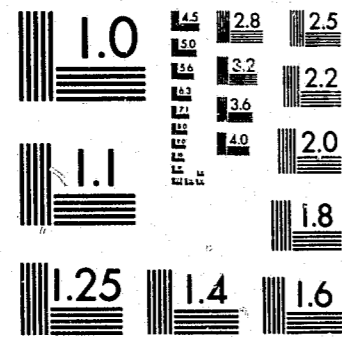


National Criminal Justice Reference Service.

ncjrs

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

2/13/84




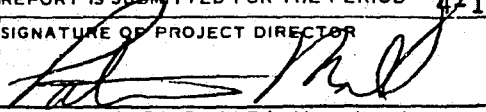
1982

COLORADO JAILS

**Populations
and
Conditions**

11915

OMB APPROVAL NO. 1545-0047
OFFICE COPY

 U. S. DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION		CATEGORICAL GRANT PROGRESS REPORT	
GRANTEE	LEAA GRANT NO.	DATE OF REPORT	REPORT NO.
Department of Local Affairs	82-BJ-CX-K026	8-15-83	4
IMPLEMENTING SUBGRANTEE	TYPE OF REPORT		
Division of Criminal Justice	<input type="checkbox"/> REGULAR <input type="checkbox"/> SPECIAL REQUEST <input checked="" type="checkbox"/> FINAL REPORT		
SHORT TITLE OF PROJECT	GRANT AMOUNT		
Jail Population Database Development			
REPORT IS SUBMITTED FOR THE PERIOD	THROUGH		
7-1-83	6-30-83		
SIGNATURE OF PROJECT DIRECTOR	TYPED NAME & TITLE OF PROJECT DIRECTOR		
	Patricia A. Malak, SAC Director		
COMMENCE REPORT HERE (Add continuation pages as required.)			
<p>Two reports were completed during this quarter. The first report entitled the "Impact of Colorado's Revised DUI/DWAI Legislation on County Jails" was initiated at the request of the Colorado Commission of State and Local Government Finances. New legislation was passed in 1982 which requires mandatory jail time for persons convicted of two or more subsequent offenses within five years. Many of the jails in Colorado are already overcrowded and the Commission and several legislators were interested in the impact of this new law on the jails before considering still tougher legislation to meet federal guidelines.</p> <p>Data was collected from the jail books of all the operational county jails for July through December, 1981. The Sheriff's agreed to have their staffs collect and send in similar data for the last six months of 1982. The new law became effective July 1, 1982 and 1981 data was used for comparison purposes.</p> <p>An analysis of the data showed that pretrial bookings into county jails increased approximately 9 percent, but the average length of stay decreased 10 percent. However, the number of people sentenced increased 73 percent with only a 9 percent decrease in length of stay, resulting in an estimated 45 percent increase in jail days.</p> <p>The second report, "Colorado Jails, Population and Conditions" contains data and other information on Colorado's jail population, conditions, litigation and other jail related issues. The SAC unit, with the assistance of other Division of Criminal Justice staff collected data in all of the fully operational county jails in the state during the summer and fall of 1982 for the state fiscal year of July 1, 1981 through June 30, 1982. Data was collected on a sample of all the admissions during the period from the jail book and other jail records. A copy of the data collection form is included in the report. Several of the data elements included on the form were available in only a few jails, such as employment, education and mental status. However, if we are able to standardize the jail books at some point, we would like to include this information.</p>			
NOTE: No further monies or other benefits may be paid out under this program unless this report is completed and filed as required by existing law and regulations (FMC 74-7; Omnibus Crime Control Act of 1976).			
RECEIVED BY GRANTEE STATE PLANNING AGENCY (Official)			DATE

U.S. Department of Justice
National Institute of Justice

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

Permission to reproduce this copyrighted material has been granted by
Public Domain/LEAA/Bur. of Justice
Statistics/US Dept. of Justice

to the National Criminal Justice Reference Service (NCJRS).

