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## National Institute of Justice

## Construction Bulletin

May 1987

# Maine Jails: Progress Through Partnerships

By Rod Miller and Sheriff Bill Clark

*"Jails throughout the United States face serious problems with limited resources. The experience of Maine counties proves that solutions to complex problems can be achieved when local sheriffs and county officials commit themselves to working closely together. Cooperation with State agencies and creative use of Federal resources have produced very encouraging improvements."*

—Vice President George Bush

In 1978, Maine's 15 jails faced many problems. Two jails had been closed by the fire marshal. The Maine Civil Liberties Union was studying county jail practices, and several lawsuits challenged jail conditions. State standards were difficult to meet and resulted in steadily decreasing jail capacities. Jail populations varied dramatically among the counties. Critical periods of crowding were common, and State prisoners overflowed into the county jails.

A rural State, Maine's comparatively small population of 1,177,000 is distributed throughout 33,215 square miles. Counties span huge land areas, with as much as 130 miles between county borders. Ranking 46th of the 50 States in per capita income in 1979, Maine is the poorest State in New England. In this context, Maine sheriffs began an unprecedented initiative to examine jail problems.

### From the Director

The dilemma of too many serious crimes with injured victims and not enough space to incarcerate convicted criminals is a major domestic policy issue. Convicted violent and repeat serious offenders have contributed to swelling prison and jail populations which outstrip capacity in many jurisdictions.

The gravity of the problem is recognized by officials throughout the criminal justice system. In fact, when the National Institute of Justice asked criminal justice officials to name the most serious problem facing the system, police, courts, and corrections officials reached a virtually unanimous consensus: prison and jail crowding is the number-one concern.

Attorney General Edwin Meese III has spoken out repeatedly on the dimensions of the crisis and the need to help State and local jurisdictions find less

costly ways to increase corrections capacity so convicted serious criminals are prevented from preying on people, communities, and our economy.

Responding to the need, the National Institute of Justice has launched the *Construction Information Exchange* to help State and local officials make informed decisions about building or expanding facilities.

This *Construction Bulletin* is one of a series designed to share information on innovative approaches to building and financing corrections construction.

The special problems faced at the local level are the focus of this *Bulletin*. Planning for future needs, recycling existing buildings, and garnering public support for costly projects are challenges faced by many counties throughout the country.

The accomplishments of Maine's counties during recent years offer

many lessons for others, and show that even a poor, rural setting can produce innovative, efficient, and timely jail improvements.

In addition to the *Bulletins*, the National Institute of Justice has published a *National Directory of Corrections Construction*, based on the results of a national survey, which provides a wealth of information on construction methods and costs for jails and prisons built since 1978.

The National Institute also maintains, at our National Criminal Justice Reference Service, a computerized data base on corrections construction. Through this *Construction Information Exchange*, those planning to build or expand facilities will be put in touch with officials in other jurisdictions who have successfully used more efficient building techniques.

James K. Stewart  
Director  
National Institute of Justice

## Statewide detention study: Addressing common problems and needs

### Counties under fire

In 1978 Maine's 16 counties were under severe pressure. Some county functions had been assumed by the State, and many legislators believed that county government should be abolished. Some wanted to transfer their duties, including the operation of jails, to the State. Legislators also advanced the concept of closing most jails, leaving only three to five regional facilities to serve local detention and corrections needs.

In 1978, jails ranged in age from 2 years to 152 years; the average age of a Maine jail was 75 years. Two jails were under construction. Some jails were overcrowded while others were underutilized.

### Total systems planning

Using funds provided through the Maine Criminal Justice Planning and Assistance Agency (MCJPAA), the Maine Sheriffs' Association prepared a comprehensive "statewide detention study." The study was conducted by CRS, Inc., a Maine-based nonprofit research and planning organization. Sheriffs became deeply involved in all aspects of the study, which provided an important rallying point for their association.

The study implemented the principles of "total systems planning," requiring:

- extensive data collection (including analysis of 28,000 inmate records);
- examination of the context in which jails operate (law enforcement, prosecution, courts, corrections, human services);
- development of a "mission statement" for the system;
- clear definition of problems, based on inspection of jails for compliance with national professional standards;
- careful examination of alternative solutions;
- participation of key actors throughout the process; and

- measured implementation of selected approaches.

