MEMORANDUM

TO: Joseph A. Trotter, Jr., Director, ATAP
FROM: Michael A. DiMichele, Field Services Coordinator, ATAP
DATE: August 22, 1989

On August 14, 1989, Joseph Trotter and Michael DiMichele of the ATAP attended an advisory group meeting, concerning jail capacity management, at the Bureau of Justice Assistance. This meeting was sponsored by the ATAP and was attended by the following individuals: Jay Marshall and Linda McKay of BJA; Phyllis Modley of the Community Corrections Division of the National Institute of Corrections; Michael O'Toole, Jail Center Division Chief of the National Institute of Corrections; Howard Messing of the Pretrial Services Resource Center Jail Capacity Management Training Project; D. Alan Henry of the Pretrial Services Resource Center; Joel Phillips of The EMT Group; Robert May of the American Jail Association; Anna Laszlow of the National Sheriff's Association; Walter Busher, special ATAP consultant on jail capacity management; Malcolm McDonald of American Probation and Parole; and Dan Johnston of Prosecuting Attorneys Research Council.

The meeting opened with the attendees introducing themselves and reviewing and explaining their current work, along with some brief insights into what they have learned over the years regarding jail capacity management and the delivery of technical assistance for jail capacity management problems. The nature of the meeting was to share with each other approaches to technical assistance delivery, identification of common issues, and how the ATAP can benefit from these various approaches and experiences. Also, the information gathered from the meeting would be useful to BJA for planning purposes.

After Joseph Trotter and Linda McKay reviewed the nature of the meeting, Alan Henry began the discussion with a review of the PSRC's current activities. First, under a sub-grant from the National Center for State Courts, as well as with the assistance of Howard Messing and Joel Phillips, PSRC is developing a training manual designed to assist local officials internally audit the...
manual's due date is October 31, 1989. Second, the Enhanced Pretrial Services Project involves seven high quality pretrial service states that will serve as host sites for other jurisdictions to view. A Program Brief is expected as a product of the project. The Comprehensive Adjudication of Arrestees program is an on-going program involving a high degree of tracking of drug arrestees from arrest to disposition of their case, in order to obtain empirical data on how these cases are processed. The National Pretrial Reporting Program is a BJS-funded program designed to track cases to determine how the cases are processed (e.g. length of time between critical events, rearrest rates, etc.). A report on this program is due out in October, 1989. Finally, Alan mentioned the PSRC's response to direct technical assistance requests through the ATAP and NIC.

Mike O'Toole explained that the Jail Center responded directly to requests for technical assistance, most of which deal with jail capacity concerns. One of the Center's major programs is the Planning on Opening a New Institution (PONI). This program runs for four years in each jurisdiction that requests participation in it. It is designed to bring local officials together to get them to discuss and ultimately decide on what their jail is for and how they intend to use it. Thereby, it prompts them to think critically about what is going on in their jail. This reflects the Center's approach to jail capacity management requests, in that it forces the range of local officials to jointly own the problem and, thereby, jointly search for management solutions to the problem. For the Center views jail capacity management issues as symptoms of many underlying causes of crowding, and not the cause of the crowding itself. The Jail Center sorts requests by those that can show a joint response to the problem, and they will stick with a jurisdiction if it shows signs of progress. The Jail Center has identified the most seriously crowded jurisdictions and encourages the sharing of information between similar jurisdictions. Next year, the Center plans to assist up to ten jurisdictions with the creation of local management boards. Many of the Center's assignments (approximately 500), however, are "quick and dirty" assessments for jurisdictions that are in an emergency situation, such as an imminent federal court order or fine.

Howard Messing, who is a federal master in Fort Lauderdale, Florida, mentioned how there were so few resources for federal masters to draw upon; and how the Jail Center, with its many files from nearly every jurisdiction, would be an excellent resource for federal masters.

Bob May mentioned AJA's BJA-funded program concerning drugs in the jail setting. There are three sites for this program: 1) Hillsborough County, FL; 2) Cook County, IL; 3) Pima County, AZ. The intent of this program is to reduce recidivism and drug use, and, thus, crowding that is engendered by this type of population.
They are hoping for a 20% reduction in recidivism. Pima County seems to be the most successful site. It services sentenced inmates. Hillsborough County is the least successful site; it services pretrial inmates. While Cook County has been subcontracted out to TASC and appears to be working well, as the jurisdiction has excellent community services. Each site is doing their own evaluation. AJA will do the final report, however. AJA also has a highly successful literacy program in cooperation with UNISYS. AJA's technical assistance is mostly arranging for interested jurisdictions to attend a host site visit to a jurisdiction with a model program. The attendees pay their own expenses; however, they are not charged for training assistance from AJA.

Anna Laszlo mentioned that the National Sheriff's Association's number one request for assistance is in the area of jail capacity management. NSA usually refers such requests to NIC's Jail Center. They have produced a videotape based upon Andy Hall's NIJ book on a systems approach to jail overcrowding. NSA is sponsoring a conference this Fall in Denver for urban sheriffs. The topic will be jail capacity management. Because NSA does not have funds for direct technical assistance, it tries to solidify its ties with those organizations that do, such as the Jail Center and ATAP, so they can refer requestors to these organizations. NSA will fund training sessions, however. NSA's publications include, "Sheriffs' Rollcall," "The National Sheriff Magazine," and "Legal Bulletin."