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

An analysis of the data showed that 77 percent of the admissions are pre-trial, 13 percent sentenced and 10 percent are other holds. The most frequent changes for both pretrial and sentenced prisoners are traffic related, including DUI/DWAI. Jail overcrowding is a problem in about 40 percent of the jails and this is further aggravated by the backup of state prisoners in the county jails because of the overcrowding in the state prisons. A comparison of overcrowded and non-overcrowded jails showed that overcrowded jails had a much larger proportion of prisoners charged with failure to appear and held offenders longer for certain offenses. We also found that overcrowded jails tend to release people on bond less frequently, 63 percent compared to 90 percent in non-overcrowded jails.

As we collected data in the jails we also interviewed the Sheriffs to get an update on jail conditions, litigation and other jail related issues. Twenty-one jails or 36 percent of the counties have been sued in the last two years because of poor conditions. Colorado is one of only a few states which does not have jail standards. A Commission was established in 1980 to develop standards for the state. Draft, minimum standards have been developed. However, they have not as yet been approved by the legislature. The first year Colorado Counties, Inc., which is the association of County Commissioners, opposed the bill and had it defeated. This past legislative session we worked with Colorado Counties, the Municipal League and the Sheriffs as well as several legislators in drafting a bill. All of these organizations supported the bill but it was defeated because of the anticipated fiscal impact. A copy of the bill is attached. We will attempt to have a bill introduced again this year but because of the large state deficit any legislation with a fiscal impact will be difficult to pass.

The sheriffs were asked if they would be willing to standardize the jail book and to send data in to the Division of Criminal Justice on a regular basis. Most of the sheriffs indicated that they would be willing and many felt that a statewide database for jails is important. We are currently operating a similar system for data on juveniles held in jails. However, we do not, at this time, have the resources to implement the system for adults.

Initial work was done to develop a jail population projection model. However, because of the limited staff resources in this grant and a reduction in Division of Criminal Justice staff the model is still being refined and tested. A copy of a draft jail planning guide is enclosed.



✓
COLORADO JAILS 1982: POPULATIONS AND CONDITIONS

Prepared by
Division of Criminal Justice

Robert K. Burke
Jails Coordinator

Patricia A. Malak
Acting Division Director

William P. Johnson
Data Analysis

Laura Bork
Typing

Lynnette Kerr
Graphics

June, 1983

This report was prepared under Department of Justice
Bureau of Justice Statistics grant number 82-BJ-CX-K026

Acknowledgment

The Division would like to express special thanks to the numerous individuals and organizations who have provided information for this report. At the risk of inadvertently omitting persons or organizations whose names should appear on this page, we would like to especially thank the following:

The sheriffs of the State of Colorado and their personnel for their assistance and hospitality in providing the information, options and ideas used in this report.

The Denver Anti-Crime Council for their assistance in providing information for this report.

The Colorado Bureau of Investigation for allowing the data used in this report to be analyzed using their computer system.

The Division of Criminal Justice staff and data collectors for spending innumerable hours interviewing sheriffs and collecting data used in this report.

TABLE OF CONTENTS

INTRODUCTION -----	i
EXECUTIVE SUMMARY-----	1
<u>CHAPTER I: COLORADO'S JAIL POPULATION</u>	
Population -----	19
Pretrial Population -----	24
Sentenced Population -----	33
Other Holds -----	37
Contract Space -----	40
Comparison of Jails -----	41
<u>CHAPTER II: COLORADO'S JAIL CONDITIONS</u>	
Conditions -----	45
Staffing -----	51
Staff Training -----	52
<u>CHAPTER III: COLORADO'S JAIL LITIGATION</u>	
Litigation -----	55
<u>CHAPTER IV: OTHER JAIL RELATED ISSUES</u>	
Regional Jails -----	59
Standardized Recordkeeping -----	61
Relationships with Other Agencies -----	63
Juveniles Charged as Adults -----	66
Medical Treatment -----	67
<u>APPENDICES</u>	
Appendix A -----	71
Appendix B -----	72
Appendix C -----	74
Appendix D -----	77
Appendix E -----	79
Appendix F -----	85
Appendix G -----	86