Through this process, communication was established and maintained with State officials (including the Governor), prison advocacy groups (including the Maine Civil Liberties Union), judges, prosecutors, law enforcement officers, and human service agencies.

### "Mission" for jails defined

The study provided the first common definition of goals and objectives for jails in Maine. Sheriffs defined the goal as "protecting the public," and established criteria for detention and corrections services which included: cost efficiency; a systems approach; flexibility; consistency; offering services close to the homes of inmates; complying with State standards; using existing facilities whenever possible; using community resources; improving inmate classification; hiring and retaining qualified staff; using detention as a "last resort"; and increasing sentencing alternatives for the courts.

### Findings and action plan

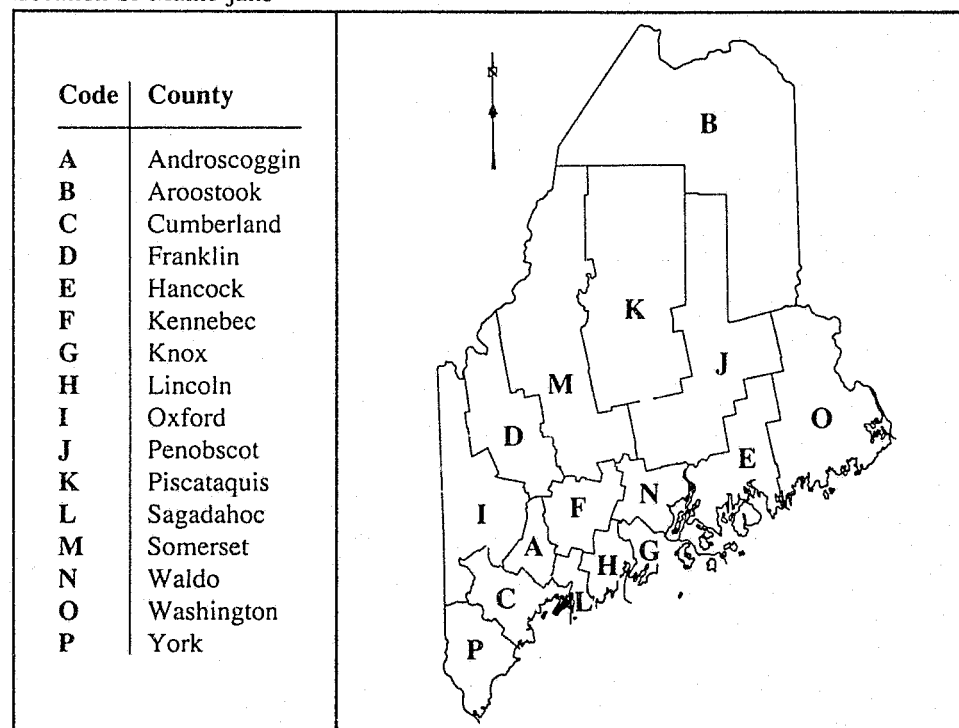
After 18 months of work, all 16 sheriffs signed a final report that

presented findings and a plan of action. A cost analysis of alternatives proved that continuing county operation of jails would be least expensive in the long run. To realize these savings while ensuring proper jail operations, the plan called for:

- improvement of all jails;
- long-term planning by counties;
- increased relationships and linkages between counties;
- implementation of county architectural feasibility studies;
- revision of State jail standards;
- increased standards compliance;
- tightening of sanctions for non-compliance with standards;
- uniform intake and records;
- uniform inmate classification efforts;
- improved management practices;
- increased staff training; and
- reduction of pretrial detention through diversion and interagency cooperation.

The plan has served as a blueprint for action in Maine. Most steps have been accomplished since 1979.

Location of Maine jails



The Assistant Attorney General, Office of Justice Programs, coordinates the criminal and juvenile justice activities of the following program Offices and Bureaus: National Institute of Justice, Bureau of Justice Statistics, Bureau of Justice Assistance, Office of Juvenile Justice and Delinquency Prevention, and Office for Victims of Crime.

