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## FOURTH DRAFT

# DEVELOPING A JAIL INDUSTRY: *A WORKBOOK*

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# **Developing Jail Industries:** **A Workbook**

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# I. Introduction to Jail Industries

*Since 1987, the National Institute of Justice (NIJ) has been actively involved with its "jail industries initiative" in an effort to identify the range of practices in U.S. jails, to learn about successful programs and strategies, to promote interest in the jail industries concept, and to provide new resources to assist all interested counties to develop--or expand--their industries efforts.*

## A. Work is the Common Denominator for "Jail Industries."

NIJ has taken a broad view of jail industries in an effort to include as many counties--and to encourage even more--in the jail industries initiative. For the purposes of the initiative, a **jail industry**:

- \* *uses inmate labor, to*
- \* *create a product or provide a service, that*
- \* *has value for a public or private client, and*
- \* *compensates inmates with pay, privileges or other benefits.*

Using this definition, virtually every jail operates at least one "industry" today. When a trusty cuts the grass in front of the jail and is rewarded with privileges--the elements of a jail industry are present.

On the other end of the industries continuum, inmates work for private sector firms, producing items for sale throughout the United States, earning "real" wages (up to \$8/hour). Between these endpoints of the industries continuum there are infinite approaches, programs, and opportunities.

The American Jail Association has acknowledged the importance of jail industries in many ways, including publication of articles in American Jails magazine, and hosting industry workshops at most annual training conferences.

The National Association of Counties (NACo) has adopted a distinct perspective for private industry-made goods sold in interstate commerce <sup>1</sup>--underscoring the need to pay inmates "real wages"<sup>2</sup> and to ensure that "real work" is accomplished. The NACo policy suggests that the salaries from such ventures can help defray the costs of incarceration, help offenders support their families, and pay taxes and restitution. Recently, the National Sheriffs' Association adopted a similar policy.

1. NACo Policy J. Private Industry in County Correctional Programs. Counties are encouraged where economically feasible, to jointly develop with private industry and organized labor productive work experiences for inmates that teach marketable skills, good work habits, and provide real wages. Inmates should be judged on their productivity. Congress should, with the support of organized labor, remove restrictions prohibiting inmate-made goods from being sold in interstate commerce. The salaries from such ventures can help defray the costs of incarceration, help offenders support their families, and pay taxes and restitution.
2. As interpreted by NACo to be the prevailing wage of the local community.

## **B. Benefits are Many and Varied.**

Many counties have realized enormous benefits from their jail industry programs. These include:

- \* becoming self-sufficient (and sometimes "profitable");
- \* providing inmates with meaningful work experience and income;
- \* reducing inmate idleness;
- \* reducing inmate tension and mischief;
- \* providing inmates with a better start upon release;
- \* providing positive publicity;
- \* relieving crowding;
- \* providing another inmate management tool, to promote better inmate behavior.

Counties that operate jail industries agree that it offers one of the few "win/win" opportunities in corrections. Everyone benefits from a successful industry program--the jail, taxpayers, the community, families...and the inmate.

Figure I.1 describes the manner in which industry benefits are realized by many parties.

The public benefits both financially (low- or no-cost program, less vandalism and property damage in the jail, provision of services or products at a low- or no-cost) and socially (increase likelihood of inmate success on release, reduced overcrowding).

Jail administrators and staff benefit from an improved jail environment (less tension, less damage, less crowding), are provided with a new management tool to encourage positive inmate behavior, and from a more visible and positive public image.

Inmates clearly benefit from increased work activities, experience, and sometimes from earnings. Further, as tension, destruction and crowding in the jail is reduced, inmates enjoy a better living environment. For some inmates the industries experience breaks a lifetime of failure--allowing them to secure and keep meaningful employment after release.

**Figure I.1 Jail Industry Benefits and Beneficiaries**

Industry Benefit:	Beneficiary:		
	Public	Jail	Inmate
1. Self-Sufficient or low-cost program	X	X	
2. Work experience and income for inmate	X		X
3. Reduce inmate idleness		X	X
4. Reduce inmate tension and mischief	X	X	X
5. Provide incentives for inmates to behave	X	X	
6. Provide inmates with better start after rel.	X	X	X
7. Positive publicity		X	
8. Contribute to community	X	X	
9. Relieve overcrowding	X	X	X

## **C. No Excuses--You Can Operate a Jail Industry.**

Experience proves that jail industries can be operated under virtually any conditions. Here are some of the most common excuses for not developing a jail industry offered by counties--and corresponding examples of successful programs that have overcome such perceived handicaps.

**I don't have the space.** Strafford County, New Hampshire, started its pioneering private-sector electronics program virtually in a closet. There are many industries that can be operated in current space--some can even use inmate dayspaces. Hampden County, Massachusetts found space away from the jail.

**I don't have any funds for an industry.** Belknap County, New Hampshire, created its private-sector program with no additional funds or staff.

**I'm not big enough for an industry.** Strafford County (65 beds) and Belknap County (50 beds) are highly successful industry programs in small jails. There are more examples in even smaller facilities!

**I'm not allowed to operate an industry.** Restrictions on the use of inmate labor vary from state-to-state, but there are opportunities for meaningful work opportunities in every state. Pennsylvania law restricts the market for jail products, so the Philadelphia program (Philacor) creates and sells its products successfully within those boundaries.

**I don't want to make local businesses or labor unions angry.** Business and labor have become some of the strongest supporters of jail industry programs throughout the United States--after they have had a chance to participate in developing and shaping programs.

**I can't take the security risk.** Neither can any county--so products and services are carefully selected to complement security concerns.

**I don't have enough long-term, sentenced inmates.** Successful jail industries have shaped their programs to the unique characteristics of the inmate workforce. In Strafford County, the program was designed to serve pretrial inmates, classified as medium security risks, who were spending as little as three weeks in confinement.



## **D. Research Demonstrates Diversity and Flexibility**

After several years of research, training, and demonstration activities with prison industries, NIJ developed a special project focused exclusively on the emerging potential of jail work programs. NIJ hoped county work programs will be expanded and improved as a result of the "Jail Industries Initiative."

The initiative unites several key agencies and organizations in a common approach. NIJ provided initial funding and is exploring options for an expanded role. The National Institute of Corrections (NIC) initially studied jail industries and has provided assistance to several counties; NIC has taken an active role and plans expanded services in coming years. Other key professional organizations closely involved with the initiative include the Correctional Industries Association (CIA), the American Correctional Association (ACA), the American Jail Association (AJA), and the National Association of Counties (NACo).

Objectives for the NIJ Jail Industries Initiative include:

- \* identifying the range of practices through which inmates are employed in county jails
- \* researching a representative group of county operations
- \* assembling key personnel from the programs that were studied, thereby allowing them to meet each other, share their resources, and contribute their experiences to the development of resources for other jails
- \* developing a "how to" guide to help counties create and improve jail industries

- \* developing a comprehensive resource manual to help counties operate jail industries programs
- \* publicizing the benefits of jail industries in an effort to encourage support for new and improved industries programs
- \* conducting a series of workshops to help motivated counties to develop pilot industry programs

In 1988, Abt Associates of Cambridge, Massachusetts (managers of the NIJ project team), conducted extensive telephone surveys with 18 counties and cities that operate a variety of inmate industries and work programs. In February 1988, NIC hosted a week-long workshop for representatives of 16 of these programs in Boulder, Colorado.

Through their active participation, information and insights were assembled concerning all facets of inmate work and industries. Participants are now key members of the project team, contributing their experience as resource materials are drafted.

NIJ accomplished one of its objectives by bringing together many of the pioneering cities and counties in the workshop. As a result, efforts are under way to enhance jail industries through cooperation with the Correctional Industries Association. Also, a Jail Industries Network is being created to unite professionals throughout the country as a resource for emerging industry programs.

#### Classifying Jail Industry Programs.

One of the most interesting and difficult tasks at the Boulder workshop was to "define" jail industries for the NIJ initiative. Four key questions about jail industries operations emerged during discussions:

- \* **Are inmate-workers paid?** Several counties pay their inmates, sometimes at the community's "going rate"; many counties do not pay inmates.

- \* **Where is the work accomplished?** Is work performed within the security perimeter or outside in nonsecured areas or in the community?
- \* **Public or private customer?** Most counties provide products or services only to the public sector, while some serve the private sector.
- \* **Product or service?** Does inmate labor produce a product or a service?

These four issues are described on the following charts, which depict some of the key characteristics of sample jail industry programs throughout the United States.

**Table 1: Inmate and Program Characteristics**

Site	Number of Inmates Working	Jail Population	Inmate Wages Paid	Extra Good Time Earned	Inmate Fees Assessed	Inmate Deductional Charges	Primary Market
Hennepin County Adult Correctional Facility (MN)	40	440	\$3.50/hr.	No	Yes	Yes	private sector
Hampden County House of Corrections (MA)	15	600	\$.50-1.00 per hr. + incentive	Yes	No	No	town, city, state agencies
Contra Costa County Main Detention Facility (CA)*	100	1,200					public agencies
Strafford County DOC (NH)	20	68	\$4.00-\$7.00/hr.	No	Yes	Yes	private sector & public agencies
Prince George's County DOC (MD)	6 inmates plus 6 ex-inmates	715	\$5.00/hr. ex-inmates only	No	No	No	county agencies
Erie County Correctional Facility (NY)*	100	410	No		No	No	county agencies
Kennebec County Jail (ME)	5	66	No	No	No	No	general public
Philadelphia Industrial Correctional Center (PA)	239	4,000	\$1.04-\$1.36/day	No	No	No	city agencies
Orleans Parish Jail Complex (LA)	700	3,800	No	Yes	No	No	private sector & city agencies
Los Angeles County Jail System (CA)	1,526	22,500	No	Yes	No	No	county agencies
Metro Dade County Corrections & Rehabilitation Department (FL)	100	4,000	\$3.00/day	Yes	No	No	private sector & public agencies
St. Louis Medium Security Institution (MO)	38	435	\$1.00-\$3.00/day	No	No	No	city agencies
Middlesex County DOC and Youth Services (NJ)	90	800	\$1.00/day	Yes	No	No	county agencies
Milwaukee County House of Correction (WI)	90	550	\$1.00-\$3.00/day	No	No	No	county agencies
Shelby County Jail (OH)	8	32	No	Yes	No	No	county agencies
Cook County DOC (IL)*	20	5,500	No				
Metropolitan Correctional Center (San Diego, CA)	60	700	\$.22-\$1.10/hr.	Yes	No	No	federal government
Santa Clara County Corrections Division, Elmwood Facility (CA)	600 (1,000 in weekend program)	2,201	No	Yes	Yes	No	jail

\* Because the jail industry program at this site is in the planning stages, data presented are projected; other data are not available.

Table 2: Operating Characteristics of 18 Jail Industries

TABLE II: Operating Characteristics of 18 Jail Industries

Name of Program	Number of Yrs. in Oper.	Inmates Work On or Off Site	Description of Products/Services
Hennepin Co. Adult Corr. Facility, MN	7	On	Wood products, package radio tapes, advertising displays, package cardiac tubing, assemble and package chains, clean and package airline silverware, reclaim plastic.
Hampden Co. House of Corrections, MA	2	Off	Manufacture/repair/reupholster chairs, auditorium seat repair.
Contra Costa Co. Main Detention Facil., CA	*	On	—
Stafford Co. Dept. of Corr., NH	2	On	Assemble/test electronic parts, finish envelopes, sew aprons, tend lilac nursery, roadside cleanup, trash cleanup, assemble tape cartridges.
Prince George's Co. Dept. of Corr., MD	5	On	Furniture manufacture, refinish and restoration.
Erie Co. Corr. Facil., NY	*	On/Off	Creative arts, small engine repair, greenhouse, parks and recreation, farming, furniture refinishing, tailor shop.
Kennebec Co. Jail, ME	1	On/Off	Parks and recreation, "Alcatraz Bread" fundraiser for Rotary charity, school janitorial services, athletic facil. maint.
Philadelphia Co. Pris., PA	25	On	Laundry, manufacture mops and pillows, upholstery, furniture refinishing, auto body shop for co. vehicles, carpentry shop, tailor shop, print shop, engraving.
Orleans Parish Jail, LA	6	On/Off	Catch basin clean-out, janitorial services, auto maintenance, brochure assembly, painting.
Los Angeles Co. Jail, CA	48	On/Off	Laundry, agriculture, power sewing, printing, cement products, furniture refinishing, building construction/maintenance, shoe repair, signs, horticulture, carpet laying, ceramic tile setting, bakery, wood pallet manufacturing, cardboard reclamation, small appliance repair, landfill.
Metro Dade Co. Corr. and Rehab. Dept., FL	3	On/Off	Lawn maintenance, painting and board-ups for public housing, plant nursery and flower shop, woodworking, interior landscape, welding, concrete bumper blocks, trash hauling.
St. Louis Med. Security Inst., MO	10	On/Off	Board-up abandoned homes, Operation Bright (cleanup program), renovate city trash containers, recycle street lights, facility maintenance, wash vehicles, plastic packaging for golf company.
Middlesex Co. DOC, NJ	12	On/Off	Farm, produce, printing, construction, short-order food.
Milwaukee Co. HOC, WI	7	On	Food service, graphics and printing, laundry, sewing, repair and redistribute surplus property, furniture refinishing.
Shelby Co. Jail, OH	6	On/Off	Wash vehicles, clean up city and county property, painting and remodeling.
Cook Co. Dept. of Corr, IL	*	On	Soap production, furniture shop, laundry, barber shop, cleanup crews.
Federal Metro. Corr. Center, San Diego	10	On	Sewing.
Santa Clara Co. Dept. Corr. Div., CA	28	On/Off	Paint and body shop, wash vehicles, operate gas stations, parks and recreation maintenance, general maintenance, city/county clerical work, care and release of injured wild animals, agriculture, welding, wood products, upholstery.

\*currently under development

## **E. Private Sector Opportunities**

In 1979, Congress amended the laws that restricted sale of inmate-made goods through interstate commerce; seven states were exempted from the prohibitions. The 1984 Justice Assistance Act continued and expanded the private sector initiatives authorized in 1979. Under the act, up to 20 correctional agencies can be certified for exemption from interstate commerce bans. Certification is coordinated by the Bureau of Justice Assistance (BJA), through a grant to the American Correctional Association (ACA).

The 1984 law provided the first clear opportunities for local governments to apply for certification, although the first such unit was not certified until 1987 (Strafford County, Dover, New Hampshire). Of the 20 initial certificates, two have been awarded to counties (Strafford County in 1987 and Belknap County, New Hampshire, in 1988). The following states are certified, or are expecting to be certified under the PIE program:

Alaska	Missouri
California	Nebraska
Colorado	New Hampshire (2 counties)
Connecticut	Nevada
Delaware	New Mexico
Idaho	Oklahoma
Iowa	Oregon
Kansas	South Carolina
Maine	Utah
Minnesota	Washington

In February 1989, the ACA facilitated a meeting that may lead to the development of new approaches for organizing and operating jail industries. Key officials from the local, state and federal level were assembled, including BJA personnel.

As a result of the meeting, pilot legislation was passed in Maine, and similar legislation has been proposed in New Hampshire, that links all counties together for the purpose of jail industries and opens up private sector markets. The ACA and BJA hope these two experimental efforts will provide incentives for counties in other states to forge alliances to expand jail industries markets.

## **F. Consider the "Range of Practice"**

The preceding narrative and charts suggest that there are many different programs that could be called "jail industries."

Appendices A, B, and C provide more in-depth descriptions of three very different jail industry programs that have proven very successful for their respective counties. As the chart below suggests, these programs offer unique combinations of operational characteristics.

<b>PROGRAM</b>	<b>Workers Paid?</b>	<b>Where Work?</b>	<b>Public/Private</b>	<b>Product/Service?</b>
Kennebec County Maine (Appendix A)	No Time off Sentences	Off-Site Public Bldgs.	Public	Service Public Works
Ventura County California (Appendix B)	No Better living conditions	On-Site But in alter. facility	Public	Both
Strafford County New Hampshire (Appendix C)	Yes Going rate	On-Site Medium Sec'y	Private	Both
Hennepin County Minn. (App. D)	Yes Minimum Wage	On-Site	Private	Both

The appendices provide substantial detail about the purposes and operation of these sample programs. The common denominator for **all** of these is that work is the critical program element--without which these programs could not be operated.

