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Remarks

by

James K. Stewart

Director, National Institute of Justice

before

Architects for Justice

a committee of the

American Institute of Architects

Washington, D.C.

June 8, 1989

NOTE:

Because Director Stewart often speaks from notes, the speech as delivered may vary from this text. However, he stands behind this speech, as printed.

NCJRS
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ACQUISITIONS

Thanks. It's encouraging that there IS such an organization as Architects for Justice. You've met a major challenge by taking on, as a committee within the A I A, the job of developing a research agenda of critical issues affecting justice facility design and construction. When Fred Moyer talked with me about coming here today, he asked me to bring you another challenge: that of developing a private-sector marketplace for specific new products that will help answer public need for safety and justice.

In the justice system, we need your help. Better design for law enforcement structures such as police stations. Structures for the courts that join security with dignity– last year the U.S. Marshals Service detected 55,910 weapons that people were trying to take into Federal courtrooms. Absolutely we need your help–especially your new ideas–about this nation's correctional crisis. With the drug epidemic that festers on society today, the jails and prisons aren't ever going to be big enough.

But we also need your new answers to the challenge of the Built Environment: a place to live and work whose design, materials, products enhance public safety and ease public fears.

When I came to the National Institute of Justice seven years ago, the popular idea in prison construction was to build a cooky cutter! Like building one quonset hut and then making all the others just like it. The National Institute was supposed to design the model prison and then everybody would copy it.

I think probably the reason the A-I-A honored me with its presidential citation was that I resisted this idea and wanted instead to work with the members of the A-I-A to use the products of their imagination.

As a result, we created the Criminal Justice Construction Information Exchange.

NIJ operates this information exchange through its information clearinghouse, the National Criminal Justice Reference Service in Rockville–a local call from here (251-5500). If you're calling from outside the area, there's a toll-free number (1-800-851-3420). In some ways, it operates as a referral service: if you have a superior design, you get superior referrals.

Last year, the American Correctional Association joined with NIJ and its Construction Exchange to publish the second edition of the National Corrections Construction Directory. We furnished information and they sponsored the printing. It was the first-ever partnership like this!

You can buy a copy through the ACA offices in Laurel.
It has a wealth of detail–numbers and words, too–on corrections facility construction completed since 1978. If you'd like to manipulate this information through your own computers, the entire Construction Information Exchange Data Base on which it's based will soon be available on floppy disk, at a reasonable fee, from NCJRS.

Naturally, we got much of the information from architects and builders, as well as local correctional officials. To keep up with what we're going to publish next–either new research or studies of what's working best in criminal justice across the country–you can get, free, our six times a year journal, NIJ Reports. Just call the clearinghouse.

That puts you into the loop. You'll be telling the world of criminal justice what new things you've learned through architectural experience and research–and we get to tell you the new ideas in criminal justice that can challenge you as Architects for Justice. Interestingly, calls to the Construction Information Exchange lately have been branching out into new fields. Some of the questions on facility design these days concern law enforcement facilities–police stations, for example– instead of the usual questions about what others are charging or paying to build a new jail. People are asking about forensic units–crime laboratory design–and geriatric units for the older inmates we're beginning to see in our prisons and jails. They want to know what design changes are occurring as a result of AIDS and the HIV infections,

often drug related, that cause it.

We're eager to have you share all this information. In about a year, more or less, we hope to have a new data base for you–one on privatization of prisons and jails.

Architects also continue to show deep interest in the field we call "crime prevention through environmental design."

From the initials, C P T E D, some call it SEP-TED.

Research has long told us that the fear of crime feeds not only on the incidence of crime but on citizen reactions to signs of disorder–vandalism, graffiti, abandoned cars, evidence of drug and alcoholabuse. These signs that things are out of order can ENCOURAGE criminal behavior. At NIJ, we pioneered research to identify factors that generate fear and finding strategies to reduce it.

Much of this research occurred under the direction of Oscar Newman, who led a number of our research jobs in the years following publication of his "Defensible Space" in 1972.

