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A Study of Family/Conjugal Visit Programs.

MAY 13 1988

Corrections Division, Montana Department of Institutions

ACQUISITIONS

Introduction

Family/Conjugal visit programs permit qualifying correctional inmates to spend time with their families or spouses in privacy and under secure circumstances. Programs of this sort differ from typical visitation programs in two primary dimensions. First, the permitted visit periods are much longer - up to 72 hours in one program. Second, although the visits are permitted under secure conditions, the inmate and his visitors are permitted privacy similar to that of a home setting. The thesis of these programs is that such visits preserve family ties and stability and may assist the inmate in returning to the civilian world as a more constructive, stable citizen.

An attempt was made to institute a Family/Conjugal Visit program at Montana State Prison during the 49th Legislative Session. House Bill 320, introduced by Representative Waldron, would have appropriated \$57,000 in building funds to develop facilities to allow overnight family visits at the Prison. As passed, the bill appropriated \$20,000 in special revenues to study and propose implementation of overnight family visits at the Prison.

This paper is the summary of results of a brief study of Family/Conjugal Visit programs in the United States. The study was conducted by the Department of Institutions.

Method

A survey of correctional institutions providing Family/Conjugal Visit programs was conducted during the summer-fall of 1985. The survey was addressed to the superintendents of all correctional institutions known or thought to provide programs of the type in question. The identities of the states in whose jurisdictions those programs are provided was obtained from the American Correctional Association (ACA). Names and addresses of specific

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programs within those states were taken from the ACA Directory of correctional programs. The survey was developed by Corrections Division staff. Questions within the survey were intended to address those issues assumed to be of greatest interest to legislators. Thirty-five surveys, accompanied by a cover letter, were sent to superintendents of programs in five states. The Department learned that Connecticut and New Mexico also provide Family/Conjugal Visit programs, after the survey was completed. One follow-up telephone call was made to programs which had not responded by the initial deadline. Copies of the survey and cover letter and a list of the programs are attached in Appendices 1 and 2.

Results

Twenty-eight of 35 surveys were returned. The responses constituted a return rate of 80 percent. Five states - California, Mississippi, New York, South Carolina and Washington - provide Family/Conjugal Visit programs. The distribution of programs surveyed within those states and survey returns is presented in Table 1.

Table 1: States Receiving and Returning Family/Conjugal Visit Program Surveys

<u>State</u>	<u>Number of Surveys Sent</u>	<u>Number of Surveys Returned</u>
California	17	13*
Mississippi	1	1
New York	11	9
South Carolina	1	1
Washington	5	4

* One respondent indicated that his institution did not provide a Family/Conjugal Visit program.

The remainder of the survey results will be presented serially, by question type.

1. Years Family/Conjugal Visit programs have been in effect.

Family/Conjugal Visit programs have been in effect in the jurisdictions surveyed for an average of 8.7 years. This distribution ranges between reported program ages of one to over fifty years. The average figure reported above was computed without including the oldest reported program. The most commonly reported program age was fifteen years. The state of Mississippi reported the program age in excess of fifty years, stating that the program was initiated when the prison was built.

2. Proportion of Inmate Population participating in Family/Conjugal Visit programs.

An average of 34 percent of inmate populations reportedly participates in Family/Conjugal Visit programs. Reported participation ranges between about five percent to 85 percent. The most commonly reported participation rate was 25 percent of the inmate population.

Twelve respondents were unable to identify the proportion of married inmates participating in the programs. The remainder reported an average participation rate by married inmates of 51 percent, with a range of from about two percent to 90 percent. Fifty and 75 percent participation rates by married inmates were most commonly reported.

3. Restrictions of Access to Family/Conjugal Visit programs.

Eighty-four percent of respondents indicated that program access was not limited to minimum security inmates. However, other restrictions are placed on program access. These restrictions, and the number of programs reporting them, are presented in Table 2.

