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2007

THE JOURNAL OF NIC'S LARGE JAIL NETWORK

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## Network Mission & Philosophy

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

Our belief is that, collectively, network members are likely to have developed successful strategies to meet challenges that arise. As a group, network members are an available resource to each other. Network members and the local governments, states, communities, staff, and inmates they serve and represent benefit greatly when there are systematic ways to share information among members.

## Network Goals

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

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# LJN Exchange

## Annual Issue 2007

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The *LJN Exchange* is the annual journal of the Large Jail Network, a practitioner network sponsored by the National Institute of Corrections (NIC) for administrators in jails or jail systems with inmate populations of 1,000 or more. The contents of the articles and the points of view expressed are those of the authors and do not necessarily reflect the official views or policies of the National Institute of Corrections.

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# Foreword

**A**cross the past 15 years, the Large Jail Network has grown to 178 member agencies and become one of the most valuable assets available to sheriffs and jail administrators. The network's electronic forum, twice-yearly meetings, the LJN Exchange, and the proceedings from each meeting have contributed to the LJN becoming the voice of large jails across the country. When agencies or organizations in the field of criminal justice want to know about issues, they often seek the guidance and valuable opinions of the members of the Large Jail Network.

I am grateful to both Michael O'Toole, former Chief of the NIC Jails Division, and current Chief, Virginia Hutchinson, for allowing me to work and grow with the Network over the past 10 years. As I leave my position in the Jails Division, NIC is still in the midst of relocating that division to Washington, D.C., and as well as the centralization of NIC and Federal Bureau of Prisons training functions in Colorado. These changes come at what may be a favorable time for the LJN, as we have seen our constituent group of sheriffs, jail administrators, directors of corrections, wardens, chief jailers, superintendents, and administrators by other titles changing dramatically. There is strong, solid support for the work of the Large Jail Network, and there is a commitment to communicating the jail's role as an effective and major component of the local criminal justice system.

I appreciate having had the opportunity to support the LJN and having had the support of the member jails. As I have matured during my 33 years in the jail business, I am finally learning to be content in all areas of my life. Experience has shown that when the time comes and I am able to demonstrate the willingness to give up work that I value, new people surface who bring fresh energy, ideas, and perspectives and build and improve on the work I have done. Mike Jackson, an incoming Correctional Program Specialist assigned to the Jails Division, is assuming program responsibility for the Large Jail Network. As I move on to the NIC Academy Division, I am confident that the Large Jail Network will continue to be recognized as the premier group of men and women operating jails in the United States.

The LJN will have a lasting legacy because its role has always been to provide the vehicle for an open exchange of ideas and information. Its impact will continue to depend on the willingness of member agencies to participate and to push NIC to identify, understand, and meet the unique needs of large jails. As I learn new skills and build new relationships in the future, I will cherish my relationships with each person I have come to know through this wonderful vehicle, the Large Jail Network.

*Richard Geather  
Correctional Program Specialist  
NIC Jails Division, Longmont, Colorado*

# An Interview with NJC Jails Division Chief

## Virginia Hutchinson

*Earlier this year, the NIC Jails Division was relocated from Longmont, Colorado, to join NIC's other program divisions in Washington, D.C. The NIC Academy Division was moved from Longmont to Aurora, Colorado, where it now shares facilities with the Federal Bureau of Prisons's Management and Specialty Training Center. LJN Exchange editor Connie Clem talked with Virginia Hutchinson about the move and future directions for the Jails Division.*

**CONNIE CLEM:** Now that the Jails Division is getting settled in its new location in D.C., how do you look back on the process of moving?

**VIRGINIA HUTCHINSON:** We went through a tremendous amount of change. I can't say enough about the commitment of the staff and all the ways they carried through to make sure our services weren't interrupted.

**Were there staffing changes in connection with the move?**

We did lose most of our staff. I have to say, it was very difficult for each of them to make the decision to leave, and of course we were very sorry to lose them. Kris Keller, Alan Richardson, and Richard Geather all have been extremely dedicated to NIC and their work with the Jails Division, and yet, ultimately, personal factors had to prevail. In the same period, we also lost Vicci Persons through the conclusion of her IPA (intergovernmental personnel agreement) term from Sonoma County. And we lost three fantastic support staff, Betsy Matten, Evelyn Holland, and Derrick Houska. Fortunately, Richard and Betsy are now working with the Academy Division in Aurora, so we haven't lost touch. In fact, they have both been invaluable to us since they have continued to help us out during the transition period.

Three Jails Division staff did move to D.C.—Jim Barbee, Fran Zandi, and me. Fran and Jim have worked incredibly hard to maintain services through this adjustment both in the workplace and in their personal lives. Our programs have

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continued on track throughout the summer and fall, and I'm so proud and grateful that there has been no decrease in services despite the transitions we've faced.

I'd say we're in a rebuilding phase now. As hard as it was to lose those colleagues, we are really excited about the three new staff who have come on board. All of them have worked in jails and have a lot of passion for NIC's work based on their past experiences and knowledge of NIC. They are excited about being part of rebuilding our division. Their recent field experience is going to be critical to NIC as we regain our momentum and move ahead from our new base.

Cheryl Paul has a strong jail background through her work in Sonoma County, California, and that experience includes work with direct supervision, planning the transition to a new jail, and management information systems. For many years, Cheryl also provided consultant services for NIC to jails nationwide in making the transition to a new jail.

Robbye Braxton-Mintz is from the jail in Arlington County, Virginia. She was the inmate services manager there when she left and, before that, she was the special assistant to the director, Mike Pinson. She has worked with jail accreditation, classification, and inmate programs.

Mike Jackson is a former jail administrator from Fairfax County, Virginia. Most recently, he was a training manager for the National Sheriffs' Association, where he managed training programs, updated NSA's correspondence courses for jail officers and first-line supervisors, and served as NSA's representative on all jail-related matters.

Once they have their feet on the ground, we'll be able to fully benefit from their field experience and fresh perspectives on our work. We look forward to having a good balance—a mix of experienced staff who are well grounded in NIC's and the division's history, purpose, philosophy, and services plus new staff who can give us new insights into all we do. It really opens up exciting possibilities for us, and I think it'll be a powerful combination. Once we're a bit more settled, we'll also be filling an IPA position, and that'll bring us up to a full staff again.

### **What's ahead for Jails Division programs?**

Right now, honestly, we are working hard to maintain our current services. Recently, though, we awarded cooperative agreements to develop new tools on staffing analysis and jail vulnerability assessments. This work will enhance our overall services in jail administration.

All our services related to new jail planning will continue, and most of that work has undergone fairly significant updates and revisions over the last several years. Also, this coming year, we should be ready to publish new documents on risk management in jails, emergency preparedness for jails, and jail population forecasting. We also plan to publish updated editions of our documents on jail operations and the constitution and on data collection and analysis.

We also are continuing our work on inmate behavior management to help jails operate more safely and securely, along with our services related to direct supervision. Our jail standards and inspection initiative just released three new

publications that provide a good resource for people working in that area. The National Sheriffs' Institute will continue, and we're also participating in the broader NIC initiative that focuses on helping inmates make the transition from the jail to the community.

### **So it's "business as usual" then?**

We're doing our best. I really can't overemphasize the value of our former staff who made the difficult choice to leave, but who have also offered to be a resource for the new staff to help in their transition, and that's wonderful. We thank them.

We also appreciate all the support we received from within NIC and from Harley Lappin, the Director of the Federal Bureau of Prisons. We got a tremendous boost from Mr. Lappin and his vocal commitment to the Jails Division and NIC's services to jails. He was very responsive to concerns from jails, when the field was expressing trepidation that the Jails Division might change or actually even disappear—there were fears about not just NIC services for jails but the existence of the division itself. Harley was kind enough to speak at the American Jail Association and the National Sheriffs' Association conferences to reinforce NIC's commitment to jails. He fully supported the idea that the division will remain intact. This was very well received by people in jails nationwide, and it made a big difference in terms of people's confidence in NIC.

### **What's ahead for the Large Jail Network?**

Richard Geaither has chosen to stay with NIC in the Academy Division, and this means changes for the LJN. Mike Jackson will be taking on coordination of the group, and Richard will serve as an advisor for at least the next year. Richard is very supportive of Mike and will do all he can to ensure the continued success of this network. I know, though, that it will be difficult for Richard to finally give up his responsibilities for the network. He has managed it for many years, has formed valuable relationships with the jail administrators, and has such a strong sense of the challenges these jails face. In the Jails Division, we relied a lot on Richard's knowledge of large jails as we developed our services. Mike, though, is an excellent choice to take on the coordination of the network. He has experienced the network meetings both as a jail practitioner and as a representative of NSA. He knows first-hand the importance of the network and has a passion for it.

### **How does it feel to be part of NIC-D.C.? What's different now?**

Tom Beauclair, NIC's new Deputy Director, has brought a fresh perspective to our management team, and he will be making a difference in the agency. I think with the Jails Division's move, there's real potential for the executive team and the program divisions to relate to and support each other in new ways. It will be interesting to see how that plays out as NIC continues to evolve. ■

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# Applying New Vulnerability Assessment Tools in Hennepin County

by  
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Last year, 12 county jails received a week of training that introduced a powerful new risk management tool developed by the National Institute of Justice (NIJ) and the American Correctional Association (ACA). Building on vulnerability assessment techniques developed by Sandia National Laboratories to protect nuclear power plants and weapons, the ACA project developed a similar tool for use in state prisons. ACA's Correctional Vulnerability Assessment Handbook (CVA)<sup>1</sup> explains the vulnerability assessment process and serves as the centerpiece of additional resources that have been developed with NIC funding.<sup>2</sup>

ACA first provided vulnerability assessment training to more than half of the nation's state corrections agencies. The training was then delivered to teams of staff from local correctional agencies in 12 counties, including some Large Jail Network jurisdictions:

- Alexandria County, Virginia
- Arlington County, Virginia
- Clark County, Nevada
- Franklin County, Pennsylvania
- Hennepin County, Minnesota
- Hillsborough County, Florida
- Jackson County, Missouri
- Marion County, Indiana
- Mecklenburg County, North Carolina
- Montgomery County, Maryland
- Thurston County, Washington
- Tulsa County, Oklahoma.

1. Rod Miller, Robert J. Verdeyen, J.T. O'Brien, and Donald Romine, *Correctional Vulnerability Assessment Handbook*, Final Draft. Alexandria, Virginia: American Correctional Association, 2006. Excerpts adapted for this article with permission.

2. CVA resources include the Handbook, an extensive PowerPoint-based training program, forms, checklists, and samples.

Each participant left the training with a new perspective that looks at jail facilities, technology, and operations through the eyes of inmates and other potential adversaries. But applying the complete CVA process proved difficult in jails. In Hennepin County, we are now finding effective ways to employ the results of our CVA studies.

## **What Is a “Vulnerability Assessment”?**

NIJ describes a corrections vulnerability assessment (CVA) as:

- A systematic evaluation in which...
- Qualitative and quantitative techniques are used...
- To determine the effectiveness of operational and physical protection systems...
- Against specific undesired events or a range of potential threats.

A unique analytical tool, the Estimate of Adversarial Sequence Interruption (EASI) computer program, is central to the implementation of a CVA. The EASI tool actually calculates the odds that an undesired event—such as an escape or the introduction of contraband—will be successfully completed. It also points the agency to specific changes in practices, technology, and facility configuration that may be most effective in reducing the level of risk.

## **How Is CVA Different from Other Risk Assessments or Security Audits?**

A CVA is different from security audits in several ways, because a CVA:

- Considers three dimensions of the correctional setting: physical plant, technology, and operations;
- Incorporates a variety of staff perspectives by involving a diverse team in the assessment process;
- Examines the correctional setting from all physical angles;
- Connects a series of elements instead of looking at them separately;
- Puts the elements in motion;
- Tests the elements;
- Examines the elements under different conditions and at different times of day;
- Quantifies the risk using computer analytics; and
- Tests the effectiveness of potential risk reduction actions.

## What Is Involved in the CVA Methodology?

A team of facility staff take part in the CVA process. Typically teams will have five or more members, including an administrator, a policy/procedure writer, a person with technical/physical plant experience, and someone who is responsible for security. There are nine steps in the CVA methodology. Figure 1 shows these steps and provides a brief commentary on each.

Figure 1. Steps in the Correctional Vulnerability Assessment Process

CVA Steps		Purpose/Outcome
1) Define the threat(s)		Identifies the threat to be evaluated, such as escape, contraband introduction, etc.
2) Characterize the institution	3) Define the threat capability	Describes the setting (2) and considers inmate or other actors' capabilities to achieve the threat in that context (3)
4) Characterize the facility's physical protection systems (PPS) and operations		Describes the facility and its operations
5) Analyze PPS and operations		Collects physical and operational data and analyzes facilities and operations
6) Develop threat-specific path sequence diagrams (PSD)		Identifies how a series of steps might allow a threat attempt to succeed
7) Apply the EASI analytical model to assess risk		Uses the Excel-based tool to predict the likelihood that the threat will succeed
8) Evaluate whether the assessed risk is acceptable		Determines whether something must be done to reduce the risk
<i>If the risk is acceptable, the process is complete for this threat.</i>	<i>If the risk is NOT acceptable:</i>	
9) Revise the facility design, operations, technology, and/or assumptions		Uses the EASI tool to examine how changes in physical plant, technology, and/or operations affect the likelihood of success of the threat attempt, or to identify errors in underlying assumptions

The CVA team spends roughly a week on site, at all hours of the day, testing systems and operations and collecting data for the scenarios. Each element of a possible threat is researched and calculated. The probabilities of detection and delay are calculated, along with the response time by staff and security systems. This information is entered into the EASI program, which calculates the probability of success for the adversary.

If escapes are the risk being assessed, the scenario might be described as judging a race between the facility and the inmate. To determine who wins the race, you must:

- Understand the institution's protection system (physical and operational),
- Determine what the inmate can and must do to escape,
- Compare the institution's protection system with the inmate's possible actions, and
- See who wins by looking at the time race.

The outcome of the CVA process is one or more very specific threat scenarios that describe a series of steps an adversary might use to implement a threat, that have been tested, and for which solutions have been posed. In the prison setting, a CVA identifies many issues and weaknesses, but it continually narrows the focus until a few scenarios are identified and analyzed. Although many helpful insights are discovered, these are secondary to the scenario in a CVA.

After the NIC training, it seemed to many participants that a CVA was an "all or nothing" endeavor. The level of commitment for training and implementation has proven daunting in jails that lack the staff and other resources of a larger prison system. Ways to further adapt the CVA process and training for jails are now in development.

## **Hennepin County Finds New Uses for CVA**

When our team returned to our jail facility after the training in October 2006, we discovered many potential vulnerabilities because the training had sharpened our skills. We have not yet trained additional colleagues because of the length of the training (5 days) and the complexity of the material. But we discovered the utility of many of the vulnerability assessment techniques and tools when we launched our first-ever comprehensive staffing analysis.