Research on public housing focused on the design and use of space to reduce victimization and encourage residents to exercise more control over their environment, more control over their LIVES. By enhancing visibility and surveillance, we reduce crimes in retail stores and banks. We've been able to pinpoint and eliminate "hotspots" in the environment–places just waiting for a crime to occur.

When riots tore apart the Los Angeles neighborhood called Watts, people weren't quick to rebuild. No, they were afraid to come back in. Then the Martin Luther King Center went up, housing an inner-city shopping mall . . . a sheriff's station . . . and training and hiring lots of neighborhood residents as security guards. The Alexander Haagen Enterprises of Los Angeles is thus becoming famous both in real estate–and criminal justice circles!

Sometimes these problems need attacks from several directions. The change in New York subway trains over the last 5 years is one of those multi-faceted miracles. Arrests for vandalism, specifically graffiti, were going up–but now, through planning, they've practically been eliminated. The subway cars sparkle now partly because they made the rail yards more secure–and partly because

they changed the chemistry in the paint on those cars to make it harder to make graffiti stick!

But in spite of all these advances, our hopes for an orderly society call on you more than ever these days to help us find fast, safe, and affordable solutions to the present lack of prison and jail space.

On the last day of 1988 there were 627 thousand persons in State and Federal prisons. [Exact figure was 627,402] This was 7.4 percent higher than one year earlier–and just over 90 percent higher than 8 years before, in 1980! It doesn't include jails. More important than the number–who were these persons?

Ninety-five percent of these inmates are either–

Convicted of violent crimes

Repeat offenders, or

Failures at probation or parole–between a third and one-half of newly committed adults.

And what of the other 5 percent? Mainly drug dealers!

In fact, the signs we read at the Institute point to a greater, not lesser need for new cells. Determinate sentencing has reached the Federal system and continues to grow among the States. Not only will populations grow larger, they will grow older and stay longer.

Parole is being eliminated from the Federal justice system. President Bush has called for mandatory sentences for crimes involving automatic weapons. Violence is increasing. Neither the crime rate nor the incarceration rate has started to level off or decline. There may be some relief by the year 2010 or 2020–but NOT in the 1990's. The drug epidemic continues.

President Bush has asked for one billion dollars to build prisons to house 24,000. But the prison population increased by 43,000 last year! We must find NEW solutions–or find ways to build prisons at a cost lower than that–which comes to $41,670 per bed.

State expenditures for corrections, particularly prison construction and operations, have grown to the point, some say, that if they built the prisons they need, they couldn't afford schools and welfare and medical aid.

Tough choices, but there really is no choice. Our figures show that a typical prison inmate, if he were not locked up, would commit 187 crimes a year–at a total cost to society of $430,000 a year. Yet it costs only about $25,000 to keep him locked up. How can we afford not to?

There are intermediate penalties–not every criminal must be incarcerated. Contrary to those who say that NIJ is hard-line construction-dedicated–most of our research has concentrated not on incarceration but on finding new ways to control criminals without further encumbering a noble system of justice through endless incarceration. Among the choices:

Early release. This seems not to raise the crime rate so much as one might fear, but some tragic incidents do occur.

Shock incarceration. That's an older term for what we've heard about lately as "boot camp"–physically rugged military-style confinement for short periods.

Shock probation and split sentences. This is growing in popularity, but it needs more study.

Electronic monitoring. Telephone technology has provided us this current favorite . . . I suppose we might have a little trouble with call forwarding . . . Actually, the people being monitored certainly prefer it to being locked up, and the justice system can benefit, too–the subject usually pays a fee for his supervision.

House arrest. Works best combined with electronic monitoring. Otherwise the close supervision makes it too expensive.

Fines, under the so-called "day fine" system. Even for possession or simple assault, this can be a real penalty. The offense determines the number of "days"; the offender's income determines the dollars. If a poor man makes only $10 a day, a five-day fine costs him $50. A person who makes $1,000 a day would pay $5,000–under the same sentence! Seems to works in Europe–and in New York State.