NCJRS
OCT 10 1985
ACQUISITIONS

INTRODUCTION

Nationally, overcrowding, management problems and a lack of resources have plagued local detention facilities during the last several years. Demands caused by growth, more severe sentencing legislation and a "get tough" attitude among the general population have, in numerous jurisdictions, far exceeded the criminal justice systems' ability to adequately house and care for persons admitted to local jails. These conditions have introduced, with increased frequency, a new element into jail management - that of the judiciary. The judiciary is now actively involved in what has been commonly held as a local government issue.

Historically, the primary function of local detention facilities has been to isolate accused and convicted offenders from society. The purpose of detaining accused offenders has been to ensure their appearance at trial, while the convicted offender was sentenced to local detention facilities for generally short periods of time, usually for misdemeanors and ordinance violations. Today, however, administrators of local detention facilities are experiencing a rapid change, not only in the number and type of individuals they are required to place in custody, but also in the area of "inmate rights." Local detention facilities are housing not only accused and sentenced individuals, but also the mentally ill, runaways, individuals in protective custody, and those awaiting transfer to another local or state facility, as well as people for whom law enforcement agencies cannot find other facilities for safe confinement and/or treatment.

At common law, an individual in custody of a detention facility was held to have lost all of his or her personal rights and became, in effect, a "slave" of the state. In times past, the judiciary maintained a policy commonly called the "hands off" doctrine, which was based on the premise that the courts lacked the expertise in the area of corrections. Therefore, the administration of detention facilities was left to correctional administrators.

Inmate rights and the involvement of the judiciary has changed rapidly

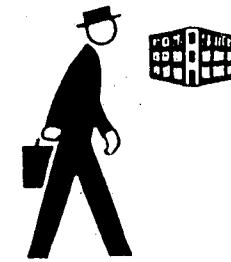
during the last decade. The courts have abandoned their previously held policies concerning the hands off doctrine and are now actively involved in the protection of inmates' rights. It is now commonly held that individuals in custody are no longer slaves of the state, but retain all of the rights of an ordinary citizen except those expressly, or by necessary implication, taken away from him or her by law.



Colorado's local detention facilities share many of the same problems and changes experienced in local correctional facilities throughout the nation. However, Colorado's "jail picture" does have a number of positive aspects. Several detention facilities have been constructed in recent years in counties around the state. A number of the jails are not overcrowded and many are well operated facilities. In addition, there are several local jurisdictions which are currently involved in planning activities to address jail problems within their communities.

The purpose of this report is to provide decision makers and other interested persons with up to date information concerning jails. It provides an analysis of the type of individuals who make up Colorado's jail population, facility conditions, jail litigation, and other related jail issues. This report does not attempt to address all of the issues and problems which currently exist in our state's jails; nor does it attempt to provide solutions to all of the issues presented. However, a concerted effort has been made to provide recommendations in those areas where it was deemed appropriate based upon analysis of the data and information obtained in interviews with the sheriffs.

Division of Criminal Justice staff visited each of Colorado's 54 fully operational county jails during the summer and fall of 1982. Data were not collected in the municipal jails or the five county jails which operate as temporary holding facilities, since these facilities are used only for short-term holding, usually less than 72 hours, before the individual is bonded or transferred to another facility. Data were collected on a random sample of adults booked into each jail except Denver and Boulder for the period of July 1, 1981 through June 30, 1982. Data were collected from the jail book



or other jail records (data collection form is found in Appendix A) and in-depth interviews were held with the sheriff or designee on conditions of the jail, litigation and other jail-related issues.