Table 2: Restrictions of Access to Family/Conjugal Visit programs

<u>Restrictions</u>	<u>Number of Programs Reporting</u>
◦ Administrative Segregation & similar inmates	10
◦ High Custody - Max. Custody inmates	5
◦ Inmates who refuse to work	4
◦ Inmates without clear conduct*	3
◦ Recent institutional arrivals	2

* This category may be included within the Administrative Segregation category by some programs.

4. Civilians Who May Participate in Family/Conjugal Visit programs.

Seventy-three percent of respondents indicated that their programs are not restricted to legally married inmates. Four categories of individuals who may and may not visit inmates under Family/Conjugal Visit programs were identified. These categories, and the number of programs reporting them, are identified in Table 3.

Table 3: Conditions of Civilian Participation in Family/Conjugal Visit Programs

<u>Condition of Participation</u>	<u>Number of Programs Reporting</u>
Immediate Family Only	16
Extended Family	5*
Common Law Spouses <u>Denied</u>	4
Required Certification of Relationship	5

* Two of these programs also require a review of the civilians seeking participation in the program.

5. Implementation Problems

All survey respondents indicated that very few inmates or visitors had caused problems in Family/Conjugal Visit programs. The most common response was that fewer than one percent of program participants had caused problems - several programs reported no problems. Reported program difficulties fell into three general categories. These categories are identified in Table 4. Other problems, identified by a few programs, included funding, property damage and program demands on staff time.

Table 4: Problems Encountered in Family/Conjugal Visit Program Implementation

<u>Problem</u>	<u>Number of Programs Reporting</u>
Unauthorized visitors	9
Contraband	6
Fake ID - Certification of relationships	6
No problems	6

6. Frequency of Family/Conjugal Visits

The reported frequency of inmate access to Family/Conjugal Visit programs ranged between once a week to once every six months. Most programs reported a visit frequency of one visit every 60 to 90 days. Assuming that inmates qualify for program access, the vast majority of respondents (22) indicated that available space and number of qualifying inmates were the primary determinants of visit frequency. Four respondents indicated that the number of prior visits influenced an inmate's access to future visits.

7. Typical Duration of Family/Conjugal Visits

Survey respondents reported visit durations ranging between two and 72 hours. Visits ranging between 40 and 48 hours duration were reported by the majority of programs. It is assumed that the facility reporting a two hour visitation period does not provide a program similar to the remainder. Other than the two hour program, the shortest reported visitation period was eight hours.

8. Program Benefits

Reported program benefits fell into six general categories. Those categories, and the number of programs reporting them, are listed in Table 5. Most respondents did not identify positive program effects on non-participating inmates. One program reported an increased interest in marriage by unmarried inmates. A few programs also reported an increase in more positive attitudes in the inmate population. Sixty-nine percent of responding programs reported no noticeable program effects on non-participating inmates.

Table 5: Reported Benefits of Family/Conjugal Visit Programs

<u>Benefit</u>	<u>Number of Programs Reporting</u>
Improved inmate behavior	20
Increased family stability	16
Improved attitudes in participants	5
Reduced sexual assaults, homosexuality	4
Reduced recidivism	4
Reduced tension in inmate population	3

9. Family/Conjugal Visit Program Facilities

The most commonly reported facilities housing Family/Conjugal Visit programs are mobile homes. In most cases, these are fully equipped, one and two-bedroom mobile homes. Some programs reported using double-wide units and operating them as duplexes. Some programs operate a combination of mobile homes and permanent buildings. Five programs are housed solely in permanent buildings. Reportedly, most permanent structures are arranged as the equivalent of motel rooms or efficiency apartments. In some cases, the permanent structures are remodeled older prison buildings. One program reported operating from the upper floors of the prison administration building. Most facilities are located within the fenced perimeter and the appropriate custody compound of the parent prison. A few programs reportedly are located outside the prison's fenced area. These facilities, however, are in full view of the prison's gun towers.

