

**U.S. Department of Justice  
National Institute of Corrections**



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# **Summary for Corrections Administrators**

Winter 1993

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# CAPACITY CHANGES

Twenty-eight responding corrections departments (DOCs) reported increases in system capacity for the first half of 1993. Five agencies reported a decrease in capacity.

<b>Systems with Change</b>		<b>Reason for Change</b>
Alabama	+ 1,628	New construction and expansion; re-opened a facility.
Arizona	+ 552	New construction, expansion, and double bunking.
Arkansas	+ 400	Expansion.
California	+ 4,616	New construction.
Colorado	+ 309	Added beds through contract with adult detention facility operated by Bent County.
Connecticut	+ 502	New construction.
Delaware	+ 440	Expansion.
D.C.	+ 210	Implemented a policy to bring back inmates held out of state.
Florida	+ 1,079	Construction/renovation.
Georgia	+ 713	New construction.
Hawaii	+ 55	New construction (minimum security wooden dormitories).
Illinois	+ 1,333	New construction.
Indiana	+ 368	Construction/expansion.
Iowa	+ 338	New construction at existing institutions.
Kansas	- 10	(No explanation given.)
Louisiana	- 184	Closure of two out camps and a dormitory.
Maryland	+ 384	New construction.
Michigan	+ 400	Opened new prison.
Minnesota	+ 172	Conversion of existing state buildings.
Missouri	+ 250	Expansion.
New York	+ 1,980	Facility acquisition and expansion.
Ohio	- 15	Net result of facility closures and new construction.
Oklahoma	+ 10	Opened new work center.
Pennsylvania	+ 1,034	New construction and expansion.
Rhode Island	- 222	Closed special need facility.
South Carolina	+ 5	Facility expansion and re-configuration.
South Dakota	+ 288	New construction.
Texas	+ 2,236	New construction.
Vermont	+ 25	First stage of work camp opened.
Virginia	+ 211	(No explanation given.)
West Virginia	+ 100	New dormitory.
Wyoming	- 10	Unit closure.
Federal Bureau of Prisons	+ 2,839	New construction and expansion.

## TOPICAL SURVEY: Super-Max Facilities and Units

A super-maximum security prison is defined as a free-standing facility or a unit within another prison that houses prisoners officially categorized as violent or disruptive, where inmates are usually locked in their cells approximately twenty-three hours per day. Super-maxes are intended to provide maximum control over problem inmates and to serve as a strong negative deterrent to acts of violence.

### DOCs with Super-Max Prisons

- As reflected in Table I, page 14, respondents from twenty-seven of the fifty-three DOCs surveyed indicated that their agencies have super-max units or prisons. These include twenty-five states, the U.S. Bureau of Prisons, and the Correctional Service of Canada. Four agencies did not respond to the survey.
- Corrections agencies in six states are considering development of super-maxes.
- Sixteen DOCs do not have super-max facilities or units and are not planning such facilities.
- Nine agencies' super-maxes are free-standing facilities. Fifteen super-maxes are units within prisons.
- Twelve of the twenty-seven agencies with super-maxes have opened their facilities within the past five years. One-third of DOC's super-maxes have been opened since the beginning of 1991.

Super-maxes range in size from sixteen beds in the North Dakota DOC to 1,175 beds in Florida. Over the past six months, most super-max units held fewer inmates than their rated capacities allowed. Only four states' facilities or units held more inmates than they were designed to hold. However, California's Pelican Bay facility had an average daily population of 1,400 inmates—approximately one-third over its design capacity of 1,056 beds.

### Facility Characteristics and Security Measures

Twenty agency respondents indicated that the super-max facility in their states was originally constructed as a super-max (see Table II, page 15); five respondents indicated that their super-maxes were developed by retrofitting an existing facility.

Most super-maxes (twenty-one) house all inmates in single cells; four also do some double-celling.

Super-max facilities are protected through a variety of special security measures; the numbers below indicate how many facilities use each security measure:

- Mikes and speakers in cells for two-way communication—eleven DOCs, plus one that uses this communication system on the tiers only.
- Perforated cell doors—ten agencies.
- Molded bunks—nineteen agencies.
- Closed circuit television—eleven agencies. Six additional agencies use CCTV not in the cells but elsewhere in the facility or at its perimeter.
- Special construction materials—seventeen agencies.
- Canine patrols—four agencies.

### Programming Offered in Super-Max Facilities

Most DOCs do not emphasize programs in super-max. However, all provide access to library services and to a law library, in most cases by providing library materials to cells from a circulating book cart. California, Florida, Hawaii, and North Dakota allow escorted inmates to go to the law library.

