully tried out yet, has yet to be modified for jail operation.
6. Again it depends on individual degree of pathology - not very ill - understandably ill - need a professional clinician
7. Not aware of statement or any indication of cultural sensitivity

8. Some (most) instruments used have normative data - some interviewing or board decisions - have none
9. Yes
10. ? - MMYB
11. Various elements have been used - whole system has yet to be used

Summary - While bits and pieces of this system may be useful - (risk assessment, some tests) it is devised for people who have usually a minimum of 18 months. It is an in-house system for use with the particular set of political and resource considerations in-play at M.S.P.

It has not been standardized - it remains unproven - deserves watching - but not ready - not appropriate for jail

MORAL DEVELOPMENT THEORY

1. Behavioral observations - not verbal - checklist probably, usable by low verbal persons
2. Very inexpensive
3. Psychological (personality data only), no vocational or intelligence
4. No specific reference to risk, however, one may be able to make assumptions from category one is placed in
5. Yes
6. Understood (but uses heavy moral and values judgements to categorize; this could cause problems or right and wrong)
7. Probably culturally biased because of value judgements
8. No norm groups developed, impossible to tell
9. Possibly
10. Not standardized in statistically significant manner
11. Used extensively in corrections

Summary - Theory of human development filled with moral overtones - very judgemental. No vocational, educational or IQ data, no risk assessment.

I-LEVEL

1. Formal structured interview - (yes) no reading skills needed
2. No high expenses - system can be administered and scored locally

3. Results are not comprehensive - only give indication of psychological type - no IQ - no vocational - results could be applicable for existing resources
4. No specific reference to risk however some personality levels may indicate high or low risk potential
5. Yes, 2-3 hours
6. Yes to some degree - jargon somewhat loaded
7. This has yet to be proven - there is no reference to cultural considerations
8. Unaware because of readily available norm group data, hard to measure movement
9. Yes, however, planning would be limited to broader categories
10. Not aware of any validity or reliability data
11. Used extensively in CJ system

Summary - The I-Level requires a great deal of training in order to be able to implement. Questionnaire used is highly structured but as yet results have not been exposed to reliability and validity studies. Does not make recommendations for vocational or educational activities, no IQ, no risk assessment.

PSYCHOLOGICAL RESOURCES

1. Yes, makes special mention of this in rationale for using certain tests
2. Cost can fluctuate between \$8 - \$20 / case
3. Results very comprehensive (vocational, psycho - social)
4. Does give rough risk classification
5. Could be done in five days
6. Results and conclusions are specifically written to address understanding of non-psychological professionals.
7. Makes point of using culturally fair testing (culture fair intelligence)
8. Yes, test - retest, norm group scores readily available
9. Has been used extensively in other states, in this regard
10. Tests are standardized, all possess good reliability and validity scores, except one
11. Used nationally, extensively in criminal justice systems, mostly corrections

Summary - Excellent potential, drawbacks include: computerized scoring in Atlanta, Ga., recommend further analysis.

MAGARGEE MMPI SYSTEM

Does the MMPI, as a classifications system, meet our wanted needs?

1. Security assessment:

- a. The MMPI system provides the user with a security assessment indicator of minimum, medium, maximum and community based housing according to groups which can be a valuable custodial management tool.
- b. The MMPI system can indicate potential custodial managements problems in dealing with classified groups in the above described settings. This would provide custodial staff with the knowledge needed to develop alternatives and preventive plans in advance to deal with indicated problem areas.

2. Risk assessment:

The MMPI system does not provide individual risk assessment, i.e., suicidal risk, substance abuse risk, etc. The MMPI system addresses these issues in very general terms according to groups. Further analysis would be needed.

3. Psychological factory/psychological treatment

The MMPI system provides the user with a general group psychological profile without using traditional psychological labels. Again, a group psychological assessment is of little use in providing individual treatment plans without further analysis. Further psychological evaluations may in fact be of little value in identifying treatment plans as traditional psychological labeling does not always imply treatment alternatives. As indicated earlier, MMPI treatment models have not yet been validated.

4. Vocational information

The MMPI system provides limited vocational indicators in the following areas:

- a. Vocational interest of identified groups
- b. Potential skills of identified groups

Further vocational testing would be necessary to identify individual interests and skills.

5. Para-professional understanding

The MMPI system can be administered, scored, classified and understood by para-professionals with little training.

6. Does system accommodate low reading and verbal levels.

The MMPI system does not accommodate those individuals with low reading and verbal levels. At FCI, individuals who were unable to read at the required level, a staff person would read each questions to the client. This practice is very questionable in terms of valid testing process.

7. Is the MMPI culturally fair or universal?

As indicated earlier, our research indicated this system is universal. However, due to the limited sample, continuing research in this area should be carried on if this system were to be utilized.

8. Cost of system.

The MMPI is inexpensive by itself. However, further resources and professional services would be needed to identify individual treatment needs. Professional services in this area cost from \$35 - \$55 per hour. This increases the cost of the system substantially. Again further traditional psychological analysis may be of little use in identifying treatment plans.

9. Can the MMPI profiles be administered, scored and classified in a reasonable period of time?

Yes, a classification can be derived within 2½ hours including testing and scoring.

Final Selection

Since, through our preliminary screening, we selected two systems which seemed to come closest to our desired outcomes for "classifications", (Psychological Resources (PR) and Magargee's MMPI) we decided to research each of these in-depth.

PSYCHOLOGICAL RESOURCES CLASSIFICATIONS SYSTEM IN CORRECTIONS

Psychological Resources is an Atlanta based psychological testing and consultation firm. The firm is headed by Herbert Eber, Ph.D. Dr. Eber has played an active role in the psychological assessment of vocational rehabilitation clients and prison inmates for the past 30 years. The main focus of Dr. Eber's energies has been in the Southeastern part of the United States.

A few years ago when Dr. Eber established Psychological Resources he created "a package for classifications", utilizing that group of testing he discovered, had best met the relevancy requirements of offender classifications. (The testing Dr. Eber recommends is readily available from the publisher: Institute for Personality and Ability Testing (IPAT) or from Psychological Resources).

The Psychological Resources Classifications System involves the following:

An inmate will take the test battery at the jail, most material is self-explanatory and tapes listing directions and questions are even provided for non-verbal inmates.

Test answer sheets are collected and mailed to Atlanta where they are scored. The results enter a specially programmed computer where results from all the tests are cross-tabulated. The product is a "psychological report", usually three to four pages long. The report is then sent back to the jail for consideration by the Classifications Officer.

The testing takes about six hours. Tests are scored, reports written and returned to the jail within four days.

TESTS

There are five tests used in the Psychological Resources battery:

16PF - a personality test of long standing with high reliability and validity.

Clinical Assessment Questionnaire II - a test of pathology, we found no reliability or validity data, however, this test is also well known and respected.

Motivation Analysis Test - A test of dynamics, the area of a persons drives and strength of his value system. This test rates lower than others in reliability and some experts have questioned its validity.

Wide Range Achievement Test - This test has been used extensively in conjunction with the jail's GED program. It is widely used to assess an individual's reading, spelling and mathematical abilities.

Culture Fair Intelligence Test - This test was developed as an alternative to other "culture bound" intelligence tests such as the WLAS and Stanford-Binnet. (according to its authors)

LOCATION OF SYSTEMS

PRS has been used for the entire State Prison populations in Georgia, Oklahoma and Colorado, used in assessment of juvenile delinquents in California, used in courtrooms in the pre-sentence investigation reports in various locations throughout the Country.

Data Base - Currently Psychological Resources claims a data base of 25,000 offenders.

Note: Since some issues regarding the development of our classifications system suggest that there is the need for certain management related factors such as risk and security assessment, the Psychological Resources System has a unique advantage over other systems.

Before PR implemented their system in the State of Georgia they tested 4,500 inmates in the prison system for a period of two years, beginning in 1971. The results of these tests were used to build "criterion data", in other words, the results lay uncontaminated, because no treatment or management intervention was made. Inmates were simply treated by the system as they would have been, had there been no testing. After following the natural course of events, follow ups were conducted with each tested inmate. Test results were compared to attempted escapes, escapes, punishment, security classification, etc. By using this method PR was able to establish a "predictive validity". (i.e., if inmate X scores high on the Q2 scale of the 16PF it indicates he will end up being a high security risk)

As the PR system showed itself to be more inviting to our needs for a classification system we decided to run our own comparative validity test using the MMPI, and the views of the Psychological consultant, Dr. Brian Rines. (This comparative analysis is also mentioned in the report on the Magargee MMPI system.)

The results of this analysis were:

1. In 80% of those cases appropriate for classifications the PR system stated results which agreed with the MMPI and Magargee's system. (The PhD clinical psychologist responsible for comparative analysis stated that the PR system was much more comprehensive and offered more detailed information.)
2. In this one case in which there was disagreement with the MMPI by the PR system, staff feedback on the particular case in question indicated agreement with the PR system not the MMPI.

In further investigation of this system we consulted the Department of Offender Rehabilitation in the State of Georgia, who have been using this system for five years. The following are the essential points of feedback given to us by the Director of Diagnosis, David Otto.

1. Never use PR test results as sole predictor of behavior, always consider social history, type of sentence, family and counselor observations.
2. The PR system is the best available for inmate classifications. It is standardized, cheap, valid and very easy to understand results. Lends itself to para-professional use.
3. Disadvantages lie in the fact that the psychological report really limits the professional growth of the para-professionals using it and the counselors rebel against the computerized approach. (went through the treatment recommendations and results are easy to comprehend)

THE MINNESOTA MULTIPHASIC PERSONALITY INVENTORY AS A TYPOLOGICAL CLASSIFICATION SYSTEM IN CORRECTIONS

Authors: Dr. Edwin I. Magargee Dr. James Meyer
 Florida State University Florida State University

Location of Systems Development:

Federal Correctional Institution (FCI)
Tallahassee, Florida
(medium security institution youth facility with an age range from 18-27)

Data Base:

The MMPI's were administered to 2,500 youthful offenders of which 380 protocols were drawn randomly from the larger pool of data for the initial study.

Time Frame: 1970; as of this date, research has not been completed.

Methodology: The steps in research were formulated as a series of questions as it was recognized that the MMPI could prove to be a relatively narrow data base of behavior to base a typological system upon.

These questions were:

1. Do the MMPI profiles of offenders in (FCI) fall into distinct groups or clusters?
2. Are such groups reliable? That is, does one obtain the same basid grouping in different samples?
3. Is it possible for a clinician to sort individual MMPI profiles into such groups reliably?
4. Is it possible to define such groups operationally so that other clinicians, or a computer, can sort individual MMPI profiles validly?
5. Assuming that an MMPI based system can be derived and reliable classifications is possible, do such groups differ significantly on non-MMPI variables, life style, social history, behavior and dynamics?
6. If the groups do differ in their behavior, are there clear implications for treatment?
7. Is such treatment effective? Does each group respond better to the prescribed treatment than to other treatment modes?
8. Can a system derived on data collected on youthful offenders in FCI be generated to offenders in other settings who differ in age, sex and offense patterns?

Results thus far from Magargee:

1. Yes, MMPI profiles of offenders in FCI did fall into distinct groups or clusters.
2. Yes, such groups are reliable. The data base was divided into three samples of 100 profiles each and subjected to hierachical profile analysis. The results indicated that there were nine reliable naturally occurring groups, later increased to ten.
3. Yes, rules were written to characterize each profile type and two independent clinicians were found to agree on the correct classifications of 87% of the individual profiles in a new sample. The nine profiles typed were given neutral alphabetic labels so that their characteristics would be revealed through empirical research rather than premature speculation.

4. Yes, classificatory rules were refined and revised and a computer program was derived that could classify 63% of profiles with 91% accuracy. At this time a tenth group was discovered increasing accuracy to 96%. Note: 37% could not be classified.
5. Yes, the MMPI profiles of 1,214 FCI offenders were classified according to the rules developed for the ten groupings. The ten groups were then contrasted on a number of variables derived from intake interviews, pre-sentence investigation reports, psychologists' Q-sorts and a number of personality, ability and achievement tests. Highly significant differences were obtained on 75 to 86% and it was concluded that the ten groups did differ substantially in their behavior, social histories, life styles and personality patterns. A model description of each group is offered, with the understanding that marked individual variations from these stereotypes can be expected and individuals may also change from one group to another over a period of time.

NOTE: The last two statements in answer to question 5 cautions that this system may not in fact be individualized differential classification process as the characteristics of an individual within an identified group will vary, thus requiring a more indepth study of individuals within the group before individual treatment plans can be implemented increasing the cost of this system substantially.

Questions 6, 7 and 8 have thus far not been researched, even though custodial management recommendations are made in conjunction with recommendations for treatment models for each group. Again we are looking at recommended treatment of groups and not individual offenders.

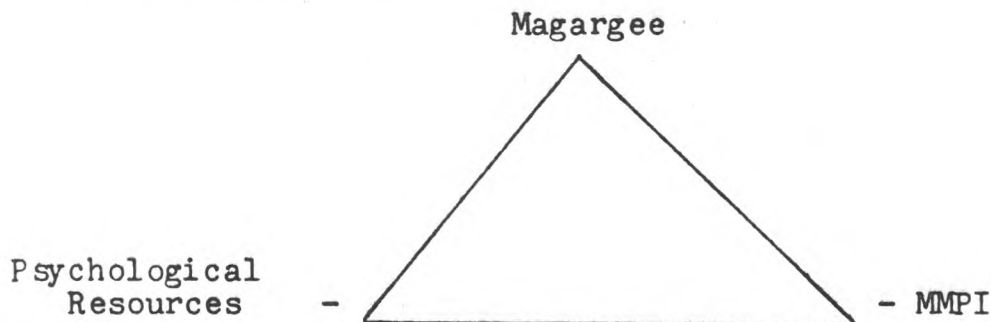
NOTE: In an attempt to answer question 8, is system universal, 10 offenders of the Kennebec County Jail were given the MMPI and scored and grafted. A clinical psychologists was then hired, Dr. Brian Rines, to provide us with individual interpretations of MMPI profiles. He was then asked to classify MMPI profiles according to Magargee and Meyer's hierachy rules of group classifications.

- Results:
1. 50% of the MMPI profiles fell within Magargee and Meyers' hierachy groupings
 2. 20% of MMPI profiles fell within questionable ranges of two hierachy groupings indicating re-testing was necessary or a more indepth interpretation of the MMPI profiles was needed
 3. 30% of the MMPI profiles did not fall within the range of any of the hierachy groupings

Summary: Our findings are consistent with Magargee and Meyers findings. Between 50-60% of the MMPI profiles could be classified by this system leading us to believe that this system is universal in terms of groupings. However, this research did not tell us whether the characteristics of these groupings were universal as offered by the model description given by Magargee for each grouping. The following research method was devised to answer this question.