Malcolm McDonald believes that the capacity exists to have some type of meaningful control over those who leave the incarcerative state. A good measure of control can be obtained by having a rigorous classification system, which will reveal the level of risk a certain inmate may engender, based upon his personality. The American Association of Probation and Parole does not do much direct technical assistance; rather, it refers requests to the NIC's Community Corrections Division. It does, however, sponsor training conferences. It trains managers who handle child abuse programs as well as officers who handle child abuse offenders. Two conferences are held each year, dealing with surveillance technologies and jail crowding. The Association is currently engaged in a major media campaign to spread the word about the effectiveness of probation and parole programs. Malcolm promised to give Joe Trotter a list of urban trial court judges who support community corrections programs. The Association's main message is that the capacity exists for community corrections to be punitive, rehabilitative, and effective in terms of public safety.

Joel Phillips spoke on the coming together of the drug and alcohol field and the criminal justice system. He mentioned several of his company's recent projects. EMT has been involved in an assessment of the ignition interlock device installed in the
automobiles of DUI offenders in California. He mentioned that DUI offenders constitute up to 50% of the jail population in some California jurisdictions. EMT is also involved with the development of treatment options for substance abuse offenders in California, through the Governor's Task Force on Jail Overcrowding. Finally, he mentioned the survey of electronic monitoring programs that was done by the EMT/ATAP Project several years ago.

Dan Johnston explained that the Prosecuting Attorneys Research Council was a research organization dedicated to pursuing research that would assist prosecuting attorneys in their work. The aim is to promote informed policy-making and leadership by district attorneys. Areas of research such as sentencing policy and alternatives to incarceration can help to alleviate jail crowding by gaining support for these issues by prosecuting attorneys. Prosecuting attorneys would take a leadership role in the jail crowding problem.

The agency's board is composed of about 22 metropolitan district attorneys with Dan as the Executive Director. The organization is three years old. A grant from the Clark Foundation has supported the work on sentencing. Other areas of interest are: 1) how criminals get guns; 2) domestic abuse cases; 3) racial imbalances in sentencing decisions; and 4) canons of ethics between judges and prosecutors. Although the organization does not have any capability or funds for technical assistance, they would like to participate in technical assistance programs, as represented by the agencies at this meeting.

Phyllis Medley mentioned that the Community Corrections Division provides short-term technical assistance which emphasizes the decision to release or incarcerate and what options are available for those who are released. The Community Corrections Division is currently working with eight large probation departments (e.g., New York, Los Angeles, Chicago) and providing them with the tools to discuss issues and approaches to needs and problems that they have in common. Last year they had 170 technical assistance events from one-day training and problem definition visits to full scale short-term technical assistance. Community Corrections is also involved with the State Justice Institute on an intermediate sanctions project.

Michael DiMichele of the ATAP spoke about the range of requestors for technical assistance (judges, sheriffs, public defenders, federal masters, county commissioners, etc.) and the screening process done at ATAP to accept or reject a request. Michael explained ATAP's approach of garnering letters of support for the assistance from each of the key local officials, which not only shows support for the request, but assists in revealing each officials orientation to the problem. Michael mentioned two areas of major interest to the ATAP with regard to screening requests for assistance; what is the role of case processing practices on this
assistance; what is the role of case processing practices on this problem?, and what is the state of the jurisdiction's jail information system? Mike O'Toole agreed that many requestors do not know who is in the jail; the information that many jurisdictions collect is useless for management purposes.

Walt Busher then spoke of his work for both NIC and ATAP. Walt's main objective in his assignments is to get the jurisdictions to organize a jail capacity management board that can jointly address the systemwide problem of jail capacity management.

A general discussion then ensued regarding issues involved with the treatment of the nationwide jail capacity management problem. The main points settled on were that jurisdictions must see jail capacity management as a long-term commitment of resources which demands continuous supervision. The basic difficulty is that jail capacity management demands a systemwide change, not simply a program change, which is much easier to achieve. This observation dictates a two-fold approach to technical assistance: 1) short-term assistance to a jurisdiction that can address narrowly defined, specific problems of the jail, and 2) long-term technical assistance which will support a systemwide analysis of the local policies and issues that are contributing to a jail capacity management problem and recommended solutions to specific policies and issues. In either case, the consensus is that there must be some substantial system buy-in for the technical assistance to be effective and some incentive provided for the jurisdiction to commit the necessary resources to address the problem.

These observations gave rise to broader, unresolved, policy issues for BJA, such as, How should they spend their money, on short-term or long-term technical assistance? If there isn't any one model of jail capacity management, would short-term technical assistance be the best approach? It appears that there is not any one answer to the problem of jail capacity management; rather, technical assistance must be fashioned around each jurisdictions environment and their present need, whether that would involve short-term or long-term technical assistance.

Given the uncertainty of federal funding, it seems the best approach to technical assistance is to continue to provide short-term assistance to local jurisdictions that demonstrate a serious commitment to addressing the problem, either on a systemwide basis or more a limited basis. The important point is to be able to move the jurisdiction onto the next step of improving their performance, to be able to show some progress over where they were when they requested assistance.

The Meeting Agenda is attached.
AGENDA

Meeting of Technical Assistance and Training Providers
Addressing State and Local Jail Capacity Management Needs

Thirteenth Floor Conference Room
Bureau of Justice Assistance
633 Indiana Avenue N.W.
Washington D.C.

August 14, 1989

9:00 - 9:15: Overview of Meeting Objectives

9:15 - 10:30: Introduction of Attendees and Discussion of Their Respective T/A and Training Activities (5 minutes each)

10:30 - 10:45: Break

10:45 - 12:30: Problems and Issues Encountered in the Provision of T/A and Training; Strategies Used for T/A and Training Delivery and Their Relative Merits

12:30 - 1:30: Working Lunch

1:30 - 2:30: T/A and Training Priorities For the Next Five Years

2:30 - 3:15: Publications and Other Resources Available and Needed

3:15 - 4:00: Suggestions for Improving Coordination of TA and Training Providers

4:00: Adjournment