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MONOGRAPH NO. 11

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THE WYOMING COMPREHENSIVE CORRECTIONS PLAN
COMMUNITY BASED CORRECTIONS PROGRAMS

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I. Definitions (from Mono. No. I)

I. INTRODUCTION

In its meeting of December 6, 1976, the Board of Charities and Reform (hereafter BCR), directed that a monograph relative to Community Based Corrections Programs be developed. The monograph should articulate the BCR's Community Based Program (hereafter CBP) policy and synthesize the CBP directions established in the previously prepared Monographs Nos. 1, 3 and 8. The intent and direction should be clear for this most important segment of the corrections continuum.

Community Based Programs (CBP) are not being billed as the panacea for all of the states problems in the habilitation and reintergration of offenders, but they are being advocated more and more by knowledgeable corrections and legislative officials as a part of an over-all corrections process.

For purposes of this position paper, CBP's are generally defined as community oriented programs¹ designed to bring about some change in the individual by using community resources to:

1. Divert minimum custody² offenders from institutionalization, but only after the assessment/reception³ process.

Footnote numbers refer to the definitions in Appendix I.

2. Provide exit programs for minimum custody individuals in the latter stages of confinement prior to parole or release.

It should be noted that community based programs are not limited to the use of jail-like facilities in the conduct of such programs.

It has long been recognized that if any program involving convicted felons is to succeed, control of the individual is absolutely necessary. There should be no such thing as participants "floating", without supervision.

Finally, it is important to cite Monograph No. 1, dealing in part with the planning approach.

"PLANNING APPROACH - The Planning Team believes it is vitally important to confirm the general approach to correctional program and facility planning. The following parameters should be examined by the Board of Charities and Reform for purposes of achieving consensus on what and how the plan should be developed.

1. The primary focus is on that segment of the corrections system which deals with adult male and female felons.
2. Comprehensive planning for the corrections system is interpreted by the Team as not meaning the entire Criminal Justice System. Therefore, the Team does not presume to plan for the "front end" of the system (i.e. courts, law enforcement, county detention and probation) or the "tail end" of the system (i.e. parole).

II. WYOMING CORRECTIONS SYSTEM OVERVIEW

In order to understand part of the proposed Wyoming Corrections System, it is essential to understand the total system and how each part relates through classification to the others. The system is a series of successive steps, starting with the assessment/reception functions; then moving toward eventual release with intermediate steps as determined by classification. This can best be understood by explaining Chart I.

The outer right angular shaded area on the Chart represents the community where the process begins with:

A. Law Enforcement

1. Arrest and/or diversion
2. Arrest and special release while awaiting trial, such as "Release-on-own-Recognizance".
3. Arrest and detention.

B. Courts

1. Not guilty and released back to the community.
2. Guilty, assessed a fine.
3. Guilty and released to the community on probation supervision.
4. Combination of 2 and 3 above.
5. Guilty, and transferred to the State Corrections System.

