

Task Force Sub-Committee: <b>P S &amp; P</b>  NAC Volume and Standard	Statutory Comparison			COMMENTS	Task Force Action		
	provided fully by statute	provided in part by statute	not addressed by statute		reject standard in principle	current practice or statute preferable	addressed by Task Force recommendations
<b>CORRECTIONS</b>							
<b>Diversion from the Criminal Justice Process</b>							
3.1 Use of Diversion		x		<p>Diversionary practices are not specifically authorized by statute, nor are procedural safeguards of the type recommended by the NAC and the TASK FORCE Report.</p> <p>Ch. 241.31 permits community corrections facilities to accept and provide correctional services to persons not yet convicted of a crime but under criminal accusation who voluntarily accept such treatment.</p> <p>Ch. 260 provides the courts with a broad range of alternatives for dealing with delinquency cases.</p>			x
<b>Pretrial Release and Detention</b>							
4.1 Comprehensive Pretrial Process Planning			x				x
4.2 Construction Police for Pretrial Detention Facilities			x				x
4.3 Alternatives to Arrest		x		<p>Until recently, the use of summons or citations in lieu of arrest has been limited to violations of traffic regulations. Ch. 169.91. Minnesota R. Crim. P. 3 and 6 are in substantial accord with the NAC recommendation, however, and would permit use of alternatives to arrest and detention in appropriate cases.</p>			x
4.4 Alternatives to Pretrial Detention		x		<p>The statutory emphasis is on surety, or money bail. Release on other grounds, e.g., personal recognizance, does not appear to be expressly authorized. Ch. 625.05. Minn. R. Crim. P. 6 is in accord with the NAC standard, however, and minimizes the statutory emphasis on money bail.</p>			x
4.5 Procedures Relating to Pretrial Release and Detention Decisions		x		<p>Ch. 629.401 provides that willful delay in taking an arrested person before a magistrate is a gross misdemeanor. "Delay" is not defined. See also Minn. R. Crim. P. 4, 5, and 6 relating to this</p>			x

4.6 Organization of Pretrial Services			x	standard, and which substantially govern the making of pretrial detention decisions.			x
4.7 Persons Incompetent to Stand Trial	x			<p>Ch. 631.18 and 631.19 deal with persons incompetent to stand trial by reason of mental illness. Provision is made for civil commitment proceedings. The committed person remains under the jurisdiction of the committing court. Minn. R. Crim. P. 20 is in partial accord with this standard as well.</p>		x	
4.8 Rights of Pretrial Detainees	x			<p>Ch. 641.14 provides that no person awaiting trial shall be kept in a room with any other offender.</p>		x	
4.9 Programs for Pretrial Detainees			x				x
4.10 Expediting Criminal Trials	x			<p>Minn. R. Crim. P. 11 provides that the period from request for trial, or plea, to trial should not exceed 60 days in felony cases.</p>		x	
<b>Classification of Offenders</b>							
6.3 Community Classification Teams			x	(See Institutional and Community Corrections)			x
<b>COURTS</b>							
<b>Screening</b>							
1.1 Criteria for Screening			x				x
1.2 Procedure for Screening		x					x
<b>Diversion</b>							
2.1 General Criteria for Diversion			x	<p>Diversionary practices prior to trial are not specifically authorized by statute. However, the general thrust of Minn. R. Crim. P. is release of the defendant until guilt is determined and final sentence is imposed. See also, Juvenile Justice Subcommittee statutory analysis. Thrust of Juvenile Court Act is non-commitment of juveniles if alternative dispositions are feasible.</p>			x
2.2 Procedures for Diversion Programs			x				x
<b>The Litigated Case</b>							
4.1 Time Frame for Prompt Processing of Criminal Cases			x	<p>Ch. 630.36 establishes the order in which criminal cases shall be disposed of during a court term. On application of counsel for good cause issues may be taken out of order.</p>		x	

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4.2 Citation and Summons in Lieu of Arrest				See Minn. R. Crime. P. 3		X	
4.3 Procedure in Misdemeanor Prosecutions			X	A preliminary hearing appears to be permitted in misdemeanor cases but on request of the person arrested the magistrate can release on recognizance without examination to appear before the clerk of court or magistrate in the county in which the warrant was issued.		X	
4.4 Limitations of Grand Jury Functions		X		Grand jury indictment does not appear to be required. Ch. 628.41 and 628.61 make public misconduct of public offenses the subject of grand jury inquiry. However, according to Ch. 628.02, a grand jury may only issue an indictment if, from the evidence submitted to it, the grand jury believes the person charged to be guilty of the offense charged or any other public offense.		X	
4.6 Pretrial Release		X		Ch. 625.05 seems to emphasize release on posting of money recognizance. Release on own recognizance does not appear to be expressly authorized by statute. The thrust of Minn. R. Crim. P. favors release of the defendant until guilt is determined and final sentence imposed.		X	
4.7 Nonappearance After Pretrial Release				Ch. 609.49 provides that a person who intentionally fails to appear as directed after being released on recognizance, or within three days thereafter, may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1000 or both. This is a lesser penalty than that recommended by the NAC.		X	
4.8 Preliminary Hearing and Arraignment			X	Generally covered in Minn. R. Crim. P. 8, 13 and 17. Also, Rule 11.		X	
4.9 Pretrial Discovery			X	Generally covered in Minn. R. Crim. P. 7 and 9. Also, Rule 11.		X	
4.10 Pretrial Motions and Conference			X	Minn. R. Crim. P. 10 differs from NAC recommendation. See also Minn. R. Crim. P. 12.		X	
4.11 Priority Case Scheduling		X		Ch. 630.36 establishes the order in which criminal cases are to be disposed of during a court term. The statute deals with persons in custody first, then those not in custody. Within these categories, order of disposition deals with grade of offense, rather than substance of offense or degree of danger posed to the community.		X	
4.12 Continuances		X		Ch. 631.02 permits granting of continuances upon sufficient cause		X	

				shown by either party. The request for a continuance need not be verified or in writing according to the statute.			
<b>Mass Disorders</b>							
15.1 The Court Component and Responsibility for its Development			X	The statutes do not address the preparation of a plan for dealing with court processing of persons involved in mass disorder situations.			
15.2 Subject Matter of the Court Plan			X				
15.3 Prosecution Services			X				
15.4 Defense Services			X				
<b>POLICE</b>							
<b>Criminal Justice Relations</b>							
4.3 Diversion			X	For juveniles, Ch. 160 encourages non-detention of clients awaiting court disposition, but even if the police release the child, if formal court processing is to occur, there is no authorization for diversion. The child can be released on his or his parent or guardian's promise to appear or bring the child before the juvenile court.			X
<b>Unusual Occurrences</b>							
7.4 Mass Processing of Arrestees			X				
<b>Professional Assistance</b>							
11.2 Legal Assistance			X				
11.3 Management Consultation and Technical Assistance			X				X

Task Force Sub-Committee: <b>Court Processes</b>  NAC Volume and Standard	provided fully by statute	provided in part by statute	not addressed by statute	COMMENTS	reject standard in principle	current practice or statute preferable	addressed by Task Force recommendations
<b>CORRECTIONS</b>							
<b>Sentencing</b>							
5.1 The Sentencing Agency	x			Ch. 609.10 vests sentencing authority in the court. Juries are not empowered to sentence in Minnesota.		x	
5.2 Sentencing the Non-Dangerous Offender		x		<p>The statutes conflict in part with provisions of this recommendation.</p> <p>Maximum sentences in excess of five years exist for a number of offenses. The statutory language does not indicate the offenses in question represent a substantial danger to others. Offenses for which maximum sentences of more than five years may be imposed are reproduced on the following pages.</p> <p>Mandatory minimum sentences are imposed by the legislature for murder in the first degree (Ch. 609.185, life imprisonment) and for treason (Ch. 609.385, life imprisonment.) Mandatory minimum sentences also are imposed for certain sex offenses.</p> <p>Ch. 609.11 provides that any commitment following a conviction where the defendant had in his/her possession a firearm or used a dangerous weapon at the time of the offense must be for a minimum of three years. The person is not eligible for parole until the full minimum sentence is served. Offenses for which mandatory minimum sentences must be served under provision of Ch. 609.11 are aggravated assault, burglary, kidnapping, manslaughter, murder in the second or third degree, certain criminal sexual offenses, robbery, escape while under charge or conviction of a felony, or discharge of an explosive or incendiary device. However, the court may stay imposition or execution of sentence under terms of Ch. 609.135 if the defendant has not previously been convicted of any crime or ordinance involving possession of a firearm, other than a game law violation, or use of a dangerous weapon, or the defendant has not previously been convicted of crimes listed above.</p> <p>The sentencing court may impose a maximum sentence less than that provided by statute, except for cases in which minimum sentences are mandatory. Ch. 609.10. This is consistent with the NAC recommendation.</p>			x

5.3 Sentencing to Extended Terms

x

The statutes do not address criteria for sentencing offenders, as is recommended by the NAC.

Extended-term sentencing is authorized by Ch. 609.155 and Ch. 609.16. While the statute addresses some of the NAC concerns, it does not address them completely, and in some cases vary from the NAC recommendations in specific terms.

Extended terms are permitted in Minnesota for up to 40 years, for "persistent felony offenders." The NAC recommends a maximum of 25 years of imprisonment, and extends applicability to persons who are "professional criminals" or "dangerous offenders". Extended terms may be imposed after the second offense in Minnesota; the NAC recommends application after the third offense. In Minnesota, all felonies are considered; according to the NAC recommendation, at least two of the three felonies should be offenses involving infliction of serious bodily harm, or an attempt to do so. The NAC recommends at least one of the prior felonies should have been committed within five years preceding the commission of the offense for which the offender is being sentenced.

The NAC recommends that the court be authorized to impose a minimum sentence to be served prior to eligibility for parole, to permit parole prior to serving the complete minimum term, and authority for the sentencing court to recommend nonparole until the minimum sentence is served. It is not clear whether judges can do this in Minnesota. Ch. 243.12 empowers the parole board to make all rules governing the granting of paroles, and Ch. 243.05 permits the parole board to parole all persons except those serving life sentences at the discretion of the board.

Ch. 609.12 provides that a person sentenced to the Commissioner of Corrections for imprisonment for a term less than life may be paroled or discharged at any time without regard to length of term imprisonment which the sentence imposes when in the judgment of the Minnesota corrections authority, and under the conditions it imposes, the granting of parole or discharge would be most conducive to rehabilitation. The statute further provides that all sentences to the commissioner of corrections for the imprisonment of the defendant are subject to the laws relating to parole and the powers of the parole board and commissioner of corrections. It would appear, therefore, that the judge would not be authorized to modify sentences in Minnesota.

x

## TASK FORCE SUBCOMMITTEE: COURT PROCESSES

## Breakdown of crimes for which maximum sentences in excess of five years may be imposed:

<b>Crimes against the Person:</b>	Murder, First Degree	Ch. 609.185	Mandatory life imprisonment
	Attempted murder in the first degree	Ch. 609.17	20 years
	Conspiracy to commit murder	Ch. 609.175	20 years
	Murder, 2d degree	Ch. 609.19	40 years
	Murder, 3d degree	Ch. 609.195	25 years
	Assistance in a Suicide	Ch. 609.215	15 years
	Manslaughter, 1st degree	Ch. 609.20	15 years
	Aggravated Assault	Ch. 609.225	10 years
	Simple robbery	Ch. 609.24	10 years
	Aggravated robbery	Ch. 609.245	20 years
	Kidnapping	Ch. 609.25	20 or 40 years, depending on whether the victim is harmed.
	Criminal Sexual Conduct, First Degree	Ch. 609.291	20 years
	Criminal Sexual Conduct, Second Degree	Ch. 609.292	15 years
	Criminal Sexual Conduct, Third Degree	Ch. 609.293	10 years
Soliciting for or consenting to engagement of minor in prostitution	Ch. 609.32	10 years	
<b>Property or Other Crimes:</b>	Treason	Ch. 609.385	Mandatory life imprisonment
	Attempted treason	Ch. 609.17	20 years
	Other attempted felonies not punishable by life imprisonment	Ch. 609.17	Twice the minimum sentence; could result in sentences of more than five years.
	Conspiracy to commit felony not punishable by life imprisonment	Ch. 609.175	Twice the minimum sentence; could increase sentence to more than five years.
	Coercion, if pecuniary gain is more than \$2500	Ch. 609.27	10 years
	Incest (consensual)	Ch. 609.365	10 years
	Interference with state military forces	Ch. 609.395	20 years
	Bribery	Ch. 609.42	10 years, plus mandatory disqualification from holding public office for life.
<b>Property or Other Crimes: (continued)</b>	Theft offenses	Ch. 609.52	10 years, if value of property stolen exceeds \$2500.
	Receiving stolen goods	Ch. 609.53	10 years, if value of property exceeds \$100, or if it's a second offense.
	Aggravated arson	Ch. 609.56	25 years
	Attempted arson	Ch. 609.57	12.5 years
	Burglary	Ch. 609.58	5, 10, or 20 years, depending on establishment burglarized, presence of accomplices, and use of explosives or dangerous weapon.
	Aggravated forgery	Ch. 609.625	10 years
<b>Narcotics Offenses:</b>	Distributing Schedule I or Schedule II narcotics, 1st violation	Ch. 152.15	15 years
	Distributing Schedule I or Schedule II narcotics, subsequent offenses	Ch. 152.15	30 years

All other narcotics violations (Ch. 152) carry maximum prison terms of five years or less. However, if a person is convicted of distributing controlled substances to a minor at least three years his junior in violation of Ch. 152.09, the maximum term for which he/she can be sentenced is doubled. Similarly, second offenders may be sentenced to up to twice the authorized term for narcotics violations. Ch. 152.15, subd. 4, 5

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5.4 Probation			x		<p>Ch. 609.135 deals with granting of probation; Ch. 609.14 addresses procedures for revocation of probation. The statutes address the main thrust of the recommendation. Sentences may not exceed the maximum sentence authorized by law, and probation for misdemeanants may not exceed one year.</p> <p>The court is authorized to impose terms of probation. There is no requirement that the offender be provided with a written copy of the conditions of probation.</p> <p>Procedures to be followed in revoking probation are outlined in Ch. 609.14. The court is authorized to revoke probation and direct the defendant be taken into immediate custody when it appears he/she has violated conditions of probation or has been guilty of misconduct which warrants imposing or execution of sentence. Provision is made for a hearing, notice of which must be given to the defendant in writing. He/she is entitled to counsel, but the statute is silent on whether counsel will be provided for an indigent person. Upon finding a violation of the conditions of probation, the court may continue the existing sentence with or without modification or otherwise resentence the offender. Specific procedures and criteria are not delineated. The statutes do not cover other procedures recommended by the NAC.</p>			x
5.5 Fines			x		<p>The statutes establish applicable fines for many felonies, and generally provide for imposition of imprisonment or a fine or both. There is no provision for dealing with persons unable to pay a fine. Ch. 609.10 and Ch. 609.125 state that a sentencing alternative is "payment of a fine, or to imprisonment if the fine is not paid." However, Ch. 609.135 would seem to permit the court to stay imposition of sentence, including imposition of a fine. Criteria for imposing fines are not addressed in the statutes, and legislation authorizing imposition of fines does not address the NAC recommendations.</p>			x
5.6 Multiple Sentences			x		<p>The recommendation is substantially addressed by Ch. 609.15. The only component not addressed is one that would permit the defendant to plead guilty to all other offenses committed within the state, which would be taken into account in setting the sentence, and for which the defendant would no longer be held accountable.</p>		x	
5.7 Effect of Guilty Plea				x				x
5.8 Credit for Time Served			x		<p>Ch. 609.145 provides for crediting time served for a conviction that was subsequently vacated to the maximum period of imprisonment for a conviction arising from the same act or omission. Other recommendations of the NAC are not addressed.</p>			x
5.9 Continuing Jurisdiction of the Sentencing Court				x	<p>If the court sentences an offender to the commissioner of corrections for imprisonment, the court loses jurisdiction over the offender. Ch. 609.12. Ch. 243.05, Ch. 243.12. MN R. Crim. P. 27.03 adopts the policy expressed in this standard however.</p>			x
5.10 Judicial Visits to Institutions				x				
5.11 Sentencing Equality				x				x
5.12 Sentencing Institutes				x				x
5.13 Sentencing Councils				x				x
5.14 Requirements for Pre-Sentence Report and Content Specification			x		<p>Ch. 609.115 permits the court to enter an order for a pre-sentence investigation for all persons convicted of felonies. MN R. Crim. P. 27.02 expands the statutory PSI authorization to include gross misdemeanors and misdemeanors as well. Contents of the report are prescribed in the statute; they respond to some of the requirements recommended by the NAC. MN R. Crim. P. 27.02 does not prescribe contents of the PSI. The statute requires a copy of the report is to be transmitted to the Commissioner of Corrections under certain circumstances, but there is no statutory requirement that the PSI report be made part of the defendant's permanent file.</p>			x
5.15 Preparation of Pre-Sentence Reports Prior to Adjudication				x			x	
5.16 Disclosure of Pre-Sentence Report			x		<p>There is no statutory requirement that specifically requires courts to inform the defendant of the basis for the sentence. Ch. 609.115, subd. 4 provides that copies of the pre-sentence report shall be made available to the defendant's attorney, and may be challenged, but other than this, the report is confidential. MN R. Crim. P. 27.02 is in accord with the NAC recommendation.</p>			x
5.17 Sentence Hearings—Rights of Defendant			x		<p>MN Stat. § 609.115, 609.155, and 631.20 (1974) address circumstances under which sentencing hearings will be held. MN R. Crim. P. 27.03 also addresses this issue.</p>			x
5.18 Sentencing Hearing—Role of Counsel			x		<p>Under Ch. 609.155 both prosecutor and defense attorney have access to the PSI report; either may challenge, and a summary hearing may be scheduled to dispose of the matter in issue.</p>			x
5.19 Imposition of Sentence			x		<p>See MN R. Crim. P. 27.03</p>		x	

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<b>The Statutory Framework of Corrections</b>							
16.6 Regional Cooperation		X		The Minnesota Legislature has adopted all recommended interstate agreements except the Mentally Disordered Offender Compact. Board authority is given to the Commissioner of Corrections to arrange for necessary services for clients within the state under Chs. 241.01 and 242.21.		X	
16.7 Sentencing Legislation			X	The Minnesota Penal Code, Ch. 609, does not follow the recommended classification scheme			X
16.8 Sentencing Alternatives		X		Ch. 609.10 provides that all sentences are to be determined by the court. Ch. 609.135 permits the court to stay imposition or execution of a sentence on terms the court deems appropriate. Once the court has sentenced a person, the Minnesota Corrections Authority has jurisdiction. Ch. 243.05. An offender may be credited with time served only if the first conviction is vacated and he/she is subsequently convicted of a crime arising from the same act. Ch. 609.145. Mandatory minimum sentences are imposed for some offenses. Ch. 609.11.			X
16.10 Pre-Sentence Reports		X		Ch. 609.115 permits but does not require PSI's for felony cases. Ch. 260.151 permits the court to order an investigation of juveniles adjudicated delinquent (see also Ch. 260.155). Ch. 609.115 requires a post-sentence investigation for all persons committed to life imprisonment. Report must be disclosed to prosecutor and defense counsel.			X
<b>COURTS</b>							
<b>The Negotiated Plea</b>							
3.1 Abolition of Plea Negotiation			X	See MN R. Crim. P. 15.			X
3.2 Record of Plea and Agreement			X	See MN R. Crim. P. 15.			X
3.3 Uniform Plea Negotiation Policies and Practices			X	See MN R. Crim. P. 15.			X
3.4 Time Limit of Plea Negotiations			X	See MN R. Crim. P. 15.			X
3.5 Representation by Counsel During Plea Negotiations			X	See MN R. Crim. P. 15.			X
3.6 Prohibited Prosecutorial Inducements to Enter a Plea of Guilty			X	See MN R. Crim. P. 15.			X
3.7 Acceptability of a Negotiated Plea			X				X
3.8 Effect of the Method of Disposition on Sentencing			X				X
<b>The Litigated Case</b>							
4.5 Presentation before Judicial Officer Following Arrest			X	See MN R. Crim. P. 5.			X
4.13 Jury Selection			X	MN R. Crim. P. 26.02 varies from the NAC recommendation.		X	
4.14 Jury Size and Composition			X	MN R. Crim. P. 26.01 is in partial accord.		X	
4.15 Trial of Criminal Cases			X	See MN R. Crim. P. 26.03, which is in substantial accord with the NAC recommendation.		X	
<b>REC</b>							
4.1 Study of the Exclusionary Rule			X	Ch. 626.21 permits suppression of evidence obtained as a result of an unlawful search and seizure.		X	
<b>REC</b>							
4.2 Use of Videotaped Trials in Criminal Cases			X				
<b>Sentencing</b>							
5.1 The Court's Role in Sentencing		X		Ch. 609.10 vests sentencing authority in the court. Juries are not empowered to sentence in Minnesota. The statute also permits the court to establish the maximum term of imprisonment. However, if the court sentences the defendant to the commissioner (a sentence in excess of one year) the parole board determines when the person may be released. Ch. 609.12.			X
<b>Review of the Trial Court Proceedings</b>							
6.1 Unified Review Proceeding				The substance of this recommendation is covered in MN R. Crim. P. 28 and 29, but the rules are not as extensive as the NAC recommendations.		X	

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6.2 Professional Staff			X			X	
6.3 Flexible Review Procedures			X	Unless the county court judge in misdemeanor cases was not learned in the law, appeals are taken on the record. MN. R. Crim. P. 28. Other procedural recommendations encompassed in the NAC standard are not addressed in statute or by MN R. Crim. P.		X	
6.4 Dispositional Time in Reviewing Court			X			X	
6.5 Exceptional Circum- stances Justifying Further Review			X			X	
6.6 Further Review Within the Same Court System: Prior Adjudication			X			X	
6.7 Further Review in State or Federal Court: Prior Factual Determinations			X			X	
6.8 Further Review in State or Federal Court: Claim not Asserted Previously			X			X	
6.9 Stating Reasons for Decisions and Limiting Publication of Opinions		X		Ch. 480.06 requires the Supreme Court's decisions to be in writing; including headnotes stating the points decided.		X	
REC 6.1 Transcript Preparation			X				
REC 6.2 Problems Outside the Courts			X				
REC 6.3 Advisory Council for Appellate Justice			X				
<b>The Judiciary</b> 7.1 Judicial Selection			X	Minnesota law provides for election of judges at all levels. There			X

## 7.2 Judicial Tenure

X

are no requirements based on merit, except that the judgeship candidates be "learned in the law." In some jurisdictions candidates also must be qualified to practice before the Supreme Court. See attached summary.

Minnesota law varies from the NAC standard. All judges are elected for six year terms (Const. Art. VI, Sec. 8, and various statutes). While elections are nonpartisan, there is no provision that judges run in uncontested elections on their merits. The mandatory retirement age for judges generally is age 70 (Ch. 490), but provision is made for earlier retirement and removal or retirement from offices for various incapacities. Ch. 2.724 permits the chief justice of the supreme court to assign retired judges to act as judge of any court whose jurisdiction is no greater than the jurisdiction from which he retired.

X

## 7.3 Judicial Compensation

X

Compensation for judges at all levels is established by statute. See attached summary for citation of specific statutes. The state Constitution, Art. VI, Sec. 7 provides that compensation of judges shall be fixed by the legislature and shall not be diminished during the judges' term in office.

X

7.4 Judicial Discipline  
and Removal

X

Ch. 490.15-490.18 creates a Commission on Judicial Standards which is empowered to investigate charges of judicial incapacity for various reasons. The Commission recommends appropriate action to the Supreme Court as a result of their investigations. Composition of the Commission includes three judges, two attorneys, and four lay persons. The lay persons are appointed by the governor, but there is no statutory provision that they not be of the same political persuasion as recommended by the NAC. The judges are appointed by their respective judicial organizations (district court, municipal court, county court), and the attorneys are appointed by the governing board of the state bar association.

X

## 7.5 Judicial Education

X

X

**TASK FORCE SUBCOMMITTEE: COURT PROCESSES**

**Summary of Statutory Authority Pertaining to Judicial Selection and Compensation, Qualifications**

Court	Selection Authority	Compensation Authority	Qualifications
Supreme	Elected Const., Art. VI, Sec. 8 Ch. 203.02	Ch. 15A.083, subd. 1	Learned in the Law Const., Art. VI, Sec. 7
District	Elected Ch. 203.02	Ch. 15A.083, subd. 1	Learned in the Law Const., Art. VI, Sec. 7
County	Elected Ch. 487.05, subd. 5 Ch. 487.03	Ch. 487.05 Ch. 15A.083, subd. 2	Learned in the Law Resident of County Court District in which Court has Jurisdiction Ch. 487.03
Municipal	Elected Ch. 488.06, 488.35 Ch. 488A.021 (Hennepin) Ch. 488A.19 (Ramsey)	488.21 (outstate) 488A.021, subd. 8 (Hennepin) Ch. 488A.19, subd. 10 (Ramsey)	Learned in the Law Resident of County In Hennepin and Ramsey, must be qualified to practice before the Supreme Court Ch. 488.5 Ch. 488A.021, subd. 3 (Hennepin) Ch. 488A.19, subd. 3 (Ramsey)
Juvenile	Elected in all but Ramsey and St. Louis Counties. In Ramsey Co., selected by district court bench. (Ch. 260.021). In St. Louis Co., selected by chief probate court judge. (Ch. 260.022).	Hennepin and Ramsey, per district court judges. All other counties, per county court judges.	Hennepin and Ramsey, per district court judges. All other counties, per county court judges.

Note: In all but Hennepin and Ramsey counties, the juvenile court judge is a probate court judge. All municipal and probate courts are merged into the county court system except in Hennepin and Ramsey counties.

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8.1 Unification of the State Court System		x		<p>Minnesota's court system is not as unified as recommended by the NAC. For example, inferior courts (county, municipal) have jurisdiction over misdemeanor, petty misdemeanor, and municipal ordinance violations, as well as jurisdiction to conduct preliminary hearings on charges of violation of criminal laws of the state occurring in their jurisdiction (Ch. 487, 488, 488A). Inferior courts are unified under the county court system, however.</p> <p>Consistent with the NAC recommendation, however, the State Supreme Court is empowered to promulgate rules for the conduct of criminal cases (Ch. 480.059) and all judicial functions in district (trial) courts must be performed by full-time judges (Ch. 484.065)</p> <p>District court judges are authorized to hire court reporters, and if they do, the reporter is required by Ch. 486.01 and Ch. 486.02 to record all proceedings before the judge.</p> <p>Probation services are available to the Hennepin County Municipal Court and the Ramsey County Municipal court, and through the co-operation of the Minnesota Corrections Authority for provision of probation services in outstate areas. Ch. 488A.04, Ch. 488A.21, Ch. 243.09, and Ch. 260.311</p>			
8.2 Administrative Disposition of Certain Matters Now Treated as Criminal Offenses		x		<p>Ch. 492 provides for establishment of traffic violations bureaus to handle certain traffic offenses administratively. However, the offender must be advised that he/she has a right to a court appearance, if desired. There is no procedure for appellate review within the administrative agency.</p>		x	
<b>Court Administration</b>							
9.1 State Court Administrator		x		<p>Ch. 480.13-480.15 provides for a Supreme Court administrator. He/she is appointed by the court, and serves at its pleasure. (Ch. 480.13). Under provision of Ch. 480.15, the court administrator makes recommendations to the chief justice, the state judicial council, and the legislature concerning the following subjects, as recommended by the NAC: policies for effective administration of justice in the state's court system; budgets insofar as state funds are concerned; and the assignment of judges. The court administrator also maintains an</p>		x	

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9.2 Presiding Judge and Administrative Policy of the Trial Court		x		information system dealing with workloads and costs of the state's courts.  The district court judges may set their own administrative policies, which are applicable to all jurisdictions (district ct.) in the state. Ch. 484.33. Ch. 484.34 provides for a chief district court justice to be selected by the district court judges in the jurisdiction. However, the specific functions delineated in the NAC recommendation are not addressed.		x	
9.3 Local and Regional Trial Court Administrators			x	Ch. 484.66 provides for a court administrator in Hennepin County, to perform the duties of the clerk of court and other functions, some of which are contained in the NAC recommendation. No other statutory provision for court administrators appears.		x	
9.4 Caseload Management			x			x	
9.5 Coordinating Councils			x			x	
9.6 Public Input into Court Administration			x	(See Community Crime Prevention)			x
<b>Court-Community Relations</b>							
10.1 Courthouse Physical Facilities			x				
10.4 Representatives of Court Personnel			x				
10.5 Participation in Criminal Justice Planning			x				
10.6 Production of Witnesses			x				
<b>Computers and the Courts</b>							
11.1 Court Administration			x				
11.2 Automated Legal Research			x				

11.1 Instruction in Automated Legal Research Systems			x				
<b>The Prosecution</b>							
12.1 Professional Standards for the Chief Prosecuting Officer		x		County attorneys' terms are four years, as recommended by the NAC. Ch. 388.01. A county is not required to have a full-time prosecutor, but it is permitted under Ch. 388.21. Ch. 288.18 sets minimum salaries for county attorneys.			x
12.2 Professional Standards for Assistant Prosecutors			x	Ch. 388.10 authorizes assistant county attorneys to be appointed, but is silent on their qualifications. Salaries are set by the county board; no standards are prescribed by statute.			x
12.3 Supporting Staff and Facilities			x	County attorneys may use the county law library, if one exists pursuant to Ch. 140. However, the statute is silent on resources that should be available to the prosecutor.		x	
12.4 Statewide Organization of Prosecutors		x		Ch. 288.19 established a County Attorneys Council. It focuses primarily on training and continuing education, rather than providing the services recommended by the NAC. It meets annually, rather than quarterly as recommended. The statute does not address budgetary considerations. The governing board composition is consistent with that recommended by the NAC, and, as recommended, it has a full-time executive director.		x	
12.5 Education of Professional Personnel		x		Ch. 388.10, subd. 4 imposes a duty on the County Attorneys' Council to provide training and continuing education for county attorneys.			x
12.6 Filing Procedures and Statistical Systems			x			x	
12.7 Development and Review of Office Policies			x				x
12.8 The Prosecutor's Investigative Role		x		Ch. 388.14 permits each county board to set up a contingency fund of up to \$3000 per year to meet the expenses of county attorneys, including investigations. Other aspects of the recommendation are not addressed. With respect to the power of the county attorney to issue subpoenas the statute provides only that the county may issue subpoenas to bring witnesses before the grand jury or any magistrate before whom he/she is conducting an examination. Ch. 388.05.		x	
12.9 Prosecutor Relationships with the Public and with Other Agencies of the Criminal Justice System			x				x

## Statutory Comparison

## Task Force Action

Task Force Sub-Committee:	provided fully by statute	provided in part by statute	not addressed by statute	COMMENTS	reject standard in principle	preferable or statute preferable	addressed by Task Force recommendations
CP							
NAC Volume and Standard							
<b>The Defense</b>							
13.5 Method of Delivering Defense Services			x	The state public defender position is required by Ch. 611.23 to be a full-time position. County and district public defenders are not required by law to be full-time positions			x
13.7 Defender to be Full-Time and Adequately		x		The state public defender position is full-time; county and district public defenders are not required by statute to be full-time positions. Compensation of the state public defender is less than that recommended by the NAC by at least \$2,000. Ch. 15A.083. Compensation of district public defenders is set by the judicial council; compensation of county public defenders is set by the district court, and compensation of appointed counsel where no district public defender system is established is set by the district court. Chs. 611.26; 611.12, subd. 4, and 611.07, respectively		x	
Compensated 13.8 Selection of Public Defenders		x		The method of selecting public defenders in Minnesota varies from that recommended by the NAC. However, all public defenders are appointed for four-year terms, as the NAC suggests. The state public defender is selected by the state judicial council, is in the unclassified state service, and may be removed for cause by the appointing authority. Ch. 611.23. District public defenders also are appointed by the state judicial council and may be removed for cause. Ch. 611.26. County public defenders are appointed by the bench of the district court, Ch. 611.12, as are other appointed counsel where no district public defender system is established. Ch. 611.07		x	
13.10 Selection and Retention of Attorney Staff Members			x	Assistant state public defenders are in the unclassified state service. Ch. 611.24. Assistant District public defenders serve at the pleasure of the district public defender. Ch. 611.26. Assistant county public defenders may be appointed and removed by the county public defender. Ch. 611.12.		x	
13.11 Salaries for Defender Attorneys		x		It is possible that assistant defender attorneys' salaries would be comparable to those of attorneys in private practice, but this would not be the result of statutory provision. Ch. 611.24 sets the maximum assistant state public defender's salary at \$12,500 per year, although an assistant state public defender may engage in private practice if the defendership is not a full-time job. Ch. 611.26 provides that assistant district public defenders be paid a salary set by the district public		x	

13.12 Workload of Public Defenders

x

defender, subject to approval of the state judicial council. Ch. 611.12 provides that district court judges set the salary for assistant county defenders.

x

13.14 Supporting Personnel and Facilities

x

The general thrust of this recommendation is not addressed by statute. Ch. 611.27 allows district judges to establish the budget for district public defense services, including some of the functions recommended by the NAC. Ch. 611.21 permits public defenders to apply to the court for funds to provide additional services if necessary to prepare the defense.

x

13.15 Providing Assigned Counsel

x

x

13.16 Training and Education of Defenders

x

Ch. 611.25 requires the state public defender to supervise training of state and district public defenders, and permits him/her to establish a training course "for such purpose." Content requirements are not addressed.

x

**CRIMINAL JUSTICE SYSTEM****Court Information Systems**

5.1 Decision making in Individual Cases

x

Standardized court information on individual defendants is not required by statute. Where reports are permitted or required, the statutes merely suggest the types of information to be collected.

5.2 Calendar Management in the Courts

x

5.3 Court Management Data

x

5.4 Case Management for Prosecutors

x

There is no statutory material corresponding to the NAC recommendation.

13.1 Criminal Code Revision

x

The revised criminal code was adopted in 1963. (Ch. 609).

13.2 Completeness of Code Revision

x

13.3 Penalty Structures

x

13.5 Organization for Revision

x

13.6 Procedural Law Revision

x

Responding to this standard are the procedural revisions evidenced by the MN R. Crim. P.

13.7 Code Commentaries

x

Commentaries recommended by this standard appear in Minnesota Statutes Annotated, Ch. 609.



