

**Appendix D****Findings at Existing Facilities in 34 Key Categories**

Besides the individual reports on assessments of each individual site that were provided in Appendix C, an overview of our findings is provided here, grouped in 34 key categories.

Titles in bold indicate single items that are critical for an appropriate functioning of a Law Enforcement program and/or a detention facility, violation of which is in and of itself sufficient reason to investigate and provide solutions to the program and the facility. However, often facilities exhibit more than one such critical deficiency, which collectively are sufficient reason to decommission the facility sooner than later.

While all of the key categories are important, those identified with their headings in bold font are critical for the continued operations of the facility. The findings are noted on the pages that follow.

### Findings at Existing Facilities in 34 Key Categories

#### 1. Assessment at Individual Facilities

One of the most difficult elements for the law enforcement officials was to understand that this exercise was an assessment of the programs and facilities rather than an inspection.

We found a very dedicated and loyal group of women and men who are serving the law enforcement institutions throughout the Native American Country. These individuals work under difficult conditions well above and beyond the call of duty. They need to be commended for their continuing efforts to make a difference.

The State of Law Enforcement in Native American Country is ailing with multiple and interrelated ailments. One affects the other in a continuum. These ailments have been identified and are a cause of concern that needs to be addressed. Approximately 6229 pictures were taken to establish a pictorial record for each of the facilities that were assessed. Some of the concerns that are tangible in nature have been grouped as a pictorial of photographs and are included as Appendix E, Critical Concerns - Pictorials.

#### 2. Funding

There is a complex system of funding that is set in place for law enforcement in general and detention facilities in particular. In general, funding is appropriated and disbursed in the Buildings/Operations categories. There are other nuances within these broad categories that make the flow of funds difficult to follow through and trace to its final usage. Flow of funds is generally categorized for the following:

##### **(A) Total Tribal Building/Operations**

(1) Tribal Owned – Tribal Operated. The tribes own and operate the buildings and operations. This system does not appear to have a follow-through trail for the use of funds.

##### **(B) Partial Tribal/BIA Building/Operations**

BIA PL 638 Program – The tribes contract with the BIA under the PL 638 Program. Funding is generally pooled at the tribal level. Once the funds are pooled, this system does not have the follow-through trail for the use of funds. The system includes:

(1) Tribal Owned – BIA Operated. This system does not have a clear follow-through trail for the use of funds.

(2) Tribal Owned – Tribal Operated. This system does not have a follow-through trail for the use of funds.

These systems perpetuate an inability of the funds to 1) Fund the appropriate needs, 2) Reach the end users in time to meet their needs or 3) Ever reach the end users at all. Often the funds are diverted for uses other than that which they were intended for. All facilities that were studied are under-funded for the tasks that they are expected to undertake.

Lack of appropriate funds and/or the lack of funds reaching the appropriate usage, has resulted in increased risks and liability to the organizations that are tasked to own, operate and maintain the law enforcement facilities.

The system of funding has grown and modified over a number of years. At this time, the system is not transparent and severely lacks accountability to the source of funds.

### 3. Policies and Procedures

There is a severe lack of cohesive Policies and Procedures studied at each individual facility. Most facilities indicated that they are in various stages of developing a set of policies and procedures that are based on the BIA Red Book and that will incorporate the specific needs for the local facility and tribal customs.

Facility operations staff generally treat the Policies and Procedures as something that will be needed to be shown to the 'inspectors' at inspection time rather than a tool that will guide the facility in their day-to-day operations. District Supervisors treat the Policies and Procedures as something that the facility operations are responsible for. They expect that an acknowledgment and sign-off from the facility operations staff is an indication of acceptance, adherence and enforcement of the policies and procedures for the facility—which is not the case.

Except for two facilities, most facilities operate without a structured set of policies and procedures.