We are following the staffing analysis methodology described in NIC's *Staffing Analysis Workbook for Jails*, Second Edition (Rod Miller and Dennis Liebert, 2003). Our first use for the CVA process presented itself in Step 1 of the staffing analysis, "Profiling the Facility." We are using a series of CVA checklists and forms to characterize and analyze our physical setting in terms of:

- Location,
- Site,
- Facility design, layout, and construction, and
- Technical systems (video, alarms, sensors, and detectors).

We also are creating baseline drawings and diagrams for our jail that depict key systems. As these are completed, we analyze them by considering several aspects that are articulated in the CVA approach:

- Proximity (what is near each element),
- Adjacency (what is next to each element),
- Visibility and observation (what can be seen and what cannot),
- Continuity (gaps and breaks), and
- Condition (what has deteriorated).

These tools and techniques are proving effective as we examine the context in which staffing is provided and convey our findings to other stakeholders.

We will be applying more CVA tools when we reach Step 8 of the NIC staffing analysis process, which involves evaluating and improving the draft staffing plan. NIC suggests developing a series of scenarios as one of several activities to evaluate the sufficiency of draft staffing plans. Clearly, the CVA approach will find more application at this point in our process.

### **Project Will Create Jail Vulnerability Assessment Resources**

In September 2007, NIC signed a cooperative agreement with CRS, Inc., to adapt the CVA materials for use in jails. The project is headed by Rod Miller, who was involved with the development and delivery of the CVA resources for 5 years through an agreement with the American Correctional Association. The NIC project will expand the scope of threats that are addressed to include more threats that apply specifically in jails. It will adapt all of the current CVA resources for use in jails, producing a diverse and flexible set of tools that may be used in various jail settings.

The American Jail Association is presenting a CVA training program in November 2007, hosted by the Franklin County (Pennsylvania) jail. Warden John Wetzel participated in the October 2006 ACA training and has a central role in the new cooperative agreement.

Interested persons can contact Rod Miller at [rod@correction.org](mailto:rod@correction.org) for more information about the CVA toolkit, which includes the *CVA Handbook* and its appendices with many helpful aids and checklists, the EASI program in an Excel file, and a PowerPoint-based training program. An email notification list is also being developed where new materials will be announced as they become available for use in jails. ■

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# Controlling Inmate Population Size:

## A Case Study of 20 Years of Success

The most recent report on the nation's jails shows over three-quarters of a million inmates (766,010) held at midyear 2006.<sup>1</sup> This was a 2.5% increase over the 2005 midyear total of 747,529. In 2006 alone, jails reported adding 21,862 beds during the previous 12 months, bringing the nation's total rated capacity to 810,863. These figures confirm what jail administrators know firsthand: inmate populations have been increasing beyond available bed space and, in large measure, beyond expectations.

It is fair to say that every state, as well as a majority of local jurisdictions, has confronted the challenge of an increasing inmate population. With over 3,300 jails nationally, this equates to an issue of widespread proportions. For many jails this has meant building—whether new construction or renovation—to add beds. Yet it is possible to manage an increasing demand for jail beds.

Volusia County, Florida, is one jurisdiction that has achieved demonstrable success in controlling the size of its jail population. The county has not pursued any new jail construction for more than 20 years. I am sharing our experience in the hope that our lessons may be of use to other jail administrators.

### **About Volusia County**

Volusia County is located on the east central coast of Florida. It is almost midway between Jacksonville to the north and Cape Canaveral to the south. Our population is just over half a million residents. As a bedroom community for Orlando, about 70 miles to the west, it has experienced increasing suburban development and sprawl, growing at a rate of 1% to 2% annually since 1990. The county's best-known city is Daytona Beach, famous for its beaches, car racing, and popularity as a spring break venue for college students. The county's population swells with seasonal residents and tourists from January through April and again in the fall.

1. U.S. Department of Justice, Bureau of Justice Statistics, "Jail Statistics: Summary Findings." Online at <http://www.ojp.usdoj.gov/bjs/jails.htm>.

*by*  
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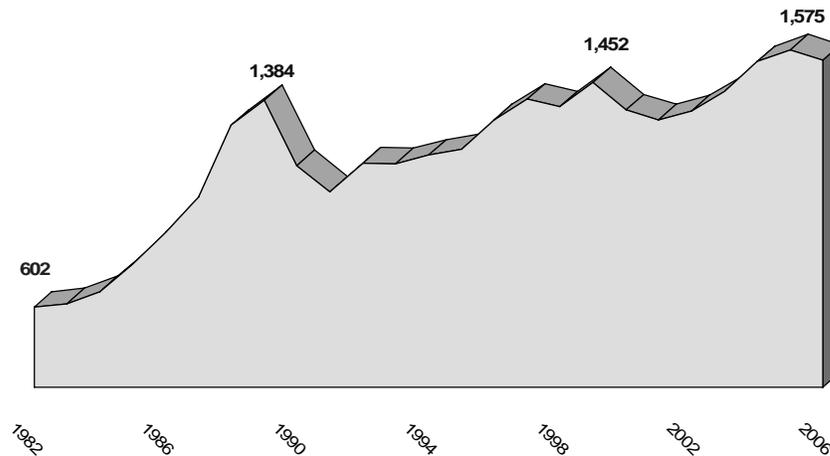
**Institutional capacity.** The Volusia County Division of Corrections operates two facilities. The oldest, the Volusia County Correctional Facility (VCCF), opened 30 years ago, in 1977; the Volusia County Branch Jail (VCBJ) was opened in 1987. VCCF houses all women, pretrial male misdemeanants, and county-sentenced men. VCBJ houses all pretrial male felons, all juveniles, and inmates awaiting transfer to state prison, and it provides booking intake/receiving for the county.

Both facilities were designed to hold fewer inmates than they currently confine. The combined original design capacity of both institutions was 835. The design capacity was expanded by double-bunking a portion of cells and adding bunks in the dormitories at VCCF from 1988 to 1989, for a total authorized capacity of 1,494.

**Average daily population and admissions.** Annual jail admissions have grown in absolute terms by nearly 8,600 over the past 16 years. In 1990 there were 20,966 jail admits, and by 2006 jail admits reached 29,538. This translates into an average annual growth in admissions of 2.2%.

Historically, the jail's average daily population (ADP) has increased 4.4% annually since 1982, as shown in Figure 1.

**Figure 1: Volusia County Average Daily Inmate Population, 1982-2006**



On a decade-by-decade basis, however, Volusia County's jail ADP shows a decreasing rate of growth:

- In the 1980s, ADP increased by an average of 12.9% annually.
- In the 1990s, ADP increased by an average of 6.8% annually.
- Since 2000, ADP has increased by an average of just 2.3% annually (through 2006).

Though the rate of growth has slowed, actual growth in the inmate population has gone beyond the authorized capacity of 1,494. In 2007 the Division of Corrections has been operating at 106% of its authorized capacity. Thus, the overriding question remains—how has Volusia County been able to handle a jail population that exceeds its rated capacity, and how has it done so without additional construction?

## **The Solution Blueprint**

We have used two primary approaches to managing the jail population in Volusia County: 1) influencing the external criminal justice environment, and 2) monitoring the day-to-day activities of the justice system through data. These efforts are intertwined and symbiotic. They also are more easily described than they are put into practice.

An ability to affect the external criminal justice system relies on a systemwide view of jails and a shared understanding of how jail populations build. It requires communication with other justice system decision-makers—police, prosecutors, judges, and probation officers. Optimally, it also requires collaborative action among these decision-makers.

Good information—data—is important in opening, fueling, and maintaining communication channels. Good data also provides the impetus to move the justice system processes that affect jail populations. In addition, of course, good data also enables the jail manager to handle the internal jail environment, including housing a population that exceeds the jail's rated capacity.

**Interacting with the external criminal justice system.** Volusia County's history of working collaboratively with external justice system agencies dates to 1985. The Division of Corrections was building the Branch Jail as a result of litigation related to crowding. However, it already was clear that if systemic changes were not made to control population growth, the new institution would be at capacity by the time it opened and another construction effort would be needed.

Thus, the county's Jail Population Reduction Task Force (JRC) was convened by the chief judge and the county manager. Co-chaired by the corrections director and the court administrator, it included representatives from all related agencies—law enforcement, pretrial services, the prosecutor and public defender's offices, the judiciary, probation, the county's computer information office, and the county manager's office.

The JRC identified processes that had an impact on the jail's population and pinpointed justice system breakdowns and gaps. Once decision-makers understood how deficiencies in the system affected the size of the inmate population, they took ownership of those processes and worked to correct them. For example, concerns were aired about the time it took to complete presentence investigations. Time limits were shorter for individuals in custody than for people on the street (who had bonded or were on pretrial supervision), but the limits were not being followed. The Probation Department agreed to adhere to the time limits set by the court. (For more on the JRC's accomplishments, see Moore and Ford, "A Model to Reduce Jail Overcrowding," *American Jails* Fall 1989, 16-22.)

The work of the JRC led to creation of an advisory group headed by the administrative judge of the circuit (felony) court. This group continued to monitor and address criminal justice system efficiency and the jail population. The JRC and the advisory group were the forerunners of the county's Public Safety Coordinating Council (PSCC), created per 1987 statute as a mechanism for counties to address justice system issues and as a prerequisite for accessing state funding for community corrections initiatives.<sup>2</sup>

The composition of the Public Safety Coordinating Council is like that of the original JRC, with representatives from each phase of the criminal justice system—police, courts, and corrections. Members actively address system inefficiencies and issues that relate to jail crowding. They openly have taken ownership of processes that affect the jail's population. For example, at the June 2007 PSCC meeting, the representative from the State Attorney's office (the prosecution) spoke about long county jail sentences and their impact on crowding. The prosecutor urged judges either to impose shorter county sentences or to send offenders to state prison if a longer term of incarceration is deemed necessary.

**Data management systems.** Underpinning these interagency efforts is accurate, timely, and relevant information. Most jails have developed data on their inmate populations and engage in some form of inmate population projection, but it is not as evident whether many jails take a systemwide approach to data development. A key component of Volusia County's effectiveness has been its broader view of jail information needs.

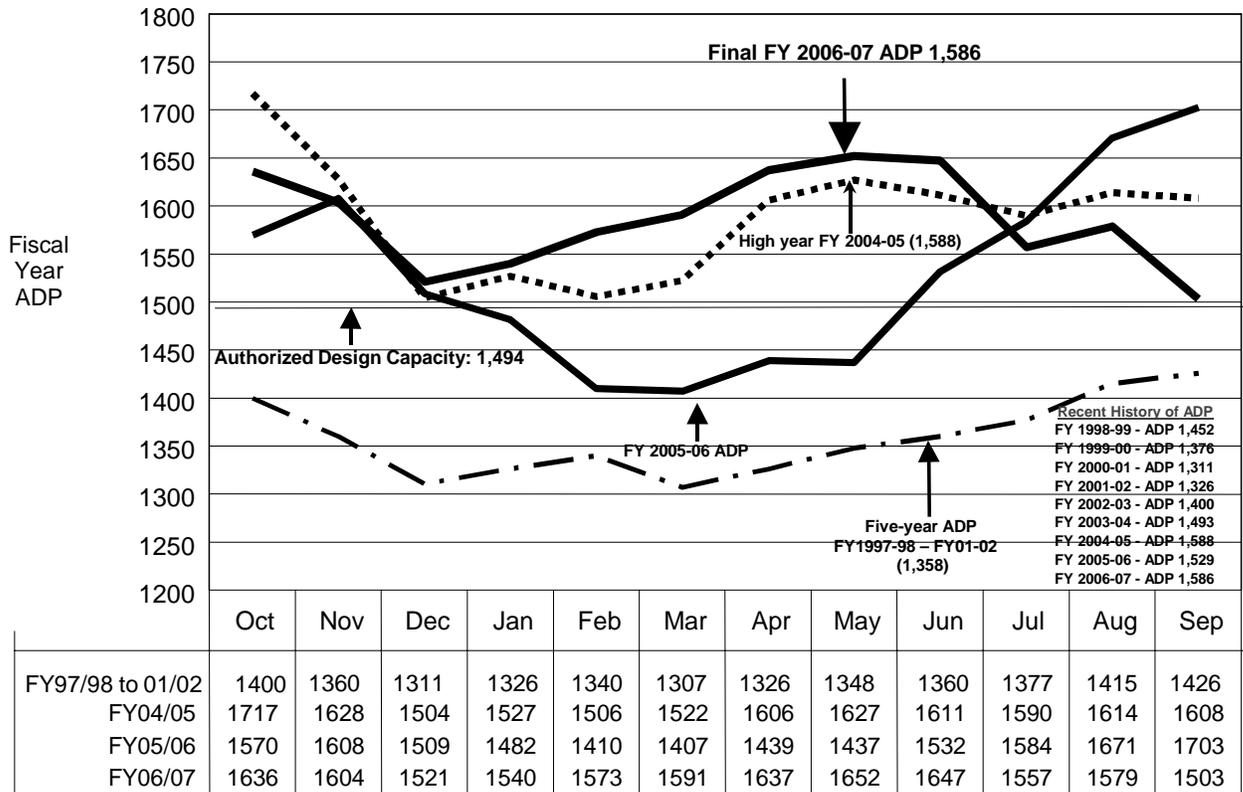
Who arrives at the jail and how, and how long and why they stay, are factors that influence the size of jail populations. Each stage of the criminal justice system brings a decision regarding the accused's custody status. Case processing factors—"system factors"—are critical determinants of lengths of stay, particularly for non-sentenced inmates. (Because the maximum allowable jail sentence is under 1 year, there is more variation in case processing times than in sentence lengths for jail inmates.) Each of these decision points is policy-sensitive and thus subject to influence in terms of who is presented for jail admission, who is retained or released, and how long they stay. For example, a decision to strictly enforce minor municipal ordinances to accommodate business owners' concerns ("street cleaning") will raise jail bookings and workload. Depending on detention policies on release for minor offenses, the ADP may also rise.

To help manage the jail population, the Corrections Division developed a series of population and justice-system monitoring reports. Information is collected regularly and presented to decision-makers weekly, monthly, and at other time junctures. Examples of reports include average time to arraignment and weekly ADP for non-sentenced and county-sentenced inmates and also for felony and misdemeanor classifications. Another report displays the count and average length of stay for all county-sentenced inmates. Monthly, the PSCC receives a jail update, including real-time, statistical charts of the jail's ADP. Figure 2, page 13, shows a sample ADP trend report.

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2. See Florida statutes, s. 951.26 and s. 948.51, online at <http://www.leg.state.fl.us/statutes/>.