C. Incarceration (Intake by the State at the Assessment/Reception Unit for work-ups in the following areas:)

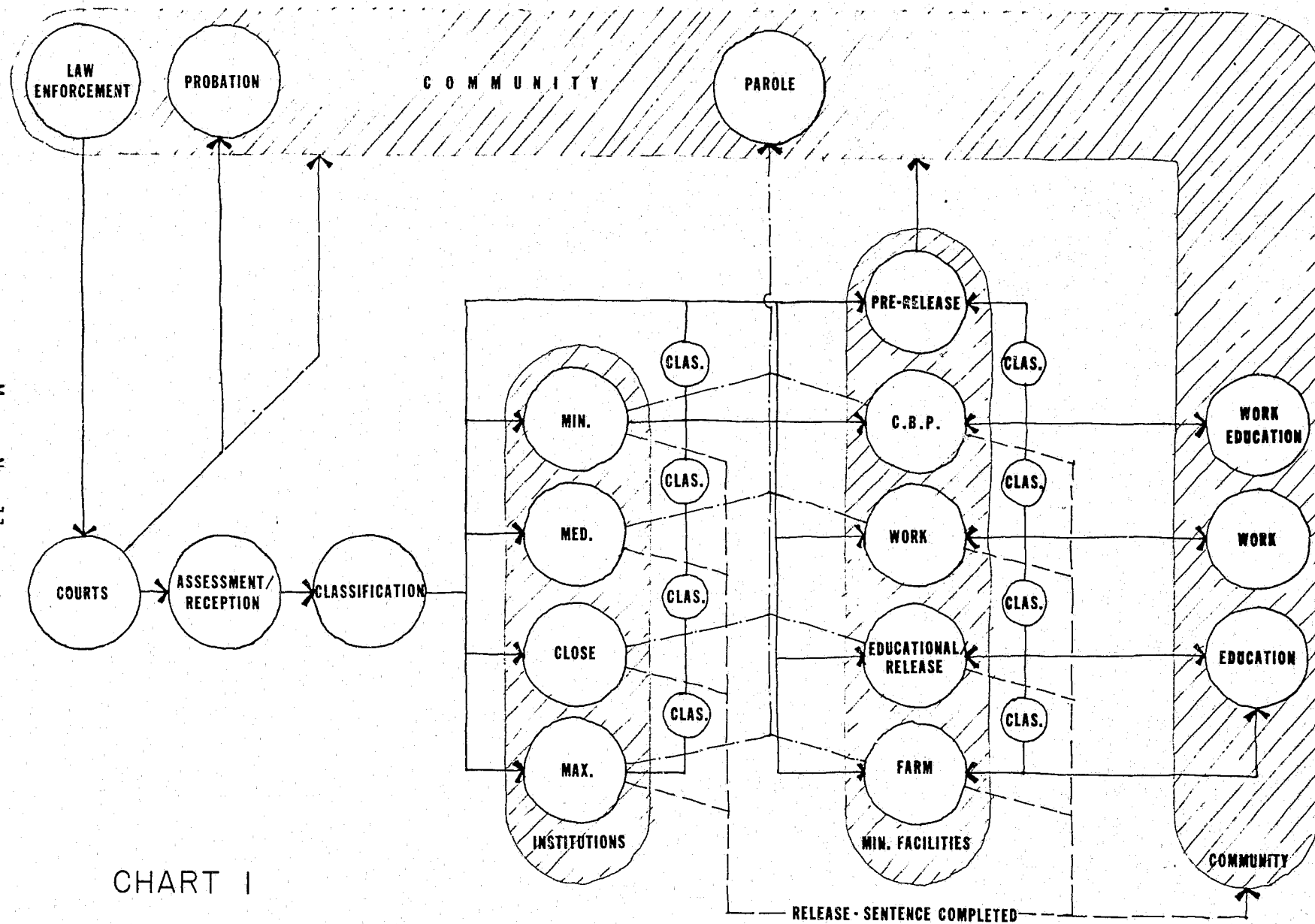


CHART I

1. Sociological
2. Psychological
3. Vocational
4. Educational
5. Medical
6. Religious

D. Development of Classification Summary based upon the information from "C" above. .

E. Classification

1. Appearance before the Assessment/Reception Classification Committee.⁴
2. Determination of inmate program and security needs.
3. Assignment to appropriate program and/or institution.

F. Transfer

1. Maximum⁵ institution with major emphasis on secure housing.
2. Close⁶ institution with major emphasis on industry, minor emphasis on vocational/education.
3. Medium⁷ institution with major emphasis on vocational academic education, minor emphasis on industry.
4. Minimum⁸ facilities such as the WSP Farm, or new core facility supportive services (Trustees).
5. Community based programs, with minimum custody as a prerequisite.