Statutory Comparison

Task Force Action

Task Force Sub-Committee: <b>Community Crime Prevention</b> NAC Volume and Standard	provided fully by statute	provided in part by statute	not addressed by statute	COMMENTS	reject standard in principle	preferable current practice or statute	addressed by Task Force recommendations
<b>COMMUNITY CRIME PREVENTION</b>							
<b>Citizen Involvement and Government Responsiveness in the Delivery of Services</b>							
2.1 Resource Allocation			x				
2.2 Decentralization Mechanisms			x				x
2.3 Public Right-to-Know Laws		x		Ch. 15.17 subd. 4 requires custodians of public records to keep records in a form that is easily accessible for convenient use. Unless expressly provided otherwise by law, all public records are to be available for inspection, examination, abstraction, or copying by any person. Ch. 471.705 requires virtually all governmental meetings at all levels to be open to the public.		x	
2.4 Informing the Public		x		A cable communications commission is established by Ch. 238. Its powers and duties deal primarily with developing procedural requirements for cable systems and franchises. In its declaration of intent, however, the Legislature recognizes a need to "encourage the endeavors of public and private institutions, municipalities, associations and organizations in developing programing for public interest.			x
2.5 Public Hearings			x	Ch. 429.031 requires public hearings prior to imposing special assessments.			x
2.6 Neighborhood Governments			x				x
2.7 Central Office of Complaint and Information			x				x
2.8 Action Line			x				x
<b>Programs for Drug Abuse Treatment and Prevention</b>							
4.1 Multimodality Treatment Systems	x			Ch. 254A.01 declare it to be a matter of public policy that persons who are chemically dependent be provided with a comprehensive range			x

				of rehabilitative and social services. Individualized treatment and family involvement are encouraged. Area mental health boards are authorized to coordinate all chemical dependency services conducted by local agencies. The Welfare department may make grants to mental health boards for providing or arranging to provide treatment and other services for the chemically dependent. Ch. 254A.07. Community mental health boards must provide detoxification programs for the chemically dependent. Ch. 254A.08.			
				Ch. 158.13 establishes a "psychopathic department" of the U of MN hospitals. The department is charged with caring for, observing and treating persons addicted to habit-forming drugs. Out-patient services are permitted.			
				Judges are permitted to commit criminal defendants to drug treatment facilities per Ch. 145.698. This may occur at any point in the judicial process.			
4.2 Crisis Intervention and Emergency Treatment		x		The Commissioner of Public Welfare is empowered to establish treatment programs of various types per Ch. 254A.03.			x
4.3 Methadone Maintenance Treatment Programs			x	Methadone is a "Schedule II" controlled substance. Ch. 152.02, subd. 3(2). It must be dispensed under supervision of a physician. Within this constraint, it would appear the Welfare Commissioner could authorize a Methadone Maintenance Treatment Program. Ch. 254A.03.			x
4.4 Narcotic Antagonist Treatment Programs			x	See recommendation 4.2, supra.			x
4.5 Therapeutic Community Programs			x	See recommendation 4.2, supra.			x
4.6 Residential Programs			x	See recommendation 4.2, supra.			x
4.7 Variations in Treatment Approach	x			The State Authority on Alcohol and Drug Abuse is required to "conduct and foster basic research relating to the cause, prevention, and methods of diagnosis, treatment and rehabilitation of alcohol and other drug dependent persons," and to "develop and demonstrate new methods and techniques for the prevention, treatment, and rehabilitation of alcohol and other drug dependency problems." Ch. 254A.03, subd. 1(a) and 1(c).			x
4.8 Voluntary Court Referral of Addicts		x		Ch. 145.698 permits the court to adjourn criminal proceedings if it appears the defendant may be drug dependent, and initiate commitment proceedings pursuant to the Hospitalization and Commitment Act. Commitment lasts until the court believes the defendant can be returned to court. Similarly, commitment proceedings may be instituted following conviction or revocation of parole.			x
				If a person is convicted of possession of a controlled substance,			

Statutory Comparison

Task Force Action

Task Force Sub-Committee:	provided fully by statute	provided in part by statute	not addressed by statute	COMMENTS	reject standard in principle	preferable current practice or statute	addressed by Task Force recommendations
CCP							
NAC Volume and Standard							
4.9 Training of Treatment Personnel			x	the judge may, without entering a guilty plea, defer further proceedings and place the defendant on probation, conditioned on the appropriate drug education program. Violation of probation can result in an adjudication of guilty, but if no violation occurs during the probation period, the court must discharge the defendant without court adjudication. A nonpublic record is kept of the incident, but the defendant may apply to the court to have all other records of the offense expunged. Ch. 152.18.		x	
4.10 Drug Abuse Prevention Programming		x		The State Authority on Alcohol and Drug Abuse is required to inform and educate the public on chemical abuse problems. Ch. 254A.03. Instruction must be given in all public schools on the effects of narcotics and stimulants. Ch. 126.03. All educational institutions providing teacher education must offer a program on chemical dependency problems, and every student preparing for teaching service must take and satisfactorily complete the course. Ch. 126.05.		x	
4.11 State and Local Drug Abuse Treatment and Prevention Coordinating Agencies	x			Ch. 254A.03 assigns these functions to the State Authority on Alcohol and Drug Abuse. At the local level, coordinative functions are performed by community mental health centers. Ch. 254A.08.		x	
4.12 State and Local Relationships to and Cooperation with Federal Drug Abuse Prevention and Treatment Activities		x		The State Authority on Alcohol and Drug Abuse serves as the coordinative and review agency. It is required to establish statewide plans, goals, and priorities, and all governmental units operating chemical dependency programs must set program goals and priorities in accordance with the State Authority's plan. The statute does not specifically require the State Authority to review relevant legislation or establish formal relationships with state and federal agencies providing assistance to the chemically dependent. Ch. 254A.03.		x	
Programs for Employment							
5.4 Job Opportunities for Offenders and Ex-offenders		x		Ch. 363.03 makes it an unfair employment practice to exclude any person from seeking employment in the state. A criminal offender rehabilitation act, Ch. 364.01, encourages rehabilitation of criminal offenders by providing them with the opportunity to secure employment or pursue a meaningful and profitable trade or business. No person may be disqualified from public employment or from pursuing			x

				any occupation for which a license is required solely or in part because of a prior criminal conviction unless the crime directly relates to the position or employment or type of license sought. (Lawyers and police are exempted.) Ch. 364.03. If a position or license is denied the ex-offender in whole or in part because of the prior conviction, the individual must be notified in writing and advised of procedures for reapplication, as well as procedures for appeal. Ch. 364.05.			
				Ch. 364.04 forbids dissemination of records of arrest not followed by conviction, convictions which have been annulled or expunged, and misdemeanor convictions for which no jail sentence can be imposed for any purpose connected with application for public employment or a license.			
				Persons found guilty of possessing controlled substances may apply for expurgation of the conviction, provided they meet terms of their probation. Ch. 152.18. The Department of Public Safety may keep a nonpublic record, for official use only. The offender must be advised of his/her right to petition for expunging of the record.			
				Juvenile court records are held confidential under Ch. 260.161.			
5.5 Removing Employment Barriers		x		See recommendation 5.4, supra.			x
5.6 Public Employment Programs			x				x
5.7 Employment Opportunities for Former Drug Users			x				x
5.8 Employment Policy portation Services			x				x
5.9 Antidiscrimination Business Policy		x		The state, and any county, city, town, township, school, school district, or any other district in the state is required to include a provision in all contracts for materials, supplies, or constructions by which the contractor agrees to not engage in discriminatory practices. The contract may be cancelled or terminated for more than one violation of the contractual condition to not discriminate. Ch. 181.59.		x	
5.10 Assisting Minority Businesses			x			x	
5.11 Housing and Trans-		x		Ch. 363.03, subd. 2, states it is an unfair discriminatory practice to refuse to comply with fair housing principles on the basis of, among other considerations, status with respect to public assistance. Unfair discriminatory practices are misdemeanors. Ch. 363.101.		x	

Statutory Comparison

Task Force Action

Task Force Sub-Committee: <b>CCP</b>	provided fully by statute	provided in part by statute	not addressed by statute	COMMENTS	reject standard in principle	current practice or statute preferable	addressed by Task Force recommendations
NAC Volume and Standard							
<b>Programs for Education</b>							
6.8 Use of School Facilities for Community Programs	x			Ch. 121.85-121.89 establish community school programs, the purpose of which is to make maximum use of the public schools by the community, and to expand utilization by the school of the human resources of the community.		x	
6.9 Teacher Training, Certification, and Accountability			x	Teacher training, certification, and accountability standards are under the jurisdiction of the Teacher Standards and Certification Committee, per Ch. 125.05.		x	
<b>Programs for Religion</b>							
8.1 Supporting and Promoting Community Involvement			x				
8.2 Informing Constituencies			x				
8.3 Creating a Climate of Trust			x				
8.4 Use of Church Facilities for Community Activities			x				
8.5 Supporting Criminal Justice Reform			x				
<b>Programs for Reduction of Criminal Opportunity</b>							
9.1 Use of Building Design to Reduce Crime			x				x
9.2 Security Requirements for Building Codes			x	Adoption and enforcement of building codes to protect the security of state residents is assigned the State Building Code Commission. Ch. 16.83. The Building Code Commissioner prepares and publishes the state building code, Ch. 16.85, which applies statewide. Ch. 16.851.			x
9.3 Street Lighting Programs for High-Crime Areas			x			x	

9.4 Shoplifting Prevention Programs			x			x	
9.5 Auto Theft Prevention Programs and Legislation		x		Ch. 168.10 provides for annual registration of motor vehicles. Ch. 168.11 provides issuance of a distinctive registration number to each vehicle. Ch. 168.12 provides that commencing November, 1975, license plates for personal automobiles shall be issued every five years, with stickers issued annually.		x	
9.6 Crime Prevention and Law Enforcement Agencies			x				x
<b>Conflicts of Interest</b>							
10.1 Ethics Code				Ch. 10A deals with ethics in government, but is primarily concerned with lobbying and campaign reporting. Ch. 10A.07 deals with potential conflicts of interest for public officials.		x	
10.2 Ethics Board				Ch. 10A.02 establishes a state Ethics Commission to deal with many of the issues raised by this standard.		x	
10.3 Disclosure of Financial Interests by Public Officials	x			Ch. 628.61 requires the Grand Jury to inquire into willful and corrupt misconduct in office of all public officers in the county.		x	
10.4 Criminal Penalties		x		Ch. 10A.09 substantially addresses this standard, although time periods for filing, etc., vary somewhat from the recommendation.		x	
<b>Regulation of Political Finances</b>							
11.1 Disclosing the Role of Money in Politics		x		Financial disclosure is addressed in Ch. 10A.		x	
11.2 Limiting Political Spending		x		Limits on political spending are addressed in Ch. 10A.		x	
11.3 Curtailing Conflicts of Interest in Campaign Finance			x			x	
11.4 Prohibiting Corporate and Labor Contributions			x			x	

Statutory Comparison

Task Force Action

Task Force Sub-Committee: <b>CCP</b>  NAC Volume and Standard	provided fully by statute	provided in part by statute	not addressed by statute	COMMENTS	reject standard in principle	current practice on statute preferable	addressed by Task Force recommendations
<b>Government Procurement of Goods and Services</b>  12.1 Establishing a State Procurement Office		X		Ch. 16.01-16.23 establishes the Commissioner of Administration as the state purchasing officer and sets forth the powers and duties of that office relative to procurement. Statutory provision is made for competitive bidding, centralized purchasing and disposition of property, public access to procurement records, and conditions under which open market purchases may be made. The Commissioner is empowered to set standards and uniform specifications; he/she also may develop rules and regulations governing procurement practices, which have the force and effect of law. The statute does not address specific qualifications of purchasing department staff, or other operational and organizational characteristics of the department.		X	
<b>Zoning, Licensing, and Tax Assessment</b>  13.1 Establishing Equitable Public Decision Criteria in Zoning, Licensing, and Tax Assessment		X		The statutes do not articulate specific criteria to be applied in reviewing licensing applications, adoption of zoning changes, or imposition of special tax assessments. Specific procedural steps generally must be incorporated into zoning ordinances, or rules and regulations authorized by law to be established by the licensing or zoning board or taxing authority. Public decisions dealing with zoning changes and tax assessments must be preceded by public hearings and appropriate notice to individuals affected by the action.		X	
13.2 Establishing Equitable Public Decision Procedures		X				X	
13.3 Providing for Public Review of Government Decisions		X				X	X
<b>Combating Official Corruption and Organized Crime</b>  14.1 Maintaining Integrity in the Local Prosecutor's Office			X			X	
<b>COURTS</b>  Court-Community Relations							

10.2 Court Information and Service Facilities			X				X
10.3 Court Public Informa- tion and Education Programs			X				X
10.7 Compensation of Witnesses	X			Police officer witnesses may be compensated actual costs incurred for appearing as witnesses. Ch. 357.13. However, if the police officer appears in court in a municipality in which he/she resides, he/she cannot be compensated witness fees per Ch. 357.23. Other witnesses in criminal cases may be paid actual expenses, including meals, loss of wages, and child care, up to a maximum of \$25 per day. In addition, witnesses in criminal cases may receive \$10 per day and mileage reimbursement of 12¢ per mile, as do witnesses in civil cases. Ch. 357.22, Ch. 357.24. Unlike witnesses in civil cases, however, witnesses in criminal cases are not entitled to an advance payment of expenses. Ch. 357.32. However, in the discretion of the court, if the witness is from outside the state, or poor, the court may direct advance payment. <i>id.</i> Witnesses in civil cases are not required to attend a civil case as a witness unless paid at least one day's travel and other fees in advance. Ch. 357.22.		X	
<b>The Defense</b>  13.1 Availability of Publicly Financed Representation in Criminal Cases		X		The statutes provide for appointed counsel (Ch. 611.07) or public defender services (Ch. 611.14) for accused felons and gross misdemeanants who are unable to employ counsel by reason of poverty. If a judicial district adopts a public defender system, defender services also are available to persons involved in parole or probation revocation hearings, extended sentencing term hearings, and, under certain circumstances, are available for cases coming within county, municipal, or probate court jurisdiction, and for juveniles.  Appointed counsel or defender services are available for cases on appeal to the Supreme Court or on post-conviction appeal proceedings.			X
13.2 Payment for Public Representation	X			The statute addresses subsequent ability to pay counsel. Ch. 611.20. If at any time after the public defender is directed to act, the court having jurisdiction believes the defendant has the ability to pay, the appointment of the public defender may be terminated unless the defendant is willing to pay for the service. If the defendant agrees to pay, payment may be on such terms as the court directs.  Ch. 611.35 provides that any person who is represented by the public defender or appointive counsel shall, if he/she is able to pay, reimburse the governmental unit chargeable with compensation of the appointed counsel or public defender the actual costs of providing the services. The court directs terms of repayment.		X	

Statutory Comparison

Task Force Action

Task Force Sub-Committee: <b>CCP</b> NAC Volume and Standard	provided fully by statute	provided in part by statute	not addressed by statute	COMMENTS	reject standard in principle	current practice or statute preferable	addressed by Task Force recommendations
13.3 Initial Contact with Client		x		Appointed counsel or public defender services are available at any stage of criminal proceedings. Ch. 611.07, Ch. 611.18. For cases before courts covered by state or district public defender services, Ch. 611.15 provides that the court must advise any person appearing before the court without counsel who is entitled by law to representation by counsel that he/she has the right to be represented by counsel; that counsel will be appointed if he/she is financially unable to obtain it. Other portions of the NAC recommendations are not addressed.		x	
13.4 Public Representation of Convicted Offenders		x		Ch. 611.14 provides that the public defender shall provide representation to persons involved in parole or probation revocation hearings or in extended sentencing term hearings. However, this apparently only applies to jurisdictions in which a public defender system has been established.		x	
13.6 Financing of Defense Services	x			The NAC recommends that the State provide financing for defender services. Minnesota statutes provide that the counties finance defender services, except for services provided by the state public defender. Ch. 611.27 (district public defender); Ch. 611.12 (county public defenders); Ch. 611.07 (appointed counsel); see generally Ch. 611.14.		x	
13.9 Performance of Public Defender Function			x			x	
13.13 Community Relations		x		Ch. 611.24 requires that the state public defender be provided with office quarters outside the capitol complex. Ch. 611.27, however, requires that where available, space for district public defenders be provided in publicly owned buildings. The statutes do not address locations for county public defender offices.		x	
<b>POLICE</b>							
<b>The Police Role</b>							
1.1 The Police Function			x				x
1.2 Limits of Authority			x				
1.4 Communicating with the Public			x				

1.6 Public Understanding of  
the Police Role  
1.7 News Media Relations  
**Developing Community  
Resources**  
3.2 Crime Prevention

Task Force Sub-Committee:  
**Institutional and  
Community Corrections**  
NAC Volume and Standard

**CORRECTIONS**

**Rights of Offenders**  
2.1 Access to Courts

		x		<p>Ch. 590 is the state's post-conviction remedy statute. Except when direct appellate relief is available, a person convicted of a crime may petition for review of the legality of the conviction.</p> <p>In criminal cases, the defendant may remove the case to the Supreme Court for review within six months of the judgment or motion denying new trial, provided the motion denying new trial is not based on the merits of the case. Ch. 632.01.</p> <p>The statutes do not specifically provide remedies or procedures for seeking redress for illegal conditions or treatment, pursuing remedies for civil legal problems or asserting other rights. However, Ch. 631.471 provides that every convict sentenced to imprisonment shall be under the protection of the law, and that Ch. 243.56 provides every convict may communicate with the warden or Commissioner of Corrections. All restrained persons have a right to consultation with an attorney. Ch. 481.10.</p> <p>Ch. 241.42-241.45 creates an Ombudsman within the Department of Corrections. The Ombudsman is empowered to investigate actions of any division, or employee of the Department of Corrections, the parole board, or the board of pardons. Specific areas of investigation include actions which may be contrary to law or regulation; actions</p>			x*
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\*NOTE: See Chapter on Institutional and Community Corrections for discussion of status of Task Force in this area.

Task Force Sub-Committee: Institutional and Community Corrections NAC Volume and Standard	Statutory Comparison			COMMENTS	Task Force Action		
	provided fully by statute	provided in part by statute	not addressed by statute		reject standard in principle	current practice or statute preferable	addressed by Task Force recommendations
2.2 Access to Legal Services		x		<p>which are unfair, unreasonable, oppressive, or inconsistent with Department policy; mistaken in law or arbitrary in the ascertainment of facts; unclear, or inefficient. Recommendations of the Ombudsman are not binding.</p> <p>Ch. 628.61 requires Grand Jury to inquire into the condition and management of public prisons in the county.</p> <p>Ch. 590 provides for public defender services in postconviction proceedings, if the convicted person is indigent. Ch. 611.14 provides that where a public defender system is established the public defender shall provide representation for indigent persons involved in parole or probation revocation hearings.</p> <p>Ch. 260.155, subd. gives minors the right to counsel in proceedings before the juvenile court.</p> <p>Ch. 481.10 makes it a misdemeanor and also imposes civil liability on custodial authorities that interfere with a restrained person's right to counsel.</p> <p>The statutes do not deal with provision of legal services in other areas recommended by this standard.</p>			x
2.3 Access to Legal Materials			x				x
2.4 Protection Against Personal Abuse	x			<p>Ch. 631.471 provides that every person sentenced to imprisonment shall be under the protection of the law, and any unauthorized injury to his/her person is punishable in the same manner as if he/she were not convicted or sentenced. Specific procedures to ensure enforcement of this statutory provision are not delineated.</p> <p>Ch. 243.52 provides that if a prisoner "offers violence" to any guard, officer, or other person or convict, he may defend him/herself in any manner and by any means which may appear to be necessary under the circumstances. If a prisoner attempts to injure buildings or appurtenances, or to resist the lawful authority of a guard or corrections officer or refuses to obey "reasonable demands," the officer or guard may enforce obedience and discipline in such manner as may be necessary.</p> <p>Ch. 609.06 provides that "reasonable force" may be used toward</p>			x

2.5 Healthful Surroundings		x		<p>the person of another without his/her consent when used by any person to prevent his/her escape, or to retake following the escape, of a person lawfully held on a charge or conviction of a crime. The same "reasonable force" also may be used when used by a public institution providing custody or treatment against one lawfully committed to it to compel compliance with reasonable requirements for his/her control, conduct, or treatment.</p> <p>Ch. 144 empowers the State Board of Health to issue rules and regulations having the force and effect of law concerning sanitary, construction, and equipment requirements of correctional institutions.</p> <p>Ch. 641.18 permits "solitary confinement on bread and water" when a jailed prisoner is "unruly" or disobeys any regulation for the management of a jail.</p> <p>Ch. 641.07 provides that jailed male prisoners over age 16 may be required to labor part or all of the day, not to exceed 10 hours per day.</p> <p>Ch. 609.23 imposes criminal penalties for mistreatment of confined persons.</p> <p>Ch. 243.53 provides that each prisoner should have an individual cell, when there are sufficient cells.</p> <p>In case of danger from fire, Ch. 243.57 permits removal of institutional inmates to a safe place. Ch. 641.20 extends the same protection to jailed persons.</p> <p>The State Board of Health may prescribe sanitary regulations for correctional institutions. Ch. 144.</p> <p>Local health officers are required to inspect local lockups for compliance with sanitary condition requirements. Ch. 642.09. If the lockup is in such condition as endangers the health, security, life, or well-being of anyone confined. Ch. 642.10 permits the health officer to condemn the facility.</p> <p>Ch. 641.15 deals with the care and feeding of prisoners in county jails. The county board is required to provide clothing, bedding, towels, and medical aid for prisoners, and fuel for the jail. The sheriff or jailer must keep the jail in a clean and healthy condition; furnish sufficient clean water for drinking and bathing, and serve each prisoner a sufficient quantity of "wholesome, well-cooked food" three times a day.</p>			x
2.6 Medical Care	x			<p>Ch. 641.15 requires county boards to provide medical aid to prisoners in county jails.</p>			x
2.7 Searches		x					x

Task Force Sub-Committee: <b>Institutional and Community Corrections</b>  NAC Volume and Standard	Statutory Comparison			COMMENTS	Task Force Action		
	provided fully by statute	provided in part by statute	not addressed by statute		reject standard in principle	preferable current practice or statute	addressed by Task Force recommendations
2.8 Non-Discriminatory Treatment			x	Ch. 363 (Human Rights Act) does not specifically protect against discriminatory treatment in correctional institutions. Investigation of unfair or unlawful administrative actions within the Department of Corrections is delegated to the Corrections Ombudsman, Ch. 241.42-241.45. As previously noted, however, the Ombudsman's recommendations are not binding.			
2.9 Rehabilitation		x		<p>There is no statutory statement of purpose dealing with rehabilitative services for corrections clients.</p> <p>Ch. 121.29 requires the state department of education to provide vocational rehabilitative services to any individual whose capacity to earn a living has in any way been destroyed or impaired through industrial accident or otherwise.</p> <p>Ch. 641.17 permits county boards to establish schools in jails and work farms under their jurisdiction.</p> <p>Ch. 631.425 enables the court to permit convicted persons to maintain their current employment as a condition of sentence to a local jail, workhouse, or lockup. The sheriff is permitted to assist the person so convicted to secure such employment.</p> <p>Ch. 241.26 permits correctional institution inmates to pursue private employment if they are eligible for and being considered for parole. Under the statute, at the discretion of the commissioner of corrections, they may work at paid employment, seek employment, or participate in vocational training programs. This is termed a conditional release in the statute. While the inmate is not working, pursuing employment, or engaged in a vocational training program, the statute requires him/her to be confined in a public detention facility or community corrections center.</p> <p>Under Ch. 241.27, the commissioner of corrections is permitted to establish industrial activities in corrections institutions. The primary purpose of such activities must be to provide vocational training and proper work habits for inmates assigned to them.</p> <p>Ch. 243.06 provides that prisoners in state institutions shall be credited for "good prison demeanor, diligence in labor and study, and results accomplished, and be charged for derelictions, negligences, and offenses . . ."</p>			x

2.10 Retention and  
Restoration of Rights

x

Ch. 364 provides that no person may be disqualified from public employment or from pursuing any occupation for which a license is required solely or in part because of a prior criminal conviction unless the crime directly relates to the position of employment or type of license sought. See pp. . . . and . . . , statutory analysis of the NAC's Community Crime Prevention volume, Standard 5.4, Job Opportunities for Offenders and Ex-Offenders.

Ch. 609.165 provides that when a person has been deprived of his/her civil rights by reason of conviction of a crime and is thereafter discharged, such discharge shall restore him/her to all his/her civil rights and to full citizenship, with full right to vote and hold office, and the order of discharge shall so provide. However, under Ch. 609.42, a public official convicted of bribery is prohibited from holding public office for life.

The statute does not address activities of the Department of Corrections in explaining or assisting in the securing of rights once limited as recommended by the standard.

x

2.11 Rules of Conduct

x

Statutory rules of conduct are vague, which is contrary to the NAC recommendation's thrust.

Ch. 243.06 requires that each prisoner be "credited for good prison demeanor, diligence in labor and study and results accomplished, and be charged for derelictions, negligences, and offenses under such uniform system of marks or other methods as shall be prescribed by the commissioner of corrections."

Ch. 243.18 provides for reduction of sentences (for any term other than life) for nonviolation of prison rules or discipline, and for "laboring with diligence and fidelity." The statute permits the corrections commissioner to take away or restore good time, in view of the "aggravated nature and frequency of offenses, or in consideration of mitigating circumstances or ignorance on the part of the convict."

Ch. 643.29 provides for the diminution of jail sentences if the sentenced person has not violated any rule of discipline, or if required to labor, has labored "with diligence and fidelity." Good time may be taken away or restored at the discretion of the jail supervisor.

x

2.12 Disciplinary Procedures

x

No provisions or procedures for dealing with violations are outlined in the statutes. Ch. 609.06 permits use of force by correctional custodians to "compel compliance with reasonable requirements for control, conduct, or treatment." Ch. 243.52 permits guards to use necessary force in disciplining prisoners for violence toward any person, injury to buildings, resisting authority, or refusal to obey reasonable demands. Ch. 641.09 permits county jailers to keep prisoners in solitary confinement "on bread and water" for refusal to labor or obey necessary orders in reference thereto. Ch. 641.18 permits "solitary

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Task Force Sub-Committee: <b>Institutional and Community Corrections</b> NAC Volume and Standard	provided fully by statute	provided in part by statute	not addressed by statute	COMMENTS	reject standard in principle	preferable current practice or statute	addressed by Task Force recommendations
2.13 Procedures for Non-disciplinary Changes of Status			x	confinement on bread and water" when a prisoner is unruly or disobeys any regulation for the management of a jail. Ch. 243.06 requires that prisoners be informed of their standing in any system for crediting good behavior. In all other proceedings, however, changes in status are at the discretion of the commissioner of corrections or the parole board. There are no statutory provisions for administrative hearings or other proceedings at which the inmate is permitted to respond to charges or proposed actions.			
2.14 Grievance Procedures			x				
2.15 Free Expression and Association	x			Ch. 241.251 permits prisoners to have access to the media.			
2.16 Exercise of Religious Beliefs	x			Ch. 241.05 requires the commissioner of corrections to provide "at least one hour, on the first day of each week, for religious instruction of inmates, during which time a clergy member of any church or denomination may freely administer and impart religious rites and instruction to those desiring same." The statute prohibits "sectarian practices," and provides that no officer or employee of the institution shall attempt to influence the religious belief of any inmate, and none shall be required to attend religious services against his/her will. Ch. 641.16 provides that "every keeper of a jail shall provide for each prisoner able and willing to read it, a copy of the Bible, at the expense of the county, and any minister of the gospel desirous of giving moral and religious instruction to prisoners shall have access to them at proper times." Ch. 243.48 permits the commissioner of corrections to prescribe rules governing visitations to prisoners, and also permits the charging of a fee for visitations. Ch. 241.251 permits free access to the media by inmates and free access to the corrections system by the media.			x
2.17 Access to Public	x			No statutory provisions deal with receipt of mail by inmates, or mail sent by inmates. Ch. 243.48 permits the commissioner of corrections to prescribe rules governing visitations to prisoners, and also permits the charging of a fee for visitations. Ch. 241.251 permits free access to the media by inmates and free access to the corrections system by the media.			
2.18 Remedies for Violation of an Offender's Rights	x			Ch. 631.471 provides prisoners shall be under the protection of law. Ch. 609.23 imposes criminal penalties for mistreatment of confined prisoners.			x

Classification of Offenders

6.1 Comprehensive Classification Systems

6.2 Classification for Inmate Management

Community Corrections and the

7.1 Development Plan for Community-Based Alternatives to Confinement

7.2 Marshalling and Co-ordinating Community Resources

7.3 Corrections' Responsibility for Citizen Involvement

7.4 Inmate Involvement in Community Programs

Local Adult Institutions

9.1 Total System Planning

9.2 State Operation and Control of Local Institutions

		x					x
		x					x
	x			Some of these elements may be required to be addressed in the Community Corrections plan, which must be prepared as a prerequisite for involvement in the Community Corrections Subsidy Program. Ch. 401.11			x
		x					
		x					
		x					
		x		Ch. 401.06 requires counties participating in Community Corrections Subsidy Act to have an approved plan, according to requirements established by the Commissioner of Corrections. See also Ch. 401.11.			x
	x			The statutes do not provide for state control over local correctional institutions (jails, lockups, workhouses, home schools) or community corrections facilities. However, when community facilities are established, the community corrections act, Ch. 241.31 requires that the Commissioner of Corrections establish minimum standards governing size, area to be served, staff qualifications and patterns, and programs. County boards and municipalities are empowered to construct and maintain county jails, county home schools, and local lockups. However, any new construction or remodeling involving expenditures over a specified amount must be approved in advance by the commissioner of corrections. Chs. 641.01, 641.21, 641.22, 642.01. Ch. 642.02 prohibits the commissioner of corrections from approving lockup construction or remodeling plans unless the lockup meets established standards. The commissioner of corrections, on approval or consent of the			x

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9.3 State Inspection of Local Facilities	x			<p>county board involved, may designate a county jail as a district jail. Ch. 641.25. If he/she does so, Ch. 641.261 permits him/her to establish rules and regulations relating to standards, staff, and programming.</p> <p>The commissioner of corrections may condemn jails and lockups that do not meet health and safety requirements. Ch. 641.26, 642.09, 642.10. In the case of a county jail, the commissioner must have approval of the district judge to condemn. Ch. 641.26.</p> <p>Ch. 260.094 provides that a county home school for juveniles be maintained by the county. Operation of the home school is subject to the approval of the juvenile court judge.</p> <p>When community-based facilities are established pursuant to Ch. 241.31, they must be established pursuant to standards promulgated by the commissioner of corrections.</p> <p>Licensing and supervision of jails, lockups, care facilities is delegated to the commissioner of corrections in Ch. 241.021. (See also Ch. 401)</p> <p>Ch. 241.021 establishes the commissioner of corrections' authority to inspect local jails and lockups. See previous standard (9.2) for discussion of procedures for dealing with facilities that do not meet standards.</p>		x	
9.4 Adult Intake Services			x	The statutes do not provide for outside, objective evaluation of detention facilities as recommended by the NAC.			
9.5 Pretrial Detention Admission Process			x				x
9.6 Staffing Patterns	x			<p>Ch. 243.31 permits commissioner of corrections to establish staffing qualifications for community corrections facilities.</p> <p>Ch. 641.261 extends same authority for regional jails.</p> <p>Ch. 641.06 permits the sheriff to hire jail personnel; they serve at his/her pleasure.</p>			

9.7 Internal Policies

9.8 Local Correctional  
Facility Programming

9.9 Jail Release Programs

9.10 Local Facility Evalua-  
tion and Planning

Probation

10.1 Organization of  
Probation

10.2 Services to  
Probationers

x		<p>The statutes do not require the local facility to establish internal policies to respond to the NAC recommendations. However, Ch. 641.15 deals with care and feeding of jailed prisoners, including provision of medical aid and regular meals.</p>			
	x	<p>Ch. 241.31 requires commissioner of corrections to establish programming standards for local correctional facilities (community-based) Community Corrections Plans prepared pursuant to Ch. 401 must detail programs to be implemented. Ch. 401.11.</p>			x
x		<p>Ch. 631.425 permits work-release programs. Employed prisoners must be paid a "fair and reasonable wage" for their employment. Earnings may be used to pay the prisoner's maintenance cost in the jail, and if the court so directs, also may be used to pay the support of dependents. Ch. 641.10 permits crediting of labor to be applied toward any fines assessed (applies to public works labor).</p> <p>Ch. 641.17 permits county boards to establish educational programs or schools, and to draw on resources available from the department of education (Ch. 121.29.) No specific education-release programs are provided for by statute.</p>			x
x		<p>Within the authority of the commissioner of corrections per Chs. 243.31, 641.01, 641.21, 641.22, and 642.01.</p>			x
x		<p>Ch. 243.09 provides that the commissioner of corrections shall supervise adults committed to him/her for probation by the court. However, under Ch. 609.135, the court may place a person on probation under supervision of the court or under supervision of some other suitable, consenting person. In such case, the commissioner would apparently not have jurisdiction over the probationer.</p> <p>In Hennepin County, probation is under the supervision of the Court. In Ramsey, Court Services Department provides.</p> <p>For juveniles, the Minnesota Corrections Authority has probation jurisdiction over all persons committed to it who are resident in any county of more than 100,000. In general, however, jurisdiction over juvenile probation officers is with the judiciary, rather than in the executive branch. See Ch. 260.311, which delineates the procedures for appointing juvenile probation officers.</p>		x	
x		<p>Ch. 242.21 permits the commissioner of corrections to enter into agreements with community agencies to provide services to persons committed to his/her care or the care of the Minnesota corrections authority. Ch. 260.311 requires probation officers to cooperate with community agencies and services in developing rehabilitation programs for probationers.</p>			

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Task Force Sub-Committee: Institutional and Community Corrections NAC Volume and Standard	provided fully by statute	provided in part by statute	not addressed by statute	COMMENTS	reject standard in principle	preferable current practice or statute	addressed by Task Force recommendations
10.3 Misdemeanant Probation		x		<p>Ch. 401.11 requires communities participating in the community corrections subsidy program to describe the manner in which probation and parole services will be delivered, if so required by the commissioner of corrections.</p> <p>Under Ch. 609.135, probation may be used as a sentencing alternative for felonies, misdemeanors, or gross misdemeanors. However, the language restricts ordering probation under the commissioner of corrections to cases in which the conviction is for a felony and there are no probation officers of the court. Therefore, if the conviction was for a gross misdemeanor or misdemeanor, probation services would have to be provided by a probation officer of the court, or if there was none, by some other person deemed "suitable" by the court. There is no guarantee this non-probation officer would be able to marshal community resources to provide services to the probationer to the extent envisioned in NAC recommendations.</p>			x
10.4 Probation Manpower		x		<p>Ch. 241.01, subd. 6 permits the commissioner of corrections to accept volunteer and uncompensated services, as he/she sees fit. Ch. 609.135 permits the judge to place probationer in the custody of any "suitable" person.</p>			
10.5 Probation in Release on Recognizance Programs			x	<p>The statutes do not address release on recognizance per se. The emphasis is on money bail.</p>			x
<b>Major Institutions</b>							
11.1 Planning New Correctional Institutions			x				x
11.2 Modification of Existing Institutions			x				x
11.3 Social Environment of Institutions		x		<p>Ch. 241.42-241.45 create an Ombudsman within the Department of Corrections. Work-release and vocational-rehabilitation training release programs are permitted by Ch. 241.26. Ch. 241.01, subd. 6, permits the commissioner of corrections to accept volunteer and uncompensated services as he/she sees fit. Ch. 241.21 permits the commissioner to arrange for community services for persons committed to his/her care or custody. Ch. 243.14 permits the Minnesota Corrections Authority to grant temporary paroles of up to five days.</p>		x	
11.4 Educational and Vocational Training		x		<p>For adults, vocational training is provided by statute. Ch. 121.29, Ch. 241.26.</p> <p>For juveniles committed to the state training school at Red Wing, the Minnesota corrections authority is required to provide instruction. Ch. 242.43. Girls and the boys selected for commitment to the Minnesota Home School at Sauk Centre, are not required by statute to receive instruction. The Minnesota corrections authority may establish rules and regulations for education and training of those committed to the Home School "as may be deemed by it to be expedient and proper." Ch. 242.53.</p> <p>Ch. 242.20 permits the MCA to provide for such education and training as the Authority sees fit. Also, commissioner of corrections.</p> <p>The commissioner may draw on community resources as provided by several statutes. See supra.</p>			x
11.5 Special Offender Types			x	<p>(See Court Processes also)</p>			x
11.6 Women in Major Institutions			x				x
11.7 Religious Programs		x		<p>The statutes provide for an hour of "religious instruction" weekly for all inmates, but state that "sectarian practices" are prohibited. Ch. 241.05.</p>			x
11.8 Recreation Programs			x				
11.9 Counseling Programs			x				
11.10 Prison Labor and Industries		x		<p>Ch. 241.27 permits the commissioner of corrections to establish vocational training programs through prison industries. The industry must be for the purpose of providing vocational training and not as a competitive venture. The Commissioner is to consult with other state department heads to determine appropriate and useful training programs, that will produce marketable skills. Payment of inmates who participate is authorized by Ch. 243.23.</p> <p>As previously noted, Ch. 241.26 permits selected inmates to participate in work release programs or vocational training programs. Chs. 241.20 and 241.21 permit inmates to be made available for conservation work or to state departments and agencies for various work efforts, at the discretion of the commissioner of corrections.</p>			x
<b>Parole</b>							
12.1 Organization of Paroling Authorities		x		<p>The Minnesota Corrections Authority has sole power to grant paroles for adults sentenced to state correctional institutions and juveniles convicted of a felony or gross misdemeanor. Ch. 243.05; Ch. 242.13. The commissioner of corrections may parole juveniles</p>			

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				<p>committed to him/her who have not been convicted of a felony or gross misdemeanor. Ch. 242.13.</p> <p>The MCA is empowered to make rules governing the granting of paroles and final discharges and procedures relating to parole.</p> <p>The commissioner of corrections may establish hearing officers; their decisions are appealable to the commissioner of corrections. Ch. 242.10. The MCA's authority to decide on a parole is non-delegable. <i>id.</i> However, juveniles whose parole or probation is revoked may request a hearing on the revocation order, after which the MCA may grant the hearing, and enter its final order. Final orders stand unless overturned by the district court of commitment or by the supreme court. Ch. 242.36.</p>			
12.2 Parole Authority Personnel		x		<p>Ch. 241.05 creates a full-time parole authority. Members of the parole authority need not have specific academic or professional qualifications, but are required to have knowledge or experience in corrections or related fields. Four of the five members are appointed by the governor; the chairperson is appointed by the commissioner of corrections, and serves at his/her pleasure. Members appointed by the governor serve six-year terms as recommended by the NAC. An advisory committee was designated by statute to assist in selection of board members; the statute requires that of the gubernatorial appointees at least one person must be a racial minority; there also must be at least one woman and one man appointed.</p>			
12.3 The Parole Granting Hearing			x	<p>No statutory provision for a hearing. Ch. 243.12 gives the Minnesota Corrections Authority the power to make rules governing granting of paroles and procedures used.</p>			
12.4 Revocation Hearings		x		<p>Minnesota statutes do not appear to ensure the NAC recommendation will be met, particularly for adults. However, Ch. 243.12 vests rule-making power in the MCA, and it may provide for hearings as a procedural matter.</p> <p>Ch. 243.05 provides that the written order of the MCA, certified by the chairman, is sufficient to retake and place in custody any person on parole. Also, any peace officer or probation agent may, without order of warrant, retake a parolee when it appears "necessary to prevent escape or enforce discipline." Ch. 242.34 applies the same</p>			

12.5 Organization of Field Services		x		<p>provision to juveniles. Hearings are provided for in the Interstate Compact for Supervision of Parolees and Probationers, Ch. 243.16.</p> <p>For persons committed to the MCA (felons and gross misdemeanants), Ch. 242.36 provides that a hearing to review the revocation order may be requested. If the MCA grants the request, the individual may appear with counsel for a full hearing. After the hearing, the MCA can issue a final order affirming, modifying, or rescinding the prior order. The final order stands unless overturned by the committing district court or the state supreme court.</p> <p>For juveniles committed to the Commissioner of Corrections, a hearing officer may be appointed by the Commissioner of Corrections to grant or revoke parole. The hearing officer's actions may be appealed to the commissioner or to a review panel established by the commissioner within the department of corrections under rules issued by the commissioner. Ch. 242.10.</p>			
12.6 Community Services for Parolees		x		<p>Ch. 243.09 gives the commissioner of corrections supervisory authority over adult and juvenile parole officers, including those involved in supervising conditionally released persons (work release or vocational training release). The statute does not address procedural or organizational aspects recommended by the NAC.</p>			
12.7 Measure of Control			x	<p>For adults, Ch. 241.01 permits the commissioner of corrections to accept community services for the treatment or provision of other services to persons committed to his/her care or otherwise discharge the functions of his/her department.</p> <p>For juveniles, Ch. 242.09 requires the departments of health, welfare, and education to cooperate with the Commissioner of Corrections and the MCA in providing treatment and rehabilitation programs for youth. Ch. 242.21 permits the commissioner of corrections to enter into agreements with public and private agencies as resources permit to provide appropriate care for juveniles. Ch. 401.11 permits the Commissioner of Corrections to require communities to address delivery of parole services in plans prepared pursuant to the Community Corrections Subsidy Act.</p> <p>Ch. 241.25 authorizes the creation of a parolee loan fund to provide temporary emergency financial assistance to persons on leave, parole, or probation from corrections institutions under the control of the commissioner of corrections. The commissioner is authorized to determine the amount of the loan and terms of repayment.</p>			
12.8 Manpower for Parole			x	<p>Rules governing the terms of parole and amount of control or supervision to be exercised are within the authority of the Minnesota Corrections Authority. Ch. 243.12.</p> <p>Ch. 243.09 requires parole agents appointed by the Commissioner of Corrections to be in the classified civil service.</p>			

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Task Force Sub-Committee: Institutional and Community Corrections NAC Volume and Standard	provided fully by statute	provided in part by statute	provided in part by statute	COMMENTS	reject standard in principle	current practice or statute preferable	addressed by Task Force recommendations
<b>Organization and Administration</b>							
13.1 Professional Correctional Management			X				X
13.2 Planning and Organization			X				
13.3 Employee-Management Relations		X		Ch. 241.01 permits the Commissioner of Corrections to provide training programs for correctional personnel. Ch. 43.32 requires the Commissioner of Personnel to establish management training standards and programs. State departments may not provide management training unless it is approved by the Personnel Commission.			X
13.4 Work Stoppages and Job Actions		X		Corrections employees fall under provisions of the Public Employees Labor Relations Act, Ch. 179.61-179.77. The Act prohibits public employees from striking. Unauthorized absences from the job are presumed to be intended as a strike. Ch. 179.64.			
<b>Manpower for Corrections</b>							
14.1 Recruitment of Correctional Staff		X		There is no statutory recruitment standard. Ch. 43.13 provides that examinations must be designed to test the capacity of persons examined to efficiently discharge the duties of their job. Eligibility standards for taking examinations must relate to the ability of candidates to perform with reasonable efficiency the duties of their position. No standards or requirements may be fixed with reference to education or physical condition except as relate directly to the duties of the job. Validated examinations are to be used to the extent feasible. Ch. 43.15 prohibits discrimination in personnel decisions on the basis of political or religious opinion, age, race, sex, or disability. Ch. 364 makes it possible to hire exoffenders.  Similar provisions apply to cities that establish municipal civil service or merit systems for employees. County civil service requirements in the sheriff's department (responsible for jails) are permitted, but are not required.			X
14.2 Recruitment from Minority Groups		X		Ch. 43.13 requires that job requirements be directly related to the duties of the position for which employment is sought. Statutes do not			

14.3 Employment of Women		X		appear to require affirmative action in recruitment; merely nondiscrimination in selection. Ch. 43.14 prohibits discrimination on the basis of sex. Various statutes deal with appointment of females as deputy sheriffs and matrons in jails.			
14.4 Employment of Exoffenders		X		Ch. 364 provides generally for employment of exoffenders.			X
14.5 Employment of Volunteers		X		Permitted by Ch. 241.01.			
14.6 Personnel Practices for Retaining Staff		X		Addressed in limited fashion in state employees personnel act, Ch. 43. Would not apply to substate correctional employees, e.g., jailers			
14.7 Participatory Management			X				X
14.8 Redistribution of Correctional Manpower Resources to Community-Based Programs		X		Ch. 241.01 Subd. 3 permits the commissioner of corrections to transfer personnel among institutions, assign duties, and otherwise organize the department as necessary to discharge its functions. The Commissioner is authorized to develop appropriate training programs for staff. Ch. 241.01, subd. 5.			
14.9 Coordinated State Plan for Criminal Justice Education			X				
14.10 Intern and Work-Study Programs			X				
14.11 Staff Development		X		Ch. 241.01 permits the Commissioner of Corrections to provide training programs for corrections personnel. Specific standards may be set by the Commissioner, or by the Department of Personnel, Ch. 43.			
<b>Research, Development, Information and Statistics</b>							
15.1 State Correctional Information System		X		Ch. 299C.05 sets up a criminal justice information system within the Bureau of Criminal Apprehension to collect and preserve offender-based transaction data and "other information as may be useful in the study of crime and administration of justice." Correctional personnel, among others are required to provide information for the system.  The Department of Corrections is responsible for maintaining the security and privacy of records in its data base, subject to provisions of Ch. 15.162-15.168. Ch. 15.17 provides that except as specified by law, public records shall be made fully accessible to researchers.			