10. Program Funding

Most responding programs report that state funds were used for program initiation and operations. Two programs reported receiving federal grant funds to support program development costs. Several programs were developed and supported by donations and contributions from their prison's Inmate Welfare Funds.

No respondent considered program costs to be excessive or onerous. Where comments were made, the indication was that program costs were minimal. No detailed budgets were provided. Reported operating costs ranged between about \$2,000 to about \$12,000 per unit year, with the most commonly reported cost in the area of \$6,000 per unit year. Reports of development costs were too few, variable and general to determine a trend. The data provided suggest a development cost range of from \$6,000 to \$15,000 per unit.

11. Policy Changes Required by Family/Conjugal Visit Programs

Fifty-eight percent of respondents stated that no prison policy changes were required to institute and operate Family/Conjugal Visit programs. Five policy changes were reported by a minority of respondents. Those changes were:

- Increased security precautions (two programs);
- Development of specific procedures to screen and review proposed visitors (two programs);
- Development of new procedures to establish denial criteria and program stand-by lists (two programs);
- Change prison policies regarding inmate marriage (one program); and,
- Expansion of program resources to meet unanticipated demand (one program).

12. Political Resistance to Family/Conjugal Visit Programs

Most programs reported no community political resistance to the establishment of Family/Conjugal Visit programs. Seven Respondents did identify some resistance. Six stated that the resistance stemmed from community anger at what was perceived as "coddling" the inmates. One respondent attributed community resistance in his area to simple misunderstanding. Only one respondent indicated that community resistance was sufficient to impede program implementation. In this case, a demonstration program was required prior to full-scale program development. All programs meeting resistance resolved it through public education, invitations to tour the programs and "thick skins".

13. Additional Comments

Six respondents described their programs as substantial assets to their prisons and of significant value for the cost. Two other respondents reiterated the benefits such programs provide as excellent inmate management resources, particularly for inmates with longer terms. Two respondents advised seeking specific funding and avoiding reliance on donations. Three respondents recommended paying close attention to detailed planning well ahead of program implementation. Other respondents advised investing in good professional support staff, high quality furnishings, extra security precautions and visits to existing programs prior to starting a Montana Family/Conjugal Visit program.

Summary

Thirty-five Family/Conjugal Visit programs in five states were sent questionnaires concerning various aspects of those programs. Twenty-eight programs responded. All respondents considered Family/Conjugal Visit programs to be valuable and cost-effective inmate management tools. Few problems were reported with program participants; a number of benefits to the parent institutions and program participants were reported. Program participation was available to a wide range of inmates, married and unmarried. Program access typically was denied only special custody and problematic inmates. Program development and operating costs were considered to be minimal. Most programs were housed in fully equipped mobile homes located within the security fence of the parent institution. Some respondents reported the use of permanent structures or a mix of mobile homes and permanent structures as program resources. Most Family/Conjugal Visit programs were developed and operated with state funds. Two programs reported federal grant fund support for program development. A few programs were developed and operated with donations and Inmate Welfare Funds.

Recommendation

The results of this study of Family/Conjugal Visit programs demonstrate their utility. The programs surveyed reportedly were of benefit to correctional management as well as to inmates and were relatively inexpensive and troublefree. The Department has concluded that programs of this sort would be a valuable addition to the Montana Correctional system. However, despite the expected benefits of Family/Conjugal Visit programs, the Department has not proposed their development and operation as budget modifications. The reasons for this decision relate to the State's current fiscal crisis, and are listed below:

- Implementation of a Family/Conjugal Visit program at Montana State Prison would require the purchase of two fully equipped, used mobile homes;
- Compliance with equal protection statutes and caselaw would suggest the purchase of an additional unit for the Women's Correctional Center;
- Programmatic concerns would suggest the development of a similar program at the Swan River Forest Camp and the purchase of a fourth unit;
- Fully equipped, used mobile homes may be purchased at a cost in the range of \$8,000 to \$9,000. Purchase of four units would require expenditure of \$32,000 to \$36,000;
- Montana's correctional program has no excess funds available for development and operation of new programs. Current level operational fund reductions have resulted in curtailment of already authorized programs;
- The Department has concluded that reliance on other funds for program development and operation would be ill advised, and,
- Family/Conjugal Visit programs may be introduced as budget modifications when the State's fiscal crisis has been resolved.

