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U.S. Department of Justice
National Institute of Justice

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National Institute of Justice

Construction Bulletin

March 1990

Correctional Needs Met by Federal Surplus Property

According to some studies, we are spending anywhere from \$2 to \$5 billion a year on domestic military bases that we don't need anymore . . . where needed, we should convert them to minimum security prisons for use by the States.

President George Bush

A new Federal program

State and local governments with correctional needs are eligible to obtain surplus Federal land and buildings without cost. Responding to the serious problems raised by prison crowding, the Administration proposed that units of State and local government be eligible to receive property declared surplus to

Federal Government needs. This new legislation was an amendment to the Comprehensive Crime Control Act of 1984, Chapter VII-Surplus Federal Property Amendments, Pub. L. 98-473, 98 Stat. 1837 Title II (adopted October 12, 1984).

The legislation has two provisions: (1) Surplus Federal land or buildings are available for correctional facilities at

A Message From Attorney General Dick Thornburgh



Today, we know that a crucial element in boosting the deterrent power of the criminal justice system is adequate prison capacity. At the Federal Government level we have already undertaken efforts to double the number of beds. Many States are also increasing prison capacity. But while the number of inmates in prison is at an all-time high, many more

offenders—some 2.3 million—are on probation in the community.

We want to be sure that judges are not forced to sentence offenders to probation because space in our prisons is wanting. To that end, the U.S. Department of Justice is working in partnership with the States in a number of ways to help ease correctional space needs.

One of our efforts is highlighted in this National Institute of Justice *Corrections Construction Bulletin*. Eleven corrections agencies around the country have taken advantage of the Federal Government's Surplus Property program to help meet their need for additional capacity to house convicted offenders. Two facilities have been completed, while another nine are under way or planned.

As former Governor of Pennsylvania, I know from firsthand experience the

urgent correctional needs facing States—a need we met through a 30 percent increase in prison capacity—and I am delighted that the Federal Government can help through the workable partnership described in this *Bulletin*.

In reviewing two case studies of the conversion of surplus property into correctional use and highlighting other such efforts around the country, the *Bulletin* provides State and local officials with information and ideas on how to take advantage of this opportunity. I am pleased that agencies participating in Federal property transfer projects have realized a number of benefits—including savings in costs, construction, and time, as well as improved sites for facilities.

Dick Thornburgh
Attorney General

no cost to State or local governments; and (2) Corrections agencies paying for Federal property purchased for correctional use between March 1, 1982, and October 12, 1984, are eligible for reimbursement.

National leaders are calling for State and local agencies to use this law in their efforts to combat prison and jail crowding. The National Institute of Justice has focused on this subject because it represents the purpose of NIJ's new program—Construction Information Exchange—which is to share successful experiences that enable officials to expand correctional capacity.