Tables 1 and 2 provide insights into other programs, allowing you to focus on specific program characteristics. Use these tables to identify other programs that may be pertinent to your situation, and explore these as you develop your industries program.

For more information about other programs, call the National Institute of Justice (NIJ) at (202) 514-6236.

## G. Objectives for Industries

Each of the 18 sites reported a variety of objectives for their industries programs. In order of frequency, the projects sought to:

- \* develop inmate work habits and skills
- \* generate revenues or reduce costs for the county
- \* reduce inmate idleness
- \* meet needs in the community

While these four goals were common to most programs, many other goals and objectives were identified in individual programs:

- \* Become self-sufficient
- \* Provide inmates with funds after release
- \* Reduce the jail population
- \* Raise money for charity
- \* Operate program that provides inmates with incentives to participate
- \* Increase sense of responsibility among inmates
- \* Teach work ethic
- \* Reintegrate inmates into society
- \* Provide employment opportunity for inmates after they are released
- \* Reduce recidivism
- \* Avoid competition with state correctional industries
- \* Employ as many inmates as possible

Operators of jail industries frequently agree on the objectives and benefits of their programs, but Table 1 shows the wide range of practices NIJ's research identified. For example, four of the 18 programs surveyed serve the private sector.

One of the most serious mistakes identified in current industry programs is the "overstating" of initial objectives. Often, lofty goals become unreasonable objectives. Usually the program is able to revisit such decisions during the first year of operation. Similarly, many current programs report a lack of formal and continuing evaluation of their efforts. The lack of evaluative insights makes it difficult to improve programs and, as necessary, refocus objectives.

## **H. Resources**

This is a good time to be developing or expanding a jail industry. Following three years of research the National Institute of Justice leads a coalition of federal agencies and professional organizations in an effort to promote and guide development efforts.

The cornerstone of the NIJ effort is the comprehensive and detailed book, Operating a Jail Industry: A Resource Manual. This text provides extensive information on jail industry operation, including examples from programs throughout the United States.

A Jail Industries Network is also being created by NIJ. Although in its infancy, the network already identifies experienced professionals throughout the United States who have offered their assistance to interested counties. Most of the members currently operate successful programs.

The National Institute of Corrections (NIC) is a continuing source of information and assistance. Through its Information Center many of the resource materials, and other documents, can be secured. NIC Technical Assistance programs offer a variety of resources, included "hosted" visits to pilot programs, and the provision of a consultant to your site.

NIJ is also sponsoring a series of intensive workshops for counties that are interested in developing pilot industry programs.

### **For More Information Contact:**

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## **II. Key Development Principles**

Research suggests that the development process is perhaps the key determinant of initial success for an jail industry.

The following narrative offers some suggestions that may be helpful in designing and implementing the jail industry development process.

### **A. Build a Strong Foundation**

Developing and maintaining a jail industry program requires a broad base of support, to provide ample assistance to solve inevitable problems, and to simply survive. Special attention is required during the development process to ensure that a solid foundation is provided for the industry program.

### **B. Learn from Others**

Correctional administrators who operate jail industries are an excellent resource for all aspects of the industry development process. Many of the industry programs studied by NIJ reported that their current problems can be attributed to shortcomings in the development process, such as:

- \* failing to anticipate opposition;
- \* failing to secure support from all parties;
- \* failing to carefully examine enabling legislation;
- \* failing to secure initial and ongoing advice and support through an advisory committee;
- \* over-stating the program objectives; and
- \* failing to carefully articulate the purpose of the program.

Managers of jail industries report that existing programs could be improved by:

- \* **Increasing** the number of inmates who are provided with work opportunities;
- \* **Ensuring** that inmate access to work activities is fair and equitable;
- \* **Expanding** the number and types of customers served;
- \* **Improving** practices to prevent exploitation of inmates;
- \* **Developing** new methods of providing industries benefits to inmates, staff, and the community (e.g. finding new incentives and rewards for inmates, expanding markets, or developing new public service projects); and
- \* **Linking** with private sector firms in public/private industry ventures.

Managers also agreed that it is essential to build a new industry to build a strong foundation during the planning stages. Furthermore, managers of existing programs can benefit from "backtracking" to review what they have already developed.

Understanding the deficiencies of programs that have already been developed provides an important guide that can help new programs to avoid past pitfalls.

### **C. Analyze Potential Opposition**

An important component of the development process requires the identification of potential opposition. Opposition can come from many sources (See Figure II.1). For example, in Hennepin County, Minnesota, correctional officers initially opposed the jail industry program because it posed scheduling problems (providing a meaningful work day required changes in the daily routine and caused additional work for some staff).

**Figure II.1: Potential Sources of Opposition to an Industry Program**

Within the industry program--

- \* inmate workers
- \* custodial/supervisory staff

Within the jail--

- \* inmates not involved with the program
- \* correctional officers
- \* supervisors
- \* other program and service providers
- \* managers/administrators
- \* volunteers

Within county government--

- \* county commissioners/supervisors
- \* fiscal officers(s)
- \* other county agencies
- \* county employee organizations

In the community--

- \* customers for the industry products or services
- \* businesses that sell supplies and materials to the jail industry
- \* other local businesses or industries
- \* labor unions

In Strafford county, New Hampshire, program staff resisted the growth of the industry program because its scheduling demands conflicted with their educational, substance abuse and counseling programs; a similar situation developed in Hennepin County as well.

Vegetables grown by inmates in the Shelby County (Ohio) jail reduced the local hospital's demand for produce from a private grower, triggering opposition.

In Milwaukee and Los Angeles, county employee unions expressed concern that increased inmate work roles would eliminate jobs for their members. Both problems were solved when industry staff talked directly with opponents about the groups' concerns.

Before beginning the development process, it is important to understand the potential opposition that must be encountered so that the development process can be designed to neutralize opposition--or even convert potential opponents into supporters. Chapter 1 of the NIJ Jail Industries Resource Manual describes a method for analyzing opposition that may be useful (page 6).

### **D. Participation is a Key to Success**

Just as there are many potential opponents, a jail industry can attract even more supporters. In fact, experience shows that each type of opponent has been successfully enlisted in support of some industry programs.

Experience also demonstrates that the most effective way to secure support is through participation. When people are offered the opportunity to participate in the development of a jail industry program, they are more likely to provide support.

### **E. Take the Time to Plan**

During the development process, time can be essential. While the benefits offered by a jail industry can be very attractive, they will be more fully realized and maintained if an industry program is built on a careful foundation of planning. The process described in this Workbook describes the elements of sound jail industries planning.

### **F. Use All Available Resources**

Developing and operating a jail industry requires the assistance of diverse resources because a jail industry operates in two distinct worlds: corrections and business. Each imposes different requirements and constraints; each requires different expertise to address these challenges.

When NIJ assembled industry managers to learn from their experiences they reported that they had successfully met the complex needs of jail industries only through the creative use of a diverse array of resources.

For example, these managers frequently ventured into the private sector to secure information and support to develop and improve their industry. In Hampden County, Massachusetts, the industries manager relies on the "business advice" of a retired insurance professional for regular guidance and evaluation.

In Middlesex County, New Jersey, the local Chamber of Commerce supports the industry program by participating in an advisory capacity, guiding marketing and product selection decisions. Other critical resources have been secured through the Small Business Administration (SBA), such as access to volunteers in the Service Corp of Retired Executives (SCORE). Prince Georges County, Maryland, has found that the local Private Industries Council (PIC) can play a central role in jail industries.

Chapter 1 of the NIJ Jail Industries Resource Manual describes such resources in detail, and suggests methods for tapping them.

# **III. Components of the Development Process**

## **Suggested Approach**

A careful analysis of current jail industry programs reveals that each program was developed in a different manner. For some, there was no formal planning or development process; others were preceded by years of planning.

Just as there are virtually unlimited types of jail industry programs, there seem to be as many different development scenarios.

A single development process cannot be recommended here; rather, key principles and concepts have been identified in the previous section. This text identifies common components of all development processes. It will also suggest three "sets" of activities into which the components may be organized.

### **A. Development Phases**

Jail industry activities can be organized into three consecutive sets of tasks:

A. Foundation Decisions--when key policies and parameters are established;

B. Development Tasks--when specific tasks are executed that shape the day-to-day character of the program; and

C. Implementation Activities--when tasks are implemented prior to the initiation of a jail industry program.

While development activities do not always fall into these three sets of tasks, nor will they necessarily be strictly consecutive, this structure offers a framework for providing guidance to those who are developing a jail industry.

1. Foundation decisions are necessarily broad in scope, and involve conducting research and setting policy. Activities include:

- \* identifying and enfranchising persons who will shape policies;
- \* establishing basic goals and objectives for the program;
- \* researching pertinent laws, standards, the inmate population and resources;
- \* articulating specific characteristics of the proposed industry program (such as type of client, inmates to be involved, work locations);
- \* looking for sources of financing; and
- \* identifying sources of assistance.

2. Development tasks build on the findings and policies from the initial phase. Activities include:

- \* selecting personnel who will operate the program;
- \* coordinating the industry program plans with all aspects of current jail operations and programs; and
- \* determining specific inmate eligibility, potential markets and clients, work locations, and inmate-worker compensation methods;
- \* creating a risk management strategy and evaluation plan;

- \* designing a specific evaluation plan; and
- \* developing a business plan that integrates program needs and financial needs.

3. Implementation activities put all prior plans and decisions into action by starting up the industry program, and include:

- \* scheduling implementation activities;
- \* developing a schedule for inmate work;
- \* preparing policies and procedures to guide key aspects of the operation;
- \* training staff and inmates; and
- \* starting operations.

## **B. Development Questions to be Answered**

Another perspective on the jail industry development process poses a series of questions that must be answered before a program begins to operate. These include:

- \* Why start an industry program? (definition of goals and objectives for community, jail, customers, and inmates);
- \* Who will develop, implement, be served, work and help?;
- \* What is allowed, and what will be produced/delivered?;
- \* Where will the jail industry be operated?
- \* When will the program start, and when will inmates be able to work?



- \* How will funding be garnered,  
risk be managed,  
inmates be motivated,  
other programs be coordinated and  
the industry program operate?

If these questions cannot be answered, then a program is probably not ready to begin. It is also important to remember to document answers to these questions as the program is developed.

### **C. Specific Components of the Development Process**

Research suggests that there are more than 20 components of a successful development process. Figure III.1 provides a list of the twenty-one "development" steps/questions, organized in the three phases that have been previously identified.

Research suggests that "missing" a component can seriously impair an industry program. Many existing programs are in the process of going back and completing components that were missed.

The order in which components are implemented is not intended to be strictly followed; however, the following sequence has proven meaningful to the managers of several current programs.

While the sequence is suggested as a general guideline, the phasing of activities will prove important. For example, it would be a mistake to attempt to answer specific questions about inmate eligibility or client selection during the first phase; it would be difficult to select inmates until other key decisions are made (e.g. product/service selection).

Recent efforts to work with counties that are developing industries suggests that the biggest problem encountered involves attempting to implement certain tasks **too early** in the process. For example, a county may become preoccupied with identifying a specific client and product at the beginning of the development process--before setting key parameters that would narrow and focus the search (e.g.

decisions about public vs. private clients, and inmate pay will have a major impact on later decisions concerning space, funding, staffing and other issues).

### **Figure III.1: Master List of Development Activities**

#### **A. FOUNDATION DECISIONS**

- A1 Identify Source(s) of Guidance and Policy
- A2 Determine Goals and Objectives for an Industry Program
- A3 Determine What Is Allowed by State and Federal Law and What Standards and Regulations will Apply
- A4 Determine Who Should Be Served (public vs. private)
- A5 Determine Types of Inmates Available to Work
- A6 Determine Methods for Motivating Inmates (pay/no pay)
- A7 Determine Where Work Can Occur (inside/outside)
- A8 Identify Sources of Financing for the Program
- A9 Identify Sources of Assistance (Resources)

#### **B. DEVELOPMENT TASKS**

- B1 Determine Who Will Manage and Supervise the Program
- B2 Determine How to Coordinate with Jail Programs, Security and Classification
- B3 Determine Who Will Work and How they Will be Selected
- B4 Create Methods for Compensating Inmate-Workers
- B5 Identify Potential Customers and a Process for for Selecting Products and Clients
- B6 Find a Place(s) for the Program to Operate
- B7 Plan to Manage Risk
- B8 Prepare an Evaluation Plan
- B9 Prepare a Budget and Revenue Projection
- B10 Obtain Start-Up Funding

#### **C. IMPLEMENTATION ACTIVITIES**

- C1 Schedule Implementation Activities
- C2 Develop a Work Schedule
- C3 Prepare Policies and Procedures for Operations, Record-keeping and Book-keeping
- C4 Train Staff and Inmates
- C5 Start Limited Operations
- C6 Evaluate and Modify Initial (Limited) Operations
- C7 Expand to Full Operations

# **IV. Workbook:**

## **A STEP-BY-STEP GUIDE TO DEVELOPMENT ACTIVITIES**

### **PREFACE**

This Workbook provides a starting point for persons who are interested in developing or improving a jail industry program. It has been written to complement two resource documents developed by the National Institute of Justice (NIJ):

1. Research in Brief that provides an overview of jail industries practices and issues; and
2. Operating a Jail Industry: A Resource Manual, offering detailed guidance for persons who are implementing and operating programs.

### **WHO SHOULD USE THIS WORKBOOK?**

Anyone who is **interested** in developing a jail industry, or who wants to improve an existing industry, should use this Workbook. Specifically, the contents should prove helpful to:

- \* county officials who want to spur the development of a jail industry;
- \* persons who are **charged with responsibility** for developing a jail industry;
- \* members of jail industry advisory committees; and
- \* jail staff and officials who will be involved with developing or implementing a jail industry program.

### **WHY USE THIS WORKBOOK?**

The insights offered in the following pages are drawn from the experience of many counties throughout the United States--and can be helpful to:

- \* Avoid common pitfalls and problems;
- \* Identify key decisions;
- \* Suggest strategies and approaches; and
- \* Identify resources and options.

### **WHEN SHOULD THIS WORKBOOK BE USED?**

Immediately! As soon as an interest is expressed in jail industries, this Workbook can be useful. This document is designed to guide the very first efforts in the jail industry development process.

The following pages offer specific ideas and guidance for each of the twenty-six (26) components of the development process.

The format for this section invites readers to use the text as a workbook--making notes in margins, checking items off of lists, and ensuring that all "bases are covered."

## **A. FOUNDATION DECISIONS--ACTIVITIES AND STEPS**

Nine activities should be completed during this first phase of development of a jail industry program:

### **A. FOUNDATION DECISIONS**

- A1 Identify Source(s) of Guidance and Policy
- A2 Determine Goals and Objectives for an Industry Program
- A3 Determine What Is Allowed by State and Federal Law and What Standards and Regulations will Apply
- A4 Determine Who Should Be Served (public vs. private)
- A5 Determine Types of Inmates Available to Work
- A6 Determine Methods for Motivating Inmates (pay/no pay)
- A7 Determine Where Work Can Occur (inside/outside)
- A8 Identify Sources of Financing for the Program
- A9 Identify Sources of Assistance (Resources)

These steps are reviewed and discussed in the following pages.

Readers should remember that the sequence of implementation within this phase is not as important as implementing these activities initially.

## **A1. Identify Source(s) of Guidance and Policy (Who Will Guide the Program?)**

### **Increasing Participation in the Development Process**

Practitioners agree that a broad-based advisory committee is an important asset for a jail industry program. While creating and maintaining such a group may seem time-consuming and unwieldy, there are two important principles to remember:

1. People tend to support that which they help to create; and
2. The best way to turn a potential opponent into a supporter is to offer him/her meaningful opportunities to shape the program.

Most industry managers can recall critical moments during the development of their program when support from such resources kept the program alive. Often, support has come from advisory boards or committees. Examples of such committees can be found in Strafford and Belknap Counties, New Hampshire, and in Hampden County, Massachusetts.

It is interesting to note that many of the 18 programs studied by NIJ do not have advisory committees--however all agree that they are valuable and necessary.

In Hampden County, the jail industry program was actually conceived by a member of the advisory board (the head of the local Chamber of Commerce). In Strafford County, a member of the board provided the first private-sector work project for the inmates through her company. In Belknap County, a citizen member of the advisory committee identified a business that developed into the largest client of the industry program--by keeping his eyes open when he traveled throughout the county.