Methodology: The model description offered by Magargee was compared to a general MMPI interpretation, provided by Dr. Rines and the results received on an individualized classification system offered by Psychological Resources of Atlanta, Georgia which offers a much greater testing and data base.*

*Testing base includes 5 tests, 16 PF, CAQ II, MAT, WRAT, CF and a comparative data base of 25,000 offenders.



Results: Of the 50% sample which could be classified according to Magargee and Meyers' rules of hierarchy of grouping; 1, 80% of the sample was consistent with the MMPI interpretations and Psychological Resources personality characteristics with Psychological Resources results being much more individualized and specific in the area of treatment assessment and risk assessment; 2, 100% of the sample was consistent with custodial management in terms of housing, community based, minimum, medium and maximum with Magargee's system defining these areas more specifically, especially problem areas which custodial staff should be aware of in housing and handling these groups.

The comparative research done indicated that the characteristics of these groupings are consistent with Magargee's model description thus leading us to believe the characteristics of those groups are universal. However, we must remember that we are referring to a group classification system which we do not feel is appropriate for prescribed individual treatment plans but could be very effective in making decisions in the area of custodial management.

For discussion : There are three options that must be given careful consideration when deciding whether the use of the MMPI classification system is appropriate for our use.

1. Does this system satisfy our needs as a single instrument bridging the gap between custodial and treatment management while meeting our responsibility to the community and the needs of our clients.
2. Is there information provided by this instrument that could be readily incorporated with other instruments, or classifications systems, that would better assist us in meeting our responsibility to the community and the needs of our clients.

3. Is the system, in part or in its entirety worth pursuing. Based on the research completed by Magargee thus far, along with the studies done by our staff, we have concluded, at this time, that the MMPI classifications does not meet all our needs, especially the area of treatment, for the following reasons:

- a. We believe that effective treatment planning requires an instrument that provides an indicator at an individualized level and not one that focuses upon group characteristics.
- b. Research has not been validated regarding prescribed treatment approaches thus far.
- c. Prescribed treatment approach for groups are based on one instrument, the MMPI and are too general in context.
- d. Cost of implementation of the treatment component of this system is questionable due to a need of a more individualized analysis before treatment plans could be implemented.
- e. Treatment staff should keep informed on any further development of the treatment component of this system.

It is suggested that the MMPI classification system be utilized as an additional custodial management/security assignment indicator for the following reasons:

- a. The MMPI system indicates potential custodial/management problems in relation to group housing assignments; community based; minimum; medium and maximum security. These indicators could be utilized by custodial management problems such as inner group conflict and authority conflict with staff.
- b. The MMPI system makes recommendations in the handling of custodial management and security assignment problems for each grouping. Alternative approaches.
- c. The MMPI system would be used in conjunction with other custodial management and security assignment indicators, giving staff a broader range to base its decisions on in these areas.
- d. Research in these areas should be carried on by staffing. Is it effective? What approaches with what groups best works? Are there better indicators?
- e. There would be no added cost by using the MMPI component as a custodial management and security assignment indicator as we are concerned with group housing assignments.

- f. Re-testing could be used as an indicator of progress towards lesser or greater security assignments.

We recommend that the MMPI, custodial management/security assignment indicator be the only component of the MMPI system used at this time. This would require that this component of the MMPI be incorporated in a larger classifications system thus giving the system a second group indicator in security assignments and custodial management while other instruments of the system would be used to focus on individualized treatment indicators.

POINTS OF COMPARISON

If we were to compare the use of the PR system to the Magargee MMPI system we can make the following points:

1. The PR system gives an individualized, unique print-out on each inmate, not a group classification-like in Magargee's MMPI system.
2. The PR system is very comprehensive, recommendations are made for vocation, security, treatment etc. The Magargee system classified according to personality groups.
3. The data base established for the PR system is 25,000 strong while the Magargee system is 2,500 strong.
4. The PR system has been widely accepted by three State Departments of Correction. The Magargee system is still in the developmental stages.
5. The PR system has been reported to be more understandable, easier to interpret, more detailed and easier to take than the MMPI. *
6. The question of expense is deceiving; the PR system will cost approximately \$12 - \$15 per case, the Magargee system will cost much less but will offer general results necessitating a contract with a local clinician in order to make specific treatment recommendations from the results. (Cost for clinicians range from \$35 - \$50 per hour.)

*Come Psychometric Correlates of Inmate Behavior - Herbert Eber, PhD

M. Ottor Director of Diagnosis, Dept. of Offender Rehabilitation

Selection and Recommendations for Implementation

From the Process of investigation utilized in the selection of a "classifications system" it has become apparent that Psychological Resources offers the Kennebec County Jail the best packaged system available.

There are a few items which should be considered if the PR system is to be implemented.

1. According to the feedback obtained from those people who have been using the PR system in the State of Georgia, it should only be used as a component of a classifications system which also includes social history and personal interviews. With this in mind, we suggest that an open ended interview be conducted with each inmate to assist in augmenting the information retrieved from the PR testing. The interview would be conducted by staff counselors with the objectives of not only observing and recording inmate behavior but also establishing a base for a future therapeutic relationship. Some of the objectives of the interview would include: obtaining information on the inmates perceived problems, family relationships, substance abuse, adjustment to incarceration and any current or foreseeable crisis the inmate may be facing. In recording the observations made during the interview the counselor should note the appearance, behavior, mood and thinking of the inmate.
2. Since the Magargee system offers an excellent assessment of security designation it should be used as an aid to developing a better idea of "inmate security risk". Administration of a short-form of the MMPI could be used for this purpose.
3. Any system will only work as well as those persons who administer it, therefore, we emphasize that the classifications staff be made up of highly qualified persons capable of accurately assessing human behavior and developing close interpersonal relationships with the inmate population. By "highly qualified" we do not necessarily mean "highly educated" but "highly competent". (see job descriptions)

KENNEBEC COUNTY CORRECTIONAL CENTER - - - - INTERIM CLASSIFICATIONS SYSTEM

The most crucial period of time for most individuals being received at a correctional or detention facility is the first seventy-two hours. It is during this period of time, because of high anxiety levels, deep depression, alcohol or drug withdrawal, psychosis, general acting out tendencies and the lack of ability to meet one's own needs when incarcerated, that the largest number of suicides and behavioral problems arise.

While it is the responsibility of the correctional facility to prevent such behavior and meet individual needs, the reality of incarceration is that these individuals must be managed and housed until such services and needs can be provided. While the incorporation of a detoxification and observation unit within the facility would improve this situation greatly, it does not meet the total needs of the individuals received or the facilities responsibilities to provide safe housing for all individuals, including staff. The need to develop an interim classification tool to assist custodial management staff in making security housing decisions, at the time of intake is apparent in order for us to meet our total responsibility to the community and the incarcerated individuals.

The following is an overview of the development of an interim classifications system which we feel would greatly assist us in meeting our responsibilities in providing safe and secure housing at the time of intake.

INTERIM CLASSIFICATION SYSTEM

Goal: To provide custodial management staff with an interim classifications system to assist them in providing safe and secure housing for both sentenced and detained individuals at the initial time of intake, without jeopardizing the constitutional rights of the individual and safety of the staff.

Recommended system: Vera Point System - developed to meet our needs from components of

1. Manhattan Bail project
2. Maine State Prison, security classifications
3. Probation/Parole, risk assessment
4. Des Moines Project
5. Vera Point System developed by jail staff, Kennebec County, 5th revision

Methodology: The Kennebec County Vera Interim Classifications system was developed by extracting relevant information provided by the above named systems and combining the information in such a way as to meet the needs of both sentenced and pre-trial residents. The system was then tested by having the information sheets and points charts completed on 50 incarcerated individuals, 25 pre-trial and 25 sentenced and verified. The results were then compared to incarceration histories, psychological resources security assignments, Magargee's MMPI security assignment component and staff assessment of the individual security assignments.

This process was repeated and adjusted five different times until 90% agreement between all comparative components could be reached regarding an interim security classifications of each individual.

It is our recommendation that this interim classifications system be incorporated into the intake process at the Kennebec County Jail with the understanding that comparative studies would be carried on in order to monitor the accuracy of this system. It is further recommended that this assessment be incorporated as an additional indicator for long-term housing and diagnostic classifications only.

Attached are copies of the points schedules and verifications sheets used for interim classifications.

APPENDIX GPRE-TRIAL DIVERSION

The report presented in this appendix was developed by jail staff in 1978. It outlines diversion options and procedures which could be implemented in Kennebec County.



KENNEBEC COUNTY JAIL

TREATMENT PROGRAMS

AUGUSTA, MAINE 04330

Tel. 207-623-3591

Ralph E. Nichols
CLASSIFICATION OFFICER

Anne B. Harris
Project Coordinator

July 13, 1978

Citizens Committee for Kennebec County Jail
Systems Sub-Committee
Steve O'Donnell, Chairman

RE: Systems Sub-Committee, Recommendation number Two - Pre-Trial
Diversion, Recommendation number Three - Information to the
Courts

Dear Steve:

Enclosed you will find an overview of a pre-trial screening project which was implemented in Des Moines, Iowa, Polk County Jail, March 1, 1971. The Des Moines Project was based on the successful experience of the Vera-Manhattan Bail Project implemented in 1964 and still in operation today throughout the Country in a number of different forms.

It is the recommendation of the program staff at the Kennebec County Jail that the Kennebec County Jail's Citizens Committee consider the use of this project at the Kennebec County Jail as a pilot project to meet the needs of recommendations two and three of the systems sub-committee.

We further recommend that the Citizens Committee does not recommend that information gathered through a classifications system be made available to the Courts unless it is to be used at a pre-sentencing level. Information gathered through an intake process, which includes pre-trial screening and diversion, should be made available to the Courts to assist them in bonding practices. Classification information, which includes diagnostic information, should not be provided at a pre-trial level unless requested by the defendant or counsel.

The blanket policy recommended by the systems sub-committee would leave the jail open to many legal questions and possible suit.

Sincerely yours,

RALPH E. NICHOLS
Classifications Officer

G-1

COMMUNITY BASED CORRECTIONS IN DES MOINES

AN OVERVIEW

A Community Acts

In 1970, the State of Iowa condemned the Polk County (Des Moines) Jail and ordered it closed by April 15, 1971. The principal reason for condemning the jail was over crowding. The Polk County Board of Supervisors, faced with the necessity of building a new jail, decided instead to develop a comprehensive community-based correctional system in an effort to reduce jail population. With funding provided by Des Moines Model Cities and LEAA, through the Iowa Crime Commission, the Polk County Department of Court Services was organized on March 1, 1971.

The Department of Court services provides the administrative framework for the coordination, integration and development of community projects offering alternatives to traditional penal institutions. The four basic components include a unit for pre-trial release screening; a pre-trial community supervision effort; a county-administered probation unit; and a community-centered corrections facility.

Each of the components appears to have brought about significant improvements in the Polk County criminal justice system. The combined effort, operating from a single administrative unit, provides an outstanding array of well coordinated correctional services. The continuum of services provided is in sharp contrast to the normally fragmented operations of the criminal justice system. Moreover, the program is unique in the range of dispositional alternatives available, geared to varying offender characteristics.

Following is a brief description of the programs administered by the Department of Court Services.

Pre-Trial Release Screening

This is a program through which apprehended persons are released prior to trial without money bond. Release is granted on the basis of objective criteria which are related to stable roots in the community such as length of employment, length of residence at the same address and negligible prior record.

In operation since 1964, the program is based on the successful experience of the Vera-Manhattan Bail Project. It operates directly out of the Municipal Court Building, and is staffed by five part-time interviewers (law students) and a supervisor. Interviews are conducted seven days a week, and release recommendations are usually prepared within a few hours of the defendant being booked into jail. The only persons not interviewed are those having "holds", those booked on federal offenses or for failure to appear and minor drunk and traffic offenders.

Arrestees are recommended for release if they attain five points on the objective criteria specified in the interview form. However, immediately after the interview, staff verifies the information provided by the

arrestee through telephone contacts. In a number of cases, the arrestee attains five points on the basis of information given in the interview but verification indicates fewer than five points. This means the arrestee has given incorrect or false information and he is not recommended for release. Verification of all interviews is an important feature of the program.

Another important aspect of this program is that staff is located in the same building which houses the city jail, the police headquarters and the municipal court. This enhances the interviewing process and provides staff with a mantle of official authority. As a result, pre-trial release is visualized as an integral part of the criminal justice system rather than as an outside or perhaps conflicting operation.

About 1,100 people per year are released through the pre-trial release program and only 1.8% fail to appear for trial. The total program cost is about \$52.00 for each person released.

Pre-Trial Community Supervision

This is an additional pre-trial program through which defendants who fail to meet the criteria for unsupervised release may also be released without money bond but only under some form of community supervision. Fifty-four percent of apprehended persons who fail the initial pre-trial screening and who do not make bond are released through this program (about 220 per year). These people are placed under close supervision and are required to work full-time or involve themselves in full-time educational or vocational programs during the pre-trial period.

Significant controls are built into the program to assure public safety. Typically, a releasee who is not employed full-time reports daily to his counselor. A more flexible schedule is arranged for those who are working. Project offices are open evenings and weekends.

The hypothesis of the supervised release program is that certain defendants are unnecessarily removed from the community, thus: (1) weakening significant family and community ties and (2) making impossible the utilization of various positive conditions or relations that may provide a foundation for rehabilitation. Supervision, with the development of an individual program, may also affect the disposition of a defendant's case by demonstrating to the court the extent to which the client is willing to tackle his problems. The existence of "roots" in the community and participation in positive control programs help determine an individual's qualifications for a disposition of probation. Further, extended pre-trial detention itself increases the likelihood of incarceration subsequent to conviction.

Social factors which tend to disqualify an arrestee for unsupervised release before trial also tend to disqualify him for probation. Consequently, negative conditions, such as lack of stable family ties and lack of stable residence and employment, are examined and an effort is made during the pre-trial period to improve these conditions. Both counselors and the clients identify and aim at specific goals and a treatment plan is developed for achieving these goals.

Within a week of release, each atestee receives a complete evaluation -- educational, vocation and psychiatric. As a result, the treatment plan is directly related to the individual's capabilities and limitations. Counselors are located in a building in the highest crime area of the city, and close controls are maintained over all defendants included in the program.