Case Studies

Louisiana's Criminal Justice Facility in New Iberia

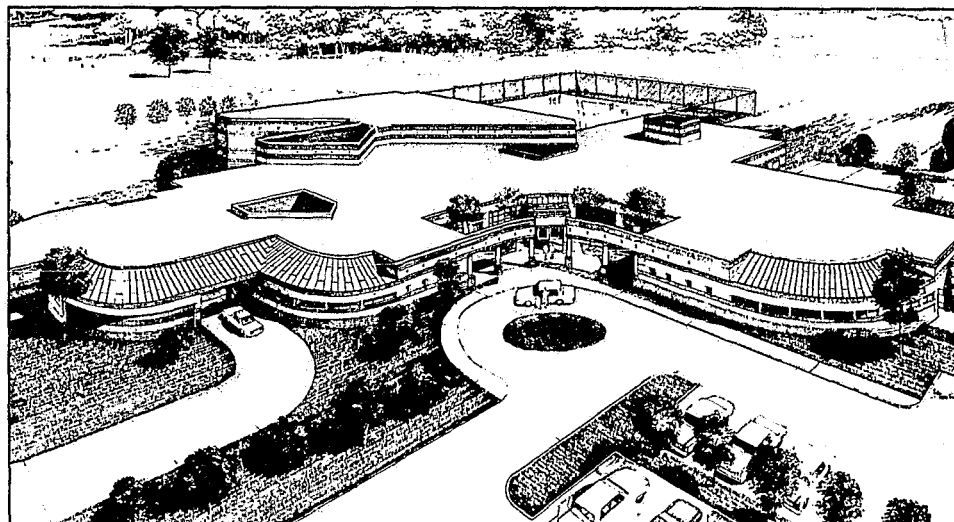
The first project

Lucky timing made it possible for New Iberia, Louisiana, to become the first jurisdiction to take advantage of the new program. At the end of 1984, the General Services Administration (GSA) had already approved a fair market sale of 62.5 acres of surplus Federal land to New Iberia for \$350,000. The parish, which badly needed the property, was ready to pay that price before the law was enacted. Parish officials switched gears quickly and requested a conveyance of the property at no cost. Although a later reimbursement of the purchase price would have been possible under provisions of the new amendments, the timing of events enabled the parish to avoid red tape.

The purchase application included a resolution of use by the Iberia Parish Police Jury, an approved use plan, and an environmental impact assessment statement. With this work completed, it was simple to get quick approval for the transaction.

Need for a new jail

New Iberia badly needed a new jail. The old parish jail was built in 1940 and had been under court order to alleviate overcrowding since 1969. The situation was exacerbated by the crowded State correc-



New Iberia, Louisiana, is building a modern correctional facility on land acquired at no cost from the Federal Government.

tional system. Many offenders sentenced to the Louisiana State Prison were—and still are—held in parish jails until the prison system could accommodate them.

The old jail had a court-ordered capacity of only 69, and even today adjacent parish facilities must absorb the overflow. A 1982 Louisiana statute mandating jail sentences for DWI offenders added to the pressure, although crowded conditions have meant that only repeat offenders actually serve time. Many DWI offenders, in fact, have been placed "on deferral" and must call in every weekend to see if there is room in the jail so they can serve their sentences.

Iberia Parish, as the lead agency in a joint effort with St. Mary's Parish and the 15th and 16th judicial districts, first sought the Federal property as the site for a regional minimum security jail. It was originally intended to relieve serious crowding in three Louisiana parishes in the 16th judicial district—Iberia, St. Mary's, and St. Martin's—and to provide some additional cell space for three parishes in the adjacent 15th district.

The subsequent depression in the local oil industry and the construction of a new jail in St. Martin's Parish relieved the pressure on the other two parishes' jails, however, leaving Iberia Parish to proceed alone.

The project utilizing the Federal Surplus Real Property Amendments has thus evolved into a new jail designed principally for Iberia Parish. The planned facility, however, is still intended to serve future regional needs. Initial plans call

for the other two parishes to place juvenile offenders in a separate unit of the new jail designed for that purpose.

Prior use of the Federal facility

The property conveyed to New Iberia under the Federal Surplus Real Property Amendments was, prior to 1972, originally part of a U.S. Auxiliary Air Field. A 62.5-acre parcel adjacent to the Acadiana Regional Airport was declared excess property by GSA in 1972. That parcel was eventually transferred to the U.S. Army Corps of Engineers and then licensed to the State of Louisiana for National Guard training, but the Guard used it infrequently. The property was ultimately declared surplus in December 1983.

A new jail

Local officials first believed that a 3,500-square-foot communications building on the Federal site might be converted into a jail. This plan proved unworkable both because the building contained a large quantity of asbestos and because it would need renovation. After extensive review, the decision was made to develop a totally new criminal justice facility on the site.

The old jail is located in the center of town over the courthouse. It will be replaced by a new jail near the airport, a modern facility housing all classifications of inmates—male and female—as well as minimum to maximum security levels. A separate juvenile unit will also be built.

On completion of the design phase, bids for construction were received in November 1987. The 64,000-square-foot jail, proposed for completion by late 1989, will have an initial capacity of 170, with the potential for 250 if double occupancy cells are allowed.

The project is a cooperative effort of Federal, State, and local government. Its total cost will be approximately \$7.5 million, with about \$5.1 million funded through the Louisiana Capital Outlay Fund for Parish Jails, and about \$2.4 million appropriated by Iberia Parish from its share of energy production revenues allocated by the State to local parishes.

Proposed programs

The new facility will provide GED programs for its inmates, as well as for offenders in a Minimum Risk Program, who are now being confined under house arrest. After the jail is built, this program will continue but the parish will also house work-release inmates in the "periodic confinement" area of the new facility.