Data for the two jail facilities in Denver were provided by the Denver Anti-Crime Council (DACC), which had collected data from the jails on all bookings for March, 1982. Since the DACC determined that there is no seasonal variation in Denver's jail bookings, a one month sample was used. Because of slight variations in the data, Denver is shown separately on several tables in the report. Data were not available from the Boulder County jail.

Data on approximately 6,200 cases were collected on adults booked into the jails during the sample period. Data on all juveniles booked into county jails is collected on a regular basis by the Division of Criminal Justice. The data on juveniles are submitted monthly by the sheriffs. Therefore, the information on juveniles includes the total population, in excess of 4100 cases, and is not based on a sample. Where possible, this report presents information on both adults and juveniles.

In order to provide state and local officials with a useful and up to date tool in the decision making process, this report addresses the wide spectrum of issues and problems facing Colorado's sheriffs and detention facility administrators. The report is organized into four chapters. Chapter I presents the demographic and criminal justice information on the state's jail population in sections on Pretrial, Sentenced and Other Holds. Chapter II describes physical, life safety and operating conditions of Colorado's jails, and Chapter III contains detailed information on jail litigation which has occurred in Colorado during the last two years. Other jail related information is found in Chapter IV. Recommendations are found in each chapter.

EXECUTIVE SUMMARY

There were 120,468 people held in county jails in Colorado between July 1, 1981 and June 30, 1982, a 24.2 percent increase over calendar year 1980.

Those admitted to jail are primarily pretrial status (77%), 13 percent are sentenced and 10 percent are other holds such as mental health holds, holds for other jurisdictions, etc. The following table shows a breakdown by sex of these adults and juveniles.

ADMISSIONS TO JAIL BY SEX

	<u>Number</u>	<u>Percent</u>
Adult Male	104,682	86.8
Adult Female	11,632	9.7
Juvenile Male	3,344	2.8
Juvenile Female	810	0.7
Total	120,468	100.0

Approximately 41 percent of the jails were overcrowded and conditions are poor in many of the county jails. Twenty-one county jails, or 38 percent, have been sued for inadequate or unconstitutional conditions in the last two years.

These findings and the ones which follow were compiled from data collected using three different methods. The Division of Criminal Justice collected data from 53 of the state's operational county jails for the period of July 1, 1981 through June 30, 1982. Data were collected for the two jail facilities in the City and County of Denver by the Denver Anti-Crime Council. Juvenile data is collected by the Division of Criminal Justice on a regular basis, therefore, the total population was analyzed for this report. In addition, an in-depth interview was conducted with the sheriffs or designees in each of the 54 jurisdictions.

The purpose of this report is to provide decision makers and other interested persons with up to date information concerning jails. It provides an analysis of the individuals who make up Colorado's jail population, facility conditions, jail litigation, and other related jail issues. This report does not attempt to address all of the issues and problems which currently

exist in our state's jails; nor does it attempt to provide solutions to all of the issues presented. However, a concerted effort has been made to provide recommendations in those areas where it was deemed appropriate based upon analysis of the data and information obtained in interviews with the sheriffs.

PRETRIAL POPULATION

Thirty-six percent of those admitted to jail on pretrial status are charged with traffic offenses, including DUI. Twenty-one percent are admitted for property crimes, 11 percent for personal crimes, seven percent for drug related charges and 25 percent for other types of charges such as warrants for other jurisdictions. The single most frequent charge for adults was DUI/DWAI, and the most frequent charge for juveniles was runaway, followed by theft and burglary. The following table shows the most frequent charges for both adults and juveniles.