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Task Force Sub-Committee: Institutional and Community Corrections NAC Volume and Standard	provided fully by statute	part provided in statute	not addressed by statute	COMMENTS	reject standard in principle	current practice or statute preferable	addressed by Task Force recommendations
15.2 Staffing for Correctional and Research and Information Systems			x				
15.3 Design Characteristics of a Correctional Information System			x				
15.4 Development of a Correctional Data Base			x				
15.5 Evaluating the Performance of the Correctional System			x	Ch. 241.01 permits the commissioner of corrections to establish and provide personnel, facilities and equipment for research to evaluate the effectiveness of correctional treatment in camps, institutions, probation, parole, and delinquency prevention. The statute limits the extent to which the commissioner may become involved in this type of activity to the funds that are available for this purpose.			
<b>The Statutory Framework of Corrections</b>							
16.1 Comprehensive Correctional Legislation			x	Although a number of the recommendations proposed by the NAC exist in Minnesota statutes, the state has not adopted a comprehensive corrections code that would dissipate some of the fragmentation and gaps that currently exist.			
16.2 Administrative Justice			x	The Department of Corrections does not appear to be covered under provisions of the state Administrative Procedures Act, Ch. 15.01-15.43.			
16.3 Code of Offenders' Rights			x				x
16.4 Unifying Correctional Programs			x	Although the parole system is unified as regards felons and gross misdemeanants, it does not necessarily apply to probationers or others whom the court keeps under its jurisdiction. Similarly, pretrial services are not within the responsibility of the Department of Corrections or any other single agency.	x		
16.5 Probation Legislation		x		See Ch. 241.01, which sets up authorization for a Commissioner and for executive officers for each institution under control of the commissioner. Ch. 241.045 deals with members of the parole board.			

16.11 Probation Legislation		x		Ch. 609.135 authorizes granting of probation. Criteria are not enumerated in the statutes.			
16.12 Commitment Legislation		x		Ch. 609.105 provides that a sentence for imprisonment for more than one year shall commit the defendant to the commissioner of corrections, and the commissioner of corrections shall determine the place of confinement.  Ch. 243.51 authorizes transfer of prisoners to the federal government or to other states.  Ch. 242.14 prohibits assigning juveniles to adult institutions.  Ch. 241.07 authorizes offenders to be transferred to institutions that can provide appropriate care for mental illness.			
16.13 Prison Industries		x		None of these programs are specifically prohibited by statute.  Ch. 243.63 permits sale of binder-twine outside the state. Ch. 243.66 permits in-state sale of other goods made in the prison. Ch. 243.66 also deals with conditions of sale of prison-made goods.			
16.14 Community-Based Programs		x		All recommendations of the NAC are authorized by statute except #5, the requirement that corrections agencies promulgate rules and regulations that specify conduct that will result in revocation of community-based privileges. At present, this is generally under the authority of the parole board. See Chs. 241, 243, 401. Re. #4, Ch. 243 imposes some restrictions on "convict-made" goods, but they relate to materials manufactured in the prison factory.			
16.15 Parole Legislation		x		Ch. 243.05 authorizes parole for all persons under the jurisdiction of the Minnesota Corrections Authority. Criteria for parole eligibility, granting of parole, parole revocation, parole conditions, and length of parole are not specified by statute. They are determinable by the parole board. Ch. 243.12.			
16.16 Pardon Legislation	x			Minnesota's pardon legislation is contained in Ch. 638.			
16.17 Collateral Consequences of a Criminal Conviction		x		Minnesota law is substantially in compliance with the recommendation. None of the statutory provisions dealing with loss of civil rights which seem to be objected to by the NAC exist in Minnesota, except that a person who is convicted of a felony cannot vote until his/her civil rights are restored. This is accomplished upon discharge by the court, the Minnesota Corrections Authority, or expiration of the sentence. Ch. 609.165. The only exception is if the defendant is convicted of bribery. According to the state Constitution, Art. 4, Sec. 15, and Ch. 609.42, subd. 2 of the statutes, a person convicted of bribery is prohibited from holding public office for life.			

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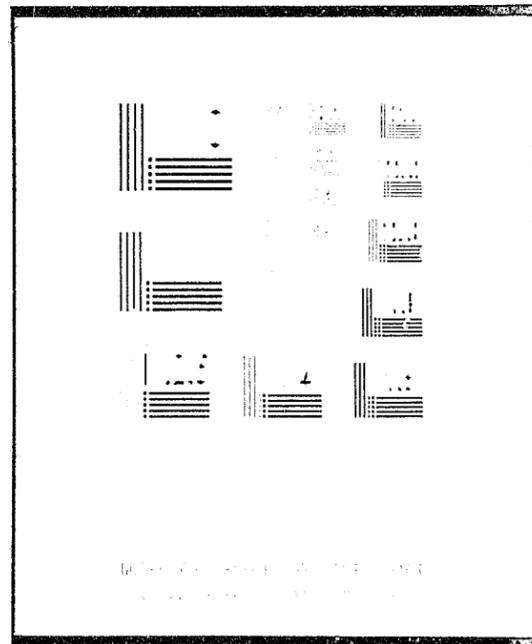
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Task Force Sub-Committee: <b>Institutional and Community Corrections</b> NAC Volume and Standard	provided fully by statute	provided in part by statute	not addressed by statute	COMMENTS	reject standard in principle	current practice or statute preferable	addressed by Task Force recommendations
<b>CRIMINAL JUSTICE SYSTEM</b>  <b>Corrections Information Systems</b>  6.1 Development of a Corrections Information System  6.5 Corrections Population and Movement  <b>Criminal Code Revision</b>  13.4 Corrections Law Revision				x There are no corresponding statutes.  x There are no corresponding statutes.  x The statutes do not systematically address prison administration, staff and inmate education, or discipline proceedings within the insti- tution.			

**END**

# NCJRS

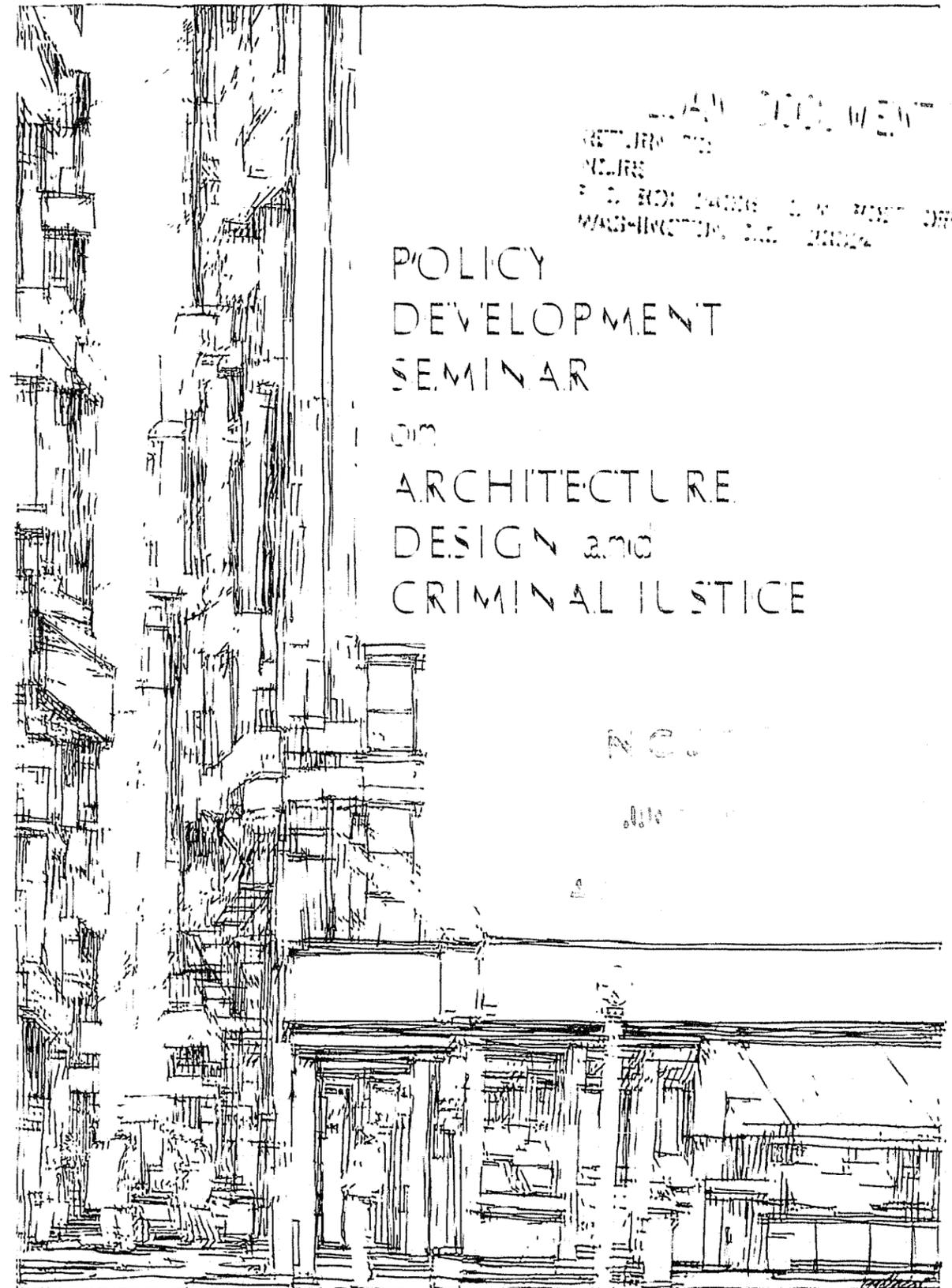
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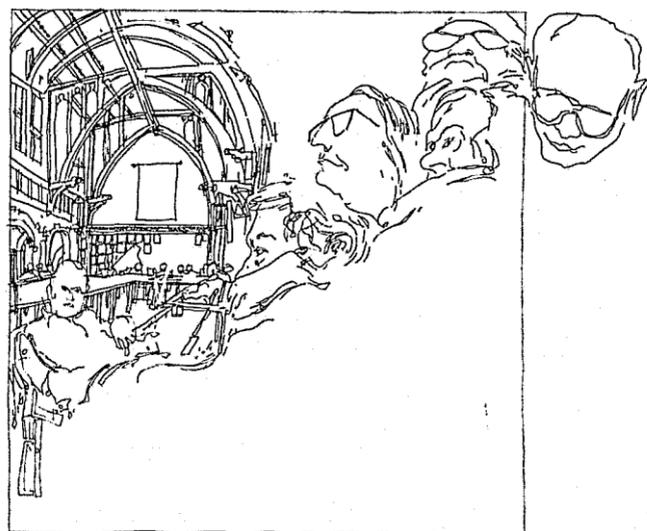
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NCJRS  
 10/29/76



## June 15-17, 1975 Rochester, Michigan

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### LAW ENFORCEMENT ASSISTANCE ADMINISTRATION U. S. DEPARTMENT OF JUSTICE

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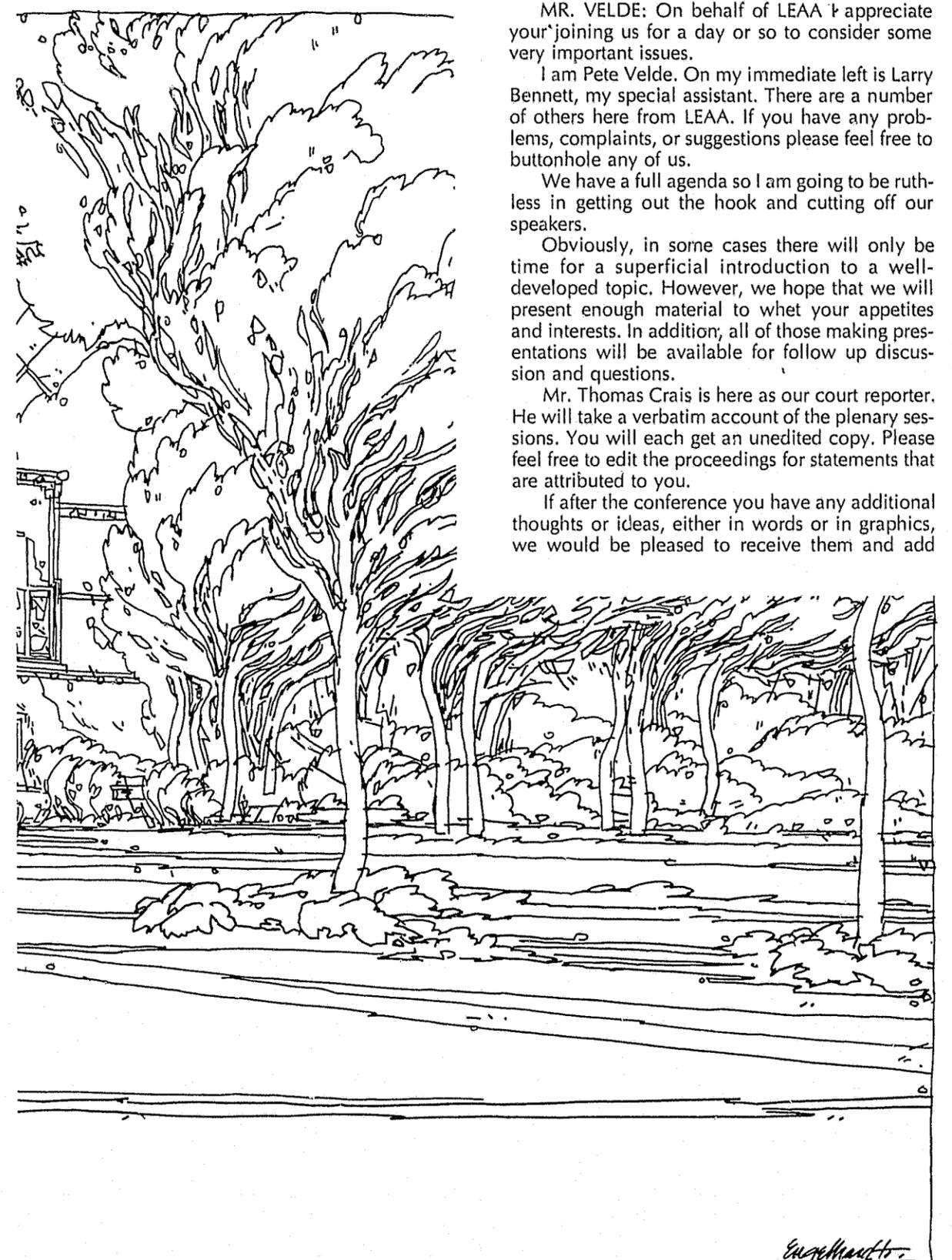
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**Opening Remarks**



MR. VELDE: On behalf of LEAA I appreciate your joining us for a day or so to consider some very important issues.

I am Pete Velde. On my immediate left is Larry Bennett, my special assistant. There are a number of others here from LEAA. If you have any problems, complaints, or suggestions please feel free to buttonhole any of us.

We have a full agenda so I am going to be ruthless in getting out the hook and cutting off our speakers.

Obviously, in some cases there will only be time for a superficial introduction to a well-developed topic. However, we hope that we will present enough material to whet your appetites and interests. In addition, all of those making presentations will be available for follow up discussion and questions.

Mr. Thomas Crais is here as our court reporter. He will take a verbatim account of the plenary sessions. You will each get an unedited copy. Please feel free to edit the proceedings for statements that are attributed to you.

If after the conference you have any additional thoughts or ideas, either in words or in graphics, we would be pleased to receive them and add

*Eugene Smith*

them to the transcript.

We anticipate that the proceedings will be published by LEAA and available to those who are interested. We also hope that AIA will find enough interesting and exciting material for a series of articles in the *Journal*.

First, let me make a brief comment from LEAA's perspective as to why we have convened this meeting.

Essentially, LEAA's job is to assist state and local governments in trying to improve criminal justice in order to prevent and reduce crime. We have been in the business for about a decade and have invested about \$4.5 billion of Federal funds. That figure represents about 5% of what state and local governments have spent during that period in their various crime control efforts.

We have found, through experience, that the criminal justice system itself has limited resources to deal with crime after it has occurred. Consequently, if we are really going to make significant strides and improvements in crime reduction, we must primarily concentrate on crime prevention.

One of the most significant dimensions of crime prevention is the environmental aspect, that is, design aspect.

This morning, you will receive presentations which focus on what happens to schools, subway systems, housing projects, residential areas, commercial and other areas, where the problems of security and crime control were not taken into consideration at the time they were designed.

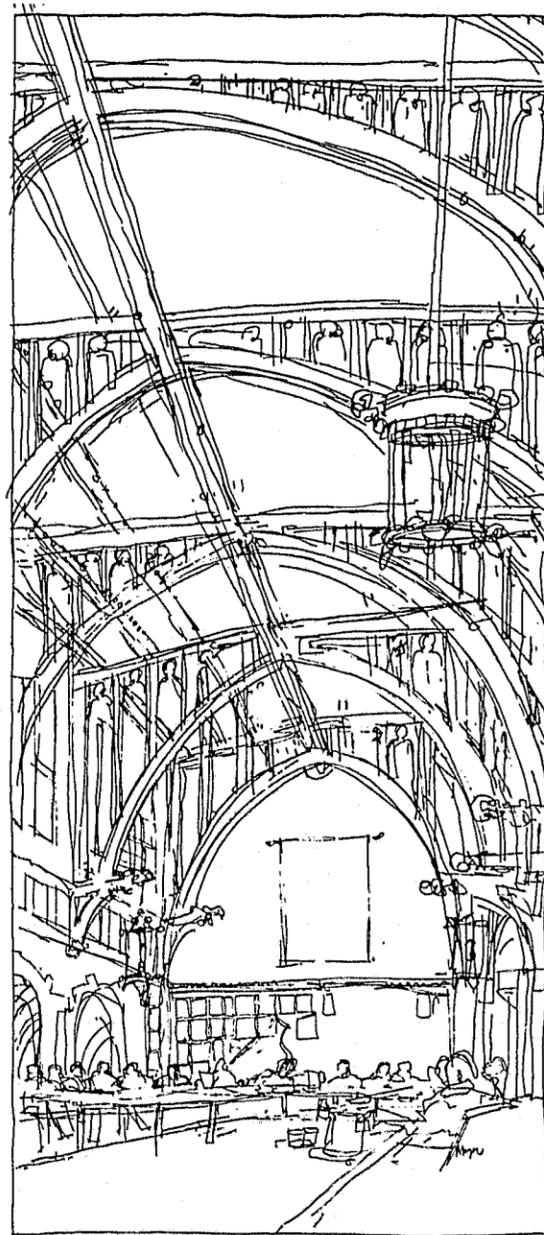
You will see some models where those factors were considered in advance. Then you will be briefed as to what LEAA has been doing to support and encourage state and local governments to modernize the design and construction of their criminal justice facilities. We will have that dimension as well.

We hope that this will give you a new perspective and perhaps some insights into a series of considerations that too often are not really considered until after the fact.

You should get an idea of what we at LEAA are trying to accomplish and we would like your candid criticisms and comments on our program. We want to make it more useful and beneficial to you, to the criminal justice community, and to our nation, so, that is what this seminar is all about.

We have attempted to bring together both the nation's leading architects and a smattering of criminal justice professionals who have had some dealings with architects. They have either built facilities or programs of their own or they have had to cope with the problems of security somewhat after the fact.

I would now like to turn the program over to Fred Moyer who is the Director of what used to be called the National Clearinghouse for Correctional



Architecture. The Clearinghouse was commissioned about five years ago. Business was so good and the demand so great that the National Clearinghouse for Criminal Justice Planning and Architecture is now established. They have what we call a five-foot shelf of resource materials for police, courts, as well as correctional facilities and programs.

Fred has been a dynamic and driving force. The Clearinghouse is involved in more than 1,200 projects, facilities, and design activities around the country and is pretty much on top of what is happening in criminal justice architecture and design activity.

# National Clearinghouse



MR. MOYER: In order to avoid the hook I am going to move quite rapidly, and I hope that you will bear with me. We can come back later and delve into particular aspects of the matters that I am going to present.

The purpose of this presentation is to provide a brief overview of the activities in which the Clearinghouse has been involved and the concepts which underlie these which relate to criminal justice. While many may already be familiar with portions of the material which will follow, because of the constantly changing scope of what we are involved in, much will be new.

There is a display on the left which presents some of the Clearinghouse material. There are also materials in the packet. Additionally, samples of the various publications which the Clearinghouse has available are on a table in the next room. There is a list of these in the brown envelope on your desk. These can be ordered and obtained separately.

The National Clearinghouse is sponsored by LEAA. It had its inception nearly six years ago at a time which LEAA was seeking guidelines in regard to correctional facilities. The circumstances which developed this need will be described at a later



point. However, of primary importance is the fact that LEAA sought to provide response to public concern about crime. Evidence of such public concern can be found to take many forms.

(Slide) This first illustration offers, perhaps, an example of citizen control of the environment. Relative to corrections, it documents an attitude which suggests the exclusion of certain individuals from the environment.

Before describing the professional activities undertaken by the Clearinghouse in the face of its challenge, some additional information is pertinent. Our first concerns were those environments to which our citizen example would suggest exclusion. They have broadened ever since, now including police, courts, and corrections, with the community as their context. The Clearinghouse has grown in this process.

(Slide) The "1970" at the top of this chart indi-

cates the size of our staff at that time. It was three and one-half people. Currently the staff numbers over one hundred.

This is only mentioned to indicate that it has been a dynamic growth and it is multi-disciplinary in its focus.

The professional attributes of our staff include architectural registrations in forty-six states. But, actually architects account for only ten percent of our personnel. We have sociologists and social scientists of other specialization, including clinical psychology, social work, educational psychology, and other areas. Included now are court administrators, lawyers, survey researchers, urban planners, policemen, parole officers, ex-offenders, librarians, correctional administrators, graphic designers, and more.

(Slide) But, our first focus was in corrections. It was in that regard that the *Guidelines* were pro-

duced.

(Slide) This planning instrument is now utilized in about 1400 projects in this country and also in twenty-eight other countries to one extent or another.

A detailed presentation of the *Guidelines For The Planning and Design of Regional and Community Correctional Centers for Adults* will not be attempted here. It should be pointed out, however that it is a sequential instrument in terms of its use.

It begins with a survey of the problem context in terms of the total criminal justice system. It suggests the community as the starting point and includes a survey of the community resources and its problems as they impact on the community criminal justice system.

Later, data obtained through survey techniques is linked to a range of services required to address identified problems. These are programmatic in their first dimensions, and become environmental

or facility-related as a second corollary.

(Slide) The LEAA initiative to establish the National Clearinghouse had its impetus in the recognition that the correctional resources of this country have been neglected.

(Slide) Literally hundreds of thousands of people spend a considerable amount of time annually in conditions which involve sensory deprivation and many other abuses or outcomes which are not recognized constitutional safeguards with respect to cruel and unusual punishment. In the instance of jail facilities, a high proportion of the individuals subjected to their conditions have not yet been convicted of any crime and are considered innocent under the law.

(Slide) They have been called schools for crime. They have become recognized as vehicles by which people have been led on to higher plateaus of their criminal career.

The very nature of these facilities, it can be demonstrated, leads to reinforcement of self-percep-



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tions of failure and rejection. The kinds of basic services which are available are usually non-existent. When they are present, they are usually archaic and extremely limited in their range.

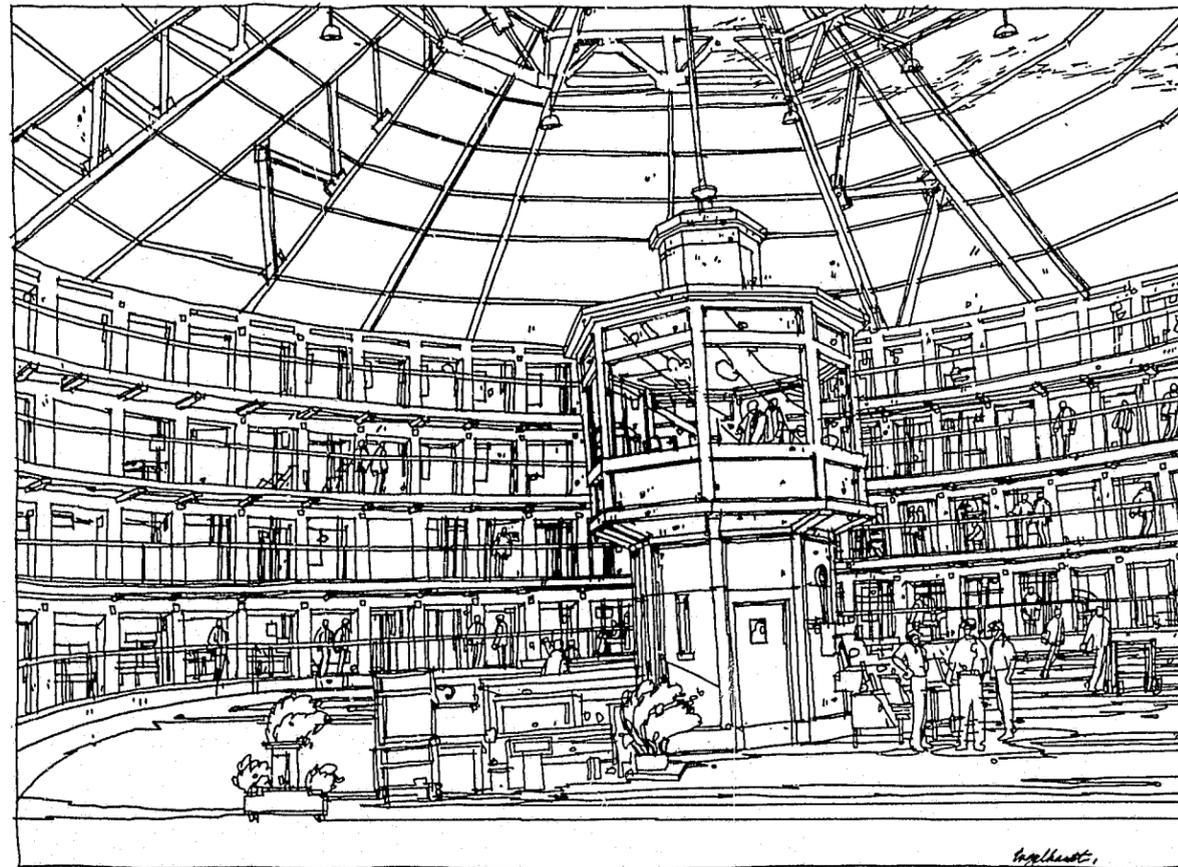
(Slide) Typical living conditions are extremely hazardous, not only for those who are residents, but for the staff which has managerial responsi-

lity. (Series of Slides) The examples shown represent both new and old facilities throughout the country. Whether built ten years ago or one hundred years ago, in many cases little variance is offered in basic provisions.

Generally, there is no minimum compliance with safety requirements. At quite another level there is literally no space for any kind of program services and very often no staff who would be able to offer those services.

The guidelines we have developed have attempted to address both of these issues, including the use of the community resources, volunteers and others who can work within the environment to help with the integration of the offender.

In newer facilities we have seen a reliance upon technology, and, in our view, an over-reliance. In the case of the correctional facility it has often been a continuance of the tradition of separating people from people and excluding people from personal interaction which might contribute to their successful integration into the com-



munity.

(Slide) One of our research projects, which is now published, is an analysis of closed circuit TV used in the correctional context.

As illustrated, closed circuit TV applications seek to relate to the isolation of the subject and the observation of him; in fact, sometimes we have the twenty-four hour illumination of him. These are hardly efforts which lead to constructive personal relationships.

Most frequently, the visiting area, which do allow personal interaction, are separated, closely monitored and surveilled, and of limited duration and infrequent occurrence.

Conditions such as these have had their results: in many cases leading to riots and disturbances. These are, of course, complex events and have complex reasons for occurring, but in some measure they are due to the environment to which the people have been subjected. I refer here to the total environment, not just the physical, but the social aspects of that environment as well.

The *Guidelines* address this totality and seek alternatives to ever-increasing levels of control and containment, as response to these problems.

We find, as example of system fragmentation, which is prevalent, that the department of corrections of the governing body which has custodial jurisdiction frequently has a limited range of alternatives available to it; not only in terms of economics but in terms of decision-making which relates to program options. This limited range often includes only the possibility for assignment to one remote and obsolete institution versus another, with virtually no exception fails to allow for community placement in lieu of confinement, and offers release programs into the community to which the offender will return only as an occasional and partial depressurizing from the institution.

Under these conditions, corrections is all too often held accountable for the failure of its clients to relate successfully to the community. A recent theme has been the suggestion that corrections programs do not work. In very real measure, they have not been attempted.

This has led the National Clearinghouse to a master planning approach which is systemic in its orientation.

(Slide) The *Guidelines* present this approach as one which begins by analyzing the problem as opposed to analyzing the agency which is responsible for dealing with the problem at a particular point in time.

It also takes the view that correctional facilities are not end-points in the system nor terminal destinations but only processing points. It seeks, in fact, to develop every possible community role in dealing with the criminal justice offender. This includes, of course, the prevention dimensions but al-

so the alternatives to incarceration and the use of the community resources to preserve the individual in the community and avoid institutionalization.

(Slide) The *Guidelines* have certain basic precepts in terms of planning determinants which will just briefly be touched upon. These are considerations related to facility design and planning which we consider to be pertinent.

First of all is the consideration of location. It is critical in determining the extent of resources which can be enlisted. The bulk of our facility legacy is remote from urban resources and remote from the home community of the offender, and lacking any possibility for integrative programs because of sheer location. Family and community ties are disrupted on this basis.

Secondly, internal relationships are important on a functional level. These lead to recommendations for developing modules and identity units within a facility: group spaces, group territory; individual territories; and dispersion of staff so that a closer proximity of staff and resident is provided



which increases the likelihood of interaction.

Thirdly, identity is a function of design. The nature of the environment tends to convey to the user those attitudes which are held toward him and the objectives of this confinement.

Scale is another aspect which is considered an important determinant. Existing institutions are largely inhuman in their scale or people-to-environment relationships. Large dormitories are common. "Feeding" replaces dining, and the individual becomes lost.

The consideration of site features are as circumstantial as the site itself, but no less important to the correctional institution as any other building type.

Security is of central concern, but, more importantly, the provision of differentiated security. This



ties closely to the classification system. The *Guidelines* correlates these issues and addresses individual problems and degrees of risk in terms of necessary controls and imposed surveillance on a gradient which leads towards individual control and self-reliance.

Among the benefits of such an approach is the limiting of measures which are needed for particular individuals so that an entire institutional population is not subjected to the controls required for only a percentage.

Flexibility is another determinant which will allow the facility to be adapted to new programs and changing concepts in corrections. Recognizing the likelihood that new approaches will be developed and current innovations assessed, such adaptability is of basic importance.

Climate, construction technology, and economics are also basic determinants.

The most forceful aspect of economics, it can be added, relates to that which Pete Velde referred to when he said that the criminal justice system has limited resources. In terms of correctional facilities the argument that pertains here is that it is very expensive to provide incarceration. We have found in our nationwide experience that there is an economic basis for considering alternatives to incarceration. Alarming costs are presented. Individualized approaches to correctional treatment have always advocated alternative to incarceration in appropriate cases.

(Slide) Briefly, some of the background concepts concerning the design of facilities will be reviewed. These are ones to which architects will often intuitively subscribe. We have ongoing attempts to validate them.

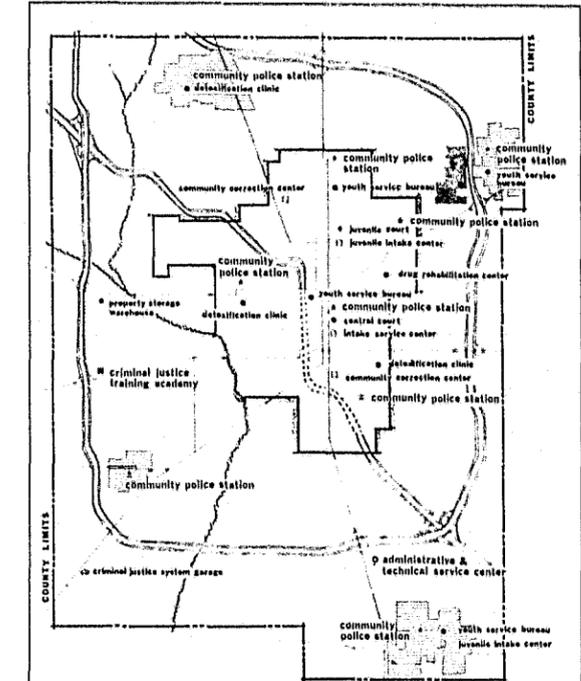
Included is the application of normative design considerations to the environment which seeks to promote normative behavior; this is opposed to abnormal environment which reinforces abnormal behavior.

Another is building programs which include space for supporting correctional treatment programs. In common terms, this refers to raw space. It intends to say that if any programs are to occur there must be space to accommodate them. The bulk of our facilities are obsolete in this regard.

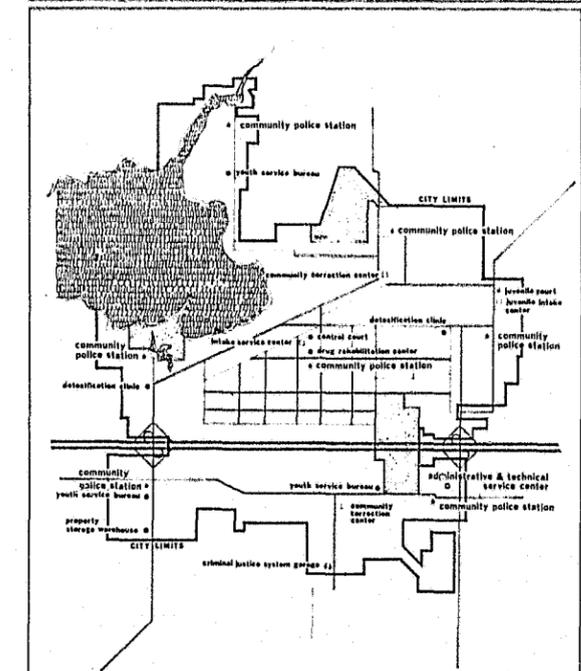
Flexibility is underscored once again. Among the concepts involved in the *Guidelines* is that of rotating functions within spaces sequencing their varied utilization. Relocatable building modules also have potential in allowing even site locations to be adapted. And, others are offered. Various concepts of the individual in the scale of space and in staff relationships are also depicted by the accompanying illustrations.

(Series of Slides) We also contend that *Guidelines* are applicable at different scales. This suggests that service areas may be city, city-county,

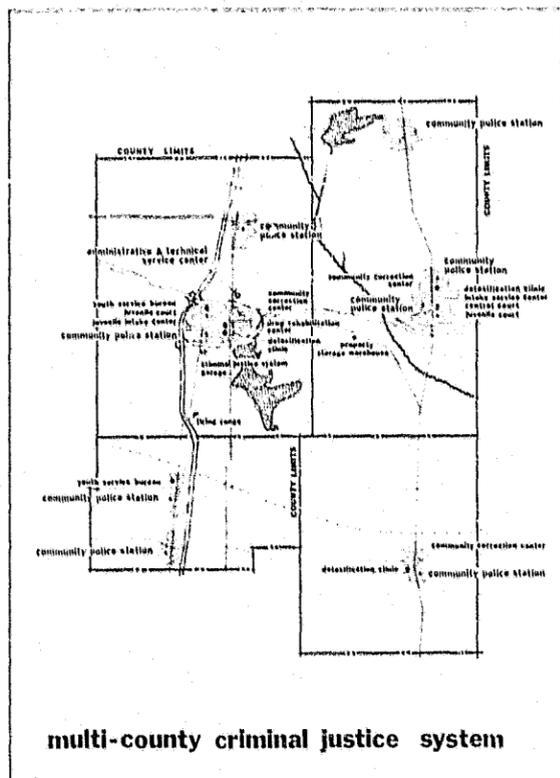
multi-county, regional, or state-wide in their jurisdiction. The same procedures pertain and planning outcomes are linked to the needs within particular areas.



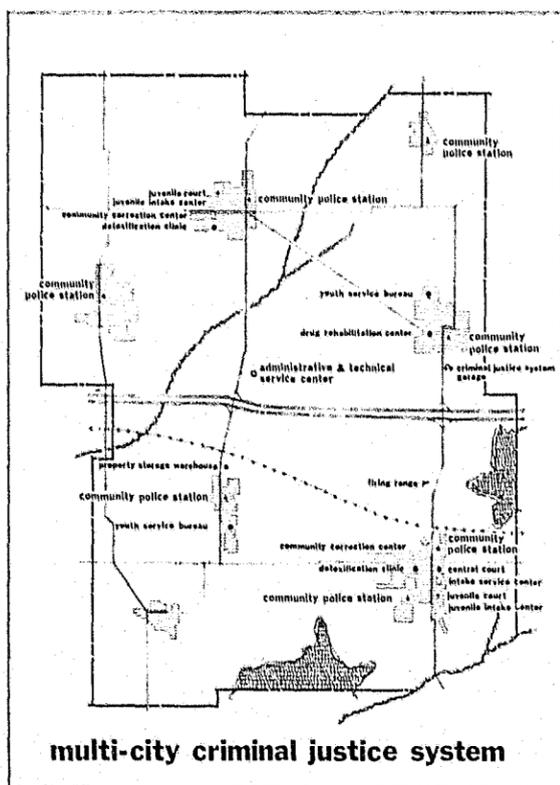
metropolitan criminal justice system



municipal criminal justice system



multi-county criminal justice system



multi-city criminal justice system

(Slide) Some of the spin-offs of a nationwide technical assistance program has been small brochures that have particular uses. One is Total Systems Planning for Corrections. It is a very brief brochure. It is intended to get the attention of the decision-makers at the state and county levels and introduce them to the concept of total systems planning, as well as introduce them to larger documents which might on first sight be repelling by their sheer size.

(Slide) Total Systems Planning for Corrections describes a twelve-step planning process in which needed facilities are identified in step number six and become developed in steps nine, ten, and eleven in terms of the environmental support elements.

The first step is an assessment system context and the needs to which the system is expected to respond.

(Slide) Another is a forthcoming publication on community supervision programs. This relates to the concept of using volunteers as well as the system's personnel in supervising individuals on various levels within the community.

This ties in closely with crime prevention since there is interface between the criminal justice system and the community itself; this would not involve the need for residential facilities.

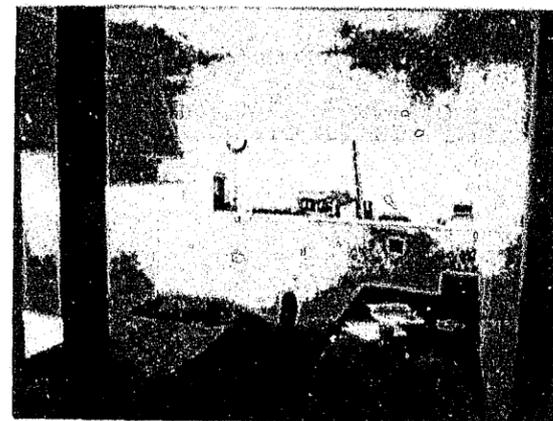
(Slide) A further pertinent issue which we find in corrections is the issue of whether to build or not to build; and whether that is the real question.

This is one of great interest to architects, of course, who primarily get involved with building. However, it is usually not the first question in our view. Even in the face of accelerating institutional populations, response should be tied to an analysis of the total system in which a building is expected to perform a function. After such an analysis, the

building question can be answered with greater accuracy and facilities developed in a closer fit with actual need.

(Slide) Research activity at the Clearinghouse is linked to technical assistance and *Guidelines* updating. The *Guidelines*, not incidentally, are packaged in a loose-leaf format in the recognition that they are going to need change through time. Accommodation is made for new research findings and refinement in planning methodology.

Research has been conducted on the environmental level with the construction of a full-scale mock-up of an individual sleeping space, simulat-



ing that which is recommended in the *Guidelines*. In this case the simulation allows modification of the dimensions and spatial characteristics and the fenestration can be changed as well.