### 4. Staffing—Detention, Kitchen, Housekeeping and Transportation

Appropriate staffing is a continuous challenge for all of the facilities. All facilities are understaffed for the tasks that they are expected to undertake. It is difficult to find sufficiently qualified staff to fill appropriate positions. The placement process is lengthy and often individuals leave even if they are selected in the early phase of the hiring process. Often individuals are placed without an in-depth background check. Quite often these individuals are later disqualified after an appropriate background check is conducted. The noncompetitive salaries, benefits and retirement packages in locations where there are competing state and county detention facilities also play a part in not being able to retain staff that have already been trained and are experienced.

At this time, there are several funded and open positions that are available within the system but have not been filled.

Lack of appropriate staffing has resulted in increased risks and liability to the organizations that are tasked to own, operate and maintain the law enforcement facilities.

**5. Training – Detention, Food Services and Transportation**

Newly hired staff awaiting their 12-month probation is often disqualified from entering the training academy in Artesia, for lack of standards and/or space. The staff serving the food services and transportation duties is not adequately trained in food handling and transportation duties.

Once certified, the staff serving the facilities does not continue with their training in an adequate manner after they leave the academy. A lack of sufficient time or insufficient replacement staff was often cited as the reason for not continuing with the training.

Certain alternatives from the training in Artesia are being explored by law enforcement officials within the Native American Country. Certain facilities in the Rocky Mountains now use the state law enforcement training academies in lieu of the training academy in Artesia. Facilities in the Northwest states use cross-training with the state to qualify as cross-commissioned officers. Certain facilities in Arizona are exploring the mobile training-on-wheels method, which will send trainers and their materials to the individual sites rather than having the officers go to a remote training academy.

Lack of appropriate training within the first twelve months and continued training thereafter has resulted in increased risks and liability to the organizations that are tasked to own, operate and maintain the law enforcement facilities.

**6. Physical Space**

There is insufficient physical space to house all of the inmates. This is the case even in facilities that are fairly new.

An informal 'system of negotiated releases' has been developed throughout the law enforcement system in the Native American Country. The 'system' provides for the cooperation among the arresting officers, judges and detention officers to release inmates for lack of detention space.

Statistical data regarding the number of inmates incarcerated at a facility that is thus gathered formally by official organizations is very often skewed. The official data for the 'number of inmates' is very often low and has been 'fabricated' to indicate the number of inmates that are deemed appropriate to be housed at a facility, so it would not indicate overcrowding, or overcrowding by a small percentage if it does.

In addition, techniques such as releasing the inmates very early in the morning are also used. These released inmates who have been housed overnight, are not counted on the housing logs – a count that is taken during the day. At other times, consent court decrees are openly violated when the facilities are overwhelmed with an excess number of inmates in spite of the consent decrees for limits on the number of incarcerated individuals that could be housed at the facility.

The inmate population at each of these facilities would be approximately twice the number of formal statistics, for the number of housed inmates, if consideration was given to those who have been released for lack of space. The facilities are also taxed with housing criminals who are called 'misdemeanor – felons'. These individuals are 'felons' but are held as misdemeanors in the detention facilities and are waiting processing through the federal system. Cases referred to the U. S. Attorney are often declined. The U. S. Attorney's office did not provide the number of such 'Declinations' citing 'the matter is sensitive.' These facts were openly discussed and acknowledged by several detention officers at several facilities, in the context of face-to-face openness – and a sincere appeal for help! They would never be written down on any statistical survey, for fear of retribution from the supervisors and senior management. Understaffed and overcrowded facilities are at an increased risk and liability to the organizations that are tasked to own, operate and maintain the justice facilities.

**7. Reasons for Detention**

Gangs have infiltrated rapidly during the last five years, within almost all communities. Criminal activity related to drugs has increased rapidly. Continued poverty, and the gradual deterioration of the family structure and values have also contributed to the continued high incidence of crime in the Native American communities. Most detainees are incarcerated as a result of violent crimes that have increased in the past few years. As a group, the crime rate per 100,000 inhabitants is very high.

**8. Types of Detainees**

The detainees at these facilities are expected to be misdemeanors. However, these facilities house misdemeanors and 'misdemeanor-felons', who are individuals who have committed a felony but are awaiting trial and/or incarceration at the federal prison. These facilities also house violent offenders who were referred to the U. S. Attorney but could not be accommodated in their system. They are referred back to the tribes as, 'Declinations'. In addition these facilities also house criminals who have already served at a federal facility and are now completing time at the tribal facility on additional charges. Mixing of the types of detainees increases the risk and liability of the organizations that are tasked to operate and maintain the law enforcement facility.