## County-level planning

*"The Comprehensive Plan established a direction for Maine jails, removing a cloud which had hovered overhead and which had frustrated local improvement efforts."* Sheriff C. Wesley Phinney, President, Maine Sheriffs' Association, 1985-86

### Statewide plan encourages foundation

The comprehensive plan developed by the Maine Sheriffs' Association provided a base for subsequent actions by individual counties. One by one, county officials, usually assisted by citizen groups, examined local problems, needs, and alternatives. These efforts were further advanced by an architectural feasibility study funded

through the Maine Sheriffs' Association with Federal and State grants.

The results of this 11-county effort were enough to garner public support for jail improvements or new construction in some counties.

### Planning at the local level

Most Maine counties initiated comprehensive planning efforts after the statewide detention study was completed. Common themes connect all these local efforts: a high level of participation and implementation of "total systems planning." This involves several key steps:

1. Identify planning tasks.
2. Collect information and data.
3. Identify problems.
4. Develop local policies.
5. Translate policies into needs.
6. Evaluate alternative approaches.

### 7. Implement appropriate solutions.

Total systems planning examines nonphysical solutions to needs, and produces an action plan integrating construction, operations, and systems linkages. This demands a great deal of effort but results in plans that reflect and implement local policies.

*"Jail planning proved to be much more involved than we had imagined. The process was difficult, but the results have been worth it."* John Bragg, Chairman, Penobscot County Commissioners

### Penobscot County Jail Committee: planning in action

In 1984, the Penobscot County commissioners and sheriff created a jail planning committee composed of citizens, elected officials, and interested professionals. The 27-member committee provided broad representation, and was supplemented by the ex officio efforts of key elected officials, the jail manager, and the State jail inspector.

Planning in Penobscot County has been actively pursued for 3 years. After 18 months of effort, county voters approved a \$5.1 million jail renovation/expansion bond issue by a 2-to-1 margin. Although construction is well underway, the committee still remains active, monitoring construction, guiding alternative programs for juvenile detainees, and preparing to occupy the facility.

During the first planning phase the full committee met 15 times. Four subcommittees operated during this phase: *projections*, which determined future bedspace needs; *systems*, which examined the broader context in which the jail operates; *design*, which guided facility design up to final bidding; and *public information*, which created and coordinated a prereferendum campaign informing voters about the jail issue. During the first 2 years of planning, committee members contributed an estimated 1,700 hours of service to the project.

Through the comprehensive planning process in Penobscot County, jail problems and needs have become a public concern, generating continuing interest and strong support for improvement.

**Table 1**  
Maine county jails

County	1986 general population	Built/renov.	Capacity	Planning committee?	\$Improve. since 1978	Notes
Androscoggin	100,750	1857/1969	32	yes	0	Planning process
Aroostook	87,900	1889/1988	50	yes	2,500,000	Under construction
Cumberland	228,200	1964	110	no	200,000	Planning process
Franklin	29,700	1984	21	yes	1,250,000	New construction (new jail)
Hancock	44,650	1979	18	yes	600,000	Planning process
Kennebec	114,050	1854	46	yes	400,000	Planning process
Knox	35,050	1976	23	yes	250,000	Planning process
Lincoln	28,550	1985	17	yes	1,100,000	New construction (new jail)
Oxford	50,450	1979	27	no	1,000,000	New construction (new jail)
Penobscot	139,850	1870/1988	97	yes	5,800,000	Under construction
Piscataquis	18,300	1901/1989	13	yes	2,400,000	Under construction
Sagadahoc	No jail—has contract for beds with Lincoln County					
Somerset	47,500	1984	50	no	1,410,000	New construction (renovation)
Waldo	30,150	1976	16	no	650,000	New construction
Washington	34,150	1826/1988	28	yes	2,100,000	Under construction
York	157,250	1979/1986	58	yes	2,350,000	New construction (new jail)
TOTALS	1,146,500		606	11	\$22,010,000	

## Designing jails: policy, efficiency and flexibility

*"Counties have been ideal clients—they are able to clearly tell us what they want to accomplish with their jails, and provide active participation and continuing review."* Arthur Thompson, Architect, Stevens, Morton, Rose & Thompson

### Policy drives design

A common feature of all new jail designs in Maine is their diversity. No two facilities are alike. This diversity reflects an important benefit of the participatory planning process—the clear articulation of local goals, objectives, and policies. These in turn guide architects in all aspects of their design efforts. In Maine, counties have designed their jails by firmly

directing architects and by providing them with ample information and insights.

The counties have learned that jail operation, particularly staffing, costs much more than construction in the long run. Staffing needs are assessed at each design stage.