**Figure 2: Trends and ADPs, FY 97/98 through FY 06/07**



Some may question why the jail should develop the data and then try to influence early justice system processing. The answer is simple. First, we have found that many agencies in the justice system are insular in their focus; they view information solely in terms of their own agency's mission. As such, they act in singular fashion—collecting and using data only to meet their own specialized reporting requirements. Interoperability and integrated information systems are still in their infancy, despite advances in information systems. Yet jail populations “build” directly as a result of decision-making throughout the justice system. Therefore, in order for jail managers to address jail population growth, we must wield control of the data systems that inform justice decision-making and jail operations.

Secondly, jail managers need to work cooperatively with justice decision-makers who are external to the jail, because we do not control who arrives at our doorstep or how long they stay. Of necessity, the jail manager must seek to control the jails' inmate population through the currency of persuasion and inter-agency collaboration.

## Sustaining the Focus

As noted earlier, describing our methods for controlling the jail population is easier than it has been to implement them. The success of the PSCC has been, in large measure, due to the sustained effort of the Division of Corrections to keep the issues before the other justice system decision-makers. Progress has also required these decision-makers to engage in bridge-building instead of empire-building. In a public and oftentimes politicized environment, and in a time frame that stretches over decades, our external linkages require constant vigilance. It is imperative that we demonstrate the mutual interests served when we achieve justice system efficiency and close gaps to manage the size of the jail population. The data-driven model helps to encourage collaborative action, because it allows us to quantify system deficiencies—and solutions.

Some factors that affect jail population growth cannot be addressed with this approach. Demographic trends, particularly an increase in the number of individuals in the “crime prone” years from ages 18 to 35, will drive up crime rates and jail populations. More urbanization and/or a shift in residence patterns from rural to urban locales can also contribute to a rise in crime and in the jail population. Changes in sentencing law and law enforcement policies will further impact jail population size. For example, after an August 2004 murder by a probationer and three cohorts of six young adults over a video game, the Florida Department of Probation and Parole imposed a zero tolerance policy for probation violations. This led to a spike in jail admissions, causing the jail to unexpectedly exceed its authorized bed capacity for several months at the end of 2004. Also, a recent legislative overture, the Florida Anti-Murder Act,<sup>3</sup> mandates an additional fact-finding hearing for an expanded group of offenders charged with serious crimes, which is expected to further stress the jail's ADP.

For the short-term, Volusia County has adapted to the increased jail admits through full double-bunking of the Branch Jail. Daybeds were purchased for 9 of 12 housing units; they are placed in the dayrooms as needed to accommodate the ebb and flow of the inmate population. At the Correctional Facility, daybeds have been installed in the five dormitory units.

**V**olusia County is now on the cusp of its first jail construction project in 20 years. We completed an inmate population needs analysis in 2004, and a jail expansion team has begun work. Though the process has been delayed recently by fiscal constraints, the factors driving the jail population are such that building is only a matter of time. New construction is inevitable, but Volusia County's experience clearly demonstrates that the term “inevitable” does not equate to a predetermined point in time. Jail managers can influence time frames by acting proactively—by working through a Public Safety Coordinating Council or equivalent, employing data to inform systemwide decisions, and remaining engaged and vigilant. ■

*The opinions expressed herein are those of the author; they do not reflect official positions of either Volusia County government or its Division of Corrections. Errors of fact or omission are solely the responsibility of the author.*

3. Florida statutes, ch. 2007-2 passed March 12, 2007, s. 903.0351.

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# The Criminal Registration Unit: Hillsborough County's Answer to an Unfunded Mandate

**J**n 1994, the U.S. Congress passed the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. The law requires states to implement a sex offender registration program or forfeit federal funds from the Byrne grant program. All 50 states now have a sex offender registry. After the tragic murder of Megan Kanka by a released sex offender who lived on her street, Congress realized that merely registering sex offenders was not enough. Megan's Law was added to the Wetterling Act; it requires states to let communities know where sex offenders reside.

Today there are over 500,000 registered sex offenders in the United States. More than 34,000 are residents of the state of Florida alone. Hillsborough County, Florida, has approximately 1,400 registered sex offenders, of whom 123 are classified as sexual predators.

In addition to placing registration requirements on sex offenders and sexual predators, Florida statutes also require all convicted felons and career criminals to register with local authorities. Until October 2003, the criminal registration process in Hillsborough County was conducted by civilian fingerprint technicians in the Identification Section (ID Section) of the Sheriff's Office and by similar personnel in the local office of the Florida Department of Law Enforcement (FDLE). Over time, however, the hours of operation of the FDLE office were reduced to such an extent that almost all registrants went to the Hillsborough County Sheriff's Office (HCSO) for processing.

The sheriff's ID Section ultimately became overwhelmed with registrants. Further, all registrants were using the same waiting area—so that the sex offender registrants shared the space with ordinary citizens and their children who went to the ID Section to be fingerprinted for purposes such as background investigations associated with applying for a new job.

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**by  
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The initial proposal to remedy this undesirable situation was to task the jail's Central Booking bureau with the registration process. However, two circumstances weighed against that strategy.

- After Central Booking opened at the Orient Road Jail in 1991, more than 44,000 inmates were processed in the first year. By 2003, that number had increased by 50% to more than 66,000, yet the authorized staffing had remained unchanged. This limited the unit's capacity to handle additional work.
- Though the criminal registration process does not require incarceration, Central Booking is located within the secure confines of the Orient Road Jail. The high traffic of registrants made it problematic for the unit to be located in secure facility space.

The Sheriff's Office closed the Morgan Street Jail in January 2004 and moved its inmates to more efficient, modern facilities—the Orient Road and Falkenburg Road Jails. That realignment of resources allowed the agency to assign two deputies and a civilian community service officer (CSO) to a new Criminal Registration Unit (CRU) established in the administrative wing of the Morgan Street Jail. As of today, the staffing for the CRU has been increased to three deputies and two CSOs.

Steps in the criminal registration process include:

- 1) The registrant signs in and provides state or federally issued identification.
- 2) Separate forms are filled out by sexual offenders/predators and criminal registrants. Sexual offenders/predators also complete a Public Safety Information Act form.
- 3) All persons are fingerprinted and photographed.
- 4) Fingerprints are forwarded to the state and the Hillsborough County Sheriff's Office ID Section for verification.
- 5) Once the prints are confirmed, registrants are given documentation that they are properly registered.

The Criminal Registration Unit also performs numerous additional public safety duties:

- It completes an FCIC/NCIC check for warrants on all sexual offenders/predators.
- It maintains an independent database with information on all sexual offenders/predators and criminal registrants processed by the county.
- It enters information about sexual offenders/predators into the state database.

- It acts as custodian of all criminal registrations in the county.
- It works closely with the HCSO Sexual Predator/Offender Unit to ensure the timely transfer of information.
- It provides a list of all registered sex offenders/predators on a monthly basis to the Tampa Police Department and to U.S. Immigration and Customs Enforcement officials.
- It assists other agencies throughout the country with the location and apprehension of sex offenders/predators.
- It provides liaison with the Florida Department of Law Enforcement and the Florida Intelligence Unit.
- It informs sexual offenders/predators of the county's policy prohibiting them from residing in Emergency Operations Shelters (for example, in the event of an imminent hurricane).

### **Widening the Registration Net**

On May 2, 2005, Florida Governor Jeb Bush signed legislation honoring the memory of child crime victim Jessica Lunsford. Its provisions imposed tougher penalties on sex offenders and predators. The Act requires longer prison sentences as well as lifetime probation and electronic monitoring for sex offenders convicted of crimes against children. Additionally, the bill makes it a third-degree felony to harbor a sex offender and requires sex offenders to register twice yearly.

In July 2006, President George Bush signed the Adam Walsh Child Protection and Safety Act. This bill expanded the national sex offender registry, strengthened federal penalties for crimes against children, and made it harder for sex offenders to reach children on the Internet.

As a result of these additional mandates at the state and federal level, coupled with the fact that FDLE no longer processes any criminal registrants, the jail's workload for registrations has increased dramatically—from 3,695 registrations in 2003, when the ID Section was still responsible, to 10,245 in 2006 under the new CRU.

Figure 1, page 18, presents the growth in criminal registrations over the past 10 years.

The breakdown of 2006 registrants by category was as follows:

- 7,437 felony criminal registrations,
- 3,023 sexual offender registrations,
- 285 sexual predator registrations,
- 148 illegal aliens held for border patrol, and
- 67 persons picked up for warrants.

Figure 1. Growth in Criminal Registrations, 1997 to 2006



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**The Next Phase**

The latest chapter in the evolution of the Criminal Registration Unit involves the county's Self-Arrest Program. Back in 1994, when the county had more than 40,000 unserved warrants on file, the Sheriff's Office began the practice of mailing notices to persons charged with bondable offenses. Initially, the notices instructed these individuals to turn themselves in at Central Booking. Unfortunately, as the workload there increased, processing time did so as well.

The logical solution was to reassign the duty to the Criminal Registration Unit. Because there is no need to actually incarcerate a self-arrest candidate, the CRU was adequate to the task of collecting fingerprints, photographs, and bond money so that individuals could be processed expeditiously. As a result, over two-thirds of the nearly 5,000 self-arrests in 2006 were handled by the CRU instead of further burdening Central Booking.

**T**oday the Criminal Registration Unit stands as an example of how local government can deal effectively with new responsibilities that are mandated by state and federal legislation. It serves as a ready resource to the law enforcement officers tasked with monitoring sexual predators, sexual offenders, and the thousands of felons who return to Hillsborough County from prison each year. Truly, it can be equated to Central Booking in reverse, registering offenders back into the community in an orderly fashion. ■

# No Vacancies?

## Osceola County Finds Keys to Attract and Retain Officer Staff

**T**he recruitment and retention of staff in our jails always—or, at least for as long as I have been a jail manager—has been an issue of concern for managers. Not having enough staff to cover necessary posts, or not having the right staff to fill those posts, puts us in the troubling position of either reducing staff safety to unacceptable levels by leaving posts vacant or forcing tired, unhappy staff into those posts by mandating overtime. Neither option is a good one, and there are no other options when the jail must run.

We all have the responsibility to attract, hire, and retain a qualified staff in a relatively low-paying, relatively high-risk profession with relatively unpleasant working conditions and hours. It seems, from both my experience and my observations, that we attempt to do so by drawing attention to the external attractiveness of a job in our respective agencies. Jails are “spreading a wide net” in our recruiting processes, offering signing bonuses, trying to maintain pay parity with local law enforcement agencies and nearby corrections agencies, and making other efforts that have an outside focus. Despite these initiatives, jails continue to experience a high rate of position vacancies—16% in the Osceola County Corrections Department in 2005—and a national turnover rate that rose from 11.6% in 1994 to 16.6% in 2001 (Corrections Yearbook 2002, Camp, 2003). We jails have not changed our practices much, despite a great deal of discussion and expressed concern. This raises the question, “If we keep doing the same things, why should we expect the results to change?”

During the last 2 years, we in Osceola County have addressed recruitment and retention by using in-house staff and getting support from the county’s Human Resources Department. We have done pretty well. After having an average turnover rate of 15% per year from 2001 through 2005, in 2006 the turnover rate was down to 10%. And, although we will not make our goal of 5% in 2007 unless we have no resignations or terminations for the rest of the year, we do project a 7% turnover rate this year. In addition, during 2007 our vacancy rate has been below 3%—in August 2007, it was 1.5% (with 5 positions vacant out of 337), and all those vacancies were in-process for filling.

I’m not sure if our experiences will fit other agencies, or even if we can maintain the current levels of hiring and retention, but following are the things that we have found to work for us in Osceola County.

*by  
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## Keys to Recruitment

Our experience suggests four actions that can help a jail to locate new hires.

**Define what you are looking for.** Jails need to be realistic in what we want; there are not a lot of super-heroes out there. We need to be rational—what are the qualities of a “good” employee, not a “great” employee? What qualities are absolutely unacceptable? We look for emotional stability, particularly an ability to control anger and impulsive behavior. We also look for someone who is dependable, someone we can count on to be there and be ready to work nearly all the time. We also see rationality as a critical factor—we want someone who has common sense and a demonstrated ability to make reasonable decisions nearly all the time. Although we certainly want good decision-making ability in a crisis, we also want good day-to-day decision-making. Lastly, and with at least a passing nod to the rehabilitative capacity in everyone, we want non-criminals. After that passing nod to the idea that criminals can be rehabilitated, we honestly do not believe we can hire someone whose past criminal associations could affect how the officer manages the offenders under his or her control and responsibility.

**Look where your best hires are.** Our experience has been that the best candidates for the jobs in the jail are those who live in the community served by the jail. Recruits from farther away have no community ties or involvement and little interest in becoming involved. Basically, if they are more than a local call away from the facility, they are probably too far away to be good candidates for a position. Our hope—and one that has, so far, been met—is that the applicants will come to us, based on what they hear from others about the job and our facility. Our staff have turned out to be our best recruiters, both through contacts with family and friends in the community, and through professional contacts they make at professional meetings and training programs. We encourage staff to participate in shared training and meetings/conferences, partly so they can spread the word about our agency and the jobs available there. This approach has been so successful that we have eliminated our recruiting budget for 2007-2008, and we anticipate filling all our vacancies through word-of-mouth recruitment.

**Look within.** Another practice has helped us both recruit staff for non-officer positions and develop a cadre of staff with the potential to become officers. In Florida, all Corrections Officers are, by statute, state-certified. Non-certified staff are mainly civilian technicians and corrections clerks, both of which are uniformed but non-certified. We actively encourage staff who have been hired into clerical and support positions to seek promotions to Corrections Officer, and we sponsor officer training only for staff who are already employees of the agency. This makes our clerical and support positions very attractive to job applicants, and it gives us a pool of potential Corrections Officers who already have a working knowledge of the jail and who have passed all the screening requirements. To date, we have been totally successful with every upward-movement Corrections Officer.

**Keep in touch.** We have found it very important to keep in touch with all qualified candidates for a position in the jail, even if no position exists at the time. A good candidate for us is a good candidate for others, and we do our best to keep those who are interested in a job with us up to date on their prospects. We take a proactive approach, with frequent contacts initiated by our staff.

## Hiring Success

Two main strategies have improved our ability to hire the right people.

**Screen.** We have found that successful retention of staff depends a great deal on having the right staff to retain, so we set some fairly strict but reasonable standards, and we stick to them. Specifically, we require a minimum of high school graduation, with a college degree preferred, at least 2 years of solid work history, and, as indicated earlier, no criminal history. Candidates also interview with a panel of potential supervisors and potential co-workers, and the interview results provide an absolute ranking of hiring eligibility. Although there is always a final, obligatory interview with the Department Director, that is pretty much a formality. An applicant's actual position on our list of eligible candidates for a position is determined by the interview panel, subject to the results of two required tests.

Every candidate for any position in our agency must complete two pass/fail tests. The first is a polygraph test, administered by a private contractor who is not affiliated with the Corrections Department but who works mainly with law enforcement agencies. This test covers all aspects of a candidate's history, including undetected criminal activity. The polygraph operator discusses any questionable results with the candidate and provides a full report of the test. Per the operator, about 10% of interviewees actually lie on the test, and another 7% are disqualified for admitting some previously denied disqualifying behavior. The contractor also advises, incidentally, that a few tests (about 2%) are inconclusive, in that there is no reaction to any question in the test.

