

COMMAND COLLEGE X

**THE FUTURE FOR SMALL
AGENCIES OPERATING CONTRACT
RETURN TO CUSTODY PRISONS
BY THE YEAR 2000**

BY

**CHIEF RAYMOND M. SCHARTAU
DELANO POLICE DEPARTMENT**

JUNE, 1990

THE FUTURE FOR SMALL AGENCIES OPERATING
CONTRACT RETURN-TO-CUSTODY PRISONS BY THE
YEAR 2000

by

RAYMOND M. SCHARTAU
COMMAND COLLEGE CLASS X
PEACE OFFICER STANDARDS AND TRAINING (POST)
SACRAMENTO, CALIFORNIA
1990

128627

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material in microfilm only has been granted by
California Commission on Peace
Officer Standards and Training

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

Copyright 1990
California Commission on Peace Officer
Standards and Training

NATIONAL INSTITUTE OF JUSTICE
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE
(NIJ/NCJRS)

Abstract

THE FUTURE FOR SMALL AGENCIES OPERATING
CONTRACT RETURN-TO-CUSTODY PRISONS BY THE
YEAR 2000.

by

RAYMOND M. SCHARTAU
COMMAND COLLEGE CLASS X
PEACE OFFICER STANDARDS AND TRAINING (POST)
SACRAMENTO. CALIFORNIA

1990

10-0191

What is the Future for Small Agencies Operating Contract Return-To-Custody Prisons by the Year 2000?

R. Schartau. Sponsoring Agency: California Commission on Peace Officer Standards and Training. 1990. 69 pp.

Availability: Commission on POST, Center for Executive Development, 1601 Alhambra Blvd., Sacramento, CA 95816-7053

Single Copies free; Order number 10-0191.

National Institute of Justice/NCJRS Microfiche Program, Box 6000, Rockville, MD 20850.

Microfiche free. Microfiche number NCJ_____.

Abstract

The study consists of three parts: a futures study of the impact on a small police agency, with 30 or less sworn personnel, operating a contract state prison for parole violators, of up to 500 inmates, by the year 2000; a model strategic plan; a transition management plan for the Delano Police Department. Four trends will increase during the first five years and then decrease during the next five years: recruitment/retention personnel, corrections vs. public safety, transition to state corrections rules, lack of consistent state guidelines, trend five will increase over the next ten years: the assignment of high risk inmates to RTC facilities. High probability events that would impact this issue are: No response capability for major trouble, lawsuit causing financial crisis, scandal for profit motive, state changing rules, political groups reacting to RTC operations. Policy recommendations emphasize recruitment, retention and career enhancement for personnel. The transition management plan presents a feasible management structure.

THE FUTURE FOR SMALL AGENCIES
OPERATING CONTRACT RETURN TO CUSTODY
PRISONS BY THE YEAR 2000

by

RAYMOND M. SCHARTAU
COMMAND COLLEGE CLASS X
PEACE OFFICER STANDARDS AND TRAINING (POST)
SACRAMENTO, CALIFORNIA
1990

Executive Summary

PART ONE - A FUTURES STUDY

By the year 2000, how will a small police agency with ten to thirty sworn officers cope with the future problems of operating a contract state prison for parole violators being returned to custody (RTC) for periods up to one year? A facility designed for up to 400 inmates and a staff of 70 personnel, including 50 corrections officers. This is not a proposal, but an accomplished fact for at least three small police agencies that have these prisons already 40 percent completed and will begin operations in 1991. This program was the result of Senate Bill 1591, by Senator R. Presley, and passed into law in January, 1988. The purpose of this program is to reduce state costs of incarceration by contracting prisons to local public entities. Despite the programs advantages, there are some serious questions regarding the future of this program, or a possible future expansion.

Impact on Law Enforcement Agencies Involved by Year 2000? The question was studied by eleven people who formed a Nominal Group Technique (NGT) Panel brought together in Delano, California. The criteria for selection were variations in positions and backgrounds and knowledge of the police; corrections, public and private; finance aspects of the State of California. Five key trends were finally selected as most related to the major thrust of the study: (1) retention and recruitment of personnel; (2) corrections vs. public safety; (3) transition to operating under California Department of Corrections rules; (4) lack of

consistent state guidelines; (5) high risk inmates assigned to RTC facilities.

Five important events were identified as being the most critical. These were: (1) major problem in the RTC with no response capability; (2) major lawsuit causing financial crisis; (3) major scandal involving profit motive; (4) state changing rules in "middle of the game"; (5) political groups reacting to real or perceived RTC problems. The combination of trends and events became the focus for the development of policies to produce desired change.

Policies: After gathering survey data on the issue and the related key trends and critical events, three policies were identified as being of prime importance. One was chosen as the key to the successful future operation of the program

- Design a recruitment, training and retention program to include career enhancement features.

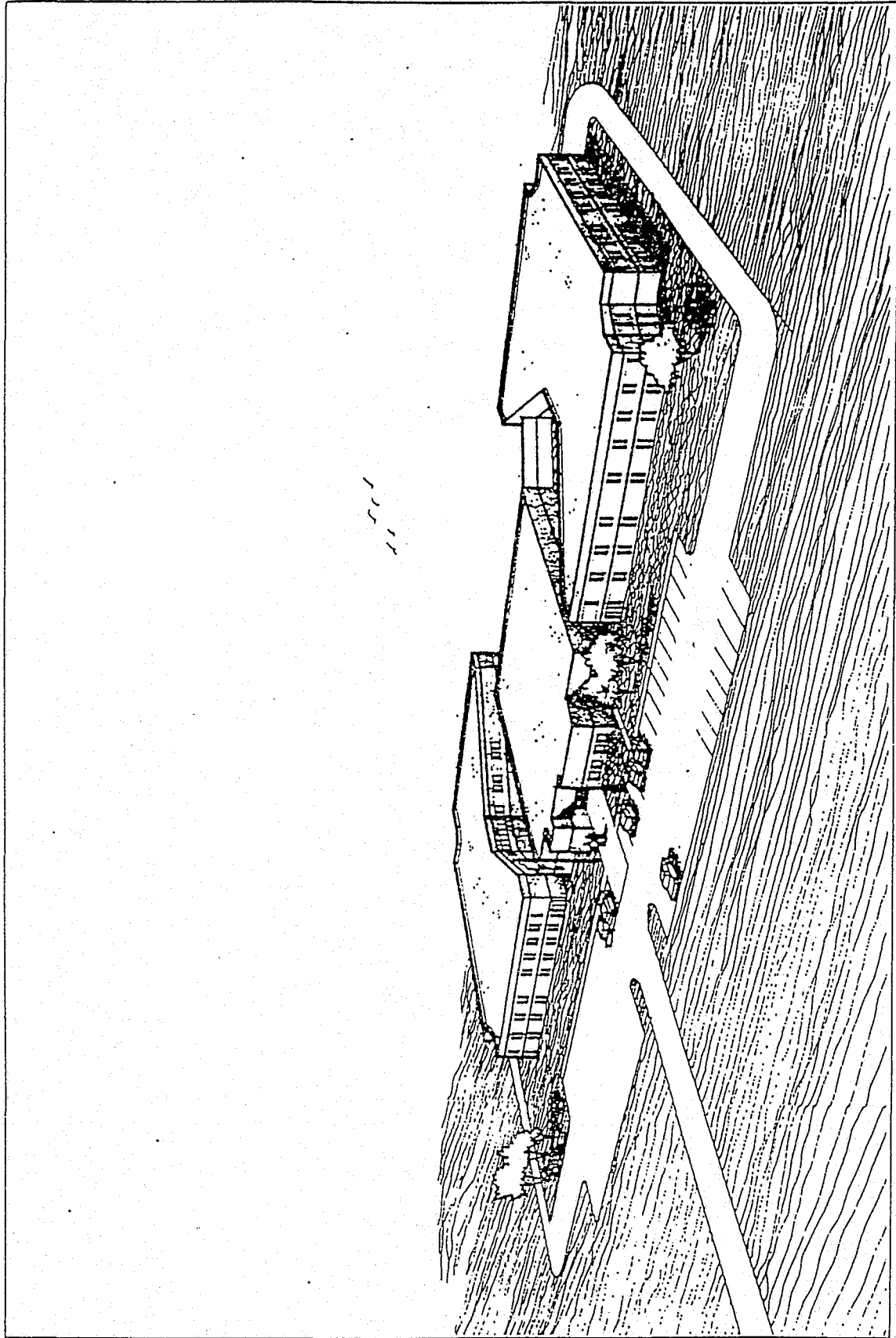
This policy was selected for implementation because it would have the greatest immediate impact on the issue and incorporate some features of the other two policies considered important.

PART TWO - STRATEGIC MANAGEMENT

Strategic Plan: The City of Delano and the Delano Police Department were analyzed to determine external and internal resources. A pre-transition plan was developed utilizing a task force approach by several city departments. A stakeholder analysis was related to future commitment planning.

PART THREE - TRANSITION MANAGEMENT

PLANNED TRANSITION: This will require both commitment and effective priority setting by the Chief of Police, the transition coordinator. A commitment level chart was developed identifying the minimum number of individuals and/or groups (critical mass) necessary to support change and make it likely to succeed. The transition manager will coordinate through the administrative task force the three primary work forces for the transition process.



Delano - Rendering

ACKNOWLEDGEMENTS

This research project is the subject of a new and totally different area of responsibility for a small police agency. I wish to acknowledge and thank the persons listed below. They were extremely helpful and were generous with their time and effort.

NGT WORKSHOP PANEL

Chief Charles Scott
Chief Willie Shell
Cmdr. Edward Combs
Capt. Bert Pumphrey
Lt. Raymond Penrod

Lt. Ronald Williams
Lt. Jack Kimble
Charles Kitchens
Wiley Jung
Ralph Carpenter

ACADEMIC ADVISOR

Dr. Reuben Harris

WORD PROCESSING/CLERICAL ASSISTANCE

Linda Creech

CHARTS/TABLES

Marcy Phillips-Schartau

TABLE OF CONTENTS

	PAGE
DELANO RTC RENDERING	i
EXECUTIVE SUMMARY	ii
<u>INTRODUCTION</u>	1
<u>METHODOLOGY</u>	5
LITERATURE SEARCH	5
<u>THE NOMINAL GROUP</u>	7
TREND IDENTIFICATION	8
TRENDS	9
CRITICAL EVENTS	22
CROSS IMPACT ANALYSIS	27
SCENARIOS	28
Most Likely (Normative)	28
Best Case	30
Worst Case	32
<u>STRATEGIC PLAN</u>	34
SITUATION	34
ENVIRONMENT	34
INTERNAL ASSESSMENT	37
STAKEHOLDERS/SNAILDARTERS ANALYSIS	40
STRATEGIC ASSUMPTION SURFACING	44
MISSION	46
EXECUTION	47
RECOMMENDED STRATEGY	52
IMPLEMENTATION STRATEGY	53
ADMINISTRATION AND LOGISTICS	55
PRE-TRANSITION PLANNING	56
<u>TRANSITION MANAGEMENT</u>	60
CRITICAL MASS	60
COMMITMENT PLAN	61
<u>CONCLUSION</u>	64
BIBLIOGRAPHY	67
APPENDICES	
Appendix I	RTC Facilities, 1988-89
Appendix II	Nominal Group Members
Appendix III	Complete Trend List
Appendix IV	California State Prisons
Appendix V	Complete Event List

LIST OF FIGURES AND TABLES

<u>FIGURES</u>	<u>PAGE</u>
1. TREND #1, RECRUITMENT AND RETENTION	11
2. TREND #2, CORRECTIONS VS. PUBLIC SAFETY	13
3. TREND #3, TRANSITION TO CDC RULES	15
4. TREND #4, LACK OF CONSISTENT STATE GUIDELINES	17
5. TREND #5, HIGH RISK INMATES	19
 <u>TABLES</u>	
1. TREND EVALUATION	21
2. EVENT EVALUATION	23
3. CROSS IMPACT ANALYSIS	26
4. STRATEGIC ASSUMPTION SURFACING TECHNIQUE PLOT	45
5. TRANSITION ORGANIZATION CHART	58
6. COMMITMENT LEVEL CHART	61

INTRODUCTION

The state prison population, in relation to state's population, is expanding geometrically due to the public demands for longer prison sentences. As of April 1, 1990 the count had reached 90,813. Government cost is rapidly increasing to extremely high levels. Solutions must be found to reduce costs. Proposals have been made and implemented such as private sector administration and operation of state prison facilities under contract.¹

The main purpose is to reduce the present cost per inmate, to construct, house and administer state corrections programs in compliance with state rules and regulations.

The latest proposal by the State Department of Corrections which will be the subject of this study, is construction, operation and administration of contract state prisons by small municipal cities through their police agencies. This is an entirely new concept and has not yet been tested. These facilities will house approximately 400-500 inmates each.

The state's parole violator population is a major contributor to the California Department of Correction's (CDC) chronically crowded institutions. To assist in alleviating this problem State Senator Robert Presley introduced legislation in January, 1988 (SB 1591) to allow public organizations to operate

¹ "Private Prisons", John J. Di Iulio, Jr., Princeton University National Institute of Justice, NCJ 104561

Return to Custody facilities (RTC) under contract with the Department of Corrections.²

These RTC programs are for selected low risk parolees who have violated their conditions of parole, have been convicted of no new crimes, and whose paroles were revoked by the Board of Prison Terms. The average length of revocation is about three months with the maximum time extending to one year. Inmates in RTC facilities earn good time credit the same as in a state run institution.