### Hard lessons from the seventies—flexibility and layout

Some jails designed in the 1970's have posed serious problems for counties. Three counties with jails designed between 1975 and 1978 have formed committees to find solutions to such problems as staffing efficiency, organization of spaces and circulation within the jail, and lack of reasonable expansion options.

These experiences have convinced other counties that jail planning and

design must provide for efficient expansion, and a layout that promotes controlled internal circulation and staffing efficiency. In this way, critical evaluation of the 1970's construction projects produced important improvements and innovation.

*"We have proven that many old jails can be efficiently renovated, saving historic buildings and keeping our key locations."* Sheriff William Wright, President, Maine Sheriffs' Association, 1978–82

### Renovation and expansion

Most recent jail improvement efforts in Maine have involved renovation and expansion of *existing* facilities. Careful design has produced plans that are cost-efficient to build and to operate. A key to keeping old jails has been incorporating staffing principles into the design process.

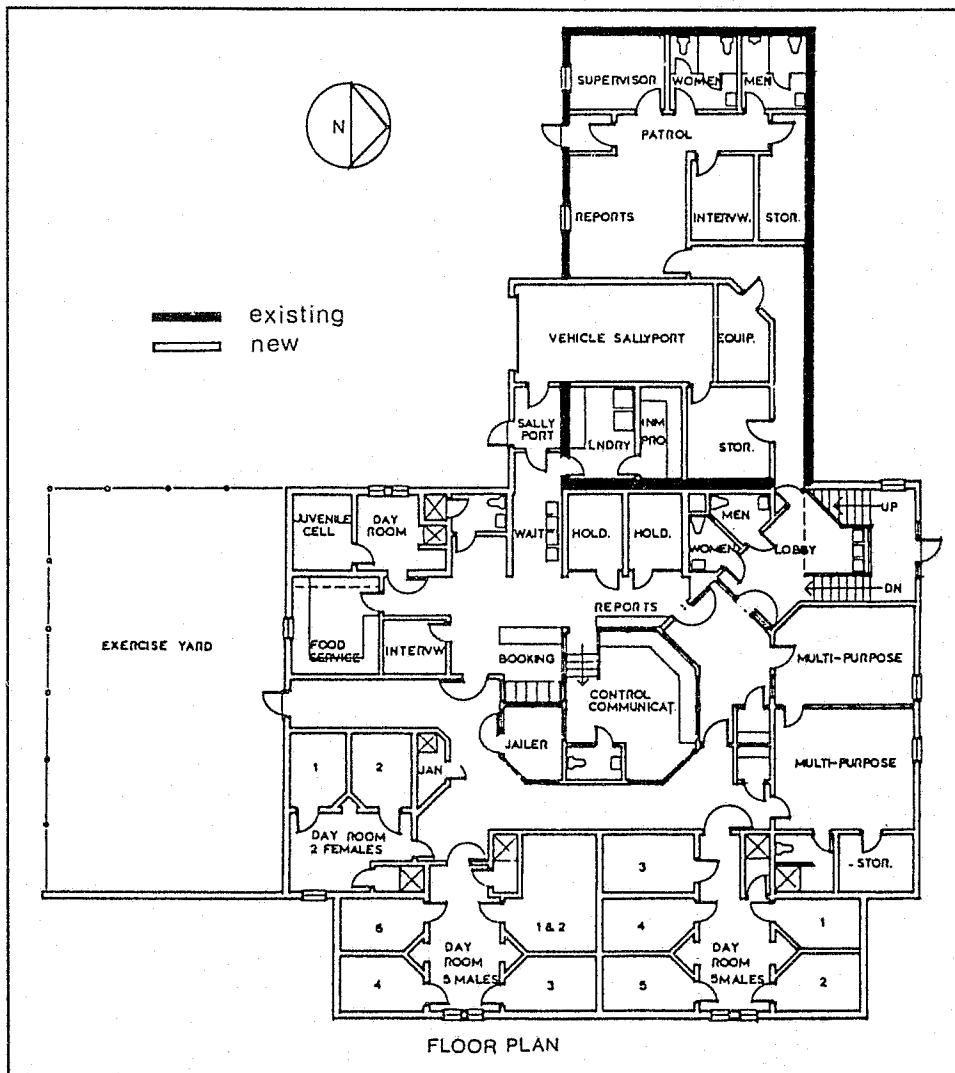
Renovation and expansion have been undertaken in Somerset, Washington, Aroostook, Penobscot, and Piscataquis Counties. All have involved multistory designs but have carefully "sorted" activities by floor to minimize circulation and supervision problems. Staffing also affected the assignment of activities to each floor. In Lincoln County, a single-floor detention facility was integrated into the renovation of a two-story gas station.