Beyond our own interests, value has been found in the exposure of this model to the continuous flow of visitors to the Clearinghouse. Those include sheriffs and architects from around the country.

It allows us to relate for them the meaning of the lines which they may have on the paper. It provides the possibilities to directly experience a thirty-foot square room, a forty-foot square room, and so on. Walls are moved to simulate different conditions. This has been very effective, particularly with clients who don't see drawings in the same sense that architects see them.

(Slide) We have translated the findings of our analysis into recommendations for different levels of security. Of significance for architects is the fact that physical differences vary within a relatively narrow range, even while supporting different levels of control.

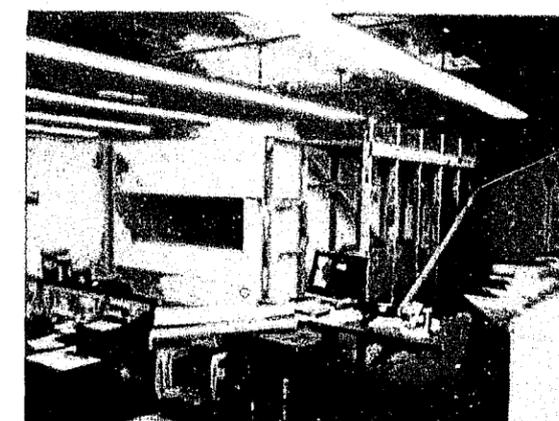
As an example, many facilities, which we have been helping to develop, support the principal security differentiations in terms of staff and management policies, and not in the traditional layering of hardware or physical interventions. Distinct zones are established within the facility to which

movements are restricted.

(Slide) The accompanying illustration provides a tabulation of the range in physical features which are recommended for the individual room.

(Slide) Another research project that has stimulated great interest is a computer simulation of the criminal justice system which allows the prediction of the effect of various alternatives which might be implemented.

This effect began with a state-of-the-art review which included the analysis and, in fact, translating of some of the systems which had previously been developed in this area.



(Slide) This project, like many others has involved university staff outside of the Department of Architecture. As indicated by the accompanying materials, this work is now close to the publication stage. Field application has included extensive testing within an actual county jurisdiction. The result of this work in Champaign County, Illinois is now available for dissemination.

The excerpt which is illustrated here offers a model of criminal justice system flow. The small diamonds indicate decision points and the circles represent alternative strategies or programs which are available as decision options.

Among the referenced programs in the circles are those which are featured in the *Guidelines* already developed by the Clearinghouse.

The simulation model, then, allows the prediction of effects. For example, the level of prosecution services, defender services, the number of judges, courtrooms, probation workers, caseloads, detention space, correction staff and other variables can be manipulated for the impacts which will be generated within required resources and system performances.

(Slide) This is expected to be a very effective tool in planning for programs and anticipating required levels of support.

Turning now to technical assistance, a high volume of projects with short-term contacts

spaced out over time. While projects are seen for a short period of time, two and three days at a time, it is not known that they are assessed over a four-year period where they are seen at two or three month intervals.

(Slide) Seven principal parties are involved in any particular project with which we have contact. Included are the LEAA Washington office, the LEAA Regional Office, the State Planning Agency of the particular state, either of which might have initiated our familiarity with the project, and then the sponsor or client which would be the governmental body; then, the administrative staff, that is, those who have jurisdiction for operating a proposed program or facility, then, the users themselves, that is, those who will occupy, including both staff and residents. Last, but not least, we have architects who may or may not yet be present.

Our contact is with all seven of these, and usually our definition of the project is in terms of the perspectives of all seven parties. And, all subsequent contacts have seven counterparts.

(Slide) The kinds of projects we see involve police, courts, and corrections. This map illustrates the locations of these projects nationwide.

Frequently, recommendations are made to architects or their clients, if they are present, concerning the functional groupings in particular facilities. Now, results of these early contacts are beginning

to accrue. Completed facilities allow for a variety of efforts as a next critical stage of activity. Measurement is intended to evaluate what difference the changed environments do suggest for the behaviors which occur within them; and, more importantly, the subsequent behavior of those who have been exposed to these environments upon return to the community.

(Slide) It will be useful to briefly survey some of the recently planned facilities which employ *Guidelines* concepts.

Initially, however, the early years of the National Clearinghouse brought projects to our attention which conformed more closely to the examples first shown - interior cells, plumbing deficiencies, no group spaces, no program spaces, no staff spaces, no staff on the floor, and other features. Frequently, no fire exits are provided.

The possibilities for project development were limited when the architect had already been paid. We found a tendency to defend that which had been done and for which the client had paid. The problem has been compounded when bids have already been received and the ground had already been broken and construction begun.

Yet, other examples could be cited where the ground had been broken and the design was completely redone as a result of National Clearinghouse technical assistance and a receptive attitude

towards its recommendations.

(Slide) There have also been dramatic dollar savings as a corollary of recommendations made.

Among those which are now developing and which represent application of the *Guidelines* concept is the Florida project here illustrated.

(Slide) It has ample provision of program spaces, and these are closely linked to residential areas. There are individual group territories. There are entirely outside located rooms for light and view with individual occupancy.

There is the possibility for differentiated security by operating the modules in different fashions; in fact, unlimited flexibility is offered in that respect.

(Series of Slides) Other illustrations are offered to demonstrate further application of *Guidelines* concepts. Among these is a small facility in Texas which the Clearinghouse developed in conjunction with local architects utilizing prefabricated modules. These were literally dropped on the site in a fully finished condition and have the potential for regrouping at another site.

The potential of that technology is pertinent as the criminal justice system develops change; and particularly in Texas where it is anticipated that such change could eventually involve regionalization and coagulation of some of these scattered county jails into regional facilities. That potential is made possible by this facility design and construction approach. As should be evident by the accompanying photograph, this facility has been built and occupied.

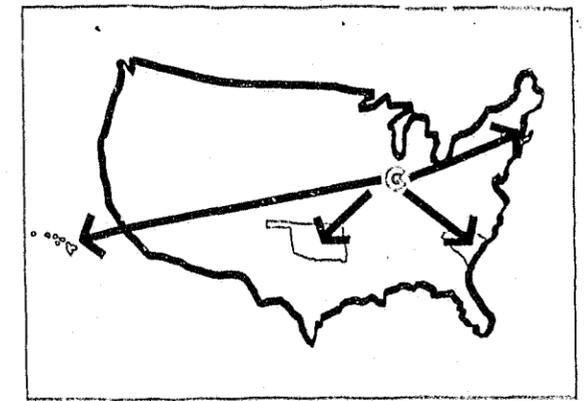
Another example is located in Montana. Several other *Guidelines* principles have been employed. While almost unlimited variations in geometry are possible, the geometry is not the most critical factor; rather, spatial relations and environmental attributes at the small group and individual scale are of primary importance.

The Kane County Correctional Center, Geneva, Illinois, is another example of a completed facility, as is a juvenile project in Oregon. These projects stand in sharp contrast with their antecedents.

Moving on to another area of National Clearinghouse activity, which is master planning, we are currently engaged in eleven states. This involves system planning on a statewide scale. It employs an approach which recognizes the dynamic functional relationships between law enforcement, the court process, and the corrections system.

It has been determined, and proven, that without such an approach current technologies are often employed only to achieve old solutions. We find, for example, that there must be a definition of need that goes beyond that of an individual facility.

This has led the Clearinghouse, then, to master



planning. It first took place in Hawaii.

(Slide) We were asked to assist in the application of the *Guidelines* on a statewide basis.

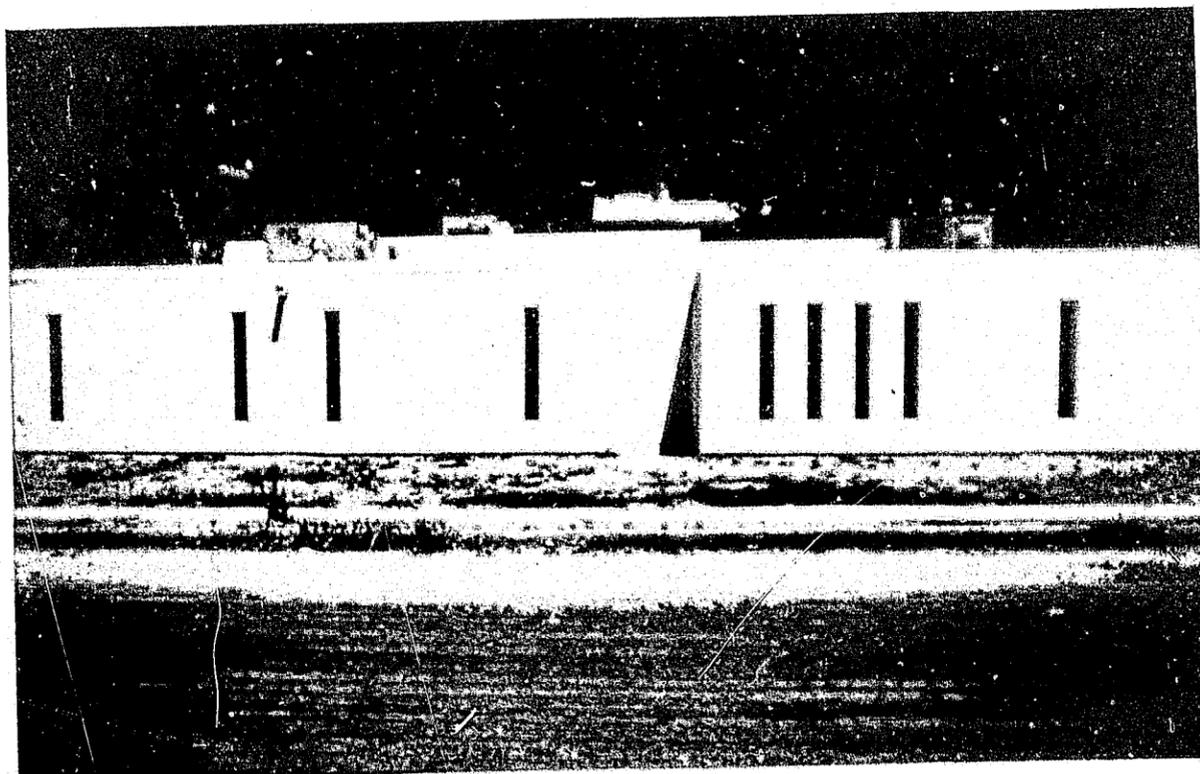
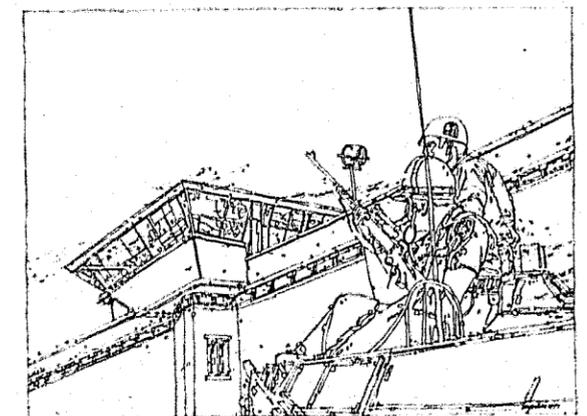
This work is summarized in a blue book which is available from the Clearinghouse publications office.

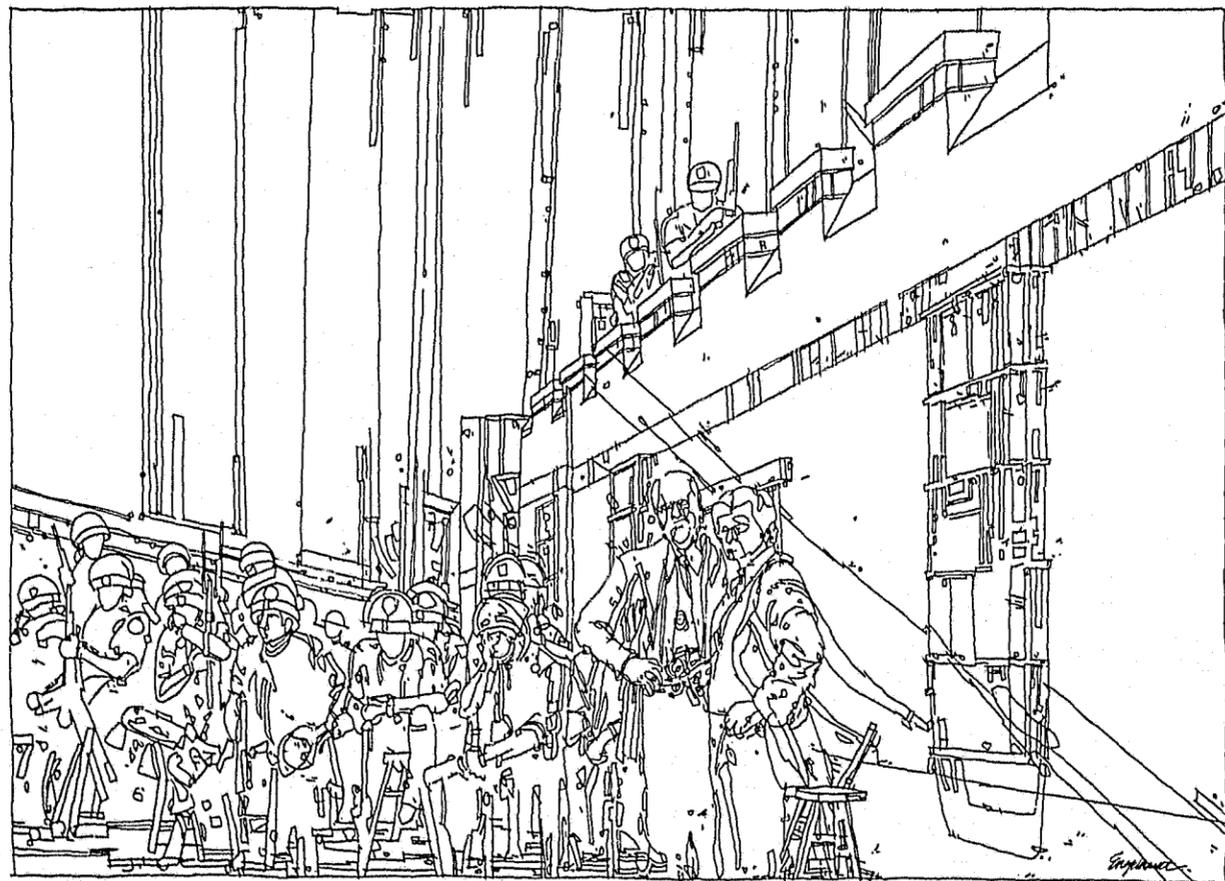
(Slide) South Carolina followed. Then, there was Massachusetts. Again, the existing resources and system operation was analyzed and strategies developed to respond to statewide need.

All of these efforts are ongoing. In this sense, planning should be viewed as a cyclical process, not a once-and-for-all event. We have found, however, that the need for documentation at a particular point in time is quite important, both for legislative use as a reference point for statutory change and for the development of public support for incremental yet potentially dramatic change; and in some cases such documentation provides a framework for the redefinition of administrative responsibilities within system components.

The Oklahoma plan, among others which have been developed, is now being implemented. With LEAA support, and the necessary allocation of state resources, we are quite hopeful that it is going to move ahead.

Its inception, however, began like many planning efforts: with a crisis. The crisis in Oklahoma



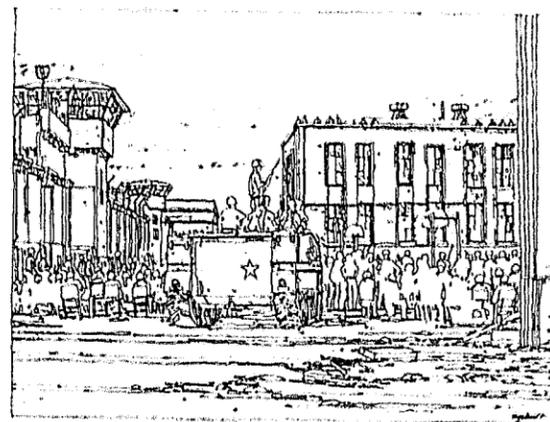


was the extensive destruction of that state's major institution at MacAlester in August, 1972 with a riot. The occasion was not unlike that which previously occurred at Attica, New York.

The National Clearinghouse was called in during the riot itself, with a request that the kitchen be examined to determine its working order. That was the extent of the problem which was immediately perceived.

We recommended not attempting to salvage it at all. Instead, it was suggested that a larger view be obtained concerning the role of that institution and what might be done alternatively with the resources that would be required to restore it.

So it was initially recommended that the Salvation Army Kitchen trucks be continued for the immediate future and that new commitments be held at the county level; dispersal of the present population was suggested, even to other states if necessary, until a master planning effort could be



conducted.

(Slide) These recommendations were made on the third day of the riot. Despite many pressures to rebuild the institution where it was, the State of Oklahoma is now proceeding to implement the alternatives which have been suggested to them.

(Series of Slides) As the series of photographs depicts here, the eruption of the MacAlester State Prison was of major proportion. In varying degrees, it has happened elsewhere; in Illinois, Ohio, New York, South Carolina, and other states, and it could occur in the future if the same conditions which generate such events are allowed to persist.

(Series of Slides) The initiation of the master planning process involved the surveying of every individual in the correctional system, including both the county jails as well as all state institutions. The survey instruments are developed for both institutional survey, that is, one which evaluates the conditions of the environment, but also for the determination of individual attributes of their users.

Frequently, the data which is obtained by these methods have not previously been available to the system. We find a remarkable absence of information in most states and counties, particularly the counties, concerning whom they have, why they have them, how long they are going to have them, when they are going out, for what reason they are there and what their needs might be. In the most extreme instances, a major metropolitan county was found to use a "shoe box" system, whereby release dates were recorded on slips of paper and deposited in a box for the appropriate month of release.

So the master planning process must begin with an information system, which in all cases should extend beyond the time of data collection for the master plan itself. The planning process can generate an information system which perpetuates itself.

Recognizing the enormity of the initial task, we have found great value in the utilization of volunteers. The survey of all county jails has been accomplished by this means. They collected inmates in groups to explain the activity at hand, and convey that the assessment of their needs would be valuable to planners, staff, and administrators. Ultimately, it has value also to architects and implementors of new programs.

(Slide) Administrators and staff are also surveyed since they have critical input in the analysis of current deficiencies and needed improvements.

(Slide) Existing facility resources need to be evaluated in terms of their potential for reuse or their more limited use; their phased retirement through other occupancy or demolition may also be suggested.

In the matter of system analysis, we have found wide variations in sentencing practices between jurisdictions. We found this back to 1930 by going through old records. Some districts were found to have rates of commitment which were two or three times those of other jurisdictions. We found that the state as a whole had a rate three times the national average in terms of its rate of commitment. Yet it did not have three times the crime rate nationally.

No correspondence is indicated between rates of commitment and rates of crime.

Continuing this comparison nationally and analyzing every state, interesting results are found. No rationale is evident for the many disparate relationships between incarceration levels and crime.

(Slide) In Oklahoma, a phased population reduction is recommended. The facility and staff resources which relate to this are explained in detail within the plan itself.

(Slide) The system process by which this is accomplished includes the intake service center concept which was first developed in Hawaii and has been subsequently refined in national planning ef-

forts. It is a sequential process in that individual needs are identified and alternative routings are considered within the system.

It also takes into account existing institutions and service areas to which they might relate on a new basis; and it also examines the judicial districts and combines these into proposed community service districts. Also, there are the institutional service districts. The administrative structure necessary for implementing the programs is also recommended.

(Slide) There is tremendous public interest in crime, particularly when something is to be done about a corrections population that may call for the phasing out of the use of existing institutions.

So, among the materials developed are some of these shown here.

(Slide) They are also available from the National Clearinghouse upon request.

These materials pose basic questions that the public would be expected to ask and expect to have answered. Responses are also provided which convey contemporary approaches to corrections.

In addition to extended master planning efforts, the Clearinghouse is involved in the concentrated focus within the particular service areas. Such activities carry the designation of Strike Force. In

the interest of brevity, reference is made to specific project publications which amplify upon the conditions and features of these projects.

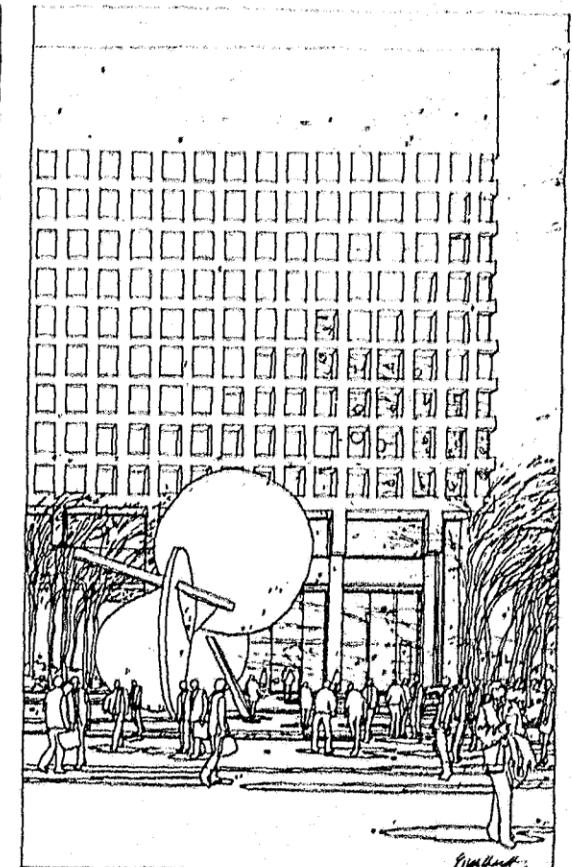
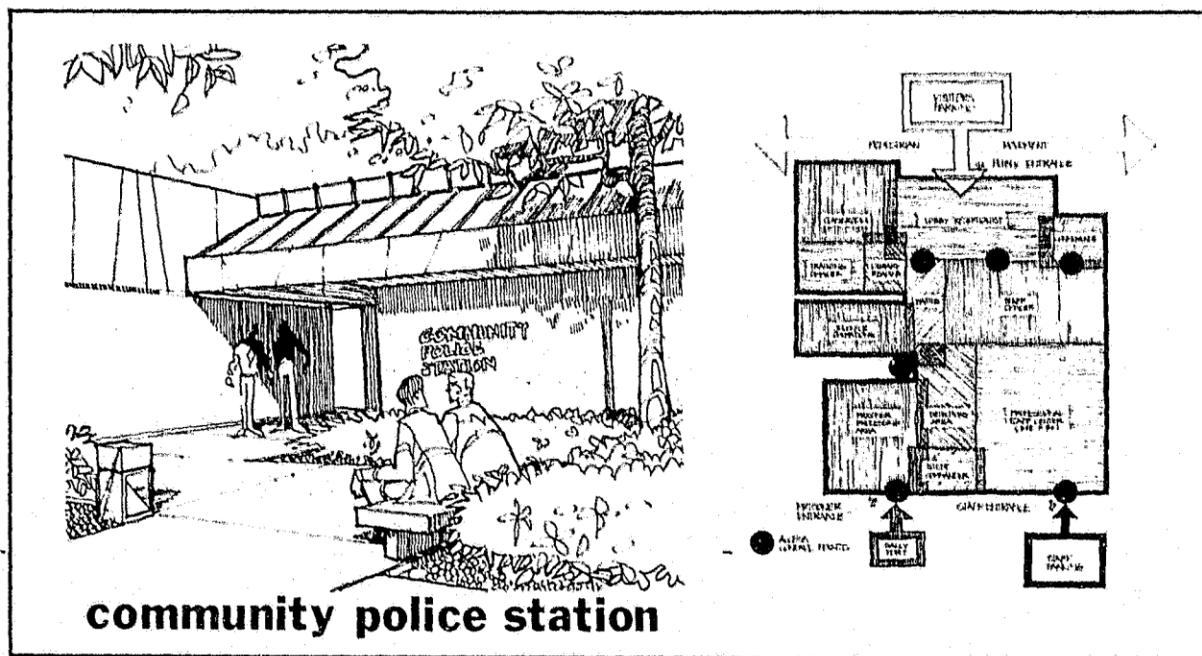
Moving now to the law enforcement area of our functions, comparable activities are underway. We have found the resources and sometimes practices to be as archaic as those which have characterized corrections.

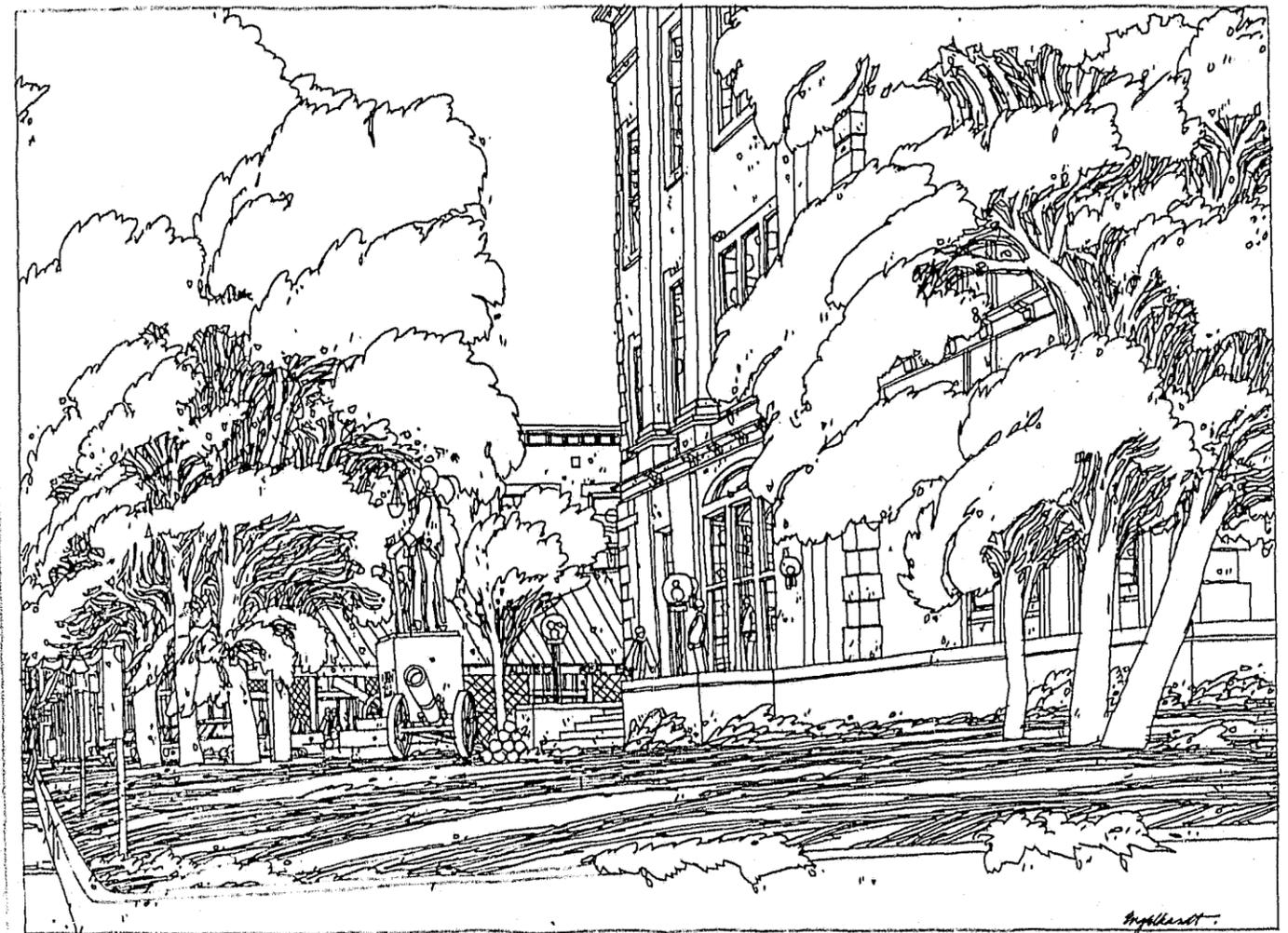
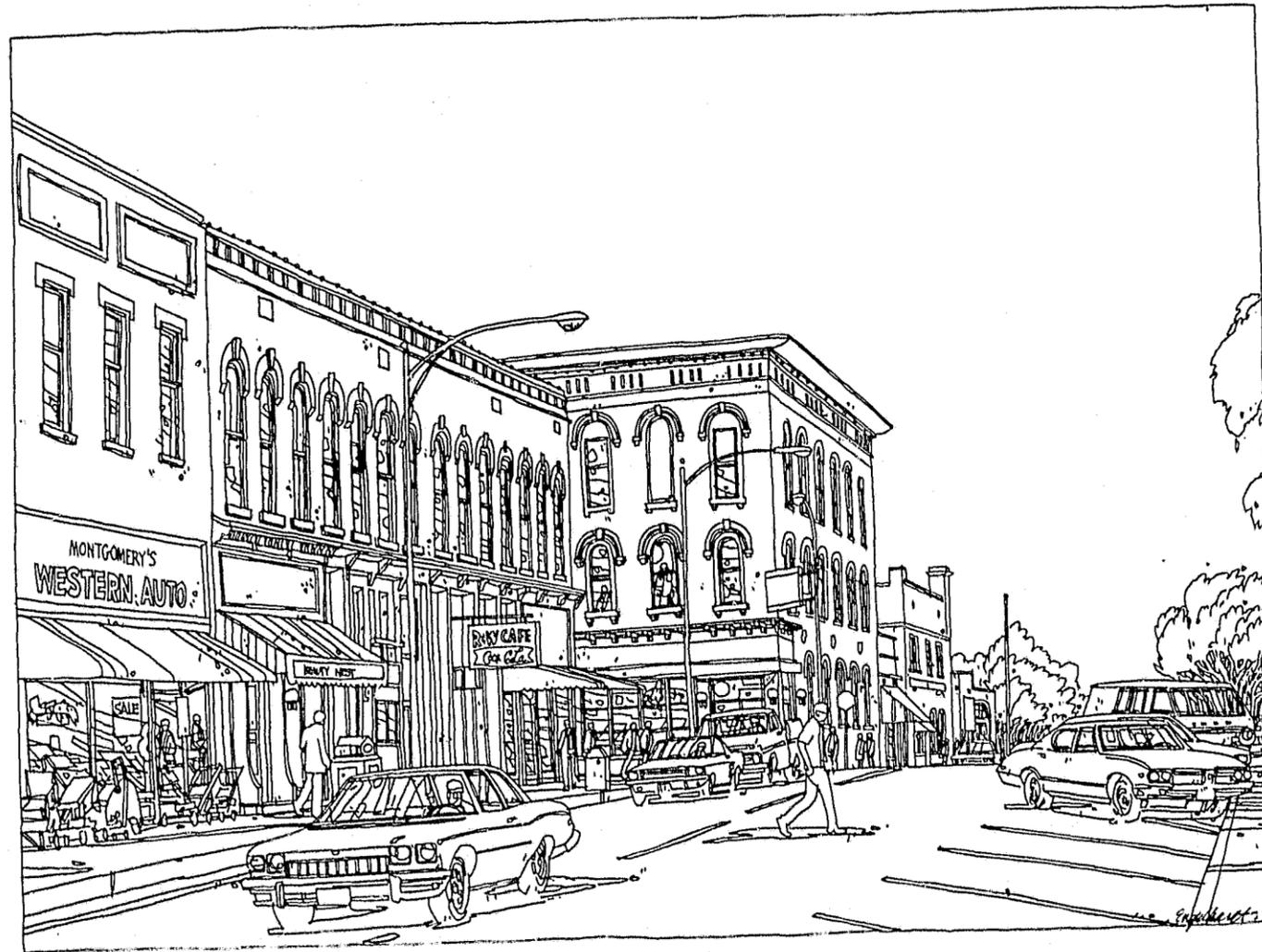
Among the neglected aspects of police facilities are the bookings areas, processing areas of various kinds, intake and security cells (Series of Slides), evidence storage with easy accessibility, holding areas, interrogation, staff assembly, and so on.

Thus, we have responded in these areas with LEAA funds in developing a companion document to that which we have corrections. On first sight, it might be mistaken for the corrections document because it has the same format and the same organizational concept.

(Series of Slides) Briefly, some of the components will be reviewed.

They deal functionally with individual elements of law enforcement operations. Community-based elements are featured as well as institutional processing areas and general recommendations in that regard; systems planning principles for anticipating needs and consolidating services within of-





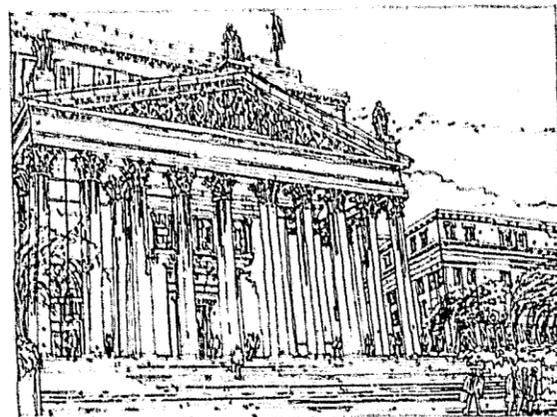
ten fragmented small jurisdictions provide a basic thrust of the *Guidelines*.

Comparably, the National Clearinghouse is active in the courts area.

(Series of Slides) The technical assistance is accelerating, as it did in corrections and a multi-disciplinary staff is active in assessing innovative concepts in the field.

In the courts area we have an additional consideration: that of the historical structure. Frequently, the courthouse is as old as the jail and police station, but was given more initial attention. While it may be a facility which is obsolete for contemporary needs, it is a landmark within the community. It is often one which should be preserved in the community for its architectural value.

A number of our technical assistance projects are providing the opportunity for our staff to assist in bringing contemporary practices to the court's operation while respecting architectural values pre-



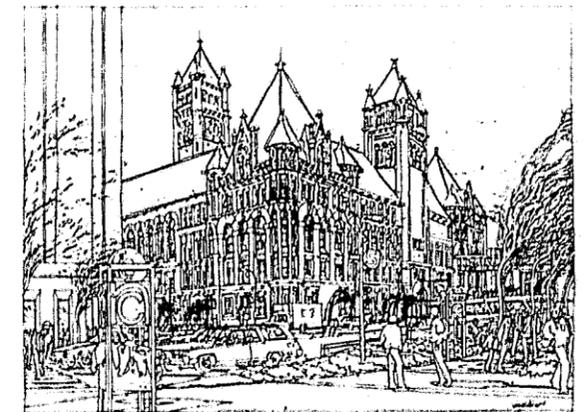
sented.

(Slide) Again, the legacy of inadequate physical environments parallels that which is found in corrections and law enforcement.

(Series of Slides) Record storage, witness convening areas, and the rest are often sadly provided for.

Also found is a lack of accommodation for the people flow and paper flow processes. Yet, problems of similar nature and complexity have been solved in airports. In contrast the courts have not yet benefited from some of the same techniques which could be used to route people efficiently. People and paper flow are major functional considerations in contemporary court facilities.

Court planning and design *Guidelines* are now coming out from the National Clearinghouse. The format is similar to that for corrections and police. However, they have been longer in their development because they address a very broad array of needs for court systems.



As in other National Clearinghouse guidelines, an overview of planning methodology is provided.

(Slide) Then, discussion proceeds to various jurisdictional needs. Ultimately, functional requirements of the particular areas are analyzed; and translations are made into environmental design requirements.

(Series of Slides) Increasingly, technical assistance is becoming involved in the allocation of spaces within existing courthouses. Maximizing the effectiveness of sometimes limited resources requires careful consideration of existing conditions in the context of advanced court management techniques along with recommendations for change.

(Series of Slides) In conclusion, the Clearinghouse has quite a variety of modes of operation. We have contributed to the National Advisory Commission work of LEAA in the Corrections Task Force Report. Three of the chapters were developed by the Clearinghouse and embody the *Guidelines* and their precepts.

Furthermore, the National Sheriffs' Association has just put out a series of monographs of which one is on jail architecture and was written by the Clearinghouse. We are pleased to have sheriffs use it.

We have submitted material, at LEAA's request, to the White House for the President's crime message which summarizes the findings of our technical assistance program in the criminal justice system on a national level throughout the past five years.

The range of content which is encompassed by this program is too broad to be presented in this format in any detail. It has been the intent here, however, to indicate the purposes and goals of the National Clearinghouse for Criminal Justice Planning and Architecture and to suggest that it is the broader context of the criminal justice system which establishes new requirements for architecture.

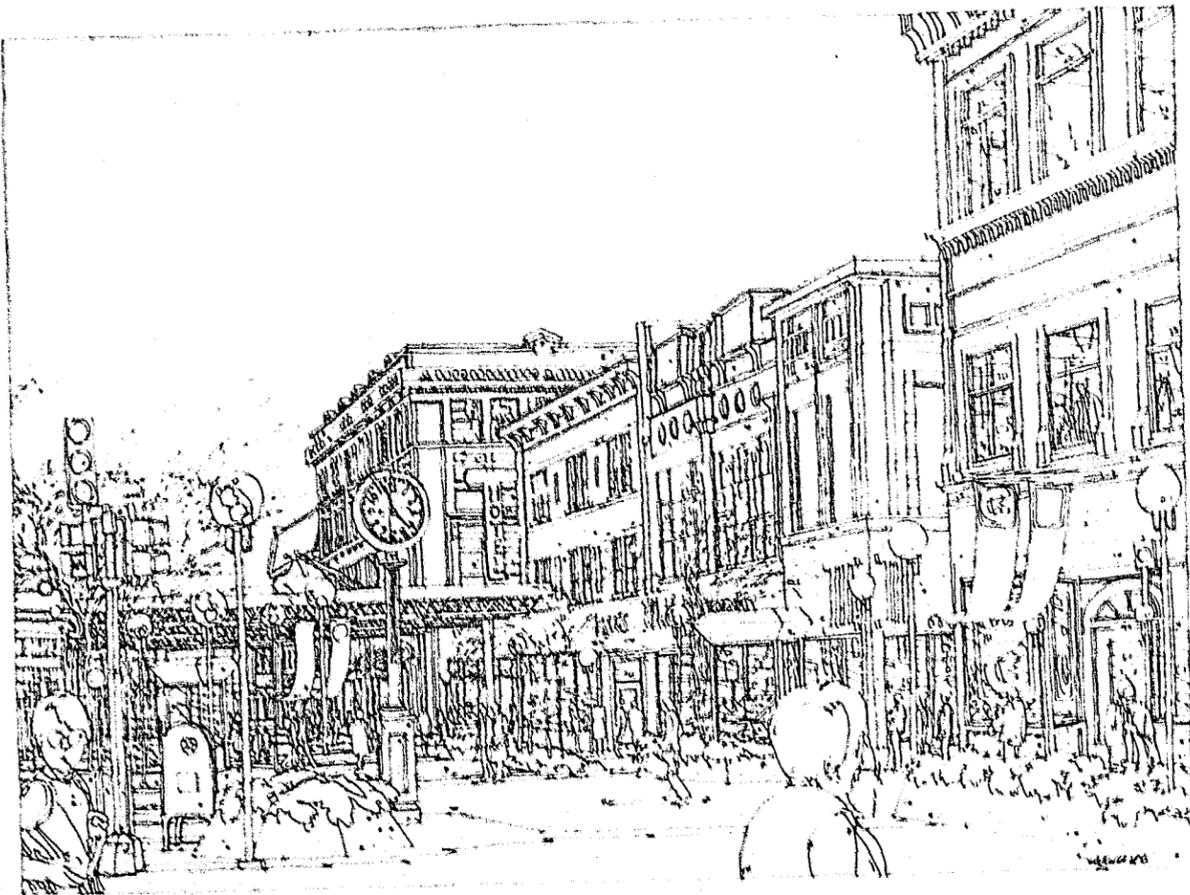
**Westinghouse Consortium**

MR. RAU: Thank you, Mr. Velde. I would like to clarify a point at the beginning. My presentation is on three environmental design demonstrations in a commercial, a school, and a residential setting. The work was performed by two research consortiums under separate contracts with LEAA. The environmental plans were designed by three different research teams of specialists. Since I participated in and have monitored these three efforts from their inception, it was agreed, because of the limited time available, that I make a combined presentation on these programs.