**9. Incarceration – Physical Time**

The official maximum stay for those who are incarcerated at these facilities is one year. Most of the inmates are expected to be held for 60 to 90 days but are released within a few days or hours for a lack of bed space. As a result, an informal system of 'negotiated releases' among law enforcement, courts

and detention facilities is prevalent. Often the releases from overcrowded facilities are timed such that the inmates released are not counted in the official counts of 'beds occupied'.

Courts have been helpful and cooperative in either not sentencing, or keeping the duration of such detention to a minimum to offset the lack of bed space. An informal survey of judges indicated that had there been more bed space, they would sentence an additional 25% of the number being sentenced to imprisonment.

Very often the same individuals 'cycle through' the detention facility several times during the year. There have been cases where individuals were held between seven to eight years, which resulted from a combination of federal and tribal time.

#### 10. Trends – Population and Incarceration

Population trends have a strong correlation with trends in incarceration throughout the Native American Country. Populations have increased 5% to 10% per year. There is a corresponding percentage increase in the number of incarcerated individuals in these communities.

Unemployment Rate from tribal sources was reported<sup>1</sup> at 35.42%. However a member of the tribal council in 2006 reported that the unemployment rate is closer to 70%. When asked for clarification, Veronica Tiller reported that she relies on the local economic development officer for data.

Populations that require service at the reservations are different than any other urban or rural group in that the local law enforcement and detention services are needed for the seasonal tourist trades during the fall and winter festivals and the summer months. Local population during these times increases three to five folds than what is indicated by the conventional census and demographics. At the Navajo Nation the 2000 census reports a population of 180,462<sup>2</sup>. However, it is estimated by the Department of Tourism that the population approximates 1,000,000 during the summer tourist season at the Navajo Nation.

The local services providing resources which do not increase with the season are heavily taxed. Furthermore there is reason to believe that the 2000 census underestimates the population at the Navajo Nation. Example: 2000 census underreported the population<sup>3</sup> at the Navajo Nation. Chapter Images 2004 states in part, "...the Census Bureau did not take into consideration the legal definition of "Indian Country" and its potential implications and impact on Navajo Nation Government's role as service provider, policy maker, and

<sup>1</sup> Tiller's Guide to Indian Country – 2005 ed., p.348

<sup>2</sup> Chapter Images 2004 – Profiles of 110 Navajo Nation Chapters: Table 5: Profile of General Demographic Characteristics. P. 17

<sup>3</sup> Chapter Images 2004 – Profiles of 110 Navajo Nation Chapters: Use of Census 2000 Disclaimer. P. 11

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land user within said Eastern Navajo Agency Chapters. The Navajo Nation did not contest the results of the census 2000 because this census was the best population count ever taken on the Navajo Nation.”

11. Rehabilitation

In general, the detention facilities do not provide rehabilitation to the inmates. Facilities that are planned will have space that addresses rehabilitation and restorative justice.

12. Programs and Services for Inmates

Generally the detention facilities do not provide any programs and services for the benefit of the inmates. Very often existing facilities are inadequately designed or provide insufficient space to conduct such activities. At other times there is insufficient staff with time or funds to hire ‘Program Staff’ who could be devoted to such activities.

13. **Internal Operations – Operations, Office Equipment, IT Equipment, Communications Equipment, Furniture and Fixtures, Personal Supplies, Uniforms, Blankets and Mattresses**

There was only one facility that had an ‘almost’ sufficient budget for their operations, equipment and supplies to provide a fully functional detention facility. All remaining facilities reported a lack of funds for their operations, equipment, supplies, repairs and maintenance.

Over the expected 40-year life of a facility, it takes roughly six times or more, the initial capital cost of a facility to provide for adequate funding for its operations, equipment, supplies, repairs and maintenance. The Department of Justice estimates that over 30 years, this figure to be ten times the initial capital cost of the facility.<sup>4</sup> It appears that funding for such continuing costs were not taken into consideration when the facilities were designed, built or contracted out.