Membership of advisory boards often include representatives from the following organizations and agencies, as indicated in Figure IV.A1.

### **Figure IV.A1: Potential Members of an Advisory Committee**

- County Commissioners
- Sheriff
- Jail Manager
- Jail Supervisory Staff
- Custody and Line Staff
- Inmates
- Customers and Clients
- Business Leaders (Chamber of Commerce)
- Organized Labor
- Educators
- Local and State Legislators
- Inmate Advocacy Groups
- Religious Leaders

Note that many of the entities listed as potential advisors for the program have been previously described as potential **opponents** to a jail industry program; however, **all** of these groups have proven helpful and supportive of jail industries efforts when they have been appointed to a committee.

Consider putting potential **opponents** on the Committee. Give them an opportunity to understand the jail setting better, and to shape the program in a way that satisfies their concerns.

### **Tips for Creating a Committee**

When forming a committee, **attempt to provide a "balance,"** considering such issues as:

- \* areas of expertise,
- \* "communities" that are represented  
(e.g. the labor community, manufacturers  
legal community. service providers),

- \* political affiliations and balance,
- \* geographic location.

Provide the committee with a clear mandate, establishing its assignment and defining its role in policy formulation.

Provide necessary support services, such as mailing and phone calls. If possible, offer to reimburse members for their expenses.

**Figure IV.A2: Tips for  
Forming an  
Advisory Committee**

- \* provide a balanced membership
- \* establish clear mandate
- \* provide necessary support
- \* consider including opponents

**CHECKLIST:**

**A1. TASKS/PRODUCTS:**

(Be sure each of these is fully documented)

\_\_\_ Establish an Advisory Committee

\_\_\_ Create Mailing List

\_\_\_ Establish Committee's authority and mandate.  
Define in Writing

**RESOURCES:**

NIC Jail Resource Manual, Chapter C, Section VI, "Developing a Citizens' Committee."



## **A2. Determine Goals and Objectives for an Industry Program.**

### **(Why start a jail industry?)**

#### **Setting Goals and Objectives**

Clear and reasonable goals and objectives are needed to guide the development, operation and improvement of any jail industry program.

The 18 counties that participated in the NIJ study reported four goals that were common to most programs:

1. Develop inmate work habits or skills;
2. Generate revenues or reduce costs for the county;
3. Reduce prisoner idleness; and
4. Meet needs in the community.

While these four goals were common to most programs, many other goals and objectives were identified in individual programs:

- \* Become self-sufficient
- \* Provide inmates with funds after release
- \* Reduce the jail population
- \* Raise money for charity
- \* Operate program that provides inmates with incentives to participate
- \* Increase sense of responsibility among inmates
- \* Teach work ethic

- \* Reintegrate inmates into society
- \* Provide employment opportunity for inmates after they are released
- \* Reduce recidivism
- \* Avoid competition with state correctional industries
- \* Employ as many inmates as possible

### **Tempering Expectations**

It is important to avoid raising unrealistic expectations of what the program can achieve. Opposition often arises when an industry program is perceived to have fallen short of its objectives. Such opposition frequently reflects misconceptions of the actual objectives of the program; however, it may also be the result of the jail industry manager or other jail administrators having established unreasonable objectives for the program, thereby creating unattainable expectations for what it can achieve. This was the case in Erie County, New York when county legislators closed an agricultural industry failed to become "profitable;" the developers of the program had never set that as a goal, but this standard was applied to it.

When goals are not met, disappointment--and often opposition--can be the result.

For example, a well-intentioned objective for an industry might be "to make money for the county." This might be misinterpreted to promise a "profit" above and beyond the expenses of program operation. When costs are compared to revenues and a profit is not found, opposition can form.

Similarly, it may be risky to make "developing marketable skills" a goal when inmate turnover in the program is expected to be high. Many programs have decided that "developing work habits" is a more achievable objective.

Initial proposed goals and objectives must be examined carefully. Are they achievable? Could they be misinterpreted? If there are no clear, written objectives, they must be developed so that everyone is aware of the program's goals.

It is imperative that everyone understands what the program is really trying to accomplish. Many industry managers have found that meeting with all potential opponents during the development process allows each one to express his or her concerns and to offer suggestions. Often, potential opponents are persuaded to join advisory boards for the jail industry programs, giving them an opportunity to act on their concerns by guiding program operations.

### **Goals and Objectives Evolve**

Take time out to review and adjust your goals and objectives. Seven of the 18 programs surveyed reported that their initial objectives had changed after the program started. The nature of changes varied, including:

- \* de-emphasizing specific work skills in favor of work habits (Hennepin County);
- \* increasing the work week from one day to five (Shelby County);
- \* adding reduced idleness as an objective (Hampden County);
- \* shifting product focus from carpentry and remodeling to furniture manufacturing (Prince Georges County);
- \* shifting focus from education/rehabilitation toward an emphasis on cost-savings (Los Angeles); and
- \* increasing the emphasis on quality (Philadelphia).

### **Tips for Developing Goals and Objectives.**

Goals and objectives can, and should, evolve. Revisit them frequently and do not be afraid to revise them.

Use goals and objectives as a basis for making decisions concerning all aspects of the industry program. This can be a unifying force for the program..

### **CHECKLIST A2 TASK/PRODUCT:**

(Be sure this is fully documented)

\_\_\_\_\_ Clear set of goals and objectives that represent a consensus among policy-setters.

## **A3. Determine What is Allowed by State and Federal Law and What Standards and Regulations Will Apply.**

### **--- Analyzing Laws and Restrictions**

Just as the preceding steps in the initial phase have narrowed the focus of industry development efforts, this step will provide a crucial understanding of what activities are allowed and which are banned.

Statutes and regulations at the state and federal level address jail industries--directly and indirectly. Operating a jail industry that conforms to legal requirements and professional standards is difficult because a jail industry operates in two distinct worlds: corrections and business. Each imposes its own legal constraints and makes its own professional demands on the operation of a jail industry.

There are two legal considerations that jail industry managers must consider in developing and operating a jail industry:

1. Statutes and Regulations. These establish mandatory guidelines for operating a jail industry. While few federal statutes apply to jail industries, many state statutes and regulations are relevant.
2. Court Decisions. These represent judicial interpretations of the statutes and regulations. (Known as case law, these rulings are often mandatory and, unfortunately often vague).

### Examining Statutes and Regulations

The starting point for developing a jail industry is the careful examination of applicable state and federal statutes to make sure that a program will not be illegal.

The Hampden County Jail in Springfield, Massachusetts, illustrates how state statutes were a primary determinant of a jail industry program's philosophy, inmate eligibility guidelines and market. According to law, the purposes of the correctional industries in Massachusetts are training/work experience, benefit to the state, and rehabilitation; as a result, Hampden County concluded that a manufacturing program was necessary, choosing to employ inmates who qualify for off-site work (often inmates nearing the completion of their sentence) because the jail facility did not offer enough space for an effective training and manufacturing operation.

Massachusetts statutes permit manufacturing; as a result, Hampden County chose to manufacture office furniture. State statutes require correctional products to be marketed to Massachusetts state agencies, allow sales to counties and non-profit organizations, and prohibit private industry from contracting for inmate labor; as a result, Hampden County markets its furniture primarily to state and local government, but also offers it to non-profit organizations.

In New Hampshire, statutes allow inmates to be paid but limit private sector contracting for prisoner labor. To work within these boundaries, Strafford County chose to establish a private-sector industry and secure federal certification that allows inmates to be paid the "going wage" and to work on products that are sold out-of-state.

Minnesota statutes allow wages to be paid to inmates, prohibit private contracting for inmate labor, but allow private industries and sales on the open market. Reflecting these opportunities, Hennepin County decided to operate a "job shop" employing inmates at free-world wages and providing services to the private sector. A job shop offers private sector clients access to the inmate workforce through contracts with the County for the provision of specific services.

Many counties have shown creativity in developing jail industries that conform to state legislative constraints; however, common to all of these efforts is an early understanding of, and ongoing attention to, statutory requirements.

### **Federal Statutes and Regulations**

State legislation and regulations provide the starting point for identifying the legal restrictions on a jail industry. However, certain restrictive federal legislation passed in an earlier era is still pertinent. Enacted in response to concerns about unfair competition and inmate welfare, the following federal laws restrict prison--and by inference, jail--industries.

Free venture program. In 1979, Congress amended the laws that restrict the sale of inmate-made goods and interstate commerce, exempting seven states from the prohibitions. This experiment, known as the "Private Sector/Prison Industry" has resulted in a range of private sector initiatives in the original experimental states. The 1984 Justice Assistance Act continued and expanded the private sector initiatives authorized in 1979. Under the Act, up to 20 correctional agencies may be certified for exemption from interstate commerce bans.

As of November, 1989, the following states were certified, or were expected to be certified under the PIE program:

- Alaska
- California
- Colorado
- Connecticut
- Delaware
- Idaho
- Iowa
- Kansas
- Maine
- Minnesota
- Missouri
- Nebraska
- New Hampshire (2 counties)
- Nevada

New Mexico  
Oklahoma  
Oregon  
South Carolina  
Utah  
Washington

Although all twenty certificates authorized by Congress have been awarded, the Bureau of Justice Assistance has interpreted the law to allow any program within the state to participate through association with a state or another county that has been certified; this opens many opportunities for counties. Also, if Congress increases the number of certificates that can be awarded, as requested by the Justice Department, more states can be expected to participate. Therefore, the PIE program should be of interest to all counties.

### Court Decisions

In addition to state and federal legislation, applicable state and federal court decisions should be examined very carefully. While statutes and regulations provide initial guidance, it is often the court system that interprets and, at times, enforces them.

Again, the "two worlds" of business and incarceration in which a jail industry operates complicates the process of gaining a full understanding of pertinent legal issues and court decisions. Jail industry managers must understand the range of issues associated with detention and corrections and must be attentive to the litigation and legal principles applied to the workplace.

Courts examine jail operations for many reasons. As jail industries become more prevalent, increased court scrutiny of industry practices can be expected. As a result, consideration of applicable court decisions and underlying principles are essential during the planning phases of a new jail industry. In addition, continuing attention to new court rulings is necessary to protect jail managers against successful litigation.



### Legal Basis for Court Decisions

A jail industry may be sued or subjected to judicial action for two reasons:

- (1) violation of constitutional rights, based on the interpretation of the federal and state constitutions; and
- (2) violation of statutes and regulations that are interpreted to provide inmates and the private sector with certain rights and protections.

Constitutional rights encompass a very broad range of issues that can be applied to the detention and corrections setting. The primary source of these rights are three amendments to the Federal Constitution: the right to be free from cruel and unusual punishment (Eighth Amendment); the right to equal treatment (Fourteenth Amendment); the right to religious freedom and the right to freedom of speech and assembly (First Amendment).

For example, officials in Strafford County, New Hampshire were concerned that their early jail industries efforts might be challenged on constitutional grounds. First, they were concerned about violating the constitutional protections for "equal protection" extended to female inmates, who were initially offered fewer industries work opportunities than men (this was also true in Philadelphia). Second, the primary workforce for in-house industries was comprised of pretrial detainees, who, under the Fourteenth Amendment, cannot be compelled to work and cannot be punished without "due process." Legal counsel reported that these constitutional concerns were valid. As a result, the program was revised to ensure increased and comparable opportunities for female inmates and require pretrial detainees to document their voluntary participation in the program. In Philadelphia, male and female inmates work side-by-side.

Statutes and regulations are also argued by inmates to entitle them to certain rights. Courts are frequently asked to determine if a federal or state law, or regulation, creates an inmate right or merely vests discretion in corrections managers to allow certain privileges. The "rights vs. privileges" debate continues in the courts.

### **Principal Court Decisions**

The decisions of courts can be classified into two major categories for the purpose of jail industries: Detention and corrections decisions, and Industries and work programs decisions.

Chapter II of the Resource Manual examines legal issues in more detail, summarizing the holdings of key court decisions with regard to:

- Inmate right to work
- Inmate right to refuse to work
- Classification of inmates
- Equal protection and allocation of resources
- Selecting inmate workers
- Assigning inmates to jobs and transferring inmates to other assignments
- Work environment
- Inmate compensation
- Disposition of wages
- Reduction of sentence/good time

Chapter II also discusses statutes and regulations in more detail.

### **State Regulatory Standards**

Usually developed and implemented at the state level, regulatory standards establish minimum levels of acceptable performance. To that end, they are often less stringent than their professional counterparts. However, state regulations are usually more detailed than professional standards in order to facilitate inspection and verification of compliance.

Regulatory standards governing jails. Most states have established mandatory standards to regulate jail operations. More than eighty percent of all states have promulgated jail standards; most states have made these standards mandatory and have created provisions for inspection and enforcement. These standards are often based in part on professional standards as well as state statutes and applicable case law. Unfortunately, state standards that are designed to provide minimum levels of operation are sometimes viewed as the maximum level of operation by cost-conscious county officials.

Regulatory standards for jails are written for protection; the establishment of minimum performance levels and the facilitation of inspection and enforcement are intended to provide basic protection for operating agencies, jail staff, inmates and the public.

Relevance of regulations for jail industries. Issues associated with jail industries and the workplace are not fully addressed in most state jail standards. However, in most states jail standards identify (and sometimes incorporate) regulatory requirements from several state agencies that will apply to any jail industry, including:

- \* building codes,
- \* life safety codes, and
- \* health, sanitation, and plumbing codes

Because each of these codes has a special meaning in the jail industries context, managers need to research their full impact and implications for the particular work program they plan to establish.

There are still other state regulations with direct applicability to a jail industry that are often not identified at all in jail standards. The most important of these are:

- \* labor and employment standards,
- \* workplace safety regulations (such as those enforced by your state OSHA agency),
- \* worker compensation standards, and
- \* worker training standards.

To learn about these standards, the jail industries developer must "think like a business person," not a jailer.

### **Voluntary "Professional" Standards**

Another operational foundation for developing and running a jail industry is offered by the voluntary standards professional organizations have developed at the state and national level.

Professional standards for prison and jail industries have been developed by the American Correctional Association. These standards are typically broad in scope and are often general in their language because they are intended for adoption by a national audience with widely differing needs and resources. In addition, the primary purpose of professional standards is the provision of guidelines to promote improved operations rather than mandatory conditions. As such, professional standards offer important goals for corrections, not minimum levels of required performance.

### **Tips for Determining What is Allowed.**

Start with your local resources. Find out who is responsible for providing legal assistance to your agency, and approach him/her to outline your needs and to develop a joint strategy.

Use regulatory personnel as **resources** during the development process. They are the best in the their field, and can give you realistic interpretations before you make a mistake.

Be thorough. Do not let time constraints inhibit your research. Remember--if you miss something at this stage, it can cost you in many ways later (time, money, credibility).

## **CHECKLIST**

### **A3. TASKS/PRODUCTS**

- \_\_\_ Analysis of statutes and regulations.
- \_\_\_ Analysis of pertinent court decisions
- \_\_\_ Analysis of state standards/regulations.
- \_\_\_ Analysis of professional standards.
- \_\_\_ Summary statement of "what is allowed."
- \_\_\_ Summary statement of what needs to be changed

## **RESOURCES:**

Jail Industry Resource Manual, Chapter II, Page 37

NIC Jail Resource Manual (Fourth Edition), NIC

Detention and Corrections Caselaw Catalog, CRS, Inc.

## A4. Determine Who Should be Served by the Program-- Public vs. Private Customers

In the initial phase of development, a key parameter will be established when the **range** of potential customers is defined. As Table 2 shows, of the 18 industry programs that were studied:

- 2 serve only the private sector
- 13 serve only the public sector
- 3 serve both public and private clients

This decision not only involves policy considerations, but also must consider the legal parameters defined by state and federal laws, as examined in the previous component step.

Finding the correct answer to the "customer" question will require careful weighing of many diverse considerations--some of which are clearly political in nature. It is during this process that a well-balanced advisory committee will prove helpful.

### Tips for Determining the Type of Client

First, and most important, **involve** a variety of parties in this key decision.

**Start by considering the private sector**--because this customer is most likely to evoke the most opposition. Determine first if this is **possible** (see A3) and identify any parameters (e.g. sales within the state only, sales only to private non-profit).

Next, consider the **feasibility** of private sector customers and partners. Often, the potential to work with the private sector will depend on the political climate as well as legal considerations. The two most likely opponents to private sector customers will organized labor, that might fear displacement, and the private sector itself, which may fear unfair competition.