RTC facilities provide supervision, housing, sustenance, and prerelease programming which includes, but is not limited to, drug and alcohol counseling, individual and family counseling, vocational evaluation and training, and educational assessment and instruction. Training areas include computer operations, culinary arts, general maintenance, auto repair/body shop, woodworking, horticulture, barbering, and life skills training.

As a result of the intensive programming provided to parole violators in RTC facilities, there is a greater likelihood inmates will be successful when returned to parole, and therefore, a potential for long-term cost savings to the state. All community RTC facilities despite the heavy emphasis on programming are contracted to operate at less cost than in state operated correctional institutions.

Several of these RTC facilities are presently being operated by private organizations. There are no plans at present to

² "Corrections News", California Department of Corrections, Volume 2, No. 8, June, 1989.

expand this program which started in 1987.

During Fiscal Year 1989-1990 a total of approximately 3,000 beds are being funded to be operated by cities and counties under SB 1591. This will implement the new Penal Code Section 2910.5. To date, six small cities and a very small county are engaged in building and operating these RTC centers. These contracts are all basically similar and are for a twenty year period, with two five year options, at the conclusion of the contract. It is anticipated that in Fiscal Year 1991-1992 up to 10,000 additional beds may be funded to be operated by public organizations.

The six cities that have already contracted to operate RTC facilities are small and vary in population from 6,500 to 22,000 in size. The majority do not, at present, even operate a Type I jail facility. Three of these cities have established a separate city department and the other three cities will have their police departments operate the RTC facilities. This will be a totally new concept for these small police agencies.

Two of the cities involved will have their facilities built by a private contractor on land that is owned by a third party. In other words, they will always lease their buildings and land. The other four cities have raised money through Certificates of Participation (COP) and will, at the end of the twenty year amortization period, own their buildings and land. They will then be in an excellent position to realize even more future profits from their investments. If these current contracts prove successful some of these cities may even expand their facilities to house additional inmates.

The police departments that will be operating RTC centers will face some unusual problems in the near and distant future. Two of these police departments presently have as few as ten sworn members and the largest has thirty-five sworn personnel. The new "Corrections Divisions" added to these departments will contain an additional seventy employees including approximately six to ten additional sworn employees as supervisors.

This situation poses a myriad of unanswered questions regarding the future operation of these small police agencies. Everything from the traditional role of police chief to the effects on sworn personnel moving between assignments.

This future study will be limited to the State of California. Within this context is a similarity in training, recruitment, administration and the state laws governing such operations are similar.

Current Return to Custody Facilities in the private sector include:

- Baker (San Bernardino County) 200 Beds
- Eagle Mountain (Riverside County) 200 Beds
- McFarland (Kern County) 200 Beds
- Live Oak (Sutter County) 100 Beds (Female)
- Mesa Verde (Kern County) 200 Beds
- La Honda (San Mateo County) 100 Beds

There is one publicly operated RTC facility being operated by the Tulare County Sheriff's Department as part of their county jail program, located next to the Sequoia Field Detention Center in North Tulare County. This facility presently has approximately 200 beds.

METHODOLOGY

In approaching the task of forecasting the future of small police agency operation of contract state prison facilities it was necessary to examine the present operation of "Private Prisons" currently being operated by vendors in the private sector. It must be noted that there are no contract state prisons in operation by small local police agencies.

There are presently nine Return to Custody Facilities operating under contracts with the California Department of Corrections with a total of 1,423 beds. (Appendix 1). Three are being operated by county sheriff's departments and six are in the private sector.

LITERATURE SEARCH

The literature search for this project was accomplished by first contacting the California Department of Corrections, Parole and Re-entry Division in Sacramento. The purpose was to review material relating to the concept of Return to Custody facilities and to receive recommendations for literature relating to jails, prisons and particularly contract operation. The research effort was focused on California and narrowed to parolees being returned to custody and prison construction, alternative methods of punishment and technological advancement in penology. The time frame is from 1985 to the present or beyond if available. This is a relatively new concept in California although private prisons have operated longer in other states. I could find no operation of a contract state prison by any small local police agency anywhere.

The literature search also included visits to local college and city libraries to review articles dealing with jail or prison constitution, costs, legislative changes or anything that would relate to the study. Some material was located in National Institute of Justice files and the 1989 California Blue Ribbon Commission on Inmate Population Management in its' report to the California State Legislature.

THE NOMINAL GROUP

In view of the fact that there is no large existing base of literature nor, for that matter, empirical data, recourse to expert opinion was necessary. As Norman Dalkey points out³, given no other information, a group estimate is at least as reliable as that of a randomly chosen expert. Furthermore if the range of answers contributed by the group contains the true answer, then the median of the group is a closer approximation to the true answer than are the answers provided by more than half the group.⁴

The nominal group (NGT), a round table process that relies upon interaction from the group for planning, forecasting or problem solving, was formed. The purpose was to gather a group of experts to provide as wide a base as possible to issues relating to small police agencies, prison operation, financing and county jail operations.

Once the group was formed letters were sent out identifying the issue and a basic description of trends and events. Candidate lists of trends and events were attached and all participants were requested to consider the issue and submit a list of their own.

The nominal group consisted of eleven individuals. There were three chiefs of police, a police commander, a sheriff's

³"The Current Methods of Futures Research" in The Futurists, Theodore J. Gordon, New York: Random House, 1972, p. 170

⁴ Ibid, p. 171

commander, two police lieutenants, a private prison administrator, a finance director, a prominent community member, and a California Department of Corrections lieutenant. (Appendix 3).

TREND IDENTIFICATION

The trend identification process began with an overview of the issue. An explanation was given regarding the issue and the steps that would be taken to reach a group consensus. After the group had reviewed information gathered from the interviews, group members discussed the contract state prison program and how it related to small police agencies. The list of 10 previously identified candidate trends was posted at the beginning of the meeting. This was done to encourage ideas and to allow "hitchhiking" on ideas already stated. Using a "brainstorming" technique and "round robin" technique to include additional trends, as well as assigning values to the trends under discussion, the five most important trends were identified.

It might be noted that in compiling these trends the group took into consideration the different type of physical plant design. The agencies participating in this new program are building facilities that range from one large building to that of standard state prison design. This is where housing units holding up to 200 inmates are clustered around a support unit. This latter design will more easily lend to additional inmate capacity at later stages of operation.

The RTC facilities are all direct supervision type where the custodial staff intermingles with the inmates.⁵ The inmates are housed in dormitory style with approximately seventy inmates per housing area. The direct supervision seems to work effectively in almost any jurisdiction and equally well in jails, which are used mainly for pretrial and for short term detention, and in prisons, where sentenced inmates serve longer terms. This system was developed by the Federal Bureau of Prisons in the early 1970's to provide humane, secure detention.⁶ (Appendix 4). These were the five emerging trends impacting the issue by the year 2000:

1. The recruitment and retention of personnel to operate these facilities.

2. The emphasis on the corrections aspect at the expense of public safety.

3. The transition from traditional law enforcement to the handling of state prison inmates and operating under California Department of Corrections rules and regulations.

4. Lack of consistent state guidelines for operation of Return to Custody facilities.

5. The probability of high risk inmates being assigned to Return to Custody facilities.

⁵ R. Wener, W. Frazier, J. Farbstein "Building Better Jails", Psychology Today Magazine, June 1987, pp. 204-208.

⁶ Ibid, p. 207.

The top five trends were then placed on Trend Evaluation Forms. The group was requested to evaluate each trend in three different areas: Using today as a bench mark of "100", what year will the trend first exceed "100"? Then, what ratio level will exist five years from now? Assuming things will remain relatively constant, what will the ratio level be in ten years?

The levels shown in the charts are median values. The "will be" indicates the level if current policies, decisions and forces continue. The "should be" indicates the level if proper implementation of policies are made to improve the situation to the best possible state.

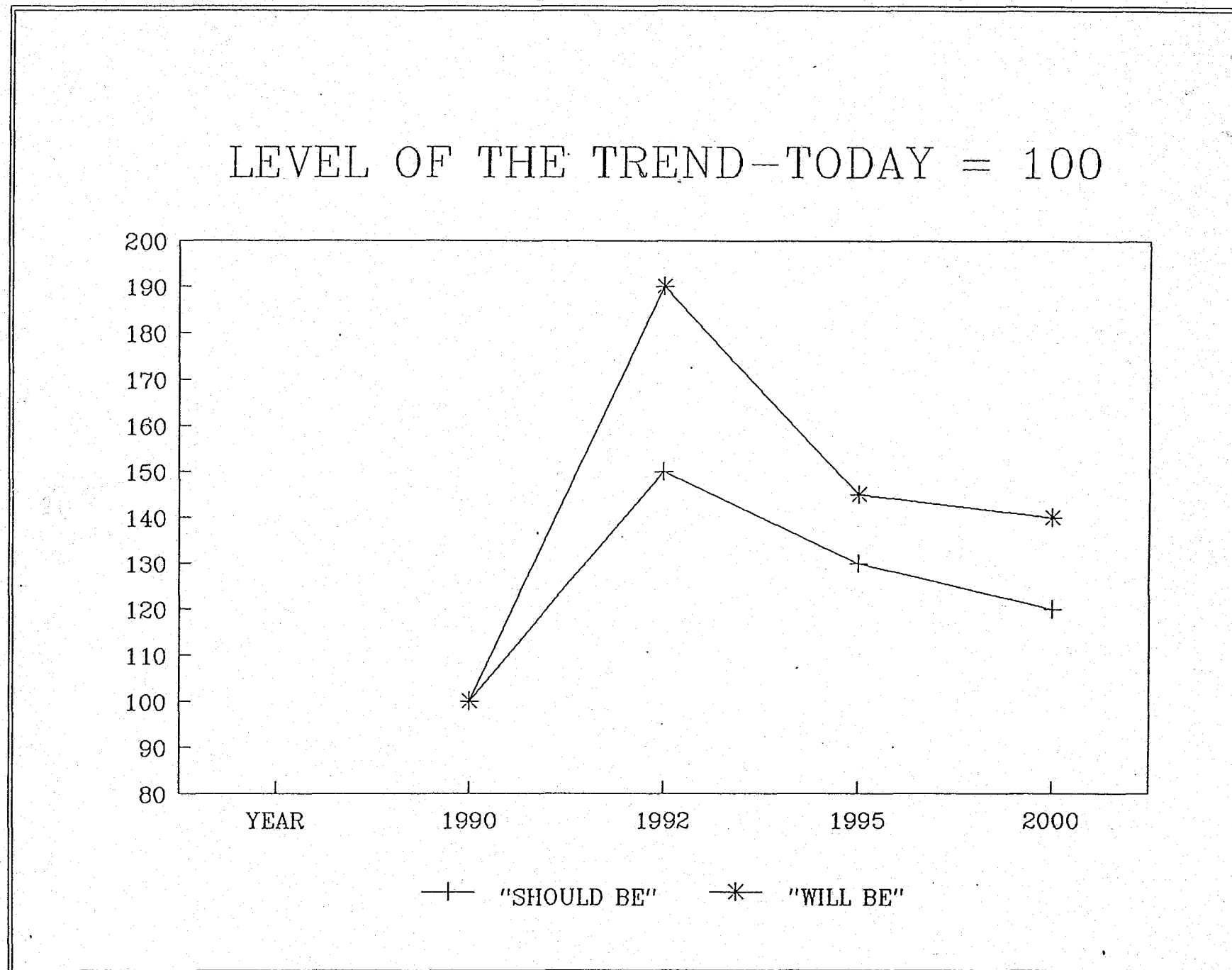


FIGURE 1

FIGURE 1

Recruitment and retention will be a regional problem. In Kern County, the three Return to Custody facilities being operated by small police agencies, will all be within easy commuting distance of each other. Initial recruitment will be a problem. However, the high unemployment rate (12-25%) will tend to mitigate this. The long term trend will be the inability to retain personnel after indoctrination, training, and commencement of operation. To further exacerbate the situation, and within easy commuting distance, there will be five major state prisons and one medium size federal prison. These facilities will employ approximately 5,800 persons, most of them corrections staff.

The problem will be acute by 1992 when three new major prisons begin recruiting personnel all at the same time. As these facilities are built and staffed and the overall county population increases, recruitment and retention will become less of a problem but will not be entirely eliminated. The disparity between state wages and benefits and that of local jurisdictions will always exist.

Salaries and benefits have never been high priority items in local budgeting. If the current policies continue this situation will not change. The "should be" level by the year 2000 indicates the possibility that more monies will be made available to compete for staffing. This is, after all, one of the few areas in local government that will show a substantial profit.