The second pass/fail test is a complete psychiatric review by an M.D. psychiatrist. We contract with a psychiatrist who does mainly law enforcement and Federal Aviation Administration assessments. The review looks for personality disorders, checks the candidate's current mental health status, and identifies any background history that may contribute to a candidate's current mental health status and character pathology. Specific areas of focus include anger management skills (or lack thereof), issues with authority, stress-coping capacity, and ability to deal with a "closed" environment. In addition, the evaluation attempts to predict, without complete success, a candidate's level of motivation and interest in the job. Written reports of both the psychiatric evaluation and the polygraph test are provided to us, and, upon request, to the candidate.

**Hire to their goals.** As indicated earlier, we find very few super-heroes in our candidate pool, and we have been most successful in hiring those candidates whose goals are within the agency's capacity to meet them. Goals we can meet are realistically limited to a stable income, stability of employment, a potential for entry into other law enforcement careers, and the probability of career advancement within the agency. During the hiring process we attempt, fairly successfully, to determine the identified goal or goals of each applicant, and, as part of our retention efforts, we provide employees the career path most appropriate to their goals. We know that some employees want to move up or out as soon as possible, while others will be most happy to remain in a comfortable line-level position through their entire career. We believe that we have opportunities and a place for both sets of aspirations.

## Retention

Our efforts to retain staff have also been evolving. Most of our newer approaches have to do with relating to our staff in ways that support them as people who want to do their best. Following are our suggestions for keeping staff.

**Communicate.** One thing we have learned is that today's staff are not the staff that we—or at least I—grew up with. The militaristic model of management does not work well with younger staff, and retaining these staff requires us to keep in touch with them. We have learned to provide avenues for staff to communicate their ideas and concerns to management, and we have found ways to show that we, as managers and supervisors, have received, considered, and acted on those ideas and concerns. We have also learned that staff who stay with us for the long haul expect us to listen to them, to be there for them, and to explain to them what we do and why we do it in ways they understand. Today more than ever, retention of quality staff requires “managing by walking around” and clearly communicating both our expectations and the reasons for them.

**Balance expectations and needs.** Another thing our agency has dealt with is differentiating between how we senior managers expect staff to look and behave and how they need to look and behave to do their jobs. We looked objectively at every aspect of our employee performance requirements, and we found many things that were more a historical expectation than a valid need. One example is facial hair, which we had previously prohibited, but which we decided to allow because we could find no performance requirement related to facial hair.

Another very controversial issue was allowing staff to carry personal cell phones on the job. We had historically prohibited personal cell phones, as have most correctional facilities, because of valid concerns about inmate access. However, cell phones have been allowed in situations with supervisor approval for quite a while, and we found little information to indicate inmate access was occurring. We also found that many of our staff had family health or child care issues that warranted some type of fairly quick communication in case of an emergency, and we found our facility was unable to provide that communication when needed. In the end, we decided, although not unanimously, that allowing staff to carry cell phones on duty did not create a major security problem, and that it did alleviate staff concerns about off-the-job issues requiring communications with family members. Though cell phones have not been used inside for long, there have been no problems at all with the practice.

Another controversial issue was allowing staff some ability to adjust their work hours to accommodate temporary or unexpected family needs. Traditionally, correctional agencies have been firm about expectations that all staff be on-duty and on-time when scheduled, and very intolerant of personal life issues that interfere with those expectations. We followed that model until recently, and at times we lost qualified staff who had emergency problems—usually with non-health-related child care issues—that interfered with their ability to report to work as scheduled. We have revisited that standard and have found that, in almost every situation, we can make temporary schedule changes that will allow staff to both manage their emergency needs and fulfill the basic requirements of their job, even if those requirements include a post assignment.

**Attend to staff safety.** Given that our work is with individuals and groups who have a documented history of impulse and anger management problems and poor decision-making skills, staff safety and staff perceptions of that safety are major components of staff retention. We do everything we can to keep staff safe and to see that our staff are aware of what we are doing to keep them safe.

- We ensure that every staff member who is on duty and potentially in contact with inmates is carrying a radio, has rapid access to a telephone, and has rapid access to either a “panic button” or an internal communications “squawk box” that has a direct connection to the always-staffed Central Control Room.
- We ensure that every staff member with access to inmates is trained in the use of chemical agents and carries a chemical agent canister when on duty.
- We attempt to maintain remote video monitoring of every staff member, and we keep staff aware of both the monitoring and where the “blind spots” are in the monitoring system. As with the internal communications system, all video monitors are in the Central Control Room.
- We expect supervisors in the jail to maintain contact with the staff under their supervision and to make frequent and irregular visits to all posts. The purpose of these visits is not to check up on what staff are doing, but to let both staff and inmates know that supervisors are always nearby and able to respond quickly and effectively to any threat to staff safety.

**Be fair.** Although Osceola County Corrections does not have a union, we do make all shift and post assignments by bid. Eligibility for a shift and post are determined strictly and totally by seniority in the job classification. We do this because we believe this is the only way to demonstrate absolute fairness in determining such assignments. When this policy was initially implemented, we lost more than one very qualified staff member who had been placed in a “special assignment” due to legitimate qualifications, proficiency, and/or interest. In the end, however, we managed to retain most of the affected staff and to establish a consistent, easily-understood system of staff assignment.

We now have annual bids for every post except those that are single-person job classifications, such as the Department Director position, and we post and allow bids for any post vacated by termination or promotion during the year. We do, in addition, allow “shift swaps” between two staff members in the same job classification if both agree to the swap, but we expect staff doing the exchanges to fill the post of the co-worker involved with them in the exchange.

**Use exit interviews to improve retention.** We conduct exit interviews with every staff member leaving the department, whatever the reason for the termination. We share information from the interviews with supervisors and managers, and we clearly express our policy of no negative repercussions of any kind for anything said in an exit interview. We also have a clear policy of no negative actions against any supervisor or manager as a result of an exit interview. We have learned a great deal from these interviews about what we can do to retain staff.

We also have learned that there are some circumstances in which an employee will leave us no matter what we do to attempt retain him or her.

### **Additional Issues/Questions**

I think we are doing a decent job of hiring and retaining quality staff, but there are a couple issues that we have not yet resolved to our satisfaction.

**Hire-backs of resignations/terminations.** A number of staff have left the Corrections Department and later asked to be considered for re-employment. Some left in good standing for personal or professional-advancement reasons, others left at our request, and still others failed to successfully complete their probationary period. We have looked hard at all three groups because they are already trained, they are experienced, and/or they have tried other employment and decided they were in a better place with us. On the other hand, re-hiring someone who left, especially someone who left in not-so-good standing, raises the possibility of a negligent hiring legal issue, perceptions of returning a “bad apple to the barrel,” and questions from other staff about management, selection, hiring, and, in some cases, disciplinary actions. We have—so far at least—leaned mainly to accepting back anyone who left in good standing and being very selective in returning anyone to the job that left it against his or her will. We have had fairly consistent success with the former, and total success with the latter. It must be noted, however, that we have returned very few formerly terminated staff, and those have been employees who left under somewhat questionable circumstances in the relatively distant past. In such cases, we subject the candidate to the entire standard hiring process, including the polygraph and psychiatric evaluations.

**Balancing vacancies and overtime.** We have not come to any final policy on how to handle the negative spiral of position vacancies that lead to increased overtime that leads to more vacancies due to staff burn-out. In the past, we have experienced high vacancies and difficulty recruiting applicants. This gave us the very unpleasant choice of either risking even more vacancies by mandating overtime for tired, burned-out staff, or risking the safety of on-duty staff by running the jail with vacant posts. We learned that staff generally will tell you what works best for them, if you ask them and listen to what they have to say. Our staff tended to prefer mandated overtime to short-staffing, as long as they were confident we were taking steps to bring staffing back up to a reasonable level.

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### **Final Thoughts**

- Recruitment is looking for the right people in the right places.
- Retention involves hiring the right people, listening to them, and treating them as professionals.

Although no single thing we did was totally effective, the combination of things we did got us to the current point of nearly-full staffing and low turnover. I hope readers find something in what I have written that will be of value to them. ■

# Managing Lesbian, Gay, Bisexual, Transgender, and Intersex Inmates:

## Is Your Jail Ready?

**T**he call came from booking: "You gotta get down here and see this woman being booked! She's a '10' if I ever saw one!" Off to booking and sure enough there's a female officer pat-frisking a stunning '10.' Everything's fine until the search hits the crotch. By the look on the officer's face something is amiss, or more accurately something is a-present. Off to the strip search room where there is a shocking discovery: this is no woman—at least not in the conventional sense. From the waist up she looks like woman, but from the waist down he appears to be a man.

This dilemma generated discussion on where to house this person, who is going to do the searches, and what about the hormones she needs? It was the 1980s and our first major exposure to the issues raised by transgender offenders. While some of the decisions we made worked back then, those same decisions would not be made today. Times have changed.

The changing of the times is reflected in recent NIC-supported work by the Center for Innovative Public Policy. In a meeting earlier this year, discussion focused on identifying issues associated with managing this group of offenders in the nation's jails, with an emphasis on personal safety. Beyond our profession, awareness is also emerging within the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community about how jails manage, supervise, and house people from these populations. A number of national and regional organizations represent the interests of these individuals in social, legal, and political contexts. Cases being heard in courts all over the country are addressing aspects such as the provision of hormonal medications to transgender offenders, the continuation of transgender-specific medical procedures, and the development of gender awareness in areas such as housing and searches.

All of these issues will continue to be reflected in changing jail operations. My goal here is to discuss some facets in a non-academic manner and also without being too elementary. Forgive me if this article generates more questions than answers, as the subject is an example of currently evolving community standards and the reflection of those standards on jail management.

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## A Terminology Lesson

Definitions can vary widely for terms we use in this area. Even within the LGBTI community there is some disagreement about appropriate terminology. Different terms are used to refer to a person's sexual orientation, which is a separate issue from his or her gender identity, which may or may not match the evident physical anatomy.

The terms gay, lesbian, and bisexual relate to *sexual orientation* and denote a person's orientation toward someone else, in terms of sexual desire—whom a person finds sexually and/or romantically attractive.

- **Lesbian**—Typically a lesbian is someone with a female gender identity and female anatomy who is sexually attracted to other women.
- **Gay**—Typically a gay person is someone with a male gender identity and male anatomy who is sexually attracted to other men.
- **Bisexual**—Typically a bisexual person is either someone with a female gender identity and female anatomy who is sexually attracted to both men and women, or someone with a male gender identity and male anatomy who is sexually attracted to both men and women.

*Gender identity* refers to a person's internally felt sense of his or her own gender (sex), without regard to physical traits present at birth. Gender identity can match, or not match, a person's physical characteristics.

- **Transgender**—This word describes a person whose internal gender identity it is at odds with his or her anatomy. These people feel as if they were “born in the wrong body.” Transgender persons may seek hormone treatments or sex reassignment surgery to match their internal gender identity. Transgender people may either be a “trans-man” (a person changing from female to male physical characteristics) or a “trans-woman” (a person changing from male to female physical characteristics). Transgender people may have a sexual orientation that is straight, bisexual, gay, or lesbian relative to their internal gender identity.

Issues within the *physical anatomy* are reflected in another term that is important for jail managers to understand.

- **Intersex**—This term describes a person with atypical reproductive or sexual characteristics. A variety of conditions can be involved. Intersex people develop before birth with a genetic disorder of sex representation/differentiation. They are born with indeterminate genital structures that are not entirely male or female, that may show a combination of both male and female features, or that may be differently or under-developed. Effects may be present both externally and internally. The external indicators may not be physically obvious; some individuals outwardly appear male or female but internally have a mixed sexual anatomy. No intersex person has a complete set of both male and female organs. Intersex persons may have either a male or a female gender identity, and their sexual orientation may be straight, bisexual, gay, or lesbian relative to their gender identity.

## The Sexual Being

There seems to be a three-sided matrix for what I am terming the “sexual being”. One side of the “sexual being” is physiognomy (genitalia, or “plumbing,” and secondary sexual characteristics such as breasts and facial and body hair), the second is gender identity, and the last is sexual orientation.

**Physiognomy.** Physiognomy, for the vast majority of human beings, is either male or female. Intersex persons are an exception, though the differences may not always be apparent from a simple, external examination. Transgender persons who are in transition to a new physical sexual identity also can present ambiguous physical characteristics. The most common procedure in a jail for determining an offender’s “sex” (here sex equaling physiognomy) is a visual examination by an officer, or if needed, by medical staff. The outcome of this examination is the pronouncement of either “male” or “female.” With this declaration come management, supervision, and housing practices pertinent to that sex. When physical sex is not easily determinable, problems can arise.

**Gender identity.** Gender identity is trickier. There is wide variation on the definition of “gender identity,” and the meaning continues to change as societal norms, mores, and values evolve. Definitions also can be particular to individual cultures. Generally, gender identity is what a person feels him- or herself to be internally—either male or female. It is the sum of the clothing, behaviors, roles, etc., that a person demonstrates or identifies with on a continuous and on-going basis. As such, gender identity can be subject to change. It is difficult for me not to over-simplify the concept of gender identity; it is complex and difficult to grasp.

In most people the gender identity and physiognomy are in line (male body with male identity, female body with female identity). But this is not always the case. There is growing acknowledgment in the medical and mental health fields of a condition termed “gender identity disorder.” According to the *Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition* (DSM-IV, published by the American Psychiatric Association), gender identity disorder is the presence of a persistent and strong cross-gender identification. These persons do not merely want to be a member of the other gender, but they also experience discomfort with their own physiognomy as well as clinically significant distress or impairment in social, occupational, or other important areas of functioning. Persons with gender identity disorder often report feeling out of place in their body. As adults many of these persons express a strong desire to live as a member of the opposite sex. Increasingly there is recognition of gender identity disorder emerging during childhood. In April 2007, for example, Barbara Walters hosted a “20/20” television program segment titled, “Born With the Wrong Body,” that focused on the issue of juvenile transgenderism.

**Sexual orientation.** Add the last element, sexual orientation, and you have the total sexual being. Sexual orientation refers to the erotic and romantic attraction a person feels toward men and/or women. In the majority of people, their sexual orientation is an attraction for a member of the opposite sex, a condition referred to as heterosexuality. The most complicating element in the matrix, for purposes of jail management, is sexual orientation.

Things can get tricky in mixing and matching the three elements. In the majority of people the breakdown is simple: most men have male anatomy, a male gender identity, and an attraction to women; most women have female anatomy, a female gender identity, and an attraction to men. This is considered the “norm” (not to be confused with “normal”) or the typical human sexual being.