Meet these potential opponents "head on" by approaching their representatives with the concept. Give them time to discuss it with their colleagues, and then meet to discuss their concerns, ways to address concerns, and to find common ground.

If the private sector option survives the preceding analysis, it is then time to determine the internal feasibility--whether the county and the jail can reasonably serve such clients. One of the key considerations here will be the **expectations** that private sector clients will bring to the process--such as timeliness and quality control. Consider if these can be met, or tempered through contracts.

As the chart on the following page indicates, there are many advantages and disadvantages associated with **both** private and public ventures.

**Consider the public sector.** Weigh the advantages and disadvantages. Determine what, if any, revenue can be generated to at least offset program costs. As with the private sector, float the concept with public sector officials and organized labor. Secure their reactions and try to work out common ground for their concerns.

**Consider both.** The solution for some jails might be a hybrid program that serves both the public and private sector. Several of the programs studied by NIJ adopted this approach.

## **CHECKLIST**

### **A4. TASKS/PRODUCTS:**

\_\_\_\_ Make a decision about the types of customers to be served. (Be sure to document the process used to reach the decision, and the rationale for it.)

## **RESOURCES:**

Jail Industry Resource Manual, Chapter V, Page 125.

## Advantages/Disadvantages of Public vs. Private Sector

### Advantage

### Disadvantage

#### Private

Generates Real  
Work

Imposes Real Demands

Generates Real  
Income

More Likely to Threaten  
Other Private Suppliers

Creates Real Jobs,  
Potential Post-  
Release Jobs

Most likely to Threaten  
Organized Labor

Contributes to local  
Tax Base

Requires additional reporting

Increases market  
potential

#### Public

Builds good will  
among public  
agencies

You can't take good will to  
the bank

Less expectation for  
production/timing

Less likely to be "real" work  
setting and demands

Less fears of  
displacement of  
release employment

Less opportunity for post-  
of workers

Good use of existing  
resources

Viewed as unfair competition by  
private sector suppliers

Limited market



## **A5. Determine the Types of Inmates Available to Work. Analyzing the Inmate Population**

**Two Steps.** The process of identifying and eventually selecting inmate-workers should be divided into two distinct steps:

- A5. Analyze the inmate population to determine the characteristics of potential inmate-workers and to identify the potential workforce; and
- B3. Determine who will be eligible to work, based on classification, security and other considerations, and create a process for selecting workers.

Dividing the process into these steps can save time, and can reduce frustration during the development process. For instance, if a county tried to implement step two (determine who is eligible) in the initial phase, they would quickly find that too many other dependent decisions have not yet been made--eligibility will be tied to the type of product or service to be provided, compensation provisions, and other decisions that will not be made until the second phase.

### **Analyze the Inmate Population**

During the initial phase of jail industry development, the first efforts to determine the inmate "workforce" should focus on establishing a clear understanding of the characteristics of potential inmate-workers. Several key characteristics should be studied:

- education levels
- prior work history and habits
- skills and aptitudes
- length of stay
- security classification
- motivation
- behavior while confined

Industry managers warn that findings may be alarming. Jail inmates may not turn out to be ideal employees. Managers have

reported the following problems with inmate-workers:

- low education levels
- low motivation
- no work ethic
- poor work habits
- poor health
- impulsive behavior
- lack of skills
- lack of purpose or direction
- low self-esteem
- lack of concentration

Do not be discouraged by the results of inmate research. Remember that most industry programs are designed to address these chronic problems in a group that is typically very difficult to employ.

### **Tips for Determining Types of Inmates Available to Work.**

**Be realistic** as you interpret the information that is collected. Although some programs effectively use inmates who are confined for as little as two weeks, short-term inmates are usually difficult to employ in the industry program.

Create a "**profile**" of potential inmate-workers, describing their characteristics and estimating the number that would typically be available to work.

### **CHECKLIST**

#### **A5. TASKS/PRODUCTS**

- \_\_\_\_ Research report on inmate characteristics.
- \_\_\_\_ Profile of inmates who might be suitable for industry programs.
- \_\_\_\_ Statement of characteristics of inmate workers to be used, and estimates of numbers

### **RESOURCES**

Jail Industry Resource Manual, Chapter IV, Page 95.

## **A6. Determine Methods for Motivating Inmates Will they be Paid?**

Another initial "watershed" decision determines whether inmates will be paid for their efforts. In the 18 pilot industry programs studied, half pay inmates wages, but only three could be said to pay a prevailing wage (see Figure I.2). A variety of wage systems can also be considered, including a piece rate, hourly or daily wages.

Often, this decision is based more on policy and political considerations than on economics. To reach this decision, it is first necessary to consider the full range of methods that have been, and can be used to "compensate" inmates.

Some of the non-monetary incentives used include:

- limited free commissary
- extra good time
- special meals and meal times
- extra hours of TV viewing
- extended telephone privileges
- furloughs
- working assignments outside of the jail
- civilian clothes privileges
- extra uniform changes
- preferred housing assignment
- extended gym and recreation time
- involvement of inmates in improving operations
- reduction of fines
- outside meals and "treats"
- freedom of movement

Inmates can also be motivated to participate in programs because of less immediate occupational benefits, such as:

- opportunity to learn skills
- vocational training certificates
- job placement opportunities
- position advancement
- developing a work record or history.

These issues and options are described in more detail in Chapter III of the Resource Manual.

**CHECKLIST**

**A6. TASKS/PRODUCTS:**

\_\_\_ Determine primary methods for motivating inmates.

**REOSURCES:**

Jail Industry Resource Manual, Chapter VII

## **A7. Determine Where Work Can Occur. Inside or Outside the Jail?**

Another basic initial decision, the general location of jail industry activities, will have a dramatic impact on subsequent development issues. For example, a location that is inside the security perimeter will limit the types of materials that can be used in the program. When Hampden County decided to locate its manufacturing operation away from the jail, it limited the potential workforce to inmates who qualified for community custody.

Many counties are experiencing overcrowding, and may therefore feel compelled to locate industry operations outside of the facility. Before making this decision, be sure to fully consider all possible locations within the perimeter, or on the jail site. Remember that some jail industry programs require very little space.

### **Nine Jail Industries That Can Be Operated in a Closet (...or in existing spaces)**

- \* Data Entry
- \* Mailing
- \* Disassembly of Small Items
- \* Assembly of Small Items
- \* Sewing
- \* Engraving
- \* Shoe Repair
- \* Refinish Small Furniture Items
- \* Clothing Repair

## **CHECKLIST**

### **A7. TASKS/PRODUCTS:**

- \_\_\_\_ Determine if jail industry program will be operated-
- within perimeter
  - outside perimeter but on site
  - away from site
  - in more than one location

## **A8. Identify Sources of Financing for the Programming Funding Sources and Limitations**

While many jail industry programs strive to be "self supporting," most require initial funding for either personnel or capital costs--or both. As the concept of the jail industry is being refined, it is necessary to consider potential sources of funding. The programs studied by NIJ tapped a variety of funding sources, including:

- county funds, including initial capital costs and establishment of a "revolving fund,"
- private funds, including loans from private banks
- state funds
- federal funds for pilot programs (U.S. Department of Justice)
- federal/state funds through the Private Industry Council

The amount of funding required varied significantly. Hampden County secured a \$15,000 bank loan and a \$30,000 line of credit from a local bank. Kennebec County started its program with surplus materials and existing personnel, as did Miami/Dade County.

In Prince Georges County, the \$25,000 needed for capital costs was provided equally by the county and the private industry council. Cook County attempts to tap grants from private industry. Philadelphia has established a revolving fund for the industries program.

By determining where (and even if) funds are available, another key foundation decision will be made--narrowing the scope of subsequent development efforts.

### **CHECKLIST**

#### **A8. TASKS/PRODUCTS:**

\_\_\_ Identify potential sources for funds.

\_\_\_ Estimate financial resources that could be available from each source.

## **A9. Identify Sources of Assistance**

### **WHO CAN HELP?--Identifying and Involving Resources**

**Using Resources to Improve Jail Industries.** Developing and operating a jail industry requires the assistance of diverse resources because a jail industry operates in two distinct worlds: corrections and business. Each imposes different requirements and constraints on the operation of a jail industry; each requires different expertise to address these challenges.

When NIJ assembled industry managers in an effort to learn from their experiences, they reported that they had successfully met the complex needs of jail industries only through the creative use of a diverse array of resources. For example, these managers frequently ventured into the private sector to secure information and support to develop and improve their industry.

In Hampden County, Massachusetts, the industries manager relies on the "business advice" of a retired insurance company executive for regular guidance and evaluation. In Middlesex County, New Jersey, the local Chamber of Commerce supports the industry program by participating in an advisory capacity, guiding marketing and product selection decisions. Other critical resources have been secured through the Small Business Administration (SBA), such as access to volunteers in the Service Corp of Retired Executives (SCORE). Prince Georges County, Maryland, has found that the local Private Industries Council (PIC) can play a central role in jail industries.

### **Resources for the Jail Industry**

Chapter 1 of the Resource Manual provides detailed guidance for identifying and using resources to develop and operate a jail industry program. The text identifies types of resources that can be tapped, including:

#### **General Resources**

- (1) Published Materials
- (2) Community Resource List
- (3) Resources for Assistance with Legal Issues

- (4) Types of Resources Available Locally, at the State Level, and Nationally
- (5) Specific Organizations and Agencies

The text also describes specialized resources (such as volunteers) and identifies resources that can help the program to "stay current."

## **CHECKLIST**

### **A9. PRODUCTS:**

\_\_\_\_ Inventory/List of Resources that Can be Used.

## **RESOURCES:**

Jail Industry Resource Manual, Chapter 1, Page 9.

NIC Jail Resource Manual (Fourth Edition), National Institute of Corrections, Boulder, Colo. 1989.



## **B. DEVELOPMENT TASKS**

Ten activities should be completed during this second phase of development of a jail industry program:

### **B. DEVELOPMENT TASKS**

- B1 Determine Who Will Manage and Supervise the Program
- B2 Determine How to Coordinate with Jail Programs, Security and Classification
- B3 Determine Who Will Work and How they Will be Selected
- B4 Create Methods for Compensating Inmate-Workers
- B5 Identify Potential Customers and a Process for for Selecting Products and Clients
- B6 Find a Place(s) for the Program to Operate
- B7 Plan to Manage Risk
- B8 Prepare an Evaluation Plan
- B9 Prepare a Budget and Revenue Projection
- B10 Obtain Start-Up Funding

These are reviewed and discussed in the following pages. Readers should remember that the sequence of implementation within this phase is not as important as implementing these activities initially.

All of these activities build on the foundation decisions from the first phase.

## **B1. Determine Who Will Manage and Supervise the Program**

The managers of the 18 programs surveyed by NIJ agreed that one of the most crucial decisions made during the development phase is the identification of the type of manager that is needed to operate the program.

Chapter V of the Resource Manual examines the skills and characteristics that should be considered (page 114). In considering this issue, it will be necessary to begin to design the overall organization and management structure of the program.

It is possible--if not likely--that the industry program can be managed with existing personnel. This was the case in Belknap County, New Hampshire, where the program director was assigned responsibility for the industry program. She manages the program, using other facility staff and volunteers to supervise production. This was also the case in Miami-Dade County.

Some programs involve volunteers actively as managers and supervisors. They have proven to be a viable source of assistance.

### **CHECKLIST**

#### **B1. TASKS/PRODUCTS:**

\_\_\_ Initial organizational plan for program.

\_\_\_ Draft job description for industry manager and for other key positions.

### **RESOURCES:**

Jail Industry Resource Manual, Chapter V.

## **B2. Determine How to Coordinate with Jail Programs, Security, and Classification**

One of the most serious problems reported by jail industry managers is the resistance of security staff and existing program personnel to the creation and operation of an industry program. Creating the program requires change--and jails, like most organizations--resist change.

Chapter III of the Resource Manual begins with an analysis of methods that can successfully balance security, programs and industries (page 83). In Chapter IV, linkages with education and training programs are examined in more detail (page 97).

Most of the 18 programs studied by NIJ reported close working relationships with other jail programs. In some jails, the industry program is a subsidiary of the overall program division; in others, it is a separate entity.

It is important to work out relationships, deal with "turf" issues, and secure a common commitment to the industry program at this point in its development.

### **CHECKLIST**

#### **B2. PRODUCT:**

\_\_\_\_ Describe industry program relationships with other programs, security, and classification.

### **RESOURCE:**

Jail Industry Resource Manual, Chapters III and IV.

## B3. Determine Who Will Work and Establish Selection Criteria

As introduced in Step A5, this is the second component of the inmate-worker selection process. While the first step involved analyzing the inmate population to determine the characteristics of potential inmate-workers and to identify the potential workforce, this task determines who will be eligible to work, based on classification, security and other considerations.

Chapter IV of the Resource Manual examines a range of inmate worker selection issues and techniques (page 95).

Most of the 18 industry programs studied by NIC placed the inmate classification in a central, pivotal role with regard to determining inmate worker eligibility. In Hennepin County, daily classification team meetings determine which inmates are eligible for outside work crews. In Hampden County the classification board controls inmate eligibility. Similar relationships have been developed in Middlesex County and Philadelphia.

Eligibility requirements for inmates participating in the 18 programs include (in order of frequency):

- security clearance
- medical clearance
- clearance by program personnel
- classification interview
- physical and mental ability
- past experience
- interest in industry area
- willingness to cooperate
- sentence status/length of sentence
- application/interview process
- minimum days left on sentence
- certain crimes not eligible
- escape history
- judicial determination

- level of education
- ability to complete program
- pre-assessment program

During this step in the development process it is necessary to focus more clearly on the characteristics of the inmate worker population. This is necessarily done in concert with business planning efforts, as potential products, services and markets are identified.

**CHECKLIST****B3. PRODUCTS:**

\_\_\_\_ Outline of inmate worker eligibility criteria.

\_\_\_\_ Estimate numbers of eligible inmates.

**RESOURCES:**

Jail Industry Resource Manual, Chapter IV.

## **B4. Create Methods for Compensating Inmate-Workers.**

Step A6 examined ways that inmates will be motivated to participate in the industry program. This step requires **specification** of all incentives and compensation, along with a determination of the extent to which inmates will be required to contribute toward the costs of the program.

Most programs that pay inmates at least control their earnings, and many require inmates to pay for the costs of their confinement. Most deduct social security and taxes.

Strafford County is an example of one of the more aggressive approaches to inmate compensation and assessment of costs. Inmates are paid "going wage" for their private sector efforts, earning up to \$8/hour based on the level of their production. 60% of their earnings are deducted to offset the costs of the program, for a victim assistance fund, and for room and board costs. The remaining funds are closely controlled to ensure that family support, fines and restitution are paid.

If inmates are not going to receive financial compensation, it is **still** necessary to determine specific procedures for awarding, controlling and accounting for their "compensation." The following list provides **some** of the methods that have been used to motivate inmates to work:

- \* extra access to commissary or limited free purchases
- \* extra good time
- \* special meals and meal times
- \* extra hours of TV viewing
- \* later "lights out" time
- \* extended telephone privileges
- \* furloughs
- \* working outside the jail
- \* civilian clothes privileges
- \* extra uniform changes
- \* preferred housing assignment
- \* opportunity to learn skills

- \* extended gym and recreation time
- \* inmate suggestions into program operations
- \* reduction of fines
- \* outside meals and treats (e.g. fast food shop,  
ice cream parlor)
- \* freedom of movement (trusty status)

### **CHECKLIST**

#### **B4. TASKS/PRODUCT:**

\_\_\_\_ Specify inmate compensation and cost assessment policies and outline procedures.

### **RESOURCES:**

Jail Industry Resource Manual, Chapter IV.

## **B5. Identify Potential Customers and Create a Process for Selecting Products and Clients**

In the initial phase of development (A4) decisions were made that determined potential markets and customers (public vs. private). Part of the formula for selecting the appropriate product or service is to identify customers that want or need that product/service.

Jail industry managers have analyzed their customer/product selection process and offered advice. They identified their three best customers as: city and county agencies; non-profit, tax exempt agencies; and the private sector. Criteria for determining which customers are the "best" included:

- cost effectiveness
- accessibility to services or goods
- avoid bidding process
- non-threatening (to unions)
- customer support

Managers described the special attributes of the private sector as a customer in terms of product-orientation (rather than service), costs/revenue, and volume. Chapter V of the Resource Manual describes methods that can be used to identify potential customers and make appropriate decisions.