**Table I. Status of Super-Max Facilities/Units in U.S. Corrections Departments**

	DOC Has Super-Max Facility/ies		Super-Max Is Free-standing Facility	Super-Max Is Unit in a Facility	Year Opened	Design Capacity	ADP in Last Six Months
	Yes	No					
Alabama	Under consideration						
Alaska		✓					
Arizona	✓			✓	1987	960	923
Arkansas		✓					
California	✓			✓	1989	1,056	1,400
Colorado	✓		✓		1993	504	N/A
Connecticut		✓					
Delaware		✓					
District of Columbia		✓					
Florida	✓		✓		1961	1,175	884
Georgia	✓			✓	1988	100	100
Hawaii	✓			✓	1991	44	25
Idaho		✓					
Illinois	Under consideration						
Indiana	✓			✓	1991	227	95
Iowa		✓					
Kansas	✓			✓	1991	256	225
Kentucky (No response)							
Louisiana	✓			✓	1987	80	80
Maine	✓				1992	100	60
Maryland	✓		✓		1989	288	286
Massachusetts	✓		✓		1992	124	121
Michigan	✓		✓		1987	326	565
Minnesota	✓		✓		1982	406	400
Mississippi	✓			✓	N/A	1,000	N/A
Missouri		✓					
Montana	✓			✓	1987	96	40
Nebraska		✓					
Nevada	✓				1984	400	470
New Hampshire	✓			✓	1984	100	100
New Jersey	✓			✓	N/A	509	450
New Mexico	Under consideration						
New York	✓		✓		1991	641	624
North Carolina (No response)							
North Dakota	✓			✓	1975	16	10
Ohio	Under consideration						
Oklahoma		✓					
Oregon	✓			✓	1991	197	105
Pennsylvania	Under consideration						
Rhode Island	✓		✓		1981	96	114
South Carolina	✓			✓	1993	50	21
South Dakota	Under consideration						
Tennessee		✓					
Texas		✓					
Utah		✓					
Vermont		✓					
Virginia		✓					
Washington (No response)							
West Virginia	✓			✓	1968	75	70
Wisconsin (No response)							
Wyoming		✓					
U.S. Bureau of Prisons	✓				1983	440	360
Canada	✓ (2)		✓		1984	160	112
<b>TOTALS</b>	<b>27</b>	<b>16</b>	<b>9</b>	<b>15</b>			

**Table II. Features of DOC Super-Max Facilities**

	History		Housing		Security Measures					
	Original construction	Retro-fitted	Single celling	Some double celling	Mikes/speakers in cell	Perforated cell doors	Molded bunks	Closed circuit television	Special construction materials	Canine patrols
Arizona	✓			✓		✓	✓	✓	✓	✓
California	✓			✓		✓	✓	* <sup>1</sup>	✓	
Colorado	✓		✓		✓		✓	✓	✓	
Florida	✓		✓					* <sup>2</sup>		
Georgia	✓		✓		✓		✓	✓	✓	✓
Hawaii			✓		✓		✓ <sup>3</sup>			
Indiana	✓		✓		✓		✓		✓	
Kansas	✓		✓		✓	✓ <sup>4</sup>	✓	✓	✓	
Louisiana	✓			✓	* <sup>5</sup>		✓	✓ <sup>6</sup>		
Maine	✓		✓				✓	✓	✓	
Maryland	✓		✓		✓	✓ <sup>7</sup>	✓	* <sup>8</sup>	✓	✓
Massachusetts			✓				✓			
Michigan		✓ <sup>9</sup>	✓		✓			* <sup>10</sup>	✓	
Minnesota	✓		✓				✓	✓	✓	
Mississippi	✓		✓							
Montana	✓		✓			✓	✓		✓	
Nevada	✓				✓			✓	✓	✓
New Hampshire	✓			✓ <sup>11</sup>	✓	✓	✓	✓	✓	✓
New Jersey		✓	✓			✓	✓		✓	
New York		✓	✓					✓	✓	
North Dakota	✓		✓							
Oregon	✓		✓		✓	✓	✓	✓	✓	
Rhode Island	✓		✓					* <sup>12</sup>		
South Carolina	✓		✓		✓	✓	✓	✓	✓	
West Virginia		✓	✓			✓	✓		✓	
U.S. Bureau of Prisons		✓					✓	✓		
Canada	✓		✓							

<sup>1</sup> The California super-max has closed circuit TV in its main corridors and in the exercise yard.

<sup>2</sup> Closed circuit TV is used in some of the Florida super-max's hallways.

<sup>3</sup> The Hawaii super-max facility has concrete molded bunks.