A large number of facilities depend routinely on family contributions, charities and business donations to meet their operational needs, equipment and supplies.

At other times detention staff and administrators spend an inordinate amount of time searching and applying for grants to meet their operational needs. Such grants provide a temporary relief for about 24 to 36 months after which the facility continues to seek new sources of grants and donations for their operations, equipment, supplies, repairs and maintenance.

<sup>4</sup> Planning Correctional Facilities on Tribal Lands: Competitive Grants Announcement. Selection Criteria, Item 3. Capabilities/Competencies: Demonstrate the tribes capability and capacity...Constructing a \$10 million correctional facility may take as much as \$100 million over a 30 year period to sustain facility operations.

[www.grants.gov](http://www.grants.gov) Funding opportunity Number BJA-2007-1652. Current closing date: Sept. 13, 2007.

One facility has set up a commissary system where families provide a running credit account on behalf of an inmate. The inmate is allowed to order through the commissary using these family funds. The inmate account is charged with a profit-markup for each item sold to the inmate. The profits are then used to provide for much-needed funds to procure capital equipment and supplies for the facility.

Often the detention officers provide supplies from their personal funds. The detention officers provide for repairs and maintenance that they are capable of doing. There is insufficient funding for food at certain facilities. The detention officers have at times provided food from their personal funds. At other times the facilities 'trade food', sending food to the facility that has none, since the facilities do not have a line of credit with commercial food suppliers, for they were unable to pay them in a timely manner in the past.

While the facilities have continued to 'operate at risk' the physical buildings have continued to deteriorate as a collective result of deferred repairs and maintenance – often from the time when were built.

Lack of appropriate funding for operations, equipment, supplies, repairs and maintenance of the facilities has resulted in increased security risks and liability to the organizations that are tasked to own, operate and maintain the law enforcement facilities.

#### 14. Transportation and Transportation Vehicles

Transportation and escort of inmates to and from the courts, healthcare facilities and evacuation in an emergency is an important part in the overall operations of a facility. Increasingly inmates are being transported from holding facilities to other detention facilities under contract, often with worse conditions than the non-existent or primary facility. Juveniles are being transported to appropriate juvenile facilities.

The function of transportation is closely linked to staffing and staff training in transportation, both of which are in short supply at most of the facilities. The physical time that it takes to transport an inmate over long distances is excessive. Detention officers who generally undertake transportation duties are ill-equipped and not trained in transportation.

The transportation vehicles are generally sufficient but ill-equipped and without the secured transportation-barrier enclosure. Normal consumer items and vehicle tools such as 'locking pins, lug nut wrenches, bags with nylon straps, garbage bags and fire extinguishers were found in several transportation vehicles that were accessible to the inmates during transportation. These tools could become a weapon that may be used by an inmate.



Because of a shortage of staff, inmates have been left at healthcare facilities unescorted, with standing instructions to call when they are ready to come back.

#### **15. Central Control Station—Functional Layout and Security**

The requirement for separating the detention functionality within a facility from the remainder of law enforcement is fairly recent. Most of the facilities were not built for the Central Control Station to be detached and away from the Central Dispatch for Law Enforcement. These functions were co-located in one room. Often, the Central Control Station for detention and the Central Dispatch for Law Enforcement also served as the ‘front reception desk/counter’ for the general public.

Most facilities have been unable to implement the requirement for appropriately separating the Central Control Station from Central Dispatch. The Central Control Station has now been relocated in other parts of a facility to accommodate such a separation. The Central Control Station has now been located in what used to be a storage space, a booking space, front reception or a laundry. In other facilities, the Central Control Station still occupies a small corner of the Central Dispatch.

Generally the present layout lacks straight line of sight surveillance in addition to the surveillance by the cameras and strategic seating of the officer-in-charge. The monitors for the cameras are very often located where they are out of the peripheral vision of the officer at the center control station. The relocated space is often cramped with additional computer monitors that are used for other operational purposes at the Central Control Station. The spaces where the central control station has been co-located with the booking space serve neither the booking space nor the central control.