The truth is that although we have a high incarceration rate PER CAPITA–about 244 people per every hundred thousand population–our incarceration PER CRIME is quite low. It's only about 125 admitted to prison for each 100,000 serious crimes committed! It's minuscule when you think of 4 million victims! And that means that the DETERRENCE value of incarceration in this country–the extent to which imprisoning people makes them less likely to commit future crimes–is surprisingly low!

Of the 3 million persons under some kind of correctional supervision, only about 17 percent are in prisons.

Jails last year had to absorb 14,000 State prisoners because there was no room for them in the prisons. Thus a survey of 60 jails found average populations 22 percent above their rated capacity.

Actually, I pay very little attention to "rated" capacity because all that means is that SOMEONE has rated it that way. "Operating" capacity means something real. Prisons generally need reserve capacity to operate efficiently. Repair and maintenance are needed sometime, special housing is needed for protective custody and disciplinary cases, and space may be needed in emergencies.

We're working on a lot of answers, and even if they all work we may need more.

> Emergency space that can be quickly retrofitted into temporary housing for prisoners.
>
> In New York, they retrofitted two barges to house 380 inmates each and two ferryboats to hold 150 each. The inmates like the extra sunlight!
>
> Community treatment centers–perhaps set up in burned-out areas–where people could be confined, trained, and counseled, and where their disputes could be mediated.

A columnist wrote recently in the Boston Globe that we might simply have to turn all our prisons into drug-abuse treatment centers. It's easy to see his point. Five years ago, 42 percent of men arrested in New York and 20 percent in Washington tested positive for cocaine. Last year, the figures were over 80 percent in New York, 65 percent in Washington.

Deplore it though we may, there's a big future market here for thoughtful and innovative architects who want to get in on the ground floor.

The major obstacles to new correctional facilities used to be financing. That's changed now. The public realizes it's worth a bond issue if more prison space is required. In many States, lease-purchase agreements with private investors allow rapid construction starts, do not require bond referenda, and do not count as long-term debt.

Now the problem is siting. Even those barges they use in New York have waterfront areas that scream "not on this beach!" The cry of "N I M B Y"–"not in my back yard" got louder not long ago when people were bemoaning the military bases that were being shut down. We were working to locate some emergency facilities for D.C. corrections on the parts of Fort Meade that were being closed down, a shutdown the citizens said would wreck their local economy. The shouts of "NIMBY" doomed that idea!

At NIJ, we're trying to show that prisons need not be negative influences.

At Clallam Bay, Washington State, we sponsored a two-year study of how a new prison would impact on the community, its social services, and its law and order. Thus far, the results seem encouraging. Business is good. There's no increase in crime. The only impact that isn't quite positive is that the prison has not resulted in new jobs for the unemployed lumber workers. Trained correctional officers had to be brought in from outside.

We at the National Institute of Justice have documented and disseminated information on how to build prisons more rapidly and at less cost. We urge you to help us find new ways.

Prefabricated concrete panels enabled construction of a new California prison in 17 months at a cost of $50,000 a bed. A comparable California facility, using traditional methods, would take 38 months and cost $90,000 per bed.

In Florida, a 336-bed prison was constructed with new methods in just 10 months at a cost only $16,000 a bed.

This is the kind of news we need to hear.

Another area in which we can help each other is finding better ways of using facilities we have. Although 20 percent of the Nation's prisons are less than FIVE years old– a third of our prisons are more than 50 years old! (A few miles from here, there's a State prison that dates to 1811!)

Retrofitting of these older structures can increase capacity, surveillance, and control. It can decrease perceived crowding, and it's faster, less expensive, or both, compared with new construction. Present research literature gives us only limited guidance as to how to proceed. Exploratory, nondogmatic collaboration between architects and administrators is what we

need most. It may be the major design challenge facing us today.

I'd be delighted to take questions now or to hear YOUR views on any of these issues . . .

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