The Louisiana State University Cooperative Extension Service is working with the parish to develop an agricultural training program on the property. They plan to install an irrigation system that will make possible year-round vegetable cultivation by inmates for distribution to local wholesalers and schools.

The parish is developing two cooperative programs with nearby University of Southwestern Louisiana. Criminal justice students from the university will be recruited for internships in the new jail, providing work experience for the students and potential staffing support for the jail. Graduate speech therapy students will also offer speech therapy to inmates.

The original military building will also be used for inmates. After asbestos is removed from the original communications building on the property and an elevator installed, the jail will use the building to provide an auto mechanics training program.

Juvenile offenders: Necessary tradeoffs

In designing the new facility, the sheriff wanted to find a way to house juve-

niles—including those from the other two parishes—as well as adult offenders. To make this possible, 16 adult medium classification cells in the original plan were eliminated to pay for a separate juvenile pod.

The parish also made sure that its juvenile housing met the provisions of the Federal Juvenile Justice and Delinquency Prevention Act. The Louisiana Commission on Law Enforcement and Administration of Criminal Justice examined plans for the facility and determined that the proposed juvenile housing provisions would satisfy the requirements of the law for the following reasons:

- The juvenile facility will be physically separate from the adult facility.
- The juvenile and adult housing areas are separated by a noncorrections area.
- The juvenile facility has separate entrances, booking, and programming areas from those used by the adult facility.
- The juvenile facility staff and administration will be separate from those of the adult facility.
- The juvenile pod will operate under policies and procedures separate from those of the adult facility.

How the program helped in Louisiana

The new Federal program has provided many advantages to the parish. Although the property it received did not include buildings that could be easily converted for corrections use, the \$350,000 savings for the cost of the land was a significant benefit.

In addition to saving money, the parish acquired—

- *An ideal site.* Part of the reason for the parish's original interest in the property was its location. The site of the new jail will be just off a four-lane highway with easy access to all three parishes that will use it. The property is also above the floodplain, a crucial factor in an area so near the Gulf of Mexico.
- *A cooperative venture.* The project is the result of a cooperative spirit among the parishes and between the State and local governments.

The sheriff of Iberia Parish, Errol "Romo" Romero, credited the Federal

Surplus Real Property Program as being the "primary spark that initiated the funding and construction of the new criminal justice facility." He also pointed out that "all agencies and jurisdictions benefit when resources, expertise, and commitment can be shared."

The Downeast Correctional Facility: Maine

Maine's need for a prison

The problem of prison crowding first emerged in Maine around March 1983, when the average inmate population began to exceed the recommended total capacity of 911. Despite the conversion of program space into temporary housing areas at the Maine State Prison and the Maine Correctional Center, inmates were still occasionally sleeping on floors.

The problem was expected to worsen in a few years. Population projections indicated a need for 1,200 beds by 1986—289 above the system's capacity. Although this number may seem small in comparison to other States, the Maine Department of Corrections had an immediate, desperate need for inmate housing—especially for medium and minimum security beds.

In late 1984 State officials learned of the availability of about 48 acres of the Bucks Harbor Air Force Station and proposed to purchase the property from GSA for conversion into a correctional facility.

Prior use as Federal property

The U.S. Air Force Station at Bucks Harbor had housed the 907th Radar Squadron from 1955-1981. The Air Force closed its operations at the site in 1981, leaving a caretaker and eight Federal Aviation Administration employees to operate a joint surveillance radar station. GSA transferred nearly 17 acres of the property directly to FAA for continued operation of the station 3 years later. The 37.67 acres of the main station and the 9.92-acre family housing area were declared excess in June 1984.

The main station area contained 26 buildings, which had been dormitories, maintenance shops, and operations and classroom buildings. Most were of concrete-block construction in fair to

good condition. The family housing area included 27 concrete-block houses and 18 garages. The areas were near each other and had interconnected water and sewer systems, good reasons for consideration as a single site.

From the U.S. Air Force to the State of Maine

The Maine Department of Corrections received title to the property in February 1985. Although State officials became aware of the recently passed Federal Surplus Real Property Amendments while negotiating the purchase, prison crowding problems were so serious that the officials could not afford to wait for the possibility of receiving the property free.