An exception to this practice was Franklin County, where a new jail was constructed to replace an old facility located on a constrained site.

Newer designs organize spaces to reduce circulation problems and to provide clear lines of sight from central control points to all major circulation corridors. Often, dispatch personnel have jail duties, controlling movement and viewing key areas; maximum use is made of their field of vision, especially into high risk areas such as intake and holding.

*"It is impressive to see the differences among the newer jails in Maine. Each responds to the unique character and policies of its county, and yet all meet standards."* Ralph Nichols, Director of Correctional Inspections, Maine Department of Corrections

First-floor plan—Lincoln County Law Enforcement and Detention Facility, Wiscasset, Maine (Moore, Weinrich and Woodward)



## Fostering public support

*"Participation of a variety of citizens and officials from the beginning of the process was a key to our successful referendum."* John Masterman, State Representative

### Citizen support for jail improvements

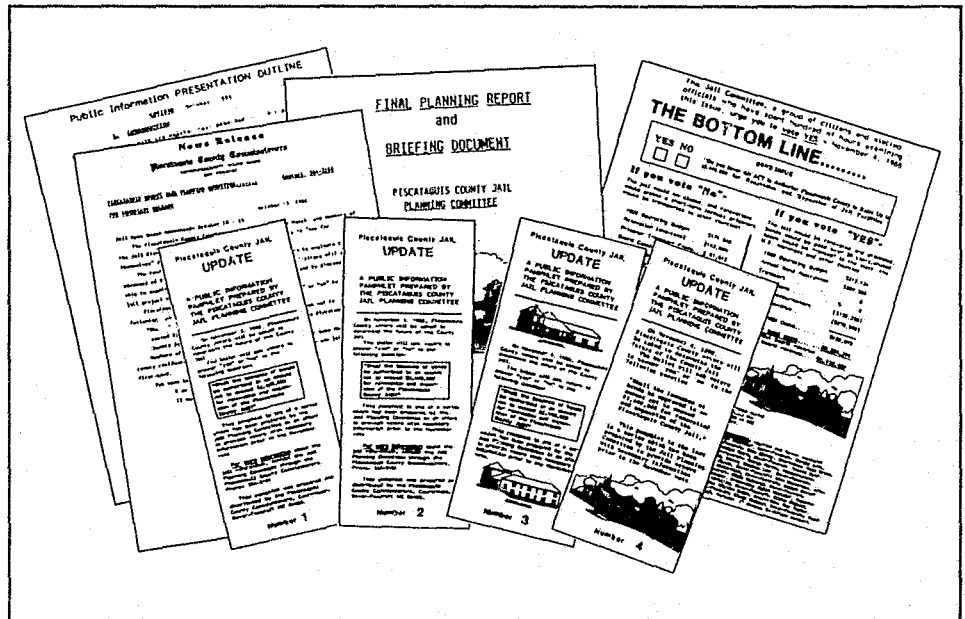
During the past 10 years, 13 Maine counties have spent or committed over \$22,000,000 for jail improvements. Most projects required voter approval through countywide referenda. Some were funded directly through annual county budgets, and some were approved through the county legislative delegation without a referendum vote. When projects were taken to the voters in recent years, the results were impressive:

- |                            |     |
|----------------------------|-----|
| • York County, 1976*       | 65% |
| • Franklin County, 1980    | 59% |
| • Somerset County, 1981    | 57% |
| • Washington County, 1984* | 72% |
| • Penobscot County, 1985   | 67% |
| • Piscataquis County, 1986 | 66% |

\*In Washington and York Counties referenda had previously failed.