Except for one facility, the central control stations at the rest of the facilities lacked integrated electronic surveillance, integrated electronic cell door security and integrated electronic fire and life safety systems supported by appropriate software, training and documentation.

As a result, the early control stations and the relocated central control stations at most of the detention facilities lack a functional layout and integrated security and life safety systems, all of which contribute to additional risks of life safety and security at the facility.

#### **16. Booking and Intake Process**

The booking and intake process is inadequate at most facilities. The physical quantity and layout of space are inadequate to conduct an appropriate booking and intake procedure.

Booking is generally conducted in the central control station or in the corridor through a window to the central control station.

The booking officers are unsafe and unaware of communicable diseases that an inmate may be carrying. There is no separation to prevent an inmate from spitting and exposing an officer to communicable diseases.

There is insufficient space, equipment and booking software for the officers to ascertain the history of an inmate who is being booked. There is insufficient space and equipment to control an uncooperative inmate. There is insufficient space and equipment for the inmate to be fingerprinted, checked for alcohol content, dispose of their personal belongings, change clothes, clean up and be escorted to the cell. Generally there are no 'recording cameras' to record the booking process. Inappropriate booking spaces are an increased risk to the officers who are conducting the booking.

#### **17. Laundries**

The laundries at most facilities appear to be an afterthought. They are unable to support the needs of the number of inmates who are housed and the number of inmates who transition through the facility on a short-term basis. For short-term inmates, facilities often attempt to not provide a change of street clothes for the inmates to save from having to do the additional laundry and to prevent the wear and tear on the inmate uniform.

Few laundries are appropriately located near an exterior wall with appropriate vents and exhaust for lint. Often the laundries are located in basements, attached garages or detached garages. There is insufficient room to process the dirty and clean laundry. Often residential-sized washers and dryers are used that are incapable of handling the large number of blankets and inmate uniforms that need to be laundered. Some facilities use laundry lines in the recreation yard to dry large articles of laundry since the dryers are incapable of handling such a load. A few laundries were found without sufficient hot water. One laundry was found sharing laundry space with flammable chemical storage in a detached garage.

Inmates reported being handed out dirty blankets – which is a sensitive issue with Native Americans.

Lack of appropriate laundries force the facilities to take undue risks with the life-safety, security and health of inmates.

#### **18. Food Services – Kitchen Operations and Pantry**

An on-site kitchen is provided in several facilities while the remaining facilities depend on alternate means to have the meals for the inmates prepared by a local grocery store, a casino, a senior center community

facility or a nearby hotel-restaurant. Generally detention officers, including understaffed facilities, are tasked to pick up the meals from these locations.

Most of the facilities with an on-site kitchen have inadequate physical space and equipment for the number of meals that they serve in an overcrowded facility. Most of the kitchens are operational, though individual kitchen equipment may be 'out of order' and waiting for funds for deferred repairs or maintenance. Most kitchens lack large walk-in refrigerators and freezers for storage of food. These kitchens manage their continued operations with freestanding refrigerators and freezers that are located outside the facility.

Funding for the food is inadequate, leaving inmates with insufficient food and a lack of balanced nutrition.

Food-handlers are often unaware of the breach of security and increased personal risks that results from their carelessness in handling and storage of knives and utensils, which are often stored in unsecured kitchen drawers or unsecured and accessible containers in the pantry.

Kitchens have generally kept up with appropriate permits for continued operations. Most of them are inspected in a routine manner and meet the requirements of the local health authorities.

While the kitchens may meet the health code requirements, they are a high-security risk and prone to potential liabilities to the organizations that are tasked to own, operate and maintain them.

#### 19. Healthcare

Generally no healthcare is provided at the facilities other than the rendering of the Basic First Aid. The facilities depend on healthcare assistance from the local Indian Health Services (IHS), which generally requires escorting of the inmates to and from the IHS facilities. On occasion the law enforcement escort leaves the inmate unattended at the healthcare facility to respond to another call. At other times, the escort attends to other pressing demands and waits for a call back from the healthcare facility for the inmate to be picked up.