They therefore decided to purchase and apply for a refund of the \$90,000 price at a later date. The following year they requested reimbursement from GSA under the provisions of the new legislation.

Conversion

The Federal property Maine acquired was in many ways ideal for conversion to a prison. The Downeast Correctional Facility has a capacity for 74 medium and 22 minimum security inmates. The original Air Force barracks converted easily to inmate housing areas, with 48 double rooms in two barracks, one for medium security inmates and the other for minimum security.

Other buildings on the site were ideal as program or general maintenance space in the institution. The dining room, with a capacity of about 40, was easily equipped

to feed inmates and staff in staggered shifts. The former administration building on the base became the prison's administration building.

The original family housing units continued to serve that purpose for staff of the facility. The proximity of staff housing to the main facility is an important advantage in this rural, somewhat isolated area. Without the housing complex, it would be difficult to have adequate staff on hand, especially in emergency situations.

Construction

Although most buildings were in good condition, some needed significant work, including new roofs and painting. Plumbing, electrical, and heating systems were also replaced.

The former base had a bowling alley that had deteriorated badly by the time the State of Maine took over the property. An eight-cell segregation unit, built to meet ACA standards, was constructed in its place.

The property already had a well and sewage treatment plant adequate for the correctional facility's needs. The access road to the site is owned by the FAA, but an easement was granted to the Department of Corrections. Maine was particularly fortunate that water and sewage capabilities already existed on the site and that access was easy; utility and access problems have made otherwise desirable sites in other cases prohibitively expensive to develop.

Downeast's first employees were maintenance personnel. Minimum custody inmates, chosen from other State institu-

tions on the basis of their skills, worked with the employees to repair and renovate the facility.

Programs

Downeast provides vocational training programs taught by certified teachers in the electrical trades, building trades, and welding. Two academic teachers provide pre-GED and GED certification. Downeast administrators are also working with the University of Maine at Machias to establish a college-level program.

In conjunction with Maine's "repayment" philosophy, the Downeast administration has arranged for inmates to undertake community projects. Medium security inmates provide maintenance for the institution, and minimum security inmates regularly perform public restitution work away from the facility. They have thus assisted the local community by refurbishing the town hall and painting the firehouse.

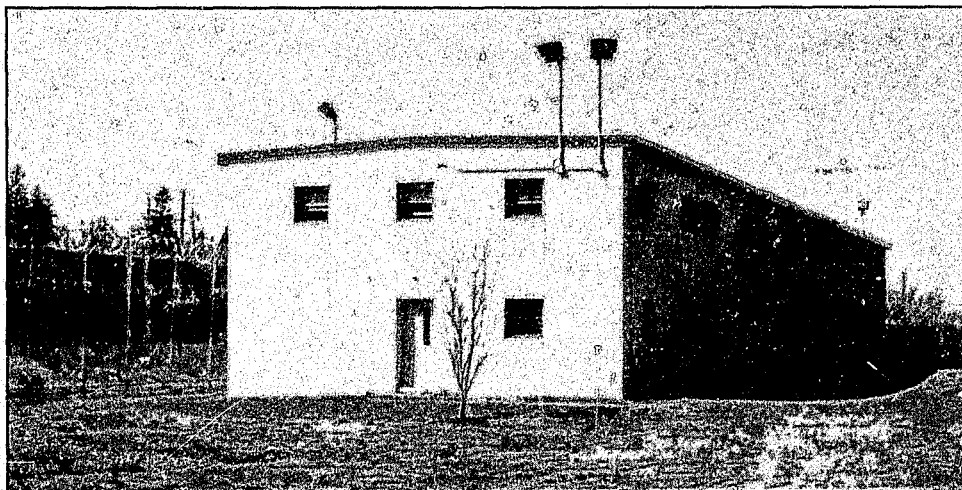
Benefits to Maine from the Federal Surplus Real Property Amendments

Maine's Bureau of Public Improvement had estimated the cost of a new facility comparable to the Downeast Correctional Facility at \$5.4 million. The actual cost was less than half this amount. Capital expenditures and equipment purchases added to the \$90,000 purchase price brought the total to approximately \$2.5 million. The purchase price was later reimbursed, yielding a total cost of approximately \$2.4 million. Therefore, Maine saved more than \$2.9 million on the cost of new construction.