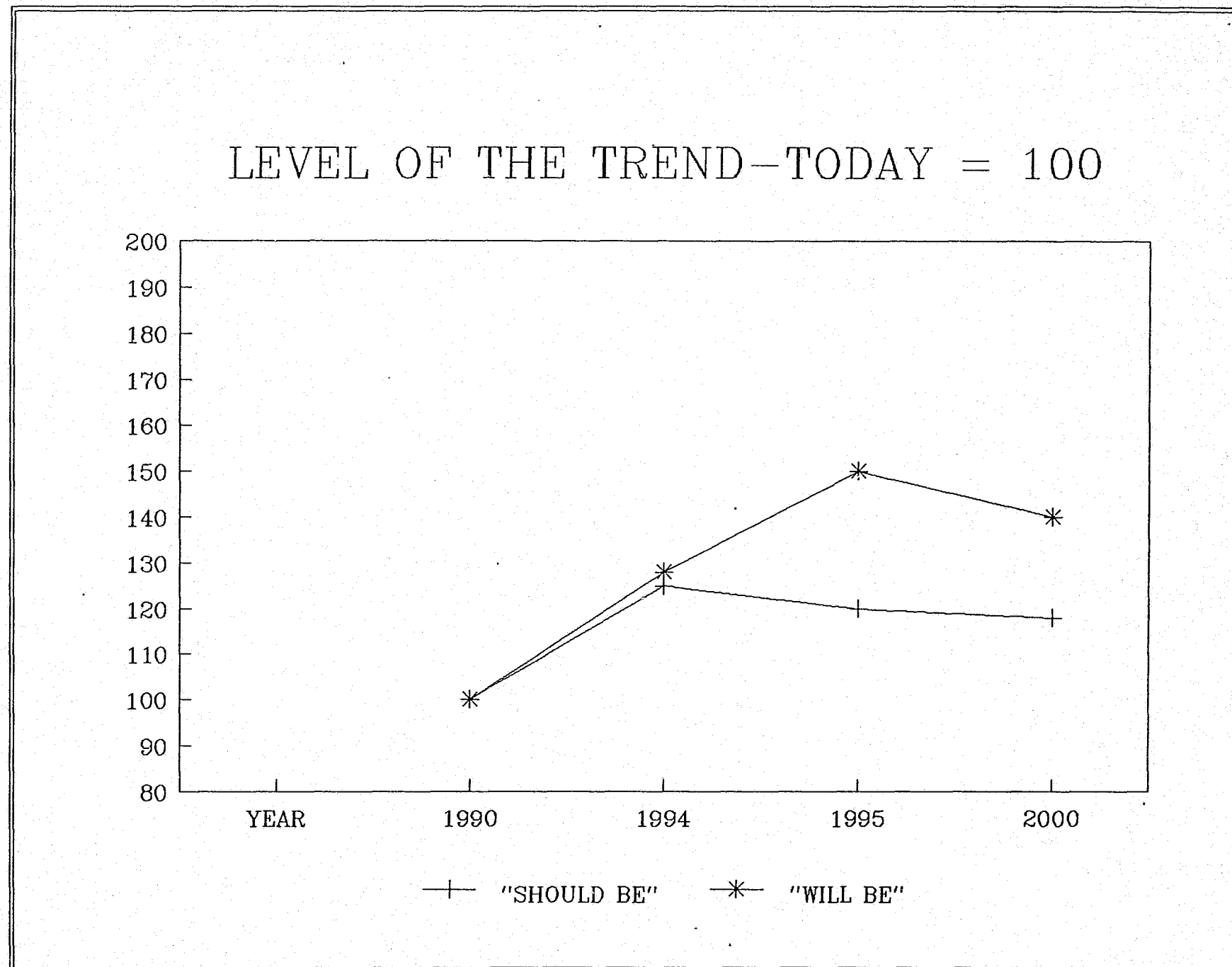


FIGURE 2

FIGURE 2

With local jurisdictions facing increasing costs coupled with limited revenues, the possibility of shifting emphasis to the corrections division of a small police agency, from the public safety side, becomes a distinct possibility. Foremost, the corrections division may be five or six times the size of the rest of the police department. Presently, some county sheriff's departments frequently "short" unincorporated areas to staff contract cities to meet contract requirements. Small police agencies may do likewise. Another aspect to this situation may be the perceived career ladder available in "corrections" as opposed to the "police" side of the agency. The emphasis shift is seen as peaking by 1995 and then tapering off slightly if conditions remain constant. A possible future could show increased attention to this "shift" due to a major event such as a serious police incident leading to the award of a large sum against a municipality or serious political repercussions following a natural disaster.

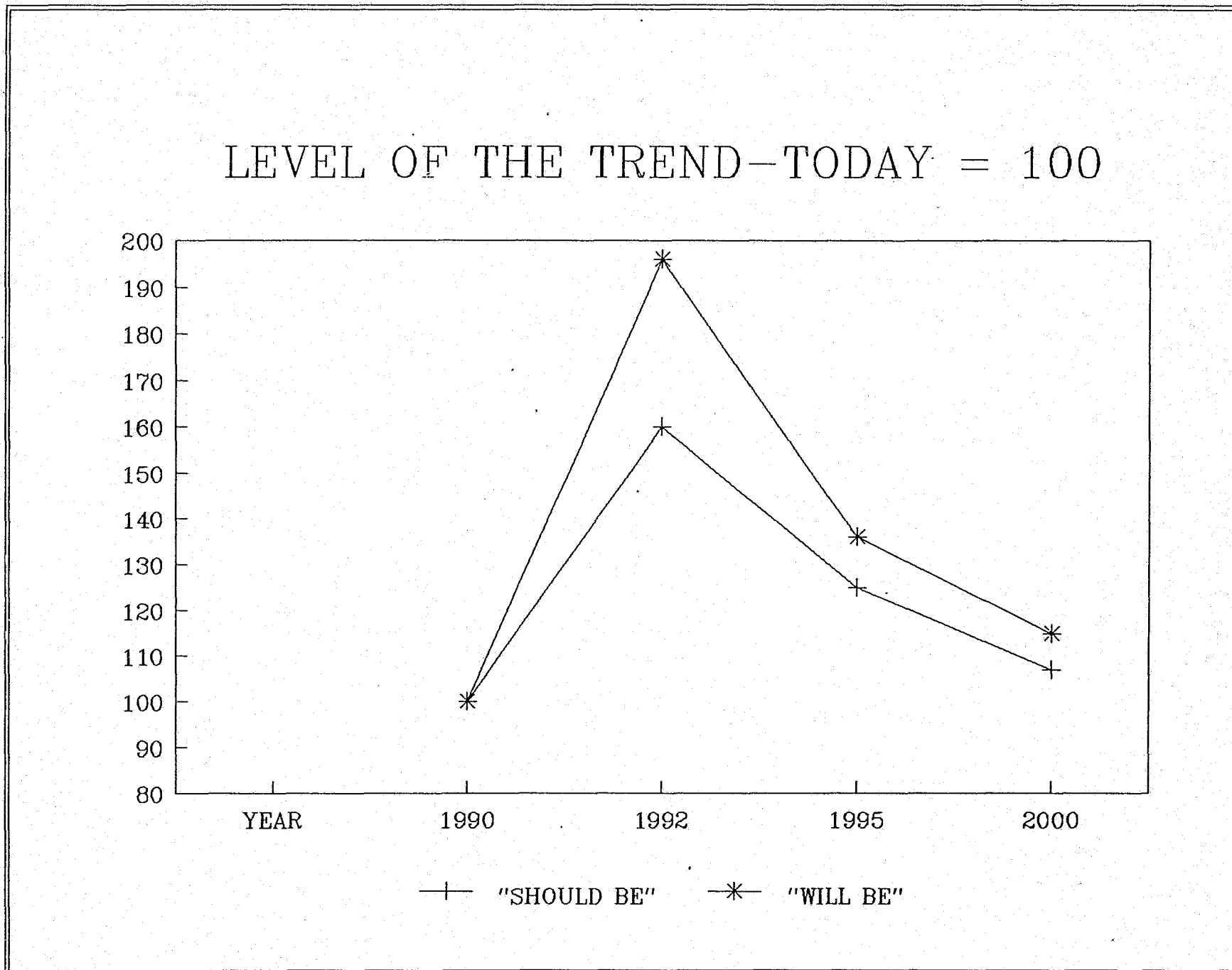


FIGURE 3

FIGURE 3

Small police agencies operating a contract state prison will experience severe transition problems during the first few years of operation. These small agencies, most of whom do not even maintain a Level I type jail will suddenly find themselves operating 400-500 bed medium security state prisons. This will be exacerbated by the fact that the police operations side of these departments will appear more like a small wing of the entire organization. With proper planning and a good transition plan, accompanied by astute strategic planning, the "should be" level reflects the somewhat reduced transition problems, particularly at the early stages, during the first few years of operation. The projections were that by the year 2000, most of the transition problems would be eliminated.

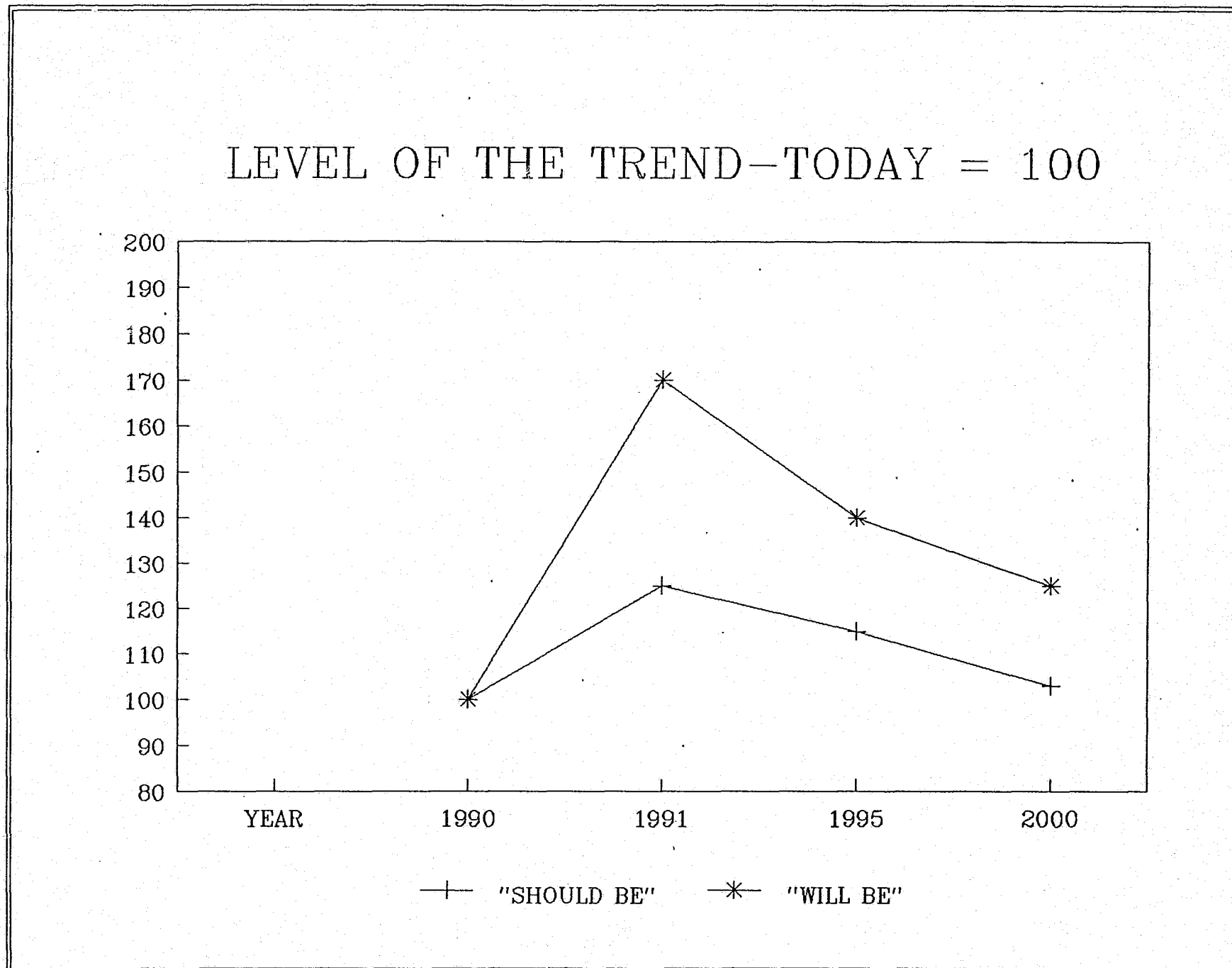


FIGURE 4

FIGURE 4

The Department of Corrections has assigned the Parole and Community Services Division to coordinate all the "1591 Contractors". This refers to the Return to Custody facilities covered by SB 1591, the enabling legislation. There is presently no written policy or procedural guidelines other than what is written in the individual contracts between the state and the various public entities. These vary somewhat from city to city. To further compound this problem, the Department of Corrections has, several times to date, changed its personnel in this division including the Re-entry Administrator. The contracting agencies already feel the lack of adequate guidelines and the first prison has yet to open. Projections for opening are approximately January, 1991. It is almost as though the Department of Corrections is hoping one of the new contractors will get it right and then use that as a standard for the future. The "should be" level by the year 1991-92 reflects what may be possible with strong consistent leadership from the state.