*Slide I. LOGO: Crime Prevention Through Environmental Design.* LEAA currently sponsors through its research and action programs a major innovative approach to the reduction of crime called Crime Prevention Through Environmental Design. This new concept deals with the interaction between the physical man-oriented environment and human behavior. The key working assumption here is:

*Slide II. LOGO: Reduce Crime, the Fear of Crime, and Improve the Quality of Life.* that the proper design and effective use of the physical space can lead to better citizen control over the environment and hence, to a reduction in the incidence and fear of crime, and concomitantly, to an improvement in the quality of urban life.

This presentation focuses on the three major environmental design demonstrations that LEAA has developed since the work of Oscar Newman in New York Public Housing in 1972. These are: the *Residential Neighborhood Crime Control Study* in Hartford, Connecticut; the *CPTED Commercial Strip Demonstration* in Portland, Oregon; and the *CPTED School Security Demonstration* in Broward County, Florida. A fourth, the *CPTED Inner Ring Residential Demonstration* in Minneapolis, Minnesota, is now under development and a fifth will be developed for a transportation setting. These developments not only drew on the Newman experience but also on the experience of other major LEAA research studies. (I would now like to refer you to my paper on a *Historical Perspective of Crime Prevention Through Environmental Design* which you received in the mail). The work of Reppetto in Boston was of particular importance. His survey of 18 residential areas in the SMSA suggested that these demonstrations concentrate on the neighborhood level rather than anything smaller in order to have a successful impact on crime. It identified public housing settings and those settings occupied by single people or elderly as the high crime areas of a city. It was the transiency of the residents of these areas that was found to have the highest correlation to crime. For these reasons, the Hartford study was planned to examine these two types of settings and to develop environmental design programs for each.



I will now focus on the Hartford Study; its setting, its crime problem, and the proposed programmatic solutions.

*Slide III. Overall Map of the City of Hartford.* Two high crime settings of about 10,000 residents each were selected: Asylum Hill next to the downtown area which is composed mostly of single people and elderly, who are predominantly white with medium incomes, and Clay Hill/Sand north of downtown which contains three public housing projects, and which is predominantly non-white with low incomes.

Three comprehensive surveys were undertaken: physical site; victimization and fear; and law enforcement operations and crime reporting. The data were systematically analyzed and for each neighborhood, integrated crime control programs were developed. It was decided only to fully implement the program for North Asylum Hill.

Our survey found that in Asylum Hill the citizens feared robbery more than burglary even though robbery (27 crimes per 1000 households) was lower than burglary (114 crimes per 1000 households). These rates, by the way, approach those for the large cities. Our analysis found that fear was

caused by the combined break up of the residential area by pass-through streets and other open spaces that permitted non-residents to move through the neighborhood unhindered by physical design or social control. The following slides show some of the traffic on these streets.

*Slide IV. North Asylum Hill.* A shot of Sigourney Avenue from the bridge with before school traffic.

*Slide V. North Asylum Hill.* Pedestrian traffic around parking lots after school.

To attempt to counter this problem, the program proposed changing the traffic flow in and through the neighborhood, which included closing some of the streets. The following slides show a map depicting the location of the proposed changes, an example from Oak Park, Illinois, of a closed street, and two prototypical design sketches of street closings for Asylum Hill.

*Slide VI. Map of North Asylum Hill.* Depicting the location and type of circulation changes for the plan.

*Slide VII. Oak Park, Illinois.* Example of a street closing.

*Slide VIII and IX. Prototypical Design Changes.*

The first shows a limited access intersection and the second a complete closing.

It is important to remember that the comprehensive nature of these environmental design programs is not just limited to physical changes. It incorporates social and law enforcement changes which will develop an effective interaction between the physical design and the users of the environment. Thus, to support the physical changes in Asylum Hill, the police were encouraged to change to a neighborhood team policing operation and to develop a strong interaction between them and the residents. Further, community and citizen action programs are being implemented to bring about positive interaction between the new design and the residents to reclaim social control over their neighborhood.

The following slides depict how the residents (through their use) view the different components (streets, parks, yards, etc.) within North Asylum Hill in relation to whether they are private, semi-private, semi-public, or public areas. Slide one depicts their views "As They Are Now" and the second depicts them "As They Should Be."

*Slide X. Territoriality Concept Map. AS IT IS NOW.*

*Slide XI. Territoriality Concept Map. AS IT SHOULD BE.*

The first map gives the impression that the residents view their neighborhood as being composed primarily of public or semi-public territory while the second shows residents viewing their neighborhood as mostly private or semi-private in nature.

The Hartford Program is expected to be in operation by the fall and LEAA has already undertaken an extensive before and after evaluation of the program.

The Hartford Study had completed its initial data collection, analysis, and program development before the Westinghouse Consortium began its work on the Crime Prevention Through Environmental Design study. The CPTED program extended the comprehensive design approach to commercial, school, transportation and private residential settings. They have completed plans for a commercial and school setting and are just beginning the planning for a residential setting. I will now describe the *Commercial Strip Demonstration* in Portland, Oregon, and follow this with a discussion of the *School Demonstration* in Broward County, Florida.

Before selecting a site, the consortium extensively surveyed communities across the country and identified the Union Avenue commercial strip corridor in Portland as a typical commercial setting. This type of commercial setting was selected so that if the program was successful, it could be widely replicated.

Further, the research team before choosing the

commercial strip examined the available crime data on various commercial settings and concluded that commercial strips were the most crime prone. The results of these assessments (for commercial, school, transportation, and residential) are available in draft documents which LEAA plans to publish later: an "Annotated Bibliography," "Elements of CPTED," and "Crime/Environment Targets."

*Slide XII. Map. Union Avenue Corridor in Portland, Oregon.*

I now wish to describe the site. Union Avenue is some 50 blocks long, leading to the downtown area. The program will incorporate two blocks on either side of the strip and has analyzed the surrounding neighborhood which contains about 5,000 residents, is about 50% non-white with low incomes. The following slides depict the typical character of the strip showing the different types of establishments; fast food, small shops, J. C. Pennys, etc.

*Slide XIII. Union Avenue.* View from the center of the strip looking north.

*Slide XIV. Union Avenue.* View from the major shopping area in the north and looking south.

The crime problems along the strip are bad. Crime occurs on the strip and along the side streets leading into the neighborhoods. The magnitude of the problem is best seen from a comparison of the city with Union Avenue. Violent street crime along the avenue is twice that of the City of Portland, or put another way, the corridor accounts for only 1.2% of the city population but suffers from 6% of the reported street crime. The following slides demonstrate the effect this has had on the strip: abandonment and decay.

*Slide XV. Union Avenue.* Abandoned shop, owner shot on two occasions, the second fatally.

*Slide XVI. Union Avenue.* "No mans land" abandoned after the 1968 riots, between commercial activity nodes.

As part of the physical change, these areas will be cleared and merchants will be encouraged to take advantage of the open area for markets and special activities. Special lighting will be provided and "blind pockets" will be fenced off. The next slide shows the need for better lighting.

*Slide XVII. Side Street One Block In from Union Avenue.*

The only lighting is at the intersections and as you walk along the street you can hardly see the front porches of the houses. This is one of the areas where we found high street crime.

Other major physical changes will include construction of mini-malls and mini-plazas at the end of "Safe passage corridors" which will lead into the neighborhoods. The next slides show the locations of proposed "Safe passage corridors" and a mini-plaza as well as an artist's conception of a

mini-plaza.

*Slide XVIII. Side Street off Union Avenue.* A "Safe passage corridor" will be located along this street leading to the Fred Meyer's store which is shown.

*Slide XIV. Side Street off Union Avenue.* A "Safe passage corridor" will be located along this street (Knott). It will terminate at a mini-plaza.

*Slide XX. Corner of Knott and Union Avenue.* View of proposed location for mini-plaza at end of Knott Street.

*Slide XXI. Artist View of Proposed Mini-Plaza at Knott Street and Union Avenue.*

Plans for the "Safe passage corridors" include new lighting, neighborhood "block watch programs" with safe refuge homes, removal of foliage and other obstructions to vision, and fencing off of potential escape routes. The amenities for the mini-plazas will include direct dial toll-free phones, outdoor displays, landscaping, benches and supplemental lighting. Some improvements along the avenue have already begun, like the new bus shelters. The next slide depicts some of the work done by the Summer Youth Program to increase neighborhood identity and social cohesion.

*Slide XXII. Union Avenue.* Repainting of buildings by Summer Youth Program.

In addition to these physical changes, the program plans to encourage a Cash-off-the-street campaign to remove opportunities for crimes against the elderly and single women. A security director will be employed to advise local businessmen and residents on measures to secure their premises from robbery and burglary. The police will be encouraged to reduce the number of precincts along Union Avenue and to adopt the concept of neighborhood team policing. Finally, local citizens have been actively participating in this design development and will be further involved in bringing about the desired interaction between the physical design and users.

The action funds to implement this plan have been raised and the program will start in the middle of July. An extensive evaluation plan has been developed and will be implemented by LEAA. This completes my description of the Portland Commercial Demonstration.

I will complete my presentation by describing our *School Security Demonstration* planned for the Broward County, Florida School System.

Before selecting the Broward County School System site, the CPTED research team studied the different types of school settings (elementary, college, etc.) and concluded that the secondary setting had the most serious crime problems. They also found that there was an urgent need to develop and provide comprehensive crime prevention assistance to these schools. They next examined a survey of some 17 school systems throughout the

country which included systems with low, medium and high populations. The comparison of the seven medium systems (100 - 200,000 students) found that the Broward County School System crime rate exceeded the average for all seven. (These included Broward County, Prince Georges County and Baltimore, Maryland; and Dallas and Houston, Texas). In fact, the Broward County rate even exceeded the average for Chicago and Detroit.

Except for the data from this survey by the National Association of School Security Directors, very little statistical information is known about the victimization and fear dimensions in school systems. Thus, prior to the start of our school program, a victimization and attitude survey will be made to assess the crime and fear levels in these schools. The next slide is a map of a part of Broward County showing three of the six high schools that will be in our demonstration.

*Slide XXIII. Map of Part of Broward County, Florida.* Three of the six test schools are circled.

The physical changes planned for these schools vary with the school. However, they focus on both the school buildings and grounds. The building strategies address the problems of access/egress control of roofs and portals, as well as those of internal construction which create isolated areas and unsafe storage space. Ground strategies deal with control of spaces within the school yard as well as elimination of vandalism opportunities. These strategies will use electronic and non-electronic devices and better lighting to increase surveillance and improve police observation of the schools.

The next series of slides points out some of the physical design problems of these schools which contribute to criminal opportunities.

*Slide XXIV. Broward County School.* View of typical exterior.

The decorative concrete screen wall near the exterior entrance has a relief work which is sometimes used to climb onto the roof and enter the building through unlocked roof entrances.

*Slide XXV. Broward County School.* View of school showing emergency stair tower.

Students use this stair tower for short cuts to classes. The poorly lighted interiors make them favorite places for sexual molesters and extortionists.

*Slide XVI. Broward County School.* View of void next to entrance.

This void has been used to reach in and push the panic bar and thus gain entrance to the school.

*Slide XXVII. Broward County School.* View of precast concrete wheel stop in parking lots.

Both the pin rods holding the wheel stop and the wheel stop itself have been removed frequently and used as weapons to force entry into the build-

ing or assault persons.

*Slide XXVIII. Broward County School.* Student demonstrating the easy removal of a pin rod from a wheel stop.

*Slide XXIX. Broward County School.* Student demonstrating a broken polycarbon glazing on an exterior window.

Wheel stops have been used to break the polycarbon glazing and gain entrance to the buildings.

Beside the physical changes, this program plans to develop user programs to support the physical designs. There is no question that the school environment generates fear. The victimization and fear survey of students, parents, school teachers and officials is essential, however, in order to learn the extent of fear and its relationship to the physical design. These next slides show some of the generators of fear.

*Slide XXX. Broward County School.* View of dead end aisles in locker rooms.

These dead end aisles permit offenders to hide unseen from passers-by and later permit them to break open lockers or assault unsuspecting passers-by.

*Slide XXXI. Broward County School.* Student (160 lbs. 5'-10") demonstrating how to hide in a locker.

Students have been known to hide in lockers and to later emerge and rob the lockers or assault other students.

*Slide XXXII. Broward County School.* Student demonstrating the use of a pin rod to open a locker.

We feel confident, based on our work in Boston and Hartford, that the results of our school survey analysis will generate innovative physical design changes and user strategies which will significantly impact on fear in the schools. Already, a Safe School Advisory Committee made up of parents is planned to actively participate in this program. The police departments will increase their patrol and detection responses. Students will be enlisted to aid in the monitoring of the interior and grounds. Teachers and other school officials will be encouraged to increase their surveillance and to further safeguard their personal property.

Interest in this program has increased both at the local and state levels. However, economic conditions appear to have removed the state support. Interest at the Federal level appears at this time to ensure the successful implementation of this program by the fall. Again, an extensive evaluation program plan has been developed to assess the effectiveness of this comprehensive school plan when implemented.

In conclusion, the cost for each of these demonstrations is very high. The LEAA research costs alone have exceeded \$400,000 for each program. The assessed cost for the physical changes and user programs on the average will exceed \$600,000

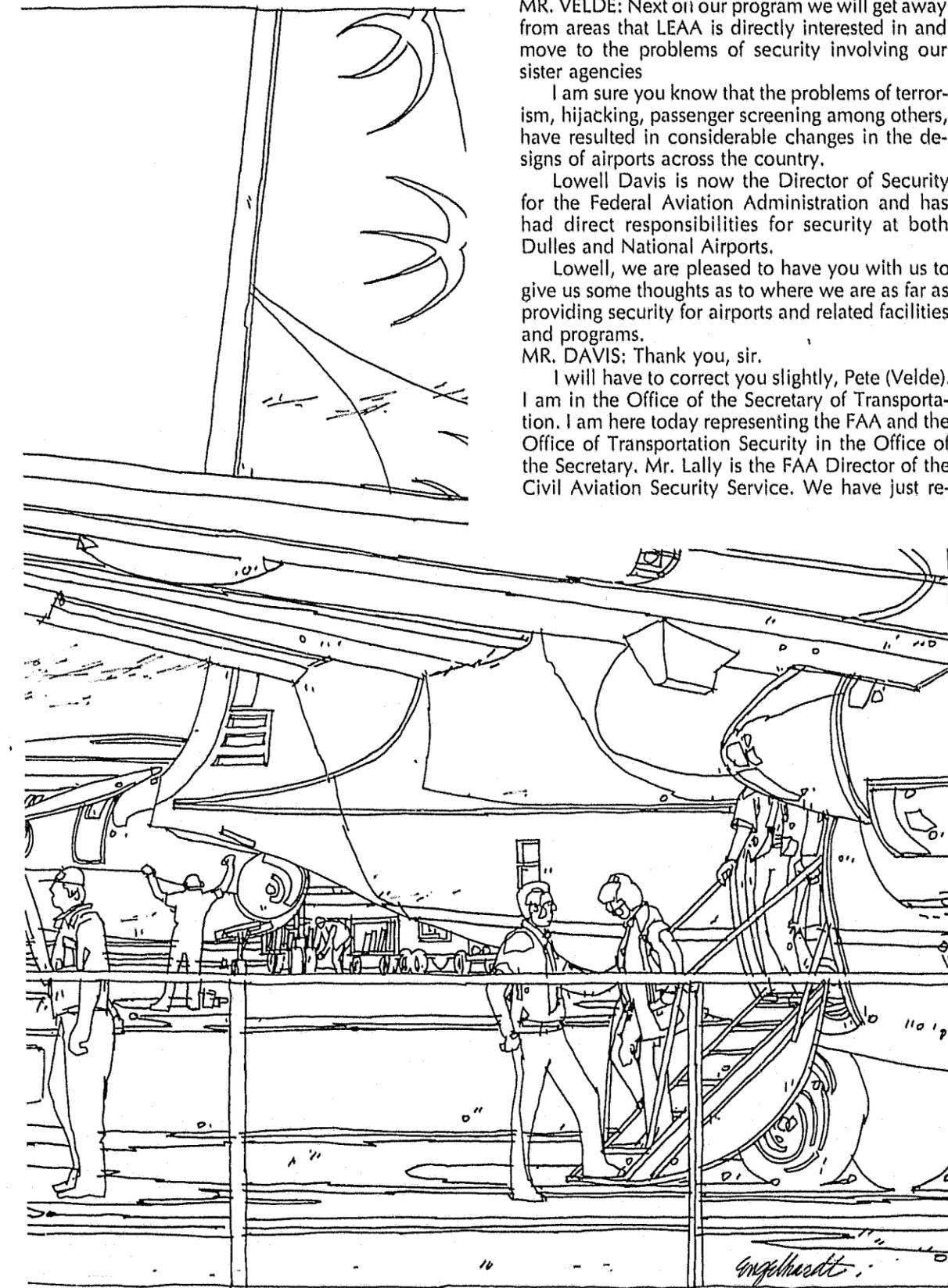
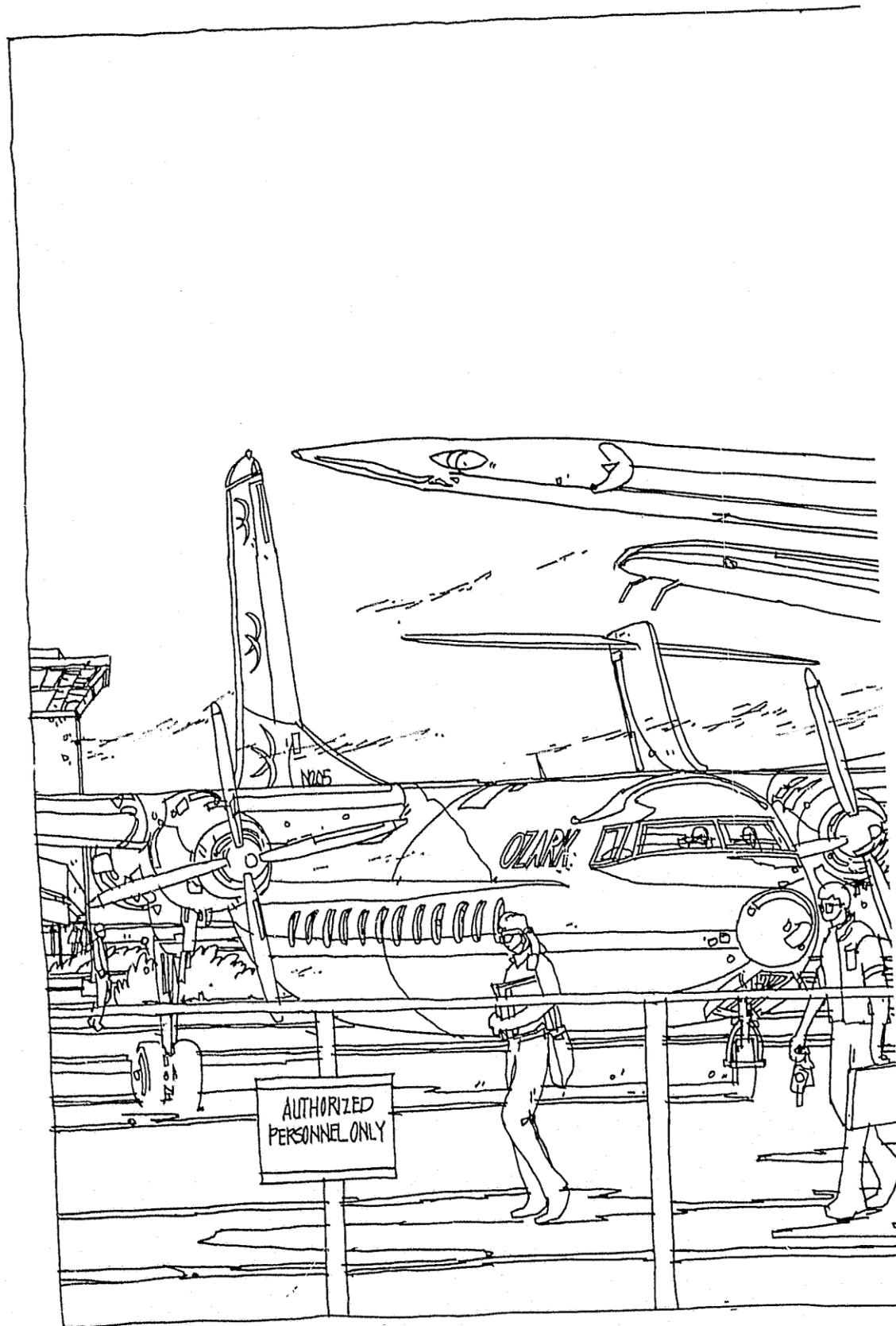
each. These cost figures do not include the in-kind services provided by local governmental agencies, business and community organizations, and police departments. Further, in order to implement these programs, the research teams have been required to educate and gain the acceptance of multiple governmental agencies as well as the businesses and citizens affected.

Multiple benefits will result from these programs. Hopefully, a significant reduction can be realized in the over \$1.0 million a year loss to the Broward County School Systems from reported theft, arson and vandalism; and in the over \$300,000 loss from reported commercial and residential robbery and burglary along Union Avenue. These programs may be able to reverse the current heavy tax losses suffered by the cities of Hartford and Portland due to the deteriorations along Union Avenue and North Asylum Hill. However, even a reduction in the violent crime rate along Union Avenue by half will only reduce it to the overall city level. But a reduction of this magnitude would have a far greater impact on the fear of citizens and merchants and begin to turn this neighborhood around and stop the deterioration.

But over and above all these savings, the improvements in the life-styles of the residents in North Asylum Hill and Union Avenue which would permit them to once again walk unafraid in their neighborhoods in the evening or of the mothers and fathers who are now afraid to send their children to school in Broward County, cannot be measured in dollars and cents.

Thank you.

# **FAA Security Planning**



MR. VELDE: Next on our program we will get away from areas that LEAA is directly interested in and move to the problems of security involving our sister agencies

I am sure you know that the problems of terrorism, hijacking, passenger screening among others, have resulted in considerable changes in the designs of airports across the country.

Lowell Davis is now the Director of Security for the Federal Aviation Administration and has had direct responsibilities for security at both Dulles and National Airports.

Lowell, we are pleased to have you with us to give us some thoughts as to where we are as far as providing security for airports and related facilities and programs.

MR. DAVIS: Thank you, sir.

I will have to correct you slightly, Pete (Velde). I am in the Office of the Secretary of Transportation. I am here today representing the FAA and the Office of Transportation Security in the Office of the Secretary. Mr. Lally is the FAA Director of the Civil Aviation Security Service. We have just re-

# FAA Security Planning

Lowell Davis, chief  
 Passenger System Security Division  
 FAA / DOT

35 carriers  
 500 airports  
 2600 aircraft  
 14,500 flights/day  
 550,000 passengers  
 per day!

in 1960s " goal was to get people close to planes  
 - as visitors galleries " to sell air travel "  
 but today, such platforms are being closed  
 - as parking lots near cargo areas  
 (tempting theft now)

in 1970s " security has become a major factor in design  
 next " good planning by architects  
 essential, to satisfy  
 security needs.

## CIVIL AVIATION SECURITY " to prevent

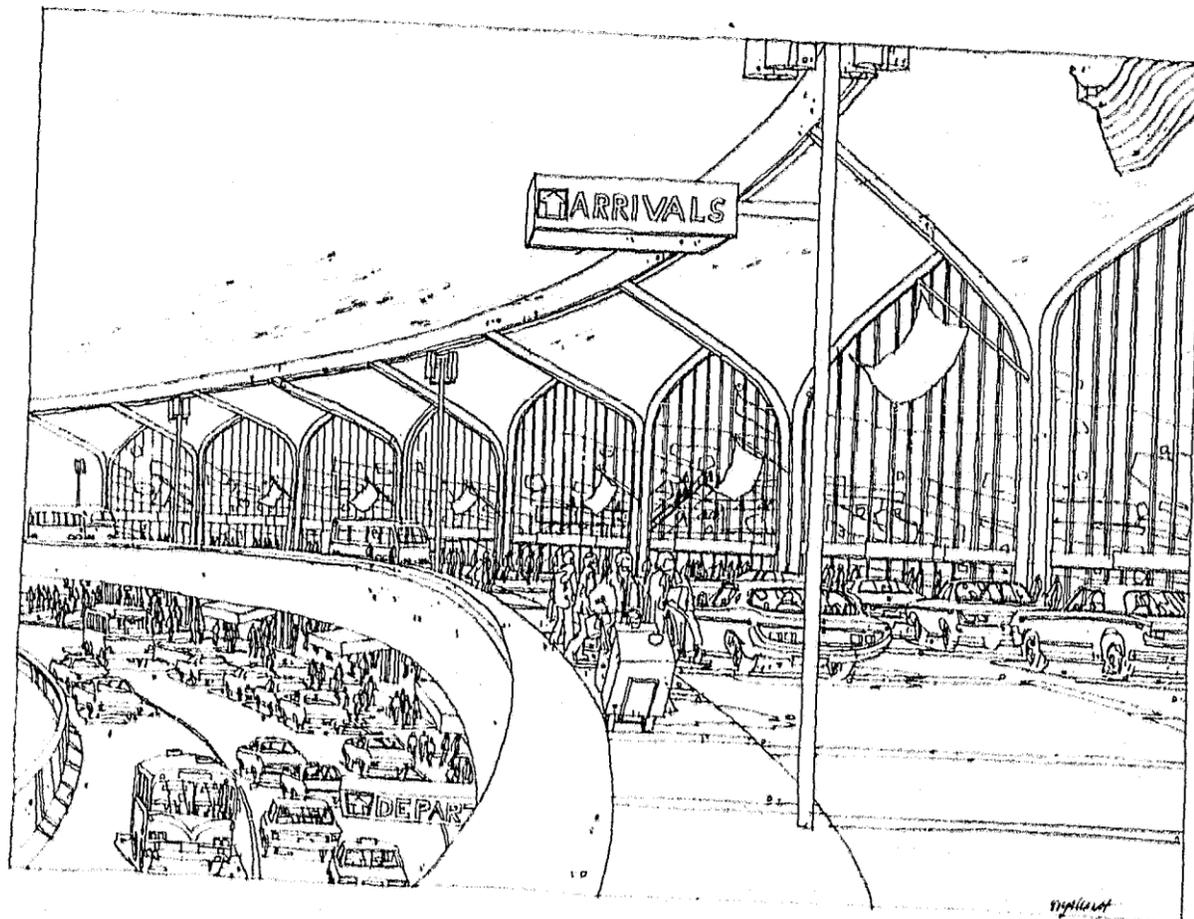
1. hijacking (has been stopped)
2. sabotage (as bombs) (TWA over London Sea)
3. theft (pilferage of cargo)  
 \$20 million/year

bomb threats  
 often with  
 extortion

in 1971 " only 1% of air fatalities due to criminal acts  
 in 1974 " 19% ! (= dramatic increase.)

BASIC POLICIES as " screening passengers (3500 people arrested last year!)  
 for security " protecting operations areas " & hijackings stopped.  
 analyzing threats, etc.

Threat to Security  
 continues to be serious.



cently reorganized and I now head the Passenger Systems Security Division, formerly the Civil Aviation Security Division. My area of responsibility now covers modes of passenger transportation other than aviation.

In the 1950's and 60's airports were designed to portray civil aviation as the glamorous way to travel. The objective was to get non-passengers as close to the airplane as possible; to the end of the runway; to the loading ramps. We built observation platforms and installed microphones, binoculars and radio receivers so that observers could hear and see everything that was going on. This was good public relations. We were selling aviation. We wanted more passengers. Today these observation platforms have become excellent launching places for attacks with hand grenades, rifles, rockets, or harassment by dropping glass bottles onto loading passengers and aircraft. Only Airport is a prime example of two vicious attacks by terrorists.

Today many of these platforms are being closed off to assure the safety of aircraft and passengers. The passenger terminals with long fingers and many boarding gates and exits are security nightmares.

In the early part of 1968-69, anyone could walk on board an airplane and take control of it. At many airports, automobile parking lots are next door to boarding gates. Also next to these boarding gates are unloading platforms for cargo. Cargo is many times off-loaded onto unguarded platforms for several hours before being moved into a more secure area. In fact, the situation is such that honest employees are tempted to pick up color TV sets or other equally valuable articles and place them in the trunks of their automobiles which are parked nearby. This is especially true when they see co-workers doing it and doing it in a routine manner with apparently nothing being done about it.

In short, many passenger terminals, ware-

houses, parking lots, fueling and maintenance facilities, and many other functions of an airport were built with little or no regard for security from thieves or terrorists. There is good reason for this. In those days we didn't have wholesale thievery and we didn't have the terrorists. Also, our law enforcement system was able to cope with this isolated type of social activity.

Those of us in the business of protecting passengers and cargo want to see evidence of the expertise of the architects of America in the design and updating of aviation facilities. SECURITY must become a prime consideration in the development of any new airport, in the addition of a new satellite terminal or in the re-design of an older airport.

Granted, there is considerable resistance to this concept even though we have eighty-two percent ADAP funding available from the Congress to buy security measures for airports. This has been available for some two and one-half years, but very little money is going into airport security. More implementation of this provision of the law is needed. You architects may provide the key to this needed implementation through design and initial planning of aviation facilities. If you do not have adequate guidelines, press the Department of Transportation to provide to you these needed tools.

I would like to read to you an Alert Bulletin that came across my desk just recently. It was put out by the Federal Aviation Administration. "Another U. S. agency has provided unverified information that three Arab terrorists are planning terrorist action in Europe to coincide with the anniversary of the Six Day War on June 5, 1975. Reportedly the primary target is any El-Al aircraft at the International Airport, Rome, Italy; however, it is expected that if this planned action is thwarted, they will hit any available target in western Europe that is conspicuous and accessible. All appropriate airlines and government officials have been advised."

You can imagine how that shakes up an airline like TWA or Pan Am when they know that Rome is the target and that if that doesn't work out, then any other facility in that area of the world is liable to be a target.

So that you may be more effective in helping improve the security of passengers in air transportation, for the next ten minutes I am going to provide a brief overview of the United States Civil Aviation Security Program as directed by the President in 1970 and further strengthened by the Congress with a new public law last August (PL 93-366).

The Secretary of Transportation is responsible for this program. He provides the broad policy guidelines. The Federal Aviation Administration implements the Secretary's policies in its operational programs.

CHART - The mission is simple — prevent criminal acts against civil aviation. The most seri-

ous current threats take the form of hijacking and sabotage. Successful hijackings of U. S. aircraft have been virtually eliminated over the past two and one-half years. The last successful hijacking was on November 10, 1972, when three fleeing felons took control of an airplane out of Birmingham, Alabama, made six refueling stops all the way up into Canada and back down to Orlando, Florida, where the FBI finally shot the tires out on takeoff. But, the aircraft still flew to Cuba. However, there were three unsuccessful hijacking attempts in 1974 and we confidently estimate that an additional 25 serious hijacking incidents were prevented during that year.

The serious nature of the sabotage threats was tragically demonstrated on September 8, 1974, when a TWA-707 jet, soon after takeoff from Athens, crashed in the Ionian Sea from 35,000 feet due to a bomb explosion in the cargo hold. All eighty-eight lives were lost. Just two weeks before that, another eighty-nine lives were spared simply because the bomb did not detonate but ignited and burned. The aircraft landed safely.

A less dramatic but very serious thing is also happening. Theft and pilferage of aviation cargo constitutes a major economic drain on the commerce of the United States. The total impact on the U.S. economy for theft-related air cargo losses is reliably estimated to be in excess of twenty million dollars each year.

In the most simple basic terms, the DOT current concept is based on keeping hijackers, guns, and explosives away from our aircraft. We will haul all of the hijackers that want to fly so long as they leave their guns and explosives on the ground. We are operating a deterrence program, not a law enforcement program.

CHART - Last year we formally recognized that security is synonymous with safety by establishing in FAA Headquarters the Civil Aviation Security Service under the Associate Administrator for Aviation Safety. Up until that time FAA had not officially accepted security as an important element of safety. It is now accepted as a concept that you cannot have safety unless the airplane and its environment are secure.

This new Service is responsible for a reliable, efficient, safe and secure trip for those traveling in air commerce. The program is operational in nature with regulatory responsibilities and plays a vital, integral role in the overall mission of FAA. In spite of a record of no successful hijackings of U.S. scheduled air carriers for approximately two and one-half years, criminal attacks against world air commerce continue.

Major concern is now focused on sabotage and armed assaults. In 1971 and 1972 U.S. fatalities associated with aircraft crime were relatively low — three percent or less of U.S. commercial air fatali-

ties. In 1973 a dramatic change took place. An exponential rise began with thirteen percent of the fatalities being attributed to criminal acts, increasing to nineteen percent in 1974. This should be ample evidence for all of us and warrants our most conscientious application of security measures, avoidance of complacency, and planning for necessary contingencies to assure the safety and security of flight.

CHART - While the United States has reduced its hijackings dramatically from a high of forty in 1969, other nations have not fared so well. Only in 1968 did the U.S. hijackings exceed the total of all other countries. Since then, from a high of fifty in 1970, the hijackings of foreign air carriers have gone down but totalled thirty in 1971 and again in 1972. They dropped to twenty and seventeen for 1973 and 1974 respectively. Four of the seventeen hijackings in 1974 were successful. The threat to U.S. aviation, therefore, is real. I won't go into detail for all of these figures, but you can see that hijack attempts continue, explosions occur, unexploded live bombs are found and bomb threats continue at an alarming rate. In fact, we get almost 2,000 bomb threats a year against aircraft and airports.

Civil aviation aircraft and facilities throughout the world have been regularly subjected to sabotage and bombings. During 1974, 170 innocent persons were killed; another fifty-nine were injured as a result of sixty-two unlawful attacks. In the United States alone in 1974 there were two explosions on U.S. civil aircraft and four explosions at U.S. airports. You remember the incident at Los Angeles Airport where a bomb exploded in a locker and two people were killed and several more were injured. These are some of the insane things that are happening. You also remember Rome. You also remember the Athens massacre. These numbers are in the chart. In addition, live explosive devices were found on one aircraft and at three airports that year (1974). Fortunately, these did not go off. Bomb threats are generally anonymous. They are often times accompanied by extortion demands for huge sums of money. They continue to plague the air carrier and the airport operators. They constitute not only a threat to safety but also act as a severe economic impact and provide an operational burden for all concerned.

CHART - To combat this threat we have developed a set of basic policies. Each of the four participants in the program — the air carriers, the airports, the FAA, and the users — all have certain responsibilities and actions.

The air carriers are responsible for secure travel by maintaining an effective security program including screening passengers and their carry-on items by having a procedure for handling cargo and checked baggage, and by establishing procedures to maintain a protective environment while

the aircraft is on the ground.

The airports play a responsible role by maintaining an equally effective security program. They are responsible for the operating area of the airport. They provide the law enforcement backup support for the passenger screening system.

The FAA is responsible to provide the leadership, technical assistance, and the operational coordination to make the system work. We enforce the regulations in a firm but vigorous and fair manner.

The passenger also has a very important role. He recognizes the need for this screening system, and he cooperates. He also pays for it. Security is paid for by a CAB surcharge on each passenger ticket (34 cents) that was authorized back in the early days of 1973. This surcharge recognizes and assures that security is an operational requirement that must be met, continued and sustained similar to other operating needs of the air transportation system, the same as salaries, fuel, and other operating expenses.

CHART - The magnitude of the program, as you can see on this chart, is significant. It is significant that each one of these air carriers — thirty-five of them — operating at 500 airports with 2200 airplanes and accomplishing almost 15,000 flights a day are inspected. All of these people and all of their carry-on baggage are inspected every flight, every day of the year. This is only possible because of the cooperation and teamwork of all the parties involved, especially the air travelers who expect and demand security so essential for their safety.

In addition, there are thousands of law enforcement officers on duty at passenger screening checkpoints assuring a continued capability of responding to actual or attempted violations of law. They provide support for the airline and airport security program. And, just as important, they provide a highly visible deterrent to criminal acts against civil air commerce by being on the scene at the screening checkpoint.

CHART - Out of all of this activity — the passenger screening process — we have achieved significant results. I will not read all of these figures because time is short but you can scan them quickly. The significant part of this chart is that over 3500 persons were arrested last year - 1974 - and almost 2500 guns were detected. And, we know that we are not detecting all of them. Explosives, knives, and other dangerous objects bring the total figure to almost 29,000. The reason this is so high is that the FAA counts a round of ammunition as an explosive, so if you have a full box of twenty-two caliber cartridges you have 50 explosives. It is difficult to understand why, as long as the screening process has been in effect, we still find this many guns. Why do people get on the airplane with a big warning sign in front of them. We can't figure it out.

Some people get on the airplane and they have the weapons stored in such a manner that we know that they are not up to any good. For example, a small radio is found to contain a twenty-five caliber automatic. Only by sheer luck or the ingenuity of the screener when he or she looks with the aid of the X-ray machine does he detect this weapon. It is pretty obvious that that gun is not in there for a good, bona fide, legal reason. So we estimate that at least twenty-five hijackings have been averted by the screening process during 1974.

CHART - The U.S. Civil Aviation Security Program has made considerable progress. We are very reluctant to brag about it for the simple reason that it has been more successful than we hoped it would be. We knew that we could slow down the number of hijackings, but we didn't expect to dramatically stop it. However, the program is working. It is realistic and it is effective. We will probably eventually have an occasional breakthrough, but we have a good system in effect and we can respond quickly; and, we can tighten it up if necessary. Security is lax at some airports. We know that and are continually striving to close these gaps. We will continue to make it more effective, more efficient, and strengthen it if need be. We now have the nucleus — the people and the technology — available which we did not have in 1969 when hijackings were out of control.

The outlook for 1975 is, therefore, optimistic, except in the case of the type of explosion that TWA experienced in the Ionian Sea. Overall the picture is optimistic. We have several regulatory actions which we have completed and others are in the process of being completed. One Federal Aviation Regulation (FAR) published last April covers the carriage of weapons by authorized persons and the escort of prisoners by law enforcement officers. Another regulation that went into effect that same month establishes safety and detection standards for the use of the X-ray devices used in the passenger carry-on baggage inspection system. Another important regulation, which is in the imminent stage of being issued, is one that would require foreign air carriers, flying to and from the United States, to have security programs similar to what we have in this country; and to screen all of their passengers and carry-on baggage before they come into this country.

We don't consider it a very high degree of threat now, but a load of terrorists could be flown into this country by an airline that does not screen. The terrorists could off-load and, with a little planning, time it to take over a waiting jet with a load of passengers while the others do their dirty work. They could then fly out of the country with their hostages. We would like to close that potential security gap. This proposed regulation would do that, but sensitive international issues are involved. Our in-

attention is to issue a regulation that will comply with our statutory obligations. Congress has stated in a new public law that we will issue regulations to require screening by foreign air carriers. The rule must be effective, and it must promote safe and secure air travel, giving at the same time proper recognition to the legitimate interests of the foreign governments and air carriers that will be affected.

Following the explosion of the U.S. aircraft over the Ionian Sea — which was a direct act of sabotage — the National Transportation Safety Board recommended that FAA establish a security capability in the European theater. We are in the process of doing that now. It is a matter of money and manpower, but it must be done.

We have also made provisions for commuter airlines security programs.

We also plan to improve our detection capability, particularly in the area of explosives. This is a tough one, but we need the capability to detect explosives carried in checked baggage and on individuals the same as we can detect guns in carry-on baggage and on passengers. LEAA is supplying funding support in this area. We don't have the breakdown yet, but eventually we will solve this problem.

We will continue to work with ICAO on international security standards. We have made a lot of headway in the last few years in this area. We are also expanding our foreign assistance and training activities, and are giving new emphasis to programs to reduce air cargo theft losses based on the recent executive order on this subject.