Inmates are not tested for TB, HIV or hepatitis. Officers and often inmates are unaware of the risks that they subject each other to, to the inmates in the facility and to the community. There are no physical areas at any of the facilities to isolate inmates who are carriers of communicable diseases so they could be isolated from the general population until it is determined that they need to be sent for treatment or incarcerated in a separate facility.

Detention officers serve as temporary healthcare specialists and provide medications to the inmates. They often consult with the local healthcare provider to adjust medications for the inmates.

A few facilities have been able to arrange for routine healthcare visits by a healthcare provider; however, these facilities have reported that the healthcare providers are reluctant to continue with such services for lack of their internal funding.

Health of the officers and inmates and the Community Public Health is at high risk because of such exposure to communicable diseases and an indifference and/or inability to provide appropriate screening and healthcare at these facilities.

#### **20. Exercise/Recreation areas – Outdoor Time**

Only about 10% of the facilities provide for appropriate outdoor time to the inmates every day. The remaining facilities do not provide any outdoor time for as long as six months. The norm is about one hour of outdoor time for every two weeks of incarceration. These areas have been abandoned in many of the facilities and are no longer in use or are used as 'storage areas' for 'evidence' or trash. Most facilities lack an appropriate exercise/recreation area that is both safe and secure.

Facilities cited a lack of staff to supervise the inmates during outdoor activities. They also indicated not having a need to provide such outdoor time to the inmates when the facilities are being used as a 48-hour holding facility. However, an inmate at the very same facility indicated that the facility is in violation of the Consent Decree for he has been held there for more than 48 hours without having a chance to go to court.

Inmates are reluctant to request outdoor time for fear of reprimand from their detention officers. One inmate indicated that he requested outdoor time and the Officer responded, "...will give you one hour—then I will have to lock you down for the other 23..." Such threats to inmates — in very 'stuffy' cells, with solid cell doors — could be a violation of the inmates' civil rights.

Most of the cells in these facilities are located away from the exterior walls and/or deep within the interior of a building such that there are no windows in the cells that allow for a daylight reference in the cell.

The outer perimeter security fence for such exercise/recreational areas are accessible to the general public at about 95% of the facilities. This creates an opportunity for the passing of contraband materials to the inmates while they are in the exercise/recreational area.

The exercise/recreation areas are often planned as a staging area in case of evacuation of the inmates during an emergency. However, often these spaces are immediately adjacent to the facility and do not provide sufficient physical separation from the facility or the physical space to accommodate

all of the inmates, should there be a need for evacuation during an emergency.

There may be serious consequences regarding life and safety and civil rights of inmates that could be detrimental to the organizations that are tasked to own, operate and maintain these facilities.

## **21. Repairs and Maintenance**

Depending on the jurisdiction or the PL 638 contract, repairs and maintenance for the facilities are conducted either by the BIA or by the tribes. All of the facilities have suffered as a result of lack of timely repairs and maintenance.

Facilities have cited insufficient funding for appropriate repairs and maintenance. Often repair crews are laid-off during the last three months of the fiscal year for lack of funding to support their positions.

Facilities have fallen victim to an early deterioration as a result of long-standing and continuous deferred repairs and maintenance.

Except for one facility, the remaining facilities do not have an organized plan, policies and procedures for routine repairs and maintenance, emergency testing and a timely follow up.

Lack of well-kept facilities have resulted in not having drinking water for the inmates in the cells, toilet leaks in the inmate cells, excrement in the detoxification cells, breach of security by keeping perimeter doors open for ventilation, skewed Sally port door jambs, excessive sand in the locking mechanism of exterior doors and the failure of backup electrical systems to open the cell doors during an emergency evacuation.

Lack of appropriate and timely repairs and maintenance, have contributed to the very high risks for life-safety and security of the inmates and officers at these facilities.

## **22. Building Site—Location, Condition and Security**

For many of the facilities, the physical location of the facility is poor as the town and businesses have grown up around it since the time that they were built. This may be acceptable in some cases, for example, in a highly secured facility designed for such use. This is not so for minimum and medium security facilities such as these.