G. Transfer within and between Institutions.

As a person shows positive or negative movement within the institutional system, the person can be moved with the approval of Classification Committee to different

programs within the same institution, or transferred to other institutions. In other words, as a person proves capability in handling more responsibility, the system is capable of accommodating the person. Conversely, if the offender is unable to handle the existing situation, the system can also move the person to a more secure facility and program.

H. Minimum Programs.

When an inmate attains minimum custody either directly from A/R Classification, or through all or part of the institutional "step" system, the inmate then becomes eligible for a number of less secure programs, some of which can be classified as Community Based Programs.

Still referring to Chart I, the minimum facilities are shown as it is planned they would develop. The Chart shows pictorially minimum programs and the facilities' inter-relationship with the community.

Finally, the Chart indicates the felon's eventual release through final discharge, or parole back into the community.

I. Summation

The Wyoming Correctional System will have the capability of moving a convicted felon through and out of the correctional system, and back to society as fast as the individual proves the ability to handle the responsibility of free living, once the legal dictates of

sentence are met. Classification at each stage assures professional decision-making as well as "due process".

III. SELECTION CRITERIA

The selection of candidates for CBP's should be accomplished by a classification process. As stated before, minimum custody status is necessary before consideration can be given. The following items would be weighed by the Classification Committee as reduced custody is being considered:

- A. Past criminal record.
 - 1. Violent crimes.
 - 2. Non-violent crimes.
 - 3. Misdemeanors.
- B. Current crimes.
- C. Institutional adjustment on past and present confinements.
- D. Length of sentence remaining.
- E. Degree of family/friend support.
- F. Program participation on current sentence.
- G. Observations and recommendations of correctional officials and line staff.
- H. Recommendations of work and/or educational supervisors.
- I. Emotional makeup.
- J. Escape history.
- K. Outside resources.
- L. Attitude towards sentence.

IV. Types of Programs

Community Based Programs could be:

A. Work

The inmate works in the community at a regular job for the recognized standard wage, but is housed, on off times, in a controlled situation. A "controlled situation" in this instance and hereinafter, is defined as: "Direct and indirect accountability to authority".

Wages can be used for:

1. Savings accounts.
2. Family or individual needs.
3. Room and board.
4. Restitution, or similar court ordered obligations.
5. A combination of any of the above.

B. Education

The inmate participates in either an academic or vocational education activity within the community and is housed during off-times in a controlled situation. Academic and vocational education can be a continuation of training acquired at an institution, or the start-up of a new program. Its also possible for an offender to work part-time concurrently with attendance in educational programs.

C. Special mental health, alcohol, and drug abuse programs.

Inmates with problems in these specific areas can participate in community programs either on a full-time basis, or part time, as described above. Here, again,

the person is housed in facilities specific to the program during off times and in a controlled situation.

V. Types of Facilities and Staff

The BCR believes as a matter of policy that community based programs should capitalize on pre-existing public and private resources for a wide range of facilities and services. Community based program facilities are seen to be:

A. State community-based program units.

This type of facility would be owned by the State and administered by its corrections staff. To justify the dollar outlay in facilities and staffing, a minimum of 12 participants would be needed. The maximum number would be open ended, but experience shows that if a unit gets much over 25-30 persons, problems start to occur.

Custody in the form of bars and gates is not a consideration, but individual control certainly is. One 24-hour post should be sufficient to handle a 12 person minimum facility. This would also allow a certain amount of both individual and group counseling.

Persons housed in the unit would be expected to do all housekeeping chores, but one inmate would be employed as a cook.

B. Farm

The existing WSP Farm could be termed a partial community based program unit in that some men housed in that facility participate in community programs. This certainly should be continued, and should be considered depending upon the availability of education and employment in the vicinity.

C. Public facilities and programs (contracted)

Wyoming is currently housing men on "work release" at county jails in Natrona, Johnson and Lincoln Counties, (Monograph No. 3, page 8). The WSP pays all or part of the salaries of certain personnel at the jails for the purpose of supervising inmates. While this works as a stop gap measure during the interim, it would be best eventually to move away from using county jail facilities per se for community based housing.