In conclusion, the available intelligence indicates that the threat to civil aviation security is more severe today than it has ever been. Accordingly, we must and will continually improve our security posture as needed. Above all, we must avoid complacency. This is very difficult because of the program's current success. We must assure that the aviation industry and the FAA continue to work together as a comprehensive, unified team to give crews and passengers the safest and most secure flight possible with the least amount of inconvenience and at the least cost.

Gentlemen, we need and we solicit your assistance and support. We invite you to join this government/industry team and make your potentially considerable contribution to aviation security by designing and planning more secure aviation facilities.

Thank you very much.

# BART Security

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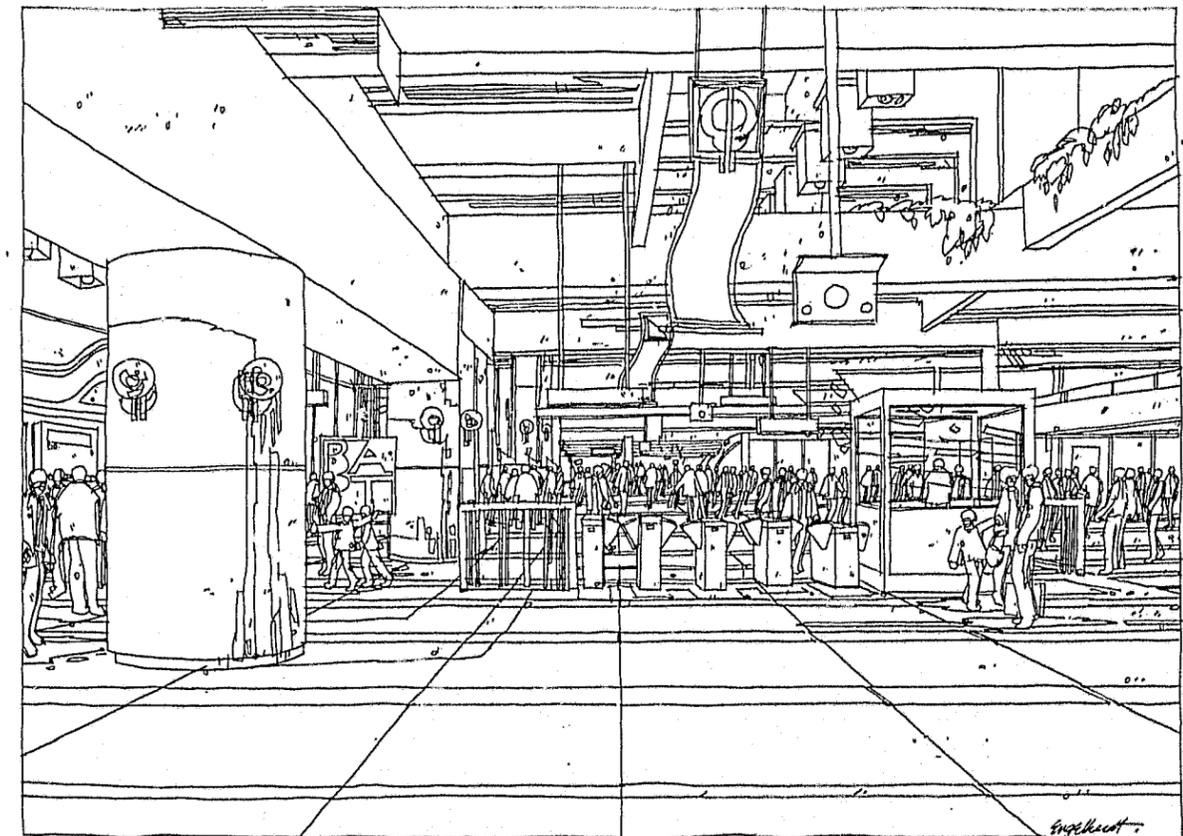
MR. VELDE: Let's now come down from the sky to the earth — even below the earth — and hear about the security problems that BART has experienced in trying to move passengers back and forth in the Bay area of San Francisco.

Ralph Lindsey has continued as BART's Director of Security since before service began. He also received a rather large LEAA grant to design BART's security system. He has a story to tell that I think will be interesting to you. Certainly, we in Washington are trying to learn from the lessons of BART in the design of security for the Metro underground transportation system.

MR. LINDSEY: It is a real pleasure to be here with you today. I didn't expect that I was going to be called back to Michigan at this time of the year to leave beautiful California, but it is really beautiful to be here with all of you who are so interested in something that is so vital to everyone.

I thought that I might just tell you something about myself. I didn't bring any slides for you today.

I have been the Director of Security for BART since 1967. Prior to that time I spent twenty-seven



# Security System for BART

Ralph Lindsey  
Chief of Police Services  
Bay Area Rapid Transit

\$1.6 billion project  
for 4 counties, many municipalities  
75 miles of track, incl. tunnel under bay  
34 stations  
25 free parking lots for  
20,000 vehicles  
" filled daily

got LEAA assistance  
to study security  
" Arthur Young got grant

station design " "  
open, light, attractive  
plus security force  
• admin  
• patrol  
• support

Thoughtful design can improve security and reduce security costs.

architects should be aware of  
security needs, and  
solve security problems.



Complex security need —  
trains, stations, parking lots  
(who's responsible?)

full operation in about 6 months  
" operations start @ AM now  
while cond. lots tested

parking lots for transit  
invite auto theft (1 1/2 cars/day)  
= most serious crime problem.

years as a special agent of the FBI in various capacities. At that time I figured that if I was ever going to get out of the Bureau, then I had better take the opportunity, so I did to see if I could do something good and worthwhile.

I feel that I got into a field that is really growing and something that has to be seriously considered in the future. I think we have done some amazing things at BART. I think there is still a tremendous amount of work that has to be done.

I just want to pay my respects and express my appreciation to all of you gentlemen who are in the field of design and architecture because it is through the design and the architecture of our stations that a great deal of work has been done to eradicate the criminal element and the possibility of committing crimes on our system.

As I say, I didn't bring any slides. Could I see a show of hands of those who have been on BART? Well, for the benefit of the rest of you I did bring a chart. I will put this here for the moment. I will explain it to you.

To begin with, BART is a 1.6 billion dollar project at this time. It did not start out as that. The 1.6 billion dollars is what we are now assuming that the total cost of the system will be. It comprises rapid transit operation in four counties in the Bay area which includes San Francisco, one terminal in San Mateo County and Contra Costa Counties, with the possibilities of expanding out beyond that.

Here we have San Francisco. This is the Bay area here. Here is the terminus at Daly City. This is Fremont on the Oakland side plus Concord and Richmond.

This means that there are seventy-five miles of track. There are thirty-four stations. The thirty-four stations are made up of fourteen subway stations and twenty at-grade or aerial stations.

In addition to that we have three large storage areas and shops where the equipment is taken care of.

We have a six-story administration building where all of our computer activity takes place.

This comprises a physical layout of the system.

In addition to that we have a three and one-half mile tunnel underneath the San Francisco Bay which permits traffic now to go from San Francisco to Oakland in a matter of six minutes at eighty miles an hour.

We also have a three and one-half mile hard rock tunnel which goes from Berkeley on the east bay side through the Berkeley Hills to Orinda. Incidentally, this goes right through an earthquake fault.

Gentlemen, that generally is a physical description of the system.

My objective today is to impart to you some of our security and policing information and to give you a thumbnail sketch of the origin and evolution

of our policing responsibilities.

When I start something like this, I always think of the words of Ray Wilbur who said that "It is not how much you know about life that counts and makes it easy but it is the way that you live your life that really counts."

Those of us who can avoid the mistakes of others are likely to be free of sorrow. The world is so full of uncertainties that the real record of what has gone on before is what we look for.

We look for the faults. We look for the problems that have gone on before, and we try to correct our activities and learn from these things; and we progress from there.

This relationship of mine with BART began with only five people who would maintain liaison with the other police departments. In this way we would protect the thousands of daily commuters on the system.

One more thing I must mention by way of the physical makeup of the system. There are twenty-three parking lots which are free to the public. They house 20,000 vehicles and they are filled daily, usually before seven o'clock.

One of the first things that I did after I took this job was that I thought I had better find out how other facilities were operating. This, again, is cooperative activity.

I took a trip to Chicago, Montreal, Boston, New York, and Philadelphia to see how they were doing things. Hearing all the bad things, I figured that if I couldn't find how to do it, I could at least find out how not to do it.

When I came back to San Francisco after visiting these various localities and systems, I came back with a completely different attitude than when I left. However, I knew that I was going to have difficulty with my superiors because they were convinced that we would only have a small security force. The reason was because they had been indoctrinated along these lines by the consultants who had assisted them in building the system.

The consultants had mainly come from organizations and facilities where they were metropolitan in operation, in other words, they were not multi-jurisdictional like we are.

In traveling in four counties we go through seventeen separate police jurisdictions at a speed of eighty miles an hour. This means that we are traveling from Oakland, for example, south on the A-Line, as we call it, down to Fremont which is a matter of twenty-two miles in about fourteen minutes. So, we go through eight separate jurisdictions.

No police department is going to put out their men and try to police a system like this.

These presented horrendous problems to me. I was getting at this time the cooperation of the police departments but they couldn't give any addi-

tional support. They said that they could give me the same support they give the citizens in the area: "Call us when you need us and we will be happy to come and see you."

We needed protection in the stations, in the parking lots, and actually on the trains.

After fighting this battle for a long time, I concluded that one of the best things to do would be to call in a consultant. I didn't have any money for that, so this is when we came to LEAA.

We were able to get a grant through LEAA. This really put us on the track to success. It was a discretionary grant. We had a tough time getting it to begin with. I like to think that perhaps it was only because of my association with the present Attorney General of the State of California, Mr. Younger, whom I worked with in the FBI.

We are not a state organization. We are a quasi-state organization. We are a district created by the legislature.

No LEAA funds had ever been delegated to anything like BART.

When it came up to the last day to approve the funds, we had a big meeting in Sacramento. This was the first time the Attorney General had heard about the \$142,000 grant that we were applying for. When he looked at me, he said: "Let the record show that this has never been done before."

So, I was grateful to him for helping us get the grant.

We put out our request for proposals and got fourteen different responses. The grant went to the Arthur Young and Company. They did a good job for us. We were able to sell the program to our administration after it was done.

We are not in complete operation now, and we will not be in full operation for at least another six months. We are presently carrying approximately 130,000 patrons a day. We only operate until eight o'clock at night. We don't operate on Saturdays and Sundays.

The reason for this is that we don't have any test track facilities at the present time. We are still receiving new equipment, and we are still having to test for the Public Utilities Commission of California some of the yet untested or unaccepted automatic collection and automatic train control equipment.

So, at the conclusion of operations at eight o'clock in the evening when the passenger activity ceases, the people go to work and test each of the new vehicles that is received.

Each has to have at least thirty hours of continuous operation to work out the bugs. Then, the additional activity on the train control has to take place during the night hours. So, the tracks are always filled with trains but not with patrons.

There are a few things that I would like to mention which really helped us in our design. The light

levels in the stations have been increased, that is, they were built that way to begin with. This has been a great help in curbing crime.

Additionally, long, clean-flowing areas within the subways and within the aerial stations have prevented people from hiding behind these areas where they could do harm to the patrons.

Ail of these things have helped, but you have to have a security force in order to benefit this activity.

We are presently operating on a budget of approximately two million dollars which is ninety-eight percent labor. We have 100 people on my payroll. This includes eighty-one sworn personnel and a total of eighteen non-sworn personnel or clerical type individuals.

The eighty-one sworn personnel are assigned to patrol duties. Our system is broken down into areas of patrol.

My department is broken down into three primary areas of responsibility: the administrative section, the patrol section, and the support section.

The patrol section, as in all police departments represents the backbone of the organization and is out there where the action is. The support services, which is a very important part of our program without which the patrol section could not operate as it is, does support work.

We have seen fit to take some of the patrolmen away to make a special unit which we call SPU — Special Purposes Unit — and we keep a very accurate daily and hourly activity of all the crimes that are committed on the system.

We put these onto a pin map so that we know every moment where the felonies and the misdemeanors are taking place. We watch this very closely, and when we see a situation developing, we put this SPU unit out there, which consists of anywhere from four to eight people depending on how many we can pull away from the patrol unit, in undercover capacities. We are able to do a great deal in regard to the theft of automobiles from our parking lots and the burglary of automobiles within the parking lots.

Parking lots for rapid transit systems are decidedly different than those of other parking lots for shopping malls and the like. When a person leaves his car in a BART parking lot, for example, it is going to be there for seven to ten hours depending on the work that this person is performing.

The individual comes along, cases the lot, finds the car he wants and knows that he has a good long time to do his thing with regard to that vehicle, whether to steal it or take a portion of that vehicle.

We have been averaging about one and one-half car thefts from our lots per day. This is too much. We know that there is a direct ratio between crime on our system and the ridership within the system. If we are not able to control this problem,

we know that the ridership is going to drop.

We have a particular problem in the Bay area because we have never had a rapid transit system there. It is a question of buying these people, forcing them, or coercing them to come out of their automobiles and ride our system. If we get them for a couple of days and if they feel that it is good and then if something happens to them or to their vehicles, then they go back to driving that vehicle rather than using our system. As you know, many men think more of their vehicles than they do of their wives.

So, we do have a big problem that we are looking at.

In the way of suggestions to parking lots the treatment of the parking lots has been good. The lighting within the lots is good. One of the problems is the shrubbery. They wanted to make the lots look beautiful so they put shrubbery in there. Now the shrubbery is growing up, and we have it cut back so that there is no possibility for people to hide within the parking lots, particularly in the darkened areas created by the shadows from the shrubbery.

We started our operation in increments. We started only one leg at a time and one section at a time. It was only in September of last year (1974) when we started our trans-Bay activity. Since that activity has started, the number of daily passengers has grown and will continue to grow, we hope.

Each day that we carry more passengers, we have more problems.

For example, we have had a total of six hundred and thirty crime reports as of March thirty-first, 1975. That is for the first three months of the year. This has continually grown since the first of the operation.

Fortunately, we have not had any serious aggravated assaults. We have had one arson situation. We have car thefts which are big. Petty thefts are the thing that is driving us under.

But, we are able to cope with this, and eventually we are going to have to perhaps increase our number because when you operate seven days a week, twenty-four hours a day, you cannot spread very thickly eight-one sworn personnel over that area.

I am looking forward to the other sessions where we can get down to some nitty-gritty and to make some suggestions which might be of some value to design and other areas.

I was most happy to see in some of the materials that I have read so far where the architects are bringing in people with security experience in the design period.

This was something that was definitely lacking in the beginning of BART. I know that they did a lot of research, but there were still a lot of areas which were sadly neglected. There were things which

could have been built in to the system and which in the end could have reduced the amount of policing and surveillance work that had to be done later.

So, I would encourage you to certainly look towards the assistance of some capable security people who have had this type of experience who can assist in the designing of physical attributes within a facility to do this.

Thank you.

**Defensible Space**

MR. VELDE: Last on the program this morning is Oscar Newman. Professor Newman has written and talked about space and all of its dimensions and what it means. I am sure that many of you have seen his book. He is not only an architect, but an author, a producer and an international traveler.

MR. NEWMAN: It is almost six years now that we have been engaged in this area of work and research. We have covered a lot of ground. We are just proposing now to embark on an area which will cover a lot more ground and will occupy us for another four or five years.

I am not certain that I can touch on everything that we have been doing, but I will try to do that.

Needless to say, I am least interested in what we have done in the past and most interested in what we are going to be doing in the future.

Our nation is a funny place. In the past fifty years it has doubled in size from one hundred million to a little over two hundred million. There has been a shift in population so that where fifty years ago fifty percent of the people lived in urban conglomerations of 50,000 or more, we now find that a little over seventy percent of the population lives



in urban conglomerations of 50,000 or more.

That means that there has been a three-fold increase in the size of the population that lives in urban areas. We find, as well, that people change their addresses and move every few years.

This creates a situation in which people are moving into new areas rather rapidly, living in close contact with each other, the density increases rapidly, the suburbs, for instance, in the past three or four years have taken about seventy-five percent of all urban growth; and people are mostly strangers to each other.

They share little in common: little background, little ethnicity, little shared values, places of work, even age.

In this context we have an urban environment in which people are living densely and close to each other, yet they are strangers to each other.

We have another situation. We have a circumstance in which a good deal is accountable to fear of crime, fear of difference. The nation has, in our cities, divided itself. Our central city areas are lived in now primarily by low income populations, minority groups - black, Puerto Rican - and our suburbs have become white, middle-class havens.

The word "haven" is an accurate one. One of the simplest, most obvious forms of crime prevention is to move your family out of a high crime area and into the suburbs.

It is not totally foolproof, but if you take a look at the variation in crime rate between urban areas and suburban areas, it is rather drastic. Six to twelve times is not uncommon.

It is true that the crime rate is going up in the suburbs and in some instances more rapidly than it is in some urban areas, but it is like going from one crime per thousand to two crimes per thousand: an increase of fifty percent versus twenty-five crimes per thousand to thirty crimes per thousand in central cities.

This neat way of solving the crime problem by moving out is workable. Unfortunately, it is open primarily to the people who have choice and who have the wherewithal to buy housing in areas they prefer to live in.

In interviews conducted by various survey teams - different from ourselves - they have found that one of the basic reasons why people move out is the fear of crime; not only crime in residential areas but crime in the schools and so on.

If we were a nation of another order, we could say that we have really found a way to solve our crime problems. You let the urban core areas become ghettos, and then you put a fence around them.

It doesn't have to be a physical fence. It can be a fence of police, for instance. That is a pretty neat and effective way to solve the problem.

It is done - though not talked about - on a contin-

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uing basis by city police forces who have identified the residents of public housing as being highly crime-motivated with young teenagers, primarily black.

On a Friday and Saturday night, when things usually act up a little, there is not a cordon of police around the project, but there are an awful lot of police vehicles who make sure that they patrol those peripheral areas between black projects and white middle-income communities carefully. And, it is an effective way of containing crime.

Unfortunately, even though we do this by people voting with where they purchase their homes, when we think about it, I don't think that we can condone it. That is to say, I don't think we can sell our constituents or adopt as a policy the segregation by income, by races, and the containment of people who suffer crime and are most crime-prone.

It is morally intolerable for this nation to do it.

Unfortunately, there is a danger in letting something, which has come into being of its own by people voting with their feet, if you will, becoming institutionalized. There is that danger.

And, we must be very, very cautious that this not be allowed to happen.

Remember that if all of us here are looking for solutions to crime problems, then this is one of the neatest, simplest, most effective - even though it is morally unacceptable - ways. There is a real danger that we will fall into the trap of accepting it when things become desperate.

Some of our nation's most concerned liberals are beginning to look and talk this way.

I want to talk today about alternatives which are not easy and which are, in some respects, distasteful; except that they seem to have the blessing of all sorts of people, that is, the low income population and the upper income population.

I have gotten off on a tangent.

I am going to talk about our work very briefly. Then, I will get back to talking about what I have just begun with and the solutions that I see and some of the costs that are involved.

We know that crime has been going up in our nation, and we know that some of these figures, like murder in 1973 going up 116 percent from 1963, forcible rape almost 200 percent, robbery 256 percent, are staggering.

In New York City, when Mayor Beame came in, he found that eighty-three percent of the population rated crime and twenty-eight percent rated drugs the two most serious problems that they face. It adds up to over 100 percent because people sometimes mentioned two or three things.

By comparison, jobs, housing, racial discrimination is appreciably lower.

Crime in residential areas unfortunately has been going up more rapidly that it has in other phys-

ical areas and use areas; and this is both burglaries and robberies.

(Slide) We know as well that police effectiveness in reducing and containing residential crime is minimal as was shown by the Kansas City study; and like what was found by people like Rapido and his Boston work. That was a particularly excellent study.

We know that crime costs nearly ninety billion dollars a year. The truth of the matter is that that is peanuts compared to the real costs of crime. I will talk a little bit about that.

If you take a look at what happens to out cities - and I am talking about real loss in dollars - the large sections of our cities are being abandoned by the middle-income population. Houses, which were viable and which we are not building anymore, and structures, which have a replacement cost of \$100,000 to \$200,000 today and which were selling for \$60,000 to \$70,000 two years ago are now selling for \$5,000 to \$10,000 and have a predicted life of two to three years.

In Minneapolis, which is a community that has virtually minimal crime with a small black population of four percent and an Indian population of six percent, there is a community which was viable five years ago, and in five years turned over completely out of fear. The loss in property value there is horrendous; it runs into the millions of dollars.

In the City of St. Louis in five or ten years, square miles of the city have turned over and lost value in that way.

And, this is true in virtually every major city in the country.

The 90 billion dollars that you see here is peanuts. That is monetary.

Real estate, which no longer has value, cannot be taxed.

The worst thing is that it is a compendium of problems. That is to say, you have a situation in which as you lose your income population, so you lose your tax base and so you lose the moral force which enables the police to contain crime.

In interviewing in public housing projects we found that a majority of the residents - eighty-five to ninety percent - are as fearful and concerned about crime as their middle-income neighbors on the other side of the city or in the suburbs.

The problem is that living within that ghetto area the black and income people are open to all sorts of intimidations by criminals whom they can identify as residents in the project.

They cannot call the police because they just don't have the clout. The police are fearful of coming into the project, and legitimately the police can cite incidents in which they were ganged up on when they came into the project; there are incidents when they were called in purposely by teenage kids who had mischief in mind.

The police are fearful to move into the community because they see a community of low-income residents as one which is antagonistic to them, alien to police, alien to the values of the greater community: even though that is not the case.

You get a compounding of problems. You get the loss of the moral atmosphere to contain crime. You get a loss of the insistence upon a crime-free life in the community. You get a loss of the tax base.

It builds. One builds on the other, and you have a descending cycle which allows an area, which was viable five years ago, to go to hell in three years.

(Slide) The cost of police forces is going up. The effectiveness is highly questionable.

(Slide) The City of St. Louis has shown a change in population in a ten-year period. The total black area there is a loss of white population of fifty to 100 percent. The grey area is the loss of population of twenty-five to fifty percent. And, this is in a ten-year period.

Crime, as you know, is most concentrated in the low-income areas in the core of central cities.

(Slide) The City of St. Louis is here seen from the river.

(Slide) We have the same arch scene from a run-down area.

If you fly over St. Louis, it looks like the bombing of Dresden.

(Slide) Here is a house surrounded by vacant lots. This is an urban street. Five years ago this house went for \$60,000. The houses around it have gone down, and this one is slated for being torn down.

We are going to be looking at neighboring streets where middle-income residents have decided to stick it out and have created a community structure in a sort of a pact or a covenant that allows them to stay.

(Slide) We talked about the shift of population from the South to the cities. It parallels the shift of the white population, but the recognition of the shift is from the large population areas.

(Slide) This is one of the ways that we cope with the housing needs of our nation which is to build public housing.

(Slide) This is the Pruett-Igoe which is almost 4,000 units in size. It was built fifteen years ago following the belief and dream of architects. It was a model environment.

(Series of Slides) It had play areas.

Now, this is what it looks like now. As you can see, it is unoccupied. The garbage is fresh. And, after fifteen years of occupancy it is being torn down.

This is not only the physical design. The film later on tonight will talk about the specifics.

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(Slide) It is a question of the social facts as well. The project became increasingly occupied by broken families and a peculiar mix of welfare families with children in a physical designed environment which was not conducive to allowing control of the areas outside of the dwellings.

It was a highly fearful place to live. If you go from the apartment unit to the street, you go through the corridors, down the stairs, across the lobby and the project grounds; and it was really like running the gauntlet.

The project went from a vacancy rate of twenty-five percent to eight-five percent, and now it is being torn down by the Federal Government.

The replacement cost is 100 million dollars if we were to build it today.

It is not an isolated example. We have this in virtually every major city in the country. There is the Cabrini-Green in Chicago, Robert Taylor Homes in Chicago, Van Dyke in New York, and I can name you projects in virtually every major city of the country. They usually have the same characteristics: high-rise buildings, a large project, a high percentage of broken families, lots of children and teenagers.

The crime rate increases most directly with the percentage of welfare families living in a development.

(Slide) Looking at the physical characteristics, crime rate increases with the building height and the number of families that share entry. Most of the crimes that are involved in the increase are crimes in the interior public spaces.

As the interior of the building becomes more anonymous and as more people live and share corridors, elevators and as these spaces are hidden from view and as these spaces become public in the sense that nobody feels an identification with that space: so the crime rate increases.

It is not only crime rate; it is cost. Housing developers and architects, who are concerned with initial and maintenance costs, are affected here.

This is true for middle-income buildings as well as public housing project.

The greater number of families that share entry, the higher the continuing maintenance costs. And it is appreciable.

(Slide) This is looking at middle-income and low-income. The crime rate, of course, goes up with the increasing height and equally dramatically for moderate and middle-income residents with two heads of households.

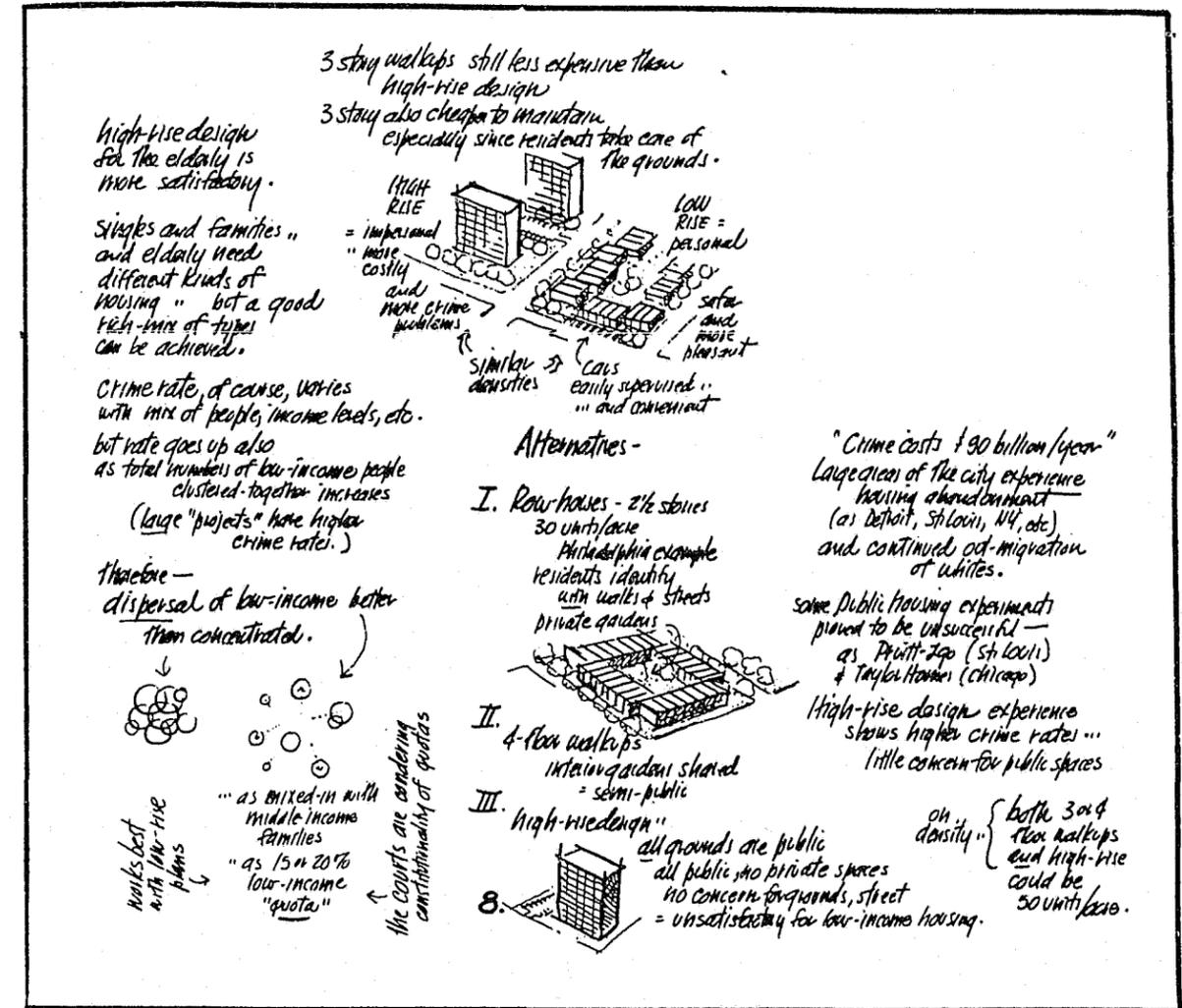
If you look at a high-rise building of a moderate-income family, that family suffers a crime rate just slightly over that suffered by low-income families in a walk-up.

I want to briefly explain the principle and show you three types of housing and talk about the densities possible within them.

We are producing a new book which is about finished. It is for Richard Rau and the law enforcement people. It is called "Design Guidelines for Creating Defensible Space in New Residential Areas." It is a very comprehensive book dealing with everything from cost to zoning codes. It outlines the basic principles of how to design an environment to reduce maintenance costs, to allow residents to control the activity that takes place there, to give residents more intensive use of the space outside their dwelling and the grounds around it, to get residents to identify with the space outside their home, to maintain it and control it and police it; by this you are reducing costs all across the board.

You are reducing costs for security personnel, for maintenance personnel, for management personnel by essentially designing environments in which you can assign much of the space outside the dwelling to the residents.

The interesting thing is that, as a result of the BBC film, I went to England and was able to compare a completely different culture and took a look at their maintenance cost figures in terms of building height and project design. I found startling evidence that the lowest maintenance costs are in the buildings that we identify as having the lowest crime rate.



(Slide) This is a row house development in Philadelphia. The most important thing is that it is built with a density of thirty units to the acre - a very high density - and the units are very narrow and small. It is a two and one-half story building. The units contain a block, and the dwellings are right on the street. The windows look on the street. The doors look on the street.

One of the reasons the police identify the problem of responding to crime in housing projects is that they say they can't find the address. They can't find their way in, and they can't drive up to the door with the car. These are all perfectly legitimate claims.

In this setup you can do that.

Not only is the ground area contained and maintained by the residents within the block, but because of the juxtaposition of dwelling, window, street and sidewalk the sidewalk and the street are

really contained as part of the zone of influence of the residents.

That is to say, the resident sees what happens on this sidewalk as an extension of his legitimate concern. So, it is not only making the houses safe, but the street is safe.

(Slide) If you take a four-block area, for instance, and you see the dark area and the area within the homes as the private domain of the residents - and the walk in front as well - then you see that even the sidewalks and where the resident parks his car is really part of his legitimate concern.

Only the strip where the automobiles drive is really, truly public.

This area is private. The home is private. The walk in front is private. The sidewalk and car are really an extension of the dwelling.

(Slide) This is a walk-up. Six families share an entry.

(Slide) Now you have a new phenomenon: for the first time you have space in the interior of the dwelling which is public. That is to say, it belongs to six families.

Now your interior space, which you don't see readily from the outside and which is accessible, is open to six families.

The small number of families makes it easier for them to get to know who belongs, who doesn't belong, who are the visitors, and so on. It is much easier where you are one of six families and you see a kid vandalizing the door or the wall. And, you insist that the kid behave because you feel that that space is one-sixth yours.

If you share that corridor with 100 families, then it is very difficult for you to feel that you have a right to interfere and prescribe the activity in that space.

(Slide) If you look at the pattern of the street that evolves now with the walk-up, the grounds are semi-private in nature; and so is the street. And, even though this is shared by eighty families, it doesn't need the patrolling that you need in the first slide we saw of the row housing. The police really patrol very effectively in this area.

(Slide) But, if you take one step further and go to a high-rise project like this, then you find, when you look at the interior of the building, that the interior is public in nature. It is not semi-public or semi-private: there are now 150 families which is 600 individuals living in that building. This is like a street.

But, it is different from a public street. There is no police patrolling there. The corridors have no windows in them because the fire codes don't allow it. You walk along here unseen.

(Slide) If you take a look at this building in its typical setting, you find that not only is the interior of the building public but all the grounds are public and police patrolling is very difficult. Now you find that you need to patrol not only the streets but the grounds and the interior of the building; and you have to maintain it as well.

So, through the design of the environment in this fashion we have increased the need for police officers and maintenance personnel at a very high ratio.

We have effectively said that in an environment like this you are living in a hotel, and we have to have hotel security guards and maintenance people to maintain the environment because people will not identify with anything outside their apartment in this condition.

Perhaps, inadvertently, we have been building environments which have called on a reliance upon public investment in police and management investment in maintenance and security personnel.

Whereas, we could have built them in such a way that the average family could control and

maintain the grounds and perceive the street as well as an extension of the dwelling.

Who in his right mind sees the street here as an extension of his dwelling? Who, by this design - even though he may be exactly the same distance from that side to the street as the person in the row house - could see the street as an extension of the grounds of his home? The distance may be exactly the same and yet the attitude is different.

It is the psychology of that phenomenon that we are very concerned about. It is the quality of street life, not only the housing project, that changes.

Somehow as a nation as we have grown bigger - and this is true for virtually every European country - we have almost taken pride in minimizing individual action in street life. It is like saying that government continues to grow and to continue to expand; and it is as if we asked the people to abrogate their rights to control the activity on the street.

We are beginning to find that that sort of thing is endless.

(Slide) This is a comparison between two housing projects built at the same density. Don't forget that Pruett-Igoe was built at fifty units per acre. You can build three-story walk-ups, as you see her, at fifty units per acre.

Here the grounds are open. It is a typical housing project. The cars are a continual threat. The play areas are open. Whereas here, the play areas are contained within the homes. Neighboring kids can come and play in there, but when they are playing in there, by the fact that this play area is contained by the dwellings, if there is a dispute as to who has a legitimate right to play there, then it is pretty clear how that will be resolved.

In projects like this, when they fight over play areas, the housing authorities have simply removed the play areas because of the fighting. They have just removed them.

In the walk-up the parents supervise. Young children are allowed out. In the other instance, the children are not allowed out. They don't get to meet other young children.

We found that most of the ways that people come to know their neighbors is through their children, and when people don't know their neighbors - as was found out by Rapido - there is a higher crime rate.

The crime rate goes down and cognizance of neighbors increases.

In interviews in a St. Louis housing project and a Philadelphia housing project by teams other than ourselves reinforced the fact that the children can't and are not supervised. No wonder he gets into trouble.

Whereas here, the kid is out and away from the home but supervised.

The moral education process and the ability for the parent to intervene and dictate to some degree

disputes with other kids is enhanced. The ages between nine and twelve are critical years in the formation of the moral attitudes in children. That critical period is affected in this setup.

In the walk-ups you walk along this street. There are a bunch of entrances and these people feel a special attachment to it, whereas, across the street in the high-rise they don't feel the same way.

Not surprisingly, most of the people from the high-rise walk across the street in front of the walk-ups. They feel that it is safer.

(Slide) By the way, let's talk about costs.

One of the things that we found out is that three-story walk-ups, because of fire codes and construction techniques, are the least expensive way - cheaper than row housing and cheaper than high-rises - to build housing. It is the cheapest form of housing that you can provide in terms of cost per square foot.

One of the things found out by the New York City Housing Development Administration is that these are the cheapest to maintain when rented because the residents - only six families sharing an entrance with two families per floor-work at maintaining it themselves.

If it is a co-op, they will actually maintain the grounds behind it. I will show you such a co-op in San Francisco.

(Slide) This is a typical street in a new development in St. Louis. You have the parked cars and the homes over there and the sidewalk. I show it to you just in case you think that it is only a high-rise that can be built poorly.

Here, the street really is not related to the dwelling in any way, and it really is a fearful place. You know that your car is going to be vandalized here. The whole thing is designed to face inward, whereas, you want the dwelling to face outward in order to contain crime.

(Slide) High-rises are not all bad. I am talking about a housing design for children. This is the Van Dyke housing project which was built in the Brownsville section of Brooklyn. I compared it in the defensible space book to a project of the same density across the street.

We showed the crime rate for robberies as three and one-half times as high.

This is a part of that project, called Van Dyke Two. It is fifty percent higher. One of the things we found is that the crime rate against the elderly in public housing projects was three and one-half to five times the crime against residents. Three and one-half is the average. It goes up to five in buildings where there is a racial difference between the elderly and the families with children living in the same building.

So, you would expect that if the crime increases with the building height and if crime

against the elderly is greater than crimes against other residents and if you put elderly in a high-rise, then they would really get it.

But, this building has virtually no crime.

The reason is that it is exclusively for the elderly. There are no families with children in it.

The elderly tend not to commit crime. By that time you have either made it or you haven't made it, and there is just very little that a criminal life can do to enhance that position.

The building is sixty percent black, forty percent white. There is no crime at all.

You see, families with children and elderly use their environments in a similar way as compared to the young working couples and working singles. Families with children use their environments on a continuing basis. It is a base of operation. It is in continual use. So, they are the best security force you have.

Everything that you can assign for them to take care of, they will supervise. For instance, in a housing project with vacant units you have crisis because they are broken into. You can have two security guards watching that unit, and they are still going to break into that unit. But, if you put a family in it, then you suddenly have a built-in security force.

Similar to the way families with children use their environment, the elderly do likewise. However, different from families with children, which are inwardly oriented, the elderly are very gregarious. They seek each other out. They spend a good percentage of their time outside of their apartment but in the lobbies and corridors, sitting downstairs and communicating with each other.

They supervise, run, and use those corridors and lobbies and elevators. They are their own security force. They have tables and chairs downstairs. They use the space immediately outside the building. They are continually screening who comes and goes.

At night they go to bed, and the building is closed down at eleven o'clock. The elderly - different from families with children - are very conscientious about locking up and conscientious about using intercoms. You don't need a security force or a guard in an all-elderly building.

Now, working couples really use their environment in a completely different way. Singles do also. They use it very much like a hotel room.

They work during the day. If they are single, they may not be spending the night in their particular apartment.

This is an environment which is very highly vulnerable, even if there are no children in it. If you mix families with children in with working couples and singles, then you get chaos because the couple that is away at work has a vulnerable environment.

What Rapido found out was that middle-in-

come communities, where buildings are occupied primarily by working couples, there is a crime rate equivalent to that in public housing projects. They are simply not there.

If you have to create a high density environment as we have to do in our cities — and we say that the cutoff point is fifty to sixty families per acre for walk-ups — then the way to get the higher density is to put the elderly in high-rises, which they like very much, and the working couples and singles in high-rise buildings as well; but you must have a doorman who screens people on a continuing basis.

But, in that instance you can afford it.

You can increase the density and design the environment totally different from the design of the environment in families with children where you are reducing the number of people who share the entry. Here, you are increasing it so as to make your doorman most effective. And, you are reducing costs.

(Slide) These are the things which are in the design-directed book. They are all explained, including costs. That will be out sometime in the fall. We are working at it.

You will see this environment in the film tonight. The interesting thing is that this is what is being torn down and this is what is replacing it. It is built exactly to the same density: thirty-five units per acre. One is forty percent higher in cost than if you built this today because there is a heavy foundation, elevators, elevated parking, and all of that to produce an environment which the architects love; and a lot of free open space for kids to play.

Kids, for the most part, play here and in the backyards. The architects were afraid of cars. You get minimal cars here. We found out that most of the kids end up playing on the street anyway.

They are extending it. They are going to make it twice or three times as big.

In eighteen months of occupancy they are having a vandalism problem similar to what we are having, and they are having a crime rate for the first time that is proving staggering. They just don't know how to use police to reduce the problem.

These are units in here, and there is not one single window that faces onto this area. There is no place for the kids to play.

(Slide) This is an environment of thirty-five units per acre. It is three-story walk-up in nature. It was built in San Francisco. It is operating very well. It contains those courts we talked about.

(Slide) Each one of these houses six families with two per floor. The rear entrances face onto a court, and there is parking for 1.5 cars per unit. It was built at a cost cheaper than the row house and the high-rise. It was about twenty-five to forty percent cheaper than the high-rise.

(Slide) One of the things we are doing in our de-

sign-directed book is to take a typical acre of land for the exploration of different densities.

(Series of Slides) Another thing we are doing, thanks to HUD's participation, is this. HUD has been a reluctant partner in our work, but in the end they turn out and catch on to a good thing; and they end up investing more than LEAA has.