But other combinations are being encountered or acknowledged in our society with greater frequency, such as in gay and lesbian populations whose attractions are to the same sex. Transgender persons can present even greater diversity. For example, one transgender person can have male genitalia, a female gender identity, and an attraction to women or men or both. Another may have female anatomy, a male gender identity, and an attraction to women or men or both. When non-“norm” people are detained and placed in jail, it becomes our issue to sort out for safety and management purposes.

### **Responses in the Jail**

The government’s obligation upon incarcerating a citizen is to provide for a reasonable protection of that person, as derived from the 8th and 14th Amendments to the U.S. Constitution. Jails have a duty to take reasonable measures to guarantee the safety of inmates from assault, suicide, fires and other facility dangers, and preventable illness. We are charged with preventing assault and excessive use of force as well as suicide and self harm; we must respond to serious medical and mental health needs; and we must avoid unconstitutional conditions of confinement. The fundamental question is, “How do we uphold our obligations in managing GLBTI offenders?” This question gives rise to a host of other questions—some not easily answered.

I would venture to say that most jails have adopted the position that any sexual behavior in the facility is a rule violation. Sex between any persons in a correctional setting is forbidden, period. Whether that behavior is homosexual, heterosexual, or bisexual is of no consequence. Our focus is on the potential for victimization, regardless of sexual orientation. Most jails have clearly defined policies on the housing, supervision, and management of heterosexual, gay, and lesbian offenders, but what about transgender and intersex offenders?

Housing heterosexual inmates is straightforward, all other classification factors being equal. For gay and lesbian inmates, many jails—my own included—do not have a blanket policy of segregation. A decision to segregate gay or lesbian inmates is usually based upon an articulated risk, derived from current or previous institutional behavior where the need for segregation has been identified, or a request for protective custody. Protective custody may be offered with a waiver option, which the majority of our gay and lesbian offenders prefer to do. Inmates who can function in the general population are permitted to remain there, unless a situation arises requiring a change in status (victimizing or being victimized, consensual sexual activity, behavioral problems, etc.). Similarly, with bisexual inmates, protective custody housing typically is offered, with the inmate having the opportunity to waive out to the general population.

Transgender people typically are placed directly into protective custody with little opportunity to waive out. Some transgender persons are in the process of changing their physiognomy via sexual re-assignment when they reach our jails.

The process involves counseling, lifestyle changes, hormone replacement therapy, and ultimately surgical procedures to either implant or remove breasts and to reconstruct the genitalia. During this process, many live as a member of the sex they plan to be. This raises questions for jail managers in several spheres of our operations.

**Medical care.** What different medical and mental health services must we provide to transgender offenders? Is there a need for a greater level of service and support for the sexual reassignment process than the jail now provides? What is the potential psychological impact of impeding the sexual reassignment process while the person is in jail? Does this impact rise to the level of a “serious medical need”? Who is qualified to make the determination of “serious medical need”—a general practitioner, or a specialist in sexual reassignment surgery?

There is some caselaw that recognizes that a person undergoing sex reassignment process has a “serious medical need” for continuation of hormone treatments. For example, see *Wolfe v. Horn*, 130 F.Supp.2d 648 (E.D.Pa. 2001), which states that “...transsexualism [transgenderism] has been characterized as a “serious medical need...” and *Kosilek v. Maloney*, 221 F.Supp.2d 156 (D. Mass. 2002). But little has been said thus far concerning the continuation of the surgical procedures. Advocates of the LGBTI community would argue for continuation based upon the negative psychological and physical impact of stopping the process. For those jails holding inmates for periods of a year or less, this may be considered to have minimal impact. But some jails can house inmates for 5 years or more. What, then, are their responsibilities?

**Data systems.** Do we book transgendered or mid-change persons into our management information system (MIS) as a male or a female? Is the official sex of the offender going to be based on the offender’s perception of their sex rather than their current physical characteristics? Do we begin to ask offenders to state their gender identity? Will gender identity have as big an impact on offender management as the inmate’s sex?

What is the basis for determining designation of sex in the MIS? Do we get this information from the detainee? the arresting officer? the booking officer? medical staff? Do we rely on DNA and XY/XX chromosomes? Should we create an officer position with special training in the new process of “SID—sexual identification”? (This is a hypothetical post involving an officer assigned to identify the sex of individuals based on their physiognomy.) Do we change sex information in our data systems once the surgical procedures are completed? If the offender is now a “trans-man,” do we change our records to reflect that transformation? Or might we simply place this information into the file as another form of alias?

Typically jails base the determination of an inmate’s sex on the physiognomy of the offender. Line officers make this determination by asking the detainee or by looking at the detainee unclothed. In situations where there may be some ambiguity (such as with transgender persons in the middle of surgical reassignment or those in the intersex population), officers will resort to medical staff for a recommendation. This has worked well for the most part, until now. Now consideration may have to be made for gender identity.

**Security.** Do we conduct searches differently with transgender inmates based on their gender identity? Do we match the sex of the officer conducting the search to the gender identity of the offender? Is it intrusive if a search of a transgender offender is conducted by a member of the opposite sex? Is there a perception of being violated similar to that which could be experienced by a person with female anatomy and female gender identity if searched by a male officer? Is there an issue of intrusiveness when a male with a female gender identity is searched by only a male officer? If an inmate with a female gender identity is more comfortable being pat searched by a female officer, do we comply? On a strip search, should there be a policy that searches of transgender inmates are conducted by a “mixed” team of one male and one female officer? How should we approach searches of intersex inmates? We all acknowledge the legal requirement that strip searches are conducted by a member of the same sex (except in exigent circumstances), and we accept the legal implications of violating this caveat.

**Housing.** Do we house inmates differently based on transgender status and gender identity? Do we disregard physiognomy in making housing decisions? Do we place a trans-woman in a female housing unit even though she still possesses male genitalia? And what about housing a person with a female physiognomy but a male gender identity with males? Attorneys for the GLBTI community would make a case for these placements based upon the psychological impact of housing an inmate with persons of the opposite gender identity.

**Clothing.** Clothing also raises questions. If we provide women with bras, do we provide trans-women with bras as well? Female inmates often have access to the same clothing as males, but in a jail where women wear different clothing than men, what accommodations will be made for transgender persons or those with a different gender identity? If we are now more accepting of females walking around in men’s clothing than of men wearing panties and bras, might this need to change? And what about curlers and other accoutrements associated with female behavior and dress—should we allow trans-women with male “plumbing” to have them also?

**M**y intent with this article is to open a discussion about our changing understanding of the nature of the human, “sexual being” and its impact on jails. Society is changing, and in jails we will have to alter the way we do business to reflect these changes. Consider how the civil rights movement brought about significant changes in corrections practice. LGBTI groups are pushing an agenda that could have a similar impact. As always, jails will be better prepared to navigate these changes if they proactively address them rather than waiting until external forces bring the issue to the forefront. ■

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# Evidence-Based Practice in Los Angeles County Corrections: A Top-5 List of Real-World Foes

One of my goals—and passions—is to bring evidence-based practice to the world of crime prevention and intervention. There is such great potential for changing the attitude, behavior, and circumstances of people headed for, or cycling through, the justice system. Research shows that we could rescue so many families and communities from the devastation of violence, drug abuse, unemployment, and hopelessness if we were just to do things right. We could save billions of taxpayer dollars in the process.

This is especially true in the world of reentry. It begs the question: Why are we as a society not following the research? Why do we continue to invest in efforts that have always failed and are guaranteed to fail in the future?

One answer is that the real world is messy. A recent scene in my office is an example. At around 8:00 p.m. on a Tuesday evening, a 27-year-old inmate who was about to be released from jail asked, for the first time, for help from the Community Transition Unit (CTU), a small unit in the Los Angeles County Sheriff's Department that provides transitional services for inmates. Within 2 hours, the inmate was in a taxicab headed to a small apartment that housed three other men. (There were no services attached to basic housing arranged by the CTU.) He was driven to an office the next day to sign up for General Relief benefits, including \$221 per month.

The CTU does not have the staff for any significant follow-up case management, and we are actually prohibited by law from providing it. I have no idea what happened to that former inmate, but we hope our support gave him the break he needed to start a new life.

Evidence-based practice? Clearly not. The best we could do given the real-world circumstances? Clearly yes.

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## What Is Evidence-Based Practice?

A comprehensive explanation of evidence-based practice cannot be found in one, simple place. My understanding of evidence-based practice comes from many sources. For those who are just learning about it, a few of my favorite sources are the Washington State Institute for Public Policy ([www.wsipp.wa.gov](http://www.wsipp.wa.gov)), the articles of Dr. Edward J. Latessa of the University of Cincinnati ([www.uc.edu/criminaljustice](http://www.uc.edu/criminaljustice)), and the online library of the National Institute of Corrections ([www.nicic.org](http://www.nicic.org)).

Evidence-based programs are so exciting because they give us a guide to success. Their effectiveness is supported by the highest available form of empirical evidence—a large number of controlled studies. Simply stated, such studies show that successful programs have some common ingredients:

- The client is assessed properly;
- The case worker focuses on the client's traits that lead to criminal activity (known as criminogenic needs), such as attitude and impulse control;
- A cognitive-behavioral approach is used to help the client change, and efforts focus on high risk clients; and
- The program model is followed with fidelity.

Los Angeles County's CTU is attempting to shift its practice to match the research. Ideally, this means that upon an inmate's entry into jail, a highly trained person would assess the inmate and create a case plan to meet his/her criminogenic needs, and then the agency would provide a high-quality, cognitive-behavioral-based program and continuity of care after release. The challenge is a big one.

## Ranking the Obstacles

The term "evidence-based" evokes an image of scientific sterility, and agency personnel often forget that mundane-sounding challenges can get in the way of implementation. My experience has shown me several of the real-world foes of evidence-based practice.

These are the "Top 5" challenges that keep me awake at night. I'll also share what we in Los Angeles County are doing to meet those challenges. My aim in sharing these strategies is to help guide those who are about to embark on the challenge of implementing this type of change in their own organizations.

### Obstacle #5—Hierarchy of Needs

Running any city is a complex operation. The task of running a jail full of violent, dysfunctional, and unhealthy people going to and from court each day is mind-boggling. In other words, jails are constantly in survival mode. Also significant is that jails are run by law enforcement professionals, not social workers. Thus, reentry work often falls to the bottom of the priority list.

REENTRY  
OBSTACLE

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Los Angeles County provides a perfect example. The Los Angeles County jail is the largest in the nation, with an average daily population of more than 19,000 inmates and over 200,000 inmates cycling through each year. About 10% of these inmates, or roughly 20,000, are homeless persons who present myriad challenges as they cycle through the jail each year. Our jail also is the largest mental health institution in the nation, with over 1,400 inmates each day receiving psychotropic medications. There also is a very large population of violent gang members. Under these pressures, it is easy to see why historically, reentry issues could get lost.

In 2000, Sheriff Lee Baca addressed this challenge by creating the Community Transition Unit, staffed by 18 custody assistants, four sergeants, and a unit commander. Operation of the unit is supported by the Inmate Welfare Fund—revenue earned when inmates make phone calls or purchase food, personal hygiene items, or over-the-counter medications. This funding protects the unit from the ups and downs of the county budget. The downside is that California penal code requires that inmate welfare funds be spent only for inmates inside the jail walls, which prohibits the CTU from providing direct services to ex-inmates after release. We successfully sponsored a bill that will allow us, beginning in 2008, to spend money for 14 days of post-release services. We hope this will provide a small increase in flexibility.

Sheriff Baca also brought in a civilian director, Karen Dalton, to oversee the CTU as well as to manage all jail programs. In July 2006, I became the first civilian head of the unit. Civilian personnel are important to the equation because they do not move around like sworn employees tend to do.

We have been able to create, from the basis of a stable CTU, a slow and steady drumbeat to raise awareness of reentry issues:

- At policy meetings around the county, the Sheriff's Department is there to make sure reentry issues are addressed.
- At weekly meetings with the Sheriff and his chiefs, success stories about inmates who changed their lives with the help of the CTU are added to the discussion along with "cop" stuff.
- A data systems upgrade and web-based case management system have been given top priority.
- There is political support for adding more CTU staff.
- The department's Training Division funded training on motivational interviewing, evidence-based practice, and case management.
- Through a strong partnership with the administrative office of our County Board of Supervisors, I received permission to hire our first social worker to bring in needed expertise.

In years past, these efforts would not have been on the radar screen. In other words, we now have buy-in, a crucial first step in making evidence-based work

possible. We have significantly raised reentry in the hierarchy of agency priorities by showing its payoff to the agency and community.

### **Obstacle #4—Funding**

I list funding for doing high-quality work as Number 4, instead of Number 1, because the amount of money missing from the pie is not large. My unit has 25 employees and a \$2.1 million budget. A number of non-profits receive funding to do reentry work, and government agencies, like California State Parole, Los Angeles County Probation, and the Los Angeles County Department of Public Social Services (DPSS) spend hundreds of millions of dollars per year on ex-offenders.

The problem with funding is that very little money is being spent with a focus on shifting to evidence-based work. There is scattered money available for training and outcome measures, but that does not come close to helping organizations achieve real change. To really succeed with evidence-based practice, funders must understand the difficult steps needed to implement proven practices.

- Employees must be trained—by the right people—and trained again, and then trained again to reinforce changes in the way they work.
- Staffing models must be shifted to free people up to do more intensive work, which usually requires at least a small increase in staffing.
- Outcomes must be measured quickly and continuously so that there is an information feedback loop.
- Finally and perhaps most critically, someone who understands and believes in the process must be given the time to drive it.

In Los Angeles County, we have begun to increase funding to make these things happen. The Sheriff's Department hired a civilian with experience in these issues (me) to run the unit. We received the needed funding to hire a social worker and get training. We asked for and received \$1.5 million from elected officials—our Board of Supervisors—to fund a small pilot to demonstrate how inmates should be assessed and case-managed. We trained two staff members on a cognitive-behavioral program called Moral Reconciliation Therapy (MRT) and now plan to begin delivering MRT to inmates. Finally, we also have started a process to move a number of female inmates into a treatment dorm to give us greater flexibility in delivering inmate programs.

While we have a long way to go, these are examples of small steps to shift our day-to-day practice. The amount of money we are investing is relatively small, but it is all focused on our goal of change.

### **Obstacle #3—Logistical and Systemic Hurdles**

There are plenty of hurdles in the general community to evidence-based correctional practice. In jail, hurdles can grow exponentially. For example, because



inmates may be released directly from court or at 2:00 a.m., and transportation from the jail is not fully funded, our ability to deliver smooth, continuous case management is hampered. Jail stays are often short, and they can be made shorter by an early release policy to ease overcrowding. Inmates are constantly moved around the facility based on their security status and crowding, making it difficult to sign them up for and keep them in programs. Some drug treatment programs require from 100 to 300 hours of classes to be effective, and often it is difficult to find jail inmates who are in one place long enough to participate in class for that many hours. The list goes on.

In Los Angeles County, these hurdles often look like mountains given our massive population numbers and agency size. We book and release between 500 and 800 inmates daily. To chip away at the obstacles we face, we are again taking one step at a time.