This is not to usurp the valuable contribution of County law enforcement in the CBP decision making process. But so long as the jails are used, contracting for services is a much better approach.

D. Private facilities and programs (contracted)

This type of facility has been used in a number of other states to house a portion of the CBP participants.

Organizations and individuals can develop halfway houses that serve not only state felons involved in CBP, but also county referrals and parolees.

Some private halfway houses offer room and board only, while others offer various programs either general in nature or, in some cases, very specific (alcohol, drugs, etc.).

Usually a contract can be developed based on room and board, however, minimum standards should be developed for space per individual, cleanliness, supervision, nutrition, etc. with periodic inspections to make sure the standards are met. The Cheyenne Goodwill Living Skills Center is a good example.

- E. Specialized halfway houses (state, or privately owned)
- These units deal primarily with drug abuse, alcohol, and mental health programs. They could be state owned or privately contracted. Specialized programs could be full time or part time in connection with a work or training program. It should be recognized that due to the professional help needed in this type of unit, cost per inmate will be higher than standard CBP's.

F. Individual Placement

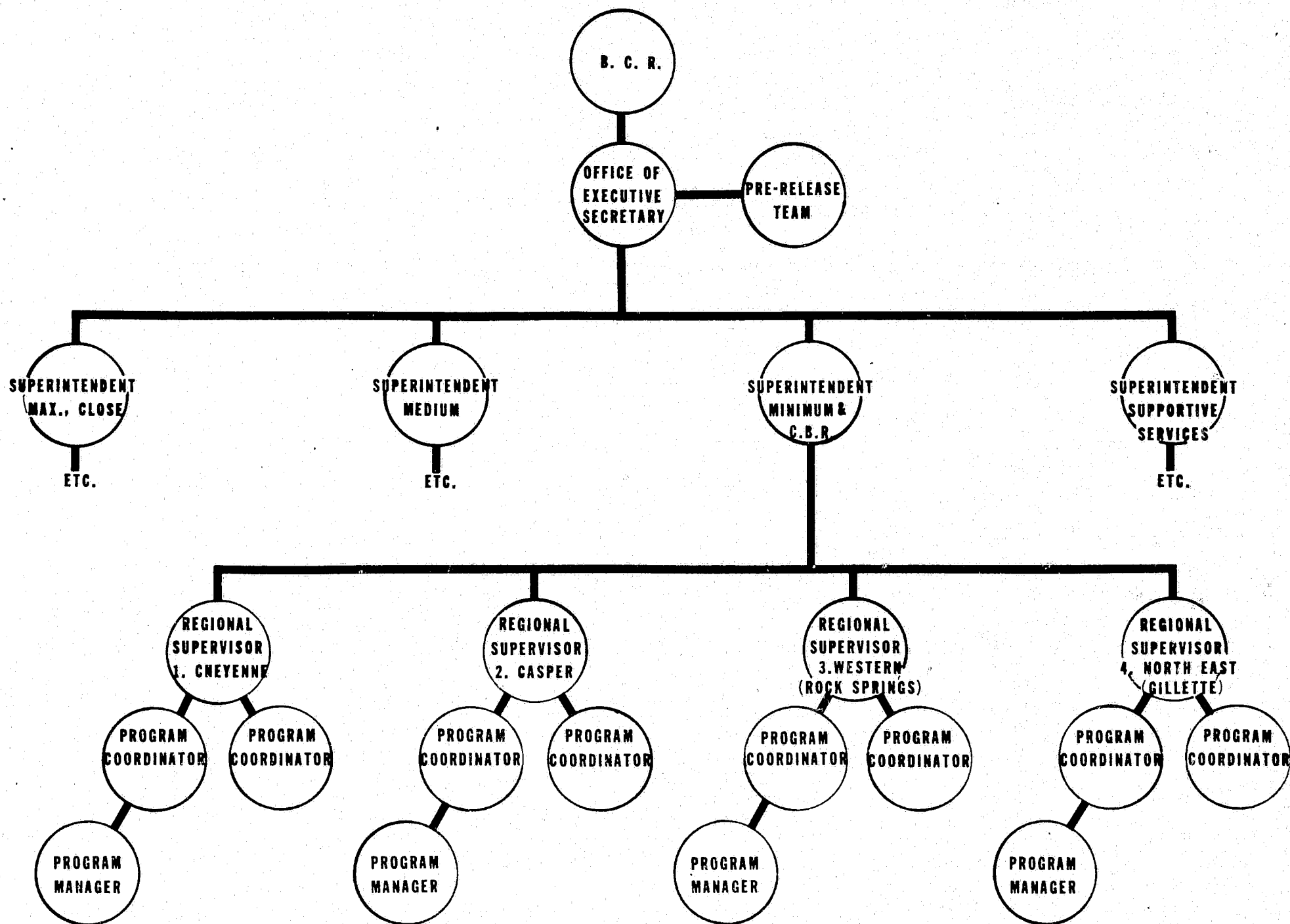
The placement of an individual in a private, approved home under a "proctor" arrangement. For example, a person could be on a work assignment to a remote ranch and the rancher would be designated (after training and/or orientation) as the "Proctor".

