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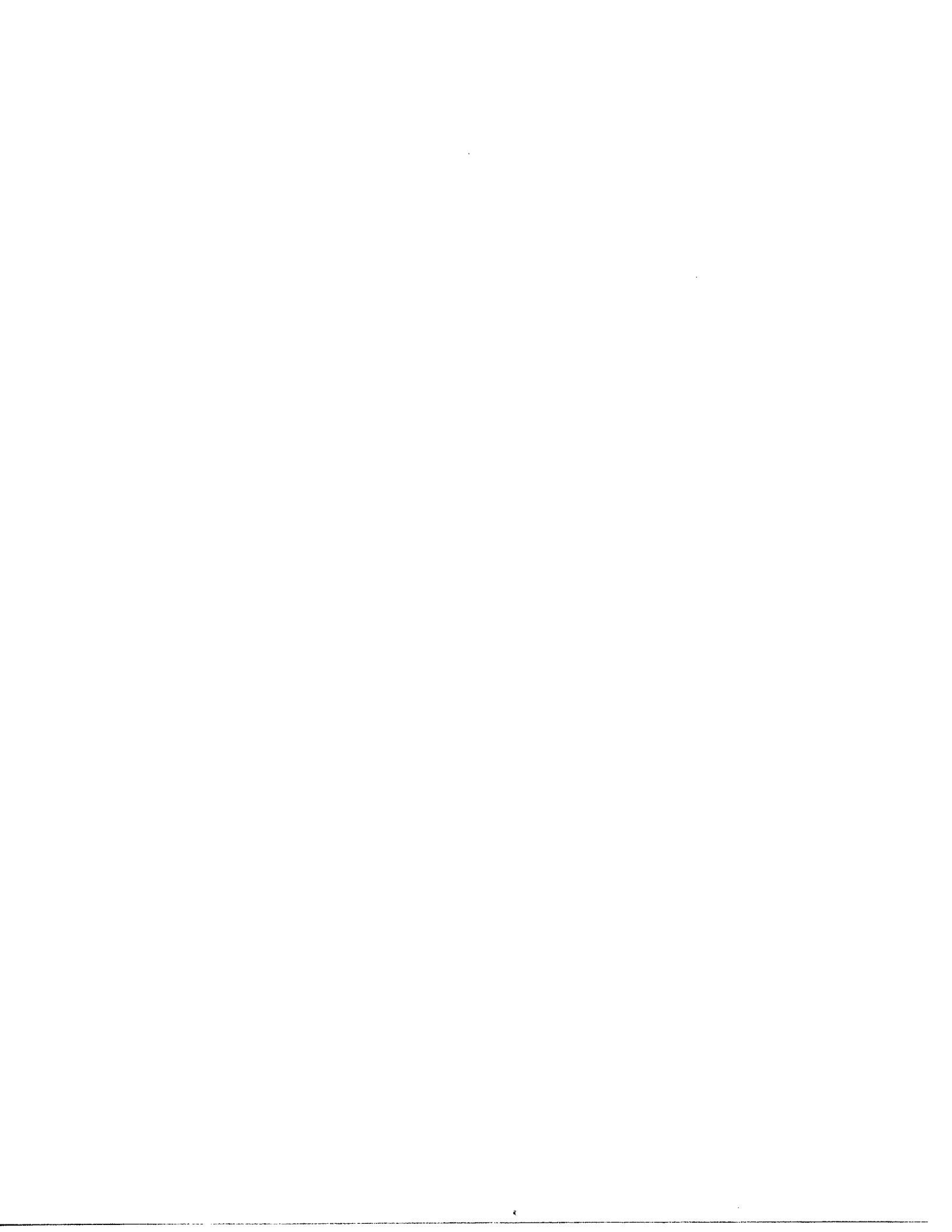
**Disparity of correctional treatment: Development of a  
measurement instrument**

**Muraskin, Roslyn, Ph.D.**

**City University of New York, 1989**

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DISPARITY OF CORRECTIONAL TREATMENT: DEVELOPMENT OF  
A MEASUREMENT INSTRUMENT

by

ROSLYN MURASKIN

A dissertation submitted to the Graduate Faculty in  
Criminal Justice in partial fulfillment of the  
requirements for the degree of Doctor of Philosophy,  
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1989

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This manuscript has been read and accepted for the Graduate Faculty in Criminal Justice in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

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Abstract

DISPARITY OF CORRECTIONAL TREATMENT: DEVELOPMENT OF  
A MEASUREMENT INSTRUMENT

by

Roslyn Muraskin

Adviser: Harriet Pollack, Ph.D.

It is estimated that half a million women are locked up in local jails across our nation annually. On a daily basis, there are approximately 15,330 women who are detained in jail to await trial or to serve sentences of less than one and a half years (Bureau of Justice Statistics, 1984, p. 5). Female inmates constitute a small percentage of the total inmate population. These inmates are subjected to conditions in local correctional institutions established primarily for male inmates. These females are often located in facilities where both males and females are held, but where females are isolated in one particular part of the jails. Where males and females are housed in separate

facilities, problems still exist. As a result of these situations the delivery of services and programs related to conditions of living have become problematic.

According to the General Accounting Office:

At local jurisdictions, men and women are usually housed in the same facility but separated. Differences in these systems relate more to unequal access to available opportunities rather than differences between facilities. Women are frequently denied access to ... facilities, and confined to a specific floor, wing or cell for the duration of their confinement (1980, p. 11).

Litigation has been the means used in an effort to eliminate what has been claimed to be discriminatory treatment against delivery of services for females. Even when legal action is successful, there is no guarantee that compliance as well as implementation will occur.

A research instrument has been developed to assess if such services are being delivered as established by the standards and mandated by the courts. This instrument gives to administrators a bench mark to measure services. The instrument covers conditions of

living within local correctional facilities housing male and female inmates. The providing of services and programs is all part of good detention practice; it insures that those inmates returning to society can be reintegrated into society.

The equality or parity of treatment between males and females still does not exist in correctional facilities. It is demonstrated in this study that services legally mandated by the states are not being delivered. The instrument has proven successful in measuring delivery of services within correctional facilities. The use of this instrument can reduce and/or identify disparate treatment.

### Acknowledgments

This dissertation is dedicated to my husband, Matthew whose love, understanding and devotion over these past six years has enabled me to put this work together. It is dedicated as well to our children, Seth, Craig and Tracy who have shared their mother with exams, papers, books, and this study.

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## CHAPTER I

### OVERVIEW

In the United States no constitutional obligation exists for all individuals to be treated alike. The government, frequently, and in fact, does "treat disparate groups differently. What is required is that where unequal treatment exists, the inequalities must be rational, and related to a legitimate interest of the state" (Pollack & Smith, 1978, p. 206). Laws create categories in which some individuals may be treated unequally. The question that arises is "whether the inequalities created by the law are justifiable - in legal jargon, whether the person upon whom the law's burden falls has been denied equal protection of the law" (pp. 206-207). In dealing with the questions of equal protection and due process, an analysis is needed of the reasonableness of the regulation.

The question posed for this dissertation was: can an instrument be developed which objectively measures treatment in correctional institutions and determines the extent of disparity? This dissertation has set up a procedure for systematically measuring conditions in correctional institutions' housing units to assess the

actual treatment of inmates. It is anticipated that this process will be used eventually to measure the degree of disparity of services between identifiable groups within a correctional system population in which one or more groups may be constitutionally, legally or procedurally entitled to equivalent though not identical services.

The instrument is designed to measure the levels of treatment, services and programs and meets the criterion of content validity as well as of construct validity. Content validity or face validity is defined as the "use of logic, common sense and previous work to specify which variables represent an abstract concept" (Simon & Burstein, 1985, p. 210). The concepts validated in this dissertation are reflected in the questions posed for the instrument. For example to assess how food is delivered to inmates the evaluator checks on temperature, nutritional value, the number of hot meals per day, etc.. Construct validity "is established if a scale measuring an abstract concept is related to other scales measuring other concepts in ways it should be..." (Simon & Burstein, p. 211). In

developing this instrument it was expected that results would reinforce the apparent validity of the scales as developed. The development of these new measures makes it possible to describe the established standards precisely and compare them to each other with accuracy and objectivity.

The first institution chosen for the testing of this instrument was one where the differences in treatment have been readily apparent. In addition, the institution selected lends itself to the development of a scale of the various areas which are important to the proper functioning of a correctional institution. The Nassau County Correctional Institution was chosen as a testing site because it has been involved in litigation over the past few years in the areas of disparate treatment. The instrument was initially tested in the Nassau County facility, and then tested for content and construct validity in at least six other jurisdictions. In five institutions male and female inmates were housed at the same facility. In two other institutions, located in Florida, male and female inmates were housed separately, but were part of the same correctional system.

The practical benefit of the instrument, if utilized in other jurisdictions, is to increase the efficiency and reliability of assessments of treatment disparity, whether conducted administratively or by experts in the context of litigation. Such an instrument has the potential of enhancing the credibility and relevance of expert testimony for litigants on either side.

Since the decision in *Holt v. Sarver* (1970) 309 F. Supp. 362 (E.D. Ark. 1070), where the court declared an entire prison to be in violation of the Eighth Amendment and imposed detailed remedial plans, the judiciary has taken an active role in the administration of correctional facilities. Some of the most recent cases challenge the inequity of treatment between male and female prisoners. As one aspect of this general study, the differences between male and female prisoners will be examined. At last count there were 235,909 males in local jails as compared to 19,077 females (Bureau of Justice Statistics Report: The 1985 Jail Census, NCJ-105586, July 1987).

Ostensibly, the needs of male and female prisoners

would appear to be the same. They are not. While some inmate interests are similar, others are separate, and distinct. In many institutions criteria developed for males are automatically applied to females with no consideration for gender differences. Research shows that females experience more medical and health problems than male inmates (General Accounting Office, 1980). Classification officials note that female offenders need help in parenting skills, child welfare, pregnancy and prenatal care, home stability and understanding the circumstances of their crime. But typically assignments to program and treatment resources in the correctional facilities are based more on what is available than what should be available (Clements, 1986, p. 38). Those individuals and administrators responsible for making correctional policies have had little understanding of the nature and extent of the needs of all inmates. In many cases administrators and individuals in the correctional facilities are responsible as evidenced by the litigation.

A review of the literature, legal cases, and measurement issues dealing with disparity of treatment reveals that each takes note of the fact that females

represent a small minority in both prisons and jails. Yet, the effects of incarceration are in many but not all respects similar for males and females. Each suffers the trauma of being separated from family and friends. When either males or females becomes imprisoned they experience a loss of identity as well as a devaluation of their status. Regardless of the inmate's sex, prison life coerces conformity to an environment alien to the individual where one's every movement is dictated each and every minute (Menckel-Meadow, 1979, p. i).

Because most challenges to prison conditions have neglected special needs of female prisoners, it seemed useful to focus this instrument on the denial of female prisoner's rights. However, it is anticipated that the instrument can be used to measure disparate treatment with other kinds of populations. For example, the instrument can measure differences in treatment due to race, socio-economic status or correctional classification.

Historically female correctional facilities have not received funding comparable to male correctional

facilities. Education and vocational training programs for the females have been seriously underfunded.

"Benign neglect [has] ...created a situation of unequal treatment in many states" (Hunter, 1984, p. 133).

Correctional administrators have insisted that "the small number of female offenders [has] made it too expensive to fund such programs." The courts, however, have ruled "that cost is not an acceptable defense for denying equal treatment" (Hunter, p. 133-134). Women have been subjected to policies designed for the male offender. "Women have deferred to males in the economic, social, political spheres of life. In the legal realm, more specifically in the imprisonment of the female, women have been forced into the status of being less than equal" (Sargent, 1984, p. 83).

The instrument that has been developed measures "what is" against "what should be." Conditions within the local jails will enable us to determine whether the legal requirements and standards established by correctional administrators and/or as a result of litigation are in fact being carried out. Measurements provide a basis for comparison with established standards and provide a bench mark for determining

whether correctional facilities are moving toward established objectives and standards. Objectives are based on expectations (Budde, 1979, p. 78), while standards are the guidelines used for the improvement of correctional programs while providing "a national framework for presenting the needs and concerns of adult correctional institutions to public officials, corrections administrators, legislators, funding agencies, and the public" (American Correctional Association, 1981, p. xvii-xviii). Measurements should enable the experts to determine whether plans, policies and actual practices are constitutionally justifiable.

## CHAPTER II

### REVIEW OF THE CASES AND LITERATURE

#### Review of Cases:

The measurement of treatment by this instrument is founded on the existence of a body of law and literature that sets forth the parameters of operating conditions at correctional facilities with specific reference to differences based upon gender. The review begins with a discussion of cases challenging prison conditions generally and then turns to gender specific cases.

When inmates similarly situated find themselves being treated differently, there may exist a violation of equal protection. A review of the cases discussed below shows "that discretion in such matters as classification, work assignments, and transfers may not be exercised discriminatorily or in an arbitrary or capricious manner" (Gobert & Cohen, 1981, p. 293). "The prisoners' rights movement [was] a direct outgrowth of the civil rights and civil liberties movement, when lawyers and civil rights-civil liberties organizations began to use the courts as a means to challenge legal barriers to equality and redress grievances" (Aron, 1981, p. 190).

Constitutionally, no obligation exists for the government to provide any benefits beyond basic requirements. However, this will not excuse invidious discrimination among potential recipients (Gobert & Cohen, pp. 294-295). Case law indicates that benefits afforded some cannot be denied others solely based on race or sex.

In any equal protection challenge, the central question raised is the "degree of state interest which can justify disparate treatment" among offenders" (Reed v. Reed, 404 U.S. 71,76 (1971) ). As established the "classification must be reasonable, not arbitrary and must bear a fair and substantial relation to the object of the legislation or practice" (Ibid). Courts, for example have found sex classifications to be irrational because they appear to be solely enacted for the convenience of correctional administrators (See Craig v. Boren, 429 U.S. 190 (1976) (1); Weinberger v. Wisenfeld, 420 U.S. 636 (1975) (2); Eslinger v. Thomas, 476 F.2d. 225 (4th Cir. 1973) (3)). Existing differences in conditions, rules and treatment among inmates have proven fertile ground for equal protection challenges.

Administrative convenience is not an acceptable justification for disparity of treatment (*Cooper v. Morin*, 91 Misc 2d 302, 398 NYS2d 36 (1977)). Lack of funds is not an acceptable justification for disparate treatment (*State ex rel Olson v. Maxwell*, 259 NW2d 621 (ND 1977) ).

The legal uprisings against intolerable conditions in correctional facilities and the prisoners' rights litigation were initiated by male attorneys and male prisoners. In the early stages of this litigation female inmates did not turn to the courts nor did officials at female institutions fear lawsuits, condemnation by the public or inmate riots. With so few females incarcerated, there was little females felt they could do. This situation has changed. Female prisoners have sued and have demanded parity with male prisoners (Aron, p. 191). The Fourteenth Amendment of the Constitution, in particular the equal protection and due process clauses, is the legal basis for presenting the issue of disparity for inmates in jails. The Fourth Amendment is the source for issues of violation of privacy while the Eighth Amendment is used for cases involving cruel and unusual punishment.

Differential sentencing of similarly situated men and women convicted of identical offenses has been found to violate the equal protection clause. A review of cases dealing generally with sentencing in correctional institutions include *United States ex. rel. Robinson v. York*, 281 F. Supp. 8 (D. Conn. 1968) which held that it was a violation of the equal protection clause for women who were sentenced to indeterminate terms under a Connecticut statute to serve longer maximum sentences than men serving indeterminate terms for the same offenses. In *Liberti v. York*, 28 Conn. Supp. 9, 246 A2d 106 (S. Ct. 1968) the Court held that female plaintiff's indeterminate sentence of up to three years violated the equal protection clause because the maximum term for men convicted of the same crime was one year. In *Commonwealth v. Stauffer*, 214 Pa. Supp. 113, 251 A2d 718 (1969) a Pennsylvania court held the practice of sentencing women to state prison on charges for which men were held in county jail to be a violation of a women's right to equal protection. In a reverse of disparate treatment in *U.S. v. Maples*, 501 Fed. 985 (4th Cir. 1974) a male co-defendant's sentence of

fifteen years was held to violate his equal protection rights when his female co-defendant received only a ten year term. The trial judge had expressly stated that sex was a factor in imposing the lighter sentence.

In *Williams v. Levi*, Civ. Action No. Sp 792-76 (Superior Court of D.C. 1976) dealing with disparate treatment in the issue of parole, male prisoners in the District of Columbia were placed under the authority of the D.C. Board of Parole while women prisoners were placed under the authority of the U.S. Board of Parole. The court held that Williams, a woman prisoner, was denied equal protection of the law because of the U.S. Board of Parole's stricter parole standards for women. In *Dawson v. Carberry*, No. C-7-1916 (N.D. Cal. 1971) it was held that there must be substantial equivalence in male and female prisoners' opportunities to participate in work furlough programs.

In *Barefield v. Leach*, Civ. Act. No. 10282 (D.N.M. 1974) women at the Women's Division of the Penitentiary of New Mexico claimed that the conditions there violated their rights to an uncensored press, to have their persons free from unreasonable searches, to be free from cruel and unusual punishment, to be allowed due process

and equal protection of the law regarding disciplinary procedures and rehabilitative opportunities respectively. The court held that:

What the equal protection clause requires in a prison setting is parity of treatment as contrasted with identity of treatment, between male and female inmates with respect to the conditions of their confinement and access to rehabilitative opportunities.

**Barefield** is especially important as it was the first case to enunciate the standard against which disparity of treatment of men and women in prison was to be measured.

Still further, in **McMurray v. Phelps**, 535 F. Supp. 742 (W.D. La. 1982) there was a challenge to conditions for both men and women at the Ouachita County Jail where the court ordered an end to the disparate treatment of women detainees.

And in **Mary Beth G. v. City of Chicago**, 723 F.2d 1263 (7th Cir. 1983) a strip search policy under which women arrestees underwent a full strip search while men were not stripped without reason to believe that a weapon or contraband was present was ruled to be a violation of the equal protection clauses as well as the Fourth Amendment.

In *Bounds v. Smith* (430 U.S. 817 (1977)) the court held that access to the courts by prisoners was a fundamental constitutional right. The court noted there existed an affirmative obligation on the part of state officials to insure that access by providing adequate law libraries or some alternative involving a legal assistance program. It was further noted in the court's decision that female inmates had less access to library facilities than male inmates. This situation was ordered remedied. In *Cody v. Hillard*, 599 F. Supp. 1025 (D.C.S.D. 1984) the Court held that inmates at the state women's correctional facility which had neither a law library nor law trained assistants were denied their constitutional right of meaningful access to the courts.

In a case dealing with the transfer of female inmates out of state because of a lack of facilities (*State ex. rel. Olson v. Maxwell*, 259 N.W. 2d 621 (N.D. 1977) ), female inmates filed a petition for a supervisory writ challenging the North Dakota practice of routinely transferring them to other states to be incarcerated alleging a denial of equal protection and due process. It was held that North Dakota must not

imprison women prisoners outside of the state unless and until a due process waiver hearing is held or waived, and the state admits that it cannot provide women prisoners facilities equal to those of male prisoners. While in *Park v. Thompson*, No. 72-3605 (D. Hawaii 1972) the court ruled that there must be substantial equivalence for men and women prisoners in the distance of the place of incarceration from the place of sentencing.

"From a policy perspective, discriminatory distribution of prison privileges ... will prove counter-rehabilitative, fueling inmate-administration animosity and generating inmate-peer jealousies" (Gobert & Cohen, p. 295). Male prisoners may be assigned to maximum, medium or minimum security units, while females, regardless of the severity of their crimes, will be sent to the same institution. Problems arise with providing proper treatment as well as needed rehabilitative programs. The cases indicate a need for parity of treatment. This is evidenced in *Molar v. Gates*, 98 Cal. App. 3d, 159 Cal. Rptr. 239 (1979) a class action challenging the county's practice of providing minimum security jail facilities for men but

not women. It was held that the practice violated the equal protection clauses of the State and Federal Constitution. Women prisoners have the same right of access to minimum security facilities as men do. The courts have been very critical of differences in male and female correctional facilities (*Mitchell v. Utreiner*, 421 F. Supp. 886, 895 (N.D. Fla. 1976)).

In *Canterino v. Wilson*, (546 F. Supp. 174 (W.D. Ky. 1982) and 562 F. Supp. 106 (W.D. Ky. 1983) ) it was indicated that "restrictions imposed solely because of gender with the objective of controlling the lives of women inmates in a way deemed unnecessary for male prisoners" would not be tolerated. In areas such as work programs, vocational education, training and community programs disparate treatment was found to exist between male and female prisoners. Inferior programs as they existed and discrimination in the area of privileges had to be remedied. The court concluded that "males and females must be treated equally unless there is a substantial reason which requires a distinction be made" (546 F. Supp. 174, 217). Such a distinction could not be found. Case law has

established that discriminatory selection for work release when based on race, religion, sex, or even mental impairment is not an acceptable practice. Any arbitrary or capricious selection for participation in work programs has been prohibited by the courts.

Due to the small numbers of females in male correctional facilities, services and treatment programs appear to be reduced. These reduced services include medical services. Generally, there is a wider range of medical services for males than for female inmates. Thus in both *Todaro v. Ward*, 431 F. Supp. 1129 (S.D. N.Y. 1977) and *Estelle v. Gamble*, 429 U.S. 97, 104 (1976) the issues were medical. In the former, the medical system in Bedford Hills Correctional Facility was found to be unconstitutionally defective while in the latter there was found to be deliberate indifference to the medical needs of the females. This was found to be a violation of the Eighth Amendment.

In *Bukhari v. Huto*, 487 F. Supp. 1162, 1171-2 (E.D. Va. 1980) it was held that no justification existed for disparate treatment based on the fact that women's prisons serviced a smaller population and the cost would be greater to provide programs equivalent to the men's

institutions. Cost could not be claimed as an excuse for paucity of services.

The landmark case on women's prison issues was *Glover v. Johnson*, 478 F. Supp. 1075 (E.D. Mich. 1979). This was a comprehensive case challenging a disparate system of educational, vocational, work and minimum security programs in the Michigan prison system based on due process and equal protection violations as well as First and Eighth Amendment violations. The Court ruled that women prisoners must be provided program opportunities on a parity with men. The case resulted in an order requiring the State to provide post-secondary education, counseling, vocational programs and a legal education program (in a companion case, *Cornish v. Johnson*, No. 77-72557 (E.D. Mich. 1979) ) as well as other relief. "... 'institutional size is frankly not a justification but an excuse for the kind of treatment afforded women prisoners'" (*Glover*, 478 F. Supp. 1075, 1078).

Finally in Nassau County in the case of *Thompson et al v. Varelas, Sheriff, Nassau County et al*, (81 Civ 0184 (JM) (September 11, 1985) the plaintiffs asked for:

declaratory and injunctive relief regarding the discriminatory, oppressive, degrading and dangerous conditions of ... their confinement within the Nassau County Correctional Center. ... alleged in their action was the existence of inadequate health care, lack of private attorney visiting facilities, inadequate and unequal access to employment, recreation and training; unequal access to library facilities and newspapers, excessive confinement; unsanitary food preparation and service; and, inadequate and unequal access to religious services

all of which they claimed violated their rights as guaranteed by the First, Fifth, Sixth, Eighth, Ninth, and Fourteenth Amendments to the Constitution of the United States and various provisions of state law. The Thompson case began in 1979 but it was not until September 1985 that a consent judgment was entered in the Thompson case. Thompson makes a further argument for the need of a check list of standards against which to assess what constitutes disparate treatment in the correctional facilities. If such a list existed, assembling the necessary facts for future litigation would be greatly facilitated.

Prior to these cases the female prisoner was the "forgotten offender." Testimony by a teacher in the Glover case indicated that, while males were allowed to

take advanced shop courses, females were taught at a junior high level because the attitude of those in charge was "keep it simple, these are only women."

While litigation provides an opportunity for inmates to have a role in altering conditions of their confinement, a judicial opinion requiring comprehensive change does not necessarily bring about change. Viewed from a non-legal perspective, litigation is but a catalyst for change rather than an automatic mechanism for ending wrongs found. All of the cases reviewed in this section hold that invidious discrimination cannot exist. A review of the non-legal literature in the field indicates that social scientists support the reasoning of the courts.

Review of the Literature:

The review of the literature is a two part procedure. The first part deals with what social scientists indicate to be disparate treatment. The second part deals with the literature on problems of measurement itself. How one measures whether services delivered comply with standards is a question that is discussed in this section.

There are indications that significant differences have existed at all levels of male/female services in relation to living conditions, medical and health, vocational and educational programs, religious practices, psychological counseling, work release programs, legal and recreational services, post release programs, drug and alcohol counseling and the actual management of the correctional facilities. Litigation results indicate that such disparate treatment is not permissible absent meaningful and objective justification.

Before discussing the literature, it is necessary to note the distinctions between jails, prisons and reformatories. A jail is generally defined as a facility "which detains persons for more than forty-

eight hours, (and is) used both as a detention center for persons facing criminal charges and as a correctional facility for persons convicted of misdemeanor and felony crimes (American Correctional Association, 1985, p. xvii). Such facilities usually hold individuals convicted of a crime for up to one year. It is generally intended for adults, though it sometimes contains juveniles. Jails hold both individuals detained pending adjudication of their cases and individuals who are sentenced to one year or less. Jails are the focus for this study. A prison is defined as a facility housing those individuals who are sentenced to a year or more. Prisons tend to have more programs than jails due to lengthier prison sentences. The reformatory is a type of prison and has been called " ... an historical fad that merely reflects the spirit of the times" (Williams & Formby & Watkins, 1982, p. 387). These "prisons were built during a time when penologists wanted to stress their commitment to the idea of rehabilitation" (Ibid). The reformatory era represented a treatment philosophy of corrections. The view was that offensive behavior represented

manifestations "of various 'pathologies' and psychological 'maladies'" all of which could be corrected by therapeutic intervention (Inciardi, 1984, p. 582). The importance of these three distinctions is that the courts have accepted different standards for different types of institutions.

The first penal institution for females opened in Indiana in 1873. By the beginning of the twentieth century, female correctional facilities had opened in Framingham, Massachusetts, in Bedford Hills, New York, and in Clinton, New Jersey. The Federal Institution for Women opened in Alderson, West Virginia in 1927 and the House of Detention for Women (the first separate jail for females) opened in New York City in 1932. These institutions all shared one thing in common, "traditional values, theories and practices concerning a women's role and place in society.... The staffs, architectural design and programs reflected and perpetuated the culturally valued norms for women's behavior" (Feinman, 1986, p. 38).

Historically, disparate treatment of male and female inmates started when state penitentiaries first opened. "Female prisoners ... were confined together

in a single attic room above the institution's kitchen. (They) were supervised by the head of the kitchen below. Food was sent up to them once a day, and once a day the slop was removed. No provision was made for privacy or exercise and although the women were assigned some sewing work, for the most part they were left to their own devices in the 'tainted and sickly atmosphere' (Rafter, 1983, p. 135). Female convicts were morally degraded to a greater extent than male convicts. The reformatories built for female prisoners "established and legitimated a tradition of deliberately providing for female prisoners treatment very different from that of males" (Rafter, p. 148).

Lown and Snow describe the disparate treatment of females in prison. "Traditional theories of women's crime and imprisonment tend to focus on biological, psychological and social factors to explain criminal activity. From Lombroso to the present, criminological thought has been wrought with the sexism inherent in assuming that there exists only two distinct classes of women -- those on pedestals and those in the gutter" (1980, p. 195). A double standard has persisted

traditionally in both the law and treatment of inmates.

Overlooking, letting go, excusing, unwillingness to report and to hold, being easy on women are part of the differential handling of the adult female in the law enforcement process from original complaints to admission to prison. The differential law enforcement handling seems to be built into our basic attitudes toward women. The operation of such attention can be called euphemistically the chivalry factor (Reckless and Kay, 1967).

This chivalry factor meant that females should be treated more leniently than males. The nature of treatment and programs for female inmates appears to indicate the assumption of such a theory. Theories abound concerning the causes of criminality by female offenders. Certainly the chivalry theory does not appear to be held in favor today. Once the female enters the correctional facility, she does not necessarily benefit from the benevolence of the criminal justice system. The theories of female crime continue to emphasize the natural differences between males and females but fail to explain why females commit the crimes they do. Sarri concludes that "discrimination and sexism are serious and pervasive problems in

statutes, law enforcement, courts and correctional agencies. All society is being harmed by a serious overkill in the processing of females and by the inhuman condition which continue to prevail in correctional agencies" (Sarri, 1979, p. 194). It is clear that female prisoners are treated differently and sometimes worse than male prisoners. Often as an alternative to differential treatment, the model followed is that of the male prison which oftentimes ignores the obvious physical differences of female inmates (Allen & Simonsen, 1978, p. 325). An almost total lack of enforcement of standards exists for the confinement of females. What occurs then at the local correctional facility represents but a sample of those problems characterizing state prisons for women (p. 327). The literature and cases both indicate that "the plight of the female behind bars is often a difficult one" (p. 326).

In addition to the poor quality and minimal services available to the female inmate, she still suffers the same miserable conditions of prison as a male. Females suffer even more because in jails, regardless of classification, they are normally housed

together in the same area, while males who are classified according to minimum, medium and maximum security find themselves housed in separate areas. She lives in crowded facilities, often in squalid cells, lacks privacy, is faced with insensitive visiting rules, callous treatment and the threat of/or actual sexual abuse. Two other stresses upon the female stem from her being separated from her children and having special health and medical needs (Wood, 1982, p.11).

In 1971 suggestions were made by the National Advisory Commission for the Correctional Facilities to reexamine policies, procedures and programs in order to lend more relevance to the problems and needs of female inmates. It was strongly urged that:

Facilities for women offenders should be considered an integral part of the overall correctional system....

Each state should determine differences in the needs between male and female offenders and implement differential programming.

Appropriate vocational training programs should be implemented.

Classification systems should be investigated to determine their applicability to the female offender.

Adequate diversionary methods for female

offenders should be implemented.

State correctional agencies with such small numbers of women inmates as to make adequate facilities and programming uneconomical should make every effort to find alternatives to imprisonment for them.

Programs within the facility should be open to both sexes (where both sexes were being held) (Flynn, 1971, p. 113).

Much of the neglect in assessing disparate treatment is attributed to writers believing that the experiences in prison for both men and women are the same and are not areas calling for special investigation. As Rafter points out in her article on "Prison for Women, 1790-1980," it was not until the 1970's that literature dealing with women in prison began to take notice of their special problems (1983, p. 130). Singer's bitter protest regarding the treatment afforded women inmates and her indictment of the criminal justice system's refusal to even recognize the existence of these women is quite evident (1973). Arditi and associates compiled a staggering catalog of sex discrimination in prisons throughout the country (1973). Gibson in his work took a "first step toward historical research on women's prisons . . . ." (1973). Glick and Neto (1977) conducted a study on women's

prisons including a national survey of correctional programs within women's institutions. Studies on relationships between inmates and their children as well as the biases in the delivery of health care given to female inmates were included in their studies. Feinman indicates that for the most part programs in correctional facilities for females continue to be based in the belief that "the only acceptable role for women is that of wife/mother" (Feinman, 1983, p. 12). The female offender has been described as being poor, black or Hispanic, undereducated and lacking in both job skills and self-confidence. Indications are that more females are involved in criminal acts today, especially with the selling and possession of drugs (Bureau of Justice Statistics, 1988). And yet when females are released back into the community, studies show that males still represent a disproportionate majority in community programs. These community programs are evidence of lack of sensitivity, and the differential treatment afforded females (Lewis, 1982, p. 49).

Rafter points out that the women's prison system is not a replica of the men's but rather "differs

radically along a number of key dimensions, including its historical development, administrative structures, some of its disciplinary techniques and the experience of its inmates" (1983, p. 132). In her work on "Women in Prison: Sexism Behind Bars," Suzanne Sobel assesses the mental health needs of inmates, and concludes that "women incarcerated in state or federal prisons are the victims of a sexist correctional system that delivers fewer services and offers fewer opportunities than those available to male prisoners" (1980, p. 336).

Jessica Mitford has written that "the entire criminal justice system for all offenders in the United States could not be characterized as a just or humane system, but in the case of the female offender its ineffectiveness and inhumanity are even more apparent" (1973).

Fabian points out as well that "the reform movement for women prisoners was aimed at refining their standards of sexual mobility to a level acceptable to society, while that for men was aimed at reaching the young felon before he became a permanent danger to the community" (1980, p. 173). It is specifically this attitude that persists throughout the literature dealing

with disparate treatment. Females historically have been regarded as moral offenders, while men assert their masculinity. "... institutional incarceration needs to become more reflective of the ongoing changing social climate" (Sargent, p. 42). Most states have but one prison facility for women which of necessity must be of maximum security; local jails house both males and females. Population size has become a justification for ignoring females. However, size is but "an excuse for the kind of treatment afforded women prisoners" (Glover v. Johnson:1078). The disparate treatment of male and female prisoners "is the result of habitual and stereotypic thinking rather than the following of a different set of goals for incarceration" (Lown and Snow, p. 210).

If administrators in corrections continue to assign womens' corrections low priority in budget allocation, staff development and program development, continued conflict can be expected between the needs of the warden and the correctional facility and the treatment afforded or not afforded women. It may well be that because of overcrowding in both types of

facilities, male and female, that equality will become less of an issue, thereby producing equally undesirable conditions for both. Whatever the reason, disparate programs/facilities permeate the jails today, as is demonstrated in the research findings reported in the literature.

MEASUREMENT ISSUES:

Measurement of Human Services

In addition to the available literature on differences in treatment between male and female inmates a body of literature exists on the measurement of the delivery of human services. I now turn to the literature review on measurements generally and then turn specifically to a review of how to measure delivery of services. Such measurements are needed to establish how well such services are provided. The goal of measurements is to discover an approach that has consistency and is general enough in nature to "make the process more understandable" (Rosen, 1981, p. 210).

The literature indicates that in the social sciences there does not exist "devices designed with so perfect a knowledge of all the relevant sources of variation" (Webb, Campbell, Schwartz & Sechrest, 1973, p. 4). In defining human service systems, the initial step is to determine what it is feasible to measure. The "physical facilities, physical resources, personnel, funding sources, finances, responsibility and authority areas ... and other components that are within the jurisdiction and scope of human service system control"

(Budde, 1979, p. 74), need to be identified.

Often, the proposed delivery of human services is based on what is wanted rather than what is actually needed. In determining how to measure, (1) objectives of an existing program must be determined; (2) program implementation must be studied; and, (3) an assessment of the extent to which these objectives have been met must be made (Budde, p. 127).

There are no checklists or benchmarks to determine whether services are being delivered. The literature indicates that few management controls exist for the delivery of human services. "A management control system ... is a support system that is used to do what the title implies: control the resources and personnel within the system so that the overall system or organizational objectives are accomplished effectively and efficiently" (Budde, p. 168).

There is no concrete method for measuring human services. The concept of human services is really a term of convenience more than anything else (Attkisson & Broskowski, 1978, pp. 17-20). The literature discusses many ways to measure performance. One such method is

through the use of questionnaires. Another method is through the use of interviews. These methods are most useful and lend themselves to flexibility. If one single method were to be employed then "certainly the verbal report from a respondent would be the choice. With no other device can an investigator swing his attention into so many different areas of substantive content..." (Webb et al, p .173).