- We are upgrading our data systems to help track the movement and release dates of inmates.
- We are building relationships with public defenders to coordinate the release and sentencing process.
- We are building relationships with community providers to start the case management process as soon as possible and create a smooth transition upon release.
- We are going through a planning process to shift the way we take on clients, with the goal of focusing on “frequent flyers” so we get more results for our efforts. I would feel better intervening with 100 high-risk people who cycle through the jail over and over again, using proven programs, rather than providing 2,000 random people with ineffective services, however sincerely intended.

### **Obstacle #2—Bureaucracy**

In my prior lives as a lawyer and a staffer for an elected official, I complained about “bureaucracy,” but I never really knew its horrors until working at the front lines of government. The bottom line is that government processes have been set up with actually getting things done as the last priority.

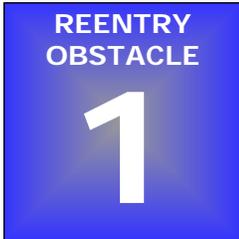
Personnel rules are concerned, to an incredible extent, with making sure a person’s duties match a description of a specific position on the books. If it so happens that you want to hire someone to do, for example, high-quality assessments or cognitive-behavioral programming, but there is no position listed on the books for those duties (and of course there is not), it can take a year just to create the position on the books.

As another example, rules around contracting show extreme sensitivity about being fair and not showing bias toward or against any particular contractor. The fact that it is almost impossible to hire a competent company within a reasonable amount of time is just shrugged off as an accepted inconvenience.



No one can really take the blame for these obstacles. These layers of rules have been added over years and years. But somewhere along the way, the purpose of hiring and contracting—that is, to actually benefit the public—got lost.

Bureaucracy is one of the greatest affronts to doing evidence-based work. To defeat this foe takes persistence, patience, and the awareness not to underestimate the challenge. I have started to educate policy-makers that this boring and “technical” topic can pose the greatest threat to change. I did not completely understand the reality of the situation when I worked for an elected official. It is safe to bet that many other well-intentioned people do not understand it either.



### **Obstacle #1—Capability**

The most important question to ask when implementing a plan to change the way an organization functions is, “Who is going to do the work?” This question is too often forgotten in high-level policy meetings about evidence-based practice. The answer, very often, is that almost no one in the organization has been trained in and understands how to do evidence-based work.

Evidence-based practice is relatively new, and much of it has been couched in mental-health lingo that can make the most interested person’s eyes glaze over. In Los Angeles County, for example, a tiny fraction of private sector or government case workers and social workers have been trained to assess clients using validated risk/needs tools or to deliver cognitive-behavioral interventions.

As a result, the best-intentioned elected official, department head, or nonprofit board can demand that staff improve the quality of work being done by their organizations, but seldom is anyone prepared and qualified to do it. To make matters worse, when you find someone who can do the work, it is difficult to hire them because of Reasons 1 through 4.

### **Where to Start?**

Many of the strategies outlined here take significant time to implement. In the short term, the solution is to find a core group of advisors who can help you navigate the implementation of evidence-based practice. When I knew nothing about evidence-based practice, it took me over a year to find people I trusted to guide me on how to find training, how to measure quality, and how to talk about this topic in a manner that would engage and motivate organizations to change. As I work through the challenges of Reasons 1 through 4 and prepare to implement proven programs, the relationships I’ve built with my advisory team will be crucial to my success.

**J**n the long term, we corrections and justice system professionals must create partnerships with universities to train our young case workers, social workers, and criminologists differently. It is becoming more and more important that they leave school with practical skills—not just theoretical knowledge—for helping offenders change their lives. Otherwise, we can have all of the funding, coordination, and political will in the world, and we still will be left without the ability to implement effective programs. ■

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# Community Reentry Programs:

## Their Impacts on Offenders and Recidivism Rates

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### **Davidson County Sheriff's Office Mission Statement:**

*With a commitment to excellence, we strive to be the leader in the field of corrections, service of civil process and community-based programs; emphasizing accountability, diversity, integrity, and professionalism.*

**T**oday, our jails and prisons are filled to capacity with our men and women, sons and daughters. There appears to be no relief in sight for the congested corrections system, even though national crime rates are on a downward spiral. Studies show that the majority of those who are incarcerated are ex-offenders who have been rearrested, reconvicted, and sentenced to longer prison terms. Some argue that the traditional methods of release—probation and parole—do not work, and that they only exacerbate the problem. Others suggest that restricted community resources and gaps in services are major contributors to ex-offenders' relapses to criminal behavior. It is my view that, rather than re-arresting our sons, daughters, and family members, communities can arrest the problems by focusing on the root causes of recidivism.

One way to facilitate successful offender reintegration and reduce recidivism rates is through community reentry programs. Reentry programs provide an opportunity to influence the offender's behavior, they connect ex-offenders to vital community resources and services, and they provide avenues for housing, employment, and health care services. Most importantly, reentry programs assist offenders in making a productive transition back to the community while improving their quality of life.

### **Impetus for New Thinking**

Statistics from early in this decade showed that jails in Davidson County, Tennessee, release nearly 11,000 offenders annually, and that about 39% of them return to jail within a year of release. In 2003, the Davidson County

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Sheriff's Office began to take a closer look at the real issues surrounding recidivism, as well as considering how the agency could have a positive impact on the revolving door effect. Sheriff Daron Hall emerged from these explorations with a vision, which he summarized this way:

*"The police department can arrest the person, and the Davidson County Sheriff's Office will arrest the problem by determining the root cause and by providing treatment, social skills education, and community resources for a more positive and productive community reentry."*

With this aim in mind, our agency constructed new correctional facilities conceived of as a conduit for preparing offenders with the necessary skills and resources to successfully reintegrate back into the community. In 2004, we opened the Offender Re-entry Center (ORC), meeting a need for additional minimum-security beds within the county's correctional system. The 300-bed facility provides an environment that promotes positive social behavior through counseling, mentoring, program participation, employment, and community reintegration.

There are three core ORC programs:

- The Work Release/Education Release Program gives offenders an opportunity to be gainfully employed or to continue educational/vocational learning while in custody. Offenders who participate in the work release program can provide continual financial support to their dependants and meet other personal monetary obligations.
- The Correctional Community Service Program delivers services that directly benefit the community and taxpayers of Davidson County. As appropriate to their classification and custody levels, offenders are assigned to perform various tasks within the community. Examples include litter and bulk items collection, lawn care, and janitorial services. We believe that participating in the community service program helps offenders learn to value a strong work ethic, a feeling of civic duty, and a sense of community.
- The Day Reporting Program is an alternative to incarceration that primarily provides services geared toward assisting offenders with reintegration into the community. Offenders reside within the community while under the strict supervision of DCSO. The program requires its participants to engage in specific programs, such as GED, criminal thinking, financial planning, and aftercare.

## **System and Process Issues**

Having created these programs, DCSO was confronted with an operational issue—how could we move offenders through a new and different process, so that more could take advantage of the program services offered at the ORC? We believed it was extremely important for offenders to participate in programs and receive the kinds of services needed to keep them from returning to jail. As a result, our agency developed a systematic approach that begins soon after an offender is arrested and booked into jail. We believe that a successful reentry plan should start immediately upon arrest. Therefore, it was imperative that the

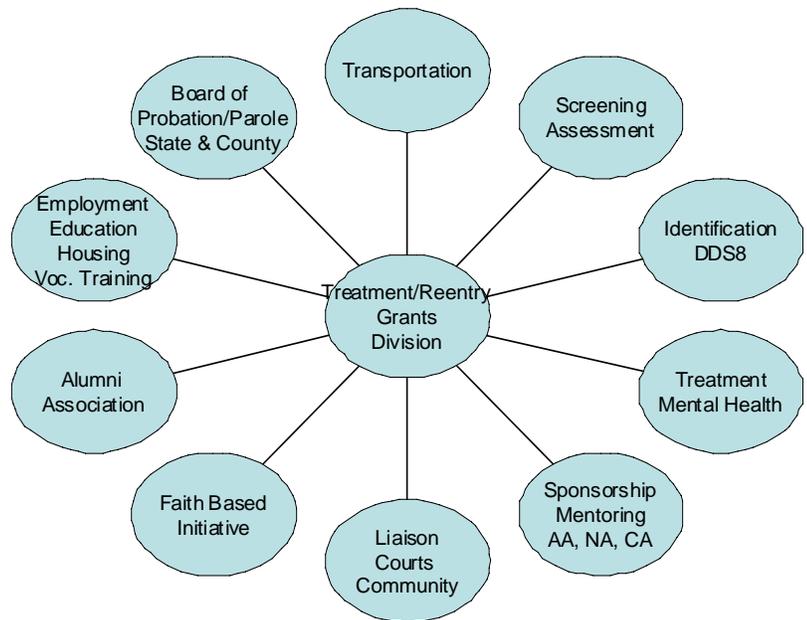
Sheriff's Office drive the reentry process from the beginning of incarceration until release.

The Sheriff's Office in December 2005 developed a reentry steering committee to evaluate current services and explore new, innovative community-based programs, with a focus on ensuring that all offenders would receive a continuity of care both pre- and post-release. Committee members included specialists in the areas of alcohol and drug assessment and treatment, mental health, probation and parole, faith-based initiatives, education and vocational training, employment, housing, and the overall criminal justice system. Our goal was to explore every possible avenue that could help offenders to be productive citizens upon release from custody. According to Paul J. Mulloy, DCSO Program Director, "The key for success, in terms of reentry, is the collaboration and cooperation between the Davidson County Sheriff's Office, the criminal justice system, and the Nashville community."

Consequently, the steering committee implemented a systematic approach that connects specific resources to the overall goal of successful reentry. Figure 1 shows these various resources as coordinated by the Treatment/Reentry Grants Division, a bureau created within the Sheriff's Office that handles funding and coordination for the new reentry service components. Over the past 4 years, our organization has been extremely fortunate in being awarded significant grant funding, aided by a centralized grant selection and writing process as well as centralized monitoring and control methods. The range of services and partners shown in Figure 1 also reflects the needed linkage between the elements of incarceration, offender needs, and community participation when developing a successful reentry plan.

According to Jeaniece Shearon, DCSO Re-Entry Specialist, "We have been very successful building relationships in the community. The networking between the DCSO and other community organizations is critical. It is imperative that we close the gaps in fragmented areas to minimize the possibilities for offenders to slip through the cracks of our system. Community organizations offer the kind of support to help the ex-offender be successful. In fact, nearly 500 community volunteers consistently enter our jails and facilitate educational programming both inside and outside the walls. As we improve on the seamless transition for offenders in terms of transportation, education, recovery services, housing, jobs, support systems, mental health, medical services, and financial aid, we recognize that collaboration is the key to offender success."

**Figure 1. DCSO Re-Entry Components**



DCSO Work Release Coordinator Panda Adkins adds, "One approach that we found effective is in the classification and assessment process. Offenders self-report their employment history and basic job skills, which increases their chances of participating in our work release and outside worker programs. Having this information also helps us make additional program referrals for vocational, job skills, and other training. Employment plays a pivotal role in reentry because offenders who are employed are less likely to reoffend. Our work release program partners with several recognized employers to assist offenders with employment that is not only gainful but also sustained. Building successful partnerships with established employers in our community has been a key factor in the success our work release program has experienced thus far. Equally important are the partnerships we've built within the facility to bridge the gap between security and programs. Everyone has a vested interest in the reentry process. The key to making this process work is obtaining the "buy-in" of everyone involved and making them aware of the vital role they each play."

According to Thomas Hunter, DCSO Re-Entry/Community Liaison, "It is critical that offenders are assessed and placed in programs that meet their needs both while incarcerated and also upon release. Programs that ultimately produce a client who is marketable in the community include the state-licensed alcohol and drug treatment "New Avenues" program, the Sheriff's Anti-Violence Education (SAVE) program, Long Distance Dads, Culinary Arts, Work Release, and vocational training. In fact, evaluation data from the DCSO New Avenues Alcohol and Drug Treatment program show that offenders who successfully complete this 45-day intensive treatment program are less likely to recidivate." (See Figure 2.) "One of our major challenges is educating the community about offenders and what they have to offer. Fortunately, a good relationship between the Sheriff's Office and the greater community has had a huge impact toward our success."

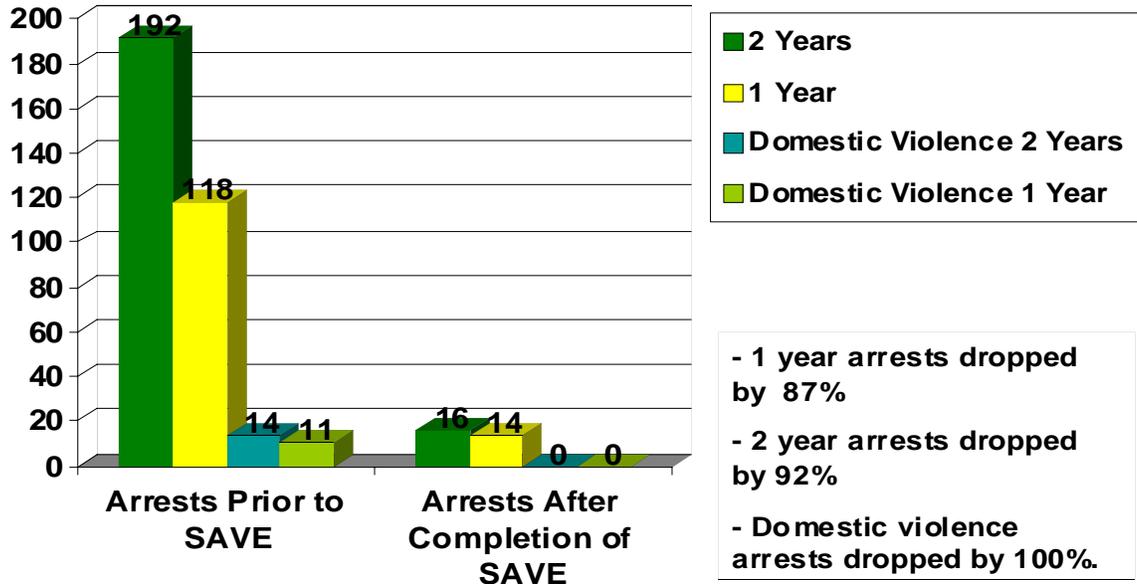
Jeff Blum is DCSO's Mental Health Coordinator. He says, "One of the catch-phrases in corrections is that 'reentry begins at booking.' When it comes to defendants with mental illnesses, for the majority of those coming into our facilities, the most important component of their reentry joined their team long before they were ever booked into the jail. For more than 12 years, the county criminal justice system has maintained a close relationship with all our area community mental health centers (CMHCs). A key element is a form voluntarily signed by clients of the CMHC that allows the care provider to share mental health information with DCSO if the client is arrested. Every day, DCSO e-mails a list of all persons arrested in the past 36 hours. The CMHC checks their client base for matches and, using the pre-signed release, provides DCSO with information on their client's diagnosis, medications, case manager, and medical/mental history. This expedites jail-based services, significantly shortening the time to stabilize the defendant and return them to care in the community."