<sup>4</sup> Some cell doors are perforated in the Kansas super-max.

<sup>5,6</sup> The Louisiana DOC super-max includes mikes and speakers on the tier and has some use of closed circuit TV.

<sup>7,8</sup> A food slot and viewing glass are used in cell doors at the Maryland facility. The agency also uses closed circuit TV, but only in control areas—not in cells.

<sup>9,10</sup> The Michigan facility was converted to super-max during construction. Only the perimeter area and school buildings use closed circuit TV.

<sup>11</sup> The New Hampshire DOC facility is single celled by design but double celled by necessity.

<sup>12</sup> The Rhode Island DOC uses closed circuit TV at the building perimeter.

Religious services are available to super-max inmates in most states. As Table III shows (page 16), the majority of agencies also make mental health and psychological services available, although these tend to be provided on a limited, or crisis, basis. Educational programs are usually provided through correspondence courses.

Programs addressing specific problems also are limited. For the most part, treatment for sex offenders or substance-abusing offenders and training in anger control are provided only on special request.

Two respondents noted that their super-max facilities do emphasize programs. The Oregon DOC places a high priority on programs while maintaining security standards. Canada revised its policy on super-maxes, known as Special Handling Units, in 1990 to make the units more program-oriented. The units' central objective is "to motivate and assist dangerous inmates to reduce their risk to an acceptable level and facilitate their successful reintegration into a lower security institution as early as feasible."

**Table III. Programs Offered in DOCs' Super-Max Facilities**

	Library Services	Law Library	Mental Health/ Psychiatric Services	Religious Programs	Volunteer Programs	Education	Substance Abuse Treatment	Sex Offender Treatment	Anger Control Therapy
Arizona	✓	✓	✓	✓	✓	✓	✓		✓
California	✓	✓	✓	✓		✓			
Colorado	✓	✓	✓	✓	✓	✓	✓		✓
Florida	✓	✓							
Georgia	✓	✓	✓	✓		✓	✓	✓	✓
Hawaii	✓	✓	✓	✓					
Indiana	✓	✓	✓	✓		✓	✓	✓	✓
Kansas	✓	✓	✓	✓		✓	✓		
Louisiana	✓	✓	✓	✓		✓	✓	✓	✓
Maine	✓	✓	✓	✓					
Maryland	✓	✓	✓	✓	✓	✓			
Massachusetts	✓		✓	✓					
Michigan <sup>1</sup>	✓	✓	✓	✓	✓	✓	✓	✓	✓
Minnesota	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mississippi	✓	✓	✓	✓		✓	✓		✓
Montana	✓	✓	✓	✓		✓	✓		✓
Nevada	✓	✓	✓	✓		✓	✓	✓	
New Hampshire	✓	✓	✓	✓	✓	✓	✓		
New Jersey <sup>2</sup>	✓	✓	✓	✓	✓	✓	✓	✓	✓
New York	✓	✓	✓	✓		✓			
North Dakota <sup>3</sup>	✓	✓	✓	✓		✓	✓	✓	✓
Oregon	✓	✓	✓	✓	✓	✓	✓	✓	✓
Rhode Island	✓	✓	✓	✓	✓	✓	✓		
South Carolina	✓	✓	✓	✓		✓	✓	✓	✓
West Virginia	✓	✓	✓	✓	✓	✓		✓	
Bureau of Prisons	✓	✓	✓	✓		✓			
Canada <sup>4</sup>	✓	✓	✓	✓	✓	✓	✓	✓	✓

<sup>1</sup> In addition to the programs listed, the Michigan DOC super-max provides a group readiness program for parole board passovers.

<sup>2</sup> New Jersey provides work programs for some areas and visiting, except for those in the detention unit.

<sup>3</sup> Hobby craft is an additional program provided by North Dakota.

<sup>4</sup> Canada also provides a program to develop cognitive skills.

**General Comments**

According to the Bureau of Prisons, operations at USP-Marion are not ideal for its high-security mission because the facility is old and was not originally designed as a super-max. The respondent noted that the architecture in older institutions does not allow safe movement of inmates to the number and types of programs that contemporary correctional standards require. The Bureau is constructing another super-max prison in Florence, Colorado, which will open in mid-1994.

Some DOCs are facing legal challenges related to their super-max facilities. The super-max operated by the Michigan DOC is operating as a segregation prison rather than a true super-max at this time because pending litigation prohibits the agency from restricting property to the extent administrators believe is necessary for a true super-max facility. Indiana's super-max facility has been the focus of eighty-seven inmate lawsuits, one a class-action suit. The BOP respondent noted that the courts have found USP-Marion's procedures to be within permissible bounds.