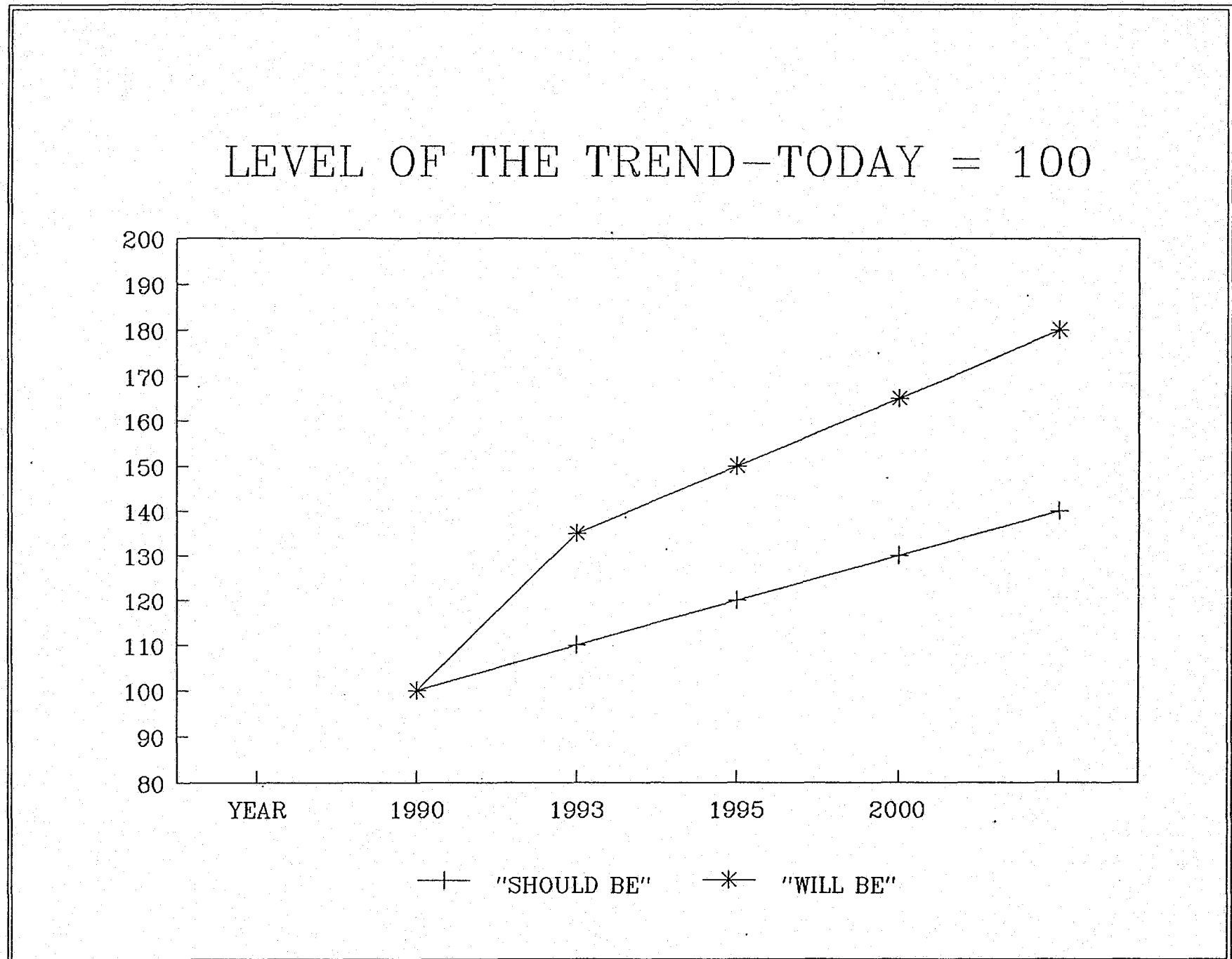


FIGURE 5

FIGURE 5

RTC facilities are designed for non-violent low risk category inmates. Unfortunately, for the public and private contractors, the state performs the inmate classifications and determines where inmates are assigned. The RTC facilities are built to be medium security level prisons housing minimum level inmates. Presently the state utilizes minimum security inmates (Level I) to perform all the maintenance chores at the large institutions. Currently, there are twenty-two large state prison facilities now operating throughout California. (Appendix 5). Four more are now under construction and four more have been proposed as of January, 1990. The huge increase for minimum security inmates to staff these facilities will create a "shortage" of minimum security inmates. This is seen as an ongoing problem and will continue to grow at a steady rate. The possibility of technological breakthroughs or alternative sentencing methods only exacerbates this situation. The "should be" level also reflects a steady increase, although, at a considerably smaller rate. This indicates that state prison contractors will closely monitor the trend and exert political pressure to require the Department of Corrections to live up to its original agreements in the spirit in which they were written.

The NGT group completed individual trend evaluation forms during the meeting. These were then compiled into a final trend evaluation that is as follows:

TREND EVALUATION

TREND STATEMENT	LEVEL OF THE TREND (RATIO: TODAY = 100)			
	TODAY	"WILL BE" IN 5 YEARS	"WILL BE" IN 10 YEARS	"SHOULD BE" IN 10 YEARS
T-1 DIFFICULTY IN RECRUITMENT AND RETENTION OF PERSONNEL	100	145	140	120
T-2 EMPHASIS ON CORRECTIONS AT EXPENSE OF PUBLIC SAFETY	100	150	140	118
T-3 TRANSITION FROM TRADITIONAL LAW ENFORCEMENT TO HANDLING RTC INMATES AND CDC RULES AND REGULATIONS	100	136	115	107
T-4 LACK OF CONSISTENT STATE GUIDELINES REGARDING OPERATION OF RTC FACILITIES	100	140	125	103
T-5 HIGH RISK INMATES ASSIGNED TO RTC FACILITIES	100	150	180	140

TABLE 1

EVENTS

Subsequent to completing the future trend identification, the NGT group members were briefed on what had been accomplished so far and further instructions were given on the next phase in the process. Utilizing "brainstorming", the group was asked to identify and clarify the five critical events that would have the greatest impact on the trends that were previously identified. Using the NGT technique, the group brainstormed a list of possible events that would impact on the operation of a Return to Custody facility. (Appendix 6). After discussion each group member assigned individual probability estimates and estimate of impact on the issue area. The median values are as follows:

EVENT EVALUATION

EVENT STATEMENT	PROBABILITY			IMPACT ON THE ISSUE AREA IF THE EVENT OCCURRED	
	YEAR THAT PROBABILITY EXCEEDS ZERO	BY 1995 (0-100)	BY 2000 (0-100)	POSITIVE	NEGATIVE
E-1 MAJOR TROUBLE IN RTC WITH NO RESPONSE CAPABILITY	1993	30%	15%	3	8
E-2 MAJOR LAWSUIT SUSTAINED AGAINST DEPT. CAUSING FINANCIAL CRISIS	1992	40%	75%	1	9
E-3 MAJOR SCANDAL IN RTC DUE TO PROFIT MOTIVE	1994	33%	45%	2	10
E-4 STATE CHANGING RULES IN "MIDDLE OF THE GAME"	1992	35%	65%	4	6
E-5 POLITICAL GROUPS REACTING TO REAL OR PERCEIVED PROBLEMS IN RTC	1994	50%	80%	4	7

TABLE 2

E-1 MAJOR PROBLEM IN RTC WITH NO RESPONSE CAPABILITY:

A small police agency with ten to thirty sworn personnel, located in a rural county where the sheriff has but one or two cars available, faces a major disturbance inside the RTC facility.

E-2 MAJOR LAWSUIT SUSTAINED AGAINST DEPARTMENT CAUSING

FINANCIAL CRISIS FOR CITY: A successful wrongful death or serious injury suit against the police department for failure to properly train, operate or administer an RTC facility.

E-3 MAJOR SCANDAL IN RTC DUE TO PROFIT MOTIVE:

Several years after the inception of the program the departmental administrators change. With pressure from top city political leaders excess savings are accomplished. This is accomplished either through inadequate personnel measures or the administration of programs, food, education or rehabilitation, resulting in a major scandal leading to indictments or severe political upheavals.

E-4 STATE CHANGES RULES IN "MIDDLE OF THE GAME":

Either through new legislation, or political changes in state administration, the rules may change part way through the original twenty year contracts. Depending on how they change, small departments could find

themselves either severely overstaffed or have difficulty in meeting new state requirements.

E-5

POLITICAL GROUPS REACTING TO A REAL OR PERCEIVED PROBLEM IN THE RTC: A real event, such as an escape resulting in death or serious injury, or a critical situation within the facility causing one or more local political groups to act in a negative manner towards the entire program. This may be a real or perceived situation depending on the groups' political agenda and its' need to act.

CROSS IMPACT ANALYSIS

						TRENDS				
	E1	E2	E3	E4	E5	T1	T2	T3	T4	T5
E1		+20	+20	+13	+18	+10	--	--	-10	-30
E2	--		-50	+40	+15	+5	--	--	-10	--
E3	--	+10		+19	+16	+3	--	--	-5	--
E4	--	--	+70		+16	--	-5	--	-13	+15
E5	--	+5	-5	+7		+5	+17	--	-8	-16

TABLE 3

EVENTS

- E-1 MAJOR EVENT; NO RESPONSE CAPABILITY
- E-2 MAJOR LAWSUIT CAUSING FINANCIAL CRISIS
- E-3 MAJOR SCANDAL DUE TO PROFIT MOTIVE
- E-4 STATE CHANGING RULES IN "MIDDLE OF GAME"
- E-5 POLITICAL GROUPS REACTING TO "PROBLEM"

TRENDS

- T-1 RECRUITMENT AND RETENTION PROBLEM
- T-2 EMPHASIS ON CORRECTIONS VS. PUBLIC SAFETY
- T-3 TRANSITION FROM LAW ENFORCEMENT TO CDC RULES
- T-4 LACK OF CONSISTENT STATE GUIDELINES
- T-5 HIGH RISK INMATES ASSIGNED TO RTC

In reviewing the Cross Impact Analysis some of the critical trends and events are noted:

EVENTS:

Event 1, A major event occurring with no adequate response capability significantly effects every other event in a negative manner. It is viewed as a situation that must be avoided or mitigated if at all possible. Event 1 exacerbates the recruitment and retention problem slightly and somewhat effects the two trends relating to lack of consistent guidelines and assignment of higher risk inmates.

Event 3, A major scandal due to profit motive, significantly increases every other event except Event 1. This indicates that policies and procedures must be designed and implemented to avoid this situation.

TRENDS:

Trend 4, Lack of consistent state guidelines is decreased by every event listed. Because this is a negative trend its decrease means that all the events increase the likelihood that the state will set some consistent guidelines and assign the supervision of this program to an appropriate department or bureau. This situation is to be avoided and constant pressure must be exerted to require the state to fulfill its' requirements in this area.

SCENARIOS

The group process was concluded after the examination of the alternative futures as indicated by an analysis of the trends and events. The sharing of ideas and information provided the basis for scenario development and future policy considerations. The NGT group assumed, for the purposes of this project, that through the year 2000 the state would remain economically stable, there would be no major earthquake, and there would be no world upheaval requiring major changes in the labor market.

The following three scenarios are products of the trends and events that were identified through the NGT process. They will be utilized for future policy considerations. They are the nominal (or most likely), the best case and the worst case. All three look back from the year 2000.

SCENARIO NO. 1

By the year 1998, the Return to Custody program utilizing small police agencies, had expanded tenfold from its beginning in 1990. The state entered the program without adequate planning or consistent guidelines as to operations. It was initially assigned to Parole and Community Services Bureau. A section that did not wield much power within the Department of Corrections. The various small public entities were left to their own devices as to how they would operate their respective facilities. Some cities created separate departments or as part of an existing city department. Half, placed the responsibility in the lap of the local city police department with the ultimate responsibility for operations given to the police chief.

Many will remember that end of summer in 1994 when the

temperatures in the great Central Valley reached record proportions consistently topping well over 100 degrees daily. The RTC facility sweltered, as original building plans only specified that fan driven evaporative coolers be installed on the rooftops of the housing units.

There were 650 inmates assigned to the facility originally designed for 400 beds. In an attempt to increase profits the city had agreed to accept the overcrowding.

The police department consisted of eighteen sworn officers, six of whom were assigned as supervisors at the RTC facility along with fifty corrections officers (non-sworn).

On that particular hot Saturday evening in late August the on duty watch at the RTC facility consisted of a police sergeant watch commander and seven corrections officers. Several miles away at the small police station the civilian public safety dispatcher sat at the radio console and two (one officer) patrol units cruised the tiny community of 8,000 residents located 30 miles from the small county seat.

The tractor-trailer collision five miles away on the interstate collapsed the large power pole cutting electrical power to the RTC facility. The emergency generator immediately kicked in supplying only minimum power requirements. All the facility television sets were simultaneously shut down in the midst of a very popular program. This was the spark that ignited the prison upheaval. In the melee, several guards in this essentially unarmed medium security, direct supervision, facility were taken hostage while the control room officers locked

themselves in the upper secure area and radioed for assistance.

It was four to five hours before any type of organized response was available on the scene and much longer before the situation was resolved. When it was over the facility was in ruins. The main support building was set afire and the housing units were completely vandalized. Fortunately no one was killed but two guards and several inmates were seriously injured and the political ramifications soon followed.

Local political groups clamored for action and tried to place responsibility. The State Department of Corrections, under pressure from the legislature acted to change its policies and guidelines regarding contract services. Several major lawsuits were filed in connection with this incident. Most of them have been resolved but one lawsuit has considerably exceeded the one million dollar liability policy and the Risk Management Authority is facing a considerable loss.

For the last few years after the 1994 riot the Department of Corrections has, through the construction of several major state prisons nearby, formed special entry teams for immediate response to prison disturbances to restore order. There has been a policy developed to respond to the nearest RTC facility in the event of any emergency.

SCENARIO NO. 2

Looking back from the year 2000, the period from 1992 to 1995 was extremely difficult for the recruitment and retention of personnel. The three large state prisons, plus the federal prison, and several more RTC facilities were all competing for a limited labor pool.

The small cities could not compete with the much larger state salaries being offered and as a result were suffering. The moment personnel were satisfactorily trained and became operational they were lured away. Those not eligible for state employment, for one reason or another, were marginal employees at best. RTC operations suffered considerably and profit margins were reduced significantly.