### Piscataquis County—a case study

The most recent jail referendum was held in Maine's smallest county, Piscataquis (18,300 residents). On November 4, 1986, voters approved a \$2.4 million bond issue for jail renovation



Samples of public information materials used by Piscataquis County Jail Committee for referendum

tion and expansion by a 2-to-1 margin, capping a 20-month planning effort. Public information efforts started with the first committee meeting in 1985, and steadily accelerated up to the referendum vote. A subcommittee designed an aggressive strategy, and all committee members worked tirelessly on the campaign.

### What worked?

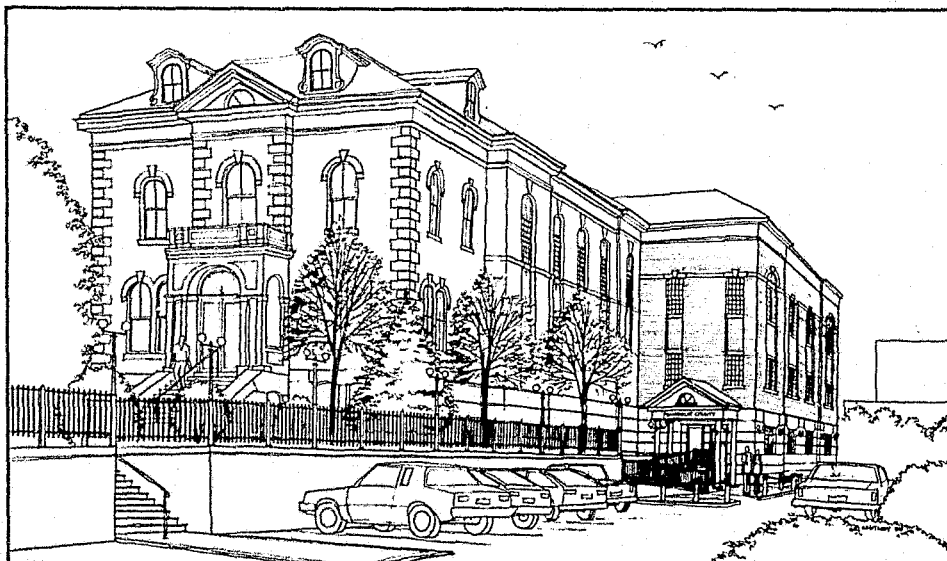
Following the successful vote, committee members analyzed their efforts, concluding that the combination of approaches produced the results. The Piscataquis public information initiative built on the experiences of other

counties that had successfully used many of these techniques in previous years.

Key elements of their campaign included:

- covering all issues and facets of the project prior to going to the public—all questions had answers, and members were fully prepared;
- creating a "briefing book" which consolidated all facts, figures, questions, and answers, ensuring consistent responses by members in the field;
- using all planning committee members in various roles to promote the project;
- writing weekly press releases;
- distributing a series of four fliers describing the project, plan, and costs;
- presenting slide shows to diverse groups throughout the county;
- holding public meetings in each town;
- offering several jail "open houses" to all voters to see conditions first hand;
- arranging special media coverage (radio, press, television);
- staffing booths at public events, such as fairs;
- displaying plans at many locations throughout the county;
- providing a "speakers bureau" for clubs/organizations; and
- stepping up efforts during final weeks before the referendum.

Penobscot County Jail, Bangor, Maine (Webster Baldwin Rohman Day & Czarniecki)





## State jail standards and inspection: a key resource

*"If Maine did not have jail standards, I would not operate a jail. The standards provide essential protection for each county."* Sheriff Alton Howe, President, Maine Sheriffs' Association, 1983-84

### Standards/inspection

During the statewide detention study, Maine sheriffs found that standards served an important function in jail operations. As their colleagues in other States were taken to court and held liable for jail deficiencies, Maine sheriffs realized the need to have current standards consistently applied. During this period the Maine Department of Corrections revised its jail standards, which had been promulgated long before, and solicited participation by sheriffs and jail administrators.