### **Product or Service?**

During the initial phase, research determined what customers could be served and identified any limits or restrictions that are placed on options by law. At this point it is necessary to again narrow the scope of planning and development by determining whether the primary outcome from the program will be a product or a service. Of course, this decision must be made in consideration of many of the prior steps implemented (available inmate labor and corresponding characteristics, market interest, space constraints, etc.).



Table 2 describes the output of each of the 18 programs studied by NIJ, underscoring the diversity of practice in the field.

Chapter V of the Resource Manual describes methods that can be used to identify potential customers and make appropriate decisions.

### **Tips for Identifying and Selecting Customers and Products**

As a public agency, a jail must approach customer identification and product selection in a "public" and open manner. Such an approach perhaps reached a high point in Strafford County. There, county officials decided to openly "advertise" their resource, through an aggressive public information campaign that included mailing a "prospectus" to all companies and towns in the county.

Another excellent resource is your county purchasing office. By jointly reviewing the list of commodities--and services--purchased by county agencies a match can often be made between the needs of the county and the capabilities of the jail.

As specific proposals or options are received by the county, it will be necessary to screen each one and to eventually make choices. Again, because counties are public entities, it is important to be open, careful and fair in these decisions. Some counties have found that it helps to establish specific **selection criteria** prior to looking for customers. A list of criteria can be established, and even weighted, that allows each option to be fairly evaluated.

### **Some Potential Criteria for Screening Potential Products or Services**

- \* Size of potential market
- \* Ease of production
- \* Amount of equipment needed
- \* Need for space
- \* Security hazards
- \* Health and safety risks
- \* Job skills required
- \* Skill relevance

Chapter V of the Resource Manual provides additional insights into the screening and selection process. It notes that after the initial screening has been completed, a "revenue analysis" should be conducted for an industry that has been tentatively selected. The analysis, which will determine of the product or service will provide sufficient financial support, including consideration of:

- \* Sales volume
- \* Cost of materials
- \* Utility costs
- \* Cost of equipment
- \* Miscellaneous expenses

## **CHECKLIST**

### **B5. TASKS/PRODUCTS:**

- \_\_\_ List (weighted) of Criteria for Selecting Customers and Products
- \_\_\_ List of potential customers and needs.
- \_\_\_ Strategy for Identifying Customers.
- \_\_\_ Determination of whether primary focus will be on products or services.
- \_\_\_ Description of rationale for reaching the decision.

## **RESOURCES:**

Jail Industry Resource Manual, Chapter V.

## B6. Find a Place for the Program to Operate

### (Where can Space be Found?)

Step A7 determined the **general location** for industry operations. This step determines specific spaces that will be used to implement industries.

Programs have used creative approaches to finding space for a jail industry. In addition to using space away from the facility or on the site, a variety of spaces have been used, often shared with other activities. These include program areas, vestibules and underutilized areas, and even dayrooms.

Sometimes, industry space increases from a small foothold as the program proves itself. In Strafford County, New Hampshire, the first location was a single, small room in the program area. Very soon production activities, and corresponding recognition of success, prompted the industry to be expanded into an adjacent multi-purpose room that was used for dining and programming. When a major contract offered substantial growth for the industry program, the indoor exercise yard was allocated for an entire summer while an adjacent building (formerly a cow barn) was renovated (with inmate labor) and brought inside the security perimeter.

#### CHECKLIST

##### B6. TASKS/PRODUCTS:

\_\_\_ Determine space(s) to be used for program.

\_\_\_ Create a Written Description of the Space(s) Noting Physical Characteristics (e.g. light, ventilation, area, utilities)

#### RESOURCES:

Jail Industry Resource Manual.

## **B7. Plan to Manage Risk (How Can We Manage Liability?)**

### **Managing Risk in Detention and Corrections**

Because jail industries operate in two dimensions--secure detention and the business environment,--jail industries run many more risks than do normal businesses. If not anticipated and neutralized, the risks can easily kill a program or subject the jail to costly litigation. Now is the appropriate time to consider, and incorporate risk management techniques.

**Risk management** is designed to protect an organization against losses-which have the following special meanings:

- \* injury to staff, prisoners, or the public;
- \* breach of safety and security practices;
- \* involvement with costly litigation;
- \* reduction of, or loss of, insurance coverage.

These can be considered "losses" in the sense that they may cause human suffering, cost the jail money, or bring it adverse publicity--a loss of reputation. Further, when jail industries are considered the loss of the jail industries program must also be a concern. If risk is not properly managed, the program may become too costly in political terms, causing officials to terminate operations.

Risk management refers to the development and implementation of procedures to prevent these losses from happening. Risk management typically involves the following steps:

- \* identifying and analyzing exposures to loss
- \* examining the feasibility of alternative ways to eliminate or minimize exposure
- \* selecting the best technique(s)
- \* implementing the chosen technique(s)
- \* monitoring and improving the techniques

In jails, risk management necessarily includes special attention to the legal liability of the facility and taking steps to reduce liability. Liability in a jail industry may include: negligent hiring; negligent retention; failure to direct; negligent assignment; failure to supervise; negligent entrustment (letting the wrong kind of staff or inmates undertake certain tasks); and failure to train.

These seven types of liability apply to both industry staff and to inmate workers. For example, a jail may be used if it retains negligent industry supervisory staff or if it retains work inmates who have shown themselves to be negligent in the use of dangerous equipment.

Chapter II of the Resource Manual provides resources for developing a risk management plan (page 57). Use these materials to develop a risk management plan that can be incorporated--from the beginning, into all facets of the industry program.

## **CHECKLIST**

### **B7. TASKS/PRODUCTS:**

\_\_\_\_ Create a risk management plan.

## **RESOURCES:**

Jail Industry Resource Manual, Chapter II.

## B8. Prepare an Evaluation Plan

Evaluation takes on a special significance in the context of jail industries for **two** reasons: first, industries are more vulnerable to criticism and termination because they are an "optional" activity; and second, because jail industries must satisfy the demands of the "two worlds"--corrections and business.

Jail industry managers are almost unanimous in their **regrets** about evaluation. Most are sorry that they did not take the time (or have the opportunity) to make ongoing evaluation an integral part of industry operations before programs started. They know that going back and establishing an evaluation program during operations is very difficult.

Chapter VII of the Resource Manual is devoted entirely to evaluation issues and techniques. Use the Manual to guide efforts now to create an evaluation plan.

### CHECKLIST

#### B8 TASKS/PRODUCTS

\_\_\_ Create an Evaluation Plan

### RESOURCES:

Chapter VII, Jail Industry Resource Manual

## **B9. Prepare a Budget and Revenue Projections**

One of the primary benefits a jail industry offers is the ability to generate revenue and/or save money. Additionally, if outside sources of funding are to be sought it will be necessary to demonstrate how loaned funds will be repaid. This requires the establishment of project budgets and revenue projections.

The projections should include all sources of income/savings and a complete inventory of anticipated expenses such as supplies, materials, equipment, salaries, etc. Projections should extend out 3 to 5 years. Be sure to include start-up funds you will need.

In Hampden County, Massachusetts, a formal business plan was prepared by a consultant and presented to a local bank, resulting in the granting of a loan to the jail industry program.

### **CHECKLIST**

#### **B9 Preparing Budget**

\_\_\_ Prepare a budget.

\_\_\_ Project revenues

### **RESOURCES:**

Jail Industry Resource Manual, Section V

## **B10. Obtain Start-Up Funding**

This step will require you to examine the potential sources of funding identified in step A8. Determine which of these sources is most likely to support your efforts and develop a strategy for approaching the source (how to approach, who should make contact).

If you hope to obtain start-up funding from a private source, such as a bank, you will need to emphasize your financial position during your presentation. If you are seeking a private sector "partner" (customer) you should emphasize the jail's ability to meet the production and quality needs of the customer.

If you are seeking county funds for start-up expenses you must emphasize the many ways in which the county will benefit from the program, such as new sources of labor, or new sources of cost reimbursement for confinement.

Presentations should be made by the person who is most familiar with the proposal. Others who may have specific information or insights to share might be incorporated into the presentation. Usually, it is best to keep presentations short and simple; limit your remarks to information that your audience need to know to make a decision.

### **Tips for Presenting a Request for Start-Up Funding**

Be prepared to make multiple presentations. You may have to take your case to more than one individual or group.

Don't limit your potential sources of start-up funding to one source.

Stay with it--keep presenting your proposal until you find one or more sources that will meet your needs.

Incorporate feedback that you receive from your first presentations into your subsequent efforts; be flexible and learn from your efforts.



## **CHECKLIST**

### **B10. TASKS/PRODUCTS**

- ☐ Determine which sources are most likely to fund the program.
- ☐ Determine who will make presentations.
- ☐ Prepare presentation--including audio visual aids (charts, diagrams, samples)
- ☐ Make presentation(s).
- ☐ Evaluate presentations.
- ☐ Incorporate feedback into your business plan and presentations.

## **C. IMPLEMENTATION** **ACTIVITIES**

Seven sets of tasks comprise this final phase that should precede opening a jail industry:

### **C. IMPLEMENTATION ACTIVITIES**

- C1 Schedule Implementation Activities
- C2 Develop a Work Schedule
- C3 Prepare Policies and Procedures for Operations,  
Record-keeping and Book-keeping
- C4 Train Staff and Inmates
- C5 Start Limited Operations
- C6 Evaluate and Modify Initial (Limited) Operations
- C7 Expand to Full Operations

Managers of jail industries report that they have "skipped" some of these steps in their haste to start a program--only to wish they had taken the extra time.

## C1. Schedule Implementation Activities--Establishing an Overall Schedule

To ensure that development efforts do not languish, and to avoid establishing unrealistic expectations, an overall schedule for starting the industry program must be created.

The development process--from initial conception to the first day of production--can take a few months, or several years. The time frame will depend on several factors, including but not limited to:

- the commitment of key policy-makers to the concept;
- the allocation of personnel for development;
- the complexity of the program that is developed; and
- the amount of support generated and opposition encountered.

Develop a reasonable, but persistent calendar for the initialization process, using the final 4 steps as an indication of the scope of work that must be accomplished.

### Creating an Action Plan

After establishing an overall schedule, a detailed plan of action--or "action agenda" can be created to guide subsequent efforts. An action agenda defines key elements of the next phase by: - recording specific tasks to be implemented;

- establishing deadlines for completion of each task;
- assigning primary responsibility to an individual for completing each task; and
- identifying others who will be involved in completing each task.

Chapter VII of the Resource Manual provides an example of an action agenda format that can be adapted for this purpose. Also, the **checklists** at the end of each step can be formatted to be used in the development of action plans.

## **Tips for Developing an Action Agenda**

Be realistic when establishing deadlines--but be aggressive in scheduling as well. Find the proper balance point for timing the activities, ensuring timely but careful completion.

### **CHECKLIST**

#### **C1. TASKS/PRODUCTS:**

\_\_\_ Overall schedule for initiating the program.

\_\_\_ Action Plan for Final Activities

### **RESOURCES:**

Jail Industry Resource Manual, Chapter VII

## C2. Develop a Work Schedule

Finding time for jail industries in a crowded jail schedule can be a difficult task. Most jails are already hard-pressed to find enough hours in the day to operate other programs and to provide required services and activities.

Determining the amount of time available for inmate work is necessary at this stage of the development process so that the extent to which it limits production capability can be considered as operations are specified.

Most industry programs attempt to create a "normal" work day/week for participants. This is rarely achieved because of the constraints of jail operations and security requirements. Hennepin County has been able to approximate a typical work day with one of its crews. Strafford County operates programs from noon until 6:00 p.m. to allow mornings and evenings for other programs and activities. Prince Georges County, Milwaukee County, Middlesex County, Philadelphia, Dade County and Orleans Parish also approximate a "real" work day.

### Tips for Developing a Work Schedule

**Be creative!** Do not be limited by traditional approaches. If your daily schedule is too crowded, look at the weekends, or a "off" periods of the day.

Consider adapting certain security operations to the special needs of the jail industry. For example, if all inmates are required to report to their housing unit for regular "counts," determine if the industry inmates can be counted just as easily (and more efficiently) by remaining at their workplace.

If your daily schedule seems too crowded, take a hard look at it. The NIC Staffing Analysis Workbook for Jails offers some exciting new techniques and tools for improving daily schedules. It also suggests ways to improve inmate supervision with increasing staff. For example, a county may find that it is spending an enormous amount of time each day providing outdoor exercise for inmates; one way to reduce the impact of exercise on the daily plan is to combine groups of inmates who may safely exercise at the same time. Similarly, "lessening" the absolute separation of male and female inmates can free up significant time--and staff.

**CHECKLIST****C2. TASKS/PRODUCTS:**

\_\_\_ Evaluate current daily schedules for the jail.

\_\_\_ Determine the initial work schedule for inmates.

**RESOURCES:**

Staffing Analysis Workbook for Jails, NIC. (several forms are particularly useful).

## C3. Prepare Policies and Procedures for Operations, Record-Keeping and Book-keeping

Jail managers know the value of guiding daily operations with written policies and procedures. The jail industry program should not begin until certain basic issues are addressed in policies and procedures.

Chapter III of the Jail Industry Resource Manual describes the need for policies and procedures in detail, outlining techniques and providing samples. An appendix to the Manual provides a complete set of sample policies and procedures.

While some jail industry managers suggest that it is possible to open a new program without all of the policies and procedures described in the Manual, all agree that certain basic ones must be in place before opening. These include:

- \* Administration and Organization
- \* Staff Training and Job Descriptions
- \* Recruiting, Selecting and Training Inmate-Workers
- \* Supervising Inmate-Workers
- \* Evaluation and Termination of Inmate-Workers
- \* Compensation of Inmate-Workers
- \* Records to be Maintained for the Operation
- \* Bookkeeping Practices
- \* Production Practices

The Manual offers many helpful tips for developing meaningful policies and procedures.

## **CHECKLIST**

### **C3. TASKS/PRODUCTS**

\_\_\_\_ Outline Specific Policies and Procedures Needed Prior to Opening the Program

\_\_\_\_ Develop Draft Policies/Procedures

\_\_\_\_ Secure Comments and Revise

\_\_\_\_ Print and Distribute Policies and Procedures

### **RESOURCES:**

Chapter III, Jail Industries Resource Manual

NIC Policy and Procedure Workbook for Jails



## C4. Train Staff and Inmates

Chapter IV of the Resource Manual addresses training issues for inmate-workers. As with the "business" world, workers must be fully trained for their responsibilities--not only to ensure their productivity, but more important to ensure their safety. Similarly, staff who are involved with the program (including volunteers) must be trained in safety practices and must be fully conversant with policies and procedures.

It is important to plan training efforts well in advance. This will help to ensure that adequate time and resources are available before a program opens. Staff may need to be trained in **both** correctional supervision techniques and technical production methods. Local agency trainers are the most logical source for security and custody training while other industry managers, business managers, business educators and even vendors may be good sources for technical production training. Once your staff is properly trained they can help your inmates to develop necessary skills on-the-job.

Training is an ongoing activity that is made even more frequent by the unusual rate of turnover that is inherent in an inmate workforce.

### CHECKLIST C4 TASKS/PRODUCTS

- ☐ Identify Specific Training Needs.
- ☐ Identify Training Resources.
- ☐ Develop a Specific Training Plan.
- ☐ Develop Training Materials/Aids.
- ☐ Deliver Training
- ☐ Evaluate Training

**RESOURCES:** Chapter IV, Jail Industry Resource Manual

NIC Policy and Procedure Workbook for Jails

## C5. Start Limited Operations

Many counties have found that starting "small" is a safe and effective strategy. They have opened up a small-scale, or partial version of their industry program, allowing opportunities for training, evaluation, and modification. This can be accomplished by obtaining a few start-up orders and letting the customer know that their feedback will be very valuable.

As you and your inmate workers become more familiar with the industry program, your abilities will increase, allowing you to move steadily toward full production.

While it is possible to start operations in an informal or "ad hoc" basis, this is not advised. Key policies and procedures must be in place prior to initiating any program.

### CHECKLIST

#### C5. Start Limited Operations

- \_\_\_ Determine which components of the program will be opened first.
- \_\_\_ Obtain limited start-up orders/work.
- \_\_\_ Evaluate and adjust operations
- \_\_\_ Move toward full production.