To cope with this situation the cities assigned their best police officers to the RTC facility to "keep the ship afloat". As a consequence public safety in the local community was diminished and the priorities were concentrated on RTC operations. This was, after all, 80% of the departments' budget and personnel allocation.

The police agencies used foresight however, and found more creative ways of bringing qualified people into law enforcement careers. As the baby boom population was aging, second career opportunities were developed for older workers. These individuals brought a wealth of life experience and stability to the mostly younger inmates housed at the RTC facilities. There was a "shared" job program developed where two people draw one "good" salary while sharing the work responsibility. This program opened opportunities for many mothers who could not work full time.

The use of robotic technology also eliminated some personnel needs in RTC facilities.

By the year 2000, recruitment and retention was still an ongoing problem, but was at least manageable and under control.

SCENARIO NO. 3

By 1995, the state prison population reached 153,370. It is now the year 2000, and the state prison population has exceeded 200,000 inmates. The new facilities that have been built to cope with this increase require all the minimum custody inmates available to perform the necessary housekeeping tasks. In fact, there is now a "shortage" of this classification of inmate (Level I). Increasing number of parole violators (60% are being returned) necessitates a change in the method of classification and assignment of inmates to prison facilities.

The RTC facilities were, after all, built to medium level specifications (Level II). So why not re-classify and assign higher risk inmates to these facilities. The contracts do specify that the state and not the police department (or city) have control over inmate assignments.

In 1999, the escape of an RTC inmate, with a history of violence, culminated in the death of a family of four in a rural farmhouse several miles away. The resultant "hue and cry" from political action groups caused the removal of the police department head and a Department of Corrections revamping of state policies. Much stricter state guidelines have been established for future inmate classification and assignments.

During the course of the investigation into the police department's operation of the RTC facility a scandal was uncovered. To increase profit margins for the city, the police department chief executive was pressured into adopting unsafe practices in the hiring and training of RTC prison personnel. In addition, equipment and food purchases were also found to be

inadequate. There was a grand jury investigation with possible indictments forthcoming.

There was a local recall initiative started, which resulted in the change of three city council seats and a movement undertaken to attempt a cancellation of the state contract to operate the RTC facility. This new political movement called for a complete separation of the police department from any responsibility other than public safety.

After all, the local folks said, "We pay our police department to protect us and the state is responsible for prison operations."

STRATEGIC PLAN

The strategic plan provides the basis for a small police agency that will be operating a Return to Custody facility. The strategic plan uses the SMEAC model. This is an acronym representing the various parts of the strategic plan as follows:

- A Situation analysis
- A Mission statement
- An Execution plan
- Various aspects of Administration and logistics
- Control and plan

The strategic plan follows the form of stating the Situation, a statement of the Mission, and the development of the Executive plan with consideration for Administration and logistics and Transition Management.

The second scenario (Best Case) was chosen for the strategic plan along with certain aspects from both the other scenarios.

SITUATION

The groundwork for the formalization of the strategic plan consisted of an analysis of the environment using the Delano Police Department as an example. WOTS-UP is an acronym for an evaluation of an organization's Weaknesses, Opportunities, Threats and Strengths. This analysis is done to determine the best match between the internal capabilities of the organization and the external environment.

ENVIRONMENT

The Return to Custody contract prison program represents a radical departure from traditional state prison operations. The state was faced with a burgeoning prison population and rapidly

increasing costs. California adopted the RTC program in 1987 to lower its cost of providing custody services to non-violent parole violators, to expand over all prison capacity, and to provide greater opportunities for work experience in the community. Through contracts with local governments, the state delegates responsibility for the daily supervision of certain prisoners to the contractors. These prisoners remain under the legal custody of the Department of Corrections, but the facilities are operated by the contractors and the facilities' staff are contractor employees.

The authorizing statute also waives certain requirements of the states' public contract act for construction of such facilities. The state benefits from the lower cost of wages and construction under this arrangement. The local contractor gets a service fee over and above the direct cost of providing the service and may also benefit from the economic activity generated by the facility.

The City of Delano, along with two other cities nearby in Kern County has entered into a 20 year agreement with the state to provide custody services to state prisoners under this program. The contracts include monthly reimbursement provisions for the construction of 416-460 bed facilities amortized over the 20 year term. The City of Delano has issued certificates of participation to build the facility, secured by an RTC facility lease, with the Delano Public Improvement Corporation, a non-profit public benefit corporation. The city covenants to budget and appropriate base rental payments from the amounts it receives

under the state contract. The city has also requested payments for facility lease costs directly to a trustee for the owners of the certificates.

The state's obligation under the contract is subject only to its right not to appropriate sufficient funds for the payments. Because California prisons are currently at about 170% of designed capacity and the program offers clear financial benefits, the state's incentive to allocate the funds is very strong.⁷ The state may terminate the contractor for non-performance or just cause, but must continue to make all facility lease payments as it either locates a replacement contractor or operates the facility itself.

The cities who have elected to join this program have some very strong similarities. They are all small, the largest is 22,000 down to 6,500 population. They are all very rural, located 20 to 30 miles from the county seat. In one instance the county seat has only a 25,000 population.

The obvious question is why would these cities want to be involved in this program? The most ready answer is finances. In addition to being isolated communities, they have no large tax base, they are mainly agricultural in nature, and all are financially strapped. In addition, they all have high rates of unemployment, some as high as 25% locally. The built in profit factor is the incentive to operate these RTC facilities.

⁷ The "Review of Standards & Poors Credit Report". April, 1990

If the state did not provide proper planning for this program, the cities did even less. The police departments certainly were not contacted for advise or input. This was mainly a political decision based on finances and the communities' acceptance of a facility of this type. In fact, only one of the three police departments now operates a Type I holding facility.

It is interesting to note that in the critical trends identified by the NGT group (in which all three police departments participated) that the issues are: recruitment and retention of personnel; corrections vs. public safety; transition from law enforcement to Department of Corrections rules; lack of consistent state guidelines for operation; and the assigning of high risk inmates. It is apparent that these are high areas of concern for all involved.

Fortunately, the police agency heads and the city managers involved, along with their councils, are all entrepreneurial and support their police agencies in these revenue generating projects. The RTC facilities will operate on separate budgets to facilitate expenditures and monitor profit levels.

INTERNAL ASSESSMENT

The police department has several strengths that would be considered important in the transition to operating an RTC facility. The department has been successfully operating a Type I jail facility for a number of years. Beginning in January, 1988 the department joined the Standards for Training Corrections

Officers Program (STC). By adhering to state standards in the recruitment and training of jail officers (non-sworn) the department will continue in the present selection and training process for RTC corrections officers, although this is not required according to the terms of the state contract. The department is maintaining good relationships with both the other police department contractors and the cities with separate departments operating RTC facilities. In addition, close liaison has been established with the private contractors who have been operating for 1-2 years and have gathered some empirical data.

The police department will be operating an 80,000 square foot facility that is patterned upon the newest California Department of Corrections prison design scaled down to 50% from the original. This is a design that has been found extremely satisfactory. There is the opportunity to expand the capacity in the future to maximize revenue potential without greatly increasing costs. This is an entirely new concept for police agencies.

There are additional opportunities in providing a career ladder for police employees in a small agency plus the expanding job assignments that will be available. The increased revenues to the General Fund will enable the police budget to increase for additional personnel and equipment.

There are some concerns when assessing the weaknesses that exist. The department has no prior experience in this area of penology. The present department head has at least had several years of large county jail operations experience. Where will the future chiefs be found? Is it possible that executives from the

Department of Corrections will eventually command those small police agencies with large corrections staffs? The "new" monies that will be generated by the RTC program will not come directly to the department, but will go, instead, to the city's general fund. These funds may then be used to offset other programs or deficiencies in the city budget.

As these RTC programs get under way there is a certain amount of resistance by some present members of the police supervisory staff. Many see this new program as positive but others grumble about the possible duty assignment to the prison. This is caused mostly by the resistance to change in a new and unknown environment. This is an area where leadership will be an extremely important attribute. The transition must provide a vision for the future.

There is also a perceived weakness in level of management and supervisory skills, along with basic skills for most of the rank and file employees. Training needs will be met prior to commencement of operations, but "hands on" experience will only come with time. This is an area where the empirical data gathered by private prison operators will be very valuable. The transition effort should involve first line supervisors in the departments decision making and police development processes.

STAKEHOLDER AND SNAILDARTER ANALYSIS

A sub group of the NGT Panel, made up of department management personnel, was convened for the stakeholder identification segment. The members were given a process overview explaining the data results and the stakeholder concept. Stakeholders are persons or groups which may be affected by the issue. They may attempt to influence the issue or the way it is being conducted. Snaildarters are persons or groups who are not so obvious as having a stake in the issue and may suddenly emerge causing serious problems.

It is important that these groups, whether internal or external, be identified when preparing a strategic plan. Those who support must be encouraged, and those opposing must be mitigated. A plan can then be implemented to chart a course of action to manage, control, lead, or neutralize in order to accomplish the strategic plan.

The NGT sub group discussed a list of stakeholders during the meeting. Also several "snaildarters" were identified. Those stakeholders and snaildarters that were identified as being critical to the success of the police agencies contracting to operate Return to Custody prison facilities are listed along with the descriptions of their assumed respective positions.

1. City Manager: Support

The city manager strongly supports this program as a way to substantially increase city revenues to the general fund. The city has been falling nearly a million dollars short of balancing the budget for the past two years. This will also please the council ensuring his position.

2. City Council: Support

The council was pro-active in the initial application for this program and has continued in strong support. The additional income to the city plus the approximately 100 new jobs will appeal to their constituents. It gives the image of a "city on the move" which they have been quoting.

3. Police Chief: Support

The chief will strongly support this program because the entire department will benefit through increased equipment and resources, in addition to improvements in wages and benefits. There will be a substantial increase in the size of the department which in turn will increase the responsibilities and importance of this executive position through both direct and intrinsic benefits.

4. Local Courts/Judges: Mixed reaction

The courts feel that with the building of two large state prisons (4,500 beds each) near to the three Return to Custody facilities there will be a dramatic rise in prison related crimes that will be brought into their jurisdictions.

5. Sheriff: Oppose

The sheriff has publicly stated he is opposed to any prison construction in the county. He has stated it will be difficult for him to provide adequate public safety with the increase in crimes and the type of population increase these types of facilities would bring. Furthermore, he stated it would be extremely difficult for him to recruit corrections officers for his county jail facilities.

6. California Correctional Peace Officers

Association: Snaildarter

This is one of the strongest public employees' associations in the state. This association has strong allies in the state legislature. While this group strongly supports the building of new state prison facilities they have remained silent on the RTC program. Now it is relatively small, but as it increases this group could feel itself threatened by a substantial loss of correctional positions statewide.

7. Local Police Associations: Snaildarters

At present the police associations support this program. However, in the future, when the correctional officers form much larger associations that overshadow the police officer associations there could be a sudden change in attitude. Additionally there may be resistance from sworn supervisory personnel assigned to corrections duty for extended periods of time. They could actively oppose the program as "not the job of the police department".

8. California Department of Corrections: Support

California Department of Corrections strongly supports this program at the onset. This is particularly true with the political pressure exerted by the legislature to seek alternative methods of reducing costs of incarceration. This could change in the future if serious problems emerge in this new program. Organized groups of California Department of Corrections employees could force changes in the Department's attitude toward contract RTC facilities.

9. Community Groups: Weak Support

At present, due to the local economic situation, there is weak support. No one really likes prisons in their midst. A few voices are already questioning the entire process. The RTC program must be handled in a positive professional manner to allay these doubts and fears.

10. State Legislature: Support

They have just enacted the legislation permitting this new program. It is a way of reducing state costs for corrections which is rapidly increasing. However, being political, they are sensitive to special interest groups such as large state correctional unions or organized minority groups representing particular segments of the population.

11. Media: Weak Support

Local newspapers and television have presented the program county wide and appear to at least support it for the present. Some type of negative incident, that is real newsworthy, could generate state or national interest of a sensational nature.

12. Other City Departments: Snaildarter

This group has remained silent to this point, but could present future opposition. The perception in smaller cities that one particular department, in this case the police, is getting "too large and powerful", could possibly force a change in operation from police to a separate corrections department.

13. Private Prisons: Oppose

The legislation enabling public entities to operate contract RTC facilities has placed a hold on any more expansion

of this program. The existing facilities will remain but private corporations operating them will be unable to add additional sites.