VI. LINES OF AUTHORITY AND STAFF RESPONSIBILITY

For Statewide CBP's to work, it is absolutely essential that they be under the direction of the BCR. In order for the corrections continuum to develop on a step-by-step process, with continuity a single authority must oversee the total corrections system. Refer to the following diagram for the discussion which follows. This diagram is a long range suggestion and requires the Superintendent of Minimum and CBP to be located in the office of the Executive Secretary of the Board of Charities and Reform with statewide responsibility, and, as with other superintendents in this system, be responsible to the Executive Secretary.

Four population/geographic CBP regions would be developed within the state with a Regional Supervisor in each area responsible directly to the Superintendent of CBP.

Working directly under the Regional Supervisor would be Program Coordinators located physically where the case load is. The number of coordinators located within the region would be in direct proportion to the number of in-



LINES OF AUTHORITY AND STAFF RESPOSIBILITY

mates on CBP's. An estimated case load would be approximately 15 individuals.

Program Managers would be working in state operated CBP facilities, and again, the number of managers would be determined by inmate population.

For purposes of Parole board meetings, the regions should serve as catchment areas. For example, the Board could meet periodically in the main city of the catchment area, and all inmates within that jurisdiction would journey to that city at pre-arranged times for Board meetings.

Parold field staff should also inter-face with the CBP regional staff in terms of parold planning, etc.

Finally, the pre-release team should meet with CBP inmates scheduled for release during a given period for the purpose of an intensive orientation to the free world.

VII. STATUTORY CLARIFICATIONS

The following legislative changes, or clarifications, should be considered as soon as possible.

- A. All committments from the courts should be made to the jurisdiction of the BCR rather than just the Wyoming State Penitentiary.

- B. The BCR should oversee the movement of inmates in and out of CBP through the Classification Committee rather than the parole board.
- C. The BCR should have full responsibility for the establishment regulation and control of CBP's.
- D. If a step-by-step corrections system is to be effective, the BCR will need Legislative endorsement or its authority to transfer inmates between institutions after a classification hearing to insure "due process".
- E. Clarification is needed on the status of a CBP walk-away, in terms of what constitutes escape.

VIII. ADVANTAGES AND DISADVANTAGES

- A. The main advantages of Community Based Programs in Wyoming are as follows:
 - 1. The development and/or re-development of solid ties between the offender and the community to assist with over-all adjustment upon eventual release.
 - 2. The program tends to hold the family unit together, which has been proven to be a major factor in successful re-adjustment to society.
 - 3. In some cases operational cost savings can be effected. For example, a CBP participant on work release would be paying toward room and board, thereby relieving the state of these expenses.