### RESOURCES:

Jail Industry Resource Manual, Section VI.

## C6. Evaluate and Modify Initial Operations

Immediately after starting initial operations, establish several key checkpoints, at which you will formally evaluate operations. Typically, these might occur on a monthly basis during the first three months. These evaluative activities should have been specified in Step B8 (Evaluation Plan).

Be sure to take the time to evaluate the first weeks of operation. Seek broad input from all parties involved with the program (customers, inmate-workers, correctional staff). Look for problems that have occurred and forge solutions.

Adjust operations based on each evaluation, and continue.

### Checklist

#### C6. Evaluate and Modify Initial Operations

- \_\_\_ Establish evaluative schedule/checkpoints.
- \_\_\_ Create evaluative criteria.
- \_\_\_ Collect information and insights.
- \_\_\_ Analyze findings and identify problems.
- \_\_\_ Modify operations to solve problems.

### RESOURCES:

Jail Industry Resource Manual, Section VI.

## C7. Expand to Full Operations.

The final step in the initial develop project involves phased expansion to "full" operations. For many jail industry programs, this expansion process continues indefinitely.

Be careful to pace your expansion so that you will not outstrip the capabilities of the agency or the workers. Continue to evaluate and modify operations throughout the expansion period.

### CHECKLIST

#### C7. Expand to Full Operations

- \_\_\_ Establish expansion schedule and plan.
- \_\_\_ Evaluate and modify operations during expansion.

### RESOURCES:

Jail Industries Resource Manual, Section VI and Section VII.

# APPENDIX A

Reprinted from the Detention Reporter

Issue #79, May, 1990

Special Focus On:

## **KENNEBEC COUNTY REDUCES CROWDING THROUGH WORK AND EDUCATION**

### Preface.

This article is the third in a series that examines innovative inmate work programs. This month, we examine a program that has significantly reduced crowding while increasing the effective treatment of persons convicted of drunk driving. The success of this program prompted the creation of a second program that serves "multiple offenders" further decreasing the demand for jail beds.

This article has been drawn from extensive materials provided by Sheriff Frank Hackett, Kennebec County, Maine, including excerpts from his May 21, 1990 testimony for the U.S. Senate Committee on Governmental Affairs, Permanent Subcommittee on Investigations. For more information on Sheriff Hackett's programs, contact him at: 115 State Street, Augusta, Maine 04330 (phone 207/623-3591).

### An Introduction to the OUI Program--"Jail is Not the Only Method of Dealing With the OUI Offender"

Instituted in 1986, the Kennebec County OUI (Operating Under the Influence) Program for first offenders combines work, public service, and education as an alternative to incarceration. Widely acknowledged as a pace-setting approach, it combines an intensive weekend schedule of community service with powerful education on alcohol abuse.

While housed in at school facility within the county (made available to the Sheriff's Department at no charge) offenders are required to carry out general cleaning, maintenance and repair work that produces substantial cost savings to local taxpayers. In return for their labor, the offenders receive a 1-day sentence reduction (24 hours for 16 hours of service as prescribed under MRSA Title 34, Section 1009). Recently, this statutory provision for reducing sentences for "public works" projects was expanded to include non-profit organizations.

To date, 541 offenders have received memorable lessons in the legal consequences of getting behind the wheel while inebriated. More importantly, their weekends "at school" have heightened social drinkers' awareness of alcohol's potential dangers and have introduced problem drinkers to local drug and alcohol abuse counseling services.

### Proven Results.

The Kennebec County formula definitely works: in the 4 years since Kennebec County put its OUI program into place, less than 5% of the participants have become repeat offenders. Prior to 1986, Kennebec County offenders who would have served a sentence in the county jail could be expected to have a recidivism rate of 33%.

## How the OUI Program Was Created

As concern about alcohol-related highway accidents grew, a crackdown on drunk drivers spread nationwide. Responding to the public outcry, Maine's legislators, like their counterparts in other states, enacted more stringent OUI laws. Toughening the penalties for offenders, the lawmakers imposed a mandatory 72-hour jail sentence for those with higher blood-alcohol levels (0.15 and above). As a result, Maine's county facilities experienced an unprecedented influx of new inmates.

The increased numbers of first-time OUI offenders placed an enormous strain on many of the local institutions, including the 133-year-old Kennebec County Jail. Sheriff Frank Hackett, an advocate of alternative sentencing, devised the program as a means of reducing his chronically overcrowded jail's rapidly growing population.

The program also addressed the concern that society might lose more than it gained by putting first-time drunk drivers behind bars. First incarceration with the hardened and often violent criminals who populate jails could prove both dangerous and psychologically damaging to the average OUI offender. Also, most people arrested on OUI charges are employed at the time; sending them to jail could jeopardize their jobs and add their families to the welfare rolls.

Weekend programs, on the other hand, administer necessary punishment without placing participants at risk, compromising their employment status, or causing undue family disruption--yet they force the otherwise law-abiding citizen to realize that he/she has committed an act which society will not tolerate--one that has, however briefly, cost his/her freedom.

## The Participants

Anyone who has no prior criminal record when convicted of a first-time drunk driving offense is a candidate for Kennebec County's OUI Program. While the majority of those who take part reside within the county, 23% of accepted offenders have come from other areas. Approval for participation rests with the presiding judge and sheriff (MRSA Title 34, Section 1009).

A participant profile reveals a nearly three-to-one ratio of males to females (73% and 27%, respectively), with average ages of 33 years among the men and 30 among the women. Of the 95 individuals who took part in Winslow High School OUI Program (August 5-7, 1988), participants represented a cross-section of society--with occupations as diverse as computer programming, paving, nursing and truck driving.

Sheriff Hackett has found that the typical OUI program participant is very much "Mr. or Ms. Average"--the ordinary citizen who pays his/her taxes, drinks socially and, except for this one conviction, normally obeys the law. However, each weekend session usually includes a small percentage of alcoholics and habitual abusers. An encouraging sign of the program's success is that many of these people seek help afterwards. Of the Winslow group, for example, seven are now undergoing professional counseling and one has been voluntarily admitted to a hospital rehabilitation program.

## How the Kennebec County OUI Program Works...

Judges tend to hold varying views of the OUI offender: some regard him/her as a person in need of help, while others feel that he/she deserves only to be locked in a cell. Despite this divergence of opinion, virtually all Kennebec County judges choose the OUI Program as a viable and constructive alternative for first-time convicts.

An offender's incentive to take part in the program is the prospect of a reduced sentence, and the opportunity to avoid secure confinement in jail. He/she must first earn the reduction as stipulated under MRSA Title 30, Section 1806.<sup>1</sup> Once a person who has been convicted of an OUI offense receives a 72-hour sentence, the court generally grants a stay of execution until the next

1. "Prisoner Participation in Public Work Projects" (effective 1/15/84): "Any inmate participating in a municipal public work-related project under this section shall have his/her sentence to the jail pro-rated at the rate of one day removed from the sentence for every 16 hours of participation in the project at the discretion of the sheriff."

scheduled OUI program weekend. The first-time participant is also instructed to make an appointment to be processed at the jail; attending to these preliminaries in advance eliminates admissions procedures on the program's first night and ensures that it gets underway on time.

The Kennebec County Jail has sole responsibility for staffing and running the program at the selected school, which is rated as minimum security for the purpose of housing prisoners. It is the Maine Department of Corrections, however, that determines the number of inmates who may be housed based upon the school's available gymnasium and classroom space. Men are housed in the gymnasium, while women are placed in a classroom.

### Typical Schedule

The offenders' weekend begins at 6 p.m. Friday, at which time each person must submit to alcohol screening. In addition to that initial screening, every participant also undergoes a diagnostic assessment and receives 8 hours of education over the course of his/her two-day stay.

From the time they arrive until the program ends at 6 p.m. on Sunday, participants are not permitted to receive visitors, make phone calls, or leave the premises without prior staff approval. Each inmate must, of course, fulfill his/her community service commitment while at the school.

#### Typical Schedule

Friday	6:00 p.m.	Arrival and Admissions
	7:00 p.m.	Introduction: Sheriff Frank Hackett
	7:15 p.m.	Comments: District Attorney David Crook
	7:30 p.m.	Program: Bill Tanner and Barbara McVety
	10:30 p.m.	End of Session
	11:00 p.m.	Lights Out
Saturday	6:00 a.m.	Wake Up Call
	6:45 a.m.	Breakfast
	7:30 a.m.	Work Assignments
	8:00 a.m.	Work Details Begin
	12:00 noon	Lunch
	12:30 p.m.	Work Details Resume
	4:30 p.m.	Work Details End (Return to School)
	5:00 p.m.	Dinner
	6:00 p.m.	Program Begins: Major Ronald Raymond
	6:30 p.m.	Film: (Guidelines) Fr. Martin
	7:30 p.m.	Program: Bill Tanner and Barbara McVety
	10:30 p.m.	End of Session
	11:00 p.m.	Lights Out
Sunday	6:00 a.m.	Wake Up Call
	6:45 a.m.	Breakfast
	7:30 a.m.	Work Assignments
	8:00 a.m.	Work Details Begin
	12:00 noon	Lunch
	12:30 p.m.	Work Details Resume
	4:30 p.m.	Work Details End (Return to School)
	5:30 p.m.	Closing Remarks
	6:00 p.m.	Dismissal

Any person found to be intoxicated or to have been consuming alcohol at the time he/she arrives is removed from the program and transported to the jail. In the same manner, any participant who refuses to carry out his/her work assignments during the weekend, or fails to abide by any other regulations is also removed. When someone is returned to the county jail, he/she is automatically required to serve the full 72-hour sentence.

While taking part in the program, inmates wear their own work clothes and are provided with a secure area to store personal property. Each receives a list of approved items at sentencing and is permitted to bring only those items with him/her. Anything in a participant's possession which does not appear on the list will be confiscated by corrections officers and held in safekeeping.

### **Summary**

With its focus on responsibility, accountability, and motivation to seek help when needed, the Kennebec County Program has proven its effectiveness in reducing recidivism among OUI offenders. At a cost substantially below traditional incarceration--a net cost of less than \$5 per participant--it has also proven to be cost-effective and economically sound.

The OUI program enjoys the wholehearted support of the law enforcement community, the judiciary, legislators, and even Mothers Against Drunk Driving (MADD).

### **Success Prompts Creation of Multiple Offender Program (MOP)**

Kennebec County's success with the OUI program provided the impetus for an longer experimental program for multiple offenders last Fall. Similar in concept and implementation, the MOP offers work and education opportunities for selected offenders sentenced for more serious or multiple offenses. Following careful evaluation of the first MOP program, the County has decided to offer the Multiple Offender Program regularly, expanding it to include offenders sentenced from other counties.

## ***Excerpts from Program Materials***

The following pages offer excerpts from several key documents pertaining to Kennebec County's innovative programs:

1. Participant Rules
2. Notice to Participants
3. Sample Budget
4. Notice from District Attorney

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### **1. INMATE RULES (Excerpts)**

1. The "CAP" Program is managed and controlled by the Sheriff, Jail Administrator and their staff only.
2. Any inmate found to be in violation of an inmate rule or regulation will be subject to disciplinary or criminal action depending on the type of violation. Repeated violation of a minor infraction may be handled as a major infraction.
3. Inmates will not show disrespect to jail personnel, citizens of the community, visitors, or other inmates (minor infraction).
4. All inmates will address jail personnel according to rank, or their last name only. (examples: Sheriff, Captain, Mr. or Mrs. and their last name).
5. Inmates will not have any form of authority over inmates (major infraction).
6. Inmates will not change their assigned area without written authorization from the Jail Administrator or his designee (minor infraction).



7. All inmates are required to maintain their area and common areas in a clean, sanitary, and orderly condition. All beds will be neatly made, (minor infraction). The Jail Administrator or his designee will inspect all areas and common areas by 8:00 a.m. each day.
8. Inmates will not disfigure, damage, abuse, or waste county property, or property belonging to another person (offense).
9. Inmates will not assault, or attempt to assault, jail personnel, other inmates, visitors, or any other person (offense).
10. Inmates will not incite any overt act that will disrupt the good order or safety of the jail (major infraction).
11. Inmates will not commit any lewd or indecent sexual act (offense).
12. Inmates will not possess contraband or attempt to obtain contraband. Possession includes possession on your person, clothing, in your area, or in a place where there is reasonable grounds to believe it is in your control. Anything not received through authorized channels will be considered contraband (offense).
13. Inmates are not allowed to keep cash or valuable items on their person. All such funds and items will be turned in and stored. Inmates will be given a receipt for all funds and items (minor infraction).
14. Inmates will not be intoxicated or under the influence of any substance or drug (offense).
15. Inmates will not disobey an order from an officer (major infraction).

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## 2. PARTICIPANT INFORMATION (Excerpts)

TO: OUI Offender Participant  
FROM: Sheriff Frank A. Hackett

You have been ordered by the court to serve a 72 hour sentence in the Kennebec County Alternative Sentencing Program. The purpose of the program is to assist you in completing your sentence while providing an alternative to the overcrowding at the Kennebec County Jail. You have been selected for this program because this is your first offense.

1. Contact the Kennebec County Sheriff's Department and ask to speak with Jean. The telephone number is 1-800-452-1930 or (207) 623-2783.
2. Advise Jean that you need to make an appointment to be processed for the OUI program.
3. Jean will provide you with a time and date in which you will be fingerprinted and photographed at the Kennebec County Jail.
4. Steps 1, 2 and 3 need to be completed within two weeks after your sentencing.

### IMPORTANT INFORMATION

Program Date: February 17-19, 1989

Place: Waterville Junior High School, Waterville, ME

Times: Arrive at 6:00 p.m., February 17, 1989  
Depart at 6:00 p.m., February 19, 1989

Meals: You should eat prior to arrival on Friday, as the first scheduled meal is Saturday morning.

Items: You should bring the following:

1. Work clothes - 2 changes
2. Underwear - 2 changes
3. Shoes - 1 pair
4. Toothbrush, toothpaste, shampoo and a comb
5. Shaving articles
6. Towel - 2 sheets - pillow
7. Tobacco and matches are allowed
8. Prescription medication

Valuables: All valuables including money should be left at home or secured in your vehicle. All items not listed above will be taken and inventoried prior to the beginning of the program.

Program participants who have been ordered by the court to pay a \$20 a day fee. You may pay this fee at the program on February 17, 1989.

SPECIAL NOTE: The consumption of alcohol prior to the program is prohibited. Anyone intoxicated or with the smell of alcohol on their breath will be removed from the program and taken immediately to the Kennebec County Jail to serve a three day sentence.

Should you have any questions call: Scott Cyrway, Program Coordinator, (207) 623-2270 or 1-800-452-1930

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### 3. SAMPLE BUDGET FOR OUI PROGRAM

WATERVILLE JR. HIGH SCHOOL OUI PROJECT

FEBRUARY 17-19, 1989

DATE AND TIME	# OF STAFF	HOURS
FRIDAY FEB. 17TH		
1700-2400	13	91
SATURDAY FEB 18TH		
0001-0800	6	48
0800-1600	9	72
1600-2400	6	48
SUNDAY FEB 19TH		
0001-0800	6	48
0800-1800	9	90
ADMINISTRATIVE		32.25
COOK		27.00
COMBINED TOTAL		456.25 HOURS = \$3,869.67
(REG TIME \$847.57 OT \$3,022.10)		

#### COMMODITIES

EACH MEAL APPROXIMATELY \$1.00, 126 PARTICIPANTS x 5 MEALS = 630 MEALS TOTAL  
(inc. 2 breakfast, 2 lunches, 1 dinner)

630 x \$1.00 = \$630.00

#### EDUCATION PROGRAM

CONTRACT WITH NEW DIRECTIONS OF AUGUSTA

15.62 x 10 HOURS = \$156.20

TOTAL OPERATING EXPENSES

STAFFING	\$3,869.67
COMMODITIES	630.00
EDUCATION	<u>156.20</u>

TOTAL EXPENSES      \$4655.87

OFFSETTING REVENUE

Fees Collected from Participants      \$4,295.

NET COST TO COUNTY..... \$ 360. (less than \$1/day)

Comparative Costs to Incarcerate Offenders.....