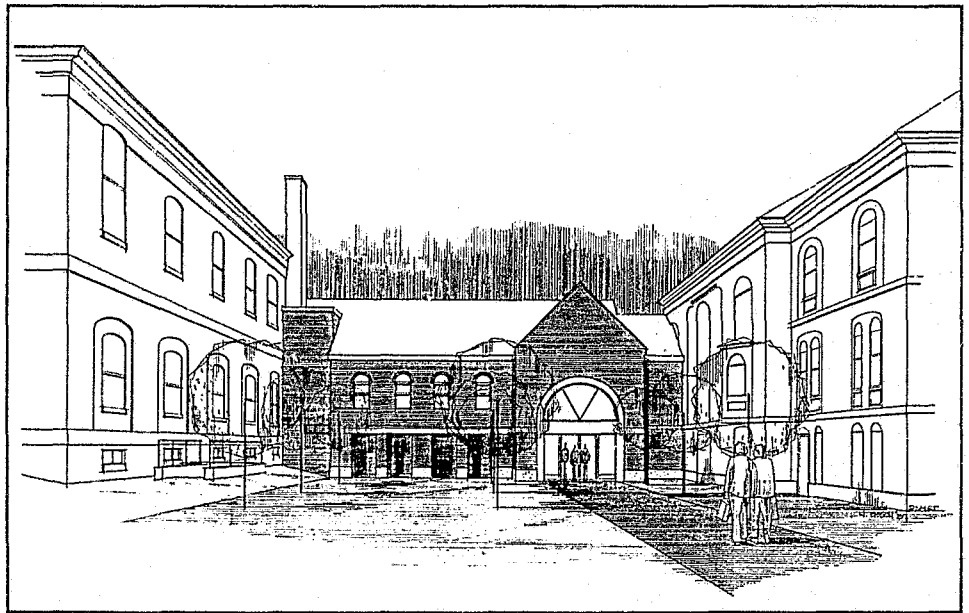
### Revising jail standards

The department wanted to revise its standards to reflect current court decisions and to ensure consistency with current professional practices. The newly drafted standards were thoroughly researched to ensure that they were grounded on recent caselaw. Professional standards were carefully examined and adapted to the Maine setting to ensure practicality.

The new standards represented *performance objectives* for Maine jails, thereby allowing a variety of local practices to achieve compliance. The department of corrections avoided mandating local procedures through standards, leaving each county with a full range of management options. The department promoted consistent practices in jails, rather than insisting on uniform operations.

### Participation a key

Throughout the standards revision process, the department actively solicited input from all concerned parties—sheriffs, county commissioners, jail administrators, advocacy groups (such as the Maine Civil Liberties Union), and the public. Draft standards were widely distributed, comments were assembled, and



Washington County Jail and Courthouse, Machias, Maine (Stevens Morton Rose & Thompson)

meetings were held with key organizations to discuss proposed changes. Although this process was expensive and time-consuming, it offered everyone a real opportunity to shape the content of the standards. This process also increased awareness of standards issues and their implications.

### New approaches to inspection

After the new standards were promulgated, the department revised the inspection process to ensure consistent application of the standards. Detailed procedures were developed to guide all inspections, and new, detailed inspection forms provided a mechanism for applying the standards objectively and for verifying findings. The new process has proven successful, providing jail managers with a new tool for improving their operations.

### Reexamining enforcement efforts

The State also revised laws that prescribed inspection and enforcement powers. These were completely overhauled, resulting in requirements for close communication with counties before invoking enforcement powers. Powers were broadened to allow the department to tailor an enforcement response to the nature of the unresolved problem.

While putting real "teeth" into the statutes, the revisions also changed the overall relationship between the counties and the department; now the

counties determine how they will operate their jails, and the department *reacts* to the conditions identified through inspection. The new statutes also called for the provision of technical assistance, and a full-time staff member is designated for that purpose.

*We want jail standards, inspection and enforcement to be a resource for counties rather than a burden. We all have the same goals—protection of the public."* Donald L. Allen, Commissioner of Corrections

#### About the authors:

**Rod Miller** is president of CRS, Inc., a nonprofit consulting organization. Through CRS, Mr. Miller has been actively involved with research, planning, and design efforts in Maine and throughout the United States. He is editor of the *Detention Reporter* and has authored several books on jails. He directed the Small Jails Management Project through grants from the National Institute of Corrections. CRS, Inc., P.O. Box 234, Kents Hill, ME 04349, 207-685-9090.

**Bill Clark** has served as sheriff of Hancock County since 1981. Prior to his election he worked as a local law enforcement officer. Sheriff Clark has chaired many Sheriffs' Association committees, serves on a variety of State committees, and is the current president of the Maine Sheriffs' Association. Hancock County Sheriff's Department, 60 State Street, Ellsworth, ME 04605, 207-667-7575.