Equally important, the State saved time: the facility was officially completed in August 1986, a year after the State obtained the property. Within 90 days of legislative authorization of the purchase price, some inmates took up residence at the prison.

Protective custody inmates

One interesting aspect of Downeast is that a large proportion of its inmates were previously in protective custody at other State institutions. According to Chester Mark Caton, director of Downeast, the institution has been able to provide both better security and more freedom for



Existing military barracks were remodeled for use as inmate housing.

these inmates, in part because of its small size.

Public response

Although local residents at first objected to the location of Downeast, relations between the institution and the community are now excellent. The facility generates about \$2.1 million a year for the local economy through staff salaries and services provided by the community. This is a great benefit to rural Maine, whose economy has been hit hard in recent years.

Project summaries

The following summaries illustrate the variety of projects made possible by the Federal Surplus Real Property Program and highlight projects that are in review, in progress, or have been completed:

- **New Jersey: New jail**—The Kearney Facility, a new jail under construction in Hudson County, New Jersey, is planned for completion in late 1990. The 13.13-acre site was formerly a portion of the U.S. Army Reserve Center. The county urgently needed a new jail and had already contracted to purchase the property for \$1.3 million in December 1984. The new jail will house 750 inmates in the main facility and 250 in a prefabricated structure designed for work release. The property was conveyed without cost in April 1985. Status: under construction.

Hudson County has also requested transfer of a warehouse in South-Terminal Port in Kearney.

- **Virginia: Food production for corrections use**—The Virginia Department of Corrections is using approximately 590 acres that were formerly part of the Federal Correctional Institution in Petersburg, Virginia, to produce grain and as pasture land. The Department's policy calls for supplying 90 percent of the food for Virginia inmates by 1990. This property, which was previously farmed, was partly fenced and well drained. To meet the requirement for "care and rehabilitation of offenders," the Department is training inmate crews to use modern farm machinery and techniques to produce feed grains. Status: in use.

- **Florida: Regional jail**—A portion of a former Navy training field, consisting of approximately 57 acres of undeveloped land, is the site of a planned

regional adult correctional facility in Escambia County, Florida. The property was conveyed to the Florida Department of Corrections in July 1986. The medium security facility is planned to house 675 adults and serve a 16-county region in the northwest portion of Florida. Status: in planning stage.

Metropolitan Dade County and the Florida Department of Corrections last year requested transfer of the Hercules Missile Site for correctional purposes.

- **New York: State prison (reimbursement)**—The Watertown Correctional Facility, formerly an Air Force Base, was conveyed for educational purposes in October 1984. Up to that time, however,

the New York Department of Corrections had been making monthly payments of \$13,725 to GSA under a temporary leasing agreement. Payments over the term of the lease totaled more than \$370,000, and New York requested reimbursement of that amount under the provisions of the 1984 amendment. Status: reimbursement received.

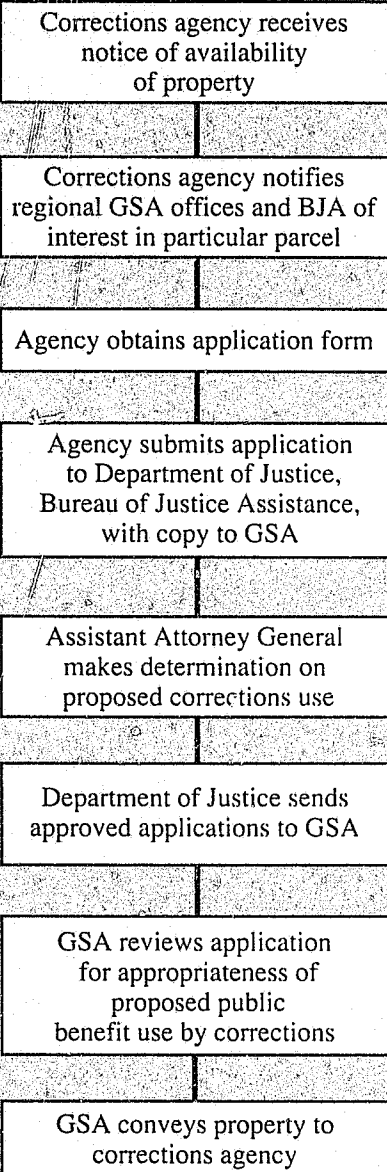
The New York Department of Corrections subsequently received the Watertown Communication Facility and uses it as an annex to the correctional facility.