The Department has not proposed rules and guidelines for Family/Conjugal Visit programs. Enabling legislation and program policies and rules have been obtained from those states now providing such programs. Should interest in such programs in Montana arise, draft program policies, rules and guidelines can be developed within two to three weeks.

APPENDIX

DEPARTMENT OF INSTITUTIONS



TED SCHWINDEN, GOVERNOR

1539 11TH AVENUE

STATE OF MONTANA

(406) 449-3930

(406) 444-3930

HELENA, MONTANA 59620

September 12, 1985

VaddressV

Dear VnameV:

The Montana Legislature has authorized a study of family/conjugal visiting programs and has directed this Department to present a plan and policies to implement such programs. I have contacted the Administrator of Corrections in your state. He has provided me an overview of your state's family/conjugal visiting programs and copies of your state's policies for those programs. I have additional questions that can best be answered by the administrators of the institutions providing those programs. A brief questionnaire is attached to this letter. Most of the questions can be answered quite quickly. I would greatly appreciate your response to that questionnaire. Please return your response in the enclosed envelope by October 11, 1985. Should you have any questions please contact Mr. Ted Clack at (406) 444-4907.

Thank you for your time and consideration.

Sincerely,

DANIEL D. RUSSELL, Administrator
Corrections Division

DDR:bt

Enclosure

Appendix 1b

MONTANA CORRECTIONS SURVEY OF FAMILY/CONJUGAL VISIT PROGRAMS

1. How long has a family or conjugal visit program been in effect at your facility? _____

2. Approximately what proportion of your total inmate population participates in that program? _____

A. What proportion of your married inmate population participates in that program? _____

3. Is participation in that program limited to minimum security inmates? (Please check one) _____ Yes _____ No

A. If No, what security class inmates are denied access to the Program? (Specify) _____

4. Is program participation limited to legally married inmates only? (Please check one) _____ Yes _____ No

A. If No, please clarify _____

5. What problems have occurred in implementation of your family or conjugal visit program? _____

(Please attach additional comments, if necessary).

A. Roughly what proportion of participating inmates or families have caused problems? _____

6. What is the allowed frequency of visits per inmate? _____

A. What factors have determined that frequency? _____

7. What is the allowed length of a typical family/conjugal visit? _____

8. What benefits have resulted from your family/conjugal visit program?

(Please attach additional comments if necessary).

A. Has the program had noticeable effects on non-participating inmates? (Please check one) _____ Yes _____ No

B. If Yes, what have these effects been? _____

9. Please briefly describe the facilities that house the family/conjugal visit program at your institution.

A. Where on your campus are these facilities located?

10. How is your family/conjugal visit program funded? What has the cost of the program been?

11. Has experience dictated a major change in the structure or policies of your family/conjugal visiting program? (Please check one) YES No

A. If Yes, what change was necessary? _____

12. Did you experience political resistance to the idea of a family/conjugal visit program? (Please check one) Yes No

A. If yes, what was the source of that resistance? _____

B. What was the nature of that resistance? _____

C. How did you cope with that resistance? _____

13 Do you have any additional comments or recommendations? _____

14. Would you like a copy of the results of the survey? (Please check one)
_____ Yes _____ No

Appendix 2

Mr. Kenneth DuCharme, Superintendent
Washington State Reformatory
P.O. Box 777
Monroe, WA 98727