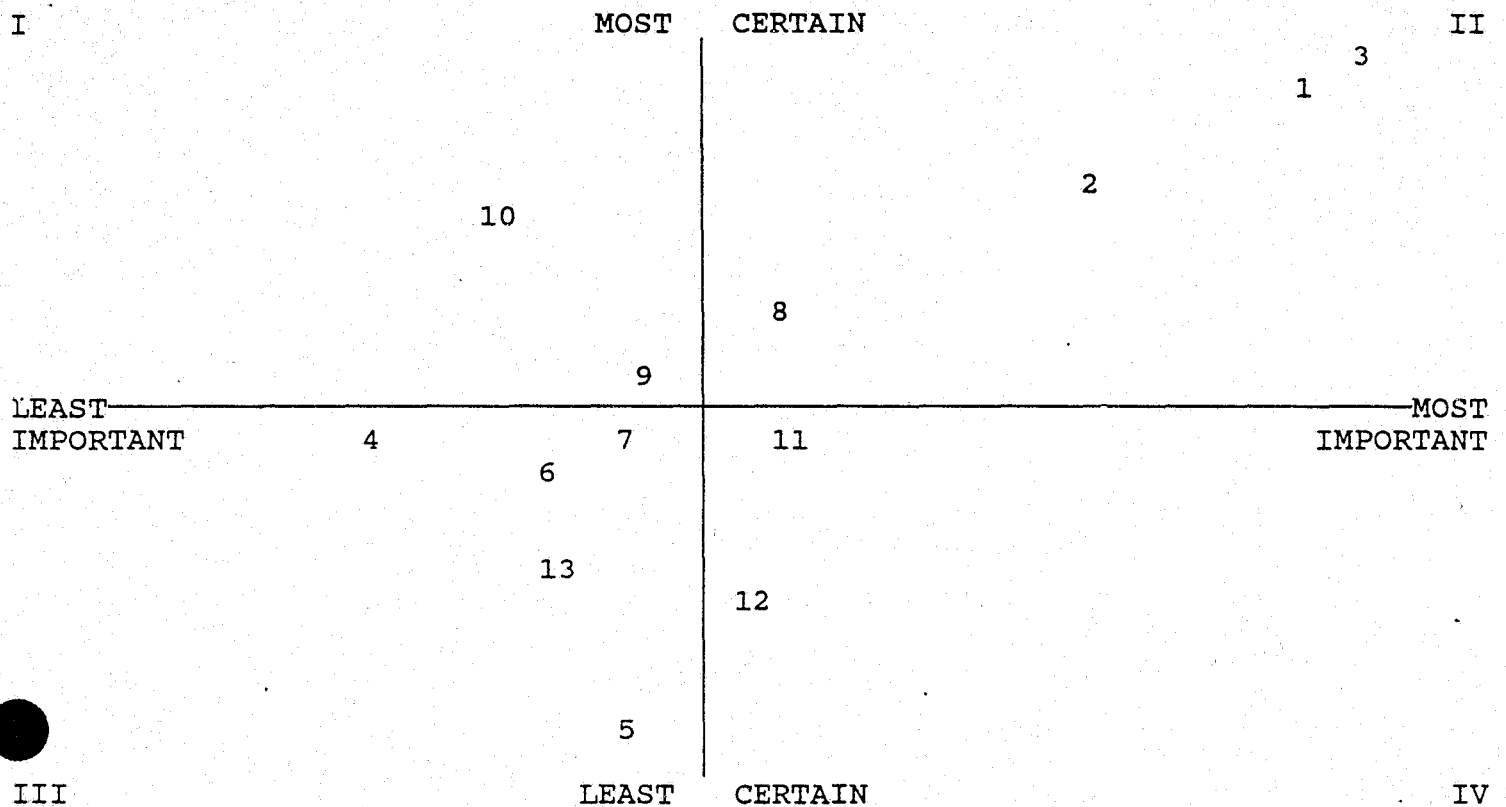
STRATEGIC ASSUMPTION SURFACING

The Strategic Assumption Surfacing Technique (SAST) is a method of determining assumptions for each stakeholder position. The S.A.S.T. plot will indicate the type of leadership or management required to gain or retain support and/or mitigate possible opposition.

Quadrants I and II will require management monitoring. Quadrant I, ("least important and most certain"), requires only routine monitoring. Quadrant II, ("most important and most certain"), will not require too much in the way of management or leadership. This group should evolve in a positive manner.

Quadrant III and IV will require the most attention as these are the most critical stakeholders. Quadrant III, ("least certain and least important"), need to be monitored for sudden changes in position that could change their category. Quadrant IV, ("most important and least certain"), need constant attention due to their importance.

STRATEGIC ASSUMPTION SURFACING TECHNIQUE PLOT



STAKEHOLDERS

- | | |
|--|--------------------------------------|
| 1. CITY MANAGER | 7. LOCAL POLICE ASSOC. (SNAILDARTER) |
| 2. CITY COUNCIL | 8. CALIFORNIA DEPT. OF CORRECTIONS |
| 3. POLICE CHIEF | 9. COMMUNITY GROUPS |
| 4. LOCAL COURTS/JUDGES | 10. STATE LEGISLATURE |
| 5. SHERIFF | 11. MEDIA |
| 6. CALIFORNIA CORRECTIONS OFFICERS ASSOCIATION (SNAILDARTER) | 12. OTHER CITY DEPTS. (SNAILDARTER) |
| | 13. PRIVATE PRISONS |

TABLE 4

MISSION

(MACRO)

For the purposes of this study the Delano Police Department has been used as a model. The mission of the Department is to provide a broad range of public safety services with the following objectives:

- To furnish the citizens of Delano superior law enforcement service,

- To support the Kern County Criminal Justice System through responsible leadership and by effectively utilizing quality resources in the area of prisoner custody training and technological specialities. (Appendix 7).

(MICRO)

As it pertains to this issue, an additional mission statement has been developed as follows:

The mission of the Delano Return to Custody Facility is to operate a fully constitutional, safe and secure correctional facility with the following objectives:

- To protect society, for a period of time, by housing offenders away from the community as prescribed by law.

- To meet the needs of inmates by respectful and dignified treatment while providing opportunities with a variety of programs, for educational, vocational, social and personal counseling leading to ultimate release.

- To strive for recognition as an outstanding, fiscally responsible, correctional facility, maintaining excellence of performance in managing human and logistical resources required to meet our responsibilities.

EXECUTION

A sub group of the NGT Panel consisting of four police department management personnel and three non-sworn members of city government was convened to review the critical trends and events, the WOTS-UP analysis and the strategic assumptions that were plotted. The following represent the strategies proposed by the group:

Strategy Statements:

1. Develop a recruitment policy that will be for reaching and all encompassing. A program that will take into account the emerging and dramatic changes in the demography of today's workplace. Include a liaison with other agencies such as the state Employment Development Department (EDD) and related training schools.

2. Develop a career enhancement program that will enable police department employees the opportunity to experience new job assignments, perhaps in an acting supervisory position. In addition, the corrections officers could be provided city jail experience as an alternative to the RTC facility. This new interest could stimulate the police reserve program and increase the retention rate.

3. Ensure that proper procedures are established, including frequent audits, to prevent the misuse of inmates or resources. A series of checks and balances to convince political leaders, administrators and employees to adhere to ethical conduct.

4. Frequent use of the media to present positive programs

and events taking place in the RTC facility. A prominent use of inmate services to maintain city parks and recreational areas and other related functions that are the responsibility of city government. This should be presented as a dollar figure in savings for local taxpayers. This will greatly assist in keeping local political groups informed and convinced of the value of this program.

5. Develop policy that will keep a separation between public safety responsibilities and those of corrections. Although both divisions are under the same department, maintain separate budgets for each as a start. Maintain separate policy and procedural manuals and closely observe priorities. This will assist in the transition from police department rules to Department of Corrections rules and procedures.

6. Train police and corrections personnel in emergency response techniques to prison disturbances and provide proper type of equipment. In addition, train personnel to be sensitive to inmates and their needs while they are incarcerated. Establish close liaison with the nearest major state prison for their emergency response teams while establishing contingency plans for containment.

7. Establish close liaison with both public and privately operated RTC facilities. This will assist in lobbying state corrections officials to monitor assignment of low risk inmates as originally intended. Local legislators from the various jurisdictions can be used to pressure CDC to adhere to the original intent of the program.

8. Maintain proper levels of liability insurance including the sharing of responsibility through a risk management authority, particularly where several facilities are in the same region. Proper training of employees and compliance with state rules and regulations should mitigate costs for this coverage.

9. Develop agreements with other city departments such as Public Works and Facility Maintenance. RTC inmate labor could be utilized in exchange for services to the police department or prison such as repairs and maintenance through the use of fund transfers.

10. Closely monitor state guidelines for changes in RTC operation. In addition this includes new rules emanating from Sacramento. Close liaison with other public agencies involved in this program and with state and locally elected officials will assist in applying proper political pressure to follow original contract agreements.

Following this phase of the process, the group was instructed on the policy delphi technique. The original nine alternatives were reduced to three utilizing the Feasibility/Desirability Index. They were rank ordered in terms of: highest feasibility/desirability the next highest and the most polarized. The three alternatives were:

(1) Develop an ongoing policy of recruitment training and retention of personnel including a career enhancement program.

(6) Design a program to establish primary emergency response teams coordinated with secondary state response. Provide sensitivity training to personnel.

(3) Develop procedures, with adequate checks and balances,

to ensure ethical conduct by political and management personnel (most polarized).

ALTERNATIVE STRATEGIES:

Prior to selecting the final alternative for the strategic plan, the group analyzed the strengths and weaknesses of the three alternatives. The major observations are as follows:

(1) Develop an ongoing policy of recruitment training and retention of personnel including a career enhancement program.

Pros

1. It is futuristic to watch emerging demographic trends
2. Could provide large labor pool to draw from
3. Maintain smooth operations at RTC facility
4. Provide variety of assignments for personnel

Cons

1. Increased workload for already struggling personnel department
2. Higher state salaries could prove obstacle
3. Rural area located some distance from metropolitan area

The group rated this alternative highest on the feasibility/desirability index. Members generally felt that this would be the greatest need particularly during the first five years of operation.

There is already a recruitment problem for qualified employees and the new program has not yet started.

(6) Design a program for contingency emergency response personnel and coordinate with state authorities.

Pro:

1. Provide containment for unusual incidents
2. Maintain trained personnel who feel secure in their duties
3. Will have the approval of State Department of Corrections

Con:

1. Need outside assistance in developing training program
2. Will need to be ongoing with frequent expected changes in personnel

This alternative rated second highest on the feasibility/desirability index. Group members feel somewhat apprehensive going into an entirely new and different area of responsibility from that of traditional police work.

(3) Develop checks and balances to ensure ethical conduct by both political leaders and management personnel.

Pro:

1. Avoid future scandal for the department
2. Maintain integrity of state contract which could be voided for malfeasance
3. Provide job satisfaction for individuals concerned
4. Maintain highest level of integrity

Con:

1. Potential cause of friction between department and city government leaders
2. Possible removal of department head
3. Various RTC facilities operating under different guidelines

Group members indicated that this was the most polarized alternative. Some members felt that they were now operating with integrity and would continue to do so. Other members felt that sufficient checks and balances must be installed for future leaders and managers as yet undetermined.

RECOMMENDED STRATEGY

Subsequent to reviewing the alternatives it was determined that a plan should be developed to implement Alternative #1, mainly because of its' immediate importance in the near future and for at least through the next five years. Its practical value could prove to be the key to the successful future operation of the program.

DESIGN A RECRUITMENT, TRAINING AND RETENTION PROGRAM TO INCLUDE CAREER ENHANCEMENT FEATURES

This policy was selected because it would have the greatest immediate impact on the issue. Starting from ground zero the facilities are all being constructed to state specifications. The personnel will be the heart of the program and are of the most concern to the agencies involved.

If this initial program is a success there may be some agencies that will expand their facilities from 400 plus inmates to as many as 800 in the next five to ten years. A successful personnel program will be the key to this future. There are no state mandates other than the bare minimum training requirements for RTC personnel. It is up to the agencies to develop their own standards of excellence. The success of this alternative can serve as a model for cities and their small police agencies that will eventually enter this program. This alternative will appeal to the majority of the stakeholders due to its overall primary importance.

Comparatively, the second alternative, designing a program for emergency response personnel, is also of great importance.

However, some of the necessary and desirable attributes will be found in a successful overall personnel policy of recruitment and training.

The third alternative, developing checks and balances for ethical conduct in political leaders and top management will probably be an excellent future program and will prove to be easier once the program has been underway for a period of time.

IMPLEMENTATION STRATEGY

To successfully implement the selected alternative, a recruitment, training and retention program, the police agency must resolve the following issues:

1. Police management personnel must be allowed to provide broad guidance in recruitment policy to the city's personnel department to avoid conflicts in method or personalities.
2. A systematic program of recruitment must be established that will maximize efforts while minimizing budget resources.
3. The proposed recruitment policy must address the emerging demographic changes in the U. S. workforce.
4. A specific training manual for Return to Custody personnel must be developed by the police agency.
5. A career enhancement program must be initiated as a combined effort between the city personnel department and the police agency.
6. A plan must be developed to entice employees to remain such as child care or job sharing.
7. Material for public dissemination should be developed for use in the media, particularly directed toward minorities, women and senior workers.

8. Police department employees must be provided with an orientation on the new program for recruitment in the RTC facility.

9. All available state and local human resource agencies must be tapped including private sector and military services.

10. The many facets of a successful personnel policy for the RTC may be utilized for the recruitment in the police agency itself or other city departments.

11. Selection criteria for corrections officers should meet the State Training for Corrections Program (STC) to ensure qualified personnel and allow work assignments in the city jail as well as the RTC.

12. Reluctance on the part of city government to spend additional funds in this area must be overcome.

ADMINISTRATION AND LOGISTICS

This project will be under the direction of the chief of police. As department head, he has the ultimate responsibility and will establish the major goals and objectives, in addition to providing leadership and direction. The chief will work with the City Personnel Department, the State Employment Development Department and Department of Corrections and his own staff. The prison facility administrator will be directly responsible for implementing the recruitment, training and retention plan.

The police department presently uses a line item budget and personnel costs are funded by both the personnel department and the police department. A separate budget will be established for the Return to Custody facility. Part of this budget will be the initial costs for recruitment and training of personnel. The state has made certain provisions in the contract for pre-start up costs. The cities involved will attempt to retain as much of these funds as possible, so it will take strong administrative abilities to utilize these funds for maximum benefits.