Blum continues, "A consortium of individuals from the criminal justice and the mental health communities facilitates the DCSO reentry process. The group includes mental health clinicians, mental health case managers, state-funded community mental health liaison staff, case workers from the Mental Health Court and the dual-diagnosis community corrections office, reentry specialists from the Nashville metropolitan health department, and social workers from the public defender's office. They share the same vision and work collaboratively to

Figure 2. New Avenues Program Statistics: January through April 2007



## New Avenues Change in Arrest Frequency



provide opportunities for mentally ill offenders. By meeting once a month to share information and coordinate services, this group forms a broad safety net that enables most defendants who need services to reenter the community with medication, housing, benefits, and mental health support."

Wayne Flemming, DCSO's Chaplain, sums it up, saying, "The agency's comprehensive assessment and classification devices help us to measure each offender's risks, needs, and strengths. As the offender transitions through the system, a detailed reentry plan is tailored to address the offender's needs related to substance abuse, mental illness, housing, employment, and community. Once the offender is discharged, it is the responsibility of both the offender and a network of support services to work together in an atmosphere of firm but flexible supervision. Through strategic planning and by fostering positive collaborations, we have been able to streamline services and enhance cooperation."

The Davidson County Sheriff's Office continues to work toward improving our reentry process and services in hopes of reducing recidivism in the Nashville community. We are constantly striving to enhance our product through staff training, innovative community-based programming, and looking at best practices of model reentry programs across the country. The issues surrounding offender reentry need to be addressed at the federal, local, and state levels. Breaking down territorial barriers and enhancing available funding in this area are crucial if we are to improve our reentry initiatives, reduce

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# Creative Partnerships That Support Inmate Reentry Programs:

## Involving Public, Private, and Nonprofit Organizations

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**M**any law enforcement agencies have become aware of a growing need for alternative funding and resources, beyond what is provided in public budgets. Agency priorities place essential and emergency public safety services first in line for funding and support. Other services and programs may be discontinued—or not implemented at all—because of funding limitations or restrictions. One way to address this lack of funding is through collaborations with non-governmental funders and nonprofits in the local community.

Americans generally are very charitable, particularly toward organizations that have a positive impact in their communities. Jails are positioned to have a significant impact, as are the community-based organizations that provide services to persons released from jail. By teaming together in a systematic approach to resource development, jails and their service partners can create lasting financial solutions that support beneficial programs. These collaborations also benefit both society and the jail by creating greater understanding and mutual support among the partners, donors, and a community united toward common goals.

Collaborative partnerships can prove beneficial for everyone involved in correctional operations. We have teamed up to examine topics such as fundraising, donor relations, non-profit operation, and partnerships involving the public, private, and nonprofit sectors. We have researched and networked with organizations across the United States and throughout the world. The result of some of this work is described below, with the intent of sharing and aiding in the replication of successful endeavors.

### **The Problem of Recidivism**

Recidivism of former prisoners has been receiving a great deal of research attention across the nation.

- According to the U.S. Bureau of Justice Statistics, nearly 2,000,000 men, women, and juvenile offenders will be released over the next 3 years from Federal, state, and local correctional facilities. Without intervention, more than two-thirds of these individuals will be rearrested for serious new felony offenses within 3 years of their release.
- Another study by the Bureau of Justice Statistics found that every 1,000 releases result in 283 new crimes, with victimization costs of over \$5 million and criminal justice costs of more than \$340,000. According to this report, among nearly 300,000 prisoners released in 15 states in 1994, 67.5% were rearrested and 52% were returned to prison within 3 years. The study also found that recidivists commit, on average, at least two additional crimes before they are rearrested, resentenced, and reincarcerated. The cost to the community and the victims averages approximately \$35,000 per recidivist. (Langan, et al., 2002)

But warehousing offenders also has been demonstrated to be ineffective. While incarceration as a form of incapacitation and punishment will always be a component of our penal system, it does little to alter the behaviors of persons who commit crimes. Individuals suffering from chemical addiction, anger management issues, joblessness, homelessness, dysfunctional relationships, and poverty need help to make lasting changes in their lives.

### **Reentry Facts and Philosophy**

Faye Taxman wrote, "Reentry is the process of helping offenders identify criminal drivers that are likely to increase the odds that they will engage in criminal acts after release and to stabilize them after release from incarceration" (Taxman, 2007). Every offender is different. While evaluations must be conducted to determine the risk factors associated with each individual, most will require assistance in the following areas (Fortuin, 2007):

#### **Successful Transition for Offender Life Domains:**

- Economic stability and responsibility (financial literacy, employment, child support),
- Housing/living arrangements,
- Transportation,
- Education and vocational training,
- Legal matters,
- Safety and crisis planning,
- Physical and mental health, nutrition,
- Substance abuse,
- Leisure/recreation/community, support systems, and peer associations,
- Personality and behavior treatment,
- Family, parenting, and
- Attitudes and orientations.

Research data provide further reinforcement that these needs exist and can be effectively addressed.

- According to the Bureau of Justice Statistics, among state prisoners released in 1999 in the United States, 84% were involved with drugs or alcohol at the time their offense was committed, 14% were mentally ill, and 12% were homeless.
- Supportive housing has been documented to drastically reduce criminal justice involvement, reducing jail incarceration rates up to 30 percent and prison incarceration rates up to 57 percent. (Métraux and Culhane, 2002)
- Unemployed ex-offenders are three times more likely to return to prison than those who are employed. A 1996 study in New York State showed that 89 percent of parole and probation violators were unemployed at the time of re-arrest. (U.S. Department of Labor)

Reuniting offenders with their families and addressing medical, financial, transportation and personal legal issues are also significant in the stabilization of their lives.

It is clear that in-custody programs alone cannot address the many needs of released offenders. Studies indicate that treatment and self-help programs delivered in custody can account for a reduction in recidivism but are most effective when continued with similar programs in the community. For example, in its 2002 Annual Report to Congress on substance abuse treatment programs in federal prisons, the Federal Bureau of Prisons reported that inmates that participate in treatment both in prison and after release are “substantially” less likely to re-offend.

In 2006, Aos, Miller, and Drake of the Washington State Institute of Public Policy performed a meta-analysis of 571 programs throughout the nation to determine what works. Table 1 (page 45) summarizes the study’s findings in terms of the average decrease in recidivism found to be associated with several types of offender interventions.

### **Treatment Needs in California**

The situation in California reflects the national pattern. California prisons and jails are seriously overcrowded, and the costs of our failing rehabilitation system are having an impact on every level of society. Every resident shares the high financial burden incurred by crime, the investigation of crimes, the prosecution of those accused of crime, and the supervision and housing of offenders.

The State of California’s Public Safety and Offender Rehabilitation Services Act of 2007 (AB 900) prioritizes rehabilitation and reducing recidivism. The Act provides for the addition of 53,000 new prison and jail beds, 30% in existing prisons, 30% in new, secure reentry facilities, 15% in new medical beds, and 25% in local jails. The intention is to balance more beds with more rehabilitation—all new bed construction must include rehabilitation services, such as substance abuse treatment, mental health services, education, and job training.

**Table 1. Effectiveness of Correctional Programs—Selected Findings from Meta-Analysis (WSIPP, 2006)**

<b>Program Type</b>	<b>Change in Crime Outcomes (Number of Studies Examined)</b>
Intensive supervision: treatment-oriented programs	-16.7% (N=11)
Drug treatment in community	-9.3% (N=6)
Drug treatment in jail	-4.5% (N=9)
Drug treatment in prison (therapeutic community or outpatient)	-5.7% (N=20)
Drug courts	-8.0% (N=57)
Cognitive-behavioral treatment in community	-6.3% (N=25)
Education in prison (basic education or post-secondary)	-7.0% (N=17)
Vocational education in prison	-9.0% (N=4)
Employment and job training in community	-4.3% (N=36)
Sex offender treatment in prison with aftercare	-7.0% (N=6)
Industries in prison	-5.9% (N=4)
Electronic monitoring to offset jail time *	0.0% (N=9)
Jail diversion for mentally ill offenders *	0.0% (N=11)

\* Does not increase recidivism, and less costly than jail.

Under the Act, California jurisdictions will be establishing secure reentry facilities throughout the state, establishing mental health day treatment centers, establishing contracts for mental health crisis care services, developing and expanding substance abuse treatment and aftercare services, and launching or expanding academic, vocational, and rehabilitation programs tailored to the specific problems of prisoners and parole violators.

### **Orange County Moves Ahead**

Orange County, California, has long been a leader in the rehabilitative programs offered to men and women in jail. The county invests more than \$5 million each year in offender programs, with costs covered almost exclusively through inmate commissary sales and telephone revenues. An additional \$1.4 million used in drug treatment each year is from tobacco settlement funds.

An example of a successful program is the Orange County community corrections reentry strategy, established under the leadership of Sheriff Michael S. Corona. Orange County has provided programming to the inmates in all five jail facilities as a result of Sheriff Corona's vision, and in this way is a role model to other counties throughout the state. In a recent evaluation of the Orange County Jail system, representatives from the National Institute of Corrections (NIC)

determined that the program offerings available to inmates are among the best in the nation.

Many state, county, and local community organizations now work in tandem with the Sheriff's Department Correctional Programs Unit to give inmates opportunities for an effective rehabilitative experience while incarcerated. Typical programs include certified education in academic studies, vocational education training, and "life skills" classes on topics such as parenting and job development.

The Programs Unit also provides opportunities for personal change in areas including substance abuse recovery, domestic violence, anger management, fitness and exercise, general and law library services, and religious and inspirational programs—all designed to maximize the chances of an inmate's successful transition to the community at release and thereby help to reduce recidivism.

Orange County leaders believe that a systematic approach must be implemented to address the problem of recidivism. A meaningful inmate reentry program must begin at the time of arrest, continue throughout the individual's incarceration, and reach beyond our institutions as these men and women return to the communities from which they came.

Sheriff Corona recognized that the successful reintegration of inmates into local communities depended greatly upon the concerted efforts of numerous state, county, and community-based organizations. Working together, the Orange County Sheriff's and Probation Departments formed an Inmate Reentry Team tasked with identifying a joint strategy for Orange County community corrections to reduce recidivism by helping inmates help themselves.

**OCREP's range of interventions.** Several programs are now offered to inmates, many delivered through community partnerships.

- **Working For Inmate Literacy Now (WIN).** In partnership with the Orange County Public Library/READ literacy services, WIN identifies and assesses inmates' literacy levels and provides post-release coordination of literacy services. Trained volunteers provide one-on-one tutoring for inmates who are unable to read and/or write.
- **Educational counseling.** Rancho Santiago College provides guidance counselors who help enroll inmates into educational classes upon release. The counselors work with Correctional Programs staff to conduct presentations in all five jail facilities and provide one-on-one meetings with inmates as needed. Goals of this program are to develop a personalized education plan for each participating inmate and to encourage continued education after release.
- **Responsible Fatherhood.** Through the collaborative effort of the Society of St. Vincent de Paul and Inmate Correctional Programs, a grant was received to facilitate responsible fatherhood classes for males. After 4

weeks of classes, inmates are reunited with their significant other for two more sessions of supervised classes inside the jail.

- **Pre-release planning and referral services.** Program coordinators from a community-based service, Great Escape, conduct initial intake interviews with inmates, provide follow-up sessions as needed, and develop a pre-release checklist for each participant.
- **The Great Escape Resource Center.** The Great Escape Resource Center provides resources to formerly incarcerated individuals who have participated in rehabilitative programs while in custody. The center helps connect former inmates with assistance such as residential treatment programs, housing and shelter information, food and clothing, and domestic violence classes and counseling. Inmates also receive referral cards to the Sheriff's Great Escape Resource Center in downtown Santa Ana, where they can receive additional resources and counseling upon release. They can also call the center for assistance. The telephone referral service and resource center are available from 7:00 a.m. to 4:30 p.m., Monday through Friday.
- **Consumer Advisory Group.** This committee is comprised of formerly incarcerated individuals who have been through the local jail and/or state prison system. Its intent is to create a better understanding of the resources that inmates need most while in custody and upon release. Those invited to participate have successfully completed their probation and/or parole supervision and have been clean and sober for at least 2 years.
- **Transportation Assistance Program.** Transportation has been identified as a major factor in successful reentry. Without transportation, formerly incarcerated individuals may not be able to make scheduled appointments for medical and mental health treatment, potential employment, counseling, AA and NA meetings, etc. The Correctional Programs Unit now gives bus passes to clients who have pre-arranged appointments, and an expanded transportation program is being discussed.

In addition to current services, more program options are being developed or considered for the future. Again, many of these new initiatives involve partnerships between the Sheriff's Department and other public agencies and/or nonprofits.

- **California Temporary Identification Project.** Correctional Programs is researching ways to create a temporary identification program for inmates being released from jail. Without proper ID, it is extremely difficult for released inmates to find appropriate housing and to seek employment, both of which are strongly associated with reduced chances of returning to jail.
- **Salvation Army Partnership.** Correctional Programs and the Salvation Army are currently working to develop a partnership that will increase

reentry services in regard to shelter, transportation, housing, and employment of the formerly incarcerated.

- **Jail inmate drug treatment.** The Sheriff's Department intends to double its current substance abuse treatment program from 64 men's beds to 96 men's beds and 32 women's beds. The Sheriff has asked for \$1.4 million to augment the \$1.5 million currently spent from Tobacco Settlement Funds for this program.
- **Parole violators' drug treatment.** The Sheriff and CDCR are discussing the creation of an in-custody drug treatment program for parole violators. Space for 64 men and 16 women would be established within the Orange County Jail, with all costs paid by the state. The Sheriff will also be able to enroll 16 women of jail custody status into the program at no charge to Orange County.
- **State/County Day Report Center.** The Sheriff, Probation, and CDCR are discussing the state's proposal to contract with the Orange County for a Day Report Center (DRC) for the transition of state prison and county jail inmates back into the community upon release. Center activities would include substance abuse treatment programs, job development, and community-based resource referrals. The DRC would provide programming for up to 400 parolees and 400 probationers each year.
- **Alternative Sanction Center.** A proposed alternative sanction center would give the courts a non-incarcerative option for qualifying, non-violent substance abusers. Envisioned is an electronic bracelet release program in a day reporting treatment environment. The facility also would also be available to the Probation Department as a sanction for high-risk probationers who might otherwise be returned to jail or prison for a probation violation.

## Partnership Strategy

Behind many of these program offerings is a collaborative effort involving the OCSD and one or more partners. Working toward a common goal is the starting point for positive collaboration among community organizations, law enforcement/corrections, and potential funders. By joining together, partner agencies create efficiencies in the process of seeking funding and resources.