126 PARTICIPANTS x 3 DAYS = 378 DAYS  
378 DAYS x \$50      =      \$18,900.00 (\$50/day)

4. MEMO FROM DISTRICT ATTORNEY DAVID CROOK (Excerpt)

TO: ALL ASSISTANT DISTRICT ATTORNEY'S AND ALL MEMBERS OF THE DEFENSE BAR IN  
SOMERSET/KENNEBEC COUNTIES      May 2, 1990

RE: Hackett Program I, First Offense OUI, September 7-8-9, 1990, Augusta YMCA

Hackett Program II, Second Offense OUI, OAS with mandatory 7 day  
sentence, September 10 through 17, 1990, Winthrop YMCA Camp

On September 7, 8 and 9, a standard First Offense OUI Hackett Program will be held at the Augusta YMCA. The standard sentence for first time offenders remains in effect - (\$350.00 fine and 3 days (actually 2 days), a 10% surcharge on the fine, and a \$60.00 advance payment program cost and a 90 day license suspension). Everyone is familiar with the first time offender program. All the standard forms and sentencing remain in effect.

A NEW SECOND OUI OFFENDER PROGRAM HAS BEEN DEVELOPED. THE PROGRAM WILL BE HELD AT THE WINTHROP YMCA CAMP, commencing on September 10 through the 17th, 1990. The program will be similar in principle and concept to the original Hackett first time OUI Offender and the MOP program held in Winthrop during the fall of 1989.

This program will be limited to 2nd time OUI offenders and OAS offenders who are required to serve a seven (7) day sentence because they operated a motor vehicle during their OUI court ordered suspension period.

Sheriff Hackett requires that any second time offender who has participated in a prior first offender OUI program cannot participate in the new second offender program.

Every person who participates in the second offender program will receive the exact same sentence with the exact same special conditions of probation.

Every sentence will be six (6) months with all but twelve (12) days suspended, a minimum fine of \$500.00; a 10% surcharge; a license suspension for one (1) year. A judge may increase the fine if he deems a larger fine to be appropriate.

EVERY SENTENCE WILL INCLUDE A ONE (1) YEAR PROBATIONARY PERIOD WITH THE FOLLOWING SPECIAL CONDITIONS OF PROBATION.

1. Payment of a \$100.00 program cost to be paid within two weeks after the plea.
2. Payment of all fines imposed by the court before the program starts.
3. Payment of all appropriate restitution during the probationary period.
4. Participants must agree to abide by the program rules.

# Appendix B

Reprinted from the *Detention Reporter*  
Issue #78

## Special Focus On:

### VENTURA COUNTY'S ROSE VALLEY WORK CAMP

#### Preface.

This article is the second in a series that describes interesting new programs that are operated by counties; each of the programs has a common theme--employing inmates in meaningful work activities. Last month, we described the jail industries program in Strafford County, New Hampshire, which employs medium security inmates inside the secure perimeter in private-sector "real work" activities. This month we focus on public service work programs that employ low security sentenced offenders.

#### WORK PROGRAMS IN VENTURA COUNTY.

Ventura County, California, has a long history of using inmate labor to offset the costs of running custody facilities. Work programs are designed to use inmate labor for jobs that are required to operate a custody facility. On occasion, inmates have been used on an ad hoc basis for construction projects such as the construction of a slaughterhouse at the Honor Farm and the renovation of the Rose Valley Work Camp.

On an average day, the Ventura County Sheriff's Department employs approximately 470 inmates--about 36% of the total confined population. These workers contribute an estimated 650,000 hours of labor to the County annually. Sheriff John Gillespie and County Supervisor Maggie Erickson are currently leading an initiative to expand jail work programs, hoping to tap more of the 2,000,000 hours of labor that experts believe could be made available.

Current work programs are varied, and include:

1. Janitorial work in all custody facilities
2. Food Service
3. Painting

4. Landscaping
5. Laundry
6. Farming
7. Hog, rabbit and beef production
8. Meat butchering
9. Warehousing
10. Wood and metal shops
11. Construction
12. Minor maintenance
13. Sewing
14. Car wash

## Corrections Organization.

Two county agencies administer a variety of services in Ventura County. The **Ventura County Corrections Services Agency** administers the County's Work Furlough Program. This program allows inmates to work at their jobs during daytime, while returning to custody at night and on weekends. These offenders are housed in Camarillo, in a facility that was converted from a former air force base. Between 250 - 300 inmates participate in this program and pay a daily administrative fee of \$25.

The Corrections Service Agency also administers the work-in-lieu of jail program in which individuals work on public works projects on a ratio of 9 hours work in-lieu of one day in jail. Work projects include landscaping, road cleanup and recycling solid waste.

The **Sheriff's Department** is responsible for the operation of the central jail, located in Ventura; in addition, the Sheriff operates an Honor Farm in Ojai, and the recently-opened Rose Valley Work Camp.

Main Jail. Opened in 1981, the jail was built to house 436 inmates; it currently houses over 1,000. Inmates are provided with limited work opportunities at the jail, primarily due to the extreme crowding, the pretrial status of many inmates, and limited space for work and vocational programs.

Honor Farm. Opened in 1957, the Honor Farm is located on 126 acres in Ojai. The minimum security facility houses over 300 inmates, including sentenced female prisoners for the Sheriff's Department. Most inmates are provided with at least 6 hours of work daily. The Farm produces over 365,000 pounds of meat and 30,000 pounds of row crops annually. The Farm also includes a laundry operation for the entire jail system, handling approximately 1.5 million pounds annually.

## ROSE VALLEY WORK CAMP

Development. The Rose Valley work camp site was originally utilized by the United States Naval Construction Battalion known as the "Seabees", who constructed the facility in the early 1950's.

Until 1972, the Base was occupied by up to 150 seabees, who constructed and maintained several miles of roads and drilled wells to produce water for the national forest and private land in the area. The site was also used as a base of operations for training conducted by naval personnel from Port Hueneme.

Between 1973 and 1986 the site was used to facilitate several projects, including: a "Helitack" base for fire suppression efforts; a youth conservation corp program made up of 16-23 year olds; and a base of operations for several large scale fire fighting efforts.

In 1984 the State of California applied for a "use permit" to install a Youth Authority camp, an environmental assessment was completed, which uncovered local opposition to the proposal. Local residents and businesses, including a gun club (located adjacent to the site) argued that a Youth Authority facility posed a security threat to the area. It was pointed out that serious offenders housed in close proximity to recreational areas, including a gun club posed obvious risks. It was also revealed that the Youth Authority camps average 1.2 escapes per month. The U.S. Forest Service eventually denied the State's use permit, concluding that the risk to public health and safety was unacceptable.

In 1986, as a result of efforts to develop cost effective methods of dealing with the ever-increasing jail population, the Sheriff's Department entered into negotiations with the U.S. Forest Service regarding the conversion of the Rose Valley Facility into a minimum security work camp. The Sheriff's Department pursued the issuance of a special use permit for the Rose Valley Facility from the Federal Government in accordance with the Granger-Thye Act which allows the use of surplus Federal property by local government agencies.

The U.S. Forest Service approved the Sheriff's plan and through a cooperative effort the stage was set for the renovation project. In 1987 the Ventura County Board of Supervisors approved funding of \$311,000 from it's long term borrowing program to cover the cost of renovating the structures and grounds at the Rose Valley site.

The renovation effort began in August of 1988 using Honor Farm inmate labor under the supervision of Sheriff's personnel. The project included landscaping, painting, patching of walls, roofing, and replacement of malfunctioning-functioning plumbing and sewer lines, heating and air conditioning units. Work continued through the winter in the midst of rain, freezing temperatures and snow storms. After the expenditure of over 40,000 inmate work hours, renovation was completed by the end of April, 1989, and the first inmates were housed at the Rose Valley Work Camp on May 1, 1989.

One of the key ingredients of the Rose Valley Work Camp is the selection of inmates to be housed at the facility. The major factor contributing to the approval for Rose Valley by the U.S. Forest Service was the Sheriff's promise to house only minimum security inmates who pose no threat to the surrounding community.

**Facility Philosophy.** The philosophy of the Rose Valley Work Camp is to provide a safe and secure environment for the incarceration of minimum security inmates while at the same time requiring them to engage in meaningful work projects in an effort to directly or indirectly offset the cost of their incarceration.

In order to be housed at the Rose Valley Work Camp, inmates must complete a formal application. Inmate applicants are advised that they will be required to work and that they will also be required to participate in at least one of a variety of self-improvement programs.

Inmates are also required to maintain a clean, neat appearance and must maintain a conservative hair style and good grooming.

These requirements are imposed in an effort to create the type of environment that will be conducive to maintaining discipline, security, and an atmosphere that fosters self-improvement.

**Staffing.** The Work Camp is staffed by 1 sergeant, 10 deputies, 6 sheriff's service technicians and 3 cooks. There are a minimum of two deputy sheriff's on duty at all times. Their responsibilities are to maintain the security of the facility and the safety of the inmates.

The deputies are supplemented by the sheriff's service technicians (SSTs) during the day, Monday through Friday. The SST's function is to supervise the various inmate work crews who maintain the facility and grounds, and to provide a work-force available for off-site work details.

**Inmate Selection.** The facility manager of the Honor Farm has established criteria for the selection of inmates for the Rose Valley Work Camp. Inmates must be classified as minimum security and must be eligible to work. Because the Rose Valley project is unique and offers additional freedom to inmates, it is necessary to place more restrictive requirements on eligibility. Therefore, a thorough and comprehensive background investigation is completed on each inmate who applies for Rose Valley.

The background investigation includes research into nationwide criminal records, state and local criminal records, jail discipline records, medical profile, and intelligence information.

Inmates with potentially serious medical problems, continuing court cases, gang affiliations or behavioral problems are not eligible for the Rose Valley Work Camp.

The selection process begins at the time a person is booked at the Ventura County Main Jail. The classification unit at the main jail initially determines which inmates are eligible for minimum security status. Once sentenced and classified as minimum security, the inmate is transferred to the Honor Farm in Ojai. During inmate processing at the Honor Farm, new inmates are given an orientation to Rose Valley and the eligibility requirements are explained. Inmates who will be in custody for at least 30 days are offered applications to complete. The applications include questions about the inmates' criminal and discipline background, as well as why they want to go to Rose Valley.

Once the Honor Farm classification unit receives the application, the background investigation begins. The aim of the investigation is to find any evidence of combative or threatening behavior. Crimes of violence or crimes involving the use of weapons are grounds to deny admission to Rose Valley.

Inmate Contract and Orientation. When the screening process is complete and the inmate has been approved, a contract must be completed. The inmate promises to obey all rules of the facility and not to walk away. Additionally, the inmate agrees to maintain good hygiene, including a conservative hair style. Other obligations include participation in at least one of several educational or chemical abuse counseling programs designed to assist the inmate with successfully returning to the community and remaining out of jail.

After the contract has been signed, the inmate is issued a copy of the rules and a new pair of boots. The inmate is told what is expected at Rose Valley, and that the most important requirements are to maintain a cooperative spirit and to maintain good behavior. A strict warning is included: if the inmate displays combative or threatening behavior, fails to obey staff, or violates any provision of the contract a minimum of 5 days good time will be lost and the inmate will be transferred to the Ventura County Main Jail, and will not be eligible for assignment to Rose Valley or the Honor Farm. The opportunity to participate in the Rose Valley project can be summed up as "one chance."

Upon arrival, new inmates attend an orientation meeting, where specific rules and obligations are discussed.



Schedule. A typical day at the Rose Valley Work Camp begins with a 5:45 a.m. wake up. At 6:00 a.m. an organized exercise program is mandatory for all inmates. The routine includes warm up and stretching exercises and a run, jog, or walk around the perimeter of the camp.

#### DAILY SCHEDULE

0545 Wake Up  
0600 Exercise then chow, formation  
0600-0700 Chow  
0700 Inspection  
0715 Formation-Work Crew Personal Inspection, Announcements  
0730-1115 Work  
0900 Coffee  
1000 Inspection for Barracks Janitors  
1115 Lunch County Formation  
1130-1230 Lunch  
1230 Formation Afternoon Work, Announcements, etc.  
1230-1500 Work  
1500 Afternoon Formation  
1600-1700 Evening Meal  
1700-2300 Evening Open Facility  
2200 Quiet in Barracks  
2300 Lights Out, Bunk Check, Rec Room And Library, Etc.  
Close

Upon completion of the exercise program, the inmates proceed to breakfast and then to formation and inspection. All inmates are required to "double time" to formations.

Military drill and facing movements are taught by the staff and utilized during all formations; work assignments and announcements are also made at this time. By 7:30 a.m. the inmates begin their work.

At 10:00, an inspection of each barracks is conducted by staff. Military standards are adhered to, and each inmate is required to keep his bunk neatly made and his property drawer well organized.

Count and formation occurs at 11:15 a.m. followed by lunch from 11:30 to 12:30. Inmates serve themselves cafeteria style, and are allowed to choose their seating.

The afternoon work formation is scheduled for 12:30 p.m. after which the inmates continue to work until 3:00 p.m. The evening meal is served from 4:00 p.m. to 5:00 p.m., after which the inmates are free to spend their time reading and writing letters, playing volleyball and basketball, throwing horseshoes, lifting weights, playing cards and checkers, watching television, or just relaxing. A recreation room is available where inmates can play pool, watch T.V. or socialize with friends.

A quiet time has been set aside from 10:00 p.m. to 11:00 p.m. in the barracks. During this period the lights are turned down and the television is turned off to allow inmates to rest. Other activities continue until curfew, at 11:00 p.m.

Work. There are many different tasks to be completed at the Work Camp including:

1. CONSTRUCTION- currently, inmates are building a leach field line for increased sewage capacity.
2. LANDSCAPE- inmates care for expansive lawns and planters.
3. SHOPS- inmates operate commercial machines to build cabinets, benches and metal works.
4. SANTA'S WORKSHOP- designing and making toys for underprivileged children at Christmas.
5. OFFSITE ASSISTANCE TO U.S. FOREST SERVICE- inmates are detailed to clean up campgrounds, plant trees, and clear firebreaks and trails.

Programs. Programs are offered to the inmates through the Sheriff's Inmate Services Bureau. Drug/Alcohol Education provide 160 hours of drug/alcohol education focused on educating the inmate to the aspects of addiction, abuse and methods of recovery. Any Rose Valley inmate who feels the need will be referred upon release to an outside treatment source by the Inmate Services Substance Abuse Coordinator.

Occupational training encompasses basic literacy education, job counselling and job specific training provided in cooperation with Ventura College--including vocational training jointly sponsored with federal Job Training Partnership Act funds (allocated through the local Private Industry Council).

Visiting. Visiting is handled much differently at the Rose Valley Work Camp compared to other Ventura County custody facilities. Because of the extensive screening, and the discipline instilled in the Rose Valley inmates, more freedom can be afforded. For example, at Rose Valley inmates are allowed to greet and say good-bye to visitors with a kiss or hug. Physical contact with visitors is strictly prohibited at other facilities. A Rose Valley inmate is allowed to have his family visit him with no restriction as to age or number of visitors; a maximum of four non-family visitors are allowed. Visiting is conducted Saturday and Sundays from 12:00 to 3:00 p.m.

**Morale.** According to Sheriff Department personnel, the morale at Rose Valley is very high because the inmates have pride in what they have accomplished; their contributions have helped make Rose Valley the type of facility that attracts inmates willing to compete for the opportunity and challenge of improving themselves.

**Motivation.** Why do inmates volunteer for assignment at the Work Camp? They report several incentives, including:

- \* improved living conditions (less crowding)
- \* lower-security environment
- \* opportunities for self-improvement
- \* better overall atmosphere (more conducive to staff/inmate interaction)

**Observations.** Touring the facility and meeting with staff and inmates reveals the unique atmosphere of the Work Camp. While the daily routine suggests a paramilitary setting, the formalities do not obscure the sense of concern and optimism that prevails. The setting is upbeat, with staff and inmates participating in productive activities. It is a setting in which inmates are both challenged to confront their problems, and are provided with the resources for change.