MOST FREQUENT CHARGES AT BOOKING

<u>Offense</u>	<u>Adult</u>	<u>Juvenile</u>	<u>Total</u>
DUI/DWAI	24.7%	7.6%	24.1%
Failure to Appear	11.5	5.7	11.3
Disorderly Conduct	10.5	2.2	10.2
Theft-Larceny	9.2	16.1	9.4
Other Traffic	7.2	7.2	7.2
Assault	5.9	3.2	5.8
Drugs	4.6	3.8	4.6
Driving License Violations (DUS-DUR-DUD)	4.1	3.2	4.1
Burglary	4.1	12.7	4.4
Runaway	-	16.3	0.6
All Other Charges	18.2	22.0	18.3
Total	100.0%	100.0%	100.0%

Forty-three percent of the pretrial population is released in less than six hours and 72 percent is released within the first 24 hours. Only seven percent of the pretrial population remains in jail 30 days or more.

Most of the adults, 69 percent, are released on bond. Juveniles are less likely to be released on bond, only 21 percent, with 31 percent released to family and 25 percent transferred to juvenile detention facilities. The following table shows the type of release for both adults and juveniles.

PRETRIAL RELEASE

<u>Type of Pretrial Release</u>	<u>Adult</u>	<u>Juvenile</u>
Bail Bond	68.6%	21.1%
Not Released - Adjudicated	15.6	0.7
Charges Dismissed	4.2	0.6
Transfer to Another County Jail	4.0	0.3
Transfer to a Juvenile Facility	-	24.7
Family	-	31.4
Other*	7.6	21.2
Total	100.0%	100.0%

*Includes court ordered releases

SENTENCED POPULATION

Approximately 13 percent of the admissions to county jails in Colorado are sentenced offenders. The single most frequent crime for adults is disorderly conduct (20.1%), followed by traffic offenses and DUI/DWAI charges. For juveniles, the most frequent charge at conviction is traffic (21.3%), followed by DUI/DWAI and assaults. The most frequent charges for both adults and juveniles are shown in the following table.

MOST FREQUENT CHARGE AT CONVICTION

<u>Offense</u>	<u>Adult</u>	<u>Juvenile</u>	<u>Total</u>
DUI/DWAI	12.2%	19.0%	12.3%
Failure to Appear	1.4	0.4	1.4
Disorderly Conduct	20.1	1.2	19.8
Theft/Larceny	12.0	6.0	11.9
Other Traffic	19.8	21.3	19.8
Assault	6.2	10.4	6.2
Drugs	3.3	4.3	3.3
Driving License Violations	5.0	9.8	5.2
Burglary	3.0	6.7	3.1
All Other Convictions	17.0	20.9	17.0
Total	100.0%	100.0%	100.0%

Twelve percent of all persons sentenced to jail serve a sentence of one day or less, 53 percent are released within seven days and 20 percent are sentenced for 30 days or more.

OTHER HOLDS

Approximately ten (10) percent of the admissions to county jails are other holds. Other holds made up a larger percentage of the population in smaller more rural jails than in the larger urban jails. During the interviews, sheriffs and other jail personnel suggested that rural communities have fewer alternatives to hold and treat these individuals; consequently, the rural jail often becomes the only available facility.

As shown in the following table, the largest percentage of adult holds is for other counties, 42.6 percent, while the largest percentage of juvenile holds are for court, including contempt.

TYPES OF HOLDS

Type of Hold	Adult	Juvenile	Total
Hold for other counties	42.6%	3.9%	40.3%
Hold for State of Colorado agencies	18.0	28.8	18.7
Hold for Immigration	7.6	11.7	7.8
Protective Custody, Detox and other	6.4	5.9	6.3
Hold for other Federal agencies	5.4	0.7	5.1
Hold for Court, including Contempt	4.0	34.2	5.9
Hold for Mental Health	2.2	1.9	2.2
Hold for Shelter Care, Group Home and Division of Youth Services	-	10.9	0.6
All Others	13.8	2.0	13.1
Total	100.0%	100.0%	100.0%

COMPARISON OF JAILS

Analysis of the data showed a difference in the types of booking charges, bonding practices and pretrial length of stay between the 22 jails in the state that are overcrowded compared to non-overcrowded jails. The proportion of individuals charged with failure to appear was three times higher in overcrowded jails than in non-overcrowded jails. Also, individuals booked for failure to appear, drugs, and driving license violations were held longer in overcrowded jails.