A recruitment plan for the future will be developed to take into account the following changes in the work force:

- The mass flight from the snowbelt to the sunbelt
- The growth of popularity of smaller communities for "quality of life", low crime rates, air and water pollution, and traffic gridlock
- The shrinking size, the increasing and growing variety of households
- The shift of wives into the workforce
- Pressures of changing age profiles (gray hair equals

less red ink). The U. S. fertility rate has fallen below 2.2 which is necessary to maintain a level population.

- Changing immigration patterns
- The possible need for on-site child care. Male headed families are presently indicating the greatest increase with female headed families next.

PRE-TRANSITION PLANNING

A well planned organization of the transition team is essential if the process is to work effectively and efficiently. A number of tasks need to be organized and defined to initiate the transition process. A Transition Organization Chart has been developed (Table 5) with responsibilities delegated as follows:

Transition Coordinator

This is the single most important individual in the transition process. This person is responsible for establishing the overall objectives and structure of the proposed plan. The coordinator must constantly monitor the process and serve as the principal motivator for the transition.

Administrative Task Force

Comprised of several city departments such as police, personnel and finance. The task force approach allows the segmentation of transition activities into management units without severely compromising authority and responsibility.

Task Force

These are the primary work force for the transition process. In general, they are planning bodies for:

1. Identify needs as they relate to a specific activity

2. Determine how those needs can be met for the function area involved

3. Address unresolved issues or problem areas related to the activity

4. Develop written policies and procedures to ensure accuracy and consistency in the activity.

The sub-group determined that for this transition plan three task force areas would be necessary as indicated in the chart.

It is an important component of pre-transition planning to develop an action plan for each of the task force areas. The action plan will be a short-range plan defining the steps that need to be taken to accomplish the intended outcome. The plan also identifies the individuals responsible for a particular action and specifies a completion date.

Action plans will enable the task forces to determine what activities are necessary to meet transition objectives. They provide direction in assessing various alternatives for addressing those objectives and in selecting the most appropriate approach.

The individual task forces will, in most instances, prepare their own action plans, which will be incorporated into the overall transition plan based upon each task force's agendas.

The final task in the area of transition organization involves the orientation and training of the transition team (task force) members. This will allow each task force to be adequately versed in the various issues of the other task forces.

TRANSITION ORGANIZATION CHART

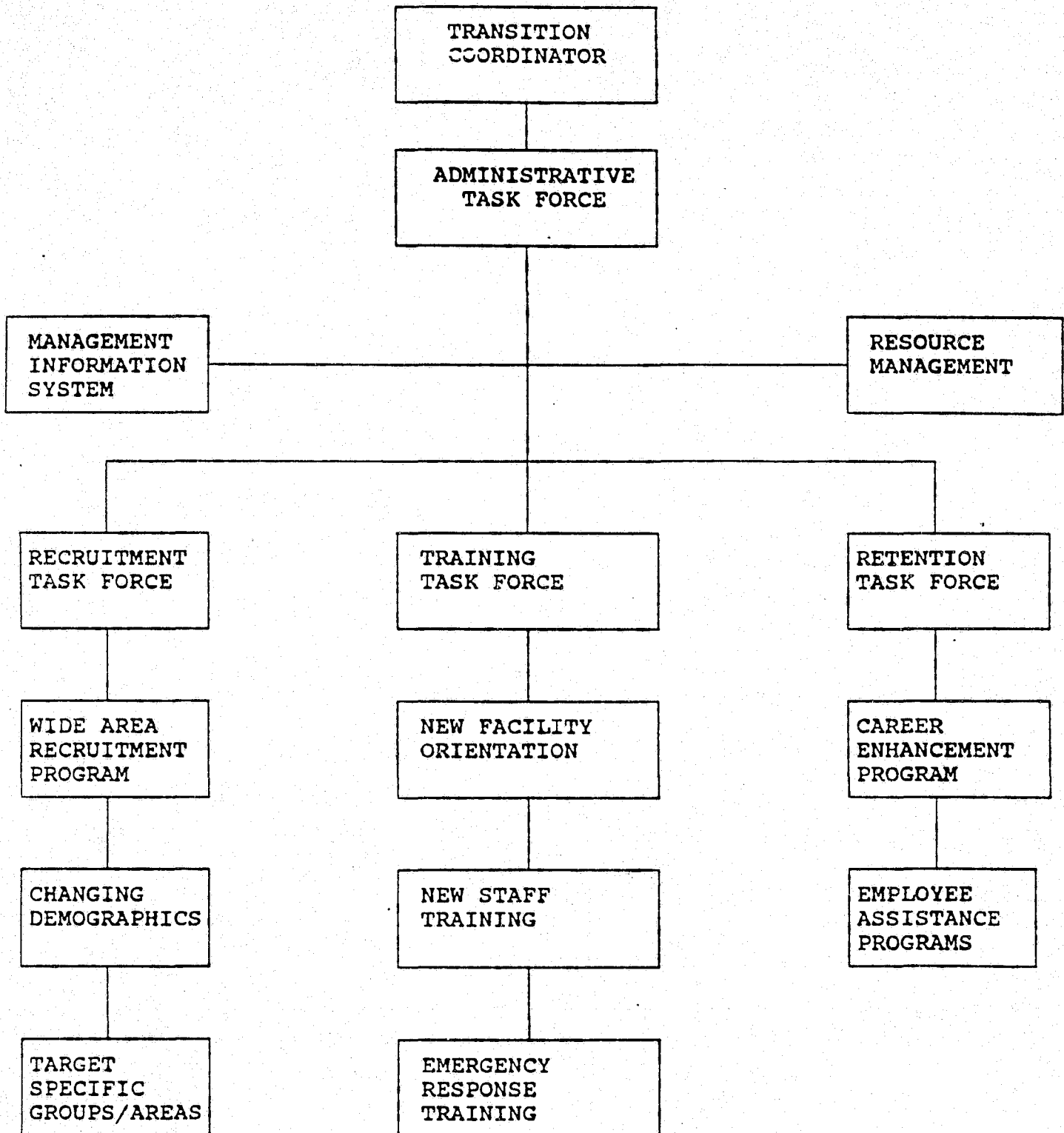


TABLE 5

Finally, all members should receive formal instructions in the following areas:

- Project Management
- Transition Concepts
- Action Planning
- Policy and Procedure Development

TRANSITION MANAGEMENT

Transition management is the ability to assess the level of organizational readiness to change. It consists of the movement of the organization from its present state to a desired future state. To accomplish this there must be an identification and evaluation of the critical mass.

CRITICAL MASS

This is defined as the minimum number of individuals who, if they support change, make it likely to succeed. If they resist a change it will fail. Through discussion with the strategic planning group a Commitment Level Chart was used to identify the groups and individuals. (Table 6).

The strategy to have the critical mass to either "Let Change Happen" or "Help Change Happen" is described below:

Police Chief

The chief is presently helping change happen. His support and active participation is necessary so he must move to the "make change happen" category.

City Manager

The city manager is presently helping change to happen. His main concern is financial and he must be convinced to make change happen by sufficient financial resources and coordination of city departments to achieve the plan.

Sheriff

The sheriff is opposed to the entire RTC concept for small cities. He feels threatened with future personnel problems of

COMMITMENT LEVEL CHART

CRITICAL MASS GROUPS/INDIVIDUALS	BLOCK CHANGE	LET CHANGE HAPPEN	HELP CHANGE HAPPEN	MAKE CHAMGE HAPPEN
POLICE CHIEF			TODAY—————>	
CITY MANAGER			TODAY—————>	
SHERIFF	TODAY—————>			
POLICE OFFICERS ASSOCIATION		TODAY—————>		
COMMUNITY GROUPS		TODAY		
OTHER CITY DEPARTMENTS		TODAY		
CALIFORNIA DEPT. OF CORRECTIONS			TODAY	
MEDIA		TODAY—————>		
CITY COUNCIL		TODAY—————>		

TABLE 6

his own. With sufficient city government and county elected supervisors, together with community groups, he could be moved to a "let change happen" position.

Police Officer's Association

The POA is presently in a "let change happen" position. With proper personnel planning and career enhancement this group could be moved to a "help change" position. They must be kept informed throughout the process to alleviate any doubts they may have.

Community Groups

They are now providing weak support for the entire project. With a smooth transition into the RTC program they would continue to allow change to happen. A smooth personnel program, particularly taking into account minorities, women in the workforce, and aging workers. will help keep this group's support.

Other City Departments

Good liaison within city government plus the possible assistance with other departments' personnel needs may keep this group from feeling threatened to where they may oppose change.

California Department of Corrections

The CDC is now providing help to make change happen. Their concern is with the proper operation of these RTC facilities so they do not have to assume responsibility. With proper personnel procedures and training providing smooth operations they will continue to assist in helping change to happen.

Media

The local media is presently supporting this program and is

letting change happen. With a proper media policy to provide information and assistance this group could be moved to "helping change happen".

City Council

The council strongly supports the entire program. With a smooth personnel plan they can be moved to a "help change happen" position. They, as a group, are extremely sensitive to personnel problems and must be assured that city administration is capable of anticipated performance in developing the overall project.

CONCLUSION

In this study we have looked at the operation of a contract state prison by a small police agency in the very near future and as far as the year 2000. This is not an abstract concept but a reality for the several small police agencies that are initially involved. A project that, without any real advance planning was suddenly made the responsibility of those agencies. There is every reason to believe that this program will greatly expand over the next few years depending upon these early successes.

The main emphasis of this paper is on the near future for very obvious reasons. The time frame for the beginning of this program is very close, possibly, as early as the beginning of 1991. There were lengthy delays by the State Department of Corrections for approximately two and a half years. For a long period of time it appeared as though it would not be feasible for either the state or the cities involved to enter into this program.

It is interesting to note that as late as May 23, 1990, during a discussion with the California Department of Corrections Director of Parole and Community Services Division at Folsom Prison that the state had their own concerns in almost the identical areas that were developed by the Nominal Group. (Four out of five).

Several future scenarios have been presented. In this study's "best case" scenario, a positive future is forecast. This scenario proposes that for small police agencies operating contract state prisons the key will be the development of a program that addresses the recruitment, training and retention of

personnel. The state has really been very vague in this area requiring only a forty hour training course to meet the minimum RTC contract requirements.

It is being proposed and will be the intention to provide, the full corrections officer training program (STC) of 160 hours with the added 40 hours of 832 PC training for a total of 200 hours. This will be a considerable added expense at the onset of this program but will be beneficial in the long run. Each facility has approximately 50 corrections officers and it may be possible to consolidate and share this training on a regional basis.

At the California Peace Officer's Training Conference held in Napa, California on November 29, 1989 Walter H. Bock, a nationally known speaker, consultant and trainer conducted a workshop on "Police Work in 2000". He presented three key challenges: (1) Cooperation; (2) Recruitment/Retention; (3) Management and Leadership. Between now and the year 2000 changes in the workforce will occur even faster than they have to the present.

The declining birth rate, the nonwhite or non-native born segment of the work force (expected to reach 43 percent by year 2000) and the aging factor, will all be dynamics in this program. Regional or national recruiting may be necessary. There will be a growing disparity in educational requirements in the way different communities set their own standards. This may be effective in helping meet racial and ethnic hiring goals.

RTC Corrections, as well as public safety, is labor

intensive (approximately 60 percent of annual budget). There will not only be less recruits available in the future, but a lot of state corrections officers now presently employed will be retiring. Ways must be found to not lose this important expertise and training. The cities must find ways to return these workers, on either a part-time or full-time basis, without the loss of their pension payments.

A number of other issues facing small agency operation of RTC facilities have been identified. They are all important and must be addressed in the first several years of RTC operation. Management will play a key role in this area. The world is becoming more complex as we reach the 21st century.

A major challenge will be the training of supervisors and command officers in skills necessary to deal with that complex world. By the year 2000, these small police agencies will have to find more ways to maximize resources and be open to cooperative ventures.

BIBLIOGRAPHY

RESEARCH REPORTS

- California Attorney General's Office and the University of California. Parolees Returned To Prison And The California Prison Population. BCS Collaborative Report, Sacramento, CA, 1988.
- California Peace Officers Association Quarterly Review. Law Enforcement in the Year 2000. Sacramento, CA, 1989.
- U. S. Department of Justice, National Institute of Justice. Private Prisons, by John T. Di Iulio, Jr., Princeton University, Washington, D. C., 1988.
- Roper Organization Inc.. The Public Pulse, by Thomas A. W. Miller, New York, N. Y., 1990.
- U. S. Department of Justice, National Institute of Justice. Comparing Costs of Public and Private Prisons: A Case Study by Charles H. Logan Ph.D.. and Bill W. McGriff, C.P.A., Washington, D. C., 1989.
- U. S. Department of Justice, National Institute of Justice. Between Prison and Probation--Intermediate Punishments In A Rational Sentencing System. Washington, D. C., 1990.
- U. S. Department of Justice, National Institute of Justice. Contracting For The Operation Of Prisons And Jails, by Judith C. Hackett, et al, Washington, D. C., 1987.
- Useem, Bert and Kimball, Peter. States Of Siege: U. S. Prison Riots 1971-1986. Oxford University Press, 1989.