In order to better determine effectiveness, a control group was maintained during the first year of operation. One of every five persons who qualified for release was retained in jail. The study found that fifty percent of those who remained in jail were sentenced to prison, while only 22% of those released were sentenced to prison, an outcome which supports the hypothesis that offender participation in positive community programs prior to trial has an impact on sentencing. It has also been determined that 2.4% of the supervised pre-trial releasees have failed to appear for trial, a rate that is identical to that experienced by individuals released under money bond.

The cost of the community supervision program is about \$667.00 per release.

County-Administered Probation

The probation system is the most traditional of the services provided by the Department of Court Services. Responsibility for administering probation was transferred in 1971 from the State Bureau to the County Court Services Program. As a result, a much closer relationship exists with the courts. Two basic services are provided: pre-sentence investigation and probation supervision. The defendant's social and criminal history, including his current status and progress, are the focal points of the pre-sentence investigation. The purpose is to aid the court in determining an appropriate correctional plan. Investigations are conducted within a period of two to four weeks, depending upon whether the individual is in jail (2 weeks), on bond (3 weeks) or under pre-trial supervision (4 weeks). Any of four general types of sentences may be recommended: (1) straight probation, (2) community correctional facility placement, (3) jail, or (4) state prison.

The probation unit consists of one supervisor and six probation agents who supervise a total of approximately 400 probationers and parolees. The unit makes extensive use of available community resources, and agents perform more as brokers than providers of direct social services. Again, the probation office is housed in the highest crime area of the city. There is close supervision; however, relations between clients and counselors are relatively informal.

During 1972, 327 persons were placed on probation in Polk County. The previous high is thought to be less than 150, but prior records are not clear. This large increase is at least partially due to the close relationship between the judiciary and the correctional agency, as well as to the provision of Pre-Trial Community Supervision services as described above.

The probation cost is about \$350.00 per year per probation. It is somewhat lower than the pre-trial supervision cost inasmuch as the latter requires much intensive supervision over a relatively short period of time.

Community Centered Corrections Facility

This fourth major component of the Court Services Program was established in June, 1971, as an alternative to the county jail. Experience has shown, however, that it also serves as an alternative to the state prison. The facility, known as Fort Des Moines, is located in a two story army barracks on a military reservation located within the City of Des Moines.

Fort Des Moines should not be confused with a typical halfway house. Although it is sometimes used for offenders on the way out of prison, it is most often used for offenders as an alternative to prison. Its programs encompass those generally described as work or education release. Over 90% of the inmates are convicted felons and about 20% are heroin addicts.

The Fort Des Moines treatment program is not restricted to one or two specific treatment or control techniques but rather attempts a problem-solving approach for each of the residents. The individual approach is usually formalized in terms of a contract between the resident and his counselor. The staff ratio is high - one staff member to every two clients. Extensive use is made of non-professionals. Every inmate is evaluated during his first two weeks to determine his educational, vocational and psychiatric needs. A treatment plan is then developed and formalized into a contract.

A major strength of the residential facility is its close relationship to other social agencies and institutions. The facility's design excluded space and equipment for such activities as education or vocational training, thus forcing the staff to make maximum use of existing community resources. The goal is to demonstrate that correctional facilities located in or adjacent to cities need not make huge capital investments in classrooms, shops, gymnasiums and infirmaries. Recreational facilities provided are limited to a game room (pool, table tennis, etc.) and television sets. All inmates work on regular jobs in the community and attend full-time remedial education or vocational training programs offered by existing community resources.

Although physical security devices are minimal, i.e., there are no bars or fences, the facility is staffed sufficiently well to allow a great deal of personal observation and control. Control efforts are carried on in the community with the help of the County Sheriff's office and the Des Moines Police Department. Each week the police receive a listing of all inmates indicating where they are supposed to be and what hours. This information is placed in the police computer to enable officers to quickly verify whether an offender seen in the community is authorized to be there. In addition, activity assignments and various movement controls - for example, the facility has its own vehicles for job and program transportation - enable a close resident accounting system. Residents are also aware that failure to adhere to the Fort Des Moines rules and general program operation will result in a return to the more secure jail facility.

Although it is not especially difficult to abscond from the facility, the escape rate is relatively low. During the calendar year 1972, when a total of 148 residents were admitted to the facility, there were 10 escapes. There is a formal system of reporting escapes to both the police and sheriff's office.

Impact

In 1970, the average daily population of the Polk County Jail was 135. In 1971, this figure had declined to 125. The average daily population in 1972 was 75, and for the last three months of 1972 and the first month of 1973 had declined to 65. As a result, a cell block has been torn out of the jail and has been remodeled into a recreation area. The jail is now approved by the State of Iowa, and Polk County has not had to build a new one.

The total operating budget for the four components of the Court Services Program during the 13 month period from January 1972 through January 1973 was \$849,500. Of this budget \$31,732 was for one-time purchase of equipment and remodeling expenses.

A two year independent evaluation of the pre-trial release screening and pre-trial community supervision components provided the following indices of program effectiveness:

a. Appearance for Trial

All available evidence from the Des Moines Pre-Trial Unsupervised Release Program and from bail release in Polk County indicate the same appearance rate, almost ninety-eight percent.

b. Pre-Trial Offenses

Pre-Trial supervision subjects and those released on money bail had the same rate of offense allegations (approximately seventeen and one-half percent) during the release period.

c. Program Selectivity

Those defendants rejected for pre-trial supervision, but later released on bail, had the highest rate of pre-trial new offense allegations (thirty-nine percent).

d. Pre-Trial Jail Time

The pre-trial supervision project during 1971 is estimated to have saved 3,343 defendant jail days. Of these, 1,231 days would have been served by defendants who were ultimately not found guilty.

e. Pre-Trial Employment and Income

The pre-trial supervision project's employment assistance aids its clients to avoid unemployment and consequently income is maintained rather than lost completely, as it is for jailed defendants.

f. Legal Representation

People released under pre-trial supervision were able, more often than those jailed, to provide their own defense attorneys rather than relying upon court-appointed counsel.

g. Court Outcome

Pre-trial supervision subjects are less often incarcerated subsequent to conviction than those jailed, although sentence lengths for those who are incarcerated do not differ from those of defendants jailed prior to trial.

h. Post-trial Offenses

Only a small amount of inconclusive evidence is available regarding whether or not individuals provided with the pre-trial supervision project's rehabilitative services are less likely to commit new offenses subsequent to the pre-trial period. Evaluation of this and other aspects of the project is continuing, but at this point no claims of reduced recidivism can be made.

Further evaluation of the remaining two components of the Des Moines program - the County based probation unit and the Fort Des Moines correctional facility - is now underway. To date, the following cost data concerning the operation of the Fort Des Moines facility have been compiled:

On December 31, 1972, of the 44 men in the institution, thirty were gainfully employed in the city full-time and six were involved full-time in existing educational or vocational programs. Those employed were supporting families and paying local, state and federal taxes. They also contributed \$11,000 to the operation of the institution through room and board payments.

The 52 bed facility was obtained in 1971 for a total capital investment of \$60,000. In contrast, prison construction costs about \$26,000 per cell. The annual operating cost is about \$2,520 per offender. This figure does not include capital investment or equipment costs, but does include administration costs.

Conclusion

The Polk County Court Services program appears to have significantly improved the quality of criminal justice in Des Moines without impairment of public safety.

A wide variety of community treatment programs have been developed to meet the varying rehabilitation and control needs of individual offenders. Services, including pre-trial release screening and supervision, pre-sentence investigation, community residential programming and probation supervision, are coordinated by a single administrative unit, the Department of Court Services. This unit integrates the activities of normally fragmented elements of the local criminal justice system, and it takes maximum advantage of available public and private resources in the community. The goal of re-integration of the offender into the community is consistently sought, as is selection of appropriate control and treatment services for various types of criminal defendants and offenders.

Controls have been built into the program at all stages for the purpose of achieving improved methods of handling offenders without increasing community risk. As noted earlier, these efforts include careful screening and a closely supervised release program. The matching appearance-for-trial rates and new offense allegation rates for individuals released under the pre-trial programs and for those released through standard bonding procedures indicate that these controls have been successful. Special efforts have been taken to coordinate police, court and correctional activities (the weekly status reports on Fort Des Moines residents to local law enforcement is one example), and a high degree of police, court and corrections cooperation and support has been maintained.

The Court Services program is viewed neither as a panacea nor as a program that can be replicated in all communities. It is, however, a program that has been successful in Des Moines (it is currently being expanded to other areas of Iowa), and it should offer practical guidance for other communities interested in developing improved pre-trial services and community based correctional programs.

RECOMMENDED CHANGES OF THE DES MOINES PROJECT TO MEET OUR NEEDS

1. That the pre-trial screening component be incorporated as part of the jail's intake process for all defendants. More cost effective.
2. We recommend that the Sheriff, his jail administrator or classification officer be granted the authority to release defendants on personal recognizance as recommended by the pre-trial screening project in pre-arraignment situations at no cost to the defendant.*
3. We recommend that the pre-trial screening project be responsible for the supervision of those defendants released on supervised release. This would enhance the feedback to the project and give it more direct control over its use. This would include defendants placed in residential treatment programs such as alcohol, drug, etc.
4. We do not recommend that the jail develop a residential community center for defendants and encourage the pre-trial screening project to utilize existing community based resources, such as residential treatment centers. If a defendant is not in need of treatment and qualifies for supervised release or PR, there is little need of a community based residential center.
5. We recommend that the systems sub-committee begin to approach the appropriate CJ agency at all levels of government to encourage the implementation of this project and review needed legislation to implement.

* In the public interest, Governor's Task Force on Corrections, August, 1974, Chapter II, page 35. Recommendation 35.

6. We recommend that in-house programs continue to be provided for those defendants who do not qualify for pre-trial release programs. Programs at the Polk County Jail for defendants, in-house, are lacking due to the energy concentrated into the Pre-Trial Screening Program.

Pre-trial Screening

KENNEBEC COUNTY JAIL PERSONAL RECOGNIZANCE PROGRAM

The Kennebec County Personal Recognizance Program is based on the Des Moines, Iowa Project. It is our intention to implement this program for a number of reasons: 1.) as a management tool it will reduce the jail population; 2.) cost benefit to the County will be enormous; 3.) society will not have to support the family of the detainee; 4.) the accused will not be incarcerated prior to trial.

The key ingredient of the Des Moines project is the Vera Point System. This point system will be used in Kennebec County. However, a few changes are indicated to meet our own particular needs. The Vera Point System is basically a scoring sheet that takes very little time to complete.

One staff person will be responsible for the Personal Recognizance Program. His duties will include:

1. gathering information from the client
2. verifying that information
3. making recommendations to the Judge or Bail Commissioner
4. supplying the jailer with a release order

PERSONAL RECOGNIZANCE PROGRAM

The personal recognizance process begins with identifying detainees. The booking office is the starting point for identification. The booking officer will have the names of incoming detainees. After acquiring their names, the mittimus cards will be checked for the following data:

1. failure to appear
2. P&P violations and holds
3. intoxication at booking
4. detainee's residence

The booking officer will be consulted with regard to the mental condition of the detainee.

This information will help to eliminate some detainees from the program immediately. All detainees not screened out will be interviewed following booking.

It is important to explain the entire program to the client. It is recommended that the client sign a statement that his participation in the program is voluntary. The client should be advised that his answers will be verified. This should diminish the likelihood of false statements.

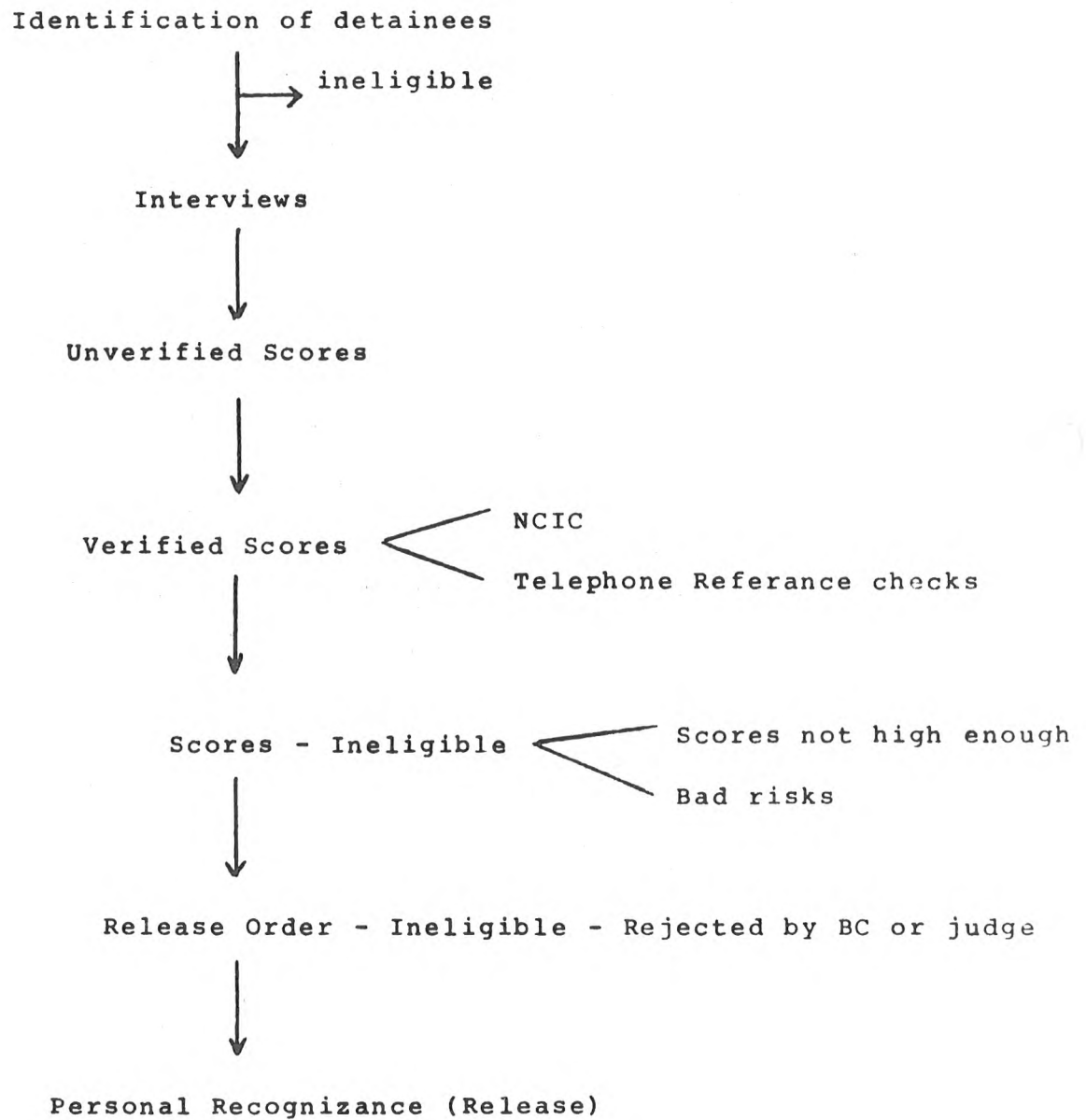
After questioning, the detainee will be placed in a holding cell until verification is complete. If unverified scores are too low for release then verification is unnecessary.