- **Mississippi: Community work center**—The former Jackson Installation Waterways Experiment Station, originally assigned to the National Park Serv-

Federal Surplus Property Transferred for Correctional Facility Use

Applicant	Federal property	Correctional facility	Conveyance date
Police Jury of New Iberia, LA	New Iberia National Guard Facility	Jail: New Iberia Criminal Justice Facility	2/85
Maine Department of Corrections	Bucks Harbor Air Force Station	Prison: Downeast Correctional Facility	2/85
Hudson County, NJ	U.S. Army Reserve Center	Jail: Kearney Facility	4/85
Hudson County, NJ	Warehouse Bldg. #77 (South-Terminal Port)	Hudson County Correctional Facility Annex	8/88
Virginia Department of Corrections	Federal Correctional Institution	Farm land: food production for VA corrections	11/86
Florida Department of Corrections	Navy training field OLF-Kings	Regional jail, Escambia County	2/87
Metro-Dade County and Florida Department of Corrections	Hercules Missile Site	State: Tamiami Correctional Institute County: Dade County Krome Avenue Criminal Justice Center	3/89
New York Department of Corrections	Watertown Air Force Base	Prison: Watertown Correctional Facility	10/84
New York Department of Corrections	Watertown Communication Facility	Watertown Correctional Facility Annex	4/87
Mississippi Department of Corrections	National Park Service Experiment Station	Community Work Center	5/87
Hawaii Department of Corrections	Coast Guard Station	Community Residential Center for Juveniles	Proposed
Ohio Department of Corrections	Federal Correctional	Prison institution	Proposed reimbursement
Oregon Department of Corrections	North Bend Air National Guard Station	Minimum Security Correctional Facilities	12/89

Procedures for obtaining Federal surplus real property for corrections use



security, community-based work center. The prefabricated building to be constructed on the property will house 75 minimum security inmates, some transferred from the State prison toward the end of their sentences and others who are first-time offenders. The inmates will provide a labor force for community work projects throughout the city, county, and State. Status: in planning stage.

• **Hawaii: Community residential treatment center for adolescents—**
Hale Opio Kauai, Inc., a private group, operates a community-based residential center for adolescents through a contract with the Hawaii Department of Social Services and Housing. The project houses approximately 15 youths drawn from throughout the State. The center has been on the site since 1979, and the agency has requested conveyance of the property, which was determined surplus in August 1985, for continued use. Status: under review by GSA.

• **Ohio: Prison reimbursement—**
In August 1982 the Ohio Department of Corrections purchased property from the Federal Bureau of Prisons for conversion to a State prison. The Chillicothe Correctional Institution now serves as the Department of Rehabilitation and Corrections' Central Reception Area for inmates around the State; it also houses medium security, long-term inmates. GSA is considering Ohio's request for a refund of the \$8.5 million purchase price.

How to apply for Federal surplus real property for correctional use

Before surplus property can be made available for correctional use under the Federal Surplus Real Property Transfer Program, it must pass through several stages of determination.

Unneeded Federal real property is first reported to GSA as excess by the agency to which it belongs. At that point it is advertised as available to other Federal agencies. If the property is not needed by another agency, it is declared surplus to the needs of the Federal Government.

When a parcel of surplus property becomes available, the U.S. Department of Justice, Bureau of Justice Assistance (BJA), sends an announcement to State corrections departments, State agencies designated to administer Justice Assistance programs, county authorities, and U.S. Attorneys' offices.

Officials interested in obtaining such property must establish contact with these groups and be sure to get on their mailing lists because an agency has only 20 days after the property is declared surplus to

indicate interest. After that time GSA is entitled to sell the property.

To indicate interest in a piece of property, officials must notify BJA and their regional GSA office of their agency's intent to obtain it for corrections use.

When the application is received by BJA, it is reviewed to determine compliance with the requirements of the act. The official determination is then made by the Assistant Attorney General, Office of Justice Programs. Once cleared by the Department of Justice, the application is forwarded to GSA where the final decision is made.

GSA is then responsible for determining the "highest and best" use of the property, which can mean selling it for the appraised value, selling it for a negotiated price, or conveying it for public use—including corrections.