PERIODICALS

- Stevens, Gene and Tafoya, William L. "Crime and Justice." The Futurist Magazine. February, 1985. pp. 18-22.
- Montgomery, Reid H. and MacDougall, Ellis C. "Curing Criminals, The High Tech Prisons of Tomorrow." The Futurist Magazine, January, 1986, pp. 36-38.
- Wener, Richard, Frazier, William and Farbstein, Jay. "Building Better Jails." Psychology Today Magazine, June, 1987, pp. 40-49.
- Sweeney, James P. "Arresting Drugs." Golden State Report, February, 1990.
- Knobelsdorff, Kerry Elizabeth. "The Move To Hand Prisons Over To Private Business Draws Flak." The Christian Science Monitor. July 27, 1987, pp. 17-19.
- Tully, Edward J. "The 1990s: New Days Old Problems." The Police Chief. January, 1990.
- Campbell, John H. "Futures Research: Here and Abroad." The Police Chief, January, 1990.
- San Jose Mercury News. Feature Section. "More Prisons Don't Create A Safer Society." February 8, 1990, p. 7b.
- Bakersfield Californian. "Aids a War." March 30, 1990, p. 1.
- _____. "Drug Abuse Sends California's Criminal Justice System Reeling." January 31, 1990, p. B3.
- Los Angeles Times. "Neglected Weapon in Drug War." April 6, 1990, p. 1.
- _____. "County Held Liable For Hanged Inmate." April 17, 1990, p. B3.
- _____. "Aerospace Industry Trend: Flight From the Southland." May 10, 1990, p. 1.
- _____. "Lonely Prop. 120 Foes Seek Alternatives to New Prisons." May 10, 1990, P. 1.
- _____. "Parolled Felons Returning in Large Numbers." February 20, p. B3.
- Newsweek Magazine. "Past Tokenism." May 14, 1990, pp. 37-43.
- _____. "As Prisons Go Private The Neighbors Go To Court." June 11, 1990, p. 28.
- Business Week Magazine. "Golden State Worriers." pp. 34-36.

- Morris, Joe. "A Municipal Hot Potato." American City & County Magazine, February, 1990, pp. 28-32.
- Lemov, Penelope. "Dear Judge: If They Aren't Dangerous, Don't Lock Them Up." Governing Magazine, March, 1990, pp. 42-48.
- Schewe, Charles D. and Balazs, Anne L. "Playing The Part", American Demographics Magazine, April, 1990, pp. 24-30.
- Stevens, Gene. Future Justice: From Retribution to Reconciliation." The Futurist Magazine, September, 1989, pp. 21-25.
- Deukmajian, George, Governor. California's Commitment To Public Safety, FY 90-91. Sacramento, CA, January 30, 1990.
- California Department of Corrections. California State Prisons, February, 1990.

RETURN-TO-CUSTODY FACILITIES
FISCAL YEAR 1988/89
SCHEDULE III
REVISED 10/05/88

CONTRACT #	FACILITY	OPERATED BY:	CAPACITY		
			M	F	T
R86.127	Shasta County Jail - Mens Facility	Shasta County Sheriff Dept 1500 Court St Redding Ca 96099	50	0	50
R85.6.8.128	Tulare County RTC - Mens Facility	Tulare County Sheriff Dept County Civic Center Visalia Ca 93921	330	0	330
R87.130	Mesa Verde RTC Mens Facility	Gary White Associates 425 Golden State Way Bakersfield Ca 93301	200	0	200
R87.131	McFarland RTC Mens Facility 120 Taylor St McFarland Ca	Wackenhut Services 1500 San Remo Ave Coral Gables Fl 3314	200	0	200
R87.132	Live Oak RTC Woman's Facility 2727 Pennington Live Oak Ca	Eclectic Communications Inc 1823 Knoll Dr Ventura Ca 93003	125		125
R85.6.3.220	Hidden Valley Ranch Mens - Facility PO Box 334 La Honda Ca 94020	Eclectic Communications Inc 1823 Knoll Dr Ventura Ca 93303	88	0	88

RETURN-TO-CUSTODY FACILITIES
FISCAL YEAR 1988/89
SCHEDULE III
REVISED 10/05/88

CONTRACT #	FACILITY	OPERATED BY:	CAPACITY		
			M	F	T
R87.401	Baker RTC Mens Facility PO Box 470 Baker Ca 92309	Eclectic Communications Inc 1823 Knoll Dr Ventura Ca d 93003	200	0	200
R87.402	Eagle Mountain RTC Mens - Facility PO Box 707 Desert Center Ca 92239	Management Training Corp 3340 Harrison Blvd PO Box 9935 Ogden Ut 84409	200	0	200
R85.6.5	Shasta County RTC - Woman's Facility	Shasta County Sheriff Dept 1500 Court St Redding Ca 96099	15		15

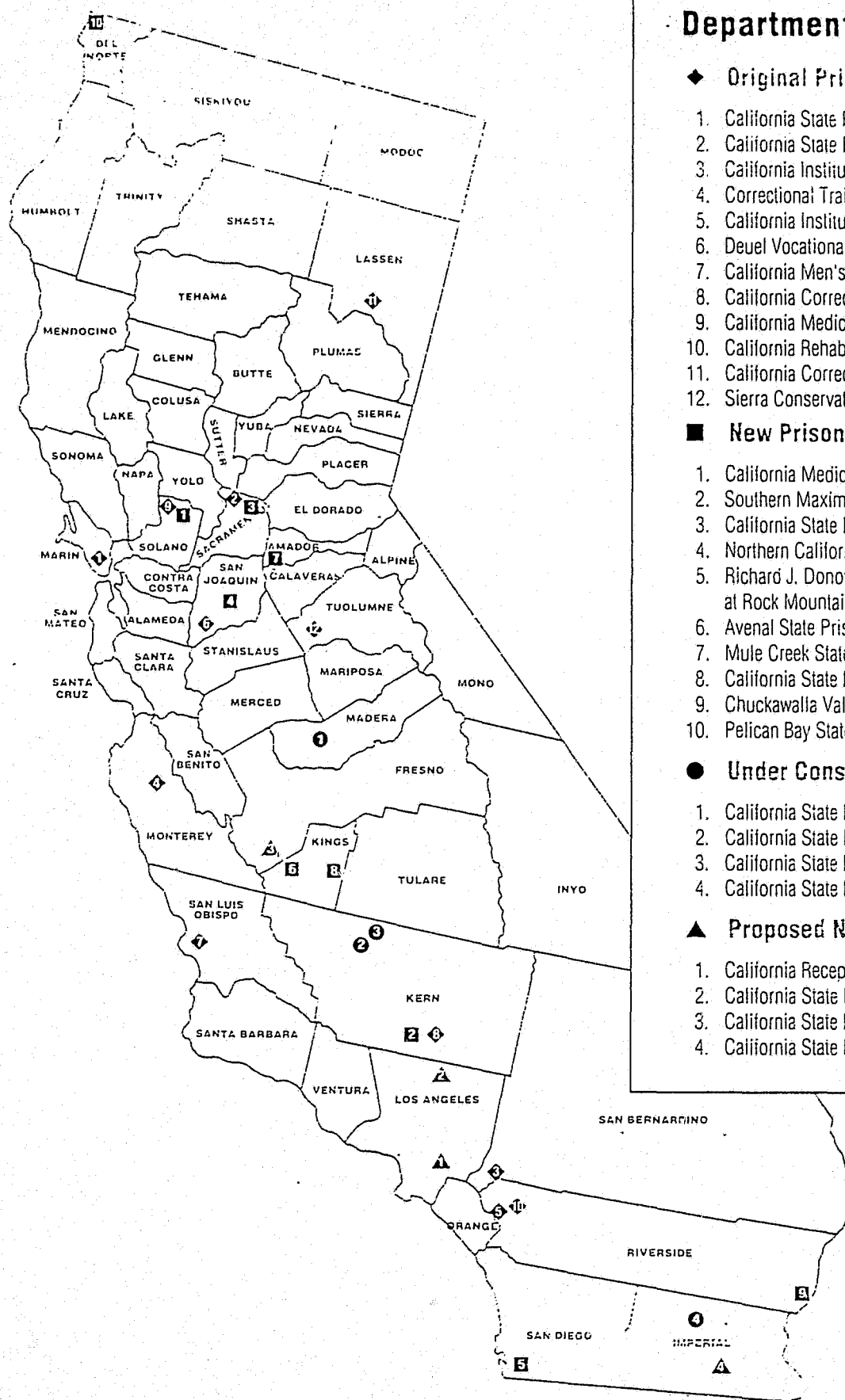
NOMINAL GROUP MEMBERS

1. Charles Kitchens, Private Prison Administrator
2. Willie Shell, Police Chief, Cal State Bakersfield
(Former Jail Commander Kern County Sheriff's Dept.)
3. Jack Kimble, Lieutenant, State Dept. of Corrections
(Assigned to McFarland RTC)
4. Charles Scott, Police Chief, City of Taft
5. LeRoy Anderson, Facility Administrator, Taft RTC
6. Raymond Schartau, Police Chief/Supt. of Corrections,
City of Delano
7. Edward Combs, Commander, Delano Police Department
8. Raymond Penrod, Lieutenant, Delano Police Department
(Assigned to RTC Facility)
9. Wiley Jung, Finance Director, City of Delano
10. Ralph Carpenter, City of Delano Community Member
11. Ronald Williams, Lieutenant, Delano Police Department
Administrative Division

TRENDS

1. RTC profits to be used for Public Safety
2. Recruitment and Retention of Personnel
3. RTC Concept Changed to include Sentenced Prisoners
4. Lack of State Guidelines Regarding Concept
5. Profit Motive vs. Law Enforcement Role for Police Chief
6. Competition Between Public/Private RTC's for Funding
7. Emphasis Shifting from Public Safety to Corrections
8. Conflicting Legal Mandates
9. Transition from Law Enforcement Role to Corrections Rules and Regulations
10. RTC Impact on City Government Funding
11. Lack of Qualified Management Personnel for Police/RTC Experience
12. High Risk Inmates Assigned to RTC Facilities
13. Greater City Liability for Medical Services
14. Inadequate City Planning for RTC
15. Profit Motive Leading to Poor Business Practices
16. Lack of Qualified Personnel to Operate RTC
17. Increased Police Union Opposition to RTC

California State Prisons



Department of Corrections

◆ Original Prisons (Pre 1982)

1. California State Prison, San Quentin
2. California State Prison, Old Folsom
3. California Institution for Men
4. Correctional Training Facility
5. California Institution for Women
6. Deuel Vocational Institution
7. California Men's Colony
8. California Correctional Facility
9. California Medical Facility
10. California Rehabilitation Center
11. California Correctional Center
12. Sierra Conservation Center

■ New Prisons Constructed

1. California Medical Facility - South
2. Southern Maximum Security Complex
3. California State Prison - New Folsom
4. Northern California Women's Facility
5. Richard J. Donovan Correctional Facility at Rock Mountain
6. Avenal State Prison
7. Mule Creek State Prison
8. California State Prison, Corcoran
9. Chuckawalla Valley State Prison
10. Pelican Bay State Prison

● Under Construction

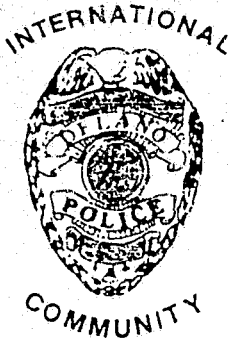
1. California State Prison-Madera County
2. California State Prison - Kern County (Wasco)
3. California State Prison - Kern County (Delano)
4. California State Prison - Imperial County (North)

▲ Proposed New Prisons

1. California Reception Center - Los Angeles County
2. California State Prison - Los Angeles County
3. California State Prison - Fresno County (Coalinga)
4. California State Prison - Imperial County (South)

EVENTS

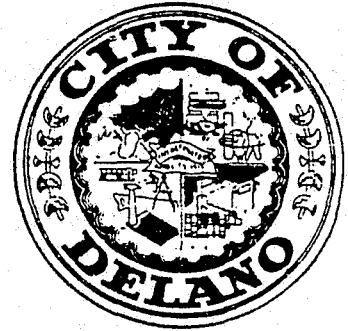
1. Creation of Special Interest Political Groups
2. Major Event in RTC with No Response Capability
3. New State Government Eliminating RTC Contracts
4. State changing Rules in "Middle of Game"
5. Major Scandal in RTC Due to Profit Motive
6. Operational Priority Conflicts
7. Major Incident in RTC Causing State to Cancel Contract
8. High Risk Escape Creating Public Outcry
9. State Facing Sudden Financial Crisis
10. City Becomes Financially Unsound
11. Facility and Technology Become Obsolete
12. Major Lawsuit Against RTC Causing Financial Crisis
13. Shortage of Minimum Security Inmates
14. Aids Crisis
15. Chemical Behavior Modifier to Preclude Sentencing
16. State Increasing Minimum Qualifications for RTC Employment
17. Cure for Cocaine Addiction
18. Robotics Replacing Employees
19. Male and Female Housing by 2000
20. Decriminalization of Drug Offenses
21. Political Groups Reacting to Real or Perceived Problem in RTC



Delano Police Department

1022 12th Avenue
Post Office Box 218

DELANO, CALIFORNIA 93216/ (805) 725-3277



RAYMOND M. SCHARTAU
Chief of Police

DELANO POLICE DEPARTMENT

MISSION STATEMENT

The mission of the Delano Police Department is to provide a broad range of public safety services with the following objectives:

- To furnish the citizens of Delano superior law enforcement service, including the highest levels of patrol and investigative capabilities;
- To support the Kern County criminal justice system through responsible leadership and by effectively utilizing quality resources in the areas of prisoner custody, training and technological specialties;
- To strive for recognition as an outstanding, fiscally responsible, law enforcement agency, maintaining excellence of performance in managing the delivery of human and logistical resources required to meet our responsibilities.

RAYMOND M. SCHARTAU
Chief of Police

RMS:lc