There are two methods of verification. The first is an NCIC criminal record check. The second is telephone contact with friends, relatives and employers.

Eligibility for release depends on the verified score. If the score is sufficient for release, a recommendation is made to the Judge or Bail Commissioner before arraignment. Should the Judge or Bail Commissioner approve the release, the necessary paperwork will be delivered to the booking officer for release.

PERSONAL RECOGNIZANCE

FLOW CHART



PERSONAL RECOGNIZANCE

I. IDENTIFICATION OF DETAINEES

- A. Initial identification done by hourly checks with deskman - this identifies individuals who have been arrested.
- B. Inmate status sheet should be reviewed at least once a week to insure that no one is overlooked.
- C. Immediately declared ineligible
 - 1. intoxicated individuals
 - 2. failure to appear
 - 3. holds and P & P violations
 - 4. non-resident transients
 - 5. mentally disturbed or addicts

II. INTERVIEWS

- A. Interviews will take place after an individual has been booked.
- B. Interview forms (Vera point system)
 - 1. unverified scores - these are the interviewees scores
 - 2. verified score
 - (a.) telephone, reference checks through families and friends; employers may be called if it is done in such a way as not to jeopardize his employment.
 - (b.) criminal record check through NCIC

III. SCORES - INELIGIBILITY DETERMINATION

- A. Unverified scores are not high enough for release
- B. Verified scores are not high enough for release
- C. Verified score high enough but individual considered a bad risk, example: failure to appear or drug & alcohol abuse etc.
- D. Recommendation rejected by the court.

IV. QUALIFICATIONS FOR RELEASE

- A. Release order filled out to be signed by Bail Commissioner or Judge and defendant
- B. Judge authorizes or denies release
- C. Jailer receives release paperwork
- D. Individual released on P. R. (personal recognizance) bail

KENNEBEC COUNTY JAIL

SUPERVISED PERSONAL RECOGNIZANCE

The Supervised Personal Recognizance program is designed to meet the needs of those individuals incarcerated who have special problems. In order to meet their needs, a Community Residential Treatment program may be more appropriate than the County jail.

A more indepth analysis of the client is necessary for this program. This is achieved by:

1. subjective interview where basic problems are identified
2. diagnostic testing used as a key source of information regarding the client

The staff reviews all the information obtained and develops a plan of action. The team then determines the appropriate agency for the client. Initial contact is made with the agency to assure the clients eligibility. The next step is to arrange an interview with the client and the agency. One of the team members will consult with each separately for the purpose of:

1. resolving any problems that may arise
2. to ascertain the agency's position toward the client
3. to determine the motivation level of the client with regard to the program

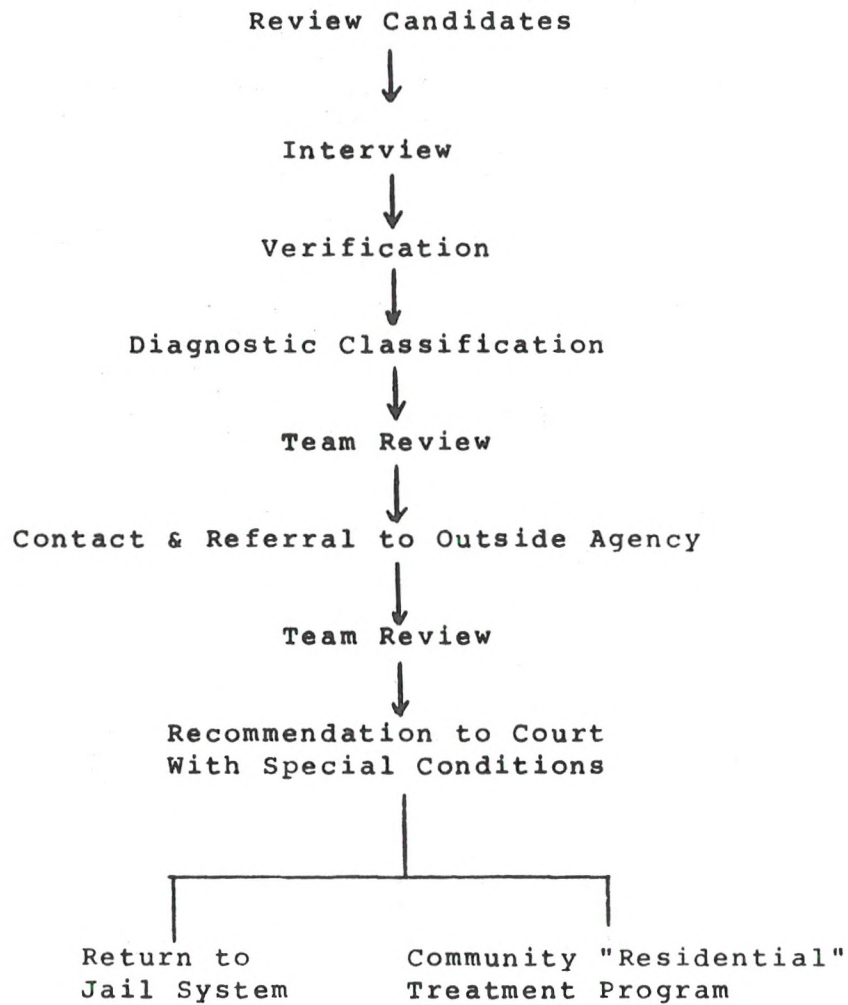
This additional information will enable the staff to determine the appropriateness of the agency.

If the client and the agency are both agreeable to the program, the contract will be drawn up. Written into the contract:

1. general rules
2. specific conditions and specific consequences of breaking the contract
3. staff will check the client's progress while at the treatment center

After the client signs the contract his attorney is notified. Someone from the staff will consult with the attorney to obtain his approval of the program. When approval is given the staff will make a recommendation to the court.

SUPERVISED PERSONAL RECOGNIZANCE
FLOW CHART



CONDITIONAL PERSONAL RECOGNIZANCE

- I. Review Candidates
 - A. scored too low on Vera Point System
 - B. judge or bail Commissioner denied Personal Recognizance bond
 - C. individuals that are intoxicated at booking
 - D. alcohol and drug abuse
 - E. mentally disturbed or retarded
- II. Interview
 - A. Program will be explained in detail to the client
 - B. interviewees sign a written contract agreeing to voluntary participation in the program
 - C. a release form signed by client allowing the staff to distribute the necessary information to the appropriate agency - example: Judge or Bail Commissioner
 - D. Vera Point System is used as a basis for the interview
 - E. verification of point system
 - F. screening for obvious behavioral problems
- III.. Diagnostic Classification
 - A. a battery of tests given twice a week
 - B. results of tests returned
- IV. Team Review
 - A. review test results
 - B. review interview data
 - C. develop plan of action
- V. Referral to Outside Agency
 - A. initial contact with outside agency
 - B. individual's motivation to participate in program
 - C. individual's acceptance into outside program
- VI. Team Review
 - A. is program selection appropriate
 - B. contract and supervision schedule
 - 1. Contract
 - a. clearly explained
 - b. special conditions
 - c. general rules
 - d. specific consequences should client break contract
 - e. client must sign contract
 - 2. Supervision Schedule
 - a. written into contract

CONDITIONAL PERSONAL RECOGNIZANCE
CONT. - PAGE 2

- VII. Recommendation to the court
 - A. Approval of Attorney
 - B. Approval of Court

- VIII. Release to Appropriate Program

PRE-TRIAL RELEASE INTERVIEW SHEET

APPEARANCE

Court _____ File NO. _____
 Date _____ Interview Date _____
 Time _____ Arrest Date _____
 Investigator _____
 Date of Release _____

Name _____ Attorney _____ Phone _____
 last first middle
 Aliases _____

Age _____ D.O.B. _____ Description Sex: M F Education _____
 Charge _____ Bond \$ _____
 \$ _____

1. Present Address _____ Residence _____ With _____
 Own Rent How Long? _____ Phone _____
2. Previous Address _____ How Long _____ With _____
3. Total number of address changes in last year 1 2 3 4 5 more
4. Place of Birth _____ Other States _____
5. How long have you lived in Kennebec County? _____

Employment

1. Present Employment _____
 Company _____ address _____
 Phone _____ Job Title _____ How Long _____ Income _____
2. Previous Employment _____
 Company _____ Job Title _____ How Long _____
3. Total number of jobs held within the last year? 1 2 3 4 more
4. Supported by Self, Parents, Other _____ You Support _____

Previous Criminal Record

1. Arrests _____ Convictions _____
2. _____
 Charge _____ Where _____ When _____ Disposition _____

Pre-Trail Interview Sheet (con't)

3. Ever been on probation or parole _____ Now? _____ Violate? _____
4. Number of felony offenses. 1 2 3 4 5 6 7 8 more
5. Do you currently have a case pending in any criminal court? _____
What _____
6. Age at first offense? _____
7. Prior Jail Sentence: _____
8. Prior Prison Sentences: _____

Marital Status

1. Living arrangement: Single Married Divorced Separated Widow(er)
2. If married: A. wife's name _____
Last First Maiden
B. Marriage date: _____
C. Number of children: _____
3. If divorced: A. When divorced: _____ Is it final Y N
B. How many children supported? _____

References

- A. Relatives: (If none in Kennebec County, so state)

Name	Relation	Address	Phone	How often
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

- B. Other:

Other Information

1. Health Problems _____ Doctor _____
a. Drug Problems Y N
b. Alcohol Problems Y N
2. Military Status _____
3. Would you go back to school if given the opportunity? Y N
4. Will you be leaving Kennebec County between now and trial? _____

5. Between now and trial you can be reached at:

Address

Phone

Time of Day

6. Remarks:

INSTRUCTIONS:

Fill interview sheet completely, where applicable.

Check defendants records on all felony or indictable misdemeanor charges.

Note which references were contacted on the interview sheet and on the recommendation sheet.

Be sure to get phone numbers for contacting the defendant at home.

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KENNEBEC COUNTY CORRECTIONAL CENTER - PRE-TRIAL RELEASE PROJECT
POINT SCHEDULE

To be recommended for release on his own bond, PR, a defendant needs:

1. A Kennebec County address where he can be reached; and
2. A total of five (5) points from the following categories.

Int.	Ver.	<u>Residence</u>
3	3	Present residence one year or more in Kennebec County
2	2	Present residence no less than 6 months in Kennebec County
1	1	Present residence no less than 4 months in Kennebec County
0	0	Transient or residence less than 4 months in Kennebec County
		<u>Family Ties</u>
3	3	Lives with wife and had contact with other family members *
2	2	Lives with wife or parents
1	1	Lives with family person whom he gives as reference
		Wife - if common-law, must have lived together 2 years to qualify as wife
		Contact - must see family member at least once a week
		<u>Time in Kennebec County</u>
1	1	Ten years or more
		<u>Employment</u>
*4	4	Present job one year or more
*3	3	Present job no less than 6 months
*2	2	Present job no less than 1 month
1	1	Current job no less than 3 months or unemployed 3 months or less with 9 months or more on prior job
		Supported by family, receiving unemployment compensation or welfare
		Note * - deduct one point from first three categories if job is not steady, or if no salary involved
		<u>Prior Criminal Record</u>
2	2	No convictions
1	1	No convictions within the past year
0	0	One felony conviction, * or misdemeanor conviction within the past year
-1	-1	*Two or more felony convictions
		* = Felony = Class C, B, A crimes
		* = Misdemeanor = Class D, E crimes
—	—	Total Points

KENNEBEC COUNTY JAIL COMPARATIVE COST ANALYSIS
PRE-TRIAL DETENTION vs. PRE-TRIAL SCREENING

The enclosed comparative cost analysis has been prepared for the Kennebec County Jail's Citizens Committee for the purpose of gaining some insight into the cost/effect relationship of pre-trial detention and the possible cost/benefits relationship of establishing a pre-trial screening program at the Kennebec County Jail.

Sample: This analysis consisted of 2,140 pre-trial defendants, 100% sample, received and booked at the Kennebec County Jail from 1973-1978, the last five months of 1978 being projected as if the jail was not closed and not boarding out its pre-trial defendants.

All data concerning: 1, number of pre-trial inmates and 2, average number of days before release were determined from the Jail's mittimus books, which records all inmates being received and released by the Kennebec County Jail.

All information concerning cost were determined from information received from the Kennebec County Treasurer's office on Jail Budgets and spending from 1973-1978.

Decreasing cost per day were determined as prescribed by the National Institute of Law Enforcement and Criminal Justice, LEAA, Department of Justice, Volume 5, Planning, Staffing, Evaluating Alternative Programs, Appendix A, pages 106-118, Jail Cost Analysis.

As shown by this analysis, the cost of pre-trial detention has fluctuated greatly from a low of \$4,258.00 in 1975 to an estimated high of \$97,063.00 for 1978.

It is quite evident that this fluctuation is a direct result of a number of factors for which the Jail has little or no control over. Factors such as, the number of pre-trial defendants committed, the constant increase of consumable and non-consumable products and the ever changing practices of the Criminal Justice System. For example:

In 1973, personal recognizance bond and alternative programs were all but non existent in Kennebec County. The cost of housing the 427 pre-trial inmates for an average 8.9 days before release was \$24,221.57.

In 1974, personal recognizance bond became law in Maine and by 1975 was being utilized by the Criminal Justice System to the extent that the average time before release dropped to 1.2 days as compared to 8.9 days in 1973. The cost also dropped substantially from \$24,221.57 in 1973 as compared to \$4,258.00 in 1975. A decreased cost level of 568%.

However, from 1976 to 1978, there has been an ever decreasing use of personal recognizance bond and alternative programming by the Criminal Justice System which brings us to a present increased level of 14.7 days before release for 380 inmates at a cost of \$97,063.00. In short, the cost level has increased 844.5% since 1975. An average increase of 281.5% or \$30,935.00 yearly since 1975.

The key factor in the analysis which the jail could have some control over that should be focused on by the Jail Committee and Jail Administration to stabilize and decrease the cost of pre-trial detention while improving community based programs is the number of days held before release. Obviously, the Jail has little or no control over the number of defendants received or the growing cost of consumable and non-consumable products.