They are investing in the research an equivalent amount — if you include the film — and they are actually building three major-housing projects following these directives, one in Indianapolis, one in Newark, and it looks like there will be one in Minneapolis. It will contain a range of housing from row housing to high-rises. We will be doing testing over the years comparing them to existing projects in the area.

(Series of Slides) There are just some of the designs which are being developed for that. This is particularly an interesting one. It is a one-acre site. We had to get a high density on it because it is in an expensive urban area. It is a high-rise for the elderly here with three-story walk-ups for families with children here. Entrances for the families with children are on this side. The entrance for the elderly and the parking for the elderly is on the other side. There is an elevator which by-passes all of that.

So, even on a one-acre site you can get as much as 100 units to the acre and still answer the different needs of the two groups. (Slide)

There is another elderly building being done in Newark. We designed an interior corridor in which there are windows from the kitchen into corridors. We do away with the long corridor completely, and we create the fireproof and breakproof windows in one-inch plastic. We get an exclusion from the code in order to test it. So, you get the supervision of the interior public space there for the elderly.

The building is supposed to be controlled totally by the residents.

(Slide) Let's get back to what we were talking about earlier.

One of the things we found was that crime rate, as I mentioned, increases with the percentage of low-income residents you have in any one development. If you are dealing with families with children, it increases with building height.

According to the percentage of low-income families, your crime rate will show accordingly. But, as the project's size increases, that is to say, as the total number of low-income families in a development increases in physical size, the crime rate goes up.

It is not that there may be four crimes per hundred. But, as you increase the total number, it goes up to six to ten crimes per hundred. And, it suggests, as I mentioned before, that you almost have a community that condones crime. It is not; it is a

community that cannot alone cope with the problem, and it is perceived by police and the outside community as deserving of being left alone.

Many police say — and this comes from interviewing — that they really see crime in public housing projects as a family dispute even though there may be 500 to 1000 families living there. "It is their problem, not ours."

Now, one of the ways to resolve that problem is to simply stop building public housing projects, stop allowing them to become totally occupied by welfare residents; and try to find a way to disperse the ghettos and to disperse the housing projects.

HUD has provided through section eight the formula. It is interesting that this comes up in a Republican administration when the people who have been advocating this sort of thing have been liberals and, yet, no Democratic administration has ever been able to come up with this formula.

The formula is that, in every middle income project that you build, you have fifteen to thirty percent low-income residents dispersed through the project, so that the middle-income family or the low-income family finds itself surrounded by four to six middle-income families.

When there is a crime problem, the police are responding to the crime and to the call for assistance in a middle-income community. It is not a community that they are fearful to come into.

It is a community which has a strong, moral code with strongly defined terms as to what constitutes acceptable behavior in public spaces. It is a community which knows that it can demand police protection.

The question is, Can we get middle-income residents to accept low-income families living near them?

History suggests that, where low-income residents have been moved into middle-income developments, the middle-income developments have lasted about three to five years. Then, they have been turned over and become totally low-income.

This is particularly true if the low-income family is also black whereas the middle-income residents are white.

There have been a few cases in different states throughout the country — some states have more luck with it than others — where they have been able to maintain stable communities.

The way they have been able to do that is through the initiation and the institution of quotas. They have said there would be no more than fifteen to twenty percent low-income families admitted in middle-income developments. Even if there are vacant units, any other low income families who want to move in will be told that there is no room.

In that instance, it works. The middle-income families stay put.

The interesting thing is that the low income fam-

ilies or the black low-income families to whom the reason was explained have accepted that reason.

In interviews conducted by Harris poll and other organizations, black families were interviewed and asked where they would prefer to live — among blacks, among white middle income families in white neighborhoods — and ninety percent chose to live among white families in middle income communities.

The primary reason they gave was the low crime rate, less noise, better education opportunities for their children, and better job opportunities.

We are instituting a policy here which is trying to disperse the ghettos — disperse the core of the crime problem.

We are trying to create opportunities for the families who are now finding themselves in a very vulnerable position, living in the ghetto.

We create the opportunity, but there are other sides to the coin. We have to institutionalize the opportunity.

The Constitution has now become racially conscious. Government has said, "Mix in twenty percent low income families with little income."

That is a force of law. That goes against rights — against individual rights — to some degree.

But, there is that other side of the coin. The other side of the coin says, "But, there is a limit." That limit is twenty or thirty percent, whatever the quota is.

You need that limit to make the housing opportunity available because once you can establish the fact that there is a quota and that you will not exceed it so new housing opportunities will be created, communities who fought tooth and nail against public housing projects being built in their neighborhoods will, when they are told that it is only a twenty or thirty percent quota, make housing sites available.

So, the quota sounds stringent, it sounds dictatorial, but it is the other side of the coin.

There have been — and I will conclude with this — a few court cases on this.

There are precedents building up for, obviously, a discussion in the Supreme Court. Some courts have thrown out the quota system. Others have preserved it.

What is needed now is an understanding, a measurement of what past experience across the country has shown in terms of whether these communities really work and can we, in a situation where you have low income families living among middle income families, radically reduce the crime rate suffered and experienced by the low income families?

Is that low income family living in the milieu, do they find their crime contained and themselves less vulnerable and the children less prone to contact with criminals and criminal careers?

That is what we are going to be exploring.  
One of the things we found is that — this is my last sentence — you can put a higher percentage of low income families in with middle income families in lower buildings.

You can get one family in six in a walkup with low income as equivalent to twelve families in seventy-two in a high-rise. Twelve families in seventy-two is just unworkable — twelve welfare families, whereas one in six is totally workable.

So that, the height of the building as well as the building design also controls the mix possible.

MR. VELDE: Dick Andersen, the Chief of Police of Omaha, is the man with whom we have done business ever since LEAA began. He is serving as the Chairman of the Police Advisory Committee for the Clearinghouse. Recently, he built a police headquarters. He also saw large portions of Omaha wiped out by a tornado. I thought it might be useful for him to give a short response to Oscar's presentation to give you a police perspective on some of the things that Oscar Newman has been saying. Then, we will go immediately to lunch.

After that, we will reconvene here at 1:15 p.m.

MR. ANDERSEN: Thank you, Pete.

I did not plan on speaking. However, after listening to Mr. Newman — and watching him as he went through the slides — I could put addresses on every slide he went through.

I have a number of public housing projects in Omaha, as everybody has, in a city. I can describe each housing project. I can describe what is wrong with it and why it is wrong.

We were very fortunate in the fact that most of our highrises — even the highrises which were originally built for welfare concepts — were converted for elderly tenants. Since then, all the highrises we built have been for the elderly.

We have no police problems in highrises for the elderly. As a matter of fact, the people are so content in these areas that they have time to worry about traffic problems and pedestrian crossings, and the things that in a normal housing project are so far down the list of priorities that they never get to them.

But, in the highrises for the elderly they actually have this kind of time and this kind of interest.

I can look through my housing projects and the ones that are successful are basically middle income, but they have control of their streets, they have control of their neighborhood. We have very little problems in those housing areas.

One housing project is a mess. They are now trying to do some remodeling in it, but they cannot quite figure out what is wrong. They are still looking.

The other one HUD is moving into this summer. They have got a project of  $\pm$  \$600,000. This is a housing project where the vacancy rate is increasing rapidly. The reason for it is exactly what Mr. Newman explained. It is a mixture of elderly and welfare people. It cannot exist. It is not existing. It has been going down hill steadily in the last two or three years.

I think they are at present pouring half a million dollars down the basic rathole because they have not contacted us and, I don't think they have contacted any outsiders on what the problems are.

They think that, if they paint the front doors and put bulletproof screens on the front windows, they are going to change the atmosphere of this housing

project.

I think, after looking at Mr. Newman's presentation and his charts, that they are absolutely doomed to failure. Next summer will be no different in this project than this summer, no matter how much money they pour into the project.

I don't think they are quite ready for this total separation of people. If they would put the elderly there and take the welfare families away, it would probably be a viable project.

However, I don't think that they are quite ready for it. They are still a little hung up and they don't want to take this drastic step and admit that they have to be separated or assigned on a quota.

At the present time, they are trying to mix elderly people with welfare people with no planning. I can see that it is simply not going to be a rational thing to do.

The racial element is not a problem and there is really no relationship between the racial problems and this because all of the housing projects are doing quite well in this area.

One housing project is basically one hundred percent black: it is not a problem housing project at all.

The one in which I can foresee the major problems is probably the one where there is a seventy percent white/thirty percent black ratio in the project. That is the one where all the problems are because there is a mix of age, race, and ethnic groups.

As I said, I can put an address on everything Mr. Newman said. It shows so plainly. I think you can go to any city which has housing projects — public housing projects — and you can predict everything that is going to happen there.

This is exactly my experience. For instance, Mr. Newman described a housing project which the police found inaccessible, they could not find the addresses, could not find the streets: I have got a show and tell for that one.

There is no way to get in. We don't like to leave our cars on the outside of the project and walk in. It is a great theory to say, "Leave your car and walk." It is very simple. The only thing wrong with that theory is that you might have to walk all the way back downtown because your car might be gone when you come back out of the project.

So, this is one theory that does not work.

I have an exact example to illustrate every single thing Mr. Newman said.

I hope, just by listening to Mr. Newman, that when the new guidelines come out — I hope that they will reach HUD before HUD keeps going in some of these areas.

I hope that what they are saying is going into the HUD and into their Housing Area Department because I can see the success and I can see the failures.

I don't think HUD has gotten the message yet

and I think they are critical in this area.

Therefore, I hope you have a method of reaching them before fantastic sums go down the rathole and before they start blaming the police for the crime rate when they finish with their experiment.

That is the position we are in now in the cities: we take the blame and there is absolutely nothing we can do about some of these situations except provide called for services and pick up the victims. There is nothing you can do.

MR. DAVIS: I am getting the impression that the welfare recipients are the criminals.

Is this right or wrong?

MR. ANDERSEN: I would not think they are the criminals. However, the welfare recipients have an age group living with them who have typical juvenile problems. All juveniles have problems, but some juveniles are controlled.

Within a housing project, as Mr. Newman described it, when the juveniles leave the house, they vanish. And this is when the outside people start moving in. This is where you do start to have drug peddlars. This is where you do get this neighborhood pushing, and it develops.

MR. NEWMAN: If I could add to that, what you have in these projects, as both Rapido and Lee found, is that seventy-five percent of the crimes have been perpetrated by teenagers.

In a welfare family, there is a female head of the household and, if she has teenage youngsters, there is simply not a male to reinforce physically the moral code that the woman may hold. There is nobody to contain those teenagers.

They will break into a house, actually be seen, and the woman will report that to the police. However, just before she goes to appear in court, she will be visited by a friend of the teenager and she will be threatened that, if she appears, she will be beaten up.

We know that teenagers are the most crime-prone of the age groups.

MR. ANDERSEN: There is one thing to add there.

When you have elderly living in one group, you have no problem with witnesses and you have no problems with court appearance.

But, in the one project I am describing where elderly people are mixed with welfare families, you cannot get a witness out of that place to testify against anybody. The reason is that the people they are testifying against are living too close.

In the other projects, where they are separated, in completely different communities, we have no problems obtaining witnesses.

However, in that particular project where they are mixed no one will testify against anybody; they will just barely report it let alone carry on through. It does not work. People do not operate that way.

## Alexandria, Virginia, School Security

MR. VELDE: I would like to introduce Lew Barton, who is the Director of Security for the Alexandria School System. He has been working with us for three years in attempting to improve school security in the Alexandria System.

This month's Security World magazine has a feature article on the system in Alexandria.

Security in a school system is a matter that has become increasingly important to us. Primarily this concern stems from our new congressional mandate which we received last September, focusing our attention on the problems of juvenile delinquency.

We have been attempting to measure the amount of crime actually occurring in the United States, as opposed to the amount reported to the police. We have a national survey conducted for us by the Bureau of Census. Every month they go into 10,000 homes and 3,000 businesses to have a national survey sample of the occurring crimes.

As was mentioned, there is anywhere from three to five times as much crime actually occurring as opposed to that reported to the police. The largest single category of unreported crime is in the age group from twelve to nineteen. Primarily it is crime related to the school environment.

The costs of attempting to overcome these crime control problems while still providing education, is a problem that is growing almost beyond comprehension.

For example, there is a school system in Cleveland, which has resorted to the extreme and partitioned the school into clusters of classrooms — four or five in each cluster.

An individual student goes to his or her cluster in the morning, stays in it the whole day, and then goes home. That is the only way they could deal with the problems of turf and gangs controlling the hallways which made it literally unsafe for teachers or students to go from one part of the school to another.

That is perhaps an extraordinary example, but Mr. Burton can give you the "before" and "after" in Alexandria. We look on it as a national model,

# School Security

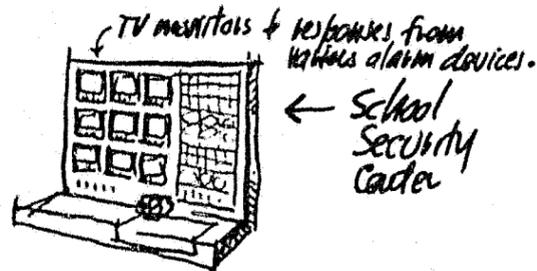
" Alexandria, Va. Schools

Lucius Burton  
security advisor

\$65 billion worth of schools + eqpt.  
exist in the U.S. ...

many will be renovated,  
expanded, or replaced.

" less than 1/2 billion/year  
vandalism, arson, theft, etc.



Surveillance eqpt. can cost \$60,000 per school.

" a national model "

- E. Velde

Alexandria's school  
security system ...

Video surveillance -

" TV cameras  
watch media center,  
equipment, halls, etc.

and... ultra-sonic detectors

" audio system

" infra-red, etc.

police patrol access  
all around buildings

"Lexan" plastic windows,  
pepa hardware  
hot-line to police  
dispatch center

# Corporate Security

E. Velde -

note both public and private  
security efforts ...

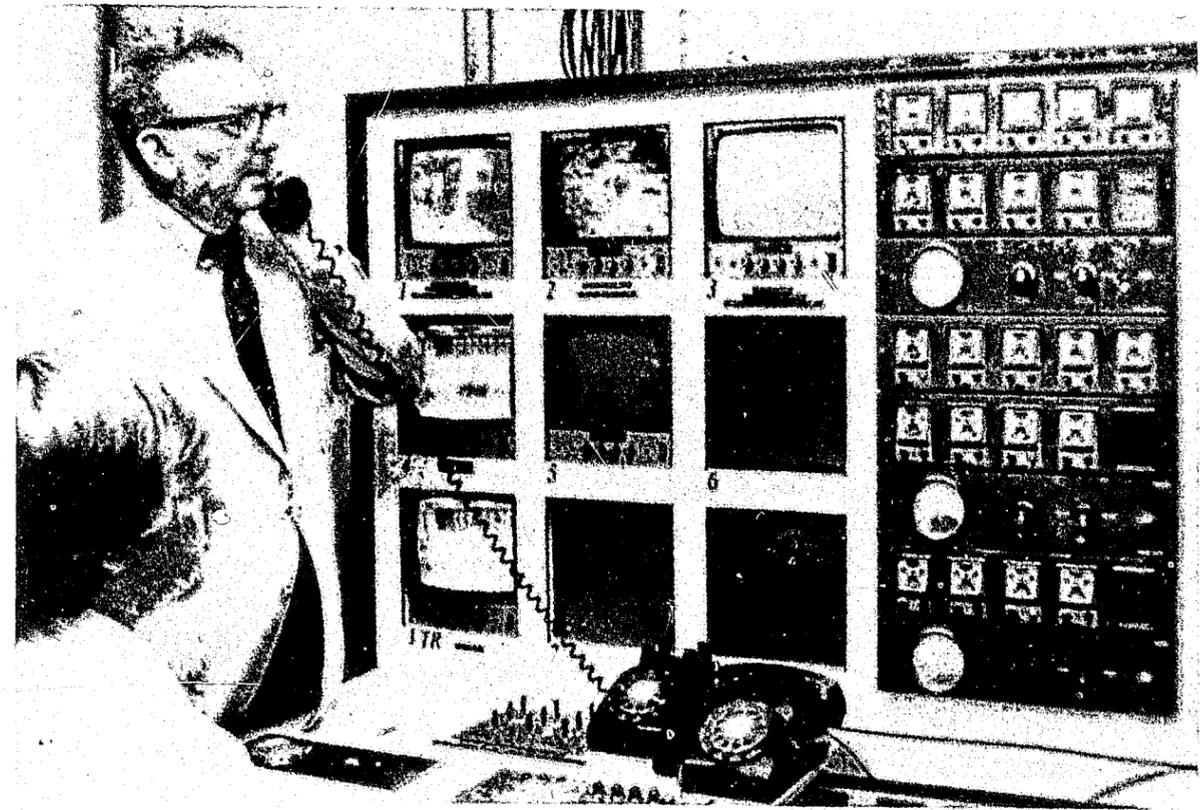
public = 1) police

2) courts

3) corrections

private = security for schools, plants,  
offices, homes, etc.

" (involves about the same number  
of employees as public.)



one which has received a great deal of attention nationwide. We think it holds great promise.

MR. BURTON: The first slide coming up is going to show you T.C. Williams High School in Alexandria, Virginia.

I am not going to limit this talk to the Alexandria school system. You have a chance to read about that in the magazine, inasmuch as it went out with the preliminary mailing.

In addition to my job with the Alexandria School Board I am also the National Public Affairs Chairman for our own professional organization of school security directors. This organization covers all the states in the United States and most of the important school systems.

To give you an idea of the scope of this problem and the money involved, (as architects you realize of course the amount of money which is invested in schools because most of you have built them) HEW told me the other day that there is approximately 65 billion dollars in the planned system in the United States in both buildings and equipment. That accounts only for the elementary and secondary schools.

The construction is still heavy in the billions

each year. So, architectural firms all over the United States will be involved heavily each year.

I believe there is a 15 billion dollar construction bill in the Congress right now — whether it will go through and whether the President will sign it, I don't know — but the bill contains a large school construction program and there has been a lot of testimony about it.

That means quite a lot of buildings to be built and many to be renovated, added to, and so forth.

So it goes without saying to all of you that with the present day crime in the schools, security should be a consideration for the architect from the day he first starts to talk to the school authorities.

The losses estimated by this professional organization I mentioned amounted to 594 million dollars for last year. The losses were due to vandalism, burglary, and arson.

School burglaries accounted for the biggest part of this, arson came in second, and vandalism third.

However, all were big. Vandalism was responsible for one hundred million dollars in losses. Arson amounted to one hundred and nine million, and going up by ten or fifteen million a year. The

burglaries amounted to some two hundred million. There is this much crime in the schools and, of course, violence in the schools.

It is a problem that the architect can help with from the beginning.

(Slide) The school you see here is now an elementary school. It has many features that an architect gave us help with. It has a lot of windows. They are entirely polycarbonate. They were plexiglass originally, but most of them now have been replaced with Lexan on one hand; on the other hand the building is quite low and it is easy to get on the roof and thus to get in through the skylights and the atriums which have been built into the school.

(Slide) This is another view. There is a separate kindergarten building. It is the same type of building.

The George Mason Masonic Memorial is just behind the school in Alexandria.

We have a system in this school that, so far, has been quite successful. We have a lot of breakin attempts. Almost none are successes.

(Slide) This is still another view of the same school. In Alexandria, we decided to go forward with a security system when the situation got so bad that we had to do something about it.

What we did was create a system that would cover every school in the area. Alexandria is a city that is a suburb of Washington in one way. It is also one of the oldest towns in the United States. It has grown up from a village practically into a city. It was George Washington's hometown. It has roughly 150,000 inhabitants at this point. It has its white ghetto. It has its black ghetto. It also has a mixture in different areas of the city. It has a real feed-over from the inner city area of Washington, from the crime viewpoint.

I am not going into the technicalities at all here because I think everybody has the magazine and it tells you why and what we have in here.

(Slide) We do, in general, have video surveillance. The video surveillance is mostly installed in the big five-million-and-a-half high school.

On this side, you see Ademco readouts from each school. There are times when we wish to compare notes. We have direct lines to the police department. We can audiorecord vandalism and video record, as well.

When we hear a criminal act started, we can audiorecord it while it is going on in a particular school.

We have experimented with radio-transmitted video from other schools so that we could have surveillance in other schools. That is still in the experimental stage.

In general, when we systems planned this thing and we systems planned it from the word "go", that is, from the very beginning — we did it with the idea at all times that, if it were necessary, it

could be doubled, tripled, and so forth: We kept in mind all the way through the really big school districts of 250 schools and how this same system could work for them, as well.

I think we had around sixteen or eighteen different suppliers involved in different units. We were able to try units and reject them. As a result, we shook out a pretty effective and economic system that can be emulated by other school districts. They have been in by the hundreds to see our system.

When we started, all those buildings were there and nothing was under construction. So, we had to take everything on, get into old crawlways, and put things right onto the cement — we had to do everything that goes with trying to put something in after the building is built.

This is really where the architect can give us some good advice.

We are building a seven million dollar high school — adjacent to T.C. Williams High School — right now.

(Slide) This is a good example of an add-on T.V.

This is in a nice, big, beautiful, already built high school building.

Here is the TV camera protective case, which school — adjacent to T.C. Williams High School — we have custom-made: it is the only way to insure that it stays put. They are custom-made from steel and thick Lexan. There they are. You need at least three or four big men to even try to rip them out.

(Slide) The new school is being built adjoining this building (T.C.). All of this is designed into the new building.

(Slide) That is another example of the same high school building where we just latched the camera right on the wall. That is a film camera which is part of the system that gathers evidence. It goes on automatically when there is a breakin. That particular area there happens to be an audio-storage room. The resulting photos have a lot for identification and convictions, as well as, providing an excellent deterrent.

As a matter of fact, it has now stopped any successful attempts to get at the audiovisual equipment. It is known that there are cameras and other devices there and the scare effect is quite effective: nobody bothers anymore to try to break in.

With the new building, we sat down with the architects in the concept stage. It is a vocational building. It has shops of every description.

We designed a system that we needed to protect what we were getting in. The photo lab is going to have all kinds of expensive equipment. It is the same for the electronic lab. Everything in there is expensive equipment and tools.

Therefore, it has built-in video and all the security devices are there.

Actually in this new building, you are not going

to see stuck-on things like you saw on that one slide. It will have windows where necessary for any kind of surveillance camera. You will see none of the different types of sensors.

(Slide) This is another audiovisual storage area. The box up there happens to be an ultrasonic. If anyone comes in there, the thing goes off, and it alarms the system.

(Slide) That is a little better speaker design than most of them where they just hang on the wall. It is one of the newer ones.

(Slide) You see the wires sticking out there.

This security center for the entire school system was just stuck into an existing telephone room.

In the new building, it will be redesigned and put into a room about double the size of this one. It will be in one of the areas of the new building.

(Slide) This is an ordinary public address system that every school has. To be economical, the School Board has adapted these into the alarm systems for the schools. They don't have to be used. There are many other techniques also available.

You can see this little electronic device here. It measures the quality, quantity, and some other characteristics of the sound. It sets off an alarm system on intrusion.

We select some of the installed speakers which we want to have this device.

You can see that some of these keys are up. Those are the ones selected to use for the security system.

(Slide) This is a newer school with a newer panel which is also being used for security work. It is already there.

When you build a building, you of course specify the system that goes in. If the customer chooses to go for an audio-type alarm system, then you can go from there as we did.

(Slide) This is the same school building. This shot shows you those windows. They are Lexan. You can see them bulge out. They certainly have taken a beating. I have seen them try every trick in the trade to get those broken. But they had no luck whatsoever, as to entry. Damage yes.

(Slide) This is the inside of a very new school too. There you don't see any of the security systems at all. There are systems on the doors; we use the audio system which is in the ceiling with speakers; we also use individual ultrasonic, infrared, and other devices of that sort.

(Slide) This is the central control room or central station.

(Slide) This secretary to the principal is setting up the infra-red unit that protects the main office. Most schools have one like that.

The characteristics of main offices is that they have a safe, they have quite a bit of money in there, they have quite a few stamps, and they have machines.

This particular office was ripped off with, I think, 1,500 dollars one day and 3,500 dollars worth of office equipment during the early morning hours of another day. Incidentally, the then newly installed video trapped them. It is automatic. The video tape is going at once. After a couple of days of tape search, we were able to spot the man who was in the process of taking the loot out to a truck.

(Slide) This is another view of a high school building already built. That is a little microwave unit in a closet. It penetrates right through the wall. It actually takes care of several rooms. We use that frequently, either in audiovisual storage or musical instruments storage where there is ten, twenty, to fifty thousand dollars worth of instruments stored.

(Slide) That is a music room and it is covered by several devices in this case, including video. There are alarms in it. There is an ultrasonic device. There is an audio speaker on the wall up there which is a sensor. And there is also video. That happens to be the camera installation right there. Everything is hung up. You will not see anything hanging in the new building because we worked with the architects to avoid that.

(Slide) This is another audiovisual room with two speakers in this particular case. They both act as sensors. As you can see, there is a video camera turned on for some purpose. I believe they were recording at the time.

It is amazing how much valuable equipment there is in the schools.

So, the system's design concept for school security rests very much in the design of the building.

For example, you need outside security lights. You need high intensity lighting outside that will light the perimeter of the school. It should not be too expensive.

Why I am saying that you need that is because we often find that the schools already have — not for security purposes — some nice decorative outside lighting which is not adequate or some parking lot lighting which is not too effective for security purposes.

You need the capability for the police — and, as a matter of fact, this is valid for apartment buildings also — to drive around the building. It is also very necessary for the fire department. It is amazing how many of these buildings there are where you cannot get to the back side of them, for one design reason or another.

Just keep this in mind that that is of very major help to the police because, among other things, as long as we can afford it with the energy shortage, we do keep perimeter room lights on — at least one row of tubing per room. It does not cost very much. With the shades open, when the police drive around, this is a good preventive way.

MR. FOLSE: What would you estimate the cost of the total infra-red, acoustic, T.V. alarm system to be for a five or six million dollar high school?

MR. BURTON: In one building?

MR. FOLSE: In one school.

MR. BURTON: If it is one building, I would say that it would be around fifty or sixty thousand dollars, that is, including your video surveillance.

Video surveillance may turn out to be the most expensive item of what you have.

The materials you select when you design — what you select for your windows — is going to make a big difference. The hardware on the doors and windows, the number of doors and windows: all that has to be taken into account.

We are delighted because by reducing the unnecessary doors and windows you save money at the same time and it certainly does help security when you do reduce doors and windows.

I cannot honestly say that I am an advocate of these rather vault-like buildings which have no windows in them — some schools have gone to that — but windows and doors can be reduced and the architects can make a beautiful building, and they will be keeping security in mind.

I think I have taken up as much time as I am supposed to.

It is a very new field. Only five or six years ago, we were still back in the era with a few things written on the blackboards and a few rocks thrown through the windows and that was it. Now, however, it is big crime and it is a big problem.

The school superintendents and the people you deal with now know it and want you to help them.

Thank you.

MR. VELDE: Thank you very much. I might just add a comment or two from my perspective to Mr. Burton's remarks. Actually, the most exciting feature of this whole system is that first you see multiple redundant systems so that if one sensor or one set of sensors is triggered there is a means for independent verification by another set of sensors. This determines whether or not there is an actual intrusion or perhaps a mouse that is triggering that set of sensors.

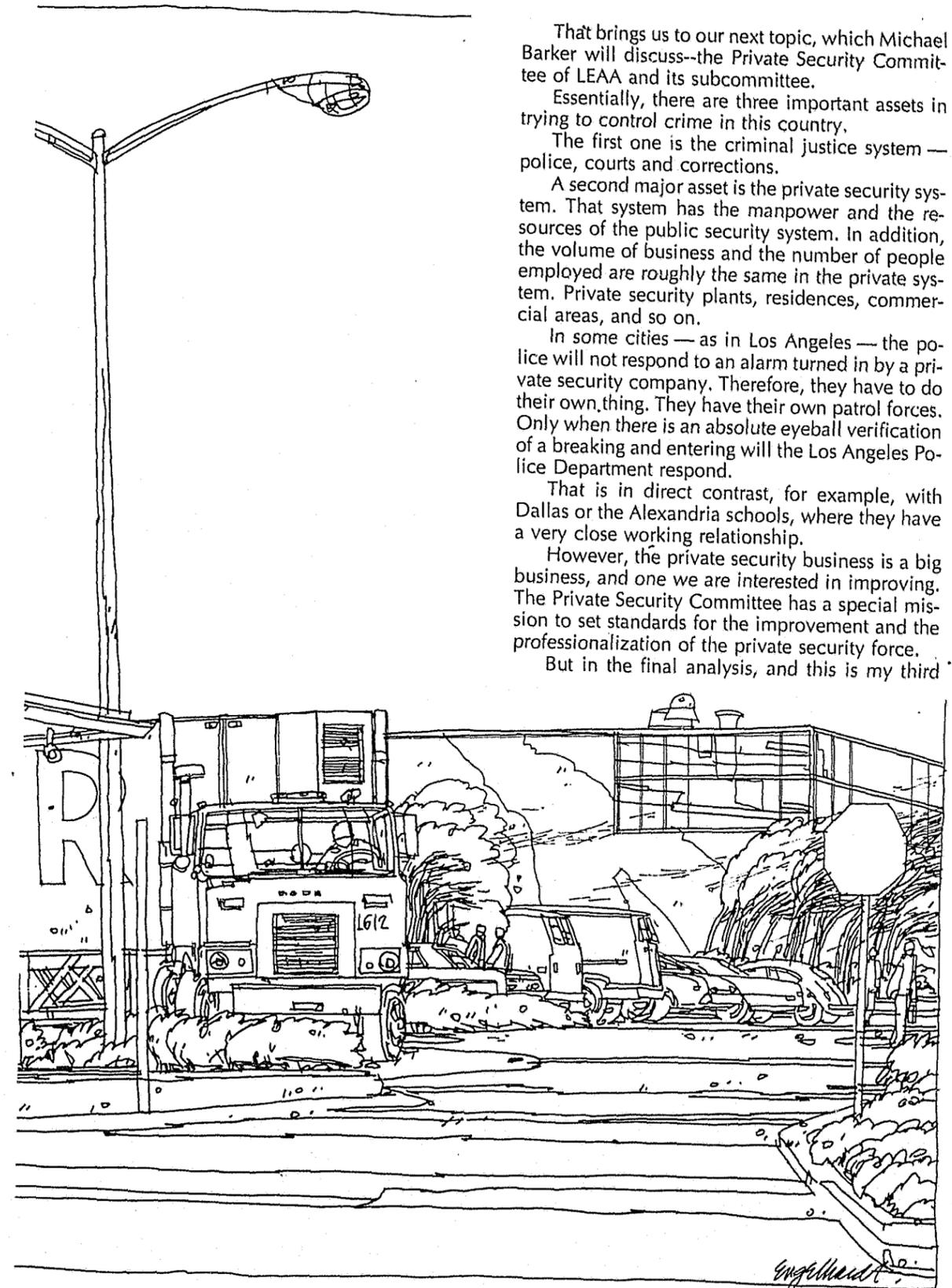
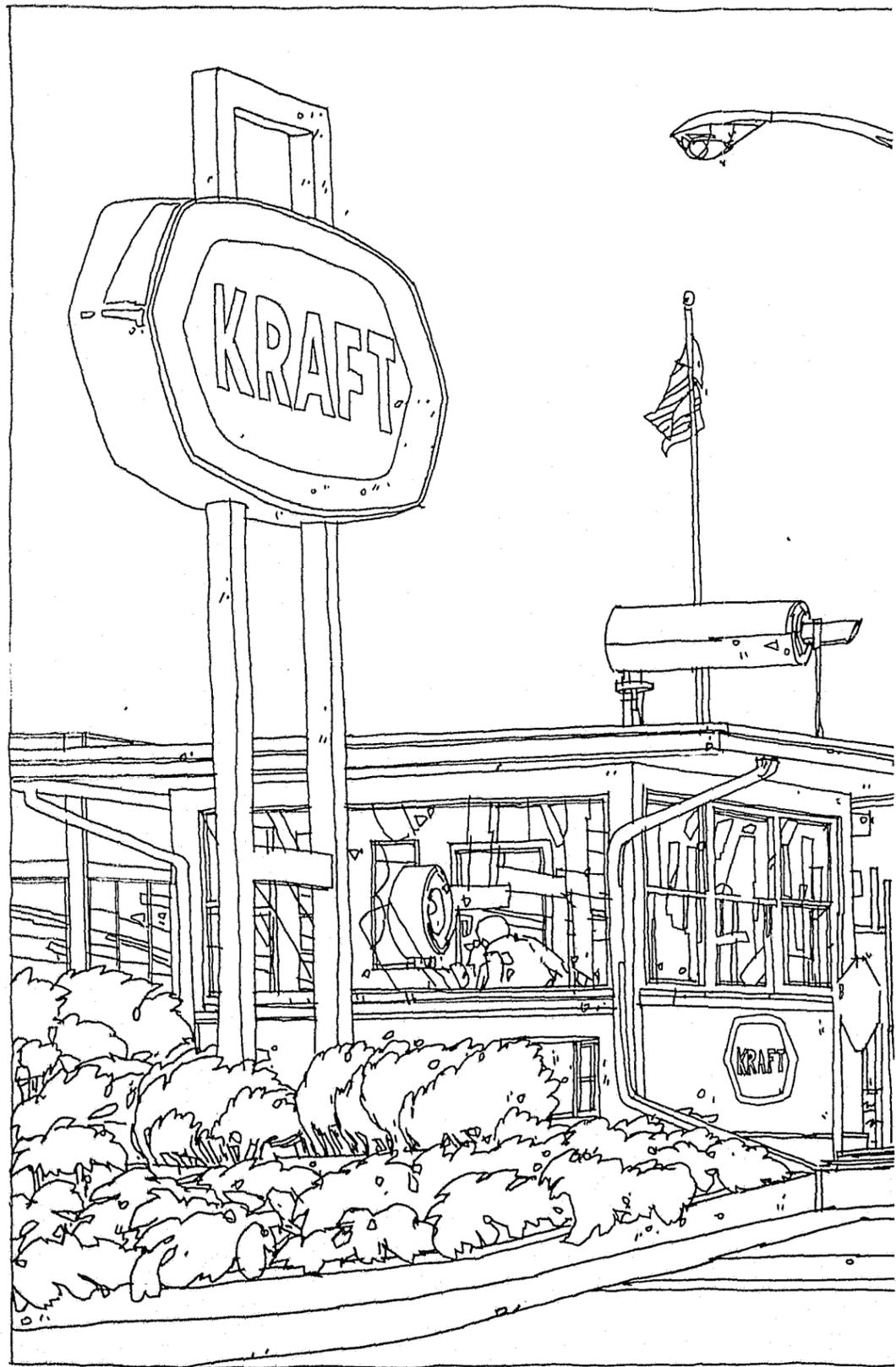
That becomes absolutely critical in relationship with the police. You noticed that there is a hotline in their control center going directly to the Alexandria police headquarters. Before a call goes into the police, the school's security people have verified it and are virtually certain that this is an actual breaking and entering and not a false alarm. The police will respond immediately, confident that it is not a false alarm. Furthermore, they know where the intrusion is likely to be. The Alexandria police have specially trained dogs to locate those inside the buildings for even if they know the building's layout, it is still difficult to locate intruders.

Today, several police departments around the country now which have what they call "computer assistant dispatch" where, when a call comes into the station house, the dispatcher immediately cranks it into the computer. The computer tells him which patrol cars are in the area, who is able to respond, who is in service, and who is not.

Data from the Dallas police department indicates that typically ninety-eight percent of the calls received from alarm systems are false.

To give you an idea of the volume of business, that is about forty percent of the total number of calls coming into the Dallas police department. Dallas is working closely with the private security industry to set standards, to improve the quality of maintenance, and to educate its employees in the use of these security systems.

## Environmental Security Committee



That brings us to our next topic, which Michael Barker will discuss--the Private Security Committee of LEAA and its subcommittee.

Essentially, there are three important assets in trying to control crime in this country.

The first one is the criminal justice system — police, courts and corrections.

A second major asset is the private security system. That system has the manpower and the resources of the public security system. In addition, the volume of business and the number of people employed are roughly the same in the private system. Private security plants, residences, commercial areas, and so on.

In some cities — as in Los Angeles — the police will not respond to an alarm turned in by a private security company. Therefore, they have to do their own thing. They have their own patrol forces. Only when there is an absolute eyeball verification of a breaking and entering will the Los Angeles Police Department respond.

That is in direct contrast, for example, with Dallas or the Alexandria schools, where they have a very close working relationship.

However, the private security business is a big business, and one we are interested in improving. The Private Security Committee has a special mission to set standards for the improvement and the professionalization of the private security force.

But in the final analysis, and this is my third

point. Security forces are almost totally dependent on the public itself.

The environmental aspects are one dimension of how the public can assist in preventing and reducing crime.

Let us hear about the work that is now being done with regard to now in environmental design in the context of the Private Security Advisory Committee.

MR. BARKER: We used to be called the Defensible Space Committee but we got tired of paying Oscar Newman royalties every time we mentioned the name of our Committee. Therefore, we opted

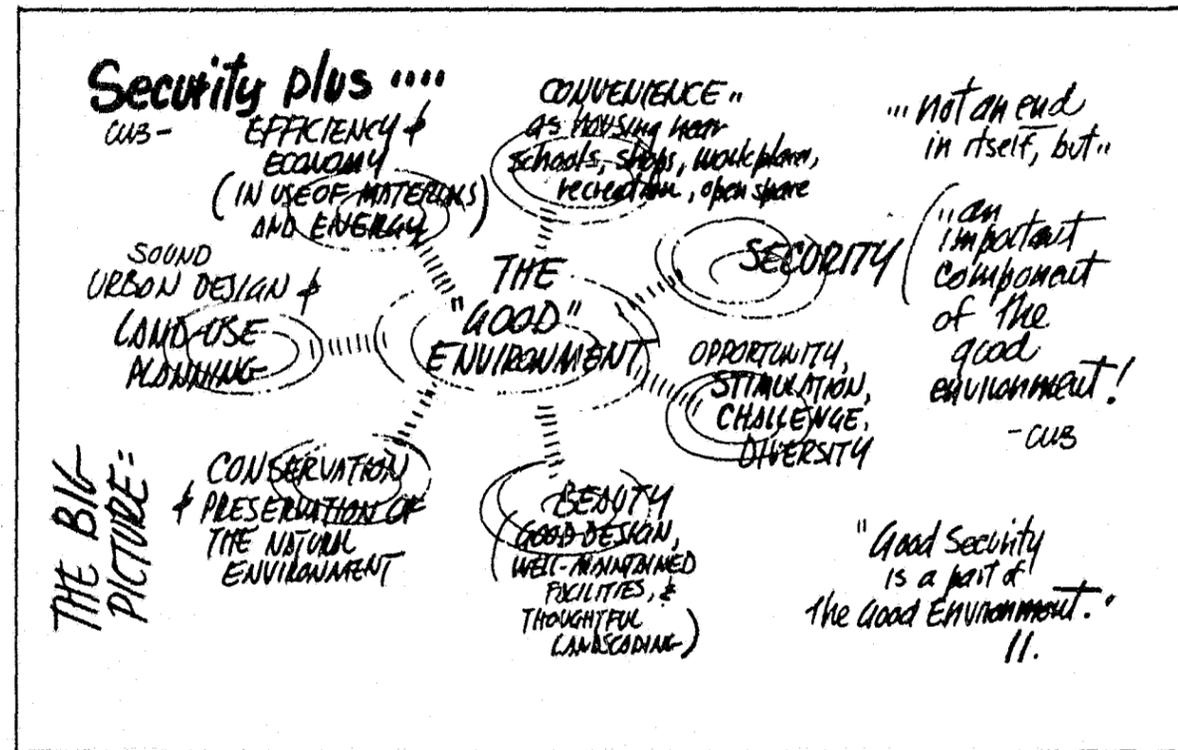
ware systems.

I would like to tell you a little bit about those five projects we have going.