For further information or applications

Officials must obtain an application for the Federal Surplus Real Property Transfer Program from the Bureau of Justice Assistance, Office of Justice Programs, Department of Justice, 633 Indiana Avenue NW., Washington, DC 20531, 202-724-8374.

Criteria for evaluating applications

BJA will use information provided in the application to evaluate the degree to which the proposed project meets the following criteria:

- The property is required for correctional facility use.
- The correctional use of the property will ease strains on the capacity of existing facilities.
- The correctional programs for the care or rehabilitation of criminal offenders are in accordance with national or State correctional standards or other authority approved by the Bureau of Justice Assistance.
- The use of the property for the care or rehabilitation of criminal offenders is not likely to endanger the well-being of the public.

- The applicant is, by law or other formal authority, authorized to enter into contracts with the Federal Government for the conveyance of real property.

Use must remain constant

A property conveyed for corrections use under the Federal Surplus Real Property Transfer Program must always be maintained for this purpose. The General Services Administration (GSA) monitors this requirement, inspecting periodically to ensure compliance. Property that is no longer used for its approved purpose reverts to the Federal Government.

Conclusions

Given the right set of circumstances, the potential benefits of obtaining Federal surplus real property are apparent. Agencies considering the acquisition of Federal property for corrections use, however, must be aware of potential pitfalls. Some jurisdictions have found that property may not be as attractive as it appears at first. Potential problems include the following:

- The location may be too remote to attract staff or to enable administrators to respond to emergencies.
 - Costs not initially considered could make the project cost more, instead of less, than the purchase and development of a new site. The need to build new roads to a facility, for example, or to replace outmoded sewage or water systems could make costs prohibitive.
- Agencies that have developed corrections projects through the program cite the following benefits made possible by the 1984 law:
- Cost savings, which can range from land costs to the price of building an entire facility, depending on the property acquired.
 - More desirable sites than are available through other means.
 - Time savings in budgeting, planning, and building.

Crowded conditions have caused a crisis in prison and jail systems around the country. Through this innovative program, the Federal Government may provide needed assistance to State and local agencies. Officials searching for

ways to accommodate growing inmate populations should consider whether the examples shown in this *Construction Bulletin* might help to alleviate crowding.

Where expansion of corrections capacity might otherwise be impossible, Federal surplus property may be the answer that officials have been looking for.

General Services Administration Regional Offices

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10 Causeway Street, Room 1075
Boston, MA 02222
617-565-5709

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Puerto Rico, Virgin Islands, Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia, Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee

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404-331-5133

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819 Taylor Street
Fort Worth, TX 76102
817-334-2331

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Arizona, California, Hawaii, Nevada, American Samoa, Guam, Trust Territory of the Pacific Islands, Alaska, Idaho, Oregon, Washington

525 Market Street
San Francisco, CA 94105
415-974-9262

Local Contact Persons

New Iberia Parish Criminal Justice Facility

Clifford Auquin
Administrative Assistant
Sheriff's Office
P.O. Box 940
New Iberia, LA 70560
318-369-3714

Bernard E. Boudreaux, Jr.
District Attorney
P.O. Box 7
New Iberia, LA 70561
318-369-4420

Errol Romero
Sheriff, Iberia Parish
P.O. Box 940
New Iberia, LA 70560
318-369-3714

Downeast Correctional Facility

Chester Mark Caton
Director
Downeast Correctional Facility
Bucks Harbor, ME 04618
207-255-8636

Edward J. Hansen
Associate Commissioner
Department of Corrections
State House Station #111
Augusta, ME 04333
207-289-2711

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 260 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



Downeast Correctional Facility in Maine was converted from an abandoned Air Force station.

Please note:

Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

The Assistant Attorney General, Office of Justice Programs, coordinates the 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 the Office for Victims of Crime.

Research for this Construction Bulletin was conducted by Barbara Krauth, writer and editor with LISI, a library and information consulting firm in Boulder, Colorado, that provides assistance to justice agencies.

Two New Iberia, Louisiana, architectural firms—Mestayer, Darby, and Partner and Architects and South West, Inc.—designed the New Iberia prison. Philip Swager Associates of Peoria, Illinois, served as consulting architect.

NCJ 112177

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