By the introduction of pre-trial screening programs at the jail, the jail would provide appropriate information to bail commissioners and the courts concerning defendants received to assist them in making their decisions regarding bond and diversion programs available.

In a number of replication programs of the Des Moines project throughout the United States, a cost savings of about 26% has been demonstrated for pre-trial detention.

In Kennebec County we would estimate a cost savings of approximately 46% as we would incorporate classifications personnel to provide pre-trial screening as part of our intake process rather than establishing a completely separate entity known as pre-trial screening.

Other areas of cost savings to be considered are:

1. Taxes on client wages provided to local government
2. Clients would be able to continually support their families
3. Wages earned by pre-trial defendants could be used to hire defense counselors

YEAR	A Number of Pre-trial A=total population/yr. 42.3%	B Average number of days held before release pre-trial each year	C ¹ Cost on 1st day of receiving spending A & B	C ^{2*} Cost after the first day of receiving $C_2 = C_1$ 15%	Estimated cost/yr. $D=A(B-1)(C_2)+A(C_2)$
1973	427	no PR bond 8.9 days	\$7.35	\$6.25	\$24,221.57
1974	348	7/74 PR bond became law 5.4 days	\$8.16	\$6.94	\$13,466.20
1975	325	PR bond reached highest level 1.2 days	\$11.20	\$9.52	\$ 4,258.00
G-25 1976	300	declining use of PR bond 6.3 days	\$12.55	\$10.67	\$20,730.30
1977	360	12.4 days	\$14.45	\$12.29	\$55,640.16
1978	380	14.7 days	\$20.20	\$17.17	\$97,063.00*
estimates for 1978 if # days before release could be held at 2.0 days	<u>1978</u> 380	if time before release could be held at 2.0 days	<u>1978</u> \$20.20	<u>1978</u> \$17.17	\$13,805.69

C_2 = minus the cost of intake and the decreased cost of housing as the time of holding increases to a maximum decreased cost level of 15%

* figure was projected for the last five months of 1978 as if the Jail were not closed and was not boarding out inmates

APPENDIX HSTATUTES

The document presented in this appendix is the result of research conducted by Ralph Nichols. It is a collection of statutes which govern or effect the operation of the jail.



Title 17-A Chapter 5 Sub-section 101

General Rules

1. Conduct which is justifiable under this chapter constitutes a defense to any crime; provided, however, that if a person is justified in using force against another, but he recklessly injures or creates a risk of injury to 3rd persons, the justification afforded by this chapter is unavailable in a prosecution for such recklessness. If a defense provided under this chapter is precluded solely because the requirement that the actor's belief be reasonable has not been met, he may be convicted only of a crime for which recklessness or criminal negligence suffices, depending on whether his holding the belief was reckless or criminally negligent.
2. The fact that conduct may be justifiable under this chapter does not abolish or impair any remedy for such conduct which is available in any civil action.
3. For purposes of this chapter, use by a law enforcement officer or a corrections officer of chemical mace or any similar substance composed of a mixture of gas and chemicals which has or is designed to have a disabling effect upon human beings is use of nondeadly force.

Title 17-A Chapter 31 Sub-section 755

Escape

1. A person is guilty of escape if, without official permission, he intentionally leaves official custody, or intentionally fails to return to official custody following temporary leave granted for a specific purpose or a limited period.
2. In the case of escape from arrest, it is a defense that the arresting officer acted unlawfully in making the arrest. In all other cases, it is no defense that grounds existed for release from custody that could have been raised in a legal proceeding.
3. As used in this section, "official custody" means arrest, custody in, or on the way to or from a jail, police station, house of correction, or any institution or facility under the control of the Bureau of Corrections, or under contract with the bureau for the housing of persons sentenced to imprisonment, the custody of any official of the bureau, or any custody pursuant to court order. It does not include custody of persons under 18 years of age unless the custody is as a result of a finding of probable cause made under the authority of Title 15, section 2611, subsection 3 or is in regard

to offenses over which juvenile courts have no jurisdiction, as provided in Title 15, section 2552. A person on a parole or probation status is not, for that reason alone, in "official custody" for purposes of this section.

3-A. Prosecution for escape or attempted escape from any institution included in subsection 3 shall be in the county in which the institution is located. Prosecution for escape or attempted escape of a person who has been transferred from one institution to another shall be in the county in which the institution the person was transferred to is located. Prosecution for an escape or attempted escape for failure to return to official custody following temporary leave granted for a specific purpose or a limited period shall be in the county in which the institution from which the leave was granted is located or in any county to which leave was granted.

4. Escape is a Class B crime if it is committed by force against a person, threat of such force, or while a defendant is armed with a dangerous weapon. Otherwise it is a Class C crime.

Title 17-A Chapter 31 Sub-section 756

Aiding Escape

1. A person is guilty of aiding escape if, with the intent to aid any person to violate section 755:

- A. He conveys or attempts to convey to such person, any contraband;
- B. He furnishes plans, information or other assistance to such person; or
- C. Being a person whose official duties include maintaining persons in official custody, as defined in section 755, subsection 3, he permits such violation, or an attempt at such violation.

2. As used in this section, "contraband" means a dangerous weapon, any tool or other thing that may be used to facilitate a violation of section 755, or any other thing which a person confined in official custody is prohibited by statute or regulation from making or possessing.

3. Aiding escape is a Class C crime, unless the contraband involved is a violation of subsection 1, paragraph A includes a dangerous weapon, in which case it is a Class B crime.

4. A person may not be indicted or charged in an information with both a violation of this section and as an accomplice to a violation of section 755.

Title 17-A

Chapter 31

Sub-section 757

Trafficking in prison contraband

1. A person is guilty of trafficking in prison contraband if:

A. He intentionally conveys contraband to any person in official custody; or

B. Being a person in official custody, he intentionally makes, obtains or possesses contraband.

2. As used in this section "official custody" has the same meaning as in section 755, provided that solely for purposes of subsection 1, paragraph A, it does include the custody of all persons under age of 18. As used in this section, "contraband" has the same meaning as in section 756.

3. Trafficking in prison contraband is a Class C crime.

Title 34

Chapter 1

Sub-section 1

Department of Mental Health and Corrections

The Department of Mental Health and Corrections, as heretofore established, hereinafter in this Title called the "department", shall have general supervision, management and control of the research and planning, grounds, buildings and property, officers and employees, and patients and inmates of all of the following state institutions: The hospitals for the mentally ill, Pineland Center, the State Prison, the Maine Correctional Center, the Maine Youth Center, the Military and Naval Children's Home and such other charitable and correctional state institutions as may be created from time to time.

Title 34

Chapter 1

Sub-section 3

Inspection of county jails; standards; transfer of prisoners

The department may make frequent inspections of all county jails and shall inspect all county jails at least twice in each year and report annually, before December 1st to the Governor in respect to the conditions of said Jails.

The commissioner shall establish standards for all county jails. Such standards shall approximate, insofar as possible, those established by the Inspector of Jails, Federal Bureau of Prisons.

Failure on the part of the county commissioners to maintain standards established under this section, discovered during any jail inspection conducted under this section, shall be reported by the commissioner in writing to the county commissioners of the county in which such jail is located, specifying deficiencies and departures from such standards and ordering their correction. It shall be the responsibility of the county commissioners to cause such deficiencies to be corrected and such standards to be restored, within 6 months from receipt of the report and order of the commissioner. For failure of the county commissioners to comply with such order, the commissioner may order the county jail to be closed and the prisoners transferred to the nearest county jail or jails meeting the prescribed standards and having available room for prisoners. The cost of transfer, support and return of such prisoners shall be paid by the county from whose jail the prisoners

are transferred as provided in this section for other transfers. The commissioner may contract with any qualified person to serve as consultant to the department for the purpose of inspections under this section and to inspect the county jails, and any law to the contrary notwithstanding, such qualified person may be an officer or employee of the department.

The department, upon request of the sending sheriff and approval of the county commissioners, may transfer any prisoner serving a sentence in his jail to any other county jail to serve the balance of his sentence, or any part thereof, upon the approval of the sheriff and county commissioners of the receiving county. Cost of transfer or return of such prisoner shall be paid by the sending county. The amount to be paid for the support of the prisoner in the receiving county shall be at a rate agreed upon by the county commissioners party to the transfer, and shall be paid by the sending county.

Title 34 Chapter 1 Sub-section 7

Rules and regulations

The central principle underlying all rules, regulations, procedures and practices relating to residents of the several institutions within the department and hospitals as defined by section 2251, subsection 3, shall be that such persons shall retain all rights of an ordinary citizen, except those expressly or by necessary implication taken from them by law.

1. Rules and regulations. The department shall establish such rules and regulations as it may determine appropriate or necessary for the care and management of the property of all institutions described in section 1, the production and distribution of industrial products of said institutions and for the execution of the statutory purposes and functions of all such institutions. It may provide for the training of nurses.

2. Rights. Any person residing in an institution described in section 1 has a right to nutritious food in adequate quantities, adequate professional medical care, an acceptable level of sanitation, ventilation and light, a reasonable amount of space per person in any sleeping area, a reasonable opportunity for physical exercise and recreational activities, protection against any physical or psychological abuse and a right to a reasonably secure area for the maintenance of permitted personal effects.

Title 34 Chapter 61 Sub-section 504

Convicts to labor; keeper; profits

The keeper of the jail, workhouse, house of correction, or, in case of a sentence to any town farm or almshouse, the overseers of the poor of such town or the keeper or agent of such town farm or almshouse may require a convict committed thereto to labor at any lawful work within the town where such institution is situated, and may appoint any suitable person keeper over him, and may collect and receive the wages, compensation or profits of his labor, and at the expiration of his sentence pay to the convict such reasonable compensation as in their judgment the profits of his labor will warrant, deducting therefrom the costs of commitment and any fine imposed under Title 17, section 3757.

Title 34 Chapter 61 Sub-section 505

Infected prisoners

When any person in a jail, house of correction or workhouse is attacked with a disease which the local health officer of his town, by medical advice, considers dangerous to the safety and health of other prisoners or of the inhabitants of the town, he shall, by his order in writing, direct his removal to some place of safety, there to be securely kept and provided for until his further order. If he recovers from such disease, he shall be returned to his place of confinement.

Title 34 Chapter 61 Sub-section 506

Order for removal

If any person was committed under section 505 by an order of court or judicial process, the order for his removal, or a copy thereof attested by the local health officer, shall be returned by him with the doings thereon into the office of the clerk of the court from which such order or process was issued. No such removal shall be deemed an escape.

Title 34 Chapter 62 Sub-section 528

Halfway house; school tuition

The bureau is authorized to establish a Halfway House Program, so-called, said program to provide an environment of community living and control pursuant to rules and regulations adopted by the department. Inmates, juveniles and prisoners at any of the correctional,

penal or juvenile institutions or any county jail may be paroled, furloughed or entrusted to participate in the Halfway House Program in accordance with applicable provisions of law. Such committed inmates, juveniles and prisoners may also be transferred to participate in the Halfway House Program in accordance with applicable provisions of this chapter.

Title 34 Subchapter II Sub-section 708

Convicts enroute temporarily lodged in jails

When, during the conveyance of any convict to the State Prison in pursuance of his sentence, it is necessary or convenient to lodge him for safekeeping in any jail until the residue of such conveyance can be conveniently performed, the keeper of such jail shall receive and safely keep and provide for him, until called for by the person employed to convey him, into whose custody he shall be delivered. Said jail keeper shall be allowed his reasonable charge and expenses incurred, to be paid from the State Treasury. When the warden believes that there are more convicts in the State Prison that can be confined there securely, he shall certify the fact to the commissioners, who may authorize him to transfer them, so far as is necessary, to some jail. The jailer thereof shall receive such compensation from the State Treasury as he and the warden agree upon. When the accommodations of the prison shall be so increased that they can be safely confined therein, the warden shall remove them from such jail to the State Prison. The time during which they were so confined in jail shall be deducted from their sentences.

Title 34 Subchapter II Sub-section 708

Convicts enroute temporarily lodged in jails

When, during the conveyance of any convict to the State Prison in pursuance of his sentence, it is necessary or convenient to lodge him for safekeeping in any jail until the residue of such conveyance can be conveniently performed, the keeper of such jail shall receive and safely keep and provide for him, until called for by the person employed to convey him, into whose custody he shall be delivered. Said jail keeper shall be allowed his reasonable charge and expenses incurred, to be paid from the State Treasury. When the warden believes that there are more convicts in the State Prison than can be confined there securely, he shall certify the fact to the Governor, who may authorize him to transfer them, so far as is necessary, to some jail. The jailer thereof shall receive such compensation from the State Treasury as he and the warden agree upon. When the accommodations of the prison shall be so increased that they can be safely confined therein, the warden shall remove them from such jail to the State Prison. The time during which they were so confined in jail shall be deducted from their sentences.

Title 34

Chapter 69

Sub-section 901

Custody of jail and prisoners; jailer

The sheriff has the custody and charge of the jail in his county and of all prisoners therein. The sheriff or his deputy will keep the jail as jailer (master or keeper) for all those for whom he is responsible. The jailer (master or keeper) appoints all of his assistants and employees for whom he is responsible. The county commissioners shall fix and pay the salaries of the jailer and his employees.

Title 30, section 801 shall apply to sick leave and vacation of the full-time employees of the sheriff's department of each county.

(It is the expressed intention of the Legislature that sheriff or his deputy, as jailer, shall have absolute and exclusive custody and charge of all prisoners confined in jails. Sawyer v. Commissioners of Androscoggin County 1917)

Title 34

Chapter 69

Sub-section 902

Jailer's duties when office of sheriff vacant

When the office of sheriff becomes vacant, the jailer lawfully acting continues in office and will remain in charge of the jail and of all prisoners. The jailer's official neglects and misdoings are a breach of the former sheriff's official bond until a new sheriff is qualified, or the Governor removes the jailer and appoints another, which he may do. The newly appointed jailer shall give bond in the manner required of a sheriff for the faithful discharge of his duties.

Title 34

Chapter 69

Sub-section 903

Offices of jailer and sheriff vacant; appointment by county commissioners

If the office of jailer becomes vacant while the office of sheriff is vacant, the county commissioners may appoint a jailer. The newly appointed jailer shall give bond as a sheriff is required to do and continue in office, if his appointment is confirmed at the county commissioners next meeting, during the vacancy in the office of sheriff or until he is removed and a new jailer appointed.