The person would also be contributing a good part of his salary to his family, thereby helping to remove them from welfare rolls.

The above is not true in all cases, however. For example, a person in an education program or in a specialized therapy program may not have income. In these cases there could be 100 percent state financing.

4. A well run CBP will eventually decrease the prison population, or at least slow down the rate of expansion, theoretically making larger new institutions less necessary. This, however, is predicated on the supposition that the total step by step corrections system is in operation.
5. CBP's have the distinct advantage of being in or near the community, thereby creating access to its resources. Some of these could be mental health, drug and alcohol programs, churches, recreation programs, school, etc.
6. The community provides a ready pool of people willing to help in the over-all treatment process. This interaction is of mutual benefit to both offenders and volunteers.
7. Since all persons in CBP's are classified minimum custody, heavy security is not needed which is dollar savings from the standpoint of facility and staff costs.

B. The main disadvantages of CBP are as follows:

1. Poor community/offender relationships, based on past experiences, tends to make the establishment of CBP's very difficult. A vocal minority of community members see such programs as a "threat".⁹
2. There is a definite tendency on the part of "extremists" in the public sector to put undue influences on correctional officials to lean their way. Part of our society takes the attitude that all criminals should be locked up for their entire sentence, since "rehabilitation doesn't work". The other extreme calls for the elimination of all lock-up and to move all programs to the community. Obviously, a CBP policy must reconcile the contentions of both extremes.
3. Since community resources are usually operated by city, county, state, and private agencies, sometimes it is difficult to coordinate services that mesh with work, training, and housing.
4. Hidden costs may appear in the form of transportation, medical and mental health care, and other specialized services.

IX. IMPLEMENTATION PROCESS

The following items should be considered when contemplating implementation of Community Based Programs.

- A. Enabling legislation and appropriations.
- B. Board of Charities & Reform establishment of CBP rules, regulations and policy.
- C. Employment of qualified CBP Superintendent and Regional Supervisors.
- D. Intensive training of staff.
- E. Specific policy development by BCR and CBP staff.
- F. Inventory of community resources, both existing and potential.
- G. Development of community programs and facilities.
- H. Slowly inject qualified and acceptable inmates into the programs. It is best to "prove out" to the community on a few offenders, rather than attempt to go for numbers.
- I. Slowly expand the program as staff and candidates become available and as community resistance lessens.
- J. During interim period, prior to the Assessment and Reception Unit being established, it will be necessary to develop a classification committee, composed of WSP/BCR staff who adhere to recognized classification standards.

X. SUMMARY

- A. This paper was developed to clearly enunciate the position previously developed by the BCR in relation to community based programs.

- B. CBP is defined as community oriented programs designed to bring about changes in an individual using community resources.
- C. CBP is designed primarily to do two things:
 - 1. Divert qualified offenders that have gone through the A/R Unit from institutionalization.
 - 2. Provide the final step in the corrections step-by-step system aimed at allowing the individual community experience prior to release.
- D. It must be understood that the CBP is only one part of the total corrections system. The system is designed as a step-by-step process with a great deal of programming capability within each step, and with the whole system tied together by classification which insures "due process".
- E. CBP's are made up of work, education and specialty programs.
- F. Facilities would normally be:
 - 1. State operated units.
 - 2. Farm (existing or future).
 - 3. Public facilities and programs.
 - 4. Private facilities and programs.
 - 5. Specialized halfway houses.
 - 6. Individual placement.
- G. CBP's should be administered under the authority of the BCR.

- H. Four regions should be developed throughout the state.
- I. Legislative clarification, or changes, will be necessary to implement & maintain effective CBP's.
- J. There are both advantages and disadvantages to CBP's.
- K. The prime prerequisite for CBP is minimum custody granted by the Classification Committee.
- L. CBP's can be developed in the interim period, prior to new facilities completion.
- M. Selection of qualified staff and intensive training is absolutely necessary..
- N. Caution as to the speed of moving inmates into the program is necessary.