Many of the facilities have exterior perimeter fences with fence gates that are constantly left open, to facilitate other law enforcement functions that are also conducted in the same facility. The exterior, perimeter, fixed- and low-resolution cameras, if any, are incapable of surveilling for information to make appropriate security-threat decisions by the detention officers.

Easy access by the general public to these facilities contribute to unnecessary direct risks to the detention officers on duty (who often serve as receptionists), increased risks of one-step-escapes and undue risk exposure to the passing of contraband material to the inmates.

**23. Sally Ports**

Only one facility was found with a functional and a working Sally port. Most of the remaining facilities do not have an appropriate Sally port. Those that do have a Sally port may have one with nonworking sensors and keypad mechanisms, nonfunctional rollup doors, pedestrian doors without locks or dysfunctional traffic patterns such that the Sally port does not serve the intent and purpose for which it was created. Often the very same facilities have breaches in the perimeter fence security and are also located in and around areas with access to the general public.

**24. Emergency Evacuation**

All of the facilities have an egress plan posted on the walls. However, 90% of these facilities do not have a plan for the safe and secure staging area for the inmates, at a sufficient distance from that facility. Only three facilities were found that had an appropriate safe and secure staging area for evacuated inmates, at an appropriate distance from the facility. In case of an emergency, most facilities cannot alert in one minute and evacuate the facility in three minutes as a result of poor linear design, nonworking cell door mechanisms and backup systems and overcrowding. Even if the facilities could evacuate all of the inmates, most facilities do not have sufficient transportation vehicles or the ability to transport the entire inmate population to another facility. One facility noted, in all seriousness, that in a case like this they would simply release all of their inmates with instructions to the inmates to return the next day. Such unpreparedness contributes to a very high risk of life-safety and security for the inmate population.

**25. Cells—Holding Cells, Segregation Cells, Detoxification Cells and Dormitories**

Most facilities lack appropriate cells and furnishings. The cells are generally small for the number of inmates that are held in them. Most cells do not have appropriate air circulation, cooling or heating, reference windows for daylight or operational lavatory/sink combination units. The cells do not have night-lights. The cells do not have appropriate fire suppression or smoke detection. The detoxification cells generally have hard surfaces and lack functional floor drains. Electrical cell door operational mechanisms are unreliable and often the mechanical overrides do not operate.

**26. Fire Suppression Systems – Fire Alarm, Fire Extinguishers and Fire Sprinklers**

Most facilities have fire extinguishers located at appropriate locations; however, most facilities do not have appropriate fire detection or suppression systems. Several facilities have retrofitted surface-mounted fire sprinkler systems which in and of themselves have become a threat to potential self-inflicted harm by the inmates.

**27. Cell Door Locking Mechanisms**

The keyed locks on cell doors are a serious concern. Often the locks have not been lubricated and the keys are worn out. Electrically operated doors with mechanical overrides are unreliable. Repair parts for the original Folger-Adams cell doors are difficult to find and procure. Inmates are aware of such malfunctioning cell door locks. At two different facilities inmates explained how to defeat a locked cell door.

In an emergency at most facilities, the inmates cannot be safely evacuated within three minutes.

**28. Emergency Backup System**

Most facilities do not have an emergency backup generator. For the few facilities that do have a backup generator, they lack routine weekly tests or a full-load test on a monthly basis.

In an emergency, generators have often failed to start. Few facilities have emergency backup egress lighting but it is not known if they are tested regularly or if the batteries are replaced regularly. Facilities have often resorted to flashlights and Coleman lanterns in the event of a power failure.

A lack of such emergency backup systems has increased the life-safety and security risks at the facilities.

**29. Provisions for the Disabled**

Less than 20% of the facilities have provided exterior ramps. However, most facilities do not have provisions for access by disabled staff, inmates or visitors.

**30. Interior Systems—HVAC, Plumbing, Power, Lighting, Communications, Flooring, Ceiling, Roof and Structure**

The interior systems for facilities such as the HVAC, plumbing, power, lighting, communications, flooring, ceiling, roofing and structure are in serious disrepair.