COMPARISON OF MOST FREQUENT CHARGES AND MEDIAN LENGTH OF STAY BETWEEN OVERCROWDED AND NON-OVERCROWDED JAILS FOR PRETRIAL ADULTS

Most Frequent Charges	% of Pretrial Population		Median Length of Stay	
	Overcrowded	Non-Overcrowded	Overcrowded	Non-Overcrowded
DUI/DWAI	23.9%	29.9%	4.3 hrs	4.6 hrs
Failure to Appear	22.1	6.8	4.8	2.2
Disorderly Conduct	2.6	3.8	5.3	9.3
Theft-Larceny	6.2	7.0	8.3	17.3
Other Traffic	9.1	11.0	4.3	4.4
Assault	4.7	6.2	5.4	20.6
Drugs	3.5	3.2	46.6	24.9
Driving License Violations (DUS-DUD-DUR)	3.3	4.8	12.2	4.2
Burglary	4.4	4.0	23.2	30.2
All Other Charges	20.2	23.2	20.7	12.8
Total	100.0%	100.0%		

Overcrowded jails tend to release people on bond less frequently, 63 percent, compared to 90 percent in non-overcrowded jails. Approximately 21 percent of the individuals booked into overcrowded jails are held awaiting trial compared to three percent in non-overcrowded jails.

The following table compares the types of pretrial releases used in overcrowded and non-overcrowded facilities.

COMPARISON OF ADULT PRETRIAL RELEASES BETWEEN OVERCROWDED JAILS AND NON-OVERCROWDED JAILS

<u>Release Types</u>	<u>Overcrowded</u>	<u>Non-Overcrowded</u>
Bond	63.4%	89.5%
Not Released-Sentenced	21.4	3.0
Charges Dismissed	5.4	1.8
Transfer to Another County Jail Facility	4.1	2.3
Other	5.7	3.4
Total	100.0%	100.0%

For those individuals released on bond, overcrowded jails tend to require cash and property bonds more frequently than do non-overcrowded jails. These types of bonds are often more difficult and take longer to arrange than do surety or personal recognizance bonds, which may explain, at least in part, why a larger proportion of the people held in overcrowded jails are held until they are sentenced. The following table compares types of bonds between overcrowded and non-overcrowded jails.

COMPARISON OF ADULT BOND RELEASES BETWEEN OVERCROWDED JAILS AND NON-OVERCROWDED JAILS

<u>Bond Release Types</u>	<u>Overcrowded</u>	<u>Non-Overcrowded</u>
Surety Bond (Bail Bondsman)	32.2%	36.8%
Cash (Individual)	39.1	29.6
Personal Recognizance (PR)	22.4	32.2
Property	5.5	1.1
Other	0.8	0.3
Total	100.0%	100.0%

RECOMMENDATION

1. Counties, especially those with overcrowded jails, should analyze their pretrial population and length of stay to determine if arrest standards or a similar program would significantly reduce the number of those individuals who are booked into jail, but are released within a very short period of time.
2. Counties which are experiencing jail overcrowding or which are at operational capacity should analyze their pretrial population and bonding practices to determine if changes in bonding practices would reduce the population of the jail.
3. If a Jail Task Force has been or will be established to study future detention facility needs in the county, they should request and analyze data on the current population mix of the jail, length of stay, and bonding practices. Changes in arrest or release practices and procedures will require the involvement of the entire criminal justice system in the area, to include the judges, law enforcement, district attorney, public defender, etc.

COLORADO'S JAIL CONDITIONS

During the Fall of 1982 there were 54 fully operational jails in Colorado, and five temporary holding facilities. The jails range in age from 90