## Sheriffs working together

### A continuing process

The work in Maine is far from complete. Although many elements of the comprehensive plan have been realized, the Maine Sheriffs' Association continues to work to promote change and to reinforce improvements.

A key aspect of the current association is its participation in a wide range of projects and committees. Communicating with all parties who are involved with jail issues demands a great deal of effort, most of which is delivered by the members themselves.

### Improvements to date

- **Cooperative arrangements.**

Counties pool their resources by transporting prisoners from several different jails in one transport vehicle.

- **Interagency agreements.** Jail separations are better afforded by one facility accepting a certain type of inmate, such as females, from other jails and in return boarding out to certain jails another type of inmate such as juveniles.

- **Uniform intake and release.** The sheriffs have developed a uniform intake form used statewide. They are also standardizing procedures for awarding good-time benefits, furloughs, and work release.

- **Uniform classification.** The sheriffs have devised a uniform



Maine Sheriffs' Association meeting. L to R: Sheriffs William Carter, William Clark, C. Wesley Phinney, Alton Howe, Arthur Tainter, Ronald Gagnon; Chief Deputies Andre Gagne, William Farrell

procedure for inmate classification to reduce variance from jail to jail.

- **Uniform policy and procedure.**

Although the sheriffs have designed general policies and procedures to be similar from jail to jail, they have specifically tailored them for *each* facility.

### Impressive results

Considering the MSA has no full-time staff and its annual revenue from dues is a mere \$3,500, its results are impressive.

Realizing that little is accomplished without their involvement, the Maine sheriffs foster cooperation by constant

communication with each other and by making a firm commitment to take responsibility for tasks.

### Work in progress

Efforts of Maine counties have branched into new areas of interest and concern. Current projects include:

- **Juvenile detention.** The Maine Sheriffs' Association has secured Federal funds to explore jail-based detention of juveniles, and is supporting the efforts of several counties where efforts are underway to divert juveniles from jail.

- **Management information system.** The MSA was recently awarded a Federal grant to develop an automated system for the majority of jails in Maine. This effort will ensure consistent and accurate management information for all participating jurisdictions.

### Improving jails—underlying principles

Several key principles are common to all the counties that compose the Maine story:

1. **Counties can take the lead at local and State levels.** Counties can shape their role in the larger statewide context if a proactive rather than a reactive approach is adopted.

2. **The State can be a resource rather than an adversary.** In Maine, State-level support and involvement has been a key ingredient for success.

3. **Small jails pose unique problems.** Small jails can be designed for staff efficiency and for future expansion. Old jails can be efficiently renovated for modern uses with careful design.

4. **Communities will support local jails.** By involving key persons in careful, comprehensive planning, county taxpayers can become strong supporters of jail improvement.

5. **Participation is a key ingredient for success.** Common to all Maine efforts is close and continuing participation of all interested parties. Communication is essential. Participation increases the commitment of each individual to realizing change.

6. **Federal sources offer important resources for jail improvement.** Creative use of Federal resources has supplemented and enhanced local efforts, but has not supplanted the need for local commitment, participation, and involvement.

**Construction Bulletins** are part of the research conducted under "New Directions in Construction and Finance of Correctional Institutions," an NIJ project that investigates new methods for expansion of jail and prison capacities. Charles B. DeWitt, NIJ Research Fellow, directs the study. Comments and suggestions regarding this issue and future *Construction Bulletins* should be sent to Mr. DeWitt at the National Institute of Justice, 633 Indiana Avenue NW., Washington, DC 20531.



Piscataquis County Jail, Dover-Foxcroft, Maine (Webster Baldwin Rohman Day & Czarniecki)

**Where to turn for more help...**

The *Construction Information Exchange* has more information on this and other projects. The *Construction Information Exchange* is a Federal Initiative that provides information on construction methods and costs for jails and prisons built since 1978. Through the *Exchange*, those planning to build or expand facilities are put in touch with officials in other jurisdictions who have successfully used efficient building techniques.

Publications include these Bulletins and the *National Directory of Corrections Construction*, covering building methods and costs for more than 100 prisons and jails. For more information, or to submit information for inclusion in the *Exchange*, contact:

Construction Information  
Exchange/NCJRS  
Box 6000  
Rockville, MD 20850  
**Telephone: 800-851-3420**  
**or 301-251-5500**

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