Title 34

Chapter 69

Sub-section 904

Jailer to live in jail

Except in Cumberland County, every jailer and family (if he has any) will reside constantly in the house provided for him, if the county commissioners find the quarters to be good and sufficient. If the jailer neglects to live in the quarters provided, he forfeits not more than \$300 to be recovered by the county by indictment.

Title 34

Chapter 69

Sub-section 905

Jailer to return list of prisoners at each criminal session of court

Every jailer, at the opening of every criminal term of the Superior Court for his county, shall return a list of prisoners in his custody and afterwards a list of all committed during the session, certifying the cause for which and the person by whom committed and shall have the calendar of prisoners in court for its inspection. For neglecting to do so, the court may impose a reasonable fine.

Title 34

Chapter 69

Sub-section 906

Official papers filed and kept with calendar and delivered to successor

All warrants, mittimuses (warrants for commitment to prison), processes and other official papers by which any prisoner is committed or liberated or attested copies thereof, shall be regularly filed in order of time and with the calendar safely kept and when he vacates his office, they shall be, by the sheriff or his personal representative, delivered to his successor penalty of forfeiting \$200 to the County.

Title 34

Chapter 69

Sub-section 907

Sheriff answerable for delivery of prisoners to successors

Every sheriff is answerable for the delivery to his successor of all prisoners in his custody at the time of his removal, and for that purpose shall retain the keeping of the jail in his county and the prisoners therein until his successor enters on the duties of his office.

Title 34

Chapter 69

Sub-section 908

Liability of sheriff for escape

When a prisoner escapes through the insufficiency of the jail or the negligence of sheriff or jailer, the sheriff is chargeable to the creditor or other person at whose suit the prisoner was committed.

Sheriffs will not be excused for escape of person under arrest although armed multitude break jail and rescue him; for sheriff has power of county at his beck, to aid him in execution of precepts and law supposes posse to be sufficient defense against rescue and that no force is able to resist successfully sheriff and his posse. Cumberland County v. Pennell (1879) 69 Me., 357.

Title 34 Chapter 69 Sub-section 909

Escape through insufficiency of jail; sum paid; reimbursed

Where an escape happens through the inadequacy of the jail, the county commissioners may order the county treasurer to pay the sheriff the amount he (the sheriff) has paid the county. If the county commissioners do not order payment within six months after the demand is laid before them, the sheriff may bring his action against the citizens of the county, to be tried there or in an adjoining county, and service shall be made as in other actions.

Title 34 Chapter 69 Sub-section 910

Appointment of agent to defend county; execution

The commissioners may appoint an agent to appear and defend the county in an action brought by the sheriff. If the commissioners have no meeting between the time of service and the time within which the answer is required to be served, the action will be continued for such time as the court directs, saving all advantages to the defendant. If judgment is rendered against the county, the execution may be levied on the estate of any inhabitant, who has his remedy against the county to recover the amount so levied.

Title 34 Chapter 69 Sub-section 911

Liability of keeper and sheriff for escape

If any jail keeper, through negligence, suffers a prisoner charged with an offense to escape, he shall be fined according to the nature of the offense charged against the escaped prisoner, but if a person committed for debt escapes from jail and sheriff or jail keeper, within three months returns him to jail, the sheriff is liable only for the costs of any action commenced against him as a result of the escape.

Administration of medication to inmates

1. Administration of medication by sheriff or deputy. The sheriff of any county may administer to any prisoner in his custody and charge, any oral or topical medication as prescribed by a licensed physician or dentist, or if requested by a prisoner, any nonprescription medication in accordance with the directions on its container. The sheriff may delegate this authority to administer medication to his deputy who is in charge of the county jail or to the master of keeper of the county jail.

2. Limitations of administration of medication. The sheriff or his delegate shall not administer any prescription or nonprescription medication to any prisoner who has been incarcerated in the county jail for less than 24 hours, unless the sheriff or his delegate has consulted with and received permission to administer such medication from a licensed physician.

3. Insulin injections. No provisions under this section shall prevent any prisoner from self-administering insulin injections providing:

- A. A duly licensed physician has authorized such self-administration; and
- B. Such self-administration takes place in the presence of the sheriff or his delegate.

4. Statement by prisoner. Before administering any non-prescription medication to any prisoner who has been incarcerated in the county jail for 24 hours or longer, the sheriff or his delegate shall secure a written statement signed by the prisoner, which states that the prisoner has requested such medication and had no previous adverse allergic reaction to such medication.

5. Records of medication administered. Every sheriff or his delegate shall maintain for at least 2 years a record which shall include a description of each prescription and nonprescription medication administered in the county jail and the identity of each person to whom such medication is administered.

6. Administration of medication not a violation. The administration of medication to prisoners as provided in this section shall not be a violation of Title 32, section 2102, subsection 2, paragraph D or Title 32, section 3270 or any other law.

Title 34 Subchapter II Sub-section 951

Pay for labor of prisoners before sentence

Any person charged with a crime or awaiting sentence who, while confined in any jail whose provision for labor has been made, chooses to work as provided for persons under sentence shall receive pay as in judgement of the commissioners or the said county, he has earned.

Title 34 Subchapter II Sub-section 952

Deductions from sentence

Each convict, who the sheriff feels faithfully observed all the rules and requirements of the jail, shall be entitled to a deduction of 3 days a month from his sentence, starting on the first day of his arrival at the jail. An additional 3 days a month may be deducted from a sentence for those convicts assigned duties outside the jail or those convicts within the jail who are assigned work deemed to be of sufficient importance and responsibility to warrant such deduction. Any portion of the deducted time may be withdrawn by the sheriff for any infraction of jail rules or misconduct, or violation of state laws. The sheriff may also restore the deducted days if the convicts later conduct and outstanding effort warrants such restoration.

Title 34 Subchapter II Sub-section 952-A

Positions of trust for certain prisoners

Positions of trust may be granted by a sheriff only to a prisoner confined in a jail who was sentenced to serve his term in that particular jail.

Title 34 Subchapter II Sub-section 953

Treatment of prisoners for debt and minors

Every jail keeper shall keep prisoners committed for debt, or minors so committed, and all prisoners upon first charge, before or after conviction, separate from notorious offenders, and those convicted more than once of felony or infamous crimes, as far as the construction or state of the jail admits.

Title 34

Subchapter II

Sub-section 954

Villations of furnishing liquor to prisoners

If any jail keeper violates section 953 or voluntarily or through negligence allows any prisoner charged with or convicted of any offense to have any intoxicating liquor, unless authorized by a physician authorized to attend the sick in jail, shall forfeit in each case, for the first offense \$25, and for the second \$50, to be recovered for the county by indictment, or by anybody suing him. He shall also be removed from office and incapable of holding office of sheriff or deputy for five years.

Title 34

Subchapter II

Sub-section 955

Federal prisoners

The keepers of the several jails shall receive and safely keep all prisoners committed under authority of the United States until discharged, under the penalties provided for the safekeeping of prisoners under the laws of the State.

Title 34

Subchapter II

Sub-section 956

Prisoners to attend funerals

Prisoners at the several county jails may, at the discretion of the sheriff, attend funerals of their legally considered mother, father, husband, wife, son or daughter, if the funeral is held within the State of Maine. Prisoners shall pay the cost of transportation and the fee and expenses of the officer who takes them to the funeral.

Title 34

Subchapter II

Sub-section 957

Disposal of body of person dying in jail

When a person dies in jail, the jailer or sheriff shall deliver the body to his friends, if requested. Otherwise, he shall dispose of it for anatomy study as provided in Title 22, chapter 708, unless the deceased at any time requested to be buried, in which case he shall bury the body in the common burying ground and the expenses thereof shall be paid by the town in which he had a settlement, if he had any in the State, and if not, by the State.

Title 34

Subchapter II

Sub-section 958

Record of persons committed

Every sheriff shall keep in a suitable book a true and exact calendar containing names of prisoners committed to jail under his charge: places of abode, time of commitment, charge, arresting authority and description of committed person. He shall register in said book, the name, description, time and authority by which any prisoner was discharged and time and manner of any prisoner's escape.

Title 34

Subchapter II

Sub-section 959

Assistance to discharged prisoners

The sheriff or his deputy keeping the jail may, at the expense of the county, give a prisoner about to be discharged from jail a sum of money not exceeding \$2 and wearing apparel to the value of not exceeding \$10 and may furnish to such discharged prisoner a railroad ticket, nontransferable, to any place to which the fare does not exceed \$8. All sums so expended by the sheriff or jailer shall be repaid to him from the county treasury after the account thereof has been audited and the amount found correct by the county commissioners.

Title 34

Subchapter III

Sub-section 1001

Employment of prisoners generally

The county commissioners may authorize the employment, for the benefit of the county or of dependent families of prisoners committed for crime, in some suitable manner not inconsistent with their security and the discipline of the prison, and may pay the proceeds of such labor, less a reasonable sum to be deducted therefrom for the cost of maintenance of said prisoners, to the families of such person or persons as may be dependent upon them for support.

Title 34

Subchapter III

Sub-section 1002

Stonebreaking

The county commissioners may, at the expense of their several counties in addition to county workshops that may therein be established, provide some suitable place, materials and implements for the breaking of stone into suitable condition for the building and repair of highways, and may cause all persons sentenced under Title 17, section 3751, to labor at breaking stone. They may, at the expense of their several counties, provide suitable materials and implements

sufficient to keep at work all persons committed to either of such jails; and may from time to time establish needful rules for employing, reforming and governing the persons so committed, for preserving such materials and implements, and for keeping and settling all accounts of the cost of procuring the same, and of all labor performed by each of the persons so committed; and may make all necessary contracts in behalf of their several counties.

Title 34

Subchapter III

Sub-section 1003

Highway maintenance and repair

County commissioners may authorize the keepers of jails to put able-bodied male prisoners to work on the building or repairing of highways within their county. They shall make rules and regulations and appoint overseers and keepers needful for the direction and safekeeping of prisoners so employed, and such overseers and keepers shall have all authority conferred by law on masters of houses of correction and shall be responsible for the safekeeping and return to jail of all prisoners in their custody, and shall be subject to section 911. No prisoner shall be so employed who has been exempted therefrom by the judge imposing sentence of if in the judgment of a physician expressed by a certificate he is unfit for such labor. The county commissioners shall supply all prisoners with all necessary and suitable clothing of such description as will not materially distinguish them from other workmen. They shall furnish said prisoners with the required tools and implements and may employ such other labor and purchase such other material and equipment as may be necessary to properly carry out the objects of this section, and shall keep account of all expenses incident to such employment.

Title 34

Subchapter III

Sub-section 1003-A

Charitable organizations

The county commissioners may authorize the use of such prisoners to provide assistance in the improvement of property owned by charitable organizations as may be approved by the county commissioners provided such charitable organizations pay for the transportation of such prisoners and for the transportation and per diem compensation for any guards who accompany such prisoners.

Title 34

Subchapter III

Sub-section 1004

Application for labor

The State Highway Commission and municipal officer of towns may make application for the services of prisoners as aforesaid and may enter into an agreement as to the cost and compensation to be paid to the county for such services, and the sum agreed on may be paid out of moneys appropriated for highway purposes. All such labor shall be under the general direction of the board or persons charged with the work.

Title 34

Subchapter III

Sub-section 1005

Voters' request for labor

When a written petition signed by at least 3% of the voters in any county, as determined by the number of votes cast therein for Governor at the last preceding election, is presented to the county commissioners of said county requesting the employment of prisoners, said commissioners shall act thereon and shall designate the prisoners available for work under the conditions provided in section 1003.

Title 34

Subchapter III

Sub-section 1006

Contracts subject to cancellation or suspension

Any contract for the employment of prisoners not provided for in sections 1003 to 1005, which may be made by the county commissioners of any county with any person, firm or corporation, shall be made subject to the right of said county commissioners to withdraw, cancel or suspend said contract in whole or in part.

Title 34

Subchapter III

Sub-section 1007

Employment of county jail prisoners

1. Order of release; purpose. Any person sentenced or committed to a county jail for crime, nonpayment of a fine or forfeiture or court order, or criminal or civil contempt of court, may be granted the privilege of leaving the jail during necessary and reasonable hours for any of the following purposes:

A. Employment

B. Conducting his or her own business or occupation including in the case of a person primarily responsible for the housekeeping and domestic needs of his or her family, housekeeping and attending the needs of his or her family;

C. Attendance at a weekly religious service;

D. Attendance at an education institution; or

E. Medical treatment.

2. Petition; withdrawal. Unless such privilege is expressly granted by the court the prisoner is sentenced to ordinary confinement. The court may grant such privilege at the time of sentence or commitment or thereafter. The court may withdraw the privilege at any time by order entered with or without notice or hearing.

3. Wages, self-employment income; collection. If a prisoner is employed for wages or salary the sheriff shall collect the same or require the prisoner to turn over his wages or salary in full when received, and if the prisoner is self-employed, his self-employment shall be turned over to the sheriff as may be ordered by the court, and the sheriff shall deposit the same in a trust checking account and shall keep a ledger showing the status of the account of each prisoner. Such wages or salary are not subject to trustee process in the hands of the sheriff during the prisoner's terms and shall be disbursed only as provided in this section; but for tax purposes they are income of the prisoner.

4. Board; transportation. Every prisoner gainfully employed is liable for the cost of his board in the jail as fixed by the county commissioners. If necessarily absent from jail at a mealtime he shall at his request be furnished with an adequate nourishing lunch to carry to work. The sheriff shall charge his account, if he has one, for such board.

If the prisoner is gainfully self-employed he shall pay the sheriff for such board, in default of which his privilege under this section is automatically forfeited. If the fail food is furnished directly by the county, the sheriff shall account for and pay over such board payments to the county treasurer. The county commissioners may provide that the county furnish or pay for the transportation of prisoners employed under this section to and from the place of employment.

5. Disbursements. By order of the court the wages or salaries of employed prisoners and employment income of self-employed prisoners shall be disbursed by the sheriff for the following purposes, in the order stated:

- A. The board of the prisoner;
- B. Necessary travel expense to and from work and other incidental expenses of the prisoner;
- C. Support of the prisoner's dependents, if any;
- D. Payment, either in full or ratably, of restitution, and of the prisoner's obligations, acknowledged by him in writing or which have been reduced to judgment;
- E. The balance, if any, to the prisoner upon his release.

6. Employment in other county. The court may by order authorize the sheriff, to whom the prisoner is committed, to arrange with another sheriff for the employment of the prisoner in the other's county, and while so employed to be in the other's custody, but in other respects to be and continue subject to the commitment.

7. Dependents evaluation of need. The welfare director or the overseers of the poor of the municipality in which the prisoner's dependents reside, or the State Department of Health and Welfare, shall at the request of the court investigate and report to the court, the amount necessary for the support of the prisoner's dependents.