Mr. Lawrence Kincheloe, Superintendent
Washington State Penitentiary
P.O. Box 520
Walla Walla, WA 99362

Mr. William L. Callahan, Superintendent
McNeil Island Correctional Center
P.O. Box 900
Steilacoom, WA 98388

Ms. Sue Ellen Clark, Superintendent
Purdy Treatment Center for Women
P.O. Box 17
Gig Harbor, WA 98335

Mr. Kurt Peterson, Superintendent
Washington Corrections Center
P.O. Box 900
Shelton, WA 98584

Mr. John H. Carmichael, Warden
Wateree River Correctional Institution
P.O. Box 214
Rembert, SC 29128

Mr. Eddie Lucas, Warden
Mississippi State Penitentiary
Parchman, Miss. 38378

Mr. Dan Vasquez, Warden
California State Prison at San Quentin
San Quentin, CA 94964

Mr. J. Compoy, Warden
California State Prison at Folsom
Box No. W
Represa, CA 95671

Mr. Chuck Villalobos, Superintendent
California Institution for Men
Box 128
Chino, CA 91710

Mr. Alan Stagner, Superintendent
Correctional Training Facility
Box 686
Soledad, CA 93960

Mr. Robert M. Rees, Superintendent
Duvel Vocational Institution
Box 400
Tracy, CA 95376

Mr. Eddie Ylst, Superintendent
California Medical Facility
Box 2000
Vacaville, CA 95696

Mr. William Estelle, Warden
California Men's Colony
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San Luis Obispo, CA 93401

Mr. Bernard Aispuro, Superintendent
California Conservation Center
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Susanville, CA 96130

Mr. Robert Doran, Superintendent
Sierra Conservation Center
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Jamestown, CA 95327

Ms. Sylvia Johnson, Superintendent
California Institution for Women
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Frontera, CA 91720

Mr. Robert Borg, Superintendent
California Rehabilitation Center
Box 1800
Norco, CA 91760

Mr. William Zannella, Superintendent
Ben Lomond Youth Conservation Camp
13575 Empire Grand
Santa Cruz, CA 95060

Mr. Louis Baber, Superintendent
DeWitt Nelson Training Center
PO Box 5700
Stockton, CA 95205

Ms. Cindy Perkins, Superintendent
Mt. Bullion Youth Conservation Camp
Mariposa, CA 95338

Mr. Robert Butterfield, Superintendent
Pine Grove Youth Conservation Camp
Pine Grove, CA 95665

Mr. Floyd Wightman, Superintendent
Fenner Canyon Youth Conservation Camp
PO Box 59
Valyermo, CA 93563

Mr. Harold Smith, Superintendent
Attica Correctional Facility
Attica, NY 14011

Mr. Robert J. Henderson, Superintendent
Auburn Correctional Facility
Box 618
Auburn, NY 13021

Ms. Elaine Lord, Superintendent
Bedford Hills Correctional Facility
247 Harris Road
Bedford Hills, NY 10507

Mr. Eugene LeFevre, Superintendent
Clinton Correctional Facility
Dannemora, NY 12929

Mr. Philip Coombe, Jr., Superintendent
Eastern Correctional Facility
Napanoch, NY 12458

Mr. Theodore Reid, Superintendent
Fishkill Correctional Facility
Beacon, NY 12508

Mr. Everett Jones, Superintendent
Great Meadow Correctional Facility
Comstock, NY 12821

Mr. Charles Scully, Superintendent
Green Haven Correctional Facility
Stormville, NY 12582

Mr. William Kirk, Superintendent
Wallkill Correctional Facility
Wallkill, NY 12589

Mr. David Harris, Superintendent
Taconic Correctional Facility
2150 Harris Road
Bedford Hills, NY 10507

Mr. Steven Dalsheim, Superintendent
Downstate Correctional Facility
R.D. #1 Red Schoolhouse Road
Fishkill, NY 12524