These systems have been 'band-aided' over the years. Lack of appropriate sanitation as a result of failed plumbing systems has created health hazards.

The foundations for several structures are settling at a rate of about one-half inch to one inch per year.  
None of the facilities have any provisions for 'Blast Protection' around the perimeter walls and windows.

**31. Hazardous Materials – Molds, Asbestos and Lead Paint**

Facilities built after 1978 generally do not have asbestos or lead paint. However, for a lack of appropriate records, it is unknown if asbestos and lead paint have been abated from the facilities. Growth of mold was found in two facilities.

**32. Potential Suicide Elements**

While most of the facilities are aware of the potential of inmates to commit suicide, they are unaware of the potential sources in their facilities that may be used by the inmates to cause personal harm and commit suicide.

Combined with their articles of clothing, items such as the following develop into potential sources to cause harm and commit suicide:

Corners on free standing bunk beds, 1" diameter 'drain holes' in the sleeping bunk steel plate, vent screens in cells at a reachable height, surface-mounted sprinkler pipes in physical spaces available to inmates, old-style jail door bars with horizontal cross plates, strings used as shower curtain rods, clothes drying lines, electrical cords for circulation fans, radios and TV sets, chemicals used for cleaning supplies, unaccounted-for plastic utensils, water bottles and Styrofoam cups, kitchen utensils and knives and accessible tools in transportation vehicles.

The detention staff expressed concern but also indicated that there is not sufficient staff to maintain suicide watch that requires a five-minute rotation-observation for an individual.

**33. Interior Security – Staff and Inmates**

The security within the facility for the staff and inmates is poor.

Generally there are many blind spots that cannot be monitored with cameras because of the linear design of most facilities. Most facilities are equipped with poor-resolution, fixed cameras and/or nonworking or poor-resolution camera monitors.

The central control stations are poorly designed, often with makeshift arrangements to comply with the new requirements, in what used to be spaces other than central control stations. There is insufficient space for booking or appropriate booking software to log in and track the history of an inmate. Unsecured kitchen utensils and knives could be used by the inmates to cause harm to themselves and others.



There are insufficient numbers of detention officers on duty for the number of inmates at any given time.

**34. Effectiveness of Current Floor plans – Control Station, Sally Port, Intake and Booking, Visitation, Kitchen, Dayroom and Dining, Recreation Yard and Cells**

Most of the detention facilities were designed and built with a set of program parameters that have since been superseded.

Often, the facilities in the past were built as a single law enforcement building that housed the police, dispatch, investigations, detention and the courts. Over time this concept of having all of these functions in one building was phased out. Later, the concept of having juveniles and adults in the same building was phased out. Yet later, this concept was modified further, to having the detention function separated from that of the dispatch and police functions. During all this time the detention part of the function often stayed in the same building, modified and rearranged to the detriment of the appropriate functioning of the detention facility.

At other times there were buildings that were built as a 'rehabilitation center' which were converted to function as a detention facility and which have continued to function as a dysfunctional detention facility.

The present-day facilities do not serve the needs or the present-day missions for these facilities. These facilities do not provide the necessary functionality of the layout of the inmate cells such as providing reference daylight in the cells, appropriate day rooms for the inmates, appropriate exercise/recreation areas with appropriate outdoor time for the inmates, appropriate kitchens to serve adequate food to the inmates, appropriate awareness and provision of healthcare to the inmates, appropriate central control stations and booking stations for the interior and exterior security of the inmates and officers, appropriate visitation spaces, appropriate provisions for the disabled inmates, staff and visitors and appropriate rehabilitation programs and services for the benefit of inmates.

It is impractical at best and highly risky at worst for the life-safety and security of the officers and inmates, to continue operations with the present program parameters in facilities that do not facilitate for such new missions and program parameters.

A pictorial with pictures of critical concerns is provided in Appendix E. A numerical assessment and phased decommissioning matrix is provided in Appendix F. These are followed in later Appendices G, H and I with a structured program of capital improvements to transition into planned replacement facilities over a ten-year program period.