Let me also say that this Committee is not composed of what you would call "true believers". In fact, there is a great diversity of opinion in the Committee about the defensible space concept and its application.

I think it is a healthy skepticism. A lot of people think it is a very, very valid concept and other people feel that there are some questions to it.

The first thing that we are going to try to do is to do what we call an "assessment of the defensible



to change it to Environmental Security.

It is a small Committee of about twelve people. They are good wise men rather than being experts and specially technical.

Like all committees, we have divided into subcommittees to try to get some work done, each one of those subcommittees having a special project.

I guess the major product that we will come out with will be a report, which is another very common thing: every committee has to have a report or several reports even.

These reports will feed into the process of advising state and local government about the defensible space concept but, even more broadly than that, the full question of environmental security where physical environment interacts with the soft-

space concept", which is like a technology assessment. We feel that we want to look at this in four major areas. First of all, we want to examine the technology of security design.

What are we talking about when we mean "security design"?

What is it? Oscar Newman mentioned some of these things this morning in connection with residential areas. However, we also have industrial and commercial uses, recreational uses, and other kinds of situations.

We really want to look at what the technology is.

Secondly, we want to look at how that technology can be applied by land use I guess you could

say.

Then, we want to look at social and demographic characteristics associated with those applications by those land uses.

Finally, we want to do this in an interim process. We want to look at this kind of a process over a period of time.

This is all quite complicated. We decided that what we wanted to try to create was a four or five dimensional matrix with its interrelationships.

We produced one report so far with the assistance of the New England Bureau of Criminal Justice. We have a few of these reports around. It is starting to set up a methodology for relating these four dimensions to each other.

We are very interested in the secondary effects and conflicting objectives in the defensible space notion.

For example, we see that there are obvious conflicts between fire safety and security. The new AIA headquarters building is a tremendous example of that where fire safety has caused an immediate conflict with security in terms of the stairwells.

Also, there is a conflict with esthetics. We hear people saying all the landscaping should be taken out. Landscape architects would not share that view all the time.

We are also going to look at the aspects of defensible space when it comes to scale.

Oscar Newman mentioned this morning the idea of the suburban territoriality.

On the metropolitan scale, we do have defensible space. The white middle class has simple fled the cities and moved out and staked out a territory to achieve safety and to achieve an environment that they feel relatively comfortable in.

The question is, is this territoriality which breeds exclusionary zoning and other kinds of exclusionary things which are being challenged in the courts today, a realistic application of defensible space in the metropolitan scale?

I don't know. We are going to take a look at that. We are going to look at the various scales in which you can apply this concept because we don't want to be true believers without looking at the thing skeptically with the sense of perspective.

We are also going to look at the cost and benefits. We really want to make a determination whether we can advise local governments or states to get into this thing for certain kinds of application. We want to know what the potential benefits are going to be for potential investments.

I think we are not going to be able to answer all these questions in a Committee. We are not funded at all except for maybe some incidental expenses.

I believe we are really going to pose the questions and try to pick your brains as much as we can to come up with our report.

In fact, as I said, this is not a consulting team,

this is really a group of people examining the information available to try to come up with the best advice we can for state and local governments.

That is one of the big things we are into: the assessment of the defensible space concept.

The second one that we are into is the involvement of industry. What do I mean by industry? We have to define what we mean by industry. We think that it is those agencies, firms, and individuals who create a built environment or have a role in creating the built environment.

We are going to be interested to see what aspects of the concepts of defensible space or environmental security appeal to the various actors that produce that built environment.

Then, we are going to attempt to convince them that in terms of economics, esthetics, or marketability, it makes a lot of sense.

In other words, we are trying to make sensible arguments for this concept if we can.

After that, we are going to try to design a strategy to lay out a means of communicating with the industry. We will do this through conferences, publications, media exposure, and that kind of thing: an information program for the industry, in other words.

Our third concern is to develop public awareness. This is really client development in a way. Of course, the industry one is also client development in a way also.

We are going to take a look at how we can bring about an increase in the public's consciousness of environmental security. But, again, we don't want this to be some situation where we are just trying to gerd the wealthy and those who have choices in the system against those who don't.

We see our clientele as not only being the suburbanites who are worried about crime in their own area but the inner city people coming out who are interested — the rich and the poor, all across the board. We are not going to try to focus this just on the inner city and core situation.

We are going to look for citizens participation and the use of media and the institutionalization at the local level of public awareness.

How can you institutionalize this so that it will be an ongoing process?

John O'Neil is chairman of that subcommittee and he is the Director of Security for the Mount Sinai Hospital.

The fourth program we are into is an idea thrown out by George Wrenn who, you might remember, was Oscar Newman's partner in the defensible space concept way at the beginning in 1969. He has already completed an initial paper on this security impact statement idea.

We have environmental impact statements. There might be some validity to security impact statements, but there was considerable discussion

at the last Committee meeting — incidentally, there have only been three Committee meetings: we are just getting organized — about the political implications of this kind of thing, also.

You know, you start talking about welfare families and, as in the discussion this morning, almost equating them with crime.

So, the question is, how are you going to get some low income housing built for low and middle income people in any place other than the central city, if you are going to start accentuating that potentiality of criminal activity?

We are very interested on how that impact statement will work and the level of institutionalization it might have.

Incidentally, the General Services Administration is already starting a program of security impact statements. It is very interesting. They are not institutionalizing it to the point where it becomes political.

However, they are examining security implications in new buildings that they are building. Bob Dircks, who is on the Committee, is in charge of the security program at GSA. So, he is helping us out on that. We are using that as kind of a test case.

The final program we are into is something that our developer member, Howard Weaver, who is here, is chairing. It is called the "Homeowners' Security Certificate" for lack of a better name.

This is based on the concept that the home builders have come up with a warrantee for a dwelling. We discovered that for about two dollars per thousand, a homeowner can get a warrantee for the dwelling unit that he buys for ten years against all defects. It is rather interesting. It gets the architects off the hook for liability and it puts it on the insurance company which may not be too bad.

Anyway, we are thinking about taking a retrofit unit or a new unit and trying to apply the same kind of certification with respect to security.

We are thinking that we might be able to — if a unit meets certain environmental standards, that is, not only the unit itself in terms of how big the locks are but how well the windows are protected and that kind of thing — certify a unit in terms of its immediate environment and the controllable factors which are physical. An insurance company would guarantee a person against losses or bodily injury or things like that for a period of time, and it could be renewed.

We are looking into that and will come to grips with that at our next meeting.

I have to say that we have five interesting areas which, I believe, are worth exploring.

If there are other areas which you think we should be exploring, we would like to know about that. Again, we are not doing research. We are trying to gather what is available and see if there is enough there so that we can make some sensible

statements to state and local governments regarding this whole concept of environmental security.

That is really all I have to say.

May I just add this though. In AIA we have a Committee of Architecture for Justice.

We were talking to the members of that Committee last night, as a matter of fact, regarding this whole environmental security situation. So far, the Committee — the standing Committee on Environment and Design — has focused primarily on justice facilities as a building type and has not gotten into the question of environmental security.

The fact that we are having this meeting here will, I believe, be a tremendous stimulus to that Committee because there are several members of that Committee here today.

As far as the Institute goes, I happen to be on the Institute's staff and I am the Chairman of this Committee in the PSAE. There is another architect on this Committee. He is George Rand, who is professor of architecture.

There is no formal linkage I would say of that Committee with the work of our standing Committee except that I hope that our standing Committee gets into that and, after we make our report and we are finished, I believe our Committee should end.

If we could be out of business in about a year and make a statement, that would be fine.

Let the standing Committee of AIA get into this field and work very closely with LEAA in the future.

So, I see our role as a catalyst with respect to our organization.

MR. VELDE: Now let us break into our small group discussions.

## Law Enforcement Standard Laboratory

## MISSION OF LESL

TO CONDUCT RESEARCH ACTIVITIES TO DEVELOP  
NATIONAL VOLUNTARY PERFORMANCE STANDARDS  
TO ASSIST LAW ENFORCEMENT AGENCIES IN THEIR  
SELECTION AND PROCUREMENT OF EQUIPMENT.

## PROGRAM AREAS

COMMUNICATIONS SYSTEMS  
SECURITY SYSTEMS  
INVESTIGATIVE AIDS  
WEAPONS  
PROTECTIVE EQUIPMENT  
VEHICLES  
EMERGENCY EQUIPMENT  
CLOTHING

CENTER FOR BUILDING TECHNOLOGY		SAMPLE DATA	
		ATTACK METHODS	
	DOOR		PERCENT
	PRYING		42
	ATTACKING LOCK		17
	LOIDING		16
	DIRECT IMPACT		11
	PICKING LOCK		6
	PASSKEY		4
	OPEN DOOR		4
	WINDOW		
	BREAKING GLASS		37
	LOIDING		21
	PRYING		16
	CUTTING GLASS		13
	OPEN WINDOW		13

SOURCE: PATTERNS OF RESIDENTIAL CRIME URBAN SYSTEMS RESEARCH, INC.

MR. ELIASON: Very briefly, the Law Enforcement Standard Laboratory was established within the National Bureau of Standards in 1971 through an inter-agency agreement between the Department of Justice and the Department of Commerce.

We are a program management office directing the members of the technical staff throughout the National Bureau of Standards. They are assigned to a specific development task on the basis of their technical capability. We make the entire resources of the Bureau available to the National Institute of Law Enforcement and Criminal Justice.

(Slide) The mission as given is amply stated here. The one thing I want to call your attention to is the fact that we develop performance standards, not design standards. In so doing, by identifying the parameters which are critical to the way in which a piece of equipment does the job, you don't restrict the manufacturer in any manner.

(Slide) This is only in terms of giving you an idea of the breadth of the program.

That blue magazine which was on your desk yesterday will serve to give you an overview of each of the program areas. It is at your disposal.

You have a copy of the current LESL publication list. If there are any documents that you find interesting and that you don't have, we will be more than happy to send you a copy.

(Slide) The losses to burglary totaled more than \$850 million in 1973. Five hundred and fifty were from residences. The point of entry is the door in approximately two thirds of all incidents. The burglary rate for the suburban areas is twice that of the rural areas. The urban rate is twice that of the suburban.

The security requirements, then, vary both with the location and with the type of property that you are trying to protect.

The physical security of a door — an entry door system — depends upon the total system which includes the lock, door hinges, jamb, strike, and the surrounding wall.

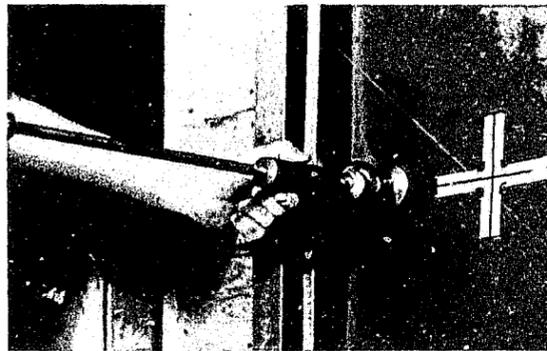
Each component must be properly matched to the others. The best lock in the world is useless if the door itself is easily violated.

The final draft of the performance standard for the physical security of a door assembly, and its components will be submitted to LEAA this month for approval and ultimate promulgation.

That standard specifies performance requirements for four levels of security. The requirements are directed primarily toward residences and some small businesses.

In getting into the program we started by analyzing all of the statistics available to determine the methods of attack used, the frequency, and the types of tools.

(Slide) At that point, we went into the laboratory, we set up doors, instrumented them, per-



formed all of the various attack methods to determine just what kind of forces were imposed on a door in a real situation.

(Slide) The hammer is surprisingly effective.

(Slide) That is a technique many of you from the bigger cities have probably hear of; it is the dent puller. It does a beautiful job of extracting the cylinder. Once you have it out, you have direct access to the place.

(Series of slides) By far the most common attack as far as entry is concerned is jimmying the door assembly and, of course, the credit card trick is quite frequently used.

Once we had gone through that, we set up our test methods, which were geared toward something that was not only inexpensive but something that would be very reproducible by any laboratory throughout the country.

(Slide) This particular test is used to evaluate the door at three points including the jamb strike location.

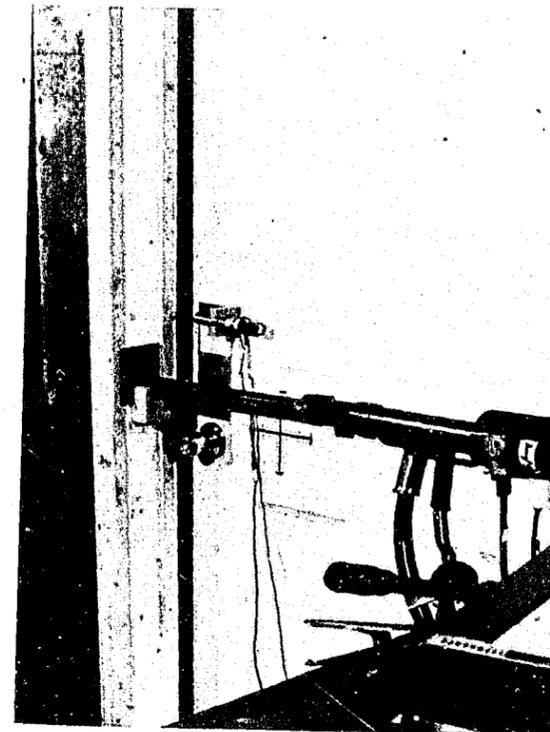
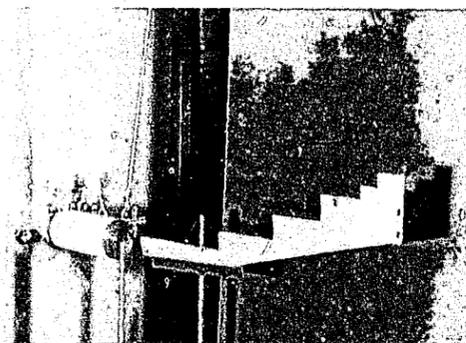
We do check the knob itself and certain types of locks for hammer resistance.

(Slide) That is one blow, gentlemen. That is equivalent to what you can do with a carpenter's hammer, with one blow swinging, as fast as you can. That is with a sixteen ounce hammer.

(Slide) The key in the knob lock is extremely vulnerable. It is made interchangeable from an intentional standpoint so that the builder can easily swap cylinders around from lock to lock when he is constructing. It takes little more than a penknife in most cases to get one out. Of course, we do provide test methods to see how strong the lock is for that type of attack.

(Slide) As far as the jimmying is concerned, both it and the use of an automobile jack or other spreading technique are covered by the same test which is effectively measuring the force to spread the door jamb apart either three eights or half of an inch, depending on the level of security involved.

(Slide) The two lowest levels of security that we have identified are really directed to combatting the real crimes of opportunity by the unskilled-type



burglar while the two highest classes take care of the semi-skilled burglar who starts to use a few specialized tools.

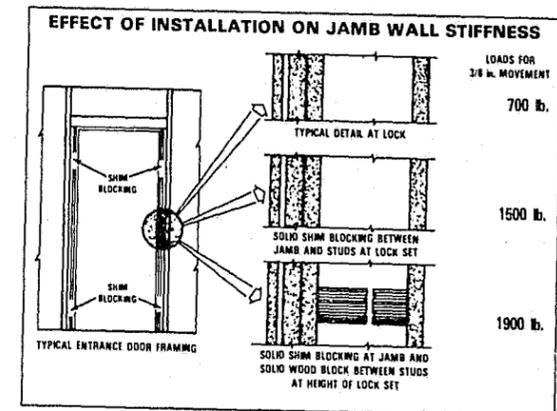
Basically, the standard as it is presently constituted addresses about eighty-five percent of the attacks as we know them today.

Adequate door security — a rare occurrence in present day construction — does not have to be unduly expensive. Many of the deficiencies can be eliminated by exercising care in the construction. Others are simply a matter of recognizing the weaknesses in the system and selecting appropriate components.

The jamb installation is a prime example.

(Slide) On your left you have the typical section where a prehung door is put into the rough opening, shimmed out, and as long as it is plumb, that is all you care about.

You have a nice void in there. You can simply add one little piece of scrap lumber directly behind the strike and directly behind the opposing hinge,



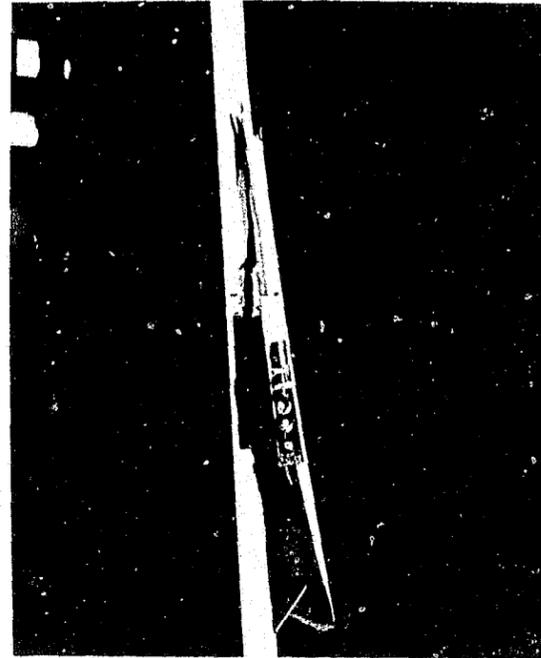
and thus, you double the resistance to the jimmying or to the spreading attack. If you pick up a couple of lousy pieces of scrap two-by-four and put them on either side of the first two entry studs, you add another four hundred pounds of spreading resistance.

To put it into perspective this 1900 pounds is slightly below what we consider a Class 2 security. We go up to roughly 5,000 pounds at the Class 4.

(Slide) The strike plate is another example. When you take a look at the left view, you have a typical installation using a little bitty plate, and a couple of short screws. The only thing that you are doing is inviting that strike plate to be ripped out; if somebody does kick the door or impacts it.

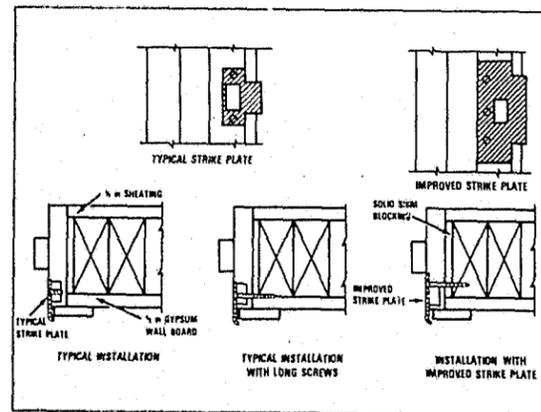
You can go to a longer screw, which helps, but it is nowhere near the solution.

What you need to do is go to a strike plate that will distribute the load more adequately over a larger bearing area on your jamb, and then try to set your screws far enough back in so they actually go through your shimming and into your studs. If you do this, you will find that the lock will fail be-



fore the strike or the jamb, in most cases.

(Slide) This is a picture showing you that you have got to match your components. This particular lock is a pretty good mortise lock. If it had been installed in a metal door or in a different type of door, it would have done a fine job. In this case, you make the mistake of figuring that a lock is all you need, you will find that the mortise has weak-



ened the door sufficiently so that a single blow will just tear the lock right out of the door.

That is basically it. I didn't want to take too much of your time, but I thought you might find this interesting.

MR. MOYER: In this project are there other assemblies being tested besides doors and locks such as wall construction?

MR. ELIASON: You have to consider the adjoining wall.

MR. MOYER: Are these being tested?

MR. ELIASON: We really have not gotten into that.

In any of the standards that we have developed, we are currently looking at some eighty products, there is no way that we are able to carry these things all the way to the final point of actually certifying or testing individual products.

Once we have defined the problem and the performance parameters which we need to for the establishment of that standard, the document is prepared and LEAA issues it as a voluntary standard.

We found that a surprising number of manufacturers are already taking advantage of the standards, such as the switch standard which you have there. Even though they are voluntary in nature, I personally know of three manufacturers who are quoting purchase orders to the standards. They say the standards are tough and the customers do feel that they give them the reliability needed.

Not to interfere with Mr. Velde's continuing presentation here, I thought I would pass these around to give you some idea of what you run into.

These are identical dead bolts. The same manufacturer made them. In one case, it performs as it should, in the other case, there is no protection at all.

This is the most dramatic thing that I can show you in terms of what you are up against.

Any time a door assembly is put together, you ought to take a minute and see if you have a piece of hardware in there that works, because it may not.

MR. VELDE: It is surprising how many houses have these locks since it is easy for the builder to match keys with doors during the construction process. It is a lock on a door, and that is all it is. You still find these fifteen cent spring-type locks on the windows which do not even give the bad guys a momentary pause before entering.

Let us move into the reports. I think we will have to limit them to about forty minutes per report.

Let us start in logical order with Group I and its Chairman, Mr. Pistler.



MR. PISTLER: Our Group I had the responsibility to look at the purpose of various kinds of facilities and the nature of the environment they produce with respect to control of criminal activity.

The report that I want to give you is not a literal recitation of what took place in our discussion, which was random in nature and ranged over many different topics. I have tried to regroup things to make it more sensible, to the extent time has permitted. I think these comments will give you a fair idea of what went on, and make some sense in any event.

We talked about the probability of criminal events with respect to the attention they should get from an environmental standpoint. We separated the idea of random catastrophic events from the sort of routine criminal acts which we are really more concerned with. Things such as the vandalizing of buildings' environments, for example, and the use of built environment to facilitate criminal acts against persons, as well as the use of built environment as a location for theft; all these things concerned us.

We came to the conclusion that the trade-offs with respect to occasional catastrophic events was generally not worth trying to protect against — things such as structural sabotage by the Weathermen underground or something of that sort — unless you could detect a pattern such as with aircraft hijacking, in which event suitable steps could be taken to set up deterrents.

We noted that the design of built environment can aid in crowd control and in the avoidance of mass disorders. We mentioned in passing Haussmann's plan for Paris and his deliberate arrangement of streets to control crowds. Also, we know that good public facilities — auditoriums, stadiums, and so forth — are designed in such a way as to improve crowd control.

We noticed, however, that there are many other kinds of methods that are not architectural for control of crowds. Mention was made of horse-mounted police, control of water supply at large

# Re = Purpose of Facility and Nature of Environment

Group 1

Bill Pistler, chmn.  
Wm. Frye  
Maurice Payne  
Wm. Switzer

Lowell Davis  
David Deinaud  
Rick Conklin  
Thomas Tucker  
Irving Slott

- Architecture and planning of spaces influences crowd control & security.

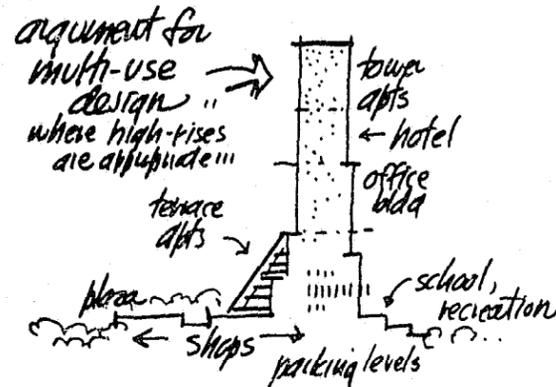
- Visual access extends the zone of control inside and outside to both private & public spaces



(Jane Jacobs' message 10 yrs ago - many eyes on the street creates a safe street)

- Round-the-clock activity increases safety →

shopping surveillance & security " "how can design of shops help?"



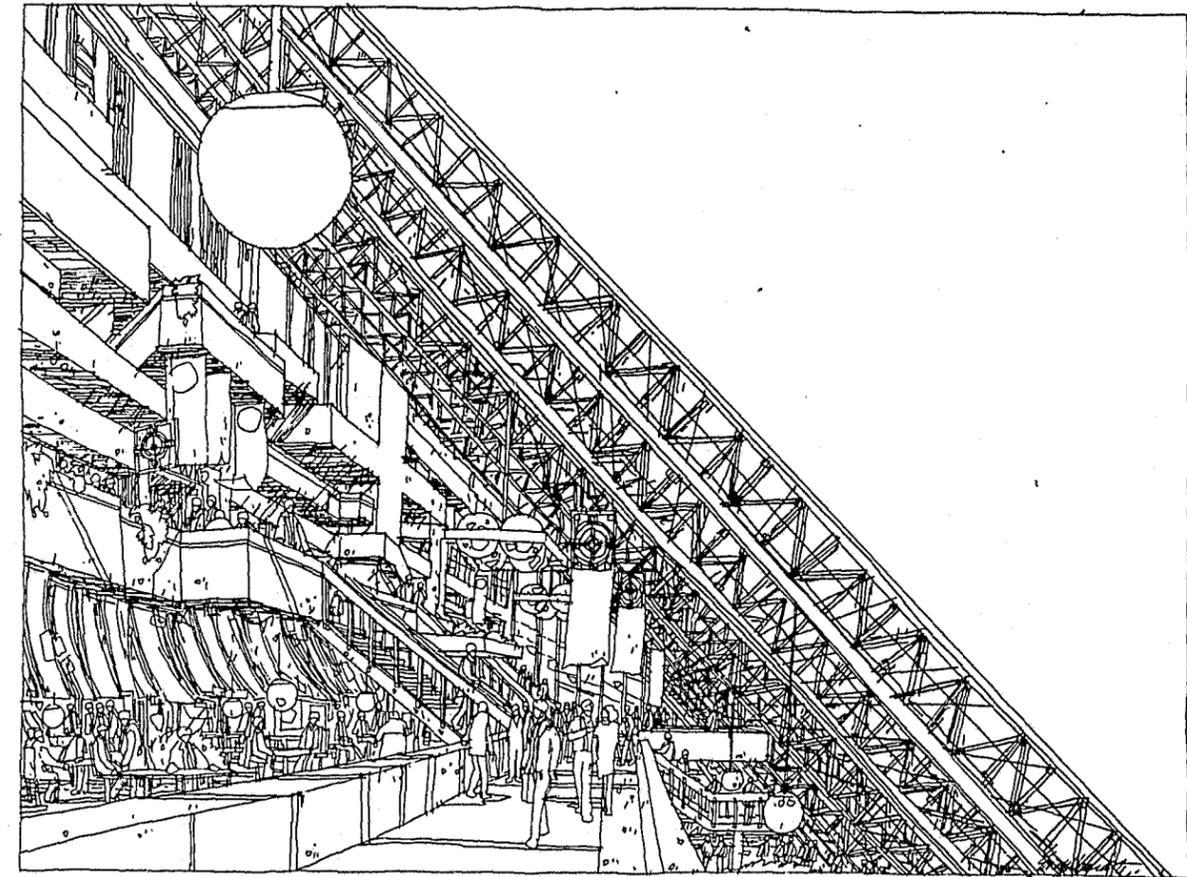
note = high-rise design does limit number of entrances = better security?

- Design quality as a deterrent to vandalism ...

especially with good maintenance "

(if graffiti is promptly removed, clean surfaces will tend to stay that way.)

finally " vandalism is often by bored youth " "so good recreation programs, neighborhood spirit, civic pride are essential needs."



group gatherings, in other words, techniques for control that are not architectural in nature.

Turning to the more routine kinds of criminal acts, we went over the list of building types which had been given to us and added some more which we felt, were also susceptible to this kind of thing.

I will just run quickly through the whole list. It is pretty much a laundry list of every kind of building, but I want to ask you to think for an instant about each one of these points and see if you agree. In each instance, there is a possibility for some kind of criminal activity to take place. The list includes schools, offices, hospitals, hotels, homes, multi-family dwellings, factories, recreational facilities, playgrounds and parks, transportation terminals and (we added) parking garages, filling stations, shopping facilities and shopping streets, churches, urban spaces of various kinds, multi-use facilities where several different categories of activity occur, and public buildings and institutions.

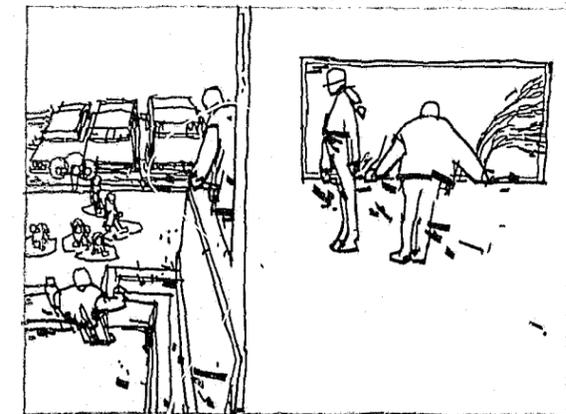
Having gone through this list of building types, we came to the conclusion that there was not much point in trying to make a definitive list of design techniques to use in each individual one.

Rather, we surfaced the notion that in all likeli-

hood the same basic deterrent concepts would apply in every case.

The most significant deterrent concept which emerged from the entire discussion and which was involved in many of the specific remedies we talked about was the notion of visual access.

Oscar Newman's concept of defensible space seems to be firmly rooted in the idea of being able to extend the zone of control by means of visual access. This obviously has many specific applications-



whether it is open windows, or corridors without nooks and crannies, landscaping that is not such that it offers opportunities of concealment, and so forth.

There are some problems where conflict occurs between visual access and other design goals, such as privacy and, perhaps in some cases, esthetic concerns. For example, there are obviously opportunities for an arcade such as this one to my left to provide places for people to lurk. I don't know if we can ever completely do away with such opportunities without emasculating the quality of environmental esthetics. So, there are some tradeoffs there. I don't think we can do anymore than observe that this is a fact of life and that it has to be dealt with on a case-by-case basis.

The privacy problem relates to places like toilet rooms, bedrooms, worship spaces, or sick rooms where, for obvious reasons, visual access is not appropriate. We did think that there is a possibility of using audio access or audio surveillance as an alternative in situations like that. It may not be suitable in every instance but in many it might be a good substitute.

We saw some value in cul-de-sacs inside and outside of buildings, as long as there is visual access into the cul-de-sac, because it minimizes the opportunities for escape. A criminal has nowhere to run in that kind of situation. As long as you cannot be surprised by him there is a design technique here which can be useful.

On the other hand, in a situation like a public wash room multiple entrances and exits are desirable from the standpoint that they increase the opportunity for victims to escape and the likelihood of unexpected visitors to enter, so that it becomes difficult for one or two criminals to take over a room and control it. That might be a design technique which could be generally applied in public facilities.

We observed that the duration of use of a facility is an important factor in its safety. Places which are used around the clock are obviously safer than those which at many times of day are not used.

This would suggest that combining activities so as to put high use next to low use, or put day-use activity next to night-use activity — if that is possible — would provide some level of activity in an area day and night and thereby increase safety.

Clearly, this would apply to urban design problems. It could also apply to multi-use facilities. In fact, it might be another argument for encouraging the multiple use of facilities.

For example, the Federal Government has recently, through GSA, developed a report suggesting a greater use of ground floor space in public office buildings for commercial purposes. That would be quite an unusual breakthrough in the use of Federal buildings and one which might in favor-

able circumstances improve safety by having night time activities in those buildings, where presently there usually isn't any.

We observed that the movement of people from buildings to various modes of transportation involves a significantly high degree of risk to personal safety. Parking lots, streets between office buildings and transit stations, and the like, seem to emerge as especially risky situations, so that in designing buildings and groups of buildings it seems important to try to overcome such problems by providing especially well-lit or well-controlled pathways, and minimum distances for the linkages between the buildings and the modes of transportation.

We noted that metal detection devices, such as those which are used in the air terminals with great success now, would also be effective, and rather readily available on the market, as a means to control the entry into any kind of building of persons bearing weapons. This might be a way to control armed robbery of stores and banks and the like.

I discovered recently a clothing store where a small plastic disc was attached to the pants cuff of every suit in the house. A magnetic implant in each disc assured that this clothing could not go out through the front door without tripping an alarm device.

So, there are these kinds of electronic tools, which it is possible to integrate into the building design so that they are much less offensive than when just standing out in the open as they so frequently are in the air terminals. Also, there must be concern about the number of exits and entrances and their control which one designs into a facility where such control devices are desired.

We thought quite a bit about shoplifting and employee theft, which evidently is just as important as theft by visitors. There seems to be a dichotomy in stores between convenience for customers and security. Some kind of compromise has to be struck between the two. In many cases this means that perfect security will not be possible, but there are some remedies that might help.

It appears that getting stolen goods from where it has been stored to an automobile is an important part of the technique of stealing from cargo areas or from the stores. If we can find ways to design some surveillance areas between the two, that will be helpful. We talked about such possibilities as a piece of moving sidewalk between the store and the parking garage or parking lot which would get people lined up one at a time and provide an opportunity for visual surveillance or mechanical or electronic detection as appropriate without overly inconveniencing the customers.

It was mentioned that the old-fashioned catwalk or post office surveillance technique is beginning to get renewed interest on the part of some

security people because it is a direct random kind of visual surveillance and something that is very much recognized and feared by thieves. With regard to cost and appearance, this is one where we just have to strike an appropriate compromise.

It was observed that the atrium hotel — the Regency kind — has significantly reduced theft in hotel rooms because the visual access to the room doors from all parts of the atrium is a deterrent.

The problem of low buildings was mentioned. It is so easy to get up on the roof of low buildings, and access to the interior through the roof is usually quite simple. That is certainly one that we architects could pretty readily cope with if we thought about it. I am sure that there are practical ways to target-harden the roofs of buildings if we choose to do it.

Again, in landscaping, avoiding low planting which provide hiding places along paths of movement is an important element.

We talked about security during building construction as a special kind of problem in crime control. We noted that, under the present system, the cost of insurance against theft is borne by the owner, which does not really provide much incentive to the builder to avoid insecure building sites: watchmen, fencing, and the like.

An observation was made that security police are often not effective in protecting building sites just because of the kind of people who are used and who generally are unable to cope with the kind of situation that exists on a building site.

We also discussed the effect of design quality as a deterrent against vandalism. The idea that many of us harbor deep in our heart is that if we do a good enough job of design it will be so widely recognized and so widely respected by every citizen that no vandalism will take place. I guess we have all been disabused of that in one way or another over the years of our experience.

However, the idea is not without foundation and it would seem that the necessary remedy is to combine design quality with a very high level of maintenance so that there is no deterioration of that quality. If minor vandalism is quickly corrected and if the design is one that allows for quick correction, then apparently vandalism will not feed on itself. One act of vandalism will not encourage another. I am sure that this could apply to any building, even one poorly designed, but the combination of a visually delightful place and a high level of maintenance is the best deterrent to vandalism.

It seems to me that good maintenance suggests the avoidance of highly specialized kinds of hardware and equipment which, if broken (and I guess almost any of it can be broken) would be difficult to replace and therefore discouraging to a building owner, particularly to a public building owner

where the bureaucratic apparatus for replacing broken parts is probably complicated. It would be better not to complicate that sort of problem with hard-to-obtain parts.

It was mentioned here the other day that there is a fifty year supply of light bulbs for this building because they were special light bulbs. I guess that is one way to solve the problem. However, for most of us it is not going to work that way. Owners are not going to do it. So, it would be better for us to choose things that can be readily replaced.

Lastly, with respect to design as a deterrent, including in the design random opportunities for recreation seems to be an effective way to avoid vandalism. Most vandalism occurs, we learned, from juveniles who do not have anything else to do. If the schoolyard is open, if there is an evening recreation program in the gym, or, as someone suggested, if the wall of the highway abutment is provided with a little extra treatment for use as a handball back stop, then young people are more apt to have something to do and are less apt to be sitting around idle to think of vandalism.

That pretty well wraps up our investigation and discussion. Certainly, we found that the entire period here was revealing and informative, and I imagine that there will be a good deal of overlap between this report and those to follow. So, it's time for me to sit down and listen to what the others have to say. Thank you.

MR. VELDE. Are there any comments, additions, or exceptions, to Mr. Pistler's report?

I noticed a rather damning indictment of contractors and builders. I don't know if a representative wants to stand up or not.

This question of building tight security is pretty significant. The owner and/or his insurance company sustain losses. Yet, it is a site that is controlled by the builder.

A couple of years ago, we had a major program concerning the structure's site security with one of the builder's groups. We developed a set of security devices. I cannot remember which group it was, but they had some specialized problems. We were able to procure some portable sensing equipment and devices that could readily be placed around the perimeter of the construction site. It seemed to work reasonably well in solving that one particular set of problems.

However, I have the feeling that we just got into the subject by way of an introduction, and did not do much beyond solving this one limited set of problems.

I cannot recall exactly what it was but it was similar to the construction of oil storage tanks, where you have a large space and a lot of expensive materials. The materials had to be on the site for a considerable period of time and that resulted in a lot of inventory shrinkage.

MR. SLOTT: I would assume that there would be very little insurance coverage for these types of material. The only problem you face is in the sense of inventory of the materials required for the building.

MR. GLASS: Let me straighten out a couple of points. It is not always true that the owner carries the insurance on the project. In many cases, the building is going to be built on speculation, in which case the contractor himself is going to take the risk.

In other cases, the building owner may insist that the contractor carry the risk on a more or less turn key process.

In addition to that, the standard contract requires the builder to carry insurance or the owner to carry insurance against fire and windstorms.

Consequently, theft, burglary, and vandalism will not be normally included unless you so specify. So, there may not be any insurance.

In addition to that, insurance is not that easy to get on a building project where you are covering theft if you happen to be in a high crime area and the builder is not providing proper security. The insurance companies will work diligently based on a high price project to make sure that security is adequate. They will give you a watchman, good sensing devices, and so forth.

MR. HARTRAY: Construction site security is more important than just the economic loss of materials and equipment.

In Chicago, we found that the inability to provide security for relatively small projects is one of the things which puts a great constraint on both rehabilitation and new construction on a scattered site basis.

Most of us who are dealing with urban maintenance and rebuilding recognize that we are never going to solve our urban housing problem by the scorched earth policy of demolition and rebuilding the whole city all at once. Usually we need only two or three new houses to fill in vacant lots between other houses which are viable or which can be rehabilitated.

When you are talking about two or three dwelling units with at least seventy-five feet of frontage on the street in an area where it is likely to become a little wild at night, this can add substantially to your costs because you have to pay the watchman. This can sometimes equal what you pay carpenters and plumbers.

Some technique for providing small site security is a very important point in preventing deterioration of residential or urban neighborhoods and in allowing them to be rebuilt.

MR. PISTLER: In that connection one thing that can be done if there is no union obstacle is to employ neighborhood youngsters to do labor and cleanup work.

You can get a proprietary interest on their part in the project, rather than have them see it as a challenge to their abilities to vandalize. This has been known to work.

MR. LINDSEY: My only experience in this has been with the construction of stations for BART. We had a tremendous amount of excavation in that regard.

Stations were built in two phases to show them a finished product.

In all of our instances there was a sufficient sum of money put into the original contract for the purpose of protecting those stations.

What we found out was that the contractor was not living up to his portion of the contract in that he had received fifteen, twenty, thirty thousand dollars for guards, and so forth, yet, no guards were available on the site.

So, the problem we have was to make him comply with his contractor agreement.

This is a particularly important thing depending on what the social conditions are at the building site.

For example, when we were building in Oakland, we were going through that particular stage when the building sites were surrounded in downtown Oakland by activities revolving around the protests against the selective service and the military.

We had great conflagrations around there. This was about two blocks from downtown Oakland. We had the entire main street covered with timber and nothing holding up those buildings but those steel braces going down about eighty feet into the street. We were greatly concerned that some of these characters would come along there and dump a few gallons of gasoline and start a fire. They had threatened to do so. We would have had all those buildings fall down in our excavation sites.

This is a particularly important thing to watch when you are building subways because the delay of a station in any one particular area could mean holding up the complete operation of that whole eighty-mile system. That can be the result of not having one station built.

So, it is particularly important that the security involved during the building of these continuous building sites for subway stations be followed up to see if the contract is adhered to.

MR. PISTLER: Another problem regarding the security of building sites relates to the general contractor subcontracting to others and the relationship which ensues from that.

The copper pipe may be owned by the mechanical subcontractor. The wires are owned by the electrician. The general contractor who is supposed to be responsible for the security of the building site is really not terribly concerned about the

# CONTINUED

# 1 OF 2