DEFINITIONS

From Mono. No. I

APPENDIX I
Mono. No. 11

1. PROGRAM - The term "program" implies a continuum of structured activities, both inside and outside an institutional setting. In essence, structured offender activities in terms of anything done with, to and for an offender in the corrections system to promote a positive change in the individual. "Program" further implies a variety of options so that offenders may be constructively and/or gainfully occupied with respect to their various needs and desires.
2. CLASSIFICATION - The initial, on-going and pre-release evaluation process of the offender on a scheduled basis by a skilled multi-disciplinary team. Classification is a defined process, rather than a "happening"; and, in essence, deals with everything that happens to the individual while in the corrections system to bring about a positive (or negative) change.

INSTITUTION CLASSIFICATION COMMITTEE

Chairman: Warden
 Co-Chairman: Deputy Warden
 (One or the other of these should attend a meeting, but not both of them.)
 Member: Associate Superintendent, Treatment
 Member: Associate Superintendent, Custody
 and/or Captain
 Member: Individual inmate's case worker
 Member: Classification Officer

3. ASSESSMENT/RECEPTION UNIT (A/R) - The place where the sentenced offender is first received (in a legal sense) into the corrections system, and the place where such persons will reside initially (for a period of weeks) while the assessment/evaluation process and initial classification takes place. Though the A/R process involves initial reception/records, orientation, medical exam, testing and observation, and end result expected is an initial classification to the corrections system. The A/R process provides the initial coordination of classification decisions in terms of prescriptive treatment program, security status, facility assignment and release planning with the State institutions.
4. A/R CLASSIFICATION COMMITTEE:
 - A. Superintendent A/R Institution
 - B. Superintendent Maximum/Close Institution
 - C. Superintendent Medium Institution
 - D. Educational Coordinator
 - E. Industrial Coordinator
 - F. Secretary

5. MAXIMUM SECURITY - The most stringent degree of security within an institutional setting for persons who are intractable, and amenable to only limited "maintenance" programs, (i.e.) persons who for a variety of reasons do not conform to the general rules of the institution and require special rules, separate housing and intense supervision.

Maximum security is conditional until persons in this classification category overcome unacceptable behavior by engaging in meaningful activity.

Such persons require direct visual and physical supervision round the clock.

6. CLOSE SECURITY - The second degree of security within an institutional setting for persons who are a substantial risk, but who by their attitudes and actions can be oriented in "inside" program and be allowed considerable freedom of movement within the primary institutional security enclosure during standard daytime hours.

Such persons require general visual supervision in their movements and direct supervision round the clock in the housing units.

7. MEDIUM SECURITY - The transition degree of security classification between "close" and "minimum" for persons who present some risk as a part of the general population; who can be oriented to both inside and outside programs on the institutional reservation; who can be allowed some freedom of movement on the inside during non-standard hours; and who can be programmed outside institutional security while under direct supervision.

Such persons require limited visual supervision of their "inside" movements, but continuous monitoring in their housing units.

8. MINIMUM SECURITY - Refers to persons who present little risk; who are not a part of the general "inside" population (the historic trustee classification being a good example); and whose program is centered around activities on the institutional reservation.

Such persons are under indirect supervision with allowance for considerable freedom of "outside" movement and responsibility on the institutional reservation.

9. Public Sentiment - The public attitude is certainly an important factor in attempting to develop community based treatment. With the media focus on spectacular, violent crimes and recent prison riots, there remains a segment of the public that strongly insists that strict punishment, confinement and banishment of the offender should be the main concern of the correctional system.

The establishment of community treatment centers within various community has caused, and will continue to cause, some anxieties among the public sector. In many instances, the public is willing to support progressive programming; however, the reactions vary if a treatment center is proposed to be located in their community or neighborhood. A good public and community relations program must be

developed prior to and during implementation of community treatment centers. (BOWKER 1974)

END