8. Denial of privilege. The sheriff may refuse to permit the prisoner to exercise his privilege to leave the jail as provided in subsection 1 for any breach of discipline or other violation of jail regulations. Any prisoner so disciplined may petition either the District Court or the Superior Court for a review of such disciplinary action. Such court, after review, shall make such order as it deems appropriate.

9. Violations. Any person who willfully violates the terms of his release in relation to the time for reporting to his place of employment or to any other place to which he is authorized to be released under subsection 1, paragraphs A to E or for reporting back to the county jail may be punished by imprisonment for not more than 60 days. If said prisoner does not return to the county jail within 48 hours from the time scheduled to return, he shall be guilty of escape under Title 17-A, section 755.

10. Rules of procedure. Proceedings under this section shall be subject to rules of procedure adopted under Title 4, section 9.

Title 34

Subchapter III

Sub-section 1008

Furloughs

The sheriff is authorized to establish regulations for and to permit a prisoner under the final sentence of a court a furlough from the county jail in which he is confined. Furlough may be granted for not more than 3 days at one time in order to permit the prisoner to visit a dying relative or to obtain medical services, which may be for a period of longer than 3 days if medically required.

Any such prisoner permitted furlough under this section from the county jail shall be furnished a copy of the regulations of the county jail applicable to his furlough, the receipt of which copy shall be attested by the prisoner.

Any such prisoner who willfully violates the terms of his release under this section in relation to the time for reporting to his place of furlough, the activities he is authorized to conduct while on furlough, or his time of reporting back to the county jail, may be punished by imprisonment for not more than 60 days; except that any prisoner who does not return to the county jail within 24 hours from the time he is scheduled to return may be prosecuted for escape under Title 17-A, section 755. He shall be prosecuted therefor in the county in which the jail to which he was sentenced is located.

Any person over the age of 18 who willfully obstructs, intimidates or otherwise abets any prisoner on furlough under this section, and thereby contributes to or causes the prisoner's violation of the terms and conditions of his furlough, after having been warned by the sheriff to cease and desist in said relationship or association with the prisoner, shall be punished by a fine of not more than \$500 or imprisonment for not more than 11 months, or by both.

Title 34 Subchapter IV Sub-section 1041

Examination of jail

At the commencement of each session required by law, the county commissioners shall examine the prison, take necessary precaution for the security of prisoners, for the prevention of infection and sickness and for their accommodation.

Title 34 Subchapter IV Sub-section 1042

Jails to be clean and healthful

The sheriff shall see that the jail in his county is kept as clean and healthful as may be, cause the walls to be whitewashed in April or May annually and as often as the county commissioners order, at the expense of the county, and pay strict attention to the personal cleanliness of the prisoners.

Title 34 Subchapter IV Sub-section 1043

Bible, books and instruction for prisoners

The jailer, at the expense of the county, shall furnish to each prisoner who is able to read a copy of the Bible, and to all, on Sundays, such religious instruction as he may be able to obtain without expense, and to such as may be benefited thereby, instruction in reading, writing and arithmetic one hour every evening except on Sunday. It shall be his duty to receive for their use from whatever source, by loan or contribution, any books or literature of a moral or religious tone and to exclude those of opposite tendencies.

Supplies for jails; accounts audited

The county commissioners of the several counties shall, without extra charge or commission to themselves or to any other person, procure all necessary supplies, including necessary food, fuel, bedding and clothing for the jails and the prisoners therein, to be furnished and purchased under their direction and at the expense of the counties. No county commissioner shall be interested directly or indirectly in the purchase of any such supplies or in any contract therefor made by the board of which and while he is a member thereof, and all contracts made in violation hereof are void. A suitable person shall be employed to prepare the foods of the prisoner in each county at the expense of the county, and the service of the food to the prisoners shall be under the general direction of the jailer, master or keeper. The person employed to prepare the food of the prisoners shall be appointed by the sheriff in each county, subject to the approval of the county commissioners. The county commissioners may at any time direct specific rations or articles of food, clothing, soap, fuel or other necessities to be furnished and served to the prisoners. The bills and accounts for supplies furnished and the items of expense incurred in preparing and serving the same shall be audited by the State Department of Audit, as provided by Title 5, section 243, subsection 2.

Cumberland commissioners annually advertise for supplies

The county commissioners of the County of Cumberland may each year, as soon after the first day of January as may be, make an estimate of the amount of food, fuel, clothing and supplies as far as practicable which will be required by the county jail and for the support of the prisoners therein for the current year, and advertise for sealed proposals for furnishing the same according to specifications furnished by them, in the daily papers of the City of Portland, 3 days successively, at least 14 days before the time limited for the reception of such proposals, at which time they shall examine all such proposals and award the contract to the lowest responsible bidder. The county commissioners shall procure such other necessary supplies and articles for the foregoing purposes as may not be furnished by contract and account for the same in the manner provided for in section 1044.

Transfer of prisoners when jail unfit or insecure

Whenever complaint on oath is made to a Justice of the Superior Court that any jail is unfit for occupation or is insufficient for the secure keeping of any person charged with crime and committed to await trial or under sentence, he shall cause not less than three days' notice of such complaint to be given to the jailer or sheriff of the county to appear at the time and place fixed in such notice. If on examination the matter complained of is found true, he may issue his warrant for the transfer of such prisoner at the expense of said county to any jail or other place of confinement where he may be more securely kept. If by fire or other casualty any jail is destroyed, or rendered unfit for use, any Justice of the Superior Court may, upon being notified by the district attorney of the county where such jail was or is located, issue his order to the sheriff and his deputies and constables of said county to cause all prisoners who might be liable to imprisonment in said county to be imprisoned in the jail of some adjoining county or in any other place of confinement, said order to be printed in the newspapers of said county.

Fines applied to building and repair of jail

All fines imposed by this chapter, Title 14, chapter 203, subchapter IV, Title 14, section 555 and Title 30, chapter 1, subchapter VI, not otherwise appropriated, shall be applied to building and repairing the jails in the county where the offense is committed.

Additional accommodations

The county commissioners may make such additions in workshops, fences and other suitable accommodations in, adjoining or appurtenant to the jails in the several counties as may be found necessary for the safe-keeping, governing and employing of offenders committed thereto by authority of the State or the United States. For the better employing of such offenders, they may lease or purchase necessary lands or buildings anywhere within their respective counties and may authorize the

employment of such lands for the benefit of the county or of dependent families of prisoners committed for crime, as provided in section 1001. Whenever the county commissioners shall determine that the use of such land and buildings is unnecessary for such use, they may sell and dispose of the same in the manner required by law. The county commissioners may raise by loan of their several counties, or otherwise, a total sum not exceeding \$5,000 to make such purchases, alterations and improvements, and may expend so much thereof as is necessary.

APPROVED

CHAPTER

MAY 26 '77

217

BY GOVERNOR

PUBLIC LAW

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

H. P. 1078 — L. D. 1302

AN ACT to Limit the Duration of Sentences to County Jails.

Be it enacted by the People of the State of Maine, as follows:

17-A MRSA § 1252, sub-§ 6 is enacted to read:

6. The court may not sentence a person to imprisonment in a county jail for a period in excess of one year.

IN HOUSE OF REPRESENTATIVES,.....1977

Read twice and passed to be enacted.

.....*Speaker*

IN SENATE,.....1977

Read twice and passed to be enacted.

.....*President*

Approved.....1977

.....*Governor*

STATE OF MAINE

APPROVED

JUN 23 '77

BY GOVERNOR

CHAPTER

372

PUBLIC LAW

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

H. P. 1313 — L. D. 1547

AN ACT to Authorize County Jail Inmate Participation in Municipal Public Works Projects.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 34 MRSA § 1007, sub-§ 1, ¶ F is enacted to read:

F. Voluntary services for a municipality within the county in which the jail is located.

Sec. 2. 34 MRSA § 1009 is enacted to read:

§ 1009. Prisoner participation in municipal public works projects

The sheriff in charge of a county jail may, in his discretion, permit certain inmates of that jail to participate in municipal public works-related projects in the county where the jail is located. Before an inmate is permitted to participate in this type of project, the judge or justice who originally sentenced the inmate to the county jail shall sign his approval to the inmate's participation.

Any inmate participating in a municipal public works-related project under this section shall have his sentence to the jail prorated at the rate of one day removed from the sentence for every 16 hours of participation in the project.

Participation in this type of project shall not be deemed employment under section 1007, subsections 3 through 7.

IN HOUSE OF REPRESENTATIVES,.....1977

Read twice and passed to be enacted.

.....*Speaker*

IN SENATE,.....1977

Read twice and passed to be enacted.

.....*President*

Approved.....1977

.....*Governor*

STATE OF MAINE

JUN 15 '77

56

BY GOVERNOR

P & S LAW

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

S. P. 523 — L. D. 1827

AN ACT to Ratify Certain Action Taken Relating to Construction of a York County Jail and to Provide for Acceptance of Gifts and Grants for such Purpose.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the York County jail is presently closed and in immediate need of replacement; and

Whereas, by chapter 79 of the private and special laws of 1973 the Legislature authorized construction of a new York County jail to be located on county-owned property adjacent to the old county jail, and the issue by the County of York of \$800,000 principal amount of bonds for such purpose, and such act was accepted by the requisite majority of the legal voters of the County of York at a referendum election held on November 6, 1973; and

Whereas, on April 8, 1974 the county commissioners of the County of York purchased from Genest Concrete Works, Inc. certain land in Alfred for the purpose of constructing thereon a new county jail, the deed thereto being dated April 8, 1974 and being recorded in York County Registry of Deeds in Book 2031, Page 481, and said land so purchased for such purpose was not adjacent to the old county jail; and

Whereas, by chapter 144 of the private and special laws of 1975 the Legislature, intending to ratify the purchase of said land, amended chapter 79 of the private and special laws of 1973 to eliminate the requirement that the new county jail be located adjacent to the old county jail, and to increase the authorized amount of bonds that could be issued by the County of York for such purpose from \$800,000 to \$1,200,000, and such Act was accepted by the requisite majority of the legal voters of the County of York at a referendum election held on November 2, 1976; and

Whereas, ratification of said referendum elections and the purchase of said land for said purpose, and authority to accept gifts and grants for the construction of said new county jail are essential and urgently required in order that the county treasurer and county commissioners can proceed with the construction of a new county jail, and with the issue and sale of \$1,200,000 principal amount of bonds to provide funds for such purpose; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Land purchase and construction expenditures by county commissioners validated. Notwithstanding any other provision of law, the purchase

by the county commissioners of the County of York of the land in Alfred conveyed to the County of York by Genest Concrete Works, Inc. by deed dated April 8, 1974 for purpose of constructing thereon a new county jail, and the expenditure of funds for the design and construction thereon of said new county jail, are hereby declared legal and valid and are hereby ratified, confirmed, validated and made effective and the construction thereon, or on any other county-owned land in the Town of Alfred, of a new county jail is hereby authorized.

Sec. 2. Referendum elections validated. All proceedings in connection with referendum elections held in the County of York on November 6, 1973 and November 2, 1976, in relation to the acceptance by the legal voters of the County of York of chapter 79 of the private and special laws of 1973 and chapter 144 of the private and special laws of 1975, respectively, are hereby declared legal and valid, and are hereby ratified, confirmed and made effective, and chapter 79 of the private and special laws of 1973, as amended by chapter 144 of the private and special laws of 1975, is hereby declared to be fully effective.

Sec. 3. Acceptance of gifts or grants authorized. Notwithstanding any other provisions of law, the county commissioners of the County of York are hereby authorized to accept funds from the Federal and State Governments and any department, agency or instrumentality of either of said governments and from charitable institutions, foundations or other donors for the purpose of designing and constructing a new county jail in the County of York, and said county commissioners are authorized to expend for the purpose of constructing such new county jail all such funds, in addition to the \$1,200,000 authorized to be expended for that purpose from the proceeds of the bonds authorized to be issued pursuant to the provisions of chapter 79 of the private and special laws of 1973, as amended by chapter 144 of the private and special laws of 1975.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

IN HOUSE OF REPRESENTATIVES,.....1977

Read twice and passed to be enacted.

.....*Speaker*

IN SENATE,.....1977

Read twice and passed to be enacted.

.....*President*

Approved.....1977

.....*Governor*

APPENDIX I

PRE-ARCHITECTURAL RESEARCH

The following pages present some of the research which resulted from the pre-architectural study conducted by CRS, Inc. under contract to the County.

The first section presents charts comparing various standards and guidelines which could be applied to the jail facility.

The second section is a summary chart showing projected space needs (for the year 2000) current spaces and the potential for renovating the current building and adding spaces.

The final sections review considerations and costs for new construction and renovation/addition.



1. Comparison of Standards

The following charts present a comparison of five sets of standards and guidelines. The five sources are:

Maine Bureau of Corrections, Standards for Municipal and County Jails (1977)

American Corrections Association, Manual of Standards for Adult Local Detention Facilities (1977)

Nebraska State Bar Association, Jail Standards (1977)

United States Department of Justice, Federal Standards for Corrections - Draft (1978)

National Clearinghouse for Criminal Justice Planning and Architecture, Jail Standards - Draft (1978)

The five sources offer a diversity of perspectives, including the State view, a legal view and an architectural view. This comparison was useful in calculating future bedspace needs.

SOURCE	ALL SIZE						
	HOLDING (single rooms)	DETENTION (+ 10 hrs per day)	DETENTION (- 10 hrs. per day)	CORRECTIONS (- 1 year)	MULTI-OCC. (+ or - 16)	DORM (+ or - 50)	SPECIAL PURPOSE
MAINE BUREAU OF CORRECTIONS	50 s.f.						
UNITED STATES DEPT. OF JUSTICE (draft)	50 s.f.		exist: 70 s.f. new: 70 s.f.	exist: 80 s.f. new: 80 s.f.	60 s.f.		new: 70 s.f.
AMERICAN CORRECTIONS ASSOCIATION	50 s.f.	exist: 60 s.f. new: 70 s.f.	exist: 70 s.f. new: 70 s.f.		exist: 50 s.f. new: not allowed	exist: 50 s.f. new: not allowed	new: 70 s.f.
NEBRASKA BAR ASSOCIATION	70 s.f.			70 s.f.	exist: 60 s.f. new: not allowed (2-8)	exist: 60 s.f. new: not allowed (+ or - 9)	70 s.f.
NATIONAL CLEARINGHOUSE FOR ANNUAL JUSTICE PLANNING AND ARCHITECTURE			all single occupancy minimum 70 s.f.				