Among the issues in creating a new service partnership is its financial structure. As reentry project teams come together, they sometimes decide early to pursue incorporation as a non-profit entity. For several reasons, this may not be the best option at start-up.

One alternative is to affiliate as a sub-program within an existing nonprofit organization that has a record of success. This can give a young program the benefit of stable administrative support and a network of beneficial connections. The parent organization should have a similar mission, values, goals, and objectives as the newly formed organization. After the new organization has

demonstrated its own effective operations, it can apply to the Federal government for separate, nonprofit status. The request will be much more compelling and have greater potential for approval.

### **Orange County's Reentry Partnership**

An example of a successful collaboration is the Orange County Re-Entry Partnership (OCREP). Its formation began in July 2005, when the Sheriff's Office and leaders from Orange County Probation met to discuss the high rates of criminal recidivism in Orange County and identify a strategy to reverse the trend. Both agencies were faced with demands for services that exceeded their resource capacities—a resolution was needed.

This realization led to OCREP's formation in December 2005 to assess the needs of the formerly incarcerated and discuss reentry strategies for Orange County. The Sheriff's Department, the Probation Department, and the California Department of Corrections and Rehabilitation and its parole division brought together a coalition of 8 corporations, 15 government agencies, 24 non-profit organizations, and representatives of the released offender population. Their mission:

*The Orange County Re-Entry Partnership will serve as a critical link between community resource providers and the formerly incarcerated striving to re-establish healthy, productive and rewarding lives.*

The OCREP Board of Directors includes representatives from various interest groups, such as substance abuse treatment, education, job development, living support services, mental health services, community input, and consumer input. Standing committees in the areas of membership, fundraising, community input, consumer input, corrections input are chaired by board members.

OCREP is now preparing to establish itself as a nonprofit organization to facilitate pursuit of grants and other funding opportunities. In November 2006, the OCREP Board voted to establish OCREP as a nonprofit sub-group under the 501(c)3 of the Orange County Coalition for comprehensive Mental Health Services.

OCREP meets every other month to confer on service strategies. The group has identified the following six components for a successful jail and prison reentry strategy for Orange County.

- 1) Early risk and needs assessments.** Assessments will be performed by a multidisciplinary team from the Orange County Sheriff's Department, Probation Department, Health Care Agency, and California Department of Corrections and Rehabilitation. They will take place shortly after arrest, will be updated bi-annually, and will be used to guide the courts in sentencing, to inform program delivery in both county jails and state prisons, and to shape probation and parole case plans.

- 2) **Comprehensive case planning.** Case management and community reentry planning will begin at sentencing, and the plan will move with the inmate throughout his or her jail and/or prison term and ahead through successful community reintegration.
- 3) **Effective programming.** Offenders will receive in-custody treatment programs with a track record of success. Whenever possible, priority for program slots will be given to those assessed to be the most likely to re-offend.
- 4) **Offender accountability.** Personal accountability will be promoted by offering incentives to participating inmates. For example, some inmates may have an opportunity to transition out of custody and into community-based day-reporting programs that use electronic tracking bracelets.
- 5) **Transition planning.** Release planning sessions will be held with all inmates prior to their release from jail or prison into the community. In the Orange County jails, probation and jail staff will work together to identify the needs of high-risk probationers prior to their release and to facilitate their seamless transition into community-based programs.
- 6) **A network of support services.** Orange County's Community Resource Partnership of government agencies, private organizations, and non-profit groups will work closely together to deliver wrap-around services to Orange County residents released from prison or jail.

Other priorities for OCREP include mentoring programs, free or low-cost transportation options for released offenders, and the establishment of a consumer-friendly community resource referral system.

To facilitate the development of Orange County's reentry strategies, the Orange County Sheriff's Department has opened an office in downtown Santa Ana where coordination takes place for the inmate reentry efforts of the Sheriff's Department, Probation Department, California Department of Corrections and Rehabilitation/Parole and OCREP. Several collaborative projects are now under development by this team.

## Looking Ahead

United States civil society has seen an increasing intersection of its three sectors. No longer do the government, private, and nonprofit sectors operate as strictly independent entities. Mission overlap and purposeful cooperation have strengthened the efforts of organizations that serve our communities and subsectors of society.

The effects of this intersection are favorable.

- Funding—always needed by any service—is easier to acquire when like-minded organizations with similar goals cooperate.

- Duplication of effort is reduced, which can both strengthen programs and make it easier for donors to select programs and projects to support. Many foundations already encourage the formation of collaborative efforts with a shared focus, while also recognizing the value inherent in the individual organizations and not suggesting that any type of merger be pursued.
- Collaborations are often cost-effective, achieving greater efficiency in program delivery and the use of donor funds. Accountability measures are in greater demand, and stewardship processes are typically more transparently administered in a collaborative non-profit milieu.
- Community awareness can be greater when multiple programs don't detract attention from each other.

**T**he need for alternative funding and resources continues to grow as agencies create, improve, and expand prisoner reentry programs. Collaborations between government, business, and nonprofits, working together to involve the public and potential donors, can create a resource base that allows reentry programs to flourish while public funds are focused on essential emergency public safety services. Enhanced funding through collaborations with non-government funders and nonprofits benefits the members of every community we serve. ■

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# Milwaukee's Secure Detention Facility –

## Five Years into Operation

**J**n the Large Jail Network Bulletin of 2000, I had an opportunity to introduce LJN members to Milwaukee's new high-rise jail/prison hybrid. I want to take this opportunity to provide a 5-year update on the Milwaukee Secure Detention Facility (MSDF), given its unique role in the continuum of local jails, reception centers, and prisons.

As my 2000 article indicated, a Wisconsin Supreme Court decision (*Wisconsin Dept. of Corrections v. Kliesmet*, No. 96-2292, filed 25 June 1997) found that because of the crowded conditions at the Milwaukee County Jail, the Sheriff's Department of Milwaukee County was no longer required to hold state probation and parole violators. Milwaukee County sought that ruling through litigation because of the severe jail crowding the county was experiencing at the time. The Wisconsin Department of Corrections explored options, and a decision was made to construct a 1,040-bed secure facility to meet the needs of male probation and parole violators, and also to provide an additional 210 beds of alcohol and drug treatment programming. This programming is provided in a variety of venues, including an alternative to revocation track (in 90-day programs), court-sentenced alternative to incarceration programs, and the Department's prisoner reentry initiative.

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### **Changes and Challenges**

To this day, MSDF remains unique, not only in the state of Wisconsin but also nationally. In the last 5 years there have been a series of changes, modifications, and developments. Many have provided unique challenges for this 9-floor, 16-story high-rise facility in downtown Milwaukee. MSDF staff have responded professionally, and I am pleased with the progress of the programs and response by staff.

**Adding a female population.** One of the early changes that occurred at MSDF was gender integration. Although it was designed and built as an all male facility, in our second year we were given the challenge of modifying one of the units for female offenders. MSDF currently houses a 42-bed pod of females that will soon undergo cell-front modification and other changes.

**Moving administratively from community corrections to institutions.** Originally the facility was to be administered by the Wisconsin Division of Community Corrections (Probation and Parole). However, given the medical, clinical, and security concerns of this institution's population, we determined after only a short period of time that it would operate better under the state's Division of Adult Institutions. MSDF staff apply all policies and procedures that are applicable in other DOC adult institutions.

**Maximizing efficiency in revocation proceedings.** One of MSDF's unique attributes is its revocation hearing area, which is designed to afford maximum flexibility for security while maintaining sensitivity to victim and witness movement and comfort while on-site. The floor plan provided in Figure 1 (page 55) provides more details about the design of the hearing area, which has served MSDF extremely well.

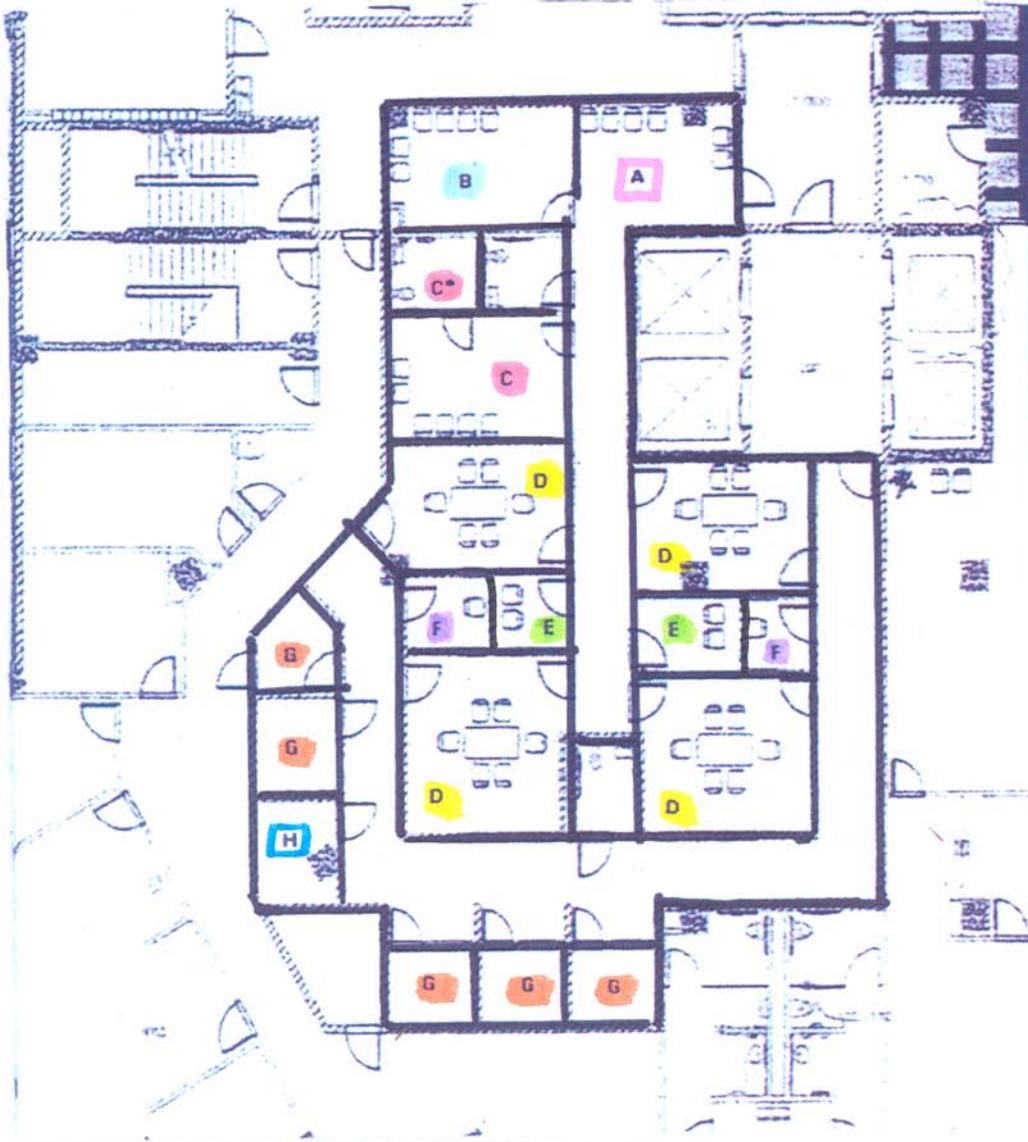
This floor plan allows inmates, victims, and witnesses to be in the same room when appropriate, or we can separate them—to the point of 1-way mirrors with testimony provided through an intercom. The floor plan design received input from victims, administrative law judges, agents, attorneys, and victim advocacy groups. It has provided for safe and secure hearings.

**Liaison with Probation and Parole.** As many large jails are well aware, communication, cooperation, and collaboration with Probation and Parole staff in their particular areas are paramount. MSDF has identified a Probation and Parole Supervisor position, now located on-site along with 11 Probation and Parole agents who serve as liaisons with the individually assigned agents in the field.

These liaison agents report to MSDF on a daily basis and are instrumental in obtaining timely statements and processing of violation investigations for the offenders in custody. A monthly meeting takes place with the Probation and Parole administration for ongoing problem solving.

**Population management.** MSDF and Probation and Parole also are working closely with Milwaukee County authorities with the aim of managing the growth in numbers of inmates in both county and state facilities. Recent anti-crime efforts that involve city, county, and state authorities are showing promising results for public safety in Milwaukee County. Growing populations can have impacts on the security climate, staff morale, inmates, and programming in any prison, but MSDF staff have risen to the challenges to ensure the facility remains safe and secure.

Cases released from MSDF fall into four main categories. In about 33% of cases, the violation is upheld, and the offender's probation or parole status is revoked. Twenty-six percent (26%) are returned to parole supervision after having their violation status lifted, and 16% are placed in an alternative to revo-



- A.** Waiting Room
- B.** Agents/Law Judges Office/Computer Room
- C.** Victim Waiting Room With Restroom\*
- D.** Hearing Rooms
- E.** Victim/Witness Testimony Room (ability to separate from hearing)
- F.** Inmate Testimony Room (ability to separate from hearing)
- G.** Inmate Holding Cell/Attorney Interview Room
- H.** Evidence Room

cation (ATR) program, either institution- or community-based. Thirteen percent (13%) are returned to probation supervision with their violation status lifted.

**And more . . .** Other challenges faced by MSDF are similar to those faced by any large jail in an urban setting—offenders and felons, male and female, who are placed in custody, many with serious medical and clinical issues and concerns. As a high-rise facility, MSDF also experiences challenges with elevator availability, adequate storage, and the need for space to facilitate recreation and other inmate activities. MSDF staff have worked hard to develop creative solutions to these issues.

### **A Focus on Reentry**

As part of a Reentry Initiative being pursued by the Department of Corrections, MSDF also is focusing on prisoner reintegration. We are working with staff and community partners to increase the number of prisoners who live productive, law-abiding lives after their return to the community. As the Warden at MSDF, I want to challenge all staff to work in a collaborative manner with criminal justice stakeholders and community service providers to meet the principles of reentry.

We are developing and expanding our ability to:

- Emphasize communication, coordination, and information sharing among and between the institution, community corrections, the offender, victim(s), and the offender’s family and social support network.
- Begin our reentry strategy upon intake to an institution through flow into the community and on to discharge.
- Focus on critical success factors in the community, including education, employment, housing, and treatment strategies based on evidence-based practices.
- Involve community-to-institution “reach-in” activities and planning prior to the inmate’s release to the community.
- Develop individualized, “unified” case plans that are based on the risk and needs of each offender.
- Involve and engage the offender’s family, children, and other social support networks.
- Provide gender-related programming, based on understanding the need for programming specific to women in corrections that addresses issues of abuse, trauma, violence, family relationships, and parenting skills, among other issues.

Overall, MSDF is moving forward to meet its mission to protect the public by providing detention services, demanding offender accountability, and delivering programs for adult inmates in a safe and secure institution while remaining committed to the goals of successful reintegration to the community. ■

#### **For more information:**

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