**For More Information.....**

...about Rose Valley and other Sheriff Department programs, contact:

Sheriff John Gillespie  
800 S. Victoria Avenue  
Ventura CA 93009  
Phone (805) 654-2383

...about the County's initiative to expand work programs, contact:

County Supervisor Maggie Erickson  
800 S. Victoria Avenue  
Ventura CA 93009  
Phone (805) 654-2276

Reprinted from the **Detention Reporter**  
Issue #77, March, 1990

## SPECIAL FOCUS ON:

### **Strafford County Jail Industry Program: "Real Work" and New Opportunities for Inmates**

Strafford County, New Hampshire, began planning jail improvements in 1981. Citizens who comprised the jail planning committee decided that inmates should be offered meaningful opportunities to work during their confinement in the new facility. In March, 1986, the Strafford County Jail Industries Program opened the new 68-bed facility.

**Goals/Objectives.** The industries program was intended to achieve several objectives:

1. Reduce inmate idleness and tap a major resource;
2. Create, develop and reinforce work habits for inmates, build self-esteem, motivate prisoners to prepare for reintegration as productive members of the community, and wherever possible, to develop skills;
3. Produce products and deliver services that are needed in the public or private sector;
4. Generate enough revenue through work projects to, at a minimum, offset all operating costs associated with the projects and to offset some of the County's costs for confining prisoners, and
5. If possible, to compensate prisoners consistent with their production, with the disposition of any such compensation to be closely controlled by the County, to be used for the following purposes (in order of priority)--
  - to contribute to the costs of confinement
  - to pay court-ordered fines, costs and restitution
  - to contribute to the support of the family
  - to contribute to a mandatory savings program to build funds which would be available on release.

On the fourth anniversary of the initiation of the industries programs, Strafford County officials were delighted to find that all of these objectives have been achieved--and many have been exceeded.

**Focus on Expanding Work Efforts.** The Strafford program was initially conceived to address the idleness of inmates who were classified as medium security risks; these inmates were unable to participate in other work programs, such as farming and grounds crew, because they could not leave the security perimeter. **Most** of these medium security inmates were pretrial detainees, so the industries program focused on this special population. By designing programs for such "house-bound" inmates, new industries projects did not compete with, nor detract from, the existing work programs at the jail.

**Creating a Total Environment that Supports Work.** The pretrial detainees that were the primary focus of the new industries program presented a special problem: under state law their constitutional guarantees, they could not be **compelled** to work. Planning efforts examined a variety of methods that could be used to motivate pretrial detainees. As a result, the overall operation of the jail was reconsidered, and a "services and privilege" system was conceived and implemented. This system carefully assigned such privileges as dayroom access, television, extra exercise, extra visiting, and extra telephone access **according to each inmate's classification**. This provided an operational setting that encouraged inmates to behave well and to earn lower security classifications. Further, working inmates (low maximum, low medium) earned even more privileges. The matrix below describes Strafford County's initial approach.

insert chart here

This approach to motivating inmates also addressed the concerns of advisory committee members, who insisted that inmates should be allowed to spend all of their time watching television.

**A Private Sector Industry.** Strafford County officials also concluded that pay for inmates would be a major motivating force for pretrial detainees; it would also provide a resource for offsetting confinement and program costs through deductions. This prompted the county to apply for federal certification under the Department of Justice "Private Sector/Prison Industry Enhancement Certification Program." Federal laws restrict interstate commerce of prisoner-made goods; through the certification process Strafford County became the first county to receive special exemptions from such restrictions.

**Customers.** While planners of the industry program at first worried about finding customers for inmate labor, this fear was quickly resolved **through** the planning process. As the advisory committee became more involved in establishing a strong foundation for the program, members identified potential customers. In fact, the first, and largest customer (GFS Manufacturing) was represented on the advisory committee. Since its inception, the program has served a variety of customers, including:

- GFS Manufacturing (electronic components)
- Governors Lilac Commission (nursery of 8,000 plants)
- Waste Management (clean roads for private firm)
- Curtiss 1000 (mailings)
- General Linen (sewing and repair)
- Colby Footwear
- University of New Hampshire (surplus equipment)
- Fornax (assemble components for furnaces that burn recycled oil)

Although the County initially worried that relatively short-term pretrial inmates could not learn the skills necessary for many tasks, experience has proven that this work force can successfully be used for a wide range of activities--including intricate fabrication of electronic components. In turn, customers have found that the jail industry program provides equal--and sometimes better--quality and offers important flexibility to meet changing demands.

**Some "Facts and Figures."** Over the past four years, the Strafford County program has grown steadily and has evolved into a comprehensive and integrated treatment program. Some key statistics from the past two years suggest the scope of the program:

	<u>1988</u>	<u>1989</u>
Number of customers	8	6
Gross earnings	\$58,258	\$126,459
Room/board deducts	\$32,758	\$ 44,967
Victim assistance	\$ 4,896	\$ 3,947
Net to inmates	\$24,568	\$ 31,860
Total inmates	116	122
Highest on single day		24

Since its inception, the program has returned over \$108,000 to the County and contributed over \$10,000 to victim assistance. The projected budget for 1990 is over \$89,000. Nearly \$60,000 will be secured from the NHJTC contract; the balance (and more) will be generated from inmate earnings/deductions. The program currently employs two full-time staff, three part-time staff who commit a total of 40 hours weekly, several persons who are contracted to assist with classes, and several volunteers.

**Development Resources.** Strafford County was fortunate to receive a \$15,000 grant from the National Institute of Corrections (NIC) that provided funds for a part-time "industries developer." The developer, Marilyn Allen, was able to expand the program and to bring in other resources so that the program became full-time and self-sufficient by the end of its first year. Strafford County also benefitted from the experiences of Hennepin County, Minnesota, which has operated an industry for many years. Additional technical assistance has been provided through the National Institute of Justice, which designated Strafford County as a demonstration program in 1986, and from the Bureau of Justice Assistance which supports certified private sector industry programs.

**Current Scope of Program.** From its modest beginnings in a small workshop in the new jail, the industries program has expanded several times, and now occupies its own inmate-renovated building within the perimeter of the facility. While initially designed to serve pretrial inmates, the program now also serves sentenced offenders. Perhaps most significant, however, is the expansion of the **scope of services** provided by--and through--the industries program. These now include:

- pre-placement testing
- counseling
- strong linkage with educational and substance abuse programs based at the jail
- job readiness classes
- real work in the jail
- pre-release counseling
- family counseling
- job placement and follow-up

Many of these services are sponsored through a contract with the New Hampshire Job Training Council. Now in its third year, NHJTC contract funds will provide up to \$58,000 for industries operations and programs. This aspect of the industries program has proven particularly effective and innovative and it is described in more detail in the following narrative.

**The Partnership with N.H. Job Training Council.** Strafford County receives job training funds through a contract with the state Job

Training Council, which administers the federal Job Training Partnership Act (JTPA) for the U.S. Department of Labor. The contract with NHJTC is the "Strafford County Corrections Industries. The contract is designed to provide skills training to inmates sentenced to the Strafford County Correctional Facility in an effort to improve their post release options thus reducing recidivism and adding to the quality of their lives. Training consists Work Maturity, Pre-Employment, and Vocational Skills training coupled with actual work experience which aids inmates in the attainment of and retention of a job following release. According to the contract, inmates are involved in a series of activities.

Step 1. Participants enter the Correctional Industries Program as a first step in learning the ways of work. This is a functional time for them to be guided in pre-employment and work maturity skill development and a time to access specific skill training needs. The development of an Individual Training Plan begins with this part of the training and is reviewed and up-dated as the program continues.

Step 2. Concurrent with the Correctional Industries Program Component are 37 hours of employment preparation classes (to include 10 classes that are 3 hours long and also 7 hours of outside classroom work to include resume writing). The curriculum of this component consists of competency-based work maturity and pre-employment skills with specific application to the needs, concerns and issues faced by inmates.

Step 3. Participants are evaluated at the end of this portion of the training and their Individual Training Plan is reviewed and revised, if necessary, to identify the individual's needs for appropriate training and job placement.

Step 4. Participants will then enter one of the following options upon release to work: Classroom skills training, subsidized on-the-job training, unsubsidized on-the-job training or tuition assisted training. This training must have an SVP of at least 4 unless otherwise indicated and approved on the Individual Training Plan.

During the entire training and placement process the participants have the counseling and support services of the job coordinator. These services are provided for the first three months of employment as well.

In this program, Strafford County Department of Corrections has responsibility for facilitating and coordinating all application and assessment activities, delivery of pre-employment and work maturity training, development and maintenance of all Individual Training Plans, On-the-Job Training development, coordination of job development activities with other vendors who train the participants in this program, placement of the participants in these programs and providing adequate and timely documentation of the delivery services in the contract.

Excerpts from the JTC Contract. To provide additional insights into the operation of the job training component, the following excerpts from the N.H. Job Training Council contract are provided (the "Contractor" is Strafford County.)



#### A. Pre-Employment/Work Maturity Training

- (a) The contractor will present 37 hours (30 hours in-class and 7 hours of out-of-class assignments) of competency-based training in the skills needed to acquire employment after release, and to retain such employment. These skills will focus on the participants' ability to deal with their record and attendant factors in a frank manner in interviews and other on-the-job situations, as well as covering more general job-seeking and job-keeping procedures and practices.
- (b) The specific indicators, levels of achievement, and measures of performance are appended to this agreement (competency testing); each participant's progress and performance in this phase of the training will be recorded on an individual worksheet by the instructor(s), to be retained by the Contractor.
- (c) Each participant will be required to prepare a resume as part of this training; a copy of this resume will be submitted to NHJTC prior to the participant's release from custody.
- (d) The Contractor will also counsel the participants on work maturity/pre-employment issues or on any employment related concerns on a continuing basis throughout the period of each participant's involvement in the program.
- (e) A Skill Documentation form will be completed at Midpoint Training completion.

B. Correctional Industries The Contractor will provide employment opportunities for the inmates through the solicitation and negotiation of sub-contracts to be done within the correctional industry. This work will help the inmates develop and practice skills that they will then transfer to subsequent full-time employment. Such transferable skills (which are included on the Individual Training Plan) may include, but are not restricted to the following:

- \* technical knowledge and skills related to the specific process(es) and product(s), such as component and work terminology, layout of materials, useful tools, use of printed specifications, proficiency in sub-assembly techniques which can be applied to and/or incorporated in more complex operations or functions.
- \* demonstrated awareness of productivity and quality, including observance of safety requirements, accuracy, prompt identification and correction of the causes of defective production.
- \* exercising responsibility for effective operation of the workplace through teamwork, initiative, and consistent performance, and related social skills.

The following are the basic skills to be achieved by participants in this portion of the program and that are a prerequisite to program completion:

- (1) Demonstration of appropriate work maturity skills related to his/her assignment to sub-contract work, as measured and documented by the work supervisor using a worksite checklist.
- (2) Ability to respond concisely, honestly, and accurately to questions regarding his/her incarceration, as demonstrated by pre-employment competency attainment.
- (3) Demonstration of understanding of potential employment conditions and requirements, and social conditions relating to his/her post-release activities, as attained and evaluated in work maturity training.
- (4) Participation in, development/completion of an Individual Training Plan.

C. Individual Training Plan Development. The Job Coordinator will work with each participant in the development of an Individual Training Plan. This plan will guide the

inmate in his/her identification of a career goal, as noted by the designation of a three digit DOT (Dictionary of Occupational Titles) or OES (Occupational and Employment Survey) code and description. The Job Coordinator and the participant will then develop the steps and actions that are needed to reach that goal. This document identifies the services (counseling, training, driver's license etc.) that the inmate needs as well as the ways that any additional barriers to employment might be addressed. The Job Coordinator works with NHJTC's Vocational Training Specialist and assigned probation officer in the development of this Document and it cannot be changed without their concurrence.

D. Academic and Tutorial Support. This program will be operated in cooperation with other education and rehabilitation activities in the jail, including Adult Basic Education programming. If need be, the Contractor may address appropriate basic educational skill deficiencies through the local ABE center, under the auspices of the administrator's service agreement with the New Hampshire Office of Adult Basic Education.

E. Vocational Skills Training. Following completion of the activities within the jail, and in conjunction with release or work release the job coordinator will place participants in either classroom training, industry specific training, tuition assistance programs, subsidized on-the-job training or in unsubsidized on-the-job training.

- (a) The Contractor is responsible for the development and enrollment of participants in On-the-Job Training and recognizes that the Marketing Field Representative (MFR) is a resource in job or OJT development. The Contractor (Job Coordinator) will work collaboratively with the MFR by providing advance notice (at least four weeks prior to a participant's projected release date) whenever possible of any participant whom the Contractor needs assistance in planning in NHJTC-funded on-the-job training (OJT). The Contractor will provide the representative with all appropriate information to facilitate OJT procedures including potential OJT sites. While the Contractor may use the possibility of OJT wage reimbursement as a potential incentive for an employer to hire a participant, responsibility for the negotiation of such OJT, and the authority to execute any and all OJT contracts, will rest with NHJTC's Marketing Field Representative.
- (b) The Contractor may also elect to refer participants to NHJTC-sponsored classroom or customized training programs, upon release or upon work release. NHJTC will ensure the Contractor is advised of the availability of such programs, but the responsibility for acceptance into and enrollment and training in such programs, will rest with the designated institution(s) operating those programs. As with referrals to OJT, the Contractor will ensure that adequate advance notice is given to NHJTC's Vocational Training Specialists in any case where referral to subsequent training is desired or appropriate, to allow enrollment as soon as possible after release.
- (c) The Contractor is responsible for notifying NHJTC of the status of any participant referred to subsequent NHJTC-sponsored training activities.

#### **Institutional Policies and Procedures**

- A. Participants will be required to comply with all institutional rules governing their selection for and taking part in correctional industry activities and related training and with all other pertinent rules and regulations of the Department of Corrections.
- B. The Contract has received Federal certification under the Prison Industries Enhancement Program, established by authority of the Justice Assistance Act of 1984 (PL 98-473). This certification allows the following: (a) Exemption from other Federal statutes and regulations which restrict access to interstate markets by prison-made goods, thereby increasing the range of potential private sector sub-contractors. (b) Payment of inmates at the sub-contractor's prevailing wage rate. (c) Coverage of inmates by workmen's compensation. (d) Deduction from inmate wages to pay for costs such as room and board, restitution, and contributions to victims' assistance projects.

- C. The above certification also requires that private sector employers be involved in the program, and that any sub-contract work will not displace any existing employees of the sub-contracting firm. If necessary, union concurrence will be ensured before a sub-contract is enacted.
- D. Individual concerns or grievances of participants will be handled in accordance with procedures of the Department of Corrections.

**The "Fresh Start" Program.** The industries program has evolved carefully over the past four years. With labor funds, the program has expanded to take a "holistic" view of each inmate. In 1990, this enhanced approach is being called "fresh start," and the 30-hour classroom experience provides a strong initiation for incoming participants. Through ten three-hour classes, participants are provided with a full range of information and insights that will help them to obtain--and keep--a job upon release. The ten classes are comprised of the following topics:

**How to Get a Job** (Class 1: Job Application and Resume Writing; Class 2: Listening Skills/Communication; Class 3: Job Interviewing)

**Self Awareness** (Class 4: Self Awareness and Decision-Making)

**How to Keep a Job** (Class 5: Keeping a Job; Class 6: Productivity and Quality, Interpersonal Relationships in the Workplace, Safety)

**"Survival" Skills** Class 7: Finances and Survival; Class 8: AIDS Education, Good Nutrition Practices; Class 9: Parenting, Battering; Class 10: Alcoholism and Drugs

**Some Final Words from the Industries Program Developer.....** Marilyn Allen was hired by Strafford County to develop the program, and has directed all facets of the program since its inception. In a recent interview she offered the following comments when asked to describe the benefits of the program:

I feel there are important benefits to the public as well as the inmate involved in jail industries. When a person works in the jail industries program, in addition to paying taxes on their earnings, inmates are required to pay 55 percent of what they make back to the jail for room and board....The remaining earnings are held by the jail and given to the inmates upon release, enabling them to secure living arrangements, pay off outstanding fines...and generally to make a new start. Idleness is reduced, which in turn, reduces tension that leads to behavioral problems in the jail. The inmates are also provided with job skills and they are educated from classes that provide information on how to get a job, how to keep a job, self-awareness, and survival classes.

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**For More Information:** On Jail Industries.... Contact the National Institute of Justice (NIJ), 633 Indiana Ave. N.W. Washington, D.C. 20531 (Call Tom Albrecht, 202/272-6041). On Strafford County Industries.... Contact Marilyn Allen, Industries Developer, County Farm Road, Dover, N.H. 03820 (phone 603/749-3289).