DAY ROOM SIZE

<u>SOURCE</u>	1 or 2 cell	+ or - 3 cells	8 - 16 inmates	Cellblock	Recreational		kitchen
					indoor	outdoor	
MAINE BUREAU OF CORRECTIONS	100 s.f. per cell	40 s.f. per cell				shall be provided	provide for in new
UNITED STATES DEPT. OF JUSTICE (draft)			new: 35 s.f. per inmate	exist: 1 per block	adequate	adequate	dependent on facility size (should be 10 s.f. per inmate)
AMERICAN CORRECTIONS ASSOCIATION			new: 35 s.f. per inmate	exist: 35 s.f. per inmate	sufficient space for moderate physical activity	50' x 30' x 15' (minimum)	200 s.f. (minimum) 10 s.f. per inmate)
NEBRASKA BAR ASSOCIATION			35 s.f. per inmate		sufficient space for moderate physical activity	+ or - 900 s.f.	
NATIONAL CLEARINGHOUSE FOR ANNUAL JUSTICE PLANNING AND ARCHITECTURE			35 s.f. per cell ex- clusive of 3' circula- tion in front of room	clusters of cells not to 24 (prefer 8-16)	both indoor and outdoor sized to accommodate vigorous activities (i.e. basketball, volleyball, etc.)		

REQUIRED SPACES

SOURCE	Radio Dispatch	Sheriff's Office	Deputies Dayroom lockers - toilets	Secretary Office - file room	Matron's Suite	Staff Dining room	Laundry	Public Waiting room and lobby	Public toilet facilities
MAINE BUREAU OF CORRECTIONS	new	new	new	new	new	new	new	new	new
UNITED STATES DEPT. OF JUSTICE (draft)		staff offices readily accessible	appropriate employee space	*see Sheriff's Office	appropriate employee space	appropriate employee space			
AMERICAN CORRECTIONS ASSOCIATION		space - administrative functions and staff comfort (large facility)							
NEBRASKA BAR ASSOCIATION									
NATIONAL CLEARINGHOUSE FOR ANNUAL JUSTICE PLANNING AND ARCHITECTURE		adequate "administrative space"	locker, shower, lounge and dining for corrections staff	adequate admin. space		required			

REQUIRED SPACES

SOURCE	Reception/ Booking	Holding Cells	Padded Cells	Religious	Group Counseling	Interview	Classroom and study	Conference meeting	Infirmary med. exam room
MAINE BUREAU OF CORRECTIONS	new	new: optional	new: optional	exist	exist		exist: multi- purpose room	new	new: optional
UNITED STATES DEPT. OF JUSTICE (draft)	existing & new						existing & new: provide program space		
AMERICAN CORRECTIONS ASSOCIATION	exist & new	exist: temp				exist & new	exist: provide inmate program space		exist & new
NEBRASKA BAR ASSOCIATION			include for	include for	include for	include for	include for	include for	fully equipped for daily capacity + 30
NATIONAL CLEARINGHOUSE FOR ANNUAL JUSTICE PLANNING AND ARCHITECTURE	sufficient	at least 1 detox. at least 1 mental (could com- bine 2)	space to facilitate	space to facilitate religious activity	adequate for private & group counsel adequate for programs adequate office space for program staff		library space		adequate med. exam facility & offices-at least 1 for quaran- tine

REQUIRED SPACES

SOURCE	Hair cutting	Inmate Commissary	Dining	Visiting	Consultation rooms (attorney)	Janitor closet	Storage	Mechanical equipment	Shower & Disinfect. area
MAINE BUREAU OF CORRECTIONS			exist: multi-purpose room	exist: private family	exist	new	new: inmate person prop. clean cloth mattresses car storage (opt.)	new	exist and new
UNITED STATES DEPT. OF JUSTICE (draft)							new & exist inmates personal property secure-weapons		
AMERICAN CORRECTIONS ASSOCIATION		exist: room or provide for mobile				exist	exist: weapon lockers inmates personal property cloth/bed. fac. supply	exist: small fac. 12% floor space large fac. 3% floor space	
NEBRASKA BAR ASSOCIATION	multi-purpose room	area for w/storage	can use dayroom	sufficient space contact visit	sufficient space	secure closet	exist & new weapon stor. lock med supp. inmate per. cloth & bed.	prop.	exist and new
NATIONAL FOR ANNUAL JUSTICE PLANNING AND ARCHITECTURE		required	staff dining if separate from day-space then no larger than 75 inmates	provisions for both secure and contact					

CELL FURNISHINGS

<u>SOURCE</u>	Bed	Bunk	Mattress	Shelf-type table	Chair	Stool	Closet or hooks	Shelf	Desk
MAINE BUREAU OF CORRECTIONS	metal bed secured to floor			1 secured to floor	1 secured to floor		hooks (non- removable)		
UNITED STATES DEPT. OF JUSTICE (draft)	1				1 of either		either	1	1
AMERICAN CORRECTIONS ASSOCIATION		1			1 of either		either	1	1
NEBRASKA BAR ASSOCIATION		1 securely anchored or integrally constructed (multi-occ. if double safety rail on top)	1 - 30" x 76"						
NATIONAL CLEARINGHOUSE FOR ANNUAL JUSTICE PLANNING AND ARCHITECTURE	1				1			adequate shelf space	1

PLUMBING
LIVING AREAS

<u>SOURCE</u>	Toilets	Wash Basins	Drinking Fountains	Hot/cold running water	Showers	Combination security toilet and wash basin
MAINE BUREAU OF CORRECTIONS	1 per cell	1 per cell			adjacent or in dayrooms	
UNITED STATES DEPT. OF JUSTICE (draft)	1 per cell	1 per cell	1 per cell	all cells	per standard building code	
AMERICAN CORRECTIONS ASSOCIATION	1 per cell	1 per cell	accessible in all hous- ing and activity areas	all cells	accessible in all housing areas	special purpose cells
NEBRASKA BAR ASSOCIATION	1 per cell or multi- occ 1 per 8 in- mates in dayroom	1 per cell or multi- occ 1 per 8 in- mates in dayroom	throughout facility		1 per 8 inmates (housing areas)	
NATIONAL CLEARINGHOUSE FOR ANNUAL JUSTICE PLANNING AND ARCHITECTURE	1 per 12 cells		1 per dayroom		1 per 8 persons	

MECHANICAL

SOURCE	Ventilation	Natural Light	Artificial Light	Heating/Cooling	Electrical work re-quirements	Written plan for preventive maintenance	Acoustics (residents)
MAINE BUREAU OF CORRECTIONS	security type equipment	access to	1 per cell enough for reading, security type	security type equipment	Nat. Elec. Code-local utility rules-Fire underwriters State & Fed. laws		
UNITED STATES DEPT. OF JUSTICE (draft)	maintain humane comfort in accordance w/Guide book Amer. Society of Heating	access to	30 ft. candles standards of Amer. Society of Illuminating Engineers	see ventilation		updated annually	65-70 decibels - day 40-45 decibels -night
AMERICAN CORRECTIONS ASSOCIATION	10 cu. ft. min. fresh or purified air	should have	30 ft. candles centrally located	comfortable healthful conditions		review & updated annually	noise level doesn't interfere w/normal activity
NEBRASKA BAR ASSOCIATION	comfortable and well ventilated	new: security window/cell	30 ft. candles living area 100 ft. candles work or study area night light does not hinder sleep	temp 65°-85°			65-70 decibels-day 40-45 decibels-night
NATIONAL CLEARINGHOUSE FOR ANNUAL JUSTICE PLANNING AND ARCHITECTURE							

LOCATION AND SIZE

<u>SOURCE</u>	Distance from public private school	Miles from Civilian population	CJ Agencies. Inmate				
MAINE BUREAU OF CORRECTIONS	not more than 300 ft 150ft if jail proper & entrance shielded from view						
UNITED STATES DEPT. OF JUSTICE (draft)		50	geographic-ally accessible	exist: +500 has units + or - 500 new: 500 max.			
AMERICAN CORRECTIONS ASSOCIATION			geographic-ally accessible				
NEBRASKA BAR ASSOCIATION							
NATIONAL CLEARINGHOUSE FOR ANNUAL JUSTICE PLANNING AND ARCHITECTURE	easy and routine access to community resources, home, public trans.			not exceed 400			

2. SPACE NEEDS/CURRENT SPACES

The following charts present the assessed space needs for Kennebec County detention, corrections and law enforcement (first column of figures). The projected needs are compared with current spaces (column 2). Column 3 shows which future needs could be accommodated in the existing building with renovations and Column 4 shows what spaces would need to be added.

The chart is based on the assumption that detention, corrections and law enforcement functions will be housed in one complex.

KENNEBEC COUNTY PRE-ARCHITECTURAL ANALYSIS: SPACE NEEDS/CURRENT SPACES

DETENTION/ CORRECTIONS AREA	ESTIMATED NEEDS FOR YEAR 2000	SPACE IN CURRENT BUILDING	AMOUNT OF SPACE WHICH COULD BE REN. IN CURRENT	NEEDED IN ADDITION	NOTES
<u>HOUSING-SUPPORT</u>					
<u>Male:</u>					
35 beds x 80 s.f.	2800 s.f.	2112 s.f.	0	2800 sf	16 add. beds to be loca- ted in community
day space x 40 s.f.	1400	1693	0	1400	
showers/toilets ÷8x50	250	376	0	250	
<u>Female:</u>					
6 beds x 80 s.f.	480	320	0	480	
day space x 40 s.f.	320	80	0	320	
showers	50	59	0	50	
Matron's quarters	300	0	0	300	
<u>Juveniles:</u>					
2 beds x 80 s.f.	160	80	0	160	
day space x 100 s.f.	200	30	0	200	
showers 2 x 50 s.f.	100	46	0	100	
Guard Station	200	0	0	200	
<u>HOLDING</u>					
Observ./Detox. 10 x 70 s.f.	700	0	0	700	
General 20 x 60 s.f.	1200	0	0	1200	
Showers	300	0	0	300	
Day space	1000	0	0	1000	
I - 12					

DETENTION/ CORRECTIONS AREA	ESTIMATED NEEDS FOR YEAR 2000	SPACE IN CURRENT BUILDING	AMOUNT OF SPACE WHICH COULD BE REN. IN CURRENT	NEEDED IN ADDITION	NOTES
<u>INTAKE</u>					
Security Vestibule	84	90	0	0	
Process-in Area	500	100	300	200	could be split between new and old
Control Area	100	0	0	100	
<u>OPERATIONS</u>					
Kitchen	650	775	775	0	
Dining (opt)	600	500	500	0	less than 600 sf ok because day space can be used
Commissary	10	5	10	0	
Laundry	240	100	240	0	
Janitors Closets	240	0	240	0	
Storage	400	858	400	0	
Medical Exam.	300	80	300	0	
<u>PROGRAMS/ SERVICES</u>					
Program Offices	320	300	320	0	
Storage	200	100	200	0	
Classrooms	950	0	950	0	
Interview Rooms	160	60	160	0	
Exercise (min)	750	0	750	0	
Visiting	800	0	500	300	could be split between old and new
Library	50	50	50	0	

DETENTION/ CORRECTIONS AREA	ESTIMATED NEEDS FOR YEAR 2000	SPACE IN CURRENT BUILDING	AMOUNT OF SPACE WHICH COULD BE REN. IN CURRENT	NEEDED IN ADDITION	NOTES
<u>ADMINISTRATION</u>					
Office	120	0	120	0	
Records	200	50	200	0	
Interview	160	0	160	0	
Storage - Inmate prop.	20	0	20	0	
Secretary	80	0	80	0	
<u>SHARED WITH LAW ENFORCE.</u>					
Lobby/recept.	500	60	0	500	
Security Vestibule	72	0	0	72	
Public Toilets	200	0	0	200	
Men's Toilet/ Showers	665	64	665	0	
Women's Toilet/ Showers	235	0	235	0	
Conference	300	120	200	0	less than optimum because other space is avail.
<u>LAW ENFORCEMENT</u>					
Sheriff	240	100	240	0	
Chief Deputy	160	150	160	0	
Admin. Asst.	144	0	144	0	
Bookkeeping/ Records	230	120	230	0	
Secretaries	120	80	120	0	
<u>PATROL</u>					
Squad Room	200	210	200	0	
Dispatch	180	66	180	0	
Arsenal	80	0	80	0	
Office/report Writing	300	95	300	0	

DETENTION/ CORRECTIONS AREA	ESTIMATED NEEDS FOR YEAR 2000	SPACE IN CURRENT BUILDING	AMOUNT OF SPACE WHICH COULD BE REN. IN CURRENT	NEEDED IN ADDITION	NOTES
<u>DETECTIVE</u>					
Offices	420	300	420	0	
Interview	80	0	80	0	
Records	200	50	200	0	
Storage (evid. equip, etc.)	900	580	900	0	
Staff entrance	120	0	120	0	
SUB-TOTAL	21,740	9,859	10,749	10,916	use of 3rd floor in apartment increases total s.f.
Mechanical (12%)	2,609	656	656	1,309	
Circulation (10%)	2,174	2,251	2,300	1,092	
TOTAL	26,523	12,766	13,705	13,317	
Garage optional security	1,280	0		1,280	
maintenance	864	0		864	

3. Cost Comparisons

The following figures indicate construction costs based on a range of costs/square foot for both renovation and new construction.

Other cost elements are identified in section b.

a. Basic Building

Cost/ renov.	Cost/new Constr.	Total \$ renovate and add	Total \$ new Constr.	Difference
\$20/s.f.	\$40/s.f.	\$ 806,780	\$1,060,920	\$ 254,140
\$20/s.f.	\$45/s.f.	873,365	1,193,535	320,170
\$25/s.f.	\$50/s.f.	1,008,475	1,325,150	317,675
\$30/s.f.	\$60/s.f.	1,210,170	1,591,380	381,210
13,705 sf	13,317 sf	27,022 sf	26,523 sf	

b. Other Costs

1. Site acquisition	possibly for adjacent lots	yes
2. Site dev/land	minimal	yes
3. Water/sewer	no	possible
4. Equip./furnish.	yes	yes
5. Elevator	yes	possible

4. General Considerations

(+)

(-)

Renovate/add

- would use current facility to maximum
- would make use of recent and planned renovations
- established and accepted location
- central location; close to courts
- offers several cost savings
- constraints on design and operation from current facility
- probably more expensive to operate & maintain
- site is small

All New Construction

- no design constraints (site or building)
- possible better location for law enforcement
- possibly less expensive to operate & maintain
- more expensive to build
- need to gain acceptance for new site
- probably not central location (not near courts)
- site acquisition & development costs involved
- leaves County with current jail - how use?

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