Other methods include measurements of physical evidence, "available to be exploited opportunistically by the alert investigator" (Webb et al, p. 36). Further measures of the delivery of human services generally include examining actuary methods (the use of numbers to predict the life span of individuals), votes (the desires of the electorate), study of historical records (what has taken place over a period of time), governmental records, (what has occurred during the administration of certain officials), etc.. But "... there is an ever present risk that reactive or other elements in the data producing process will cause selective deposit or survival of the material" (Webb et al, p. 8). Participant observation is another means to measure delivery of services where it is hoped that the

observer will not be "found out." But, "no matter how well integrated an observer becomes, ... he is still an element with potential to bias the production of the critical data substantially" (Webb et al, p. 113).

Of all the means available for purposes of measuring, the literature generally seems to prefer the questionnaire, while acknowledging that it is not perfect. As Webb points out "one swallow does not make a summer; nor do two 'strongly agrees,' one 'disagree' and an 'I don't know' make an attitude or social value" (p. 172).

#### Measurement of Human Services in Corrections

Not much literature deals specifically with the measurement of delivery of services in correctional facilities, the focus of this study. There are numerous studies involving measurement of items such as recidivism, but few studies involving the measurement of processes, and the quality and quantity of such processes. There have been studies which measure classification of inmates as well as studies dealing with issues of parole, but these studies are measurements of programs and not of delivery of

services. Much work has been done in establishing minimum standards for correctional facilities as well as standards for accreditation of correctional facilities. Clearly there is a demonstrated need for studies on how correctional standards are implemented as well as a need to measure if correctional facilities are in compliance with court decisions and written policies.

Preliminary findings indicate the need for appropriate data to be generated about services given to inmates in correctional facilities in order to place full responsibility in the hands of administrators and monitor the quality of programs. The effectiveness of programs must be demonstrated as well as the impact of decisions concerning those program modifications that are aimed at improving effectiveness (Hargreaves & Attkisson, 1978, p. 303). To measure conditions in jails as they exist today, Gottfredson notes four areas of need: "... improvement in conceptualization, measurement, classification and program evaluation" (National Institute of Justice [NIJ] 85927, pp. 174-175). The studies indicate a need for better measures in order to assess the quality of treatment (Gottfredson, p. 178).

In the case of the correctional facilities, the indication is that all inmates should be receiving similar treatment and services while institutionalized, be it health care, vocational and educational programs, food services, access to libraries, inmate rights, etc.. In order to evaluate the delivery of services the literature calls for some means of measurement for planning, effective management and rational and humane handling of both sexes in local correctional facilities.

Prior to establishing the instrument a decision had to be made as to what to measure. To determine what to measure the goals of the institutions as well as the thinking behind such goals had to be specified. "Goals may be defined as broad, general statements of desired conditions external to programs that provide basic purposes for which programs were authorized and funded" (Adult Correction Performance Measurement: A Conceptual Framework, p. 4).

Experts writing on the topic of delivery of human services agree that program evaluations are admittedly difficult "because of the difficulty of doing careful research in applied settings" (Attkisson, Brown &

Hargreaves, 1978, p. 65). As developed, tested and validated as a measurement of the degree of disparate treatment, the instrument can assist the facility in meeting necessary minimum standards in formulating program goals based on those services which are mandated and required; in being able to frame "program priorities by obtaining needed information; identify needed resources;" and, in translating "program priorities into measurable intervention strategies, based on identified or legally mandated services" (Attkisson, Brown & Hargreaves, p. 72).

This instrument developed in this study measures differential forms of treatment as they are concerned with conditions of confinement in the housing units in correctional facilities. Categories include delivery of health care, delivery of food services, vocational and educational programs, inmate rights, sanitation and hygiene, security and control, and physical plant. With the delivery of human services, "the stress is on comprehensive services that will maximize total ... potential" of the facilities in question (Caspar, 1976, p. 24).

This instrument assesses the social climates within

correctional units in correctional institutions which may account for female inmates being treated differently than male inmates. The instrument enables us to shed light on conditions in correctional facilities, first by measuring, if in fact, such differential treatment occurs, and then by indicating where the problem areas are.

The instrument measures the range of services, programs, treatment that are/are not available, indicates where there should be a systemic integration of such services; and, indicates who is accountable for such services or lack of services. The instrument measures what was referred to in 1971 by the then Secretary of Health, Education and Welfare, Elliot Richardson, as services integration, i.e. " ... coordinated delivery of services for the greatest benefit to the people" (Attkisson & Broskowski, p. 21). This instrument in measuring such services can indicate to policy-makers, planners, administrators and program evaluators where the problems lie, and their impact on the system.

After testing and validation as a suitable

measuring tool of disparate treatment at the local correctional facilities the instrument should be helpful in the evaluation of all correctional systems. The evaluation includes a process to make reasonable judgments about the effectiveness, efficiency and adequacy of present programs. Areas where conditions are typically found to be unconstitutional are measured by the instrument. The instrument allows for the collection of data and further analysis.

Proper treatment in correctional facilities rests on the "existence of a valid model of how the deficiency is produced and/or maintained" (Sarri, 1978, p. 240). This instrument measures such deficiencies. It measures also whether the existing system negates proper treatment, and whether all inmates are being treated equally in the provision of services. Programs and/or treatment may exist on paper, but are not in fact necessarily in operation. As Sarri points out in her discussion of the management of human services "the problem is that discretion on program implementation left to the front line delivery system is so great that treatments vary in significant ways from site to site" (p. 244).

The instrument measures whether the treatment afforded inmates is at a level of quantity and quality necessary to assure a reasonable level of effectiveness. "... it is always problematic whether a treatment is being delivered as designed, whether the mode of delivery is adding some unintended treatment to the basic one, and finally whether a treatment can be delivered in a reasonable way at all by the typical human services organization" (Sarri, p. 260). Given the literature on human services and the fact that there exists little or no measurement on the delivery of human services in correctional facilities, an instrument to measure the delivery of such services in the correctional facilities should be valuable. This instrument as developed, tested, and validated should help to close the gap that exists in the delivery of human services in correctional facilities.

### CHAPTER III

#### RESEARCH DESIGN AND METHOD

This dissertation has set up a protocol to measure systematically correctional institutional conditions for purposes of assessing the actual treatment of inmates in any single institution. This protocol can be used to measure disparity of services between identifiable groups within a correctional system population in which one or more groups is constitutionally, legally or procedurally entitled to equivalent services.

The protocol as established gives preliminary indications as to whether service differences exist and the extent of such differences. It assesses also how well prison policies and standards are in compliance with court decisions. It constitutes as well a bench mark so that correctional administrators can determine "whether they are moving toward objectives or standards or away from them" (Mali, 1978, p. 144).

The specific intent of this study was to:

1. develop a conceptual framework for the classification of inmate services as to their quality and scope;

and,

2. to develop an assessment protocol to assign the services received by a particular position in the framework.

The practical benefit of this instrument, if utilized in other jurisdictions, is that it will enhance the efficiency and reliability of assessments of treatment disparity, whether conducted administratively or by outside experts in the context of litigation. It should further enhance the credibility and relevance of expert testimony during the judicial process.

The development of this new methodology parallels what Mali refers to as the principles of compliance auditing. "Compliance auditing is an appraisal undertaken to ensure that practices, specified procedures, and adopted standards are followed according to intent or legal requirements" (p. 133).

Steps were taken to evaluate the responses to the questions posed for the assessment protocol. The items measured included those dealing specifically with conditions of confinement. Scales were established to

describe the housing units of conditions of confinement, rating the delivery of medical care, sanitary conditions, vocational and educational programs available to all inmates, inmate rights the delivery of food services, and all other services and programs impinging on conditions of confinement.

#### Scope and Limitations

This study uses the protocol to examine differences in quality and quantity of services received by inmate populations in correctional facilities. The study assumed that the standards used have face validity based upon their wide acceptance in the field and their application in judicial decision making and remedial action. The standards for local correctional practices used as a reference point were those developed and accepted by the American Correctional Association, the National Commission on Correctional Health, Minimum Standards and Regulations as established by the State Commission of Correction of New York State, minimum standards of other states, and minimum standards as established by various local correctional facilities.

The reliability of the protocol was tested by

including in the protocol itself multiple criteria of a given performance area, varying as to sources of information and types of measures applied. As an example, in the delivery of food services I looked at the temperature of the food, the number of hot meals served daily, the menus, the kinds of diets available. Items within the protocol assessed specific issues central to the treatment of inmates in correctional facilities.

#### Structure of Assessment Protocol

The steps followed consisted of several assessment tasks. Each task consists of one or more of the following techniques: structured interviews, assessment of policies and procedures, review of records, and observations of behavior. The procedures followed started with interviewing those in top administrative positions followed by interviews with line staff officers. Observation of behavior was noted, as were reviews of records. Inspections were made of the physical environment and all administrative procedures of the facilities were reviewed. Any decision had to be reached twice or had to reflect averaging of ratings from two separate assessment procedures. The protocol

enabled the assessor to acquire the minimum necessary information to reach a decision or rating that was reliable.

The assessment tasks were directed to a variety of administrators and middle-management workers as noted above who delivered correctional services. Open-ended questions were used for all individuals in official positions of the various correctional facilities chosen for the testing and validating of this protocol. This gave an opportunity to ask follow-up questions with adjustments being made in the scales as necessary. The same or similar questions were then asked of those further down the management line of correctional officials, again drawing on their answers for further follow-up questions.

Below the management level, correctional personnel who deal with the inmates on a day to day basis were interviewed. These correctional officers are responsible for carrying out the policies of the correctional facility, and/or seeing that the policies as mandated by the courts are actually carried out. These individuals were important because of their

personal knowledge of the day to day operations of the correctional facilities. At times inmates were interviewed on an informal basis with the understanding that their assessment of the delivery of services was limited to personal observations of life as they viewed it at the time of this study as well as on what they heard from other inmates.

Each individual being interviewed was asked those questions dealing with conditions of confinement; they were asked to describe how policies and court orders were being followed. By speaking to the various individuals and receiving consistent answers from different people reliability was demonstrated. Reliability was demonstrated also by asking the same questions of all the institutions and then comparing their answers. A retest took place approximately two months later in some of the institutions to further demonstrate reliability of answers previously given. Administrators were asked their opinions of the protocol and the scales used.

#### Construction of Protocol Measures

Ratings are measures of service quality based upon information gathered. Each of the assessment tasks

resulted in one or more decisions and/or ratings. Decisions involved determinations as to which further assessment tasks were necessary. The purpose of this section is to discuss the structure of ratings.

The model that was followed for the development of this assessment protocol was borrowed from behavior based evaluations. The system that was incorporated approximates what is known as BARS or behaviorally-anchored rating scales. The BARS system for the purposes of this study elicited the description of services/treatment/programs afforded all inmates. These services were then broken down into a number of areas or dimensions of performances that were to be rated.

Once these dimensions were established, they were designated by appropriate adjectives or descriptions. Each adjective was then "anchored" to a described behavior. In attempting to make rating decisions, the evaluative adjectives and corresponding behaviors for the performance dimensions of what is and is not delivered was indicated. For example a facility would rate high if there were hair care services available to all inmates, if hair was cut in a room designed for this

purpose, if equipment was stored securely when not in use, and if hair was cut by professionals.

The principal parties interviewed were the prime source of data about compliance with court decisions, the means used to achieve it, and the impact of litigation on the facilities in the delivery of human services. The information and opinions elicited from these key individuals were supplemented by the review of records and by observations of the living conditions within the correctional facility. There were times that conditions that were observed were at variance with some information otherwise obtained.

The difficulty with BARS is that a different set of anchors is required for each scale. "... it is not at all certain that the different behaviors used as anchors actually represent different levels of the trait in question. ... [and] frequently it is difficult to find discrete, easily specified forms of behavior that relate to more general traits" (Nunnally, 1978, p. 601). However, for this study, the researcher was able to make a judgment regarding the degree to which individuals performed a particular task. The advantages of using BARS was that the focus was on the behavior and

performance of those in charge of delivery services to inmates. Its use also provides "excellent feedback" to those appraisees wishing to improve their evaluations. The development of these scales requires time and effort and "... must be validated from time to time to ensure that the behaviors specified are still relevant to the job and predictive of performance" (Reitz, 1987, p. 121).

#### Aggregate Analysis of the Ratings

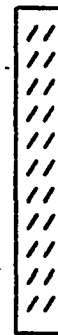
Steps were taken to cull, organize, and summarize the results, to look for commonalities among the delivery of services to male and female inmates. An analysis was needed of the quantity and quality of services rendered. One way of indicating this was through the development of simple bar charts (see pps. 53-63) which had scales for each area, indicating more than one method of assessment. Using such a method we were able to rate the conditions of living of male and female inmates. This helped to provide an indication of what was actually happening in correctional facilities and how to rate the level of services provided. The analysis further indicates what deficiencies need to be

**BAR CHARTS**

**MALE INMATES**

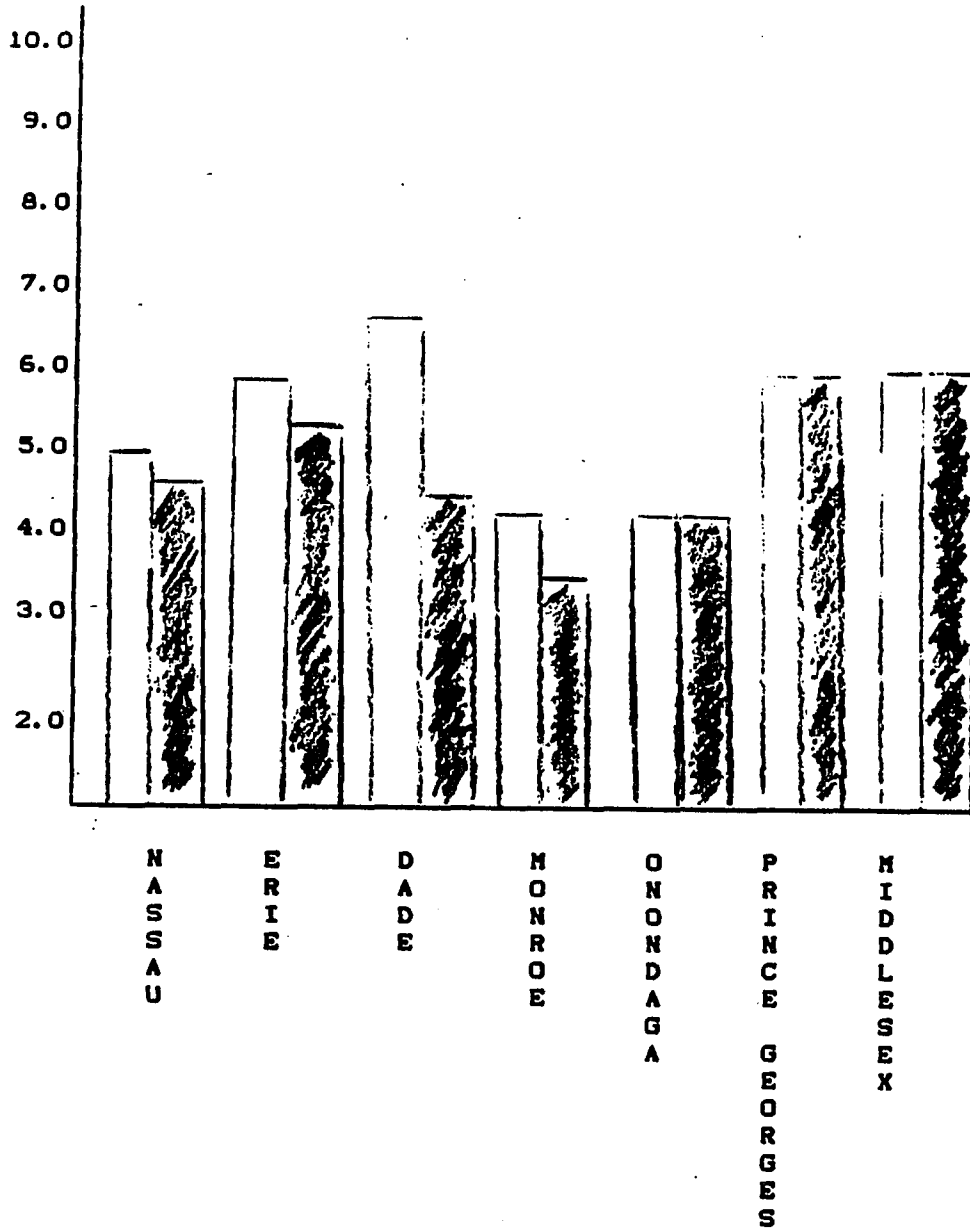


**FEMALE INMATES**

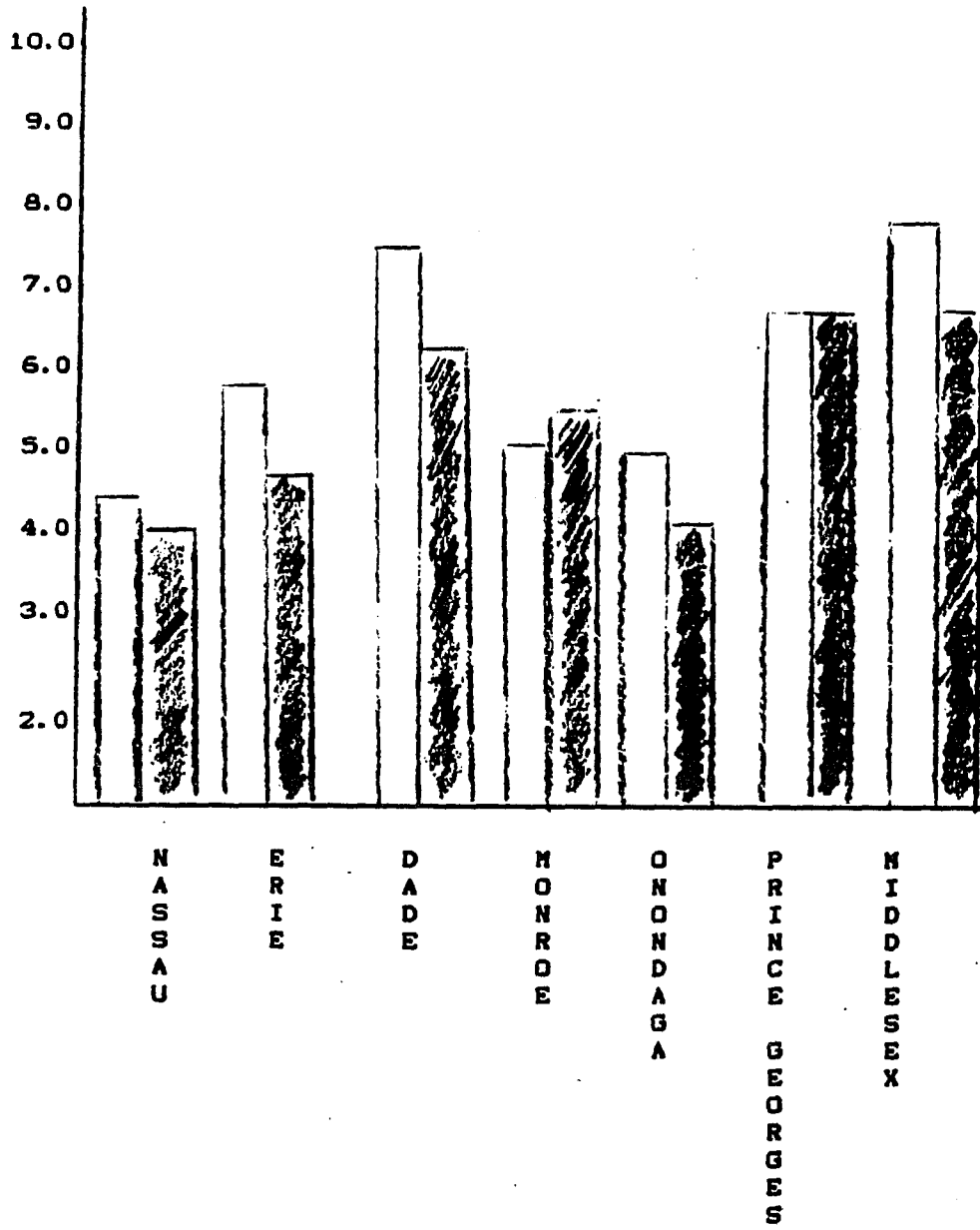


These bar charts indicate the differences in the delivery of services to inmates in the correctional facilities studies.

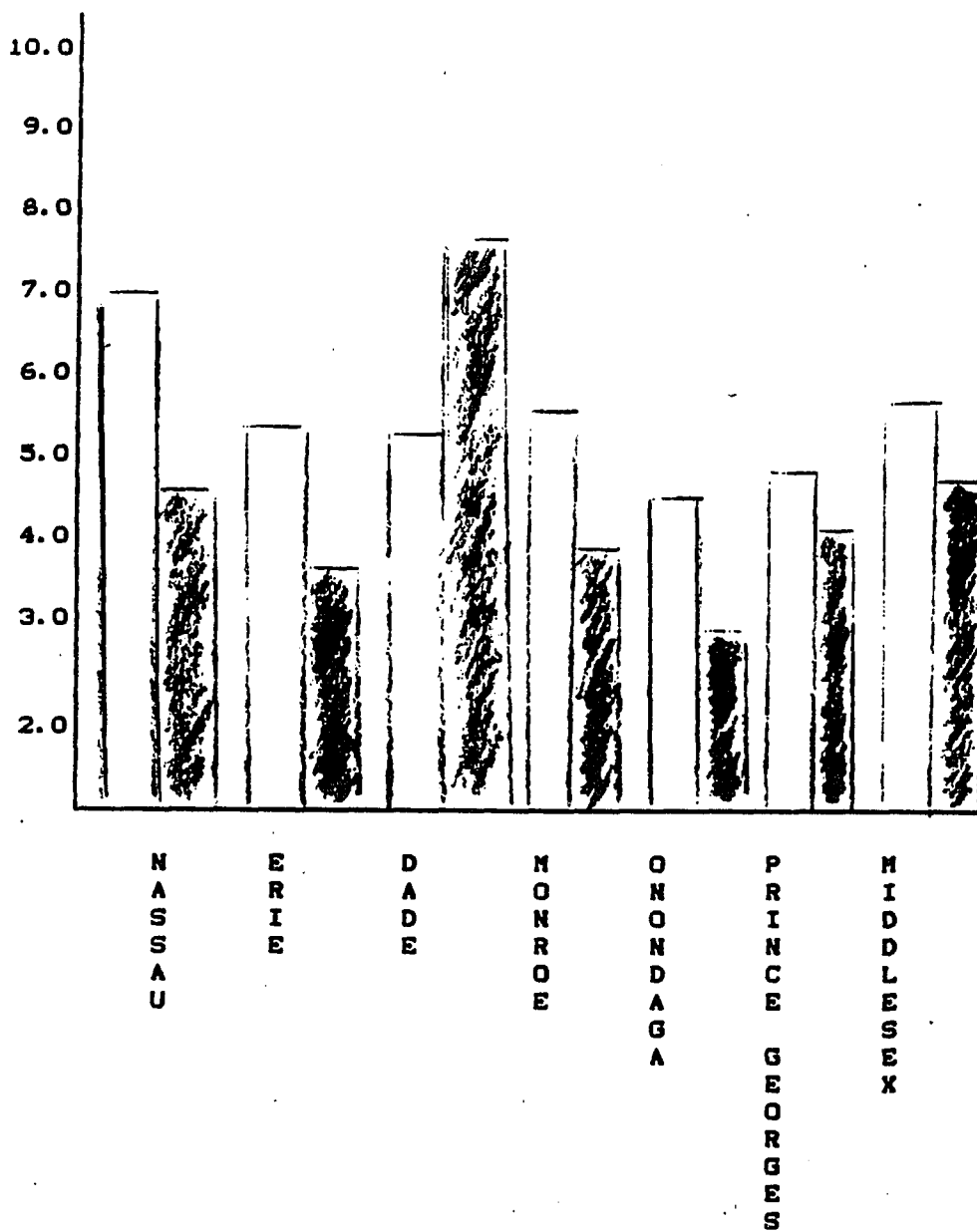
FOOD SERVICE



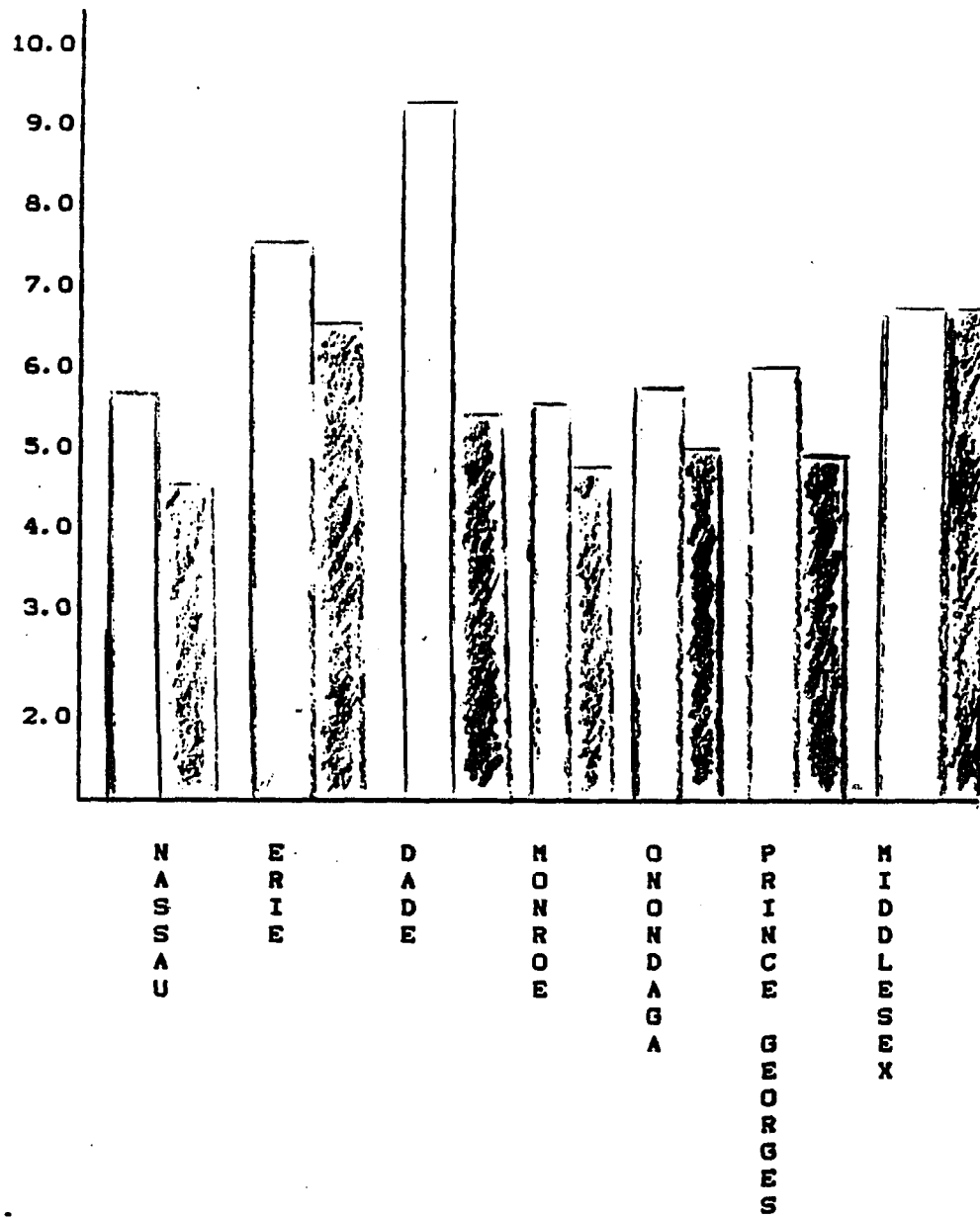
MEDICAL ACCESS



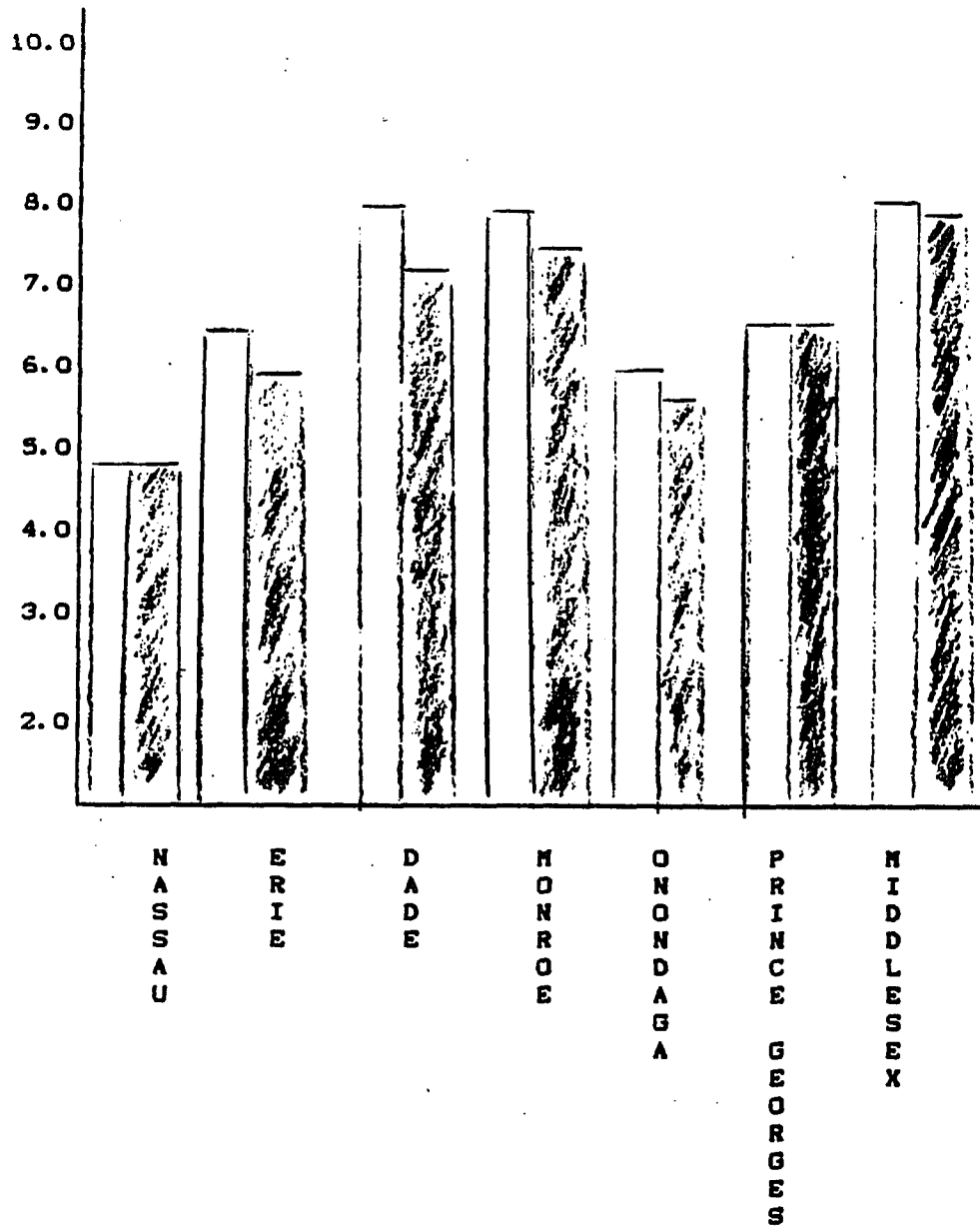
**INHATE SERVICES AND PROGRAMS**



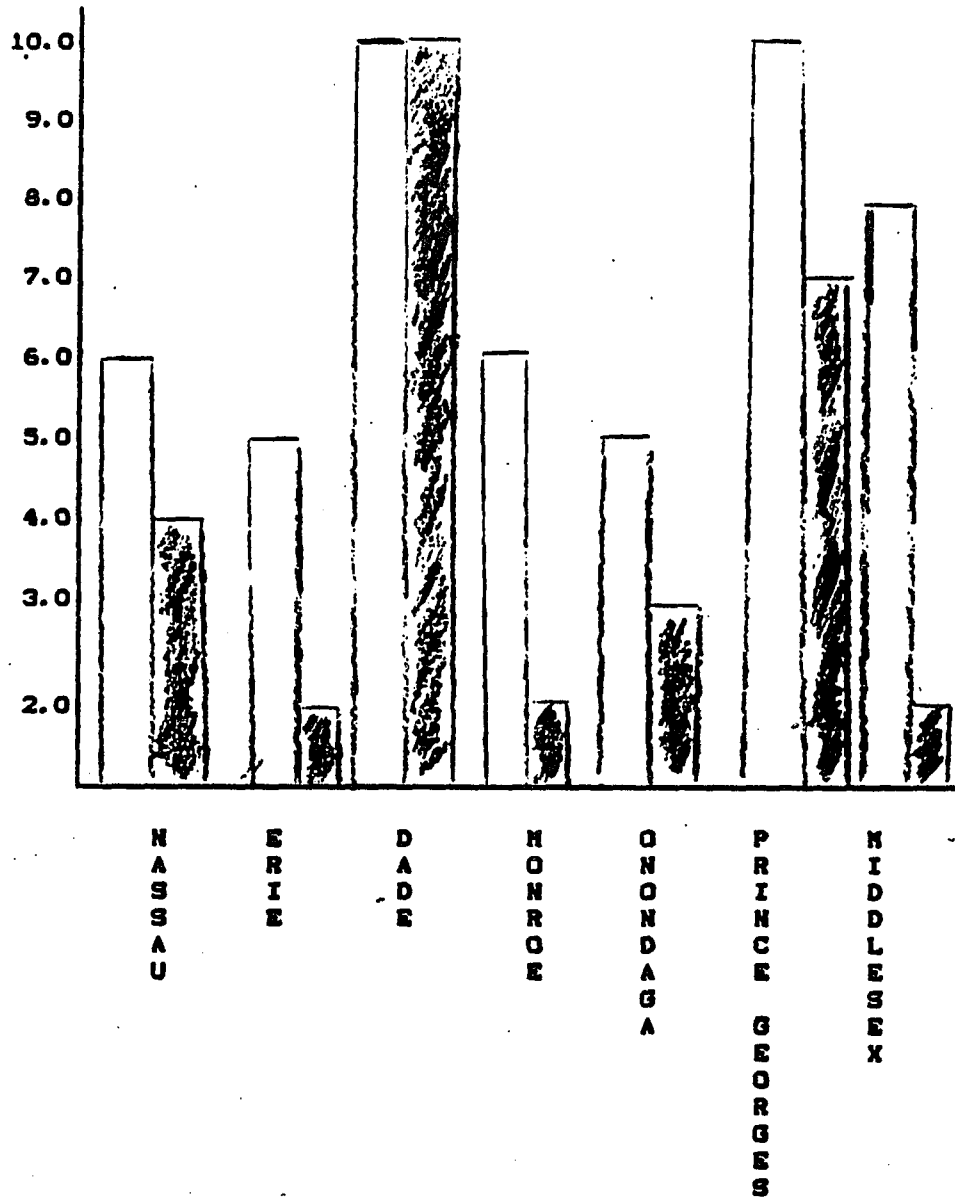
SANITATION AND HYGIENE



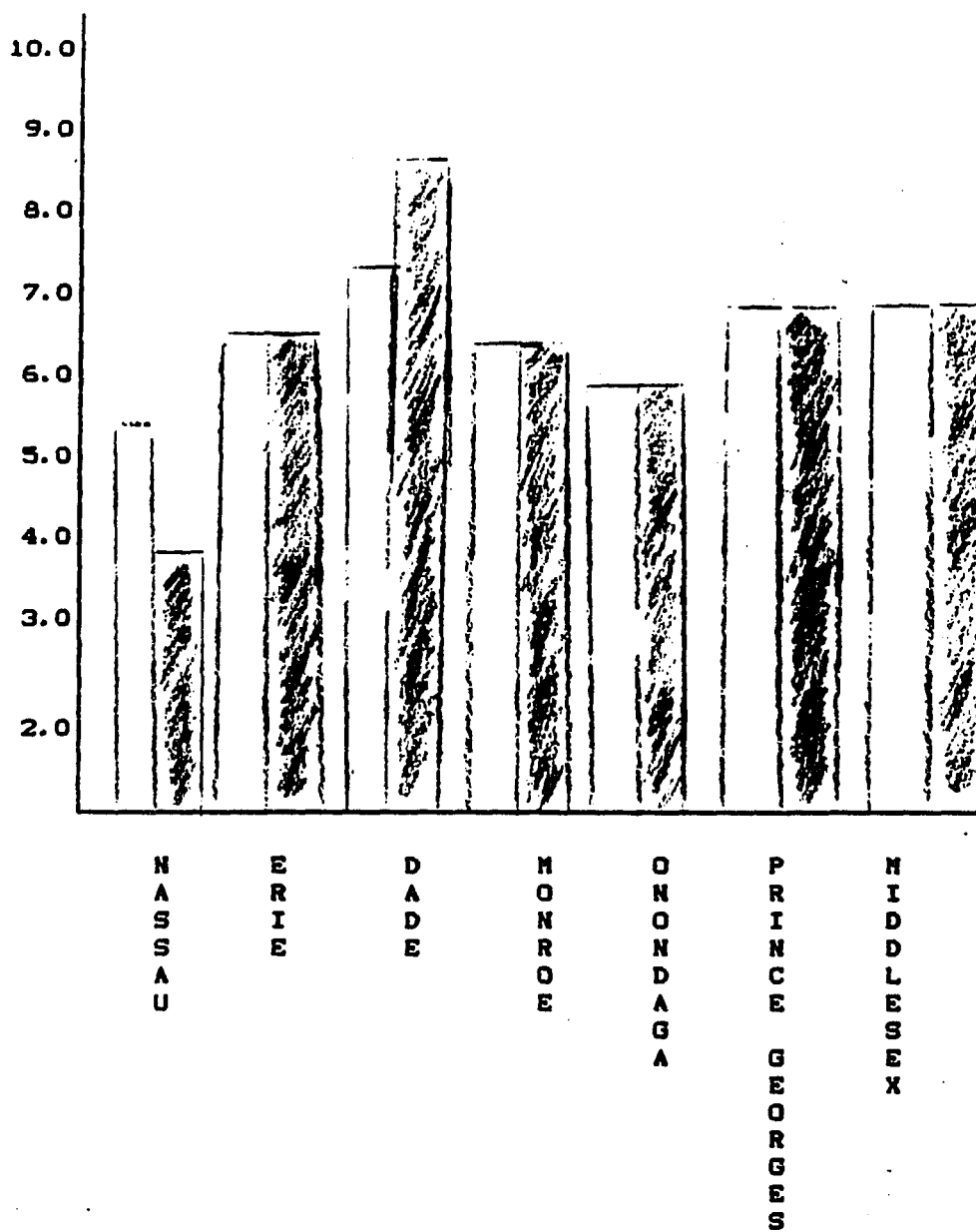
INMATE RIGHTS



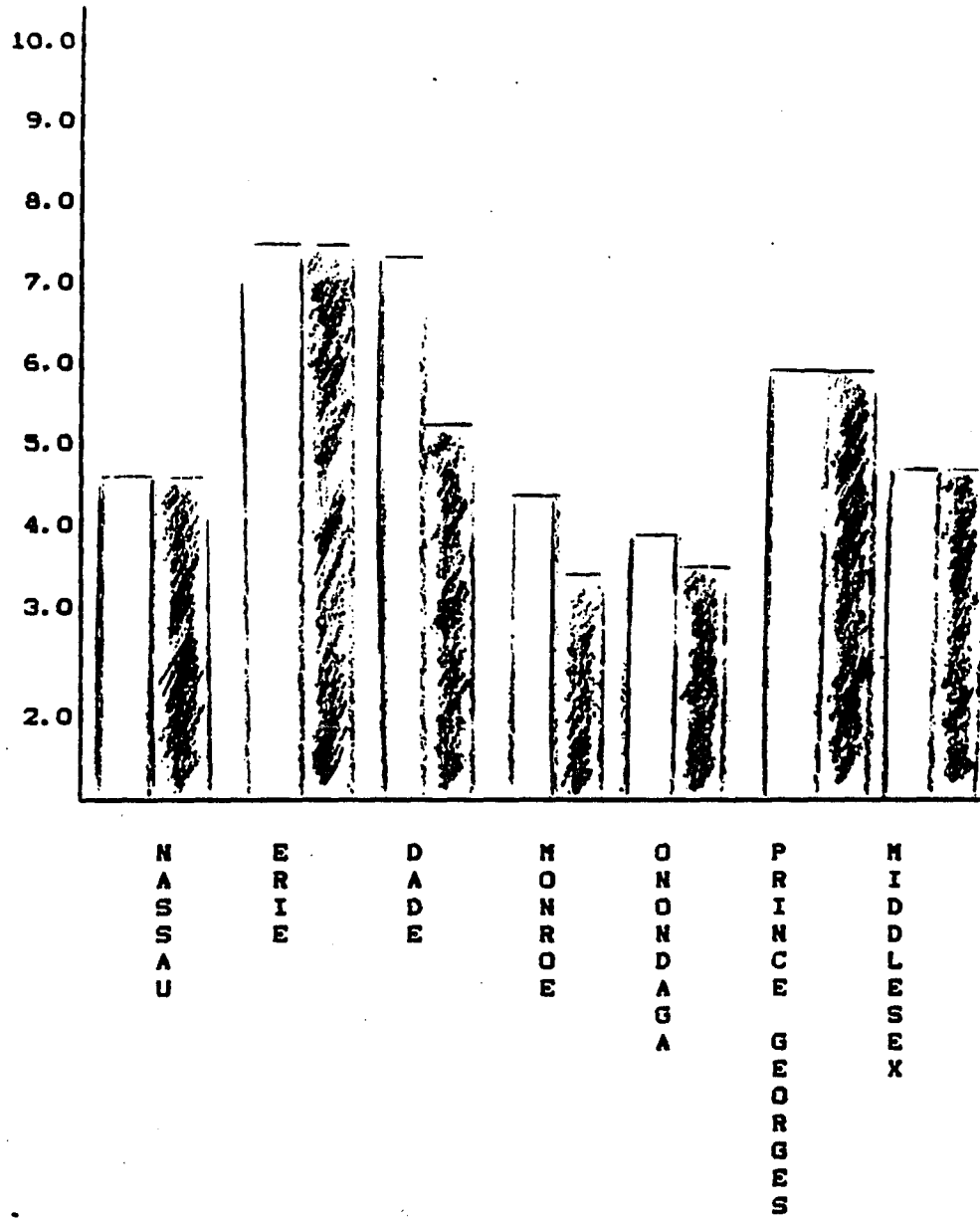
**CLASSIFICATION**



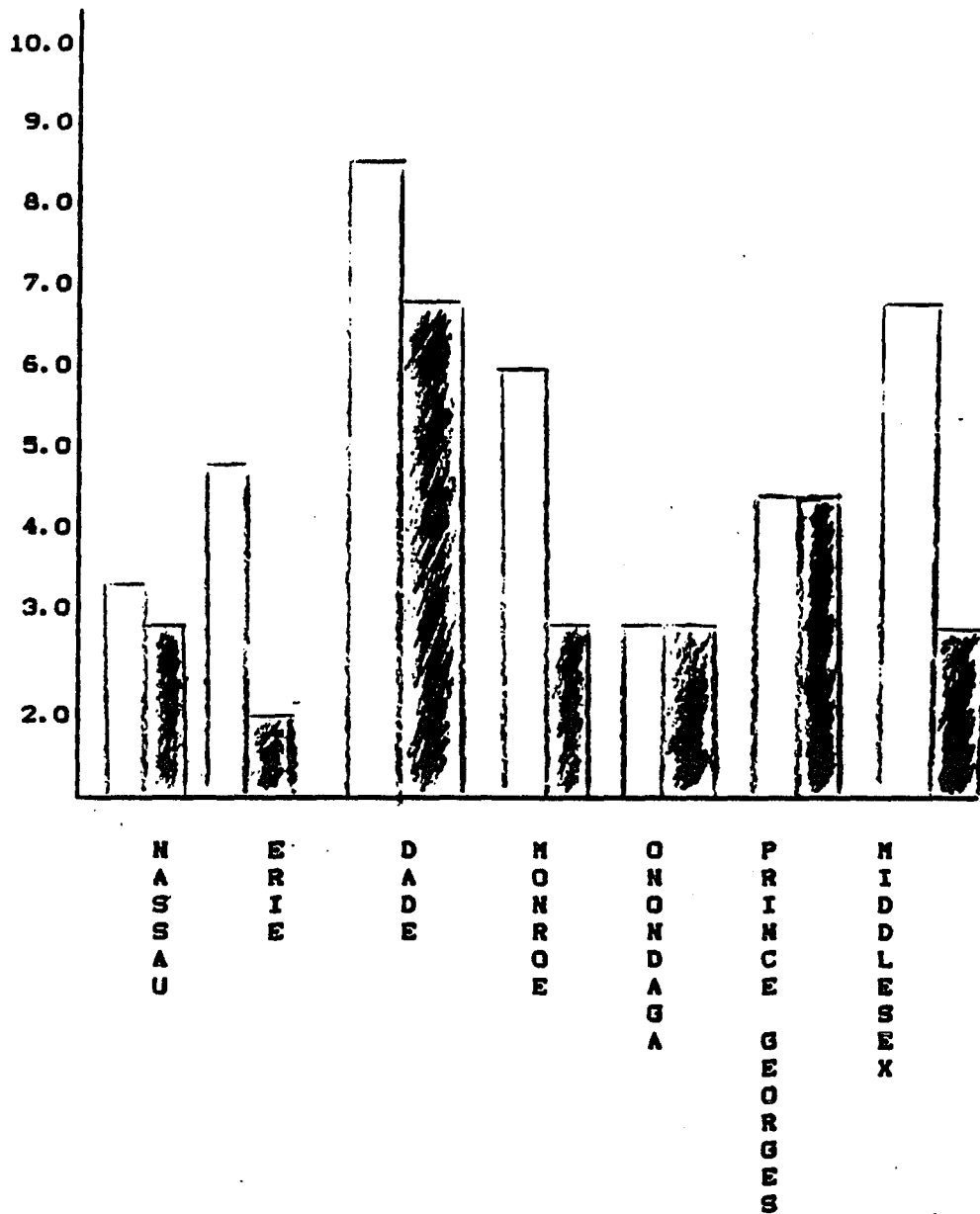
SECURITY AND CONTROL



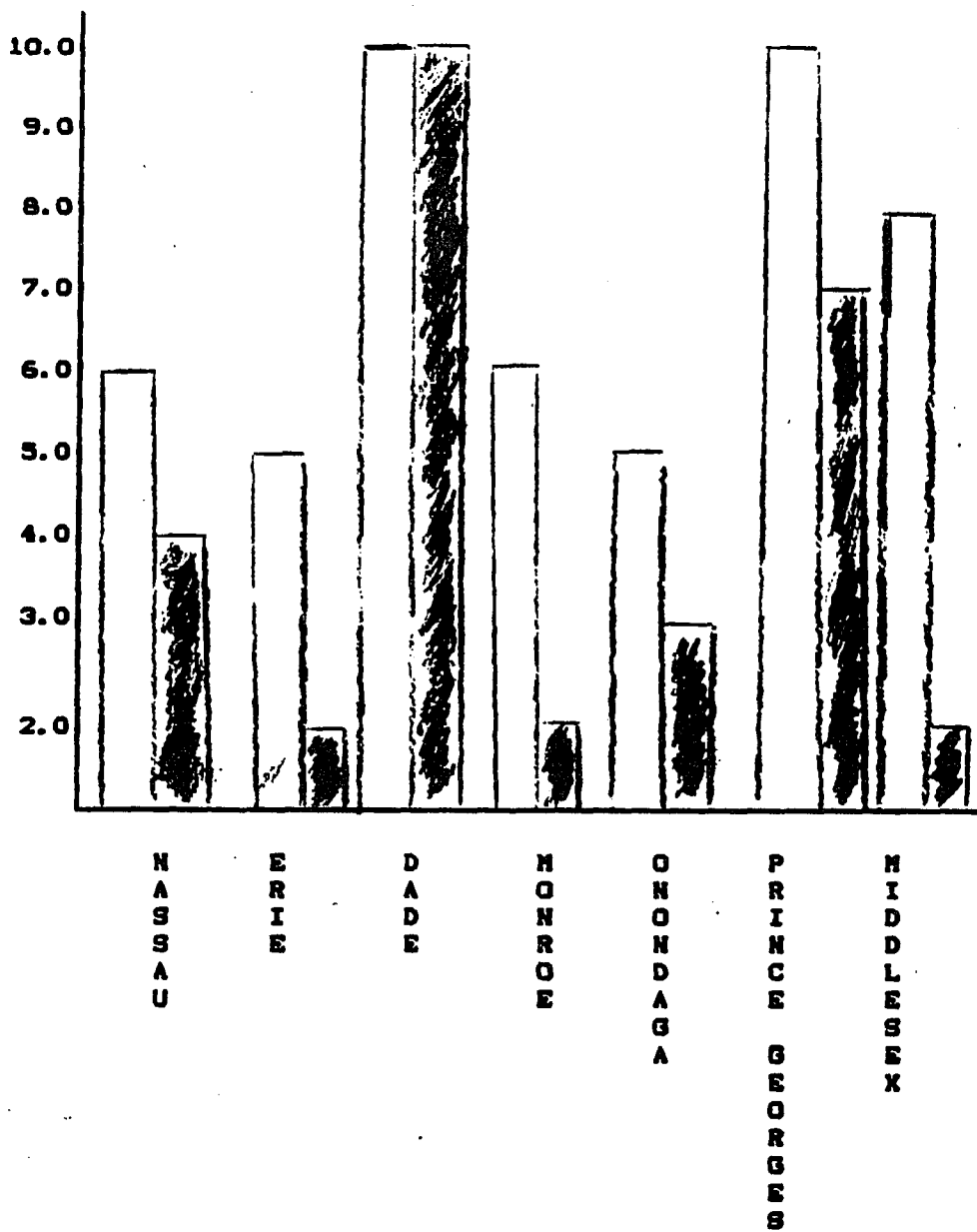
UNIT FACILITY



**INMATE WORK PROGRAMS**



**CLASSIFICATION**



corrected and how well standards are adhered to. As a result of this study a clearer picture developed of the actual needs of female inmates services, both individually and systemwide.

#### Field Testing of Protocol

The purpose of field testing was to assure that the instrument functions appropriately or accurately. Are there defects in the instrument? It was possible that the instrument was not specific enough, could not be understood by interviewers, did not deal with the significant issues, or was insufficient to produce decisions regarding disparate treatment.

The instrument was used at eight correctional facilities. The first two sites were used to test for defects, if any, and to correct such defects. Adjustments were made, where necessary, in both the instrument and the protocol for the other six sites. The number of sites used depended on the kinds of answers given at the first two sites and the necessity of adopting new changes.

Interviews took place first at the Nassau County Correctional Center followed by similar interviews at Erie County Correctional Facility in Buffalo. Some

parts of the research instrument were changed in order to obtain more precise information. For example in the area of grievance procedures it was discovered that more specifics were needed. Interviews took place at the six other sites in order to test the instrument for reliability and to ascertain that the instrument could be used in different sites. These procedures were followed to insure the efficiency of the research instrument.

This study looked at the effectiveness of the delivery of human services within local correctional facilities, and whether such programs were in compliance with court mandated orders.

#### Privacy and Ethical Issues

Informed consent was obtained from the individuals responding to the questions. No information of a confidential nature was needed. The determination was with the individual giving the answers. To the extent that officials answered the questions, they were informed of all areas under review prior to giving permission to elicit information.

Prior to responding interviewees determined whether

any information was necessarily confidential or secret, i.e., falling within security considerations. The instrument elicited no information involving security issues. All information obtained was in the public domain.

If information was needed from those in non-official positions, consent was gained prior to questioning, and identities of all individuals were protected. All tenets of the City University of New York were followed.

## CHAPTER IV

### ANALYSIS OF DATA

#### **Analysis:**

The primary purpose of the analysis was to see whether the instrument successfully accomplished its purpose: to measure objectively disparate treatment in the delivery of services in local correctional institutions. The instrument was designed to provide a tool to identify those standards and procedures not being adhered to as established by the American Correctional Association, the National Commission on Correctional Health Care, Minimum Standards as established by the New York State Commission on Corrections, standards established by other states, and standards established by local correctional facilities as well as to indicate where there is non-compliance with court decisions. The instrument allows for correctional administrators to conduct a systematic comprehensive self-inspection of their facilities by the

use of recommended guidelines, to determine if all inmates are receiving the same and/or similar services as mandated by the courts and by established procedures. Adjustments can be made to reflect changing conditions as well as to assess other forms of treatment.

The instrument follows the format of behaviorally anchored rating scales (BARS), which indicate how well a task is being performed. It focuses on the behavior and performance of correctional facilities. It is possible as well to get a high degree of interrater agreement using the established scales. These scales provide concrete examples of what is needed to meet established standards. Through validation of the instrument disparate treatment in the correctional facilities was made apparent.

Jails generally have been constructed to hold securely a comparatively large number of inmates. "The rare existence of sound operational standards for detention facilities and the failure of many states to enforce those that do exist further depress the

situation" (American Correctional Association, 1985, p. xv). The jail is the most visible aspect of corrections. As such there is a need to follow basic guidelines in the administering of these facilities.

The local correctional facilities in which the field research was conducted to test and validate the instrument (see Chart #1, p. 237) house pre-trial detainees, unsentenced individuals, inmates with special problems (drugs, alcohol, the mentally disturbed, physically handicapped), inmates sentenced to a year or less, work releasees, weekenders, trustees, witnesses, civil prisoners, juveniles (in some cases), and placed in a category by themselves, females. All these factors were taken into consideration in the development of the instrument.

Two of the facilities, Women's Detention Center of Dade County, Miami, Florida and the Middlesex County Department of Correctional Adult Division in New Brunswick, New Jersey, (see descriptions, pp. 146, 161)

are accredited by the American Correctional Association, considered to be the highest professional standards to be reached. One other facility, Prince George's County Detention Facility in Upper Marlboro, Maryland, (see description, p. 158) was in the process of being accredited. However, accreditation does not necessarily mean that discretion and operational latitude do not exist. As is indicated in the instrument (see below) "standards are acknowledged criteria for qualitative and/or quantitative measurement" (National Commission on Correctional Health Care, 1986, p. vii) but compliance is no easy task.

The instrument assesses delivery of services in the following categories: delivery of food service, medical access, sanitation and hygiene, inmate services and programs, inmate rights, unit facility, security and control, inmate work programs and classification of inmates all of which relate to conditions of confinement for inmates.

A Master Rating Sheet (see chart #2, p. 238) was

developed for each of the above categories breaking each category into sub-categories (see instrument, pp. 163-236). A weight was assigned each depending on the relative importance of each area. This was pre-determined by the established standards, as well as by the litigation. These weights were further validated by those correctional administrators interviewed. Each was asked to give his/her opinion of the various weights assigned and to suggest changes. Changes were then made to reflect the consensus of the majority. Each sub-category was then listed on a rating sheet (see charts 3-11, pp. 239-247). The highest rating achieved was a 10 ranging down to a score of 2. If the particular unit within the facility had all that it should have both in written policy and actual practice a rating of 10 was noted. Where the unit facility had many but not all policies being practiced it would rate a 6. If few policies were practiced, the unit facility would receive a 4, and if the bare minimum was followed there was an

assigned rating of 2. There was a score noted for each sub-category (see charts 3-11). It was then multiplied by the weighted score, and divided by 100 which gave the score for that particular area. All these results were entered on the Master Rating Sheet (see chart 2, p.238) where the results were compared with all facilities, noting existing differences between the male and female housing units.

The protocol as established guaranteed that each area to be rated used a minimum of three or more procedures: procedure review (P.R.), official interview (O.I.), behavior observation (B.O.), record review (R.R.), line staff interview (L.S.I.), external inspection review (E.I.R.), and physical/environmental inspection (P/E.I.). (See protocol, chart 12, p. 248) This insured objectivity, reliability and validity. Objectivity is arrived at when different people "can and should arrive at the same results when they employ accepted research techniques" (Babbie, 1986, p. 462). Reliability is defined by Anastasi as "the consistency

of scores obtained by the same persons when reexamined with the same test on different occasions..." (1988, p. 109). Reliability means consistency. Validity is "the degree to which the test actually measures what it purports to measure. Validity provides a direct check on how well the test fulfills its function" (Anastasi, p. 28). No one answer, no one person interviewed, no one observation, no one factor by itself was relied on for the evaluation.

The protocol as followed was intended to monitor the delivery of services in all areas for purposes of evaluating the implementation of approved standards and legally mandated decisions. The following of at least three or more of the above procedures was necessary to establish reliability, for example if services were actually delivered, whether it was delivered in accordance with the standards, and to check where variations existed, if at all.

The following section is divided into two areas of

analysis: 1) demonstrating external validity of the instrument, i.e. allowing inferences or generalizations to be made beyond the individual populations within each correctional facility, and 2) an analysis of the findings of those populations within the correctional facilities.

**FINDINGS - EXTERNAL VALIDITY:**

External validity is defined as the capacity of the research design to allow for inferences or generalizations beyond the scales of the instrument. For example, this study has rated institutions by the use of the instrument. Institutions however can also be judged by whether they have been accredited by various accrediting agencies, or at the other extreme by whether they are under court order to improve their facilities. These independent judgments, i.e. by accrediting agencies or the courts, should correlate with the findings derived from the instrument. If they do then the instrument has external validity. In this section comparisons are made between those institutions

that are deficient and do not adhere to standards and those that do adhere. A good institution is defined as one that has accreditation, and/or is in compliance with court decisions, is seeking accreditation, and at least adheres to minimal standards established by the state. An institution designated as deficient is defined as one where litigation has taken place, is not in compliance with the courts nor is it accredited. A comparison has been made using the results of both the instrument and external validity demonstrating the differences in the delivery of services between the higher rated institutions and the lower rated institutions.

**Food Service:**

The delivery of food service is a prime area of concern. Prince George's County which is seeking accreditation from the American Correctional Association has a separate dining room facility for all inmates as does Metro North Facility (part of the Dade Correctional System). The size of the dining rooms conforms to

established standards. They are also very bright. The food served to the inmates is the same food that is served to the correctional officers and staff. The experienced dietician at Prince George's County ensures that all meals have nutritional value. He also adheres to the policy of ensuring that special diets, including religious diets, are available. He takes the temperature of the food periodically (keeping the thermometer in his back pocket) to ensure that it meets all health department standards. The kitchen workers (inmates) all wear hairnets when handling and serving food. The cooks are civilians. At Metro the person in charge has over twenty years of experience in the military handling food. Food comes from the main facility and is served at acceptable temperatures.

Nassau County, under court order to improve delivery of food service, uses antiquated kitchen equipment. The serving carts are falling apart and are damaged to so that the doors used to maintain the proper temperature of the food fail to lock properly. Nassau

County has also been cited for lack of cleanliness in the kitchen area, as well as for the presence of insects and rodents. Food waste is not refrigerated in an area close to the garbage pick-up area thereby attracting rodents. The kitchen is not equipped for portion control as required by the **Badgley** case. (**Badgley** is a case in Nassau County where the plaintiffs brought suit against the Sheriff of the Nassau County Correctional Center because of overcrowding at the institution which was alleged to be a violation of inmate rights. At issue also was the lack of services caused by the overcrowding). Monroe County has had many standards waived by the state and does not maintain adequate delivery of food service. The facility is old and there have been problems with the outside contract company which supplies all food services. The trays used to keep the food warm do so for about thirty-five minutes. The food is transported to the inmates to their cells via two elevators, which do not always work. Food is

not always delivered at acceptable temperatures. The appearance of the food is not appealing.

Validating the information are the scales noted in the Instrument. Prince George's County rates a 6.1 with Metro rating a 6.6. In contrast Nassau rates a 4.9 (males) and 4.6 (females) with Monroe County rating 4.1 (males) and 3.3 (females).

**Medical Access:**

Another area of major concern is the delivery of medical services to inmates. Prince George's County is an example of a good institution. It is accredited by the National Commission on Correctional Health. Accreditation by the Commission "means professional and public recognition of good performance..." (1987, p. vii). The Commission bases their standards on the belief that "health care provided in institutions should be equivalent to that available in the community and subject to the same regulations" (p. vi). Prince George's County was under court order to improve the delivery of health services and is currently in

compliance with such order. It has a professional medical staff, proper medical equipment, good emergency procedures, decent training programs for the medical staff and proper procedures for record keeping.

Nassau County Correctional Center is an example of an institution under court order to improve the delivery of medical services but not in compliance. At Nassau the head of medical services is a security sergeant with no medical background. There is no health services professional administrator present at this facility. No written procedures exist for the operation of the medical unit nor the management of inmate's cases. No emergency instructions exist, no procedures for sick call exist, no procedures for detoxification exist, nor are there procedures for proper record keeping. Much of the equipment is inadequate and in disrepair. There is no privacy for examining inmates and no wash basins available in the medical unit. Conditions are such that medical treatment is oftentimes given to inmates in an

area designated for dental care. Very limited space is available for mental health records and consultations. The pharmacy is operated on a limited license. Officer training does not always include cardiopulmonary resuscitation and first aid. Refresher courses are rarely given. Compliance with even minimal standards does not exist.

The instrument has measured the delivery of health care services. To support the findings of external validity, Prince George's rates 6.8 for all inmates while Nassau County rates 4.4 (male) and 4.0 (female).

#### Sanitation and Hygiene:

In the area of sanitation and hygiene Metro North stands above the rest of the facilities. This may, in part, be due to the fact that it houses the least number of inmates. It adheres to minimum standards and is able to supply all inmate needs. At both Erie County and Middlesex inspections are conducted on a regular basis, exterminators are available and items of personal hygiene are readily available. Middlesex like Erie

is a "new generation facility," i.e. there are no cells with bars but rather "rooms" for the inmates with day room facilities immediately outside the living areas. This aids them in adhering to minimal standards. They have a fully stocked commissary and inmate trustees insure the cleanliness of the facility.

Monroe County Correctional Center is not a clean facility. Feces was noted on the floor in the housing areas. This facility has a variance from the state to run below minimal standards in some areas. At Nassau County there is a constant shortage of uniforms. The quality of bedding used is so bad that sheets tear very easily after being laundered. The equipment in the laundry is old and inefficient. The washers and dryers do not work properly and are unable to meet laundry demands. There is no computer method of processing clothing information, all records being kept by hand. Compliance in this area is not noted.

Erie County rates 7.4 (males) and 6.2 (females)

while Middlesex rates 6.4 on the Instrument. In contrast Monroe County rates 5.4 (males) and 4.8 (females) while at Nassau the ratings are 5.7 (males) and 4.4 (females).

**Inmate Services and Programs:**

It is interesting to note under the category of inmate services and programs is that Nassau County does well in this area. The reason, however, for its success is the skill of the individual in charge (a former inmate). He has developed an outstanding drug and alcohol counseling program for the inmates. There is always a need for administrators and staff willing to take the initiative to ensure that counseling services are available. At Nassau County due to this one individual's willingness to develop programs and to follow through, Nassau rates well in this area. Middlesex, a new generation facility of two years, also has a program staff and administrators willing to take the initiative in the kinds of services and programs offered. And Dade County for females (part of the Dade

County Correctional System) offers work programs, intensive drug and alcohol counseling programs, has outside community resources available and classes available on how to cope with the outside.

Onondaga is deficient in the offerings of services and programs to inmates. This is a holding facility that offers few services to inmates. The standards do indicate that holding institutions do not need to offer full programs for inmates but rather should have available community resources. This is not the case.

Under the area of inmate services and programs the instrument supports the findings of external validity. Nassau County rates a 7.0 (males) and 4.6 (females) and Middlesex a 5.6 (males) and 4.7 (females). The differences are noted at Onondaga which rates a 4.5 (males) and 2.9 (females).

**Inmate rights:**

Inmate rights includes access to courts, to attorneys, to the law library, to supplies, to practice

accepted religion, and to proper grievance procedures. Middlesex, a new generation facility and as such adhering to all minimal standards, adheres to those standards established by the American Correctional Association (A.C.A.) in this area. There is a formal grievance procedure, with an outside appeal available to inmates. They have an excellent law library as defined by A.C.A. standards. Monroe County which has problems in other areas does succeed in providing inmates what they are entitled to by adhering to minimal standards under inmate rights. Monroe seeks to be accredited.

Nassau County does not have a written grievance procedure. If an inmate has a grievance, conversations with attorneys or correctional officers are the only means available to inmates to grieve. Nassau does not have proper procedures established for getting inmates to the law library or to recreational facilities. In this area as in so many others it is not one of the better institutions.

Middlesex as confirmed by the Instrument rates at

8.0 (males) and 7.8 (females) with Monroe rating 7.8 (males) and a 7.4 (females). Nassau on the other hand rates a 4.8.

Unit Facility:

Erie County is a new generation facility and is about two years old. The colors of the walls have a calming effect on the inmates. This facility was opened as a result of court orders, and while not accredited is in compliance with some minimal standards. The facility has room for its inmates and does not evidence any overcrowding. The inmates' rooms are clean and are kept in good condition by both inmates and staff. The rooms are well lit, bright and airy. Adequate space allows for movement of inmates within their housing areas. Prince George's County, also a new generation facility and opened over two years ago, has double the population it anticipated. However, the housing units were built to conform to the standards of 70 square feet per room. The facility has adequate lighting with

natural day light coming through. Night lights are evident in the housing areas.

One facility that is considered deficient under housing is Monroe County. Monroe County wants accreditation but, because of overcrowding and the age of the facility, has been unsuccessful and operates under waivers from the state have been given in this area. Sentenced inmates participating in work release are housed in a basement area with no natural light. The ventilation system is inadequate. Lighting is insufficient and the housing unit itself is situated adjacent to the parking lot for Motor Vehicles. The smell of automobile fumes is ever present. Onondaga also has horrendous living conditions for its inmates. It has single cells with no natural lights. The shower area is enclosed in a cell. Inmates eat in their cells. There is no table, shelf, or chair present in the cell as required. There is only a cot bed, sink and toilet. The ventilation system is poor. Onondaga operates at the barest of minimum standards.

The scores indicate that Erie rates 7.4, with Prince George's County rating 6.0. In contrast Monroe County rates 4.2 (males) and 3.3 (Females) with Onondaga rating 3.9 (males) and 3.6 (females).

Security and Control:

Under this category most facilities adhere to at least minimal standards. Institutions such as Prince George's County, Middlesex and Erie have central control systems properly manned. Inmates can be observed on television monitors as can the entire facility. Some doors such as those in Prince George's County are voice activated, while others as in Middlesex require stepping into an area (sally port) and waiting for one door to be locked before entering another.

Nassau County is an example of a jail with poor security. Doors that are supposed to be locked at all times are not. A lack of adequate management and supervision exists. The main control area is heavily trafficked and the officers are not always alert as to

what is happening. Onondaga has a similar situation, It is a decentralized system with individual deputies in charge of their own floors. Audio and electronic surveillance is not used in elevators or the corridors of the facility.

Demonstrating once again external validity the scores of the Instrument are noted. Prince George's County rates a 6.8, Middlesex a 7.0 and Erie a 6.4 while Nassau rates a 5.2 (males) and 3.8 (females) and Onondaga rating a 5.8.

**Inmate Work Programs:**

The two Florida facilities (being satellites of the Dade Correctional System) have acceptable work programs for inmates. These two facilities offer opportunities for inmates to hold jobs as trustees and to participate in work programs.

Nassau County and Onondaga have little in the way of work programs. Nassau, under court orders to overhaul the entire facility, has done little in this area. The work release program it once had is gone due

to pressures from the district attorney's office.

Onondaga adheres to no standards in this area.

The ratings at Metro North and Dade are 8.4 and 6.8 respectively and indicate what can occur if there is a desire for accreditation or if there is in fact accreditation. Nassau County rates 3.2 (males) and 2.8 (females) in this area while Onondaga rates 2.8.

Classification:

The last area of concern is classification. Prince George's adheres to the process of classifying inmates properly. The information necessary for classification purposes is generally not complied with until the inmates has been housed, studied, processed and assigned to appropriate programming. Decisions as to where to house inmates are not made until all procedures have been followed. This happens at Prince George's County.

In contrast at Nassau admission officers who gather classification data are not classification officers and

as such are unable to classify inmates properly. This is all part of a fragmented organizational structure. As an example, if the main facility admissions floor is full, admission officers may decide to send inmates overnight to the Annex which has the least amount of security. No consideration is given as to the level of security appropriate for the inmate. A similar procedure is noted at Erie and Onondaga.

Turning to the Instrument, it is noted that at Prince George's County the ratings are 10.0 (males) and 7.0 (females). At Nassau County we note ratings of 6.0 (males) and 4.0 (females), at Erie 5.0 (males) and 2.0 (females) and at Onondaga 5.0 (males) and 3.0 (females).

Because external validity has been demonstrated, generalizations can be made about institutions that are accredited, seeking accreditation, in compliance with licensure, adhering to standards, and those that are new generation facilities as compared to those institutions where deficiencies are noted.

## FINDINGS - INSTITUTIONS

Next we turn to the actual correctional facilities studied and comparisons within the facility of treatment afforded male and female inmates.

### **NASSAU COUNTY CORRECTIONAL CENTER:**

Looking first at the Nassau County Correctional Facility (see Chart 13, p. 249) there are noted some significant differences in the areas of inmate's services and programs, inmate work programs, classification between male and female inmates housed at the same facility, sanitation and hygiene, and areas of security and control. There is noted also significant differences in the delivery of medical access as well as food services.

#### **Inmate services and programs:**

It is significant that as a result of a lawsuit at the Nassau County Correctional Center, in the case of **Thompson v. Varelas**, (see summary of case, chart 20, p. 256) the Court held that there should be substantial

equivalence for female access to the law library (categorized under inmate services and programs). The instrument indicates that male inmates get to use the library several times a week, while females are allowed to use it once a week. There are statements that females really have no interest in using the library, and that is why they are seldom seen there. Females have access to few jobs at the facility. Housed in an area separate from the male inmates, female inmates are given little to do except clean their cells. The area in which they are kept is small with all females being housed together regardless of their status. There is no minimum, medium or maximum security for females as there is for males. A new facility is scheduled to be opened in 1990. Construction was to have begun no later than October 1987. As of this writing, Summer 1988, a sewer line has been put in. There is "discussion" as to whether this constitutes construction.

Recreation:

Both the standards and court holdings indicate that

females are entitled to access to the same kind of recreation activities afforded males. Theoretically, at Nassau policy exists for females to be "encouraged" to participate. However, by the nature of the complaints, through observation and interviews it appears that females do not participate in recreational activities as do the male inmates.

Program accessibility:

Male and females are able to attend educational and vocational training programs separately but the emphasis seems to be more on male participation than female participation. There are good drug and alcohol counseling programs for all inmates. This has more to do with the individual who runs the programs than the policy of the facility. A former inmate in the 1960's, he is very much involved in his work.

Inmate work programs:

Under inmate work programs less than 40% of the females have some kind of job. Institutional

maintenance is the main job (i.e. mopping the floors and cleaning the cells) available. The indication is that females are "tougher" to deal with, therefore they cannot be given the same responsibilities as the males. For examples, the males are allowed to work outside the facility maintaining the grounds, females are not allowed to do this. There is no work release program presently. When there was, the male inmates were housed in a separate area for work release, whereas for the most part the females would go back to their housing unit, since no other place had been set aside for females.

Security and control:

Female inmates in need of psychiatric observation are not housed in a separate part of the facility or in a medical unit, but are housed in the general female housing unit with an officer patrolling the area. This is called "continuous observation" as defined by the facility and not as defined by the standards.

The main facility is old and run down so that the

only communication the officers have is via walkie talkies. The area where the females are located is hard to see from the correctional officer's post. The female inmates are around the bend from the officers. According to standards there must exist written policy and procedure which provides for around-the-clock supervision of all inmates. In the case of the females at Nassau, twenty-four hour surveillance and visual surveillance is almost an impossibility. The standards further indicate that correctional officer posts be located "in or immediately adjacent to inmate living areas to permit officers to hear and respond promptly to emergency situations" (American Correctional Association, 1985, #2-5173). This becomes difficult due to the physical set-up of the female housing area.

**Classification:**

The standards state that there must be "written policy and procedure [which] provide for inmate classification in terms of level of custody required,

housing assignment and participation in correctional programs" (#2-5352). At Nassau County housing assignments are not "complex". Females are housed in one of only two units based on health and mental needs, these two areas being adjacent to each other. For males, however, classification is complex because cases such as Badgley (see further discussion of case, chart 21, p. 258) require that when double celling occurs, it must be based on seniority, personality and circumstances on the tier. There are different housing areas for males based on high bail, pre-trial, low risk, low bail, better behavior records, sentenced DWI's, severity of charge, and protective custody. Housing re-assignments are based on calls from the court indicating changes in an inmate's status. This is not available for female inmates. They have only two housing units available.

Medical access:

Medical access appears to be a problem area for both male and female inmates. The present head of

Medical Services is a security sergeant who oversees its administration. There exist no written procedures for operating the medical unit. There are no emergency instructions, no sick call procedures, or detoxification procedures. The medical equipment at the facility is badly in need of repair and replacement. There is no staggered schedule for the doctors, so that four physicians work the same basic four hours, leaving the facility without a physician for twenty hours a day. There are no private examining rooms. The limited pharmacy is literally back to back with the desk in the medical unit. It lacks most drugs necessitating a contract with an outside pharmacy. Though some officers are trained in CPR no refresher courses are given and officers who are trained are not always available.

The Thompson case requires that females be given access to physicians five days a week, an examining room specifically for females, a complete physical within forty-eight hours of arrival unless done in the last

three months, a supply of feminine hygiene needs, pregnancy and venereal testing, contraceptive medication to complete the month's cycle, gynecological examination after thirty days of arriving at the facility, pregnancy counseling, provision for newborn babies to stay with their mothers, psychiatric services and separation for observation, as well as dental check-ups. Much of this has not happened. The low ratings for both females and males in the area of medical services indicate that standards are not being adhered to for either group, but for females even less compliance is noted.

Food Service:

The instrument considers also the age of the kitchen, the conditions within the kitchen, i.e. floods, falling plaster, old equipment. The obsolete and decrepit serving carts make it almost impossible to serve food at the proper temperatures. There is difficulty in providing medical diets as well as serving food that appears palatable.

It is clear that disparate treatment does occur. Males do not necessarily get all of the services they should but females get even less. The instrument was tested, retested and further validated after several visits (see appendix, pp. 139-142 for those individuals interviewed, and the protocol that was followed).

The instrument as tested here allowed the researcher to know of the parameters under which this Correctional Center operates and to make comparisons with other facilities relating to conditions of confinement.

**ERIE COUNTY CORRECTIONAL FACILITY:**

To further test this instrument a second field study was conducted at the Erie County Correctional Facility, Buffalo, New York (see appendix for description, pp. 143-145). Significant differences in treatment are evident notably in the areas of delivery of medical services, sanitation and hygiene, inmate services and

programs, inmate rights, inmates work programs and classification. (See Chart 14, p. 250). Medical access:

The results of the study indicate that under medical access, examining rooms are not available for gynecological exams at the facility, necessitating the transporting of the female inmates to a hospital some twenty miles away. The standards indicate that if female inmates are to receive medical services at the correctional facility, appropriate equipment is to be provided. The standards provide also that "written policy and procedure require medical screening to be performed by health trained staff on all inmates upon arrival at the facility" (#2-5273). **Estelle v. Gamble** held that there cannot be deliberate indifference to the medical needs of the female, while in **Todaro v. Ward** the court held that the medical system at Bedford Hills Correctional Center to be unconstitutionally defective. There is evidence of similar medical defects in Erie County as well as in other local correctional

facilities. At Erie County the female inmate is immediately placed into the housing unit, and thereafter medically screened. Only one housing unit is used for females.

Inmate services and programs:

There are important differences between males and females in inmate services and programs. The standards state very clearly that "should male and females be housed in the same facility, equal opportunities are (to be) provided for participation in programs and services" (#2-5370). The same applies to recreational facilities, library facilities, leisure time activities, drug and alcohol counseling programs and other related programs. (See also **Canterino v. Wilson** cited above.) The assessment of Erie County reveals that male inmates have better access to programs than do female inmates. There are more community resources available as well for male inmates. In addition though there are jobs available for inmates, there are fewer jobs available for females

than for males.

Females have limited use of recreational facilities and have little to do but walk around within the confines of their housing area. There are limited education programs available at the facility and females do not have equal access to these programs. Females are given fewer hours to use the library fewer hours males. According to standards and court holdings, the number of inmates is not to influence the number of hours inmates are allowed in the library. There is to be substantial equivalence as noted in the decisions of **Bounds** and **Cody**.

Inmate work programs:

Erie County is a new generation facility. The kinds of programs available favor male inmates over female inmates. This is very much in evidence in inmate work programs. The female inmate spends approximately 90 percent of her time in her housing unit, while males spend less than 50 percent of their time in their housing units.

The results of the instrument indicate that at these two facilities (Erie and Nassau) the monitoring of services is important from the standpoint of ensuring that practices are in compliance with set policies. Where policy does not exist, it must be written and then followed. The instrument as tested demonstrates that a delivery system can be so ineffective that insufficient services are actually being delivered, even though higher policy standards exist for the institution. The problem may be a lack of commitment on the part of the correctional administrators and their staff in protecting the rights of the inmates, thus causing further litigation, and additional problems in the correctional institutions. The results of the instrument lead the researcher to conclude that perhaps too much discretion is given to those in charge of programs, resulting in the present disparate treatment.

To test the reliability of the instrument, further field testing was conducted at an additional six

institutions, four of which house males and females in the same facility, two of which house females and males separately but operate under the same correctional system. Variables that refer to objective information obtained are thought to be more reliable than are subjective ratings. The greater the number of individuals participating in a study, and the more varied the observations the more likely it is that the instrument demonstrates external validity thereby presenting a true picture of available services. By the use of a number of measures, each contributing a different facet of information, material which is irrelevant has been eliminated. It should be noted that the instrument was modified several times until its present format was reached in order that the desired information could be obtained. The purpose in the development of the protocol and the repeated administration further of the instrument was to test the reliability of the instrument.

**Women's Detention Center, Dade County and North Dade  
Detention Center for Men:**

The facility for women at Dade County (see appendix, p. 146 for description) is an overcrowded facility but a facility that has been accredited by the American Correctional Association. In contrast, the North Dade Detention Center for Men (see appendix, p.149 for description), is an underutilized facility, housing Federal prisoners in addition to county prisoners. This facility is hoping to be accredited in the near future.

In most areas the men's facility rates higher in delivery of food service, medical access, sanitation and hygiene, inmate rights unit facility and inmate work programs. However, both facilities do rate higher than the other facilities as evidenced in the results of the instrument (see Chart 15, p. 251 ). Both facilities have available minimum, medium and maximum security facilities for their inmates and therefore rate the same

in this category. The facility for females, an exception to most jails, has more services and programs available than the males facility. There are many support services for the females. Outside counseling, limited work options, and an excellent drug and alcohol counseling program are available for females. In contrast, many of the male inmates are sentenced with the additional stipulation that they receive drug and/or alcohol counseling while serving their time. Because of the long wait the males experience before entering drug and alcohol programs, most are released before beginning such a program.

Inmate services and programs:

The males have constant access to recreational activities, both inside and outside. The females in contrast are only allowed out three hours a week. The standards provide "for all inmates to participate in leisure time activities outside the cell or room on a daily basis" (#2-5373). Local detention facilities to be accredited must meet only 90 percent of what is

referred to as essential standards and 80 percent of important standards. This is the case at Dade County. An interesting contrast is found in the fact that females have a limited law library available to them, with an instructor coming in from the outside to talk about inmate rights weekly. The males may either request books from the main facility or on occasion be taken over to the main facility to do research.

Medical access:

Females have sick call twice a week with a doctor. This is in violation of the males who have sick call five times a week, and is in contrast to the standards which mandate sick call with a doctor to be five times a week. There are no prenatal services for females at the facility so they must be sent to a nearby hospital if such services are needed. Females get abortions if they can afford to pay for them. Only male inmates get full dental care while it is not easily accessible for females.

Work programs:

There are few jobs available for females other than keeping their own areas clean. There are trustees assigned to handle the laundry. The trustees are also in charge of providing for hygiene needs of females. When, for example, more sanitary pads are needed, the trustee informs the officers. Such items are not easily accessible. Some females are allowed to work in the gardens outside county buildings. Only male inmates can work in the kitchens and serve the food. The female inmates are unable to get medical clearance for such jobs. In the female area, there is a separate unit for those male inmates who work in the kitchen. However, they are not allowed to participate in any programs at the facility.

The females have available to them a cosmetology classroom as well as a sewing room where they can make their own clothes. As noted females wear street clothes and no uniforms. Trustees wear jackets to distinguish them from other female inmates. The males do

construction work, and are allowed out on work release. At least 80 percent of the males have jobs. Some earn money and pay for their room and board at the facility. Others receive forty-two dollars a week while out on work release or house arrest for jobs done outside the facility. The males are also allowed to work on public work projects and various community projects. In spite of the services available females are still assigned to those positions that are considered "lady like." "Keep it simple, these are only women" (Glover v. Johnson).

Basically there are two facilities housing different inmates, but even with accreditation, and with many services available to females, disparate treatment is noted.

**MONROE COUNTY CORRECTIONAL FACILITY:**

Medical access:

In Monroe County (see appendix for description, p. 152) it is clear that (see Chart, p. 252) that in the

area of medical access for females, females rate a little higher. This is due to the medical screening procedures. In neither case, male or female, is medical screening usually done within the allotted time of fourteen days, but for women it appears that screening procedures are completed more quickly than for males. In all other areas services for males rate higher than those for females. There are numerous complaints that in the examining room after a prostitute has had a venereal disease exam, the sheets are not changed. There was a difference of opinion and it was impossible to prove this accusation.

Food service:

Monroe County contracts with an outside company to supply the food with male inmates working in the kitchen and serving the food. There are general problems with the flavor, texture, temperature and palatability of the food. The results of the instrument indicates that nutritional diets are not being met in the female housing unit. The women complain that at every meal

they are served two slices of white bread plus potatoes, rice and noodles at both the lunch and dinner meals. The temperature of the food is not taken and most hot meals end up being served lukewarm or cold. The only religious diet is the omission of pork at meals.

Inmate services and programs:

Males have more opportunities to participate in programs than do females. There are more community services for males and more outside resources for males. All inmates at Monroe County are mandated to work at some job. Those sentenced inmates who do not work are disciplined. The problem is that the same employment opportunities do not exist for females as they do for males. What is available for both females and males are counseling programs for those with drug and alcohol problems. Upon observation, interviews and examining of records it appears more males are present at these counseling meetings than are females. We are reminded that the Court has held in *Cooper v. Morin* that

administrative convenience is no justification for disparate treatment. Yet administrative convenience is the excuse given for the type of attendance at these meetings. On the positive side there is a tailor shop where both male and female inmates can work making uniforms for the facility.

There is no outside recreational facility available for inmates due to the overcrowding problem. However, while some indoor recreational facilities do exist for males, there is a limited amount for females. According to standards "exercise and recreation are essential to good health. The facility should provide a diversified recreation program" (#2-5374). This is not the case at Monroe.

The chief administrator of the facility indicated that both male and female inmates go together to the library. The individual in charge of the library indicated this was not the case, males and females go separately. This was confirmed by further investigation. Females are allowed one hour a week in

the library, while males use the library on a daily basis. A paralegal runs the law library and a male inmate runs the recreational library.

Work programs:

Females cannot work in the kitchen; they cannot work in outside park jobs, They are unable to walk around and leave their housing unit area as can males. They are confined to their own housing area. They cannot work on elevators, while male trustees run the elevators.

Security and control:

Everywhere females go they must be escorted by a female correctional officer, males are able to go in certain areas unescorted. Originally the females were held in a city lock-up but due to litigation resulting in a court order, females are no longer housed at this facility. There are two day rooms available for the females immediately outside their cell area. However, because of overcrowding there are bunks present in these

day rooms. This is also the case for males, but there is more space available.

Unit facility and classification:

The lighting is below standards for correctional facilities particularly in the housing areas. In the female unit there are less facilities available than in the male units. Females wash their underwear in slop sinks and hang it on the bars to dry.

As it appears to be the case with other facilities, classification is needed. In the case of females, there are only one or two housing units available. The standards state as noted earlier that "written policy and procedure provide for inmate classification in terms of level of custody required, housing assignment and participation in correctional programs" (#2-5352). For female inmates this policy poses difficulty. **Molar v. Gates** held that the practice of providing minimum security jail facilities for females but not for males is a violation of the equal protection clause. The courts continue to be very critical where differences

exist in correctional facilities for males and females.  
(See Chart 16, p. 252).

**ONONDAGA CORRECTIONAL CENTER:**

Validating the instrument at Onondaga County Correctional Facility (see appendix, p. 155 for description), the following results are demonstrated.  
(See Chart 17, p. 253).

**Unit Facility:**

There are single cells in the facility. Immediately outside of the cells there is a long narrow barred hallway with some tables where inmates eat, watch television and socialize. When the inmates are not locked up they have access to this area. There is no natural light and all showers are located in cells, so that the inmate is locked up when taking a shower. There are no tables, shelves or chairs in any cell. The cells consist of a bed, sink with cold water, and toilet. There are black and white television sets at

the end of each cell block outside barred doors. The inmates keep their clothes under their beds or in a corner of the cell. There are two visiting areas: one is a secure area behind secure glass partitions, while the other area doubles as the library and contains two bookcases of law books. The claim is that this is a "complete collection." It is not.

**Medical access:**

There are no special medical equipment or facilities for females. Any thing other than a regular check-up requires transporting the female to an outside hospital. As required by the National Commission on Correctional Health "... in institutions housing women, an obstetrical-gynecological text and equipment for pelvic examinations" (1986, J-26) are required. At Onondaga this is not the case.

**Sanitation and hygiene:**

In the category of personal hygiene, sanitary napkins are given out one at a time and are not easily accessible to the female inmate. Many of the cases (see Thompson for example) have held that this item of personal hygiene should be readily available to the inmate. It is not here. Under hair care services, there is a professional barber available at least twice

a month for males. The females can purchase whatever hair supplies they require from the commissary and do each other's hair. There are no professionals available to them. The standards require that "facilities should be provided so that inmates can obtain hair care services when needed. In all cases hair should be cut under sanitary conditions" (#2-5259). This is not the case at Onondaga.

**Inmate services and programs:**

Equal opportunities for male and female inmates in programs are not present. More is available to males than females. Females do not get the same amount of time for recreational or leisure time activities. There are no drug and alcohol counseling for any inmates at the facility. There are limited educational and vocational courses for inmates, but somehow the female inmates do not attend nor is there encouragement for them to attend. Males are allowed to do legal research in a special area set aside for such purposes. Females have no such area delegated and can only do work in their own housing units with books being brought to them.

**Unit facility:**

The facility has very poor lighting as a whole and

there is great difficulty regulating the temperature. Onondaga being a holding facility only, has no jobs available for any inmates. The standards indicate that in holding facilities inmate work assignment plans are not necessary, however, inmates can volunteer to do work. At Onondaga ninety percent or more of all inmates remain in their housing units and do no work. All females regardless of their status are housed in one area with no opportunity to be reclassified.

**PRINCE GEORGE'S COUNTY CORRECTIONAL DETENTION CENTER:**

Prince George's County Detention Center (see p. 158) is a new generation facility (meaning there are no cells, but rather rooms for the inmates, with no bars). The Center is accredited by the National Commission on Correctional Health Care. Litigation in 1982 placed the facility under a consent decree. This litigation gave impetus for the facility to put through new programs and overall improvements in the facility. Prince George's facility is in the process of applying for accreditation from the American Correctional Association. The results of the present assessment indicate they are not too far from being in compliance with most standards. (See rating summary, Chart 18, p. 254). The facility was

built about two years ago. Cells having seventy square feet of space available in accordance with American Correctional Association standards. The intention, however, was to have single cells not double bunked cells, but the population at the facility doubled as soon as it opened forcing officials not only to double bunk inmates, to have inmates sleeping on mattresses on the floors in dayrooms as well as in the gym area. This is demonstrated in the scales under the category of unit facility.

Unit facility:

There is only one housing unit for females. This unit is where everything happens to and for females. Males have separate units for various activities. Comments by the administrators at this facility indicate that females are sentenced more harshly than males for similar crimes, thereby eliminating them from many work and vocational programs. Administrators indicate that females who get locked up need to be locked up. The administrators claim that the criminal justice system is very chauvinistic. The claim is that females should not be involved in criminal activities and therefore need to be punished more than males to learn their proper place.

**Inmate services and programs:**

In spite of the atmosphere that prevails, there are many specific programs for females. The administrators claim that females get more services per capita than males. There are vocational and educational programs that both males and females attend, as well as counselors who devote full time to female inmates having drug and alcohol problems. There are career classes run for both the males and females. These cover how to develop proper attitudes, how to write a resume, how to handle a checkbook, how to get a job. All of this was mandated by the litigation. They have a large religious program at the facility; their Chaplain was a former inmate. There are special meals served on holidays, and inmates are encouraged to practice recognized religions.

**Medical access:**

In the female housing unit double bunking all females, causes problems with both discipline and with those who exhibit lesbian tendencies. Females who want abortions can get them only if they can afford to pay for them. Pregnant females are treated in the medical unit. There are five private examining rooms. There is also a separate dental area and dental program. Sick call is conducted daily in the inmate's housing area.

If there is a need for the inmate to be seen by the doctor, then he/she is brought to the medical unit.

**Inmate work programs:**

Females do not work in the kitchen, but they serve in the dining room where officers/staff eat. Females also operate the laundry. This is one facility where inmates do have equal access to the library with the additional advantage of having books brought to their own housing units, if they desire. The library system is run by Prince George's County with inmates working as trustees in the library.

One program available is the wood shop where the inmates restore, refinish, manufacture their own furniture. The program is open to females on a limited basis only. Females must have a minimum sentence of nine months, meaning they will actually serve six months at the facility. A female inmate cannot be pregnant, and if she has committed a violent crime she is ineligible to participate.

**Food service:**

Food quality seems to be acceptable. There is no dietician present on staff but rather a food service manager experienced in the field. The food is cooked at the facility, placed on hot trays, and is served in the

individual housing units hot.

**Classification:**

The biggest disparity noted is in classification where all females have but one housing unit while males with several units have many more opportunities to be reclassified. This appears to be a major problem in all local correctional facilities housing both male and female inmates though the courts have held that this is contrary to acceptable practice.

**MIDDLESEX COUNTY DEPARTMENT OF CORRECTIONS:**

Last we turn to the facility in Middlesex (see appendix, p.161). This is also a new generation facility, but has the physical appearance of being very old.

**Medical access:**

There are no facilities for giving females gynecological exams or care. (See Chart 19, p. 255). Middlesex does not screen females for venereal disease. The only discussion that takes place is if the female inmate indicates she may have the disease. Any prenatal care that a female needs is given to her at a nearby hospital. Only those females desiring abortions who can afford to pay for them may have one.

Unit facility:

Most correctional facilities, old or new, are kept clean. At the facility in Middlesex there is an existing housekeeping policy, but it is not adhered to. The housing units are not kept clean nor is the facility itself generally clean. The ratings indicate that in this particular area policy is not adhered to, though on balance in all other areas in this category the facility rates good.

Inmate services and programs:

Male inmates have more programs and services available to them than female inmates. The reason given is that there were 68 females incarcerated and 912 males. American Correctional Association standards require that, "should male and females be housed in the same facility, equal opportunities [be] provided for participation in programs and services" (#2-5370). As administrative convenience has been held to be no justification for disparate treatment, neither is lack of funds. At Middlesex, however, there is evidence of administrative convenience with the excuse of "no money."

In recreational and leisure time activities, for every nine hours that males are allowed to go to the gym

area, females are only allowed one hour. Again, respondents indicated that there are too few females to give them the same opportunities and programs as available for the males.

There are some educational and vocational training courses available for both males and females. College courses are available but only for males. Females have less access than do the males to all vocational and educational programs.

**Inmate work programs:**

Under the work assignment plan in Middlesex, females do not have the same work opportunities as do the males. Males are allowed to work in the printshop, learn horticulture and do gardening, do the cooking and learn how to be a short order cook, do construction work, vacuum, do heavy maintenance, work on the farms as well as in the kitchen area. Females are limited to working in the printshop, cleaning their units. Only three trustees work on the outside. This policy also limits the amount of good time credits females get.

CHAPTER V  
DISCUSSION AND CONCLUSION

Discussion:

On the basis of the results obtained by the instrument, the instrument appears to work and fulfills its intended objective. The intent of this study was to develop a conceptual framework for the classification of inmate services as to their quality and scope as well as to develop an assessment protocol to assign the services received by a particular position in the framework. Through the use of assigned scales, the instrument indicates where differences exist in the delivery of services to inmates, using males and females as the example (see Master Rating Sheet for male and female housing units, p. 238). The instrument also indicates those standards that need to be complied with in order to administer correctional facilities properly.

Standards have been established to guide correctional institutions in providing proper care and treatment. Adequate care and continuity in the delivery of services to all inmates is most important. The standards as established are meant to apply equally to

both male and female inmates. Implementation of the standards places responsibility in the hands of those who oversee all aspects of the facility. The delivery of all services must function as part of the overall jail program. The standards are meant to serve efficiency, provide greater cost-effectiveness, establish better planning and developing of mandated programs.

The validity of the instrument concerns itself with what is measured and how well the instrument measures what it sets out to measure. To achieve content-related validity all major aspects of the delivery of services to inmates are covered in the instrument. The scales place everything in proper proportion. To further prove that the instrument actually measures what it purports to measure, external validity has been demonstrated. "The determination of validity usually requires independent, external criteria of whatever the test is designed to measure. Tests designed for broader and more varied uses are validated against a number of independently obtained behavioral indices; and their validity can be established only by the gradual accumulation of data from many different kinds of

investigation" (Anastasi, pp. 28-29). Evaluating those institutions having accreditation, those under court order, those desiring accreditation, and those where no litigation is evident demonstrates the differences between good and poorly administered institutions and assures us external validity.

In all categories measured by the instrument the evidence demonstrates that the kinds of services delivered to female inmates are not on a parity with the majority of services delivered to male inmates. Litigation indicates that some jails are not in compliance with court decisions, let alone established standards, causing serious breakdowns in delivering to inmates what are at best minimal mandated services. Both the reviews of the cases and literature indicate the need to accept legally mandated changes as actual practice in the local correctional facilities. It may well be that litigation acts as a catalyst for change but litigation alone does not lead to compliance.

Problems relating to overcrowding in jails have come to overshadow many of the gender specific issues. Female inmates are often not sure what they are entitled

to. They spend time in one area together without the opportunity to fully comprehend what it is they deserve to have, or they may demand services but do not know how to get them. It may well be that gender and structural factors affect the way females react in the jail. Many of the institutions still apply gender specific policies as evidenced in this study and as specifically evidenced in the kinds of job assignments given to females. There is constant pressure to encourage females to maintain their traditional roles. In some cases facilities will give females what stated policy says they should have, but in such a way that they are really not winners. For example in Monroe County Jail, the policy was to allow females to keep their newborn children with them. One female had her baby with her; both were locked up in a cell usually set aside for administrative segregation. Wherever she went, her baby went with her since no one was available to watch the baby. The facility was not willing to set aside decent housing or a better atmosphere. They just provided space for her and her baby as dictated by the courts. There are all ways of complying with court decisions.

If correctional administrators as evidenced in most local correctional facilities continue to assign to female corrections one of the lowest priorities in budget allocation, staff development and program development, continued disparity will be evident.

Females have needs different from males and therefore place different demands on the correctional system. Criminology literature on females indicates a history of neglect in part due to the smaller numbers of offenders and demonstrates that the delivery of services for females cannot simply be mirror images of those systems that are designed for male inmates. To merely superimpose existing policies onto females is impractical as well as constitutionally questionable.

The study indicates that female offenders have available to them a much narrower range of programs and options. Where the male housing units can be individually designated for varying security levels, programs, and services, the females are usually relegated to one housing unit.

The instrument's worth is demonstrated in being able to present a clearer understanding of the

shortcomings and constraints of the local correctional facilities. The instrument has developed a clearer picture of the actual needs of the inmate population (with an emphasis on the females) both individually and systematically. It is recognized in this study that the incarcerated female population is no less diverse and no less deserving of close analysis.

The instrument establishes a benchmark to measure the kinds of services that should be made available in the correctional facilities. There needs to be adequate cell space. Food must be prepared properly and served at proper temperatures. Medical services as mandated by the standards must be available. Programs and vocational opportunities must be available. Inmates must be classified according to established standards. Those inmates with special needs must receive them. All inmates must receive proper delivery of services.

Measurement of the delivery of such services is important because:

- It is one of the primary vehicles by which organization effectiveness is gauged.
- It serves as a feedback mechanism... (Colwell & Koletar, 1984, p. 208).

In measuring delivery of services the following questions need to be answered: Is the quality that is being achieved comparable to that which is achieved in similar institutions? Does such quality conform to the demands of all concerned populations? Are professional standards as established being met? Are minimum or maximum standards being met? (Colwell & Koletar, p. 223).

The instrument allows for an explicit rating system that meets the needs of all inmates and adheres to standardized definitions and criteria. To establish a well organized delivery system this objective screening instrument was developed and has been validated by the field studies.

The instrument upon being tested and validated as a proper measuring tool of disparate treatment at the local correctional facilities should allow later on for proper evaluation of all correctional systems. The evaluation includes a process to make reasonable judgments about the effectiveness, efficiency and adequacy for the present programs. Areas where conditions are typically found to be unconstitutional are measured by the instrument. The instrument allows

for the collection of data and further analysis.

**Conclusion:**

The instrument gives administrators guidelines for self-improvement and a stimulus for change. Litigation can be avoided if directors of facilities utilize this instrument to measure delivery of services and then implement changes not under compulsion of court decrees but rather on the basis of their own professional judgment.

The assessment from the instrument indicates that full compliance with the standards and court decisions is no easy task. The standards that have been adopted allow for the measurement of acceptable performance in the correctional facilities. The results of the testing of the instrument indicate whether or not such performance is being achieved. At the very least the instrument indicates when standards have been met.

The research demonstrates that the fact that policy exists, as it does in most instances, is not enough to assure compliance with standards. Facilities responsible for housing male and female inmates together or separately are not in compliance with standards, if

required services are accessible to only one sex.

The reliability of the instrument has been proven by its analysis of current procedures and by noting existing disparate treatment. The instrument is meant to serve as a guide to meeting the special needs of all inmates by assessing what is against what should be.

Future Research:

This study opens many avenues for future research. The instrument is useful to articulate the issues that still need to be addressed, i.e. disparity of services in correctional facilities between inmates of different races, inmates having different socio-economic status or correctional classification.

Future studies would include measuring services delivered in those institutions classified as being the best, i.e., those who are accredited; and, the worst of institutions, i.e., those not being accredited and/or under court order. Such studies would present a more sophisticated analysis of the quality of services delivered in local correctional facilities, to understand the role of correctional facilities and to evaluate their success and failures in American history. Further use of the instrument should help prison

administrators to bridge the gulf that exists between what is against what should be.

All future research should aim for systematic, comprehensive, self-inspection to measure the levels of performance and control in correctional facilities. The instrument is a tool to identify systems and procedures needing attention and changes to be made. Additional research into all correctional facilities may provide more knowledge of the reality of correctional conditions.

APPENDIX

The facilities where the field testing was done include Nassau County Correctional Facility in East Meadow, New York, Erie County Correctional Facility, Buffalo, New York, where the instrument was first tested; Women's Detention Center, Dade County, Miami, Florida, North Dade Detention Center for Men, Miami, Florida, Monroe County Correctional Facility, Rochester, New York, Onondaga County Jail, Syracuse, New York, Prince George's County Detention Center, Upper Marlboro, Maryland and Middlesex County Department of Corrections, Adult Division, New Brunswick, New Jersey. Not included in the actual validation of the instrument, but visited for purposes of insight and discussions of conditions of confinement in jails were the New York City Bronx House of Detention, Bronx, New York as well as Rutland Community Correctional Center, Rutland, Vermont.

Much thanks goes to the administrators, program directors, correctional officers, social workers, teachers, and some inmates for their cooperation in allowing me to visit, tour their facilities, and to

speak to those involved with the studied areas. These are individuals who for the most part are very involved with correctional administration and who demonstrate a willingness to do what they can, under limited constraints, to deliver services as mandated to inmates.

The instrument as developed combined the standards as established by the various commissions with the facilities being rated in the particular areas. The protocol followed as indicated in the individual rating sheets (see Instrument and Protocol, pp. 163-236) consisted of a procedural review, official interviews with administrators, behavior observation, review of available records, interviewing the line staff, doing an external inspection review and doing actual inspections of the physical environment. In all instances at least three of the procedures (in most cases more) were followed to test the instrument for both validity and reliability.

After each assessment of the various services was completed at each housing unit (male and female) of each facility, each category was scored/rated. The results were then put onto a summary rating sheet (see p. 222 )

where each score was weighted with a total adjusted score being obtained. This was done separately in all areas for male and female inmates.

The scores for each service rendered (assessed for male and female housing units separately) was placed on a Master Rating Summary sheet (see pp. 243-246). It is here that results have been compared among all facilities studied in the separate housing units. Some of the facilities studied are new generational facilities where under ideal conditions each inmate is assigned a separate cell with all areas having separate recreational facilities, and dining facilities immediately outside their "rooms," but within their own housing units. Unfortunately in most instances these new facilities suffer from problems of overcrowding, requiring double bunking in cell areas, double bunking in the recreational areas as well as in dayroom areas. Some of the facilities are accredited by the American Correctional Association meaning the highest standards are to be adhered to, or are in the process of being accredited. Participants at all the field test sites helped to provide considerable insight into what standards the facilities were in conformity with and to

what extent, as well as demonstrating through the protocol followed what standards were not being complied with. The instrument as developed should serve as a guide for correctional administrators in the future.

NASSAU COUNTY CORRECTIONAL CENTER, EAST MEADOW, NEW YORK

The Nassau County Correctional Center is both a holding facility and sentencing facility housing both male and female inmates. Inmates serve sentences of about one year or less (though some stay longer). This is a facility currently under court order to adhere to standards as established for the delivery of services to female inmates. It is also a facility under court order to reduce the overcrowding problem.

**INTERVIEWS:**

**Elizabeth Borris, Rehabilitation Counselor**

**Bryn Catapano, Community Service Assistant**

**James Catterson, Attorney for Nassau County**

**Philip DeJulio, Satellite Administrator**

**Joseph J. Jablonski, Sheriff**

**Robert E. Moore, DART Coordinator, Drug/Alcohol Services**

**Matthew Muraskin, Director, Nassau County Legal Aid**

**Society**

**Harry Opperman, Officer 2nd in charge, Medical Unit**

**Lawrence J. Pennissi, Captain in Charge of Logistics and**

**Kitchen**

**Sgt. Thomas Petrouskie, Academy Instructor, Legal**

**Bureau, Nassau County Sheriff's Department**

**Phyllis Randman, Vocational Counselor**

**Joseph Santini, Desk Sergeant**

**Paul Schoenberg, Assistant to Sheriff**

**Walter A. Stenzel, Warden**

**Sgt. Kevin Tighe, Assistant to Lt. Weber**

**Benjamin Volpicello, Sergeant in Charge of Medical**

**Services**

Lieutenant Ernest C. Weber, Administrative Assistant to  
Sheriff

John Zarro, Correctional Center Kitchen Supervisor

Correctional Officer in Charge of Law Library

Two R.N.s

Ophthalmologist

Correctional Officers (Male & Female)

Kitchen Workers

LIST OF DOCUMENTS REVIEWED:

Inmate Medical Chart

Request for Mental Health Services/Psychiatric  
Examination

Material on DART (desire, acceptance, responsibilities,  
trust), Self-help program for inmates with  
drug/alcohol problems

Incident Sheets

Breakdown of inmates by race and education

Report of Sheriff for year ending December 1987  
indicating male/female population

Report indicating length of detention other than  
sentenced and number sentenced to NCCC

Report on age when committed

Suicide prevention form

Menus

Inmate handbook

ERIE COUNTY CORRECTIONAL CENTER, BUFFALO, NEW YORK:

This is a new generation jail about two years old. They have sentenced inmates (male and female) serving up to one year for misdemeanors. With good time inmates get out in about eight months. They have inmates sentenced to serve time on weekends and these inmates check in and serve time from Friday at 7pm to Sunday at 7am. The facility also houses detainees awaiting court action. They have their own disciplinary court for offenses inside the facility and instead of correctional officers there are unit managers. (The rhetoric has changed but not the description.) Erie County contracts with other counties including Nassau County to house sentenced inmates.

**INTERVIEWS:**

**Joseph A. Maiorano, Assistant Superintendent of Programs**

**Lieutenant Sam Nappa, Classification Officer**

**Officer Timothy Love, Correctional officer in charge of  
training and programs for officers**

**Members of the Medical Unit:**

**Dr. Allan Lebowitz**

**David Nicosia, Medical Aide**

**Robert Shulz, Sr., Medical Aide**

**Paulette Hill, Medical Aide**

**Lynn Tillman, Medical Aide**

**Joan Herbert, Medical Aide**

**Dallis Robinson, Medical Aide**

**Donald Bonnas, Medical Aide**

**Mr. Rob Skomra, Librarian II**

**Mr. John Leach, Food Service Manager**

**Correctional Officers**

**LIST OF DOCUMENTS REVIEWED:**

**Menus**

**Report on breakdown of Inmates by religion and from  
which county inmates come from**

**Commissary order forms**

**Inmate Handbook**

**Medical Forms**

**Suicide Prevention Form**

**Classification Forms**

WOMEN'S DETENTION CENTER, DADE COUNTY, MIAMI, FLORIDA

This is a facility for females only, both detainees and sentenced. The inmates wear street clothes with the trustees identified by their blue pants and blue jackets. This facility is accredited by the American Correctional Association. There are some areas where ACA allows non-compliance due to the heavy numbers at the facility. There are approximately 400 females incarcerated with a capacity of 150. Inmates are classified into minimum, medium and maximum security.

**INTERVIEWS:**

Mr. Alexander, Instructor from Vocational School,  
Lindsay Hopkins, teaches the constitution to inmates  
Vivien Castellanos, Director of Social Work Programs  
Lt. Sandy Milton, 2nd in Charge  
Captain Ann Vendrell, Bureau Supervisor for the Facility  
Captain Vendrell's Assistant  
Doctor/Nurses  
Program Directors  
Instructors of Sewing Classes and Cosmetology Classes  
Inmate trustees  
Correctional Officers

**LIST OF DOCUMENTS REVIEWED:**

**Inmate Handbook (includes Rules of Conduct and Penalties)**

**Medical Forms**

**Visiting Schedules**

**Classification Forms**

**Health Forms**

NORTH DADE DETENTION CENTER FOR MALES, MIAMI, FLORIDA

This is a satellite facility for sentenced county male inmates who hold various trustee jobs. There are approximately 100 inmates housed here. The facility also has a contract to house both male and female Federal prisoners. These inmates are housed separately from the county inmates. The facility is not currently accredited but are looking to be in the near future.

**INTERVIEWS:**

**Captain George R. Farrington, Facility Supervisor**

**Harry Kosnitsky, Correctional Officer in charge of**

**Control Center**

**Lt. R. Kovacs, 2nd in command**

**Head Nurse**

**Nurses**

**Correctional Officers**

**LIST OF DOCUMENTS REVIEWED:**

**Rules and Regulations for Trustee Program Participants**

**Security Inmate Rules and Regulations**

**Grievance Reports**

**Forms for 30 Minute Visual Inmate Check for Work Crew  
Area**

**Forms for 30 minute Check for Male and Female Inmates  
Population Roster**

**Security Roster (Breaks down inmates by race as well)**

**Numbers of Officers on a particular shift**

**Inmate Property/Cash update receipt**

**Inmate Visual Check 2300 to 0700 hours**

**AIDS Information for Officers**

MONROE COUNTY JAIL, ROCHESTER, NEW YORK

This is a facility that houses both male and female inmates, both sentenced and detained. They also take care of the city lock-up, i.e. inmates awaiting arraignment on current charges. They are currently looking to be accredited by the American Correctional Association and are in the process of rewriting policies to meet ACA standards.

**INTERVIEWS:**

**Ed Ignarri, 2nd in command under Superintendent**

**Director of Rehabilitation**

**Food Service Manager**

**Nurses**

**Classification Officers**

**Correctional Officers (male and female)**

**Workers in Tailor Shop**

**Staff worker in library (para legal)**

**"Shirley" an inmate**

**Program Directors**

**Education Directors**

**LIST OF DOCUMENTS REVIEWED:**

**Menus**

**Health Forms**

**Inmate Handbook**

**Classification Forms**

**Commissary Forms**

**Medical Forms**

ONONDAGA COUNTY JAIL, SYRACUSE, NEW YORK

This is a older facility that is run down. Inmates lay on cots in narrow hallways due to overcrowding. It is a facility for detained male and female inmates, not sentenced inmates. There is no natural lighting at all. Each cell bloc has a "recreational library," i.e. books placed on a single shelf outside the cells. In contrast a new recreational area and dorm was in the process of being completed on the roof. Contrasting also is the up-to-date computer systems they have, enabling the facility to send and receive information about inmates almost immediately.

INTERVIEWS:

Charles N. Pirro, Chief

Deputy in Charge of Law Library

Deputy Officer who does medical screening

Food Manager (Outside Agency)

Food Handlers, Deputies who work in kitchen area

Correctional Officers

Intake Deputy, Correctional Officer who does initial  
processing of inmates

Registered Nurse

Classification Officer

Social Worker

Maintenance Deputy, officer who inspects sanitary  
facilities

Property Officer

Commissary Officer

Deputies in charge of each floor visited

**LIST OF DOCUMENTS REVIEWED:**

**Population Figures**

**Records of ethnicity and education of inmates**

**Inmate Interview Forms**

**Inmate Handbook**

**Medical Receiving Screening Form**

**Suicide Prevention Screening Guidelines**

**Mental Health Evaluation Form**

PRINCE GEORGE'S COUNTY DETENTION CENTER, UPPER MARLBORO,  
MARYLAND

This is a new generation jail built a little over a year ago. Its cap is 600. At the present they house over 1,000 inmates, sentenced and detained, male and female. All inmates are double bunked, thereby defeating the idea of a new generation facility. For them litigation was a plus. As a result of a consent decree and the monitoring of the facility by the courts, they have been able to put some needed programs at the facility.

They are currently being reviewed by the American Correctional Association for purposes of accreditation. They are accredited by the National Commission on Correctional Health Care (formerly done by the American Medical Association).

INTERVIEWS:

Paul S. Hastmann, Executive Director, Commission on  
Correctional Standards for the State of Maryland

Bruce Orenstein, Director of Peer Review Programs

Connie Harris, Director of Community Service Programs

Chaplain (former inmate at another facility)

Director of Wood Shop program

Correctional Officers

Drug and Alcohol Counselors

Teachers

Classification Officer

Members of the Medical Unit

Chief Stewart (retired military man with over 20 years  
experience in food handling)

Nurses

Zone Commander

Correctional Officer in Charge of Laundry

Commissary Officer

County Library Staff Worker (from Prince George's  
County)

Inmate Worker in Library (Trustee)

Officer in Charge of Housing Units

LIST OF DOCUMENTS REVIEWED:

Population Figures

Ethnicity Figures

Grievance Form

Resident Handbook

Initial Classification Sheet

Inmate I.D. Form

Processing Forms Check-Off List

Property Card

Fingerprint Form

Map of Facility

Classification Unit Referral Form

Chronological History Form of Inmate

Classification Daily Rate

Notice of Administrative Segregation Form

Housing Reclassification Form

Protective Custody Consent

Protective Custody Waiver

Classification Form

MIDDLESEX COUNTY DEPARTMENT OF CORRECTIONS ADULT  
DIVISION, NEW BRUNSWICK, NEW JERSEY

This is a new generation jail, but has the physical appearance of an old facility. It is accredited by the American Correctional Association. It houses both male and female inmates, sentenced and detained. The facility has a capacity of 544 but houses close to 1,004 inmates. There has been no set capacity mandated by either the state or county nor have there been any lawsuits with regard to a cap, so they continue to fill up.

**INTERVIEWS:**

**Art Britt, Food Service Manager**  
**Debra Crapella, Chief of Program Services**  
**Canteen Supervisors**  
**Classification Officer**  
**Correctional Officers**  
**Inmate Trustees**  
**Medical Director**  
**Nurses**  
**Security Officers**  
**Sgt. in Charge of Sanitation Inspections**  
**Social Worker**

**LIST OF DOCUMENTS REVIEWED:**

**Health Forms**  
**Classification Forms**  
**Menus**  
**Inmate Rosters**

PROTOCOL:

- |                                    |            |
|------------------------------------|------------|
| 1. PROCEDURE REVIEW                | (P. R.)    |
| 2. OFFICIAL INTERVIEW              | (O. I.)    |
| 3. BEHAVIOR OBSERVATION            | (B. O.)    |
| 4. RECORD REVIEW                   | (R. R.)    |
| 5. LINE STAFF INTERVIEW            | (L. S. I.) |
| 6. EXTERNAL INSPECTION REVIEW      | (E. I. R.) |
| 7. PHYSICAL/ENVIRONMENT INSPECTION | (P/E. I.)  |

COMMENTS:

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INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

**SUMMARY RATINGS  
FOOD SERVICE**

	SCORE	WEIGHT
	-----	-----
A. ORGANIZATION		10
-----		
B. NUTRITIONAL ADEQUACY		20
-----		
C. MEDICAL DIETS		15
-----		
D. RELIGIOUS DIETS		10
-----		
E. FOOD PERSONNEL		10
-----		
F. DELIVERY SYSTEMS		15
-----		
G. MENU EVALUATION		10
-----		
H. FOOD STORAGE		10
-----		
ADJUSTED TOTAL SCORE	-----	-----
		100
SUMMARY RATING: (SCORE X WEIGHT div. by 100)		

**RATING SCALE:FOOD SERVICE  
ORGANIZATION**

- \*Full time dietician at facility
- \*Food served/cooked by professional personnel
- \*Food service manager, minimum three years experience
- \*Menu evaluations conducted quarterly by supervisory staff
- \*Written policy available
- \*Chief Administrative officer ensures medical diets served

(10)

- \*Dietician available
- \*Designated food service manager
- \*Outside food service
- \*Professionals serve/cook food
- \*Menu evaluation by outside agency
- \*Chief Administrative officer ensures medical diets served

(6)

- \*Dietician on call as advisor
- \*Designated food service manager appointed
- \*Menu evaluation done randomly
- \*Inmates serve food

(4)

- \*Designated food service manager
- \*Inmates serve/cook food
- \*Menus not evaluated
- \*No dietician to check on adequacy of food
- \*No written policies

(2)

TOTAL

RATING SCALE:FOOD SERVICE  
NUTRITIONAL ADEQUACY

- \*Each prisoner served meals adjusted for sex, activity and age
- \*Nutritional adequate diets
- \*All foods received in fresh condition
- \*Food flavor, texture, temperature, appearance & palatability taken into consideration
- \*For pregnant females diets adjusted accordingly (female unit)
- \*Government standards met

(10)

-----

- \*Nutritional adequate diets
- \*Foods received in fresh condition
- \*Government standards met
- \*Food appearance, texture, temperature & appearance taken into consideration
- \*For pregnant females, diets adjusted accordingly (female unit)

(6)

-----

- \*Nutritional diets
- \*Foods received in fresh condition
- \*Government standards met
- \*For pregnant females, diets adjusted (female unit)

(4)

-----

- \*Nutritional diets not considered
- \*Government standards met minimally
- \*Age, sex, activity, not taken into consideration in food planning
- \*Females regardless served same diets (female unit)

(2)

-----

TOTAL

-----

RATING SCALE:FOOD SERVICE  
MEDICAL DIETS

- \*Chief Administrative officer ensures medical diets served when prescribed
- \*Specific diets prepared and served inmates according to order of physicians and dentists
- \*Medical diets served first to inmates
- \*Medical diet prescriptions specific & complete
- \*Medical diets rewritten monthly
- \*Medical diets kept as close to regular menu as possible

(10)

- \*Responsible health authority ensures medical diets served
- \*Medical diets served along with other diets
- \*Medical diet prescriptions specific & complete
- \*Medical diets furnished to food managers
- \*Medical diets rewritten monthly
- \*Specific diets prepared and served according to orders of physicians & dentists

(6)

- \*Responsible health authority ensures medical diets served
- \*Medical diets served only in medical units
- \*Medical diet prescriptions specific & complete
- \*Food managers turn supervision of meals over to medical unit
- \*Medical diets rewritten as needed

(4)

- \*Physician indicates need for medical diet
- \*Inmate sent to outside hospital facility
- \*No medical diets served in facility

(2)

TOTAL

RATING SCALE:FOOD SERVICE  
RELIGIOUS DIETS

- \*Religious diets approved by facility Chaplain
- \*Religious diet prescriptions specific and complete
- \*Religious diet furnished to food service manager
- \*Religious diet rewritten monthly
- \*Religious diet conforms as closely as possible to foods served other inmates

(10)

-----

- \*Religious diets approved by facility Chaplain
- \*Religious diet prescriptions specific & complete
- \*Religious diet furnished to food service manager

(6)

-----

- \*Pork not served (this constitutes religious diet)
- \*Gelatin not served
- \*No religious diets taken into consideration
- \*Food manager not consulted
- \*Special holiday meals served

(4)

-----

- \*Special religious diets not served
- \*No consideration given for dietary request due to religious practices

(2)

-----

TOTAL

-----

RATING SCALE:FOOD SERVICE  
FOOD PERSONNEL

- \*Chief administrative officer of facility designates individual to oversee food service
- \*Experienced staff member in food service management responsible for food operations
- \*Adequate health protection for all inmates by requiring:
  - pre-assignment medical exam within 30 days of assignment
  - periodic medical exams
  - exams conducted in accordance with local laws
  - if outside food service, verification that outsider provider complies with state & local law
  - all food handlers instructed to wash after using toilet and before reporting to duty

(10)

- \*Chief administrative officer designates individual to oversee food service
- \*Food manager responsible for overseeing planning of menus
- \*Adequate health protection taken

(6)

- \*Staff member assigned to Food Service
- \*Staff member plans menus
- \*Health protection taken

(4)

- \*Unexperienced staff member assigned to food service
- \*Health protection taken (no formal plans)
- \*Staff member plans menus (no experience)

(2)

TOTAL

RATING SCALE:FOOD SERVICE  
DELIVERY SERVICE

- \*Meals served under conditions minimizing regimentation
- \*Meals served outside cells
- \*Meals served under direct supervision of staff
- \*Inmates provided with full cutlery service
- \*Food served hot in compartment-type trays
- \*Food served hot at minimum temperature of 140 degrees
- \*Food served less than 15 minutes after prepared
- \*Bowls for soup, cereal & desert provided
- \*Cups for beverages available
- \*Two hot meals served a day
- \*No more than 14 hours between evening & breakfast meal

(10)

- \*Meals served under conditions minimizing regimentation
- \*Meals served under direct supervision of staff
- \*Full cutlery service available
- \*Food served hot in compartment-type trays
- \*Food served hot at temperatures of 140 degrees
- \*Food served in less than 20 minutes
- \*Two hot meals served daily
- \*No more than 15 hours between evening & breakfast meal

(6)

- \*Meals served in cells
- \*Small table or shelf provided with some type of seating in cell
- \*Inmates provided with plastic service
- \*Food served at minimum temperature
- \*Food served in less than 20 minutes
- \*One hot meal served daily

(4)

- \*Meals served in cells
- \*No table, shelves, seating provided
- \*One hot meal served daily

(2)

TOTAL

RATING SCALE:FOOD SERVICE  
MENU EVALUATION

- \*Menu evaluation conducted quarterly by supervisory staff
- \*All menus, including special diets, planned, dated and available for review at least one week in advance
- \*Notations are made of substitutions
- \*Written policy and procedure require accurate records maintained
- \*Variety provided in planning of menus
- \*Menu planned to ensure that food items prepared and served in combination for an evening meal are not repeated in same combination for at least 5 days

(10)

-----

- \*Menu evaluations conducted quarterly
- \*All menus planned, dated and available for review one week in advance
- \*Notations are made of substitutions
- \*Accurate records kept of all meals served
- \*Variety provided in meal planning

(6)

-----

- \*Menu evaluations conducted
- \*All menus planned ahead
- \*Notations are made of substitutions
- \*Accurate records of all meals kept

(4)

-----

- \*Menu evaluation conducted
- \*No planning ahead of menus
- \*No notations made of substitutions
- \*Records maintained of all meals served

(2)

-----

TOTAL

-----

RATING SCALE:FOOD SERVICE  
FOOD STORAGE

- \*Food service facilities & equipment meet established safety and protection standards
- \*Food stored in compliance with requirements of state sanitary code as contained in Public Health Law
- \*Proper refrigeration & storage of food in specific food storage places
- \*Food trays and regular cutlery washed and sterilized

(10)

-----

- \*Food service facilities & equipment meet standards
- \*Food stored in compliance with Health laws
- \*Refrigeration and proper storage facilities of all food

(6)

-----

- \*Food service facilities meet local standards
- \*Food stored in compliance with Health Laws
- \*Refrigeration provided
- \*Storage provided for foodstuffs

(4)

-----

- \*Inadequate provisions for food
- \*Inadequate refrigeration
- \*Health laws not adhered to

(2)

-----

TOTAL

-----

INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

SUMMARY RATINGS  
MEDICAL ACCESS

	SCORE	WEIGHT
	-----	-----
A. MEDICAL STAFF RESPONSIBLE FOR ALL HEALTH MATTERS		15
-----		
B. EQUIPMENT (INCLUDING SPECIAL NEEDS FOR FEMALES)		10
-----		
C. FIRST AID KITS		5
-----		
D. EMERGENCY PROCEDURES (MEDICAL & DENTAL)		15
-----		
E. TRAINING PROGRAM		15
-----		
F. MEDICAL SCREENING (INCLUDES MAINTENANCE OF RECORDS)		15
-----		
G. SUICIDE PREVENTION		5
-----		
H. SICK CALL		5
-----		
I. SPECIAL MEDICAL PROGRAMS (INCLUDES PROGRAMS FOR FEMALES)		5
-----		
J. PHARMACEUTICAL PROCEDURES		10
-----		
ADJUSTED TOTAL SCORE		100

SUMMARY RATING: (SCORE X WEIGHT  
DIV. BY 100)

RATING SCALE: MEDICAL ACCESS  
MEDICAL STAFF

- \*Health authority arranges for availability of
  - Physician on call 24 hours a day
  - Dentist on call 24 hours a day
  - Psychiatric care
  - R.N.s/P.A.s and/or L.P.N.s
- \*Health authority submits quarterly report
- \*Health authority determines health care personnel requirements
- \*Health authority arranges for inmates' special needs in advance
- \*Written job description of health authority

(10)

- \*Health authority arranges for availability of physicians, dentists and psychiatrists on call, plus nursing care
- \*Health authority submits quarterly reports
- \*Health authority determines health care requirements
- \*Health authority arranges for inmates special needs in advance

(6)

- \*Where no full-time health personnel- health trained staff coordinates health care
- \*Doctors available
- \*Dentists available
- \*Psychiatrists available
- \*R.N.s/L.P.N.s or P.A.s available

(4)

- \*Doctors available as needed
- \*Dentists available as needed
- \*Psychiatrists available as needed
- \*Nurses in charge

(2)

TOTAL

RATING SCALE;MEDICAL ACCESS  
EQUIPMENT

- \*Examination/treatment rooms
- \*Privacy for exams
- \*Equipment includes:
  - thermometers, blood pressure cuffs, stethoscope, ophthalmoscope, otoscope, percussion hammer, examining table, goose neck light, wash basin & transportation equipment (wheel chair, litter, vans)
- \*For female -- appropriate equipment for pelvic exams (female unit)
- \*Oxygen available on cell floors
- \*Resuscitation equipment available

(10)

- \*Examination/treatment rooms
- \*Equipment includes:
  - thermometers, blood pressure cuffs, stethoscope, ophthalmoscope, otoscope, percussion hammer, examining table, goose neck light, wash basin & transportation equipment (wheel chair, litter, vans)
- \*For female -- appropriate equipment for pelvic exams (female unit)
- \*Oxygen available on cell floors
- \*Resuscitation equipment available on floors

(6)

- \*Examination/treatment room
- \*No privacy provided
- \*No appropriate equipment for female pelvic exams (female unit)
- \*Resuscitation equipment available

(4)

- \*No examination/treatment rooms
- \*Inmates taken to neighboring hospitals for treatment/care
- \*Emergency treatment limited

(2)

TOTAL

N. B. Please note equipment refers to dental equipment as well as medical equipment

RATING SCALE: MEDICAL ACCESS  
FIRST AID KIT

- \*First aid kits available on all cell floors
- \*First aid kits include: roller gauze, sponges, triangle bandages, adhesive tape, adhesive bandages, etc..

(10)

-----

- \*First aid kits available throughout facility
- \*Kits include: roller gauze, sponges, triangle bandages, adhesive tape, adhesive bandages, etc..

(6)

-----

- \*First aid kits available only in medical units
- \*Kits include: roller gauze, sponges, triangle bandages, adhesive tape, adhesive bandages, etc..

(4)

-----

- \*First aid kits available only in administrators offices
- \*Kits include necessary items

(2)

-----

TOTAL

-----

RATING SCALE: MEDICAL ACCESS  
EMERGENCY CARE

- \*24 hour emergency care available for all inmates
- \*Written plans include
  - emergency evacuation of inmates from facility
  - use of emergency medical vehicles
  - use of one or more designated emergency rooms or other appropriate health facility
  - emergency on call physician & dental services
  - security procedures that provide for immediate transfer of inmates
  - vans have emergency equipment

(10)

-----

- \*24 hour emergency care available for inmates
- \*Definite arrangements made to transfer inmates requiring emergency care
- \*Use of facility vans for transporting inmates to designated hospitals

(6)

-----

- \*24 hour emergency care available for inmates
- \*Facility vans not available to transport inmates
- \*Call in ambulances from designated hospitals

(4)

-----

- \*24 hour emergency care available
- \*No formal written policies

(2)

-----

TOTAL

-----

RATING SCALE: MEDICAL ACCESS  
TRAINING

- \*Correctional Officers/Personnel trained to
  - respond to health-related situations within 4 minutes
  - recognize signs & symptoms of health related problems & knows how what action to take in potential emergency situation
  - administer first aid and cardiopulmonary resuscitation (CPR)
  - understand methods to obtain medical assistance
  - recognize signs and symptoms of mental illness, retardation, emotional disturbances, and chemical dependency
  - transfer patients to appropriate medical facilities or health care providers
- \*Correctional officers receive refresher courses and recertification in first aid & CPR as the law requires

(10)

- \*Correctional officers/personnel trained to respond to health related situations
- \*Correctional officers/personnel trained to recognize signs and symptoms of problems
- \*Some correctional officers trained in first aid and CPR
- \*Correctional officers know who to call when medical emergencies arise

(6)

- \*Correctional officers/personnel trained to recognize medical emergencies
- \*Correctional officers call for medical assistance

(4)

- \*Correctional officers not trained to handle medical emergencies
- \*Correctional officers trained only to call medical personnel in medical emergencies

(2)

TOTAL

RATING SCALE: MEDICAL ACCESS  
 MEDICAL SCREENING & MAINTENANCE OF RECORDS

- \*Written policy requires medical screening to be performed by physicians upon arrival at facility
- \*Screening includes inquiry into:
  - current illness & health problems
  - medications taken
  - use of alcohol & other drugs
  - past/present treatment or hospitalizations
- \*Observation of
  - questionable behavior
  - body deformities
- \*Disposition to
  - general population
  - general population & referral to appropriate health care service
  - referral to appropriate health care service on emergency basis
- \*Health appraisal on each inmate completed within 14 days after arrival
- \*Medical record contains
  - complete screening form
  - health appraisal collection form
  - prescribed medication and their administration
  - lab, x-ray & diagnostic studies
  - consent & refusal forms
  - place, date & time of health encounters
  - discharge summary of hospitalizations

(10) -----

- \*Written policy require medical screening to be performed by health related personnel
- \*Screening (includes all of the above)
- \*Medical records maintained (includes all of the above)

(6) -----

- \*Designated health official does medical screening (can be R.N.)

(4) -----

- \*No medical screening by physician until after inmate placed in housing
- \*Medical records maintained

(2) -----  
 TOTAL -----

RATING SCALE: MEDICAL ACCESS  
SUICIDE PREVENTION

- \*All inmates are screened by physicians for possible suicide tendencies before being placed in general population
- \*Written policy & procedures require post admission screening of inmates whose adaptation to correctional environment is significantly impaired
- \*Any inmate who indicates tendency to suicide placed in immediate direct observation by correctional officer

(10)

- \*All inmates are screened for possible suicide tendencies before being placed in general population
- \*Procedures established for post admission screening where inmates exhibit behavior where adaptation to general population will be impaired
- \*Inmates who indicate suicide tendencies placed in observation ward

(6)

- \*Inmates screened by correctional officers for suicide tendencies
- \*Inmates exhibiting tendencies to suicide placed in observation

(4)

- \*Inmates not formally screened for suicide tendencies
- \*All inmates placed in general population regardless of mental problems

(2)

TOTAL

RATING SCALE: MEDICAL ACCESS  
SICK CALL

- \*Written policy & procedure indicating continuous response to health care requests
- \*Sick call conducted by a physician and/or qualified health personnel
- \*Sick call daily for both male and female inmates
- \*Sick call at designated medical area in correctional facility
- \*Prenatal services available to females (female unit)
- \*Gynecological examinations available to females (female unit)

(10)

- \*Policy & procedures indicating continuous response to health care requests
- \*Sick call conducted by physician and/or other qualified health personnel
- \*Sick call minimum three days a week (both male & female inmates)
- \*Sick call at designated medical area within correctional facility
- \*Prenatal services available to females (female unit)
- \*Gynecological examinations available to females (female unit)

(6)

- \*Procedure indicating response to health care requests
- \*Sick call conducted first by health related personnel (includes R.N.s) and then referred to physician
- \*Sick call for males minimum 3x a week
- \*Sick call for females minimum 1x a week
- \*Sick call at designated medical area within correctional facility
- \*Prenatal services referred to outside clinics (female unit)
- \*Gynecological exams referred to outside clinics (female unit)

(4)

- \*All sick call requests referred to outside facility
- \*Sick calls minimum 1x a week

(2)

TOTAL

RATING SCALE: MEDICAL ACCESS  
SPECIAL MEDICAL PROGRAMS

- \*Written policy & procedure indicating arrangements made for provision of special medical programs
- \*Close medical supervision for those inmates with seizure disorders, diabetes, potential suicide, chemical dependency, psychosis, etc.
- \*Chronic care available at facility
- \*Convalescent care available
- \*Abortions available for females at neighboring hospitals (female unit)
- \*Females allowed to keep infants in either cell or nursery area at facility (female unit)
- \*Health education given at facility
- \*Full dental care available to all inmates

(10) -----

- \*Policy & Procedure for special medical programs
- \*Medical supervisions for inmates suffering from medical, mental and drug related disorders
- \*Limited chronic care available
- \*Limited convalescent care available
- \*Limited abortions available (female unit)
- \*Females may not keep infants (female unit)
- \*Some health education given
- \*Dental care available on limited basis

(6) -----

- \*Procedures indicating kinds of medical programs
- \*Limited medical supervisions for inmates with certain disorders
- \*No chronic care available
- \*Limited convalescent care
- \*Abortions available rarely (female unit)

(4) -----

- \*Policy indicating arrangements for special medical programs
- \*No medical supervisions available for inmates with chronic, mental, or psychological disorders
- \*No convalescent care available
- \*No abortions available (female unit)

(2) -----

TOTAL -----

RATING SCALE: MEDICAL ACCESS  
PHARMACEUTICAL PROCEDURES

- \*Only physicians administer medication to inmates
- \*Full pharmacy available at facility
- \*All medications stored in secure manner
- \*Extra care and security is taken when narcotic drugs, barbituates, amphetamines or similarly sensitive or potentially dangerous drugs are kept at facility
- \*Proper records are kept

(10)

-----

- \*Only physicians administer medication to inmates
- \*Pharmacy available at facility
- \*All medications maintained in secure manner

(6)

-----

- \*Physician or other qualified health personnel delegated to dispense medication
- \*Limited pharmacy available at facility
- \*All medications stored in secure manner

(4)

-----

- \*R.N.s dispense medication under doctor's directions
- \*Physicians/dentists at hospitals dispense medication there
- \*Facility fills all prescriptions at neighboring pharmacies or hospitals
- \*No medication kept at facility except for possible aspirin type medication or first aid equipment

(2)

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TOTAL

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INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

**SUMMARY RATINGS  
SANITATION AND HYGIENE**

	SCORE -----	WEIGHT -----
A. INSPECTIONS		15
-----		
B. RODENT CONTROL		15
-----		
C. HOUSEKEEPING PLAN		10
-----		
D. CLOTHING		15
-----		
E. BEDDING, LINENS & TOWELS		10
-----		
F. STORAGE OF CLOTHING		5
-----		
G. ITEMS OF PERSONAL HYGIENE		15
-----		
H. WATER TEMPERATURE		10
-----		
I. HAIR CARE SERVICES		5
-----		
ADJUSTED TOTAL SCORE	-----	100

SUMMARY RATING: (SCORE X WEIGHT  
DIV. BY 100)

**RATING SCALE: SANITATION & HYGIENE  
INSPECTIONS IN HOUSING UNITS**

- \*Written Policy for weekly sanitation inspections by designated administrative staff member
- \*Annual inspections by federal, state and/or local sanitation and health officials
- \*Documentation by independent outside source that deficiencies have been corrected
- \*Prisoners responsible for maintenance of responsible housing units
- \*Daily inspection by facility staff member

(10) -----

- \*Weekly inspections by designated administrative staff
- \*Annual inspections
- \*Prisoners responsible for maintenance of respective housing units
- \*Daily inspections

(6) -----

- \*Annual inspections by staff
- \*Prisoners responsible for maintenance of own housing unit
- \*Daily inspections

(4) -----

- \*Prisoners responsible for maintenance of own housing unit
- \*No formal procedures for inspections

(2) -----

TOTAL -----

RATING SCALE: SANITATION & HYGIENE  
RODENT CONTROL

- \*Written plan for control of vermin & pests
- \*Licensed pest control professionals available to conduct regular inspections monthly
- \*Procedures followed include - elimination or control of breeding places, proper screening & employment of safe & effective pesticides
- \*Any pesticide used in local correctional facility shall be applied in accordance with State Department of Environmental Conservation

(10) -----

- \*Plan for control of vermin & pests
- \*Licensed pest control professionals available to conduct inspections monthly
- \*Pesticides used in accordance with environmental laws

(6) -----

- \*Plan for control of vermin & pests
- \*Inspections monthly

(4) -----

- \*Policy for control of vermin & pests
- \*Inspections as needed

(2) -----

TOTAL -----

**RATING SCALE:SANITATION & HYGIENE  
HOUSEKEEPING PLAN**

- \*Written housekeeping plan includes;
  - all floors scrubbed & rinsed once a week
  - all windows, bars, walls, & screens thoroughly cleaned
  - once every 4 months and at least once during each 24 hour period
  - all accumulated trash removed & disposed of in sanitary manner
  - toilets, wash basins, sinks & showers properly sanitized
- \*Daily housekeeping & regular maintenance by assigning duties & responsibilities to staff & inmates
- \*Facility floors kept clean & dry of hazardous substances

(10) -----

- \*Written housekeeping plan
- \*Daily maintenance by inmates
- \*Floors kept free, clean & dry of hazardous substances

(6) -----

- \*Housekeeping Policy
- \*Inmates responsible to keep living areas clean
- \*Floors kept clean & dry of hazardous substances

(4) -----

- \*No housekeeping policy
- \*Up to inmates to keep living areas clean

(2) -----

TOTAL -----

RATING SCALE: SANITATION & HYGIENE  
CLOTHING

- \*Written policy & procedures for issuance of clean, suitable, presentable clothing to inmates, to include
  - for men: one shirt, one pair of trousers (male unit)
  - for women: one shirt or blouse, one skirt, smock, dress or pair of slacks (female unit)
  - for men and women: two pairs of socks, two sets of undergarments, one pair of suitable footwear when needed, one sweater, sweatshirt or jackets to be issued during cold weather
- \*Inmates allowed to wear own clothes or combinations of own at facility
- \*Females allowed to wear own bras (female unit)
- \*Clothing exceeds that required for maximum inmate population
  - N.B.: If females do not receive slacks from facility female prisoners shall be permitted to receive slacks from any source and be permitted to wear slacks in facility

(10) -----

- \*Procedures for issuance of clean, suitable, presentable clothing to inmates
- \*Provision for reasonable wardrobe for each new inmate
- \*Outerwear available for recreation or work activities
- \*Females issued bras (female unit)

(6) -----

- \*Procedures for issuance of clothing
- \*Outerwear available for recreation and work use
- \*Females issued bras (female unit)

(4) -----

- \*Procedures for issuance of clothing
- \*Females may not wear bras (female unit)
- \*Inmates not allowed to wear own clothes (all units)

(2) -----

TOTAL -----

RATING SCALE: SANITATION & HYGIENE  
BEDDING, LINENS & TOWELS

- \*Written policy provides for issuance of suitable, clean bedding, includes:
  - two sheets
  - one pillow & pillowcase
  - non-combustible mattress
  - sufficient blankets
- \*Written policy provides for issuance of towels on weekly basis
- \*Laundry services sufficient to permit regular weekly exchange of inmate clothing, linen & bedding or as required by climatic conditions or work assignments
- \*Bedding supply should exceed that required for maximum inmate population

(10) -----

- \*Procedures for issuance of suitable clean bedding to include:
  - two sheets
  - one pillow and pillowcase
  - mattress made of fire retardant material
  - sufficient blankets
- \*Procedures for issuance of towels on weekly basis
- \*All beddings exchanged weekly

(6) -----

- \*Procedures for issuance of clean bedding
- \*Procedure for issuance of towels on weekly basis
- \*All beddings exchanged weekly

(4) -----

- \*Clean bedding, towels issued and exchanged as necessary

(2) -----

TOTAL -----

RATING SCALE: SANITATION & HYGIENE  
STORAGE OF CLOTHING

- \*Provision for storage of inmates' personal clothing
- \*Prior to storage provision made for inmates' own clothes to be cleaned and/or disinfected to prevent odors & vermin accumulation
- \*Clothing stored outside housing area
- \*Provision made for cleaning personal clothing where necessary for use at court appearances

(10)

- \*Provision made for storage of inmates' own clothes
- \*Provision made for cleaning of inmates' clothes
- \*Inmates own clothing stored outside housing area
- \*Clothing given back to inmates for court appearances

(6)

- \*Inmates' clothes cleaned
- \*Inmates' clothes stored

(4)

- \*Inmates' clothes stored

(2)

TOTAL

**RATING SCALE:SANITATION & HYGIENE  
ITEMS OF PERSONAL HYGIENE**

- \*All inmates receive at facility expense:
  - soap, toothbrush, fluoridated toothpaste, drinking cup, toilet paper, bath towel
- \*For females:
  - all necessary hygiene items, but not limited to tampons & sanitary napkins, easily accessible
  - all feminine items shall be stored and dispensed in such a manner to insure that they are sanitary
- \*All inmates receive shaving equipment
- \*Additional items may be purchased at a commissary
  - if inmate indigent, facility gives him/her all necessary items

(10) -----

- \*All inmates receive:
  - soap, toothbrush, toothpaste, drinking cup, toilet paper, bath towel
- \*For female inmates:
  - tampons and/or sanitary napkins easily accessible
- \*All inmates receive shaving equipment
- \*Any additional items may be purchased at commissary

(6) -----

- \*All inmates receive:
  - soap, toothbrush, toothpaste, drinking cup, toilet paper, bath towel
- \*For female inmates:
  - tampons or sanitary napkins when needed
- \*Shaving equipment

(4) -----

- \*All inmates receive:
  - soap, toothbrush, drinking cup, toilet paper, bath towel
- \*Females receive items of personal hygiene, if needed

(2) -----

TOTAL -----

**RATING SCALE: SANITATION & HYGIENE  
WATER TEMPERATURE**

- \*Certification that facility water meets applicable laws
- \*Hot and cold running water for daily showers
- \*Sinks in cells with cold running water
- \*Sufficient hot water to enable prisoners to bathe daily

(10) -----

- \*Facility water meets applicable laws
- \*Hot and cold running water for daily showers
- \*Sufficient hot water to enable prisoners to shave daily

(6) -----

- \*Hot and cold running water for daily showers
- \*Sufficient hot water to enable prisoners to shave daily

(4) -----

- \*Hot and cold running water for showers, not always on a daily basis
- \*Hot water for shaving, but not always available for daily basis

(2) -----

TOTAL -----

RATING SCALE: SANITATION & HYGIENE  
HAIR CARE SERVICES

- \*Hair care services & facilities are available to all inmates
- \*Hair cut in a room (in large facility) designed for this purpose or in multipurpose room (in smaller facility)
- \*Hair is cut under sanitary conditions
- \*Area allows for observation by staff
- \*Equipment stored securely when not in use
- \*Hair cut by persons who in administrator's opinion are trained or skilled in use of barber tools
- Such persons include:  
licensed barbers, beauticians; facility staff members; trained inmates

(10) -----

- \*Hair care services available
- \*Area set aside for such services
- \*Hair cut by persons trained including inmates
- \*Tools maintained in safe and sanitary manner

(6) -----

- \*Hair care services available by trained inmates only
- \*For females hair care services available by female inmates only, not necessarily trained
- \*Tools maintained in safe and secure manner

(4) -----

- \*No facility available for hair services
- \*Females do each other's hair in cell area (female unit)
- \*Male inmates do each other's hair in cell area (male unit)

(2) -----

TOTAL -----

INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

SUMMARY RATINGS  
INMATE SERVICES & PROGRAMS

	SCORE -----	WEIGHT -----
A. EQUAL OPPORTUNITIES FOR MALE /FEMALE INMATES		20
-----		
B. USE OF COMMUNITY RESOURCES		10
-----		
C. INMATES GIVEN WORK OPTION		10
-----		
D. DRUG & ALCOHOL COUNSELING		15
-----		
E. RECREATIONAL & LEISURE TIME ACTIVITIES		15
-----		
F. EDUCATIONAL & VOCATIONAL TRAINING		15
-----		
G. LIBRARY SERVICES		15
-----		
ADJUSTED TOTAL SCORE		100

SUMMARY RATING: (SCORE X WEIGHT  
DIV. BY 100)

RATING SCALE: INMATE SERVICES & PROGRAMS  
EQUAL OPPORTUNITIES

- \*Where facility houses male & female inmates, space is available to provide equal opportunities for participation in programs and services
- \*Where housed together male and female inmates are provided separate sleeping quarters - separated visually & acoustically

(10) -----

- \*Where facility houses male & female inmates, space is provided for participation in programs & services
- \*Where housed together male & female inmates are provided separate sleeping quarters & separated acoustically

(6) -----

- \*Where housed together male & female inmates participate in programs and services together where males receive more programs/services than females
- \*Where housed together male & female inmates have separate sleeping quarters

(4) -----

- \*Where housed together male inmates have many more programs and services available than female inmates

(2) -----

TOTAL -----

**RATING SCALE: INMATE SERVICES & PROGRAMS  
COMMUNITY RESOURCES**

- \*Plan for inmate programs and services provides for identification and use of available community resources
- \*Outside religious leaders are allowed access to inmates
- \*Outside counseling services available
- \*Instructors from community educate and train inmates
- \*Social services available to all inmates

(10) -----

- \*Use of available community resources for all inmates
- \*Outside religious leaders available
- \*Social services available
- \*Outside instructors available

(6) -----

- \*Limited community resources available for inmates
- \*On occasion social services will be available to inmates
- \*Limited outside counseling available

(4) -----

- \*No outside community resources available to any inmates

(2) -----

TOTAL -----

RATING SCALE: INMATE SERVICES & PROGRAMS  
WORK OPTION

- \*Written policy and procedure provides inmates with option to refuse to participate in institutional programs
- \*Refusals must be documented
- \*Refusals must not prejudice inmates from future assignments
- \*Inmates have to participate in those work assignments & programs as required by statute

(10) -----

- \*Policy provides for inmates to refuse work assignments other than those mandated by statute
- \*Documentation of refusals is made
- \*No prejudice exists against inmates for future assignments

(6) -----

- \*Staff will decide if inmates are to work, regardless of inmate desires
- \*Some prejudice exists against inmates who refuse to work

(4) -----

- \*No sentenced inmate may refuse any work assignment by correctional staff

(2) -----

TOTAL -----

**RATING SCALE: INMATE SERVICES & PROGRAMS  
DRUG & ALCOHOL COUNSELING**

- \*The facility provides counseling and programs services for all inmates with drug and/or alcohol addiction problems
- \*Organizations such as Alcoholics Anonymous and Narcotics Anonymous are available for all inmates
- \*Community substance abuse treatment programs bring services to facilities
- \*Mental Health counselors available to inmates
- \*There is medical care available during drying out period for all inmates

(10) -----

- \*Counseling services for inmates with drug & alcohol problems available
- \*Community substance abuse treatment programs are available
- \*There is medical care available during drying out period

(6) -----

- \*Limited counseling is available at facility for drug/alcohol abusers
- \*Limited medical care is available for drug/alcohol abusers
- \*Occasional outside organizations such as Alcohol Anonymous & Narcotics Anonymous come in

(4) -----

- \*Inmates "dry" out in cells
- \*There exists no outside counseling or help for inmates with drug and alcohol problems

(2) -----

TOTAL -----

**RATING SCALE: INMATE SERVICES & PROGRAMS  
RECREATIONAL & LEISURE TIME ACTIVITIES**

- \*Written policy & procedure provides opportunities for all inmates to participate in leisure time activities outside cell on daily basis
- \*Each inmate has minimum of one hour of leisure time activity outside cell or room
- \*Activity can include: radio, television, movies, videos, arts & crafts, cards, puzzles, checkers & chess
- \*Both male & female inmates have equal opportunities to leisure time activities
- \*Written policy allows all inmates with access to recreational opportunities & equipment
- \*Recreational activity includes minimum of one hour daily of physical exercise outside cell
- \*One hour minimum daily (weather permitting) outside recreation (applies to male & female inmates equally)
- \*Full gym is available for all sport activities
- \*Full exercise area available

(10)

- \*Policies for all inmates to participate in some leisure time and recreational activities
- \*Each inmates has minimum of one hour outside cells for leisure activity
- \*Activity can include: radio, t.v., movies, videos, crafts, etc..
- \*Recreation includes one hour daily of physical activity
- \*Males generally allowed more recreation than female inmates
- \*Gym is available more to male than female inmates

(6)

- \*Policies allow for all inmates to participate in both leisure and recreation activities
- \*T.V.s outside cell areas, but viewed from cells
- \*Recreational activity allows one hour outside cell
- \*Limited gym availability due to overcrowding

(4)

- \*Policies allow for leisure and recreation
- \*Females allowed to use gym area on limited basis
- \*No outdoor recreational facility available
- \*No sports available
- \*Inmates walk around outside cell area only

(2)

TOTAL

**RATING SCALE: INMATE SERVICES & PROGRAM  
EDUCATIONAL & VOCATIONAL TRAINING**

- \*Written policy & procedure provide for inmate access to educational programs, vocational training & vocational counseling
- \*G.E.D., E.S.L., Basic education courses, college related courses available for all inmates
- \*Where vocational training programs available (furniture making, tailor shops, computer training, etc.) available for both male & female inmates
- \*Referral procedures available for inmates, so when released, inmate may be referred to similar kinds of educational/vocational programs in community
- \*Male & female inmates attend classes together
- \*Vocational guidance available for all inmates
- \*Regular classrooms available at facility

(10) -----

- \*Policies provide inmates with accessibility to educational and vocational type programs
- \*G.E.D., E.S.L., basic education courses available for all inmates
- \*Male/female inmates attend classes together
- \*Vocational guidance available
- \*Regular classrooms available

(6) -----

- \*Limited access to educational and vocational type programs
- \*Some basic educational programs available
- \*Male and female inmates do not have equal access to programs
- \*Male and female inmates attend classes separately

(4) -----

- \*Very limited access to vocational type programs
- \*No educational courses available

(2) -----

TOTAL -----

RATING SCALE: INMATE SERVICES & PROGRAMS  
LIBRARY SERVICES

- \*Library services are available to all inmates on an equal basis
- \*Library services include at a minimum:
  - materials responsive to interests & educational needs of users
  - information service to locate facts needed
  - programs for individuals or group information and enjoyment such as books, media, discussion groups, speakers, and a distinct library setting
- \*Materials are up-to-date
- \*Materials are for informational, legal and recreational use
- \*Library resources supplemented by entire collection of local, regional and state libraries as well as law libraries and inter-library service
- \*Full time trained librarian at facility
- \*Separate room/area set aside for library

(10) -----

- \*Library services are available to inmates on equal basis
- \*Library services include both recreational (pleasurable books), informational and legal information
- \*Separate area/room set aside for library
- \*Materials are up-to-date
- \*Part-time librarian available, at times assisted by trained inmate

(6) -----

- \*Library services available to all inmates, but different hours for male and female inmates, not necessarily equal
- \*Books for pleasure are available
- \*Correctional officer with limited training acts as librarian
- \*Small area set aside for use as library

(4) -----

- \*Limited library services available
- \*No separate area set aside for library
- \*Books available in day rooms immediately outside cell areas
- \*Limited law books available in visitors area                      \*Inmates distribute books

(2) -----

TOTAL -----

INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

SUMMARY RATINGS  
INMATE RIGHTS

	SCORE	WEIGHT
A. UNLIMITED ACCESS TO COURTS	-----	----- 10
B. ACCESS TO ATTORNEYS	-----	----- 10
C. ACCESS TO LEGAL MATERIALS/ LAW LIBRARY	-----	----- 10
D. ACCESS TO SUPPLIES (PAPER, TYPEWRITERS, ETC.)	-----	----- 5
E. BASIC MEDICAL & DENTAL CARE	-----	----- 15
F. RIGHT TO PRACTICE RELIGION	-----	----- 10
G. RIGHT TO RECEIVE OUTSIDE VISITS	-----	----- 5
H. RIGHT TO COMMUNICATE OR CORRESPOND WITH PERSONS OR ORGANIZATIONS	-----	----- 5
I. PROTECTION FROM PERSONAL ABUSE	-----	----- 10
J. GRIEVANCE PROCEDURE AVAILABLE	-----	----- 10
K. PROCEDURES RE: SEARCHES & SEIZURES	-----	----- 10
ADJUSTED TOTAL SCORE	-----	----- 100
SUMMARY RATINGS: (SCORE X WEIGHT DIV. BY 100)		

**RATING SCALE:INMATE RIGHTS  
UNLIMITED ACCESS TO COURTS**

- \*Written policy & procedure ensuring inmates right to unlimited access to court
- \*Written policy & procedure ensuring inmates to address uncensored communications to governmental authorities
- \*Inmates seeking judicial or administrative redress not subject to reprisals or penalties

(10) -----

- \*Procedures ensuring inmates to unlimited access to courts
- \*Procedures ensuring inmates to address uncensored communications to governmental authority
- \*Inmates seeking judicial or administrative redress not subjected to reprisals or penalties

(6) -----

- \*Inmates have limited access to courts
- \*Inmates limited in their communications with governmental authorities
- \*Inmates limited in seeking judicial or administrative redress

(4) -----

- \*Inmates have no access to courts
- \*Inmates not permitted to communicate with governmental authorities without permission
- \*Inmates subject to reprisals or penalties when seeking judicial or administrative redress

(2) -----

TOTAL -----

RATING SCALE: INMATE RIGHTS  
ACCESS TO ATTORNEYS

- \*Written policy and procedure ensure right of inmates to have access to attorneys and/or their authorized representatives
- \*Inmates allowed contact visits and privacy in contacts with his/her attorney
- \*Unsentenced or sentenced inmates allowed to communicate with attorneys
- \*Provision made for contacts during normal facility hours and whenever necessary
- \*Provision made for uncensored correspondence and telephone communication
- \*Attorney substitutes have same access to all inmates

(10) -----

- \*Procedures ensure right of inmates to have access to attorneys
- \*Inmates allowed privacy in contacts with his/her attorneys
- \*Unsentenced or sentenced inmates allowed contact with attorneys
- \*Provision made for contacts during normal facility hours and permission needed for "off" hours
- \*Provision made for uncensored correspondence and telephone communication
- \*Attorney substitutes have same access to inmates

(6) -----

- \*Inmates have access to attorneys
- \*Inmates have conversations with attorneys through glass partitions
- \*Unsentenced and sentenced inmates have contacts with attorneys
- \*Contacts with attorneys only during facility hours
- \*Permission needed to telephone attorneys

(4) -----

- \*Inmates have access to attorneys
- \*Inmates have no private area to discuss cases with attorneys
- \*Telephone calls to attorneys by written permission only

(2) -----

TOTAL -----

RATING SCALE: INMATE RIGHTS  
ACCESS TO LEGAL MATERIALS/LAW LIBRARY

- \*Inmates have access to legal materials
- \*Inmates receive assistance in preparing & filing legal papers
- \*Available to inmates assistance from persons with legal training, law school legal assistance programs, public defenders,
- \*Availability of law library at facility with following minimum collection:
  - state & federal constitutions
  - state statutes & decisions
  - procedural rules & decisions & related commentaries
  - federal case law materials
  - court rules & practices treatises
  - legal periodical & indexes
- \*Male/female inmates same access

(10) -----

- \*Inmates have access to legal materials
- \*Inmates receive assistance in preparing & filing papers
- \*Individuals with legal experience/background including "jail house" lawyers available to inmates
- \*Availability of law library at facility with following minimum collection:
  - (see above)
- \*Male/female inmates similar access

(6) -----

- \*Inmates have limited access to legal materials
- \*Inmates receive some assistance in preparing & filing papers
- \*Some legal "experts" including "jail house" lawyers available
- \*Limited law library
- \*Male/female inmates unequal access

(4) -----

- \*Very limited access to legal materials
- \*Little assistance available to inmates
- \*No law library at facility
- \*Law books delivered to inmates upon request
- \*No equal access to legal materials

(2) -----

TOTAL -----

RATING SCALE:INMATE RIGHTS  
ACCESS TO SUPPLIES

- \*Written policy & procedure provide inmates access to paper, typewriters, or typing services
- \*Such materials provided all inmates
- \*Such materials given free of charge to all indigent inmates

(10) -----

- \*Procedure provided for inmates to have access to paper, typewriters or typing services
- \*Such materials provided all inmates
- \*Such materials given free of charge to all indigent inmates

(6) -----

- \*Procedure provides inmates limited access to paper, typewriters or typing services
- \*Materials available on first come, first serve basis
- \*Indigents receive limited amount of supplies

(4) -----

- \*No established procedures for inmate access to paper, typewriters or typing services
- \*No established procedure for indigent inmates

(2) -----

TOTAL -----

RATING SCALE: INMATE RIGHTS  
BASIC MEDICAL & DENTAL CARE

- \*Health care services comparable in quality to those available to general public
- \*At minimum for each inmate:
  - assessment of health needs
  - thorough physical examination at admission by physician
  - access to medical, dental & mental health services performed by persons with appropriate training under supervision of licensed physician or dentist
  - cursory psychological exam performed by psychologist/psychiatrist
  - emergency medical, dental & mental health treatment available 24 hours a day
  - access to licensed medical facility
- \*In housing unit male/female same access -----  
(10)

- \*Health care services comparable in quality to those available to general public
- \*At minimum:
  - assessment of health needs
  - thorough physical examination at admission by physician
  - access to medical, dental & mental health services performed by persons with appropriate training under supervision of licensed physician & dentist
  - cursory psychological exam performed by psychologist/psychiatrist
  - emergency medical, dental & mental health treatment available on 24 hour basis
  - access to licensed medical facility
- \*Such health care available to both male & female inmates but not equally in housing units -----  
(6)

- \*Health care provided
- \*Limited services available (does not include minimum) at facility
- \*Health care not available on equal basis to male/female inmates in housing units -----  
(4)

- \*Limited health care provided
- \*Most medical, dental and mental health services provided at nearby hospital not at facility -----  
(2)
- TOTAL -----

RATING SCALE: INMATE RIGHTS  
RIGHT TO PRACTICE RELIGION

- \*Facility provides opportunities to participate in religious services
- \*All recognized religions accorded equal status & protections
- \*Access to appropriate facilities, clergymen or spiritual advisors
- \*Allowed to wear religious symbols
- \*Allowed to keep copy of own bible in cell
- \*Have sanctuary available for services
- \*Male & female inmates worship together
- \*Inmates allowed to celebrate religious holidays
- \*Inmates allowed to observe reasonable dietary laws established by their religion

(10)

- \*Opportunity to participate in religious services
- \*All recognized religions accorded equal status & protection
- \*Access to appropriate clergymen
- \*Limited wear of religious symbols
- \*Limited cases of keeping own bible in cell
- \*Have area set aside for religious services
- \*Male & females worship separately but in same room
- \*Some religious holidays celebrated

(6)

- \*Inmate allowed to practice own religion
- \*Male & females worship separately
- \*No wearing of religious symbols
- \*Bibles available at facility
- \*Some celebration of religious holidays
- \*No dietary laws allowed to be followed

(4)

- \*Limited opportunities to practice religion
- \*No room set aside, may practice in cells
- \*Limited observance of religious holidays
- \*Females may not practice religious observation as male inmates do; confined to housing area

(2)

TOTAL

RATING SCALE: INMATE RIGHTS  
VISITS

- \*Written policy & procedure grant inmates right to receive visits
- \*Visits are encouraged
- \*Provision made for visitation in pleasant surroundings with minimum surveillance to allow privacy
- \*No restrictions on inmate visitation rights
- \*Children allowed to visit inmates

(10) -----

- \*Procedures granting inmates right to receive visits
- \*Visits made in areas with minimum surveillance to allow privacy
- \*No restrictions on inmate visitation rights
- \*Children allowed to visit inmates

(6) -----

- \*Procedures granting inmates right to receive visitors
- \*Visits in areas with little privacy
- \*Restrictions on inmate visitation rights
- \*Visits by children limited

(4) -----

- \*Procedures granting inmates right to receive visits
- \*Visits through glass partition/telephone
- \*Restrictions on inmate visitors
- \*Children not allowed to visit

(2) -----

TOTAL -----

RATING SCALE: INMATE RIGHTS  
COMMUNICATION

- \*Written policy & procedure grant inmates right to correspond with persons or organizations
- \*Correspondence uncensored
- \*Only facility administrator or designees should authorize censorship of inmate correspondence

(10) -----

- \*Procedure grants inmate right to correspond with person or organizations
- \*Correspondence uncensored
- \*Only facility administrator or designee should authorize censorship of inmate correspondence

(6) -----

- \*Inmate has right to correspond with person or organizations
- \*Correspondence uncensored except where administrator deems necessary

(4) -----

- \*All correspondence with outside organizations and persons censored by prison officials

(2) -----

TOTAL -----

**RATING SCALE: INMATE RIGHTS  
PROTECTION FROM PERSONAL ABUSE**

- \*Written policy & procedure provide for protection from:
  - personal abuse
  - disease
  - property damage
  - harassment
- \*Administrative segregation used to protect inmates from themselves or other inmates
- \*Where disciplinary detention is required, least drastic means necessary to secure order or control is used

(10) -----

- \*Procedures provide for protection from:
  - personal abuse
  - disease
  - property damage
  - harassment
- \*Administrative segregation used to protect inmates from themselves and other inmates
- \*Least drastic means used when disciplinary detention becomes necessary

(6) -----

- \*Provision made to protect inmates from
  - personal abuse
  - disease
  - property damage
  - harassment
- \*Administrative segregation used to protect inmates from self or others
- \*Punishment used when necessary

(4) -----

- \*Little consideration given to protection of inmate
- \*Administrative segregation used indiscriminately
- \*Whatever drastic means necessary to secure order or control is used without regard to inmate personal safety

(2) -----

TOTAL -----

RATING SCALE: INMATE RIGHTS  
GRIEVANCE PROCEDURE

- \*Written grievance procedure available to all inmates, including one level of appeal
- \*Includes:
  - written provisions for all grievances, including reasons for decision
  - response within prescribed time limit, with special provisions for responding to grievances
  - advisory review of grievances
  - participation by staff and inmates in design & operation of grievance procedure
  - access by all inmates, with guarantees against reprisal applicability over a broad range of issues
- \*External appeal available

(10) -----

- \*Grievance procedure available, includes:
  - written provisions for all grievances, including reasons for decisions
  - response within prescribed time limit, with special provisions for responding to grievances
  - advisory review of grievances
  - participation by staff and inmates in design & operation of grievance procedure
  - access by all inmates, with guarantees against reprisal applicability over a broad range of issues
- \*External appeal usually allowed

(6) -----

- \*Grievance procedure available but not formalized
- \*External appeal procedure not formalized

(4) -----

- \*No mechanism available for inmate grievances

(2) -----

TOTAL -----

**RATING SCALE:INMATE RIGHTS  
SEARCHES & SEIZURES**

- \*Facility has developed policy and procedure governing searches & seizures
- \*Embarrassment to inmate is avoided
- \*Unnecessary force not used
- \*Frequency & manner of searches are reasonable

(10) -----

- \*Procedures governing searches & seizures
- \*Embarrassment to inmate is avoided
- \*Unnecessary force is used
- \*Searches & seizures are of a reasonable nature

(6) -----

- \*Searches & seizures done on inmates
- \*Force used when necessary
- \*Most searches and seizures are done with probable cause

(4) -----

- \*Searches & seizures done on inmates
- \*Force is used
- \*Probable cause not taken into consideration

(2) -----

TOTAL -----

INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

SUMMARY RATINGS  
UNIT FACILITY

	SCORE	WEIGHT
	-----	-----
A. ACTIVITY AREAS/ MULTIPURPOSE ROOMS/ DAY ROOMS		25
-----		
B. TEMPERATURE		15
-----		
C. LIGHTING		15
-----		
D. CELL SIZE: SINGLE, DOUBLE, DORMITORY		20
-----		
E. FACILITIES IN CELL		25
-----		
ADJUSTED TOTAL SCORE	-----	100

SUMMARY RATINGS: (SCORE X WEIGHT DIV.  
BY 100)

RATING SCALE: UNIT FACILITY  
ACTIVITY AREAS/MULTIPURPOSE ROOMS/DAY ROOMS

- \*Activity areas have toilets & wash basins easily accessible to all inmates using area
- \*Lighting is appropriate-Air circulation is proper
- \*Day room for each cell block or detention room cluster
- \*Room has a minimum of 35 square feet of floor space per inmate and is separate & distinct from sleeping area which is immediately adjacent & accessible
- \*Day rooms available to inmate for reading, writing or table games
- \*Day room used for dining
- \*Multipurpose room used for indoor/outdoor exercise; religious services; group counseling; educational programs; meetings; library, services, etc.
- \*Complete gym is available in addition to multipurpose room
- \*Regular classes available in addition to multipurpose room

(10) -----

- \*Activity areas have toilets & wash basins fairly accessible to all inmates using area
- \*Lighting is somewhat appropriate - Air circulation is acceptable
- \*Day room for each cell block or detention cluster
- \*Day room is available for individual inmates to sit, read, etc.
- \*Multipurpose room available for indoor/outdoor activities, exercise, religious services, educational programs
- \*In addition separate gym available

(6) -----

- \*Activity areas have access to toilets and wash basins
- \*Lighting is adequate -Air circulation is adequate
- \*Day room available immediately outside cell area
- \*Day room used for meals
- \*Multipurpose room available
- \*Gym available

(4) -----

- \*No access to toilets & wash basins in activity areas
- \*Inadequate lighting - Poor air circulation
- \*Narrow corridor immediately outside cell used as day room
- \*Inmates eat meals in cells
- \*Multipurpose room available but due to overcrowding not used

(2) -----

TOTAL -----

**RATING SCALE:UNIT FACILITY  
TEMPERATURE**

- \*Temperatures in summer are between 66 to 80 degrees (F)
- Optimum temperature 71 degrees (F)
- \*Temperatures in winter are between 61 to 73 degrees
- Optimum temperature 70 degrees (F)
- \*Proper ventilation in housing facility

(10)

-----

- \*Temperatures in summer are between 66 to 80 degrees (F)
- Optimum temperature usually achieved
- \*Temperatures in winter are between 61 to 73 degrees (F)
- Optimum temperature usually achieved
- \*Adequate ventilation in housing facility

(6)

-----

- \*Temperatures of 66 to 80 degrees in summer hard to achieve
- \*Temperatures of 61 to 73 degrees in winter hard to achieve
- \*Inadequate ventilation in housing facility

(4)

-----

- \*Suggested temperatures cannot be achieved for either winter  
or summer
- \*Proper ventilation very limited in housing facility

(2)

-----

TOTAL

-----

RATING SCALE:UNIT FACILITY  
LIGHTING

- \*Lighting is very bright
- \*Lighting requirements for facility are determined based on tasks to be performed, interior surface finishes & colors, type & spacing of light sources, outside lighting & shadows & glares
- \*Lighting is centrally controlled
- \*Night light in each cell
- \*Natural lighting in housing unit

(10) -----

- \*Lighting requirements for facility have been pretty much determined based on those tasks to be performed
- \*Lighting is adequate
- \*Some natural lighting in housing areas
- \*Lighting is centrally controlled
- \*Night light available in each cell

(6) -----

- \*Lighting requirements for facility need to be readjusted for those tasks to be performed
- \*Lighting is somber in housing areas
- \*Lighting is centrally controlled

(4) -----

- \*Inadequate lighting in cells & facility
- \*No minimum lighting standards adhered to

(2) -----

TOTAL -----

RATING SCALE:UNIT FACILITY  
CELL SIZE

- \*Single cells or rooms have at least 60 square feet of floor space
  - Provision that inmate spend no more than 10 hours per day in cell
  - If confinement exceeds 10 hours a day, there are at least 70 square feet of floor space
- \*Single cells or rooms have at least 70 square feet of floor space with no less than 7 feet
- \*All cells and detention rooms are designed for single occupancy only

(10) -----

- \*Single cells or rooms have at least 60 square feet of floor space
- \*Single cells or rooms have at least 70 square feet of floor space
- \*Some cells have more than one inmate

(6) -----

- \*All cells have only 60 square feet of floor space
- \*Most cells are double bunked

(4) -----

- \*Cells do not adhere to 60 square feet of floor space
- \*Cells are all double bunked

(2) -----

TOTAL -----

RATING SCALE:UNIT FACILITY  
FACILITIES IN CELL

\*All rooms (includes dormitories) have at a minimum access to the following sanitation facilities:  
toilet above floor level which is available 24 hours a day without staff assistance; wash basin and drinking water; shower facilities; hot and cold running water; a bed above floor level; hooks or closet space; chair or stool; natural light; proper electrical lighting; locker for each occupant

- \*All cells have inside
  - toilet
  - sink
  - bed above floor level
  - shelf
  - stool/chair

(10)

\*All rooms (includes dormitories) or cells have at a minimum access to the following:  
toilet above floor level; wash basin and drinking water; shower facilities; hot and cold running water in shower only; bed above floor level; natural light; proper electrical lighting

- \*Each cell has:
  - toilet
  - sink
  - bed above floor level

(6)

\*All rooms (includes dormitories) or cells have at minimum access to: toilet above floor level but need staff person; wash basin; shower facilities, need to be escorted; artificial light

- \*Each cell has:
  - toilet
  - sink
  - bed above floor level

(4)

\*All rooms or cells have minimum access with staff assistance to: toilet; shower; wash basin; cot above floor level

- \*Each cell has:
  - bed/cot
  - toilet

(2)

TOTAL -----  
-----

INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

SUMMARY RATINGS  
INMATE WORK PROGRAMS

	SCORE	WEIGHT
A. WORK ASSIGNMENT PLAN		40
-----		
B. INMATE WORK PLAN		20
-----		
C. DISCRIMINATION PROHIBITION		40
-----		

ADJUSTED TOTAL SCORE

-----  
100

SUMMARY RATINGS: (SCORE X WEIGHT DIV  
BY 100)

RATING SCALE: INMATE WORK PROGRAMS  
WORK ASSIGNMENT PLAN

- \*Facility has written inmate work assignment plan
- \*All inmates have equal opportunities to work as trustees, in library, in kitchen, in medical unit, on outside (grounds work), institutional maintenance
- \*Provision for inmate employment, includes pretrial and unsentenced inmates
- \*Proper supervision provided by duly appointed staff personnel while inmates engaged in work details
- \*80% of inmates have jobs
- \*Large percentage of time inmates out of cells
- \*Inmates compensated for work

(10) -----

- \*Facility has inmate work assignment plan
- \*Provision made for inmate employment, subject to number of opportunities
- \*Supervision provided for inmates on work detail
- \*Employment includes areas such as kitchen, library, elevator operators, medical unit, institutional maintenance, yard work, etc
- \*60% of inmates have jobs
- \*Inmates spend good percentage of time out of cells
- \*Some inmates compensated

(6) -----

- \*Work assignments for inmates limited
- \*Supervision of inmates provided as necessary
- \*40% of inmates have jobs
- \*Small percentage of time spent outside of cells
- \*Limited compensation for work

(4) -----

- \*No work assignments available for inmates
- \*Inmates spend 90% of time in housing unit

(2) -----

TOTAL -----

RATING SCALE: INMATE WORK PROGRAMS  
INMATE WORK PLANS

- \*Inmate work plan provides for inmates to work in facility maintenance & operation
- \*Inmate work plan provides for inmate work assignments in public works projects
- \*Inmates may be assigned to: construction work, conservation projects & other work financed by public funds
- \*Such programs may be conducted in facilities & areas separate from main detention facility
- \*Inmates may be assigned cleaning & maintenance work in local government buildings
- \*Inmates permitted, if statutes allow, to work in various non-profit & community service projects

(10) -----

- \*Inmate work plan provides for inmates to work in facility maintenance & operation
- \*Inmate work plan allows some inmates assignments in public work projects
- \*Inmates may be assigned to work financed by public funds
- \*Inmates permitted, if statutes allow, to work in various non-profit & community service projects

(6) -----

- \*Inmates allowed to work in facility maintenance and operation
- \*Public work projects allowed for inmates considered trustees
- \*Inmates may be assigned to work financed by public funds

(4) -----

- \*Inmates only allowed to work in facility maintenance & operational programs

(2) -----  
TOTAL -----

RATING SCALE:INMATE WORK PROGRAMS  
DISCRIMINATION PROHIBITION

- \*Written policy & procedure prohibit discrimination in inmate work assignments based on sex, race, religion & national origin
- \*Inmates have choices of jobs as trustees, working in library, kitchen, medical unit, outside grounds work, institutional maintenance
- \*Inmate work plan includes provision for earning credits toward a reduction in sentence

(10) -----

- \*Procedures prohibit discrimination in inmate work assignments based on sex, race, religion and national origin
- \*Inmates have some choices of jobs as trustees, working in library, in kitchen, medical unit, outside grounds work, institutional maintenance
- \*Good time credit for working available in most instances

(6) -----

- \*Discrimination prohibited with regard to work assignments
- \*Choices given to certain inmates to work as trustees, working in library, in kitchen, medical units, outside grounds work, institutional maintenance
- \*Very limited good time credit for working available

(4) -----

- \*Some discrimination noted in inmate work assignments based on sex, race, religion and national origin
- \*Only certain inmates allowed choice of jobs
- \*No good time credit for working available

(2) -----

TOTAL -----

INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

SUMMARY RATINGS  
SECURITY & CONTROL

	SCORE	WEIGHT
	-----	-----
A. CONTROL CENTER		10
-----		
B. COMMUNICATIONS SYSTEM		10
-----		
C. EMERGENCY ALARM SYSTEM		10
-----		
D. LOCKED DOORS		10
-----		
E. AROUND-THE-CLOCK SUPERVISION		10
-----		
F. CORRECTIONAL OFFICERS POSTS		15
-----		
G. INSPECTIONS		10
-----		
H. SEARCHES		15
-----		
I. USE OF PHYSICAL FORCE		10
-----		
ADJUSTED TOTAL SCORE	-----	-----
		100

SUMMARY RATINGS: (SCORE X WEIGHT  
DIV BY 100)

RATING SCALE: SECURITY & CONTROL  
CONTROL CENTER

- \*Control center staffed around-the-clock
- \*Control center monitors and takes responsibility for inmate counts, key control, & coordination of facility internal & perimeter security network
- \*Serves as communications center for facility
- \*Monitors operation of fire alarm, smoke and thermal detection, radio teletype, computer terminal, surveillance, alarm, walk & perimeter lighting & other mechanical & electrical systems

(10) -----

- \*Control center staffed around-the-clock
- \*Control center monitors & takes apparent responsibility for inmate counts, key control
- \*Control center serves as communication center for facility
- \*Helps to monitor most emergency systems of facility

(6) -----

- \*Correctional facility has developed and employs policies & procedures designated to ensure that proper facility safety, security & supervision is maintained
- \*Various control centers throughout facility

(4) -----

- \*Facility has procedures for monitoring all housing areas, monitoring inmate counts, key control as well as alarm systems

(2) -----

TOTAL -----

RATING SCALE: SECURITY & CONTROL  
COMMUNICATION CENTER

- \*Facility has a communication system between control center & inmate living areas
- \*Mechanical or audio communication system is used to supplement personal staff supervision activities
- \*System not used as substitute for staff supervision
- \*System is used to advise staff of emergency needs

(10) -----

- \*Facility has a communication system between control center and inmate living area
- \*Mechanical or audio communication is primary system used, with personnel staff supplementing communications between inmate living areas and control center
- \*System is used as well to advise staff of emergency needs

(6) -----

- \*Communication center consists of officers having walkie talkies to communicate with control center
- \*Officers communicate emergency situations through their walkie talkies

(4) -----

- \*Facility has no communication center between control center and inmate living area
- \*Correctional officers communicate to control center only in cases of emergency and then by phone or walkie talkies

(2) -----

TOTAL -----

RATING SCALE:SECURITY & CONTROL  
EMERGENCY ALARM SYSTEM

- \*Facility has emergency alarm system, linked to control center
- \*Signal devices located throughout facility including inmate living area
- \*Signal devices located at strategic points
- \*All personnel & inmates should be aware of their location
- \*Correctional officers wear body alarms enabling them to summon immediate assistance, where the safety & security of the facility is concerned

(10) -----

- \*Facility has emergency alarm system, linked to control center
- \*Signal devices located throughout facility
- \*Signal devices located at strategic points
- \*All personnel & inmates are aware of their location

(6) -----

- \*Facility has emergency alarm system
- \*Signal devices located throughout facility
- \*All personnel & inmates are aware of their locations

(4) -----

- \*Facility has procedures to be followed in event of an emergency
- \*Signal type devices located throughout facility

(2) -----

TOTAL -----

RATING SCALE: SECURITY & CONTROL  
LOCKED DOORS

- \*Written policy & procedure require all security perimeter entrances, control center doors, cell block doors & all doors opening into a corridor to be kept locked
- \*Exceptions when used for admission or exit of employees, inmates or visitors, and in emergencies
- \*Doors to vacant units, unoccupied cells & storage rooms kept locked
- \*Doors are tested for vulnerability after they are secured
- \*Safety vestibules (no two doors opened at same time) used when moving inmates

(10) -----

- \*Procedures established requiring all security, perimeter entrances, control center doors, cell block doors & all doors opening into corridor kept locked
- \*Exceptions when used for movement of employees, inmates, visitors & in emergencies
- \*Doors to vacant units, unoccupied cells & storage rooms usually kept locked
- \*Safety vestibules used when moving inmates

(6) -----

- \*Procedures established to keep facility inmate living areas secured
- \*Doors to vacant units, unoccupied cells and storage rooms remain open
- \*Safety vestibules used when moving inmates

(4) -----

- \*Procedures established to keep facility secure
- \*Safety vestibules used where they exist for inmate movement

(2) -----

TOTAL -----

RATING SCALE: SECURITY & CONTROL  
SUPERVISION

- \*Written policy & procedure provide for around-the-clock in housing unit
- \*There is uninterrupted visual observation of each inmate by facility staff, regardless of whether in or out of cell
- \*Availability to prisoners of facility staff responsible for care and custody of such prisoners
- \*There is a clear view of all inmates within their units
- \*Active supervision in all facility housing areas including multiple occupancy housing units, when inmates confined to area, but not secured in individual housing units
- \*General supervision maintained in all facility housing areas when all prisoners are secured in individual housing units

(10) -----

- \*Procedures provide for around-the-clock supervision in housing units
- \*Visual observation of each inmate by facility staff even if out of cell, but in housing unit
- \*Availability to prisoners of facility staff responsible for care & custody of such prisoners
- \*Continuous clear view of all inmates
- \*General supervision maintained in all housing units whether inmate in cell or outside cell

(6) -----

- \*Procedures established for around-the-clock supervision of inmates in housing unit
- \*Clear view of all inmates within housing unit
- \*Supervision of all inmates regardless of whether inmate confined to area or within cell

(4) -----

- \*Procedures established for supervision of all inmates
- \*Supervision of all inmates regardless whether secured in or out of housing unit

(2) -----

TOTAL -----

RATING SCALE: SECURITY & CONTROL  
CORRECTIONAL OFFICER POSTS/OBSERVATION

- \*Correctional officer posts located in or immediately adjacent to inmate living areas
- \*Correctional officers situated to permit officers to hear & respond promptly to emergency situations
- \*All high & medium security inmates personally observed by correctional officer at least every 30 minutes, on irregular schedule
- \*More frequent observation required for those inmates who are violent, suicidal, disordered or who demonstrate unusual or bizarre behavior - observations on irregular schedule
- \*Enough correctional officers available in order to ensure inmate access to staff & availability of support services

(10) -----

- \*Correctional officer posts, located in or immediately adjacent to inmate living areas
- \*Correctional officers situated so that they can communicate with inmates & respond promptly to emergency situations
- \*Correctional officers tour certain areas every 30 minutes on irregular schedule
- \*Correctional officers situated so they can observe those inmates who are violent, suicidal, disordered or who demonstrate unusual or bizarre behavior
- \*Usually enough correctional officers available

(6) -----

- \*Correctional officer posts located so that there can be communication with inmates and responses to emergency situations can occur
- \*Correctional officers tour every 30 minutes to observe those inmates in high security areas
- \*Correctional officer observe those inmates displaying behavioral problems

(4) -----

- \*Correctional officer posts located near all inmates
- \*Correctional officers tour every 30 minutes to observe problem inmates

(2) -----

TOTAL -----

RATING SCALE: SECURITY & CONTROL  
INSPECTION

- \*Written policy & procedure require that line supervisory staff visit and inspect every housing area daily
- \*Supervisory staff continuously assess inmate morale, quality of care & supervision inmates are receiving
- \*Written policy & procedure require facility administrator to inspect all security facilities & devices at least weekly & initiate corrective action where needed
- \*Written policy & procedure require facility administrator or designee & others to inspect facility's living & activity areas weekly

(10) -----

- \*Procedures require that line supervisory staff visit & inspect every housing area of facility daily
- \*Supervisory staff continuously assess inmate morale, quality of care and supervision inmates are receiving
- \*Procedures require facility administrators to inspect all security facilities and devices at least weekly and initiate corrective action if needed
- \*Procedures require facility administrator or designee plus others to inspect facility's living and activity areas weekly

(6) -----

- \*Line supervisory staff visit & inspect every area of facility daily
- \*Assessment of inmate morale and quality of care received by supervisory staff
- \*Facility administrators inspect all security facilities & devices on weekly basis
- \*Housing areas inspected weekly

(4) -----

- \*Inspections of facility daily
- \*Security facilities & devices inspected
- \*Housing areas inspected often

(2) -----

TOTAL -----

RATING SCALE: SECURITY & CONTROL  
SEARCHES

- \*Written policy & procedure govern searches on inmates
- \*Searches authorized by administrator or designee
- \*Policy governing searches ensure legal protection of inmate
- \*Specific regulations detailing manner in which such searches are to be conducted & under what circumstances to protect inmates' fourth amendment rights
- \*Policy regarding searches for control of contraband is published
- \*All inmates & staff have such a publication
- \*Staff trained in effective search techniques offering protection from bodily harm for both staff & inmates

(10) -----

- \*Procedures established governing searches on inmates
- \*Searches authorized by administrator or designee
- \*Procedures ensure protection of inmates' fourth amendment rights
- \*Procedures establish manner in which such searches are to be conducted
- \*Procedures established for control of contraband
- \*Staff trained in effective search techniques offering protection from bodily harm for both staff & inmates

(6) -----

- \*Procedures for searches of inmates
- \*Such procedures protect inmates' fourth amendment rights
- \*Procedures controlling for contraband
- \*Staff trained to do searches

(4) -----

- \*Inmates subject to search when belief a crime has been committed or contraband has been brought into cell
- \*Staff ready to do searches

(2) -----

TOTAL -----

RATING SCALE: SECURITY & CONTROL  
USE OF PHYSICAL FORCE

- \*Written policy & procedure restrict use of physical force on inmates to instances of:
  - justifiable self-defense
  - protection of others
  - protection of property
  - prevention of escapes
- \*Physical force on inmate is not justified as punishment
- \*Immediate medical attention provided when warranted or required by inmate or staff member involved in an incident where physical force used
- \*Instruments of restraint (handcuffs, strait jackets) never applied as punishment

(10) -----

- \*Procedure restricts use of physical force on inmate to instances of:
  - justifiable self-defense
  - protection of others
  - protection of property
- \*Physical force on inmate not justified as punishment
- \*Immediate medical attention provided when warranted when physical force is used
- \*Instruments of restraint not applied as punishment

(6) -----

- \*Procedure restricts use of physical force on inmate
- \*Physical force on inmate usually not justification as punishment
- \*Medical attention available for inmate, if needed, where physical force has been applied

(4) -----

- \*Procedures regarding use of physical force against inmate
- \*Physical force on inmate rarely justified as punishment of inmate

(2) -----

TOTAL -----

INSTITUTION\_\_\_\_\_

UNIT\_\_\_\_\_

SUMMARY RATINGS  
CLASSIFICATION

	SCORE	WEIGHT
A. LEVEL OF CUSTODY		50
-----		
B. CHANGE OF INMATE STATUS		50
-----		
ADJUSTED TOTAL SCORE	-----	100

SUMMARY RATINGS: (SCORE X WEIGHT DIV.  
BY 100)

RATING SCALE:CLASSIFICATION  
LEVEL OF CUSTODY

- \*Written policy & procedure for inmate classification in terms of:
  - custody required
  - housing assignment
  - participation in correctional programs
- \*Such procedures reviewed annually
- \*Each inmate evaluated in terms of personal, criminal, medical & social history
- \*Inmates placed in programs suited to their needs

(10) -----

- \*Procedure for inmate classification in terms of:
  - custody required
  - housing assignment
  - participation in correctional programs
- \*Each inmate evaluated in terms of personal, criminal, medical and social history
- \*Inmates placed in programs suited to their needs

(6) -----

- \*Procedure for inmate classification in terms of:
  - custody required
  - housing assignment
  - participation in correctional programs
- \*Each inmate evaluated in terms of personal, criminal, medical and social history

(4) -----

- \*All inmates classified similarly -no separate areas for inmates and their particular needs, mainly due to overcrowding

(2) -----

TOTAL -----

RATING SCALE:CLASSIFICATION  
CHANGE OF INMATE STATUS

\*Inmate classification plan specifies criteria & procedures  
for determining and changing inmate status. Includes:

--custody

--transfers

--major changes in programs

\*Appeal process available

(10) -----

\*Inmate classification plan specifies procedures for  
determining and changing inmate status

\*Appeal process available

(6) -----

\*Inmate classification plan specifies procedures for  
determining and changing inmate status

(4) -----

\*Once inmate is classified, unless absolutely extenuating  
circumstances occur, status of inmate does not change

(2) -----

TOTAL -----

**CHART 1**

**Field Testing was completed at the following facilities:**

**Nassau County Correctional Facility  
East Meadow, New York**

**Erie County Correctional Facility  
Buffalo, New York**

**Women's Detention Center  
Dade County  
Miami, Florida**

**North Dade Detention Center for Men  
Miami, Florida**

**Monroe County Jail  
Rochester, New York**

**Onondaga County Jail  
Syracuse, New York**

**Prince George's County Detention Center  
Upper Marlboro, Maryland**

**Middlesex County Department of Corrections  
Adult Division  
New Brunswick, New Jersey**

**CHART 2**

**MASTER RATINGS SUMMARY**

<b>FACILITY</b>							
-----	-----	-----	-----	-----	-----	-----	-----
<b>FOOD SERVICE</b>							
-----	-----	-----	-----	-----	-----	-----	-----
<b>MEDICAL ACCESS</b>							
-----	-----	-----	-----	-----	-----	-----	-----
<b>SANITATION &amp; HYGIENE</b>							
-----	-----	-----	-----	-----	-----	-----	-----
<b>INNATE SERVICES &amp; PROGRAMS</b>							
-----	-----	-----	-----	-----	-----	-----	-----
<b>INNATE RIGHTS</b>							
-----	-----	-----	-----	-----	-----	-----	-----
<b>UNIT FACILITY</b>							
-----	-----	-----	-----	-----	-----	-----	-----
<b>SECURITY &amp; CONTROL</b>							
-----	-----	-----	-----	-----	-----	-----	-----
<b>INNATE WORK PROGRAMS</b>							
-----	-----	-----	-----	-----	-----	-----	-----
<b>CLASSIFICATION</b>							
-----	-----	-----	-----	-----	-----	-----	-----
<b>SUMMARY RATING</b>							

**MALE AND FEMALE UNITS**

## CHART 3

INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

SUMMARY RATINGS  
FOOD SERVICE

	SCORE -----	WEIGHT -----
A. ORGANIZATION		10
-----		
B. NUTRITIONAL ADEQUACY		20
-----		
C. MEDICAL DIETS		15
-----		
D. RELIGIOUS DIETS		10
-----		
E. FOOD PERSONNEL		10
-----		
F. DELIVERY SYSTEMS		15
-----		
G. MENU EVALUATION		10
-----		
H. FOOD STORAGE		10
-----		
ADJUSTED TOTAL SCORE	-----	-----
		100
SUMMARY RATING: (SCORE X WEIGHT div. by 100)		

## CHART 4

INSTITUTION\_\_\_\_\_

UNIT\_\_\_\_\_

SUMMARY RATINGS  
MEDICAL ACCESS

	SCORE -----	WEIGHT -----
A. MEDICAL STAFF RESPONSIBLE FOR ALL HEALTH MATTERS		15
-----		
B. EQUIPMENT (INCLUDING SPECIAL NEEDS FOR FEMALES)		10
-----		
C. FIRST AID KITS		5
-----		
D. EMERGENCY PROCEDURES (MEDICAL & DENTAL)		15
-----		
E. TRAINING PROGRAM		15
-----		
F. MEDICAL SCREENING (INCLUDES MAINTENANCE OF RECORDS)		15
-----		
G. SUICIDE PREVENTION		5
-----		
H. SICK CALL		5
-----		
I. SPECIAL MEDICAL PROGRAMS (INCLUDES PROGRAMS FOR FEMALES)		5
-----		
J. PHARMACEUTICAL PROCEDURES		10
-----		
ADJUSTED TOTAL SCORE		100

SUMMARY RATING: (SCORE X WEIGHT  
DIV. BY 100)

## CHART 5

INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

SUMMARY RATINGS  
SANITATION AND HYGIENE

	SCORE -----	WEIGHT -----
A. INSPECTIONS		15
-----		
B. RODENT CONTROL		15
-----		
C. HOUSEKEEPING PLAN		10
-----		
D. CLOTHING		15
-----		
E. BEDDING, LINENS & TOWELS		10
-----		
F. STORAGE OF CLOTHING		5
-----		
G. ITEMS OF PERSONAL HYGIENE		15
-----		
H. WATER TEMPERATURE		10
-----		
I. HAIR CARE SERVICES		5
-----		
ADJUSTED TOTAL SCORE		100

SUMMARY RATING: (SCORE X WEIGHT  
DIV. BY 100)

## CHART 6

INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

**SUMMARY RATINGS  
INMATE SERVICES & PROGRAMS**

	SCORE	WEIGHT
	-----	-----
A. EQUAL OPPORTUNITIES FOR MALE /FEMALE INMATES		20
-----		
B. USE OF COMMUNITY RESOURCES		10
-----		
C. INMATES GIVEN WORK OPTION		10
-----		
D. DRUG & ALCOHOL COUNSELING		15
-----		
E. RECREATIONAL & LEISURE TIME ACTIVITIES		15
-----		
F. EDUCATIONAL & VOCATIONAL TRAINING		15
-----		
G. LIBRARY SERVICES		15
-----		
ADJUSTED TOTAL SCORE	-----	100

SUMMARY RATING: (SCORE X WEIGHT  
DIV. BY 100)

## CHART 7

INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

SUMMARY RATINGS  
INMATE RIGHTS

	SCORE	WEIGHT
A. UNLIMITED ACCESS TO COURTS	-----	10
B. ACCESS TO ATTORNEYS		10
C. ACCESS TO LEGAL MATERIALS/ LAW LIBRARY		10
D. ACCESS TO SUPPLIES (PAPER, TYPEWRITERS, ETC.)		5
E. BASIC MEDICAL & DENTAL CARE		15
F. RIGHT TO PRACTICE RELIGION		10
G. RIGHT TO RECEIVE OUTSIDE VISITS		5
H. RIGHT TO COMMUNICATE OR CORRESPOND WITH PERSONS OR ORGANIZATIONS		5
I. PROTECTION FROM PERSONAL ABUSE		10
J. GRIEVANCE PROCEDURE AVAILABLE		10
K. PROCEDURES RE: SEARCHES & SEIZURES		10
ADJUSTED TOTAL SCORE	-----	100
SUMMARY RATINGS: (SCORE X WEIGHT DIV. BY 100)		

**CHART 8**

**INSTITUTION** \_\_\_\_\_

**UNIT** \_\_\_\_\_

**SUMMARY RATINGS  
UNIT FACILITY**

	SCORE -----	WEIGHT -----
<b>A. ACTIVITY AREAS/ MULTIPURPOSE ROOMS/ DAY ROOMS</b>		<b>25</b>
-----		
<b>B. TEMPERATURE</b>		<b>15</b>
-----		
<b>C. LIGHTING</b>		<b>15</b>
-----		
<b>D. CELL SIZE: SINGLE, DOUBLE, DORMITORY</b>		<b>20</b>
-----		
<b>E. FACILITIES IN CELL</b>		<b>25</b>
-----		
<b>ADJUSTED TOTAL SCORE</b>		<b>100</b>

**SUMMARY RATINGS: (SCORE X WEIGHT DIV.  
BY 100)**

**CHART 9**  
**INSTITUTION\_\_\_\_\_**

**UNIT\_\_\_\_\_**

**SUMMARY RATINGS**  
**SECURITY & CONTROL**

	<b>SCORE</b>	<b>WEIGHT</b>
	-----	-----
<b>A. CONTROL CENTER</b>		<b>10</b>
-----		
<b>B. COMMUNICATIONS SYSTEM</b>		<b>10</b>
-----		
<b>C. EMERGENCY ALARM SYSTEM</b>		<b>10</b>
-----		
<b>D. LOCKED DOORS</b>		<b>10</b>
-----		
<b>E. AROUND-THE-CLOCK SUPERVISION</b>		<b>10</b>
-----		
<b>F. CORRECTIONAL OFFICERS POSTS</b>		<b>15</b>
-----		
<b>G. INSPECTIONS</b>		<b>10</b>
-----		
<b>H. SEARCHES</b>		<b>15</b>
-----		
<b>I. USE OF PHYSICAL FORCE</b>		<b>10</b>
-----		
<b>ADJUSTED TOTAL SCORE</b>	-----	<b>100</b>

**SUMMARY RATINGS: (SCORE X WEIGHT  
DIV BY 100)**

CHART 10

INSTITUTION \_\_\_\_\_

UNIT \_\_\_\_\_

SUMMARY RATINGS  
INMATE WORK PROGRAMS

	SCORE	WEIGHT
A. WORK ASSIGNMENT PLAN		40
-----		
B. INMATE WORK PLAN		20
-----		
C. DISCRIMINATION PROHIBITION		40
-----		
ADJUSTED TOTAL SCORE	-----	-----
		100

SUMMARY RATINGS: (SCORE X WEIGHT DIV BY 100)

**CHART 11**

**INSTITUTION**\_\_\_\_\_

**UNIT**\_\_\_\_\_

**SUMMARY RATINGS  
CLASSIFICATION**

	<b>SCORE</b>	<b>WEIGHT</b>
<b>A. LEVEL OF CUSTODY</b>		<b>50</b>
-----		
<b>B. CHANGE OF INMATE STATUS</b>		<b>50</b>
-----		
<b>ADJUSTED TOTAL SCORE</b>	-----	-----
		<b>100</b>

**SUMMARY RATINGS: (SCORE X WEIGHT DIV.  
BY 100)**

**CHART 12**

**PROTOCOL:**

- |                                           |                    |
|-------------------------------------------|--------------------|
| <b>1. PROCEDURE REVIEW</b>                | <b>(P. R. )</b>    |
| <b>2. OFFICIAL INTERVIEW</b>              | <b>(O. I. )</b>    |
| <b>3. BEHAVIOR OBSERVATION</b>            | <b>(B. O. )</b>    |
| <b>4. RECORD REVIEW</b>                   | <b>(R. R. )</b>    |
| <b>5. LINE STAFF INTERVIEW</b>            | <b>(L. S. I. )</b> |
| <b>6. EXTERNAL INSPECTION REVIEW</b>      | <b>(E. I. R. )</b> |
| <b>7. PHYSICAL/ENVIRONMENT INSPECTION</b> | <b>(P/E. I. )</b>  |

**COMMENTS:**

(        ) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_

(        ) \_\_\_\_\_  
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\_\_\_\_\_

**CHART 13**  
**MASTER RATINGS SUMMARY**

**FACILITY: NASSAU COUNTY**

	MALES	FEMALES
<b>FOOD SERVICE</b>	4.9	4.6
<b>MEDICAL ACCESS</b>	4.4	4.0
<b>SANITATION &amp; HYGIENE</b>	5.7	4.4
<b>INMATE SERVICES &amp; PROGRAMS</b>	7.0	4.6
<b>INMATE RIGHTS</b>	4.8	4.8
<b>UNIT FACILITY</b>	4.6	4.6
<b>SECURITY &amp; CONTROL</b>	5.2	3.8
<b>INMATE WORK PROGRAMS</b>	3.2	2.8
<b>CLASSIFICATION</b>	6.0	4.0
<b>SUMMARY RATING</b>	45.8	37.6

**CHART 14**  
**MASTER RATINGS SUMMARY**

**FACILITY: ERIE COUNTY**

	MALES	FEMALES
<b>FOOD SERVICE</b>	5.9	5.5
<b>MEDICAL ACCESS</b>	5.7	4.6
<b>SANITATION &amp; HYGIENE</b>	7.4	6.2
<b>INMATE SERVICES &amp; PROGRAMS</b>	5.2	3.4
<b>INMATE RIGHTS</b>	6.4	5.9
<b>UNIT FACILITY</b>	7.4	7.4
<b>SECURITY &amp; CONTROL</b>	6.4	6.4
<b>INMATE WORK PROGRAMS</b>	4.8	2.0
<b>CLASSIFICATION</b>	5.0	2.0
<b>SUMMARY RATING</b>	54.2	43.4

**CHART 15**  
**MASTER RATINGS SUMMARY**

**FACILITY: METRO/DADE**

	MALES	FEMALES
<b>FOOD SERVICE</b>	6.6	4.2
<b>MEDICAL ACCESS</b>	7.2	6.1
<b>SANITATION &amp; HYGIENE</b>	9.1	5.3
<b>INMATE SERVICES &amp; PROGRAMS</b>	5.1	7.5
<b>INMATE RIGHTS</b>	7.9	7.1
<b>UNIT FACILITY</b>	7.2	5.1
<b>SECURITY &amp; CONTROL</b>	7.2	8.4
<b>INMATE WORK PROGRAMS</b>	8.4	6.8
<b>CLASSIFICATION</b>	10.0	10.0
<b>SUMMARY RATING</b>	68.7	60.5

**CHART 16**  
**MASTER RATINGS SUMMARY**

**FACILITY: MONROE COUNTY**

	MALES	FEMALES
<b>FOOD SERVICE</b>	4.1	3.3
<b>MEDICAL ACCESS</b>	4.9	5.2
<b>SANITATION &amp; HYGIENE</b>	5.4	4.8
<b>INMATE SERVICES &amp; PROGRAMS</b>	5.5	3.6
<b>INMATE RIGHTS</b>	7.8	7.4
<b>UNIT FACILITY</b>	4.2	3.3
<b>SECURITY &amp; CONTROL</b>	6.2	6.2
<b>INMATE WORK PROGRAMS</b>	6.0	2.8
<b>CLASSIFICATION</b>	6.0	2.0
<b>SUMMARY RATING</b>	50.1	38.6

**CHART 17**  
**MASTER RATINGS SUMMARY**

**FACILITY: ONONDAGA COUNTY**

	MALES	FEMALES
<b>FOOD SERVICE</b>	4.2	4.2
<b>MEDICAL ACCESS</b>	5.0	4.4
<b>SANITATION &amp; HYGIENE</b>	5.7	4.9
<b>INMATE SERVICES &amp; PROGRAMS</b>	4.5	2.9
<b>INMATE RIGHTS</b>	5.9	5.6
<b>UNIT FACILITY</b>	3.9	3.6
<b>SECURITY &amp; CONTROL</b>	5.8	5.8
<b>INMATE WORK PROGRAMS</b>	2.8	2.8
<b>CLASSIFICATION</b>	5.0	3.0
<b>SUMMARY RATING</b>	42.8	37.2

**CHART 18**  
**MASTER RATINGS SUMMARY**

**FACILITY: PRINCE GEORGE'S COUNTY**

	MALES	FEMALES
<b>FOOD SERVICE</b>	6.1	6.1
<b>MEDICAL ACCESS</b>	6.8	6.8
<b>SANITATION &amp; HYGIENE</b>	6.0	5.6
<b>INMATE SERVICES &amp; PROGRAMS</b>	4.8	4.1
<b>INMATE RIGHTS</b>	6.6	6.6
<b>UNIT FACILITY</b>	6.0	6.0
<b>SECURITY &amp; CONTROL</b>	6.8	6.8
<b>INMATE WORK PROGRAMS</b>	4.4	4.4
<b>CLASSIFICATION</b>	10.0	10.0
<b>SUMMARY RATING</b>	57.5	53.4

**CHART 19**  
**MASTER RATINGS SUMMARY**

**FACILITY: MIDDLESEX COUNTY**

	MALES	FEMALES
<b>FOOD SERVICE</b>	6.0	6.0
<b>MEDICAL ACCESS</b>	7.8	6.8
<b>SANITATION &amp; HYGIENE</b>	6.4	6.4
<b>INMATE SERVICES &amp; PROGRAMS</b>	5.6	4.7
<b>INMATE RIGHTS</b>	8.0	7.8
<b>UNIT FACILITY</b>	4.8	4.8
<b>SECURITY &amp; CONTROL</b>	7.0	7.0
<b>INMATE WORK PROGRAMS</b>	6.8	2.8
<b>CLASSIFICATION</b>	8.0	2.0
<b>SUMMARY RATING</b>	60.4	48.3

CHART 20

THOMPSON CASE:

The Thompson case resulted in a "settlement" reached in 1985. The case had begun in 1979. Included in the settlement were the following:

- \*Indigent women will be provided with undergarments and clothing.
- \*Recreational services will be provided in accordance with the guidelines set forth by the New York State Commission of Correction.
- \*A new Women's wing was originally to be completed by 1987. The date has been moved to 1990. This wing will include law library facilities to assure male and female inmates "substantial equivalence" in access to the law library and the recreational library.
- \*Food preparation and service will be maintained in a sanitary manner. The new women's wing would provide communal dining. Special medical and religious diets would be available.
- \*Women's access to programs and opportunities for work assignments will be "substantially equivalent" to men's.
- \*Women will have access at least five days per week to physicians through sick call procedures.
- \*In the new women's wing an examination room will be provided.
- \*Adequate health services are to be maintained.
- \*New inmates will not be introduced into the general population, held longer than forty-eight hours or double-celled without having a medical history and a medical examination given.
- \*Adequate records regarding health services and medical care shall be maintained for each inmate.
- \*Females shall receive appropriate gynecological care. Feminine hygiene needs will be supplied. Upon request, any

female held over thirty days shall receive a complete gynecological examination.

\*A female taking oral contraceptives upon admission will be permitted to continue until the end of her cycle.

\*Pregnant inmates will be transported to Nassau County Medical Center (hospital facility next door to jail) for pregnancy counselling and treatment, and prenatal care, including periodic obstetrical examination, proper diet, vitamins and prescribed diet supplements along with pregnancy education.

\*Newborn children will be permitted to remain with their mothers in appropriate cases.

\*Females incarcerated over thirty days may request a dental check-up.

CHART 21

**Badgley v. Varelas** - Judgment entered October 7, 1981; amended October 9, 1984 (E.D.N.Y.) **Badgley v. Varelas** 729 F2d 894 (2 Cir. 1984) ("Badgley I"); **Badgley v. Santacrocce** 800 F2d 33 (2 Cir. 1986) cert. denied, 107 S. Ct. 955 (1987) ("Badgley II"); **Badgley v. Santacrocce** 815 F2d 888 (2d Cir 1987) ("Badgley III"); **Badgley v. Santacrocce** \_\_\_\_\_ F2d \_\_\_\_\_ (2 Cir June 27, 1988) ("Badgley IV")

**Badgley and the other named plaintiffs brought suit against the Sheriff of the Nassau County Correctional Center because of overcrowding at the institution which in itself was alleged to be violative of inmate rights as well as the deterioration and lack of services which was caused by the overcrowding.**

**No trial on the merits was ever held. The inmate's claims including the allegation of unconstitutional overcrowding were all finally resolved by a consent decree and an amended consent decree which provided for population caps and requirements for providing certain services.**

**Since the signing of the amended consent decree the inmates have returned to court on several occasions in an attempt to enforce and maintain the terms of the decree.**

**Requirements of Badgley:**

- \*requires that double-celling of inmates hinge on decisions regarding seniority, personality, circumstances on tiers.**
- \*has requirement regarding the population cap for the Core Facility (main jail) and necessitates sending inmates to the Annex or Satellite regardless of classification and without medical clearance when the Main Facility population cap is reached and until moves can be made the following day to reduce the count in the Core.**
- \*provides that when the Main Facility reaches its cap, it may nevertheless take into the Main Facility A or B felons with \$100,000 or more bail.**

**CHART 22**

**Explanation of Master Summary Rating Sheets:**

Indicated above for both males and females are the overall results at the facilities studied. What is demonstrated in the bold face type are where the differences exist and to what extent. The numbers show definite disparity of treatment between males and females in the local correctional facilities, from slight differences to greater differences.

According to the standards and the decisions of the Courts, no differences should exist.

**CHART 23**

**KEY:**

<b>N. C.</b>	<b>= NASSAU COUNTY</b>
<b>E. C.</b>	<b>= ERIE COUNTY</b>
<b>D. C.</b>	<b>= DADE COUNTY (FEMALES)</b>
<b>M. C.</b>	<b>= METRO COUNTY (MALES)</b>
<b>O. C.</b>	<b>= ONONDAGA COUNTY</b>
<b>P. G. C.</b>	<b>= PRINCE GEORGE'S COUNTY</b>
<b>M. C.</b>	<b>= MIDDLESEX COUNTY</b>

**CHART 24  
MASTER RATINGS SUMMARY  
MALE HOUSING UNITS**

<b>FACILITY</b>	<b>N.C.</b>	<b>E.C.</b>	<b>METRO</b>	<b>M.C.</b>	<b>O.C.</b>	<b>P.G.C</b>	<b>M.C.</b>
<b>FOOD SERVICE</b>	4.9	5.9	6.6	4.1	4.2	6.1	6.0
<b>MEDICAL ACCESS</b>	4.4	5.7	7.2	4.9	5.0	6.8	7.8
<b>SANITATION &amp; HYGIENE</b>	5.7	7.4	9.1	5.4	5.7	6.0	6.4
<b>INMATE SERVICES &amp; PROGRAMS</b>	7.0	5.2	5.1	5.5	4.5	4.8	5.6
<b>INMATE RIGHTS</b>	4.8	6.4	7.9	7.8	5.9	6.6	8.0
<b>UNIT FACILITY</b>	4.6	7.4	7.2	4.2	3.9	6.0	4.8
<b>SECURITY &amp; CONTROL</b>	5.2	6.4	7.2	6.2	5.8	6.8	7.0
<b>INMATE WORK PROGRAMS</b>	3.2	4.8	8.4	6.0	2.8	4.4	6.8
<b>CLASSIFICATION</b>	6.0	5.0	10.0	6.0	5.0	10.0	8.0
<b>SUMMARY RATING</b>	45.8	54.2	68.7	50.1	42.8	57.5	60.4

CHART 25

**MASTER RATINGS SUMMARY  
FEMALE HOUSING UNITS**

<b>FACILITY</b>	<b>N. C.</b>	<b>E. C.</b>	<b>D. C.</b>	<b>M. C.</b>	<b>O. C.</b>	<b>P. G. C.</b>	<b>H. C.</b>
<b>FOOD SERVICE</b>	<b>4.6</b>	<b>5.5</b>	<b>4.2</b>	<b>3.3</b>	<b>4.2</b>	<b>6.1</b>	<b>6.0</b>
<b>MEDICAL ACCESS</b>	<b>4.0</b>	<b>4.6</b>	<b>6.1</b>	<b>5.2</b>	<b>4.4</b>	<b>6.8</b>	<b>6.8</b>
<b>SANITATION &amp; HYGIENE</b>	<b>4.4</b>	<b>6.2</b>	<b>5.3</b>	<b>4.8</b>	<b>4.9</b>	<b>5.6</b>	<b>6.4</b>
<b>INHATE SERVICES &amp; PROGRAMS</b>	<b>4.6</b>	<b>3.4</b>	<b>7.5</b>	<b>3.6</b>	<b>2.9</b>	<b>4.1</b>	<b>4.7</b>
<b>INHATE RIGHTS</b>	<b>4.8</b>	<b>5.9</b>	<b>7.1</b>	<b>7.4</b>	<b>5.6</b>	<b>6.6</b>	<b>7.8</b>
<b>UNIT FACILITY</b>	<b>4.6</b>	<b>7.4</b>	<b>5.1</b>	<b>3.3</b>	<b>3.6</b>	<b>6.0</b>	<b>4.8</b>
<b>SECURITY &amp; CONTROL</b>	<b>3.8</b>	<b>6.4</b>	<b>8.4</b>	<b>6.2</b>	<b>5.8</b>	<b>6.8</b>	<b>7.0</b>
<b>INHATE WORK PROGRAMS</b>	<b>2.8</b>	<b>2.0</b>	<b>6.8</b>	<b>2.8</b>	<b>2.8</b>	<b>4.4</b>	<b>2.8</b>
<b>CLASSIFICATION</b>	<b>4.0</b>	<b>2.0</b>	<b>10.0</b>	<b>2.0</b>	<b>3.0</b>	<b>7.0</b>	<b>2.0</b>
<b>SUMMARY RATING</b>	<b>37.6</b>	<b>43.4</b>	<b>60.5</b>	<b>38.6</b>	<b>37.2</b>	<b>53.4</b>	<b>48.3</b>

FOOTNOTES

1. In *Craig v. Boren*, 429 U.S. 109 (1976) it was held that to "withstand (a) constitutional challenge under the equal protection clause of the Fourteenth Amendment, classifications by gender must serve important governmental objectives and must be substantially related to achievement of those objectives."
  
2. In *Weinberger v. Wisenfeld*, 420 U.S. 636 (1975), this was a case where a widower was denied benefits for himself on the ground that survivors' benefits were allowable only to women under 42 USCS sec. 402(g)-"a provision, headed 'Mother's insurance benefits,' authorizing the payment of benefits, based upon the earnings of a deceased husband and father covered by the Social Security Act, to a widow who has a minor child in her care." The Court held that "(1)the sex-based distinction of 42 USCS sec. 402(g), resulting in the efforts of women workers required to make social security contributions producing less protection for their families than was produced by the efforts of men, violated the right to equal protection under the due process clause of the Fifth Amendment, and (2) the distinction could not be justified on the basis of the 'noncontractual' character of social security benefits, or on the ground that the sex-based classification was one really designed to compensate women beneficiaries as a group for the economic difficulties confronting women who sought to support themselves and their families."
  
3. *Eslinger v. Thomas*, 476 F2d 225 (1973). This was an action brought by a female law student who alleged she was denied employment as a page because of her sex. Citing *Reed*, the Court indicated that "(T)he Equal Protection Clause (denies) to States the power to legislate that different treatment be accorded to persons placed by a statute into different classes on the basis of criteria wholly unrelated to the objective of that statute."

The Court quoting from an article by Johnson and Knapp that "on the one hand, the female is viewed as a pure delicate and vulnerable creature who must be protected from exposure to criminal influences; and on the other, as a brazen temptress, from whose seductive blandishments the innocent must be protected. Every woman is either Eve or Little Eva-- and either way, she loses" (1971:704-5).

The decision of the lower court was reversed there being no " 'fair and substantial' relation between the object of the resolution, which was to combat the appearance of impropriety, and the ground of difference, which was sex...."

BIBLIOGRAPHY

- Adler, Freda A. (1975). **Sisters in crime.** New York: McGraw Hill.
- Allen, Harry E., & Simonsen, Clifford E. (1978). **Corrections in America: An introduction.** Encino, California: Glencoe Criminal Justice Series.
- Alpert, Geoffrey P. (1978). **Legal rights of prisoners, an analysis of legal aid.** Lexington, Massachusetts: Lexington Books, D.C. Heath & Company.
- (1982). **Women prisoners and the law: Which way will the pendulum swing?** *Journal of Criminal Justice*, 10, 37-44.
- American Correctional Association. (August 1984). **Female classification: An examination of the issues.** National Institute of Corrections.
- American Correctional Association (second edition), (April 1985). In cooperation with the Commission on Accreditation for Corrections. (Grant #79-ED-AX-0007 and #79-ED-AX-0007 S-1, Law Enforcement Assistance Administration, United States Department of Justice.)
- Anastasi, Anne (1988). **Psychological testing.** New York: Macmillan Publishing Co.
- Anno, B.J. (1981). **Health care in jails: An evaluation of a Reform.** Unpublished doctoral dissertation, University of Maryland, Maryland.
- (1982). **Jails' progress in implementing American Medical Association standards.** American Medical Association Department of Correctional Activities. U.S. Department of Justice Law Enforcement Assistance Administration.
- Arditi, Ralph R., Goldberg, Frederick Jr., Peters, John & Phelps, William R. (1973). **The sexual segregaton**

of American prisons. **The Yale Law Journal**. Number 6, 82, 1229-1273.

Aron, N., (1981) Legal issues pertaining to female offenders. In **Representing Prisoners** (24 pages). New York: Practicing Law Institute.

Aronson, Daniel. (1982). Prisoners rights. **Annual Survey of American Law**, 79-106.

Arthur Young & Company. (1981). **Chicago-Cook County Criminal Justice Commission: Evaluation of fourteen correctional programs**. Illinois Law Enforcement Commission: Cook County Criminal Justice Commission, National Institute of Justice:Rockville, Maryland.

Attanasio, J.B. (August 1984). Everyman's constitutional law: A theory of the power of judicial review. **Georgia Law Journal**, 72, 1665-1723.

Attkisson, Clifford C., Hargreaves, William A., Horowitz, Mardi J., & Sorensen, James E. (1978). **Evaluation of human services programs**. New York: Academic Press Inc.

Babbie, Earl (1986). **The practice of social research**. California: Wadsworth Publishing Co.

Banerjee, V. (April 1979). Planning of the public and voluntary sectors. **Child Welfare**, v. 58, no. 4, 229-237.

Baunach, Phyllis. (1985). Critical problems of women in prison. In Imogene Meyer (Ed.), **The Changing Roles of Women in the Criminal Justice System** (pp. 95-110). Prospect Heights, Illinois: Waveland Press.

----- (1985). **Mothers in Prison**. New Brunswick, New Jersey: Transaction Books.

Bell, Roger A., Nguyen, Tuan D., Warheit, George J. & Buhl, Joanne M. (1978). Service utilization, social indicator and citizen survey approaches to human service need assessment. In C. Clifford Attkisson,

- William A. Hargreaves, Mardi J. Horowitz & James E. Sorensen (Eds.) **Evaluation of Human Service Programs** (pp. 253-300). New York: Academic Press.
- Bowker, Lee H. (1980). **Prison victimization**. New York: Elsevier.
- Brakel, Samuel J. (1982). **Administrative justice in the Penitentiary: A report on Inmate Grievances**. **American Bar Foundation Research Journal**, 111-140.
- Bronstein, Alvin. (1981). **Representing prisoners**. Practicing Law Institute, National Prison Project of the American Civil Liberties Union.
- Bucholz, Robert & Cooper, Daniel. (1978). **The remedial process in institutional reform litigation**. **Columbia Law Review**, 78, 784-929.
- Budde, James F. (1979). **Measuring performance in human services systems: Planning, organization, and control**. AMACOM, A Division of American Management Associations.
- Bureau of Justice Statistics. (July 1987). **The 1983 Jail Census**. NCJ-105586.
- Burger, Warren. (1985). **The need for change in prison and the correctional system**. **Arkansas Law Review**, 38, 711-726.
- Byrne, B.T. (1981). **Role of the judiciary in the modern institutional state**. **Seton Hall Law Review**, 11, 653-662.
- Calisti, Kathryn M. (March 1986). **A Post-GED writing curriculum for incarcerated women- Planning for College**. **Journal of Correctional Education**, 37, Issue 1, 8-14.
- Cappelletti, Mauro. (1980). **Who watches the watchmen? A comparative study on judicial responsibility**. **The American Journal of Comparative Law**, 31, 1-63.
- Carlson, Norman A. (1980). **Needs of the female inmates**

no longer ignored by prison. **Justice Assistance News**, 1(2), 2-3.

- Carroll, S.J. & Schneier, C.E. (1982). **Performance Appraisal and Review Systems**. Glenview, Illinois: Scott Foresman.
- Casper, E.R. (1976). Program evaluation -- The antidisestablishmentarianism syndrome. In Elizabeth Markson and David Allen (Eds.), **Trends in Mental Health Evaluation**. Lexington, Ma.: D.C. Heath and Company.
- Chapman, J.R. (1980). **Economic realities and the female offender**. Lexington, Mass: D.C. Heath and Co.
- Chapman, J.R., Heffernan, E. & Schulzinger, R. (1981). Criminal justice programs for women offenders. In **Female Offender, 1979-80**.
- Chayes, Abram. (1982). The Supreme Court 1981 term -- Forward: Public law litigation and the Burger Court. **Harvard Law Journal**, 96, 1-62.
- Chemerinsky, E. The price of asking the wrong question: An essay on constitutional scholarship and judicial review. **Texas Law Review**, 62, 1207-61.
- Colwell, William Lee & Koletar, Joseph W. (Fall 1984). Performance measurement for criminal justice: The Federal Bureau of Investigation experience. **Public Productivity Review**, VII, No. 3, pp. 207-225.
- Comment. (1981). Complex enforcement: Unconstitutional prison conditions. **Harvard Law Review**, 94, 626-647.
- Conley, J.A., Dunning, C., Feyerherm, W., Hochstedler, E., Pope, C.E. & Spowls, J. (1980). Assessment of affirmative action in criminal justice agencies -- an executive summary. **National Institute of Justice**.
- Connolly, Janet E. (Spring/Summer 1984). Women in county jails: An invisible gender in an ill-defined institution. **Prison Journal**, 64, no. 1, 7-135.

- Conrad, John P. (1981). A lost ideal, a new hope: The way toward effective correctional treatment. *The Journal of Criminal Law and Criminology*, 72, no. 4, 1699-1735.
- Cory, Bruce. (1982). Progress and politics in resolving inmate grievances. *Corrections Magazine*, 8(5), 20-28.
- Cranston, R. (April 1986). What do courts do? *Civil Justice Quarterly*, 5, 123-143.
- Criminal Justice Institute. (May 5, 1988). A study of the management of the Nassau County Correctional Center. South Salem, New York.
- Crisman, N. (1976). Female offenders. *Proceedings of the 106th Annual Congress of Corrections*.
- Davis, R.S. (Spring/Summer 1984). Women in prison. *Prison Journal*, 64(1), 15-37.
- DeConstanzo, E.T. & Valente, J. (Spring/Summer 1984). Designing a corrections continuum for female offenders -one State's experience. *Prison Journal*, 64(1), 57-84.
- Delbecq, Andre. (1978). The social political process of introducing innovation in social services. In Rosemary C. Sarri and Yeheskel Hasenfeld (Eds.), *The Management of Human Services*. New York: Columbia University.
- Demone, H.W., Jr., Schulberg, H.C., & Broskowski, A. (1978). Evaluation in the context of developments in human services. In Clifford Attkisson, William A. Hargreaves, Mardi J. Horowitz & James E. Sorensen (Eds.), *Evaluation of Human Service Programs* (pp. 27-41). New York: Academic Press.
- Dumbauld, Edward. (Winter 1984). The task of the Federal Judiciary. *Duquesne Law Journal*, 22, 449-463.
- Eggleston, Carolyn & Gehring, Thom. (June 1986).

Correctional education paradigms in the United States and Canada. **Journal of Correctional Education**, 37(2), 86-94.

Eisenberg, Theodore & Yeazell, Stephen. (January 1980). The ordinary and the extraordinary in institutional litigation. **Harvard Law Review**, 93(3), 465-518.

Elliston, Frederick & Bowie, Norman. (1982). **Ethics, Public Policy, and Criminal Justice**. Cambridge, Massachusetts: Delgeschlager, Gunn & Hain Publishers, Inc.

Erez, Edna. (Spring/Summer 1987). Rehabilitation in justice: The prisoner's Perspective. **Journal of Offender Counseling, Services and Rehabilitation**, 11(2), 5-21.

Fabian S.L. (1980). Women prisoners challenge of the future. In **Legal Rights of Prisoners**, Beverly Hills, California: Sage Publishers

Fair, Daryl. (July 1979). The lower Federal Courts as constitutional makers: The case of prison conditions. **American Journal of Criminal Law**, 7, 119-40.

Feinman, Clarice. (January 1979). Sex role stereotypes and justice for women. **Crime and Delinquency**, 25, 87-95.

----- (1982). Sex role stereotypes and justice for women. In Barbara Raffel Price and Natalie J. Sokoloff (Eds.), **The Criminal Justice System and Women** (pp. 131-139). New York: Clark Boardman Company, Ltd.

----- (1986). **Women in the criminal justice system**. New York: Praeger Publishers.

Figueira-McDonough, Josefina, Iglehart, Alfreda, Sarri, Rosemary & Williams, Terry. (March 1981). **Females in prison in Michigan, 1968-1978: A study of commitment patterns**. Ann Arbor, Michigan: School of Social Work and the Institute for Social Research.

Fiss, Owen M. (November 1979). The Supreme Court 1978 term. *Harvard Law Review*, 93(1), 1-58.

----- (July 1983). The bureaucratization of the judiciary. *Yale Law Journal*, (92) 1442-68.

Fluckiger, Stephen L. (1985). The changing relationship of the judiciary to the policy and the administrative process of governments: A overview of recent commentary on the nature, causes, consequences and proposals for reform of contemporary judicial encroachment. *Brigham Young Law Review*, 671-733.

Flynn, Edith. (1971). The special problems of female offenders. In *National Conference on Corrections*. Williamsburg, Virginia: Virginia Division of Justice and Crime Prevention.

Fox, James. (Spring/Summer 1984). Women's public policy, prisoner activism and the impact of the contemporary feminist movement: A case study. *The Prison Journal*, No. 1, 15-37.

Gabel, Katherine. (May 1982). Legal issues of female inmates. Prepared for *National Institute of Corrections*, U.S. Department of Justice, N.I.C. (Grant Award #CN-5).

Giallombardo, Rose. (1966). *Society of women: A study of a women's prison*. New York: John Wiley & Sons, Inc.

Ginsberg, C. (February 1981). Who are the women in prison? In *Women in Corrections*. American Correctional Association, College Park, Maryland, Series 1, No. 1, 51-56.

Glick, Ruth M., & Neto, Virginia V. (1977). *National study of women's correctional programs*. Grant No. 74-NI-99-0052 National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, U.S. Department of Justice.

Gobert, James J. & Cohen, Neil P. (1981). *Rights of prisoners*. New York: McGraw Hill.

- Goetting, Ann & Howsen, Roy Michael. (1983). Women in prison: A profile. Paper presented at the Annual Meeting of the Academy of Criminal Justice Sciences, San Antonio Texas.
- Goetting, A. (September 1985). Racism, sexism, and aegism in the prison community. *Federal Probation*, 44(3), 10-23.
- Gottfredson, Don M. Jails and mental health: Suggestions toward a research agenda. *National Institute of Justice*, (#5927).
- Hampton, David R., Summer, Charles E. & Webber, Ross A. (1987). *Organizational behavior and the practice of management*. Glenview, Illinois: Scott, Foresman and Company.
- Harper, Glen W. & Shute R. Wayne. (June 1986). Modeling moral education: The basis for rehabilitation. *Journal of Correctional Education*, 37 (2), 71-75.
- Herbert, R. (April 1985). Women's prisons -- an equal protection evaluation. *Yale Law Journal*, 94(5), 1182-1207.
- Holzer, Marc & Rosen, Ellen Doree (1981). *Current cases in public administration*. New York: Harper and Row Publishers.
- Homant, Robert J. (Spring 1986). Ten years after: A follow-up of theory effectiveness. *Journal of Offender Counseling, Services and Rehabilitation*, 10(3), 51-55.
- Hunter, Susan. (Spring/Summer 1984). Issues and challenges facing women's prisons in the 1980's. *Prison Journal*, 64(1), 129-135.
- Hutto, T.D. (1982). Goals and service delivery in corrections facilities. In Miles B. Santamour & Patricia S. Watson (Eds.), *Retarded Offender*. New York: Praeger Publishers.

- Inciardi, James A. (1984). **Criminal Justice**. Orlando, Florida: Academic Press.
- Jennings, Elaine Marie. (Winter 1985). And some grow mad, and all grow bad: Prisoner's constitutional right to receive psychiatric treatment. **Criminal and Civil confinement**, 11(1).
- Johnson, James S. & Bonta, James. (September 1985). The characteristics of staff and programs in correctional halfway houses. **Journal of Offender Counseling, Services and Rehabilitation**, 9(4), 39-53.
- Jones, Dewey R. (1984). Federal court remedies: The creative use of potential remedies can produce institutional change. **Howard Law Journal**, 27, 879-903.
- Kaufman, Irving. (May 1980). The essence of judicial independence. **Columbia Law Review**, 80(4), 671-90.
- Keeney, Ralph L. (January 1981). Measurement scales for quantifying attributes. **Behavioral Science**, 26, 298-37.
- Kempinen, Cynthia. (Winter 1983). Changes in the sentencing patterns of male and female criminal defendants. **Prison Journal**, 63, 3-12.
- Kerle, K.E. & Ford, F.R. (1982). **State of our nation's jails**. Alexandria, Virginia: National Sheriffs' Association.
- Kerwin, C.M. (Spring 1979). Judicial implementation of public policy: The courts and legislation for the judiciary. **Harvard Journal on Legislation**, 16, 416-440.
- Kim, J.S. (1984). Effect of behavior plus outcome goal setting and feedback on employee satisfaction and performance. **Academy of Management Journal**, 27(1), 139-149.
- Kirp, David L., Yudof, Mark & Franks, Marlene S. (1986).

**Gender Justice.** Chicago: The University of Chicago Press.

- Klein, Dorie & Kress, June. (Spring/Summer 1976). Any women's blues: A critical overview of women, crime and the criminal justice system. **Crime and Social Justice**, 5, 34-50.
- Krantz, Sheldon. (1986). **The law of corrections in a nutshell.** St. Paul, Minn.: West Publishing Co.
- Kruzich, Jean Marie, Levy, Rona L, Ellis, Jack & Olson, Dennis G. (Fall/Winter 1984). Assessing of health education needs in a prison setting. **Journal of Prison and Jail Health**, 4(2).
- La Jolla Management Corporation, Executive Summary. (1980). **The status of health care in the federal prison system.**
- Lampe, P.E. (June 1985). Assessing treatment of the offender-from probation to capital punishment. **Federal Probation**, 49(2), 25-32.
- Lane, Michael P. (August 1986). Illinois achievement of total accreditation. **Corrections Today**, 142-50.
- Lawrence, Richard. (March 1985). Jail educational programs: Helping inmates cope with overcrowded conditions. **Journal of Correctional Education**, 36(1), 15-23.
- Leverson, Leonard. (1983). Constitutional limits on the power to restrict access to prisons: An historical reexamination. **Harvard Civil Rights - Civil Liberties Law Review**, 18, 409-55.
- Lewis, Diane K. & Bresler, L. (1981). Is there a way out? A community study of women in the San Francisco County Jail. Boston, Mass: Unitarian Universalist Service Committee, Inc.
- Lewis, Diane K. (January 1982). Female ex-offenders and community programs. **Crime and Delinquency**, 28, 40-52.

- Linden, Rick & Perry, Linda. (Summer 1982). The effectiveness of prison education programs. **Journal of Offender Counseling, Services and Rehabilitation**, 6(4), 43-59.
- Lown, R.D. & Snow, C. (1980). Women, the forgotten prisoners- **Glover v. Johnson**. In **Legal Rights of Prisoners**, Beverly Hills, California: Sage Publications Inc.
- MacDonald, D. and Bala G. (1983). **Follow-up study sample of Rochester work release participants** Albany, New York: New York State Department of Correctional Services Division of Program Planning, Research and Evaluation.
- McGill, H.D. (June 1982). Role of the District Courts in a Changing political climate. **Connecticut Bar Journal**, 56, 222-35.
- McHugh, Gerald A. (1980). Protection of the rights of pregnant women in prisons and detention facilities. **New England Journal of Prison Law**, 69, 231-265.
- McIntosh, M. (Summer 1986). Attitudes of minority inmates toward recreation programs as a rehabilitative tool. **Journal of Offender Counseling, Services and Rehabilitation**, 10(40), 79-87.
- McRae, William Jr. (June/July 1969). The federal judicial center. **Judicature**, 53(1), 8-14.
- McShane, Marilyn D. (Spring/Summer 1987). Paralegals in corrections: A proposed model. **Journal of Offender Counseling, Services and Rehabilitation**, 11(2), 87-92.
- Mali, Paul. (1978). **Improving total productivity**. New York: John Wiley & Sons.
- Markson, Elizabeth W. & Allen David Franklyn. (1976). **Trends in Mental Health Evaluation**. Lexington, Mass.: Lexington Books, D.C. Heath & Company.

- Mathias, R.E. & Sindberg, R. (1985). Psychotherapy in correctional settings. **International Journal of Offender Therapy and Comparative Criminology**, 29(3), 265-277.
- Mawby, R.I. (January 1982). Women in prison: A British study. **Crime and Delinquency**, 28(1), 24-40.
- Measuring Corrections Performance - Executive Summary.** (1980). Washington, D.C.: United States Department of Justice, National Institute of Justice.
- Menckel-Meadow. (Spring 1979). **Incarcerated women: Legal challenges against sex discrimination in women's prisons.** American Civil Liberties Union (35 pages).
- Miller, Delbert C. (1974). **Handbook of Research Design and Social Measurement.** New York: David McKay Company, Inc.
- Miller, J.L., Rossi, Peter H. & Simpson, Jon E. (1981). Perceptions of justice: Racer and gender differences in judgments of appropriate prison sentences. **Law and Society Review**, 20(3), 313-335.
- Mitford, Jessica. (1971). **Kind and Usual Punishment.** New York: Alfred A. Knopf.
- Moyer, Imogene L. (1980). Leadership in a women's prison. **Journal of Criminal Justice**, (8), 233-243.
- (Spring/Summer 1984). Deceptions and realities of life in women's prisons. **Prison Journal**, 64(1), 45-57.
- (1985). **The changing roles of women in the criminal justice system, offenders, victims and professionals.** Illinois: Waveland Press, Inc.
- Nagel, Stuart S. & Weitzman, Leonore J. (November 1971). Women as litigants. **Hastings Law Journal**, 23.
- Nathan, Vincent M. (Spring/Summer 1985). Correctional health care: The perspective of a special master.

**Prison Journal**, 65(1), 73-83.

National Commission on Correctional Health Care.

(January 1987). **Standards for health services in jails**. Chicago, Illinois: National Commission on Correctional Health Care.

Nesbitt, C.A. (1984). **Female classification - an examination of the issue**. College Park, Maryland: American Correctional Association.

Neto, Virginia. (November/December 1981). Expanding horizons - work and training for female offenders. **Corrections Today**, 43(6), 66-73.

Neuber, K.A., Atkins, W.T., Jacobson, J.A. & Reuterman, N.A. (1980). **Needs assessment: A model for community planning**. Beverly Hills, California: Sage Publications, Inc.

Newhard, James R. (1983). An American paradox: Individual autonomy and the rise of institutional controls. **Detroit College of Law Review**, 4, 1377-82.

New York State Commission of Correction. (June 9, 1987). **Minimum standards and regulations for management of county jails and penitentiaries**.

Nunnally, Jum C. (1978). **Psychometric theory**. New York: McGraw-Hill Book Company.

Platt, J.S. & Wienke, W.D. (March 1984). Development of an effective institutional level and individualized inservice program for correctional educators: A personalized selection and evaluation system. **Journal of Correctional Education**, 35(1), 23-31.

Pollack, Harriet & Smith, Alexander B. (1978). **Civil liberties and civil rights in the United States**. St. Paul, Minnesota: West Publishing Co.

Pollak, Otto. (1950). **The criminality of women**. Philadelphia: University of Pennsylvania Press.

- Potter, J. (September 1979). Women in prison. **Prison Law Journal**, 2(4).
- Powell, L.F. jr. (November 1982). Are the Federal Courts becoming bureaucracies? **American Bar Association Journal**, 68, 370-2.
- Price, Barbara & Sokoloff, Natalie. (1982). **The criminal justice system and women**. New York: Clark Boardman.
- Rafter, Nicole & Natalizia, Elena M. (January 1981). Marxist feminism: Implications for criminal justice. **Crime and Delinquency**, 27(1), 81-99.
- Reitz, H. Joseph. (1987). **Behavior in organizations**. Illinois: Richard D. Irwin, Inc.
- Resnik, Judith & Shaw, Nancy. (1980). Prisoners of their sex: Health problems of incarcerated women. In Ira Robbins (Ed.), **Prisoners Rights Sourcebook**. New York: Clark Boardman Co., Ltd.
- Resnik, Judith and Shaw, Nancy. (March 1981). Prisoners of their sex: Problems of incarcerated women. **Prison Law Monitor**.
- Resnik, Judith. (1983). Should prisoners be classified by sex? In Jameson W. Doig (Ed.), **Criminal Corrections - Ideals and Realities**. Lexington, Mass.: D.C. Heath, Lexington Books.
- Rippon, M. & Hassell, R.A. (1981). Women, prison and the eighth amendment. **North Carolina Central Law Journal**, 12(2).
- Robbins, Ira P. (1980). The cry of wolfish in the Federal Courts: The future of federal judicial intervention in prison administration. **Criminal Law and Criminology**, 71(3), 211-250.
- Robbins, Ira P. (1980). **Prisoners' rights sourcebook**, vol. II, New York: Clark Boardman Co.

- Rosen, Ellen Doree. (September 1981). O-K work:  
Incorporating quality into the productivity equation.  
**Public Productivity Review**, V(3), 207-217.
- Rossi, P.H. (November 1978). **Issues in the evaluation  
of human services delivery**. Beverly Hills,  
California: Sage Publishers, Inc.
- Ryan, T.A. (1984). **State of the art analysis of adult  
analysis of adult female offenders and institutional  
programs**. National Institute of Corrections,  
Washington, D.C.
- Sargent, John P. (Spring/Summer 1984). The evolution of  
a stereotype: Paternalism and the female inmate.  
**Prison Journal**, 64(1), 37-45.
- Sarri, Rosemary C. & Hasenfeld, Yeheskel (Eds.), (1978).  
**The Management of Human Services**. New York: Columbia  
University.
- Sarri, Rosemary C. (1979). Crime and the female  
offender. In Edith S. Gomberg and Violet Frank  
(Eds.), **Gender and Disordered Behavior -Sex  
Differences in Psychopathology**. New York:  
Brunner/Mazel.
- Sarri, Rosemary C. (1984). Changing character of female  
offenders in the United States. In **The Prison  
System**. Proceedings from the Australian Institute of  
Criminology.
- Scharf, Peter, (Spring-Summer 1983). Empty bars:  
Violence and the crisis of meaning in the prison.  
**Prison Journal**. 63(1), 114-125.
- SchWeber, Claudine. (Spring/Summer 1984). Beauty marks  
and blemishes: The coed prison as a microcosm of  
integrated society. **Prison Journal**, 64(1) 3-15.
- SchWeber, Claudine & Feinman, Clarice. (1985). Impact  
of legally mandated change on women prisoners. In  
Clarice Feinman, **Criminal Justice Politics and Women  
- The Aftermath of Legally Mandated Change**. New

York: Haworth Press.

- Shaw, Nancy. (Spring/Summer 1981). Female prisoners view their health. *Journal of Prison Health*, 1(1).
- Simon, Julian L. & Burstein, Paul. (1985). *Basic research methods in social science* (3rd edition). New York: Random House.
- Simon, Rita J. (1975). The contemporary woman and crime. *Crime and Delinquency Issues: A Monograph Series*, D.H.E. W. Publication No. ADM 76-161, Washington, D.C.: U.S. Government Printing Office.
- Simon, Rita J. (1975). *Women and crime*. Lexington, Kentucky: D.C. Heath, Lexington.
- Simon, Rita & Genson M. (1980). Evaluating changes in female criminality. In *Handbook of Criminal Justice Evaluation*. Beverly Hills, California: Sage Publications.
- Sinden, Peter G. (January/March 1981). Offender gender and perceptions of crime seriousness. *Sociological Spectrum*, 1(1), 39-53.
- Singer, Linda. (1979). Women and the correctional process. In Freda Adler & Rita Simon (Eds.), *The criminality of deviant women* (pp. 336-343). Boston: Houghton Mifflin.
- Smith, D.E. (1986). Training programs for performance appraisal: A review. *Academy of Management Review*, II(1).
- Snarr, Richard W. & Wolford, Bruce I. (1985). *Introduction to Corrections*. Dubuque, Iowa: Brown Publishers.
- Sobel, S.B. (April 1980). Women in prison - sexism behind bars. *Professional Psychology*, No. 2.
- Solimime, M.E. & Walker, J.L. (Winter 1983). Constitutional litigation in federal and state

- courts: An empirical analysis of judicial parity. **Hastings Constitutional Law Quarterly**, 10, 213-53.
- Starr, Michael. (Winter 1981). Accommodation and accountability: A strategy for judicial enforcement of institutional reform decrees. **Alabama Law Review**, 22(2), 267-404.
- Spoh, Cassia, Welch, Susan & Gruhl, John. (1985). Women defendants in court: The interaction between sex and race in convicting and sentencing. **Social Science Quarterly**, 66(1), 176-178.
- State Commission of Correction, State of New York. (1987). **County Classification Standard**.
- Stonich, P.J. (Winter 1984). The performance measurement and reward system: Critical to strategic management. **Organizational Dynamics**.
- Sultan, Faye E., Long, Gary T., Kiefer, Stephan A., Schrum, David M., Selby, James W., & Calhoun, Lawrence G. (1984). The female offender's adjustment to prison life: A comparison of psychodidactic and traditional supportive approaches to treatment. **Journal of Offender Counseling, Services and Rehabilitation**, 9(1 and 2), 49-57.
- Thomas, Ruth G. (June 1981). De-Institutionalization: Managing independent living. **Journal of Correctional Education**, 32(4), 11-15.
- Toch, Hans. (June 1981). Revisionist view of prison reform. **Federal Probation**, 45, 3-9.
- Travis, L.F., Schwartz, M.D. & Clear, T.R. (1983). **Corrections - An issues approach**. Cincinnati, Ohio: Anderson Publishing Co.
- Unified Court System, Office of Court Administration. (May 1988). **Second report of the committee to implement recommendations of the New York Task Force on women in the Courts**. State of New York.
- United States Congress House Subcommittee on Courts,

Civil Liberties and the Administration of Justice. (October 10 and 11, 1987). **Female Offender 1979-1980, Hearings Before the House Subcommittee on Courts, Civil Liberties and the Administration of Justice.**

Valente, Janet & DeCostanzo, Elaine T. (January 1982). **Female offenders in the eighties: A continuum of services. Georgia Department of Offender Rehabilitation.**

Velimesis, Margery & Margolis, Clorinda. (1980). **Mistreating of female offenders. In The Role of the Forensic Psychologist (pp. 266-278). Springfield, Illinois: Charles C. Thomas.**

Visher, Christy A. (February 1983). **Gender, police arrest decisions, and notions of chivalry. Criminology, 21(1).**

Vitale, Ann T. (1980). **Inmate abortions - the right to government funding behind the prison gates. Fordham Law Review, 48, 550-568.**

Voss, A.R. (1979). **Female offenders: Who are they and what are the problems confronting them? U.S. General Accounting Office, Gaithersburg, Maryland.**

Walakafra-Wills, Delpaneaux V. (1984). **Inmate preferences towards jailhouse educational activities in designing an effective educational enrichment program. (Individualized study vs. GED programming as a systems dynamics model for jails) Sacramento, California: American Family and Adolescent Institute.**

Ware, Michael. (1982). **Federal intervention in state prisons: The modern prison-conditions case. Houston Law Review, 19.**

Waters, J. Eugene. (1980). **The prison organization: A systems model description. Journal of Applied Social Sciences, 4(2).**

Webb, Eugene J., Campbell, Donald T., Schwartz, Richard D. & Sechrest, Lee. (1973). **Unobtrusive measures:**

- Nonreactive Research in the social sciences.**  
Chicago: Rand McNally & Company.
- Weisheit, Ralph A. (1985). Trends in programs for female offenders: The use of private agencies as service providers. *International Journal of Offender Therapy and Comparative Criminology*, 29(1), 35-43.
- West Virginia Governor's Committee on Crime, Delinquency and Correction. (1982). *Study of local jails in West Virginia - Final report.* Rockville, Maryland: National Institute of Justice.
- Whorton, Joseph W. & Moore, Allen B. (1984). Summative scales for measuring community satisfaction. *Social Indicators Research*, 15(3).
- Williams, J. E. Hall. (Fall 1984). The need for a prison ombudsman. *Criminal Law Review*, 87-92.
- Williams, Vergil L., Formby, William A. & Watkins, John C. (1982). *Introduction to Criminal Justice.* Albany, New York: Delmar Publishers.
- Winner, Ellen J. (Spring/Summer 1981). An introduction to the constitutional law of prison medical care. *Journal of Prison Health*, 1(1).
- Wolfe, N.T., Cullen, F.T. & Cullen J.B. (1984). Describing the female offender - a note on the demographics of arrest. *Journal of Criminal Justice*, 12(5), 483-493.
- Women in prison: Inequitable treatment requires actions.** (December 10, 1980). The Comptroller General, Report to the Congress (GGD-81-6).
- Wood, D. (1982). *Women in jail.* Milwaukee, Wisconsin: Benedict Center for Criminals.
- Ziegenfuss, James T. jr. (June 1984). Medical services in the prison - a discriminatory practice and alternatives. *Federal Probation*, 42(2).
- Zink, T.M. & Jengeleski, J.L. (1985). *Corrections - A*

perspective. Shippensburg, Pa.

CASES

**Aggar v. Beuter**, 75 Misc.2d 439, 347 N.Y.S. 2d 872, Sup. Ct. (1973)

**Armstrong v. Ward**, 529 F. 2d 2232 (2nd Cir. 1976)

**Herbert Badgley v. Varelas**, judgment entered 10/7/81; amended 10/9/84 (E.D.N.Y.); **Badgley v. Varelas**, 729 F2d 894 (2 Cir 1984) ("**Badgley I**"). **Badgley v. Santacroce**, 800 F2d 33 (2 Cir 1986) cert denied, 107 S. Ct. 955 (1987) ("**Badgley II**").

**Badgley v. Santacroce** 815 F2d 888 (2d cir 1987) ("**Badgley III**"). **Badgley v. Santacroce** \_\_\_\_F2d\_\_\_\_ (2 cir 6/27/88) ("**Badlgey IV**").

**Barefield v. Leach** No. 10282 (1974)

**Benjamin v. Malcolm**, 646 F. Supp. (D.C. N.Y. 1986)

**Black v. Saxbe**, C.A. No. 74-20-BL (S.D. W. Va. 1974)

**Bounds v. Smith**, 430 U.S. 817 (1977)

**Bukhari v. Huto**, 487 F. Supp. 1162 (E.D. Va. 1980)

**Canterino v. Wilson**, 546 F. Supp. 174 (W.D. Ky. 1982)

**Cardell v. Enomoto**, No.701-094, Sup.Ct. Calif (San Francisco County 1976)

**Chaffin v. Frye**, 45 Cal. App. 3d 39, 119 Cal. Rptr. 22 (1975)

**Cody v. Hillard**, 799 F. 2d. 447 (1986)

**Commonwealth v. Daniel**, 430 Pa. 642 (1968)

**Commonwealth v. Stauffer**, 214 Pa. Supp. 113 (1969)

**Cooper v. Pate**, 378 U.S. 546 (1964)

**Cornish v. Johnson**, No. 77-72557 (E.D. Mich. 1979)

**Craig v. Boren**, 429 U.S. 190 (1976)

**Dawson v. Carberry**, No. C-71-1916 (N.D. Cal. 1973)

**Dodge v. Herschler**, C.A. No. C77-005-L (D. Wyo. 1977)

**Dothard v. Rawlinson**, 97 S. Ct. 2720 (1979)

**Eslinger v. Thomas**, 476 F.2d (4th Cir. 1973)

**Estelle v. Gamble**, 429 U.S. 97 (1976)

**Finney v. Hutto**, 410 F. Supp. 251 (1976)

**Forts v. Ward**, 417 F. Supp. 1095 (S.D. N.Y. 1978)

**Frontiero v. Richardson**, 411 U.S. 677 (1973)

**Glover v. Johnson**, 478 F. Supp. 1075 (1979)

**Gross v. Lally** No. 4-74-447 (D. MC 1977)

**Holt v. Sarver**, 309 U.S. F. Supp. 362 (E.D.. Ark. 1970)

**Inmates of Allegheny County Jail v. Wecht**, 565 Supp. 1278 (D.C. Pa. 1983)

**Johnson v. Avery**, 393 U.S. 483, 21 L.Ed.2d 718, 89 S.Ct. 747 (1969)

**Kahn v. Shevin**, 416 U.S. 351 (1974)

**Kershaw v. Davis**, 11 Cl. Rev. 166 (M.D. Pa. 1977)

**Liberti v. York**, 28 Conn. Supp. 9, 246 A2d 106 (S. Ct. 1968)

**Liles v. Ward**, 424 F. Supp. 675 (S.D. N.Y. 1976)

**Los Angeles County Department of Adoptions v. Hutchinson**, No.2 Civil 48729, Unreported decision (Cal. Sup. Ct. 1977)

**McMurry v. Phelps**, 535 F.Supp.742 (W.D.L.A. 1982)

**Mary Beth G. v. City of Chicago**, 723 F.2d 1263 (7th Cir. 1983)

**Meachum v. Fano**, 427 U.S. 215, 49 L. Ed.2d 451 (1976)

**Mitchell v. Untreiner**, 421 F. Supp. 887 (N.D. Fla. 1976)

**Molar v. Gates**, 159 Ca. Rptr. 239 (4th Dist 1979)

**Morales v. Turman**, 383 F. Supp. 53 (E.D. Tex. 1974)

**Mose v. Vest**, 74 Idaho 328, 262 P.2d 116 (1953)

**Newman v. Alabama**, 349 F. Supp. 278, (M.D. Ala. 1972)

**Olynick v. Taylor County**, 643 F. Supp. 1100 (W.D. Wis. 1986)

**Park v. Thompson**, 356 F. Supp. 783 (D. Hawaii 1973)

**Reed v. Reed**, 404 U.S. 71 (1971)

**Rhem v. Malcolm**, 507 F.2d. 233 (2nd Cir. 1974)

**Robinson v. York**, 281 F. Supp. 8 (D. Conn. 1968)

**Shapiro v. Thompson, Washington v. Legrant, Reynolds v. Smith**, 394 U.S. 618, 22 L.Ed. 2d. 600 (1969)

**State ex. rel. Olson v. Maxwell**, 259 N.W. 2d. 621 (Sup. Ct. N.D. 1977)

**State v. Grady**, 231 Or. 65, 371 P.2d. 68 (1962)

**State v. Iverson**, Crim. File No. 9138, (N.D. Dist. Ct. March 29, 1973)

**Taylor v. McDonald**, No. \_\_\_ (N.D. Cal. 1975)

**Carol Thompson et al. v. Thomas Varelas, Sheriff, Nassau County et. al.**, 81 Civ 0184 (JM) (September 11, 1985)

**Todaro v. Ward**, 431 F. Supp. 1129, S.D. N.Y. 1977, aff'd. 565 F.2d. 48 (2nd Cir. 1977)

**U.S. v. Maples**, 501 Fed 985 (4th Cir. 1974)

**Watson v. City of Memphis et al.**, 373 U.S. 526, 10 Led. 2d 529 (1963)

**Weinberger v. Wisenfeld**, 420 U.S. 636, 43 L.ed. 2d 514 (1975)

**Williams v. Levi**, Civ. Action No. Sp. 792-76 (Superior Court of D.C. 1976)

**Wolff v. McDonnell**, 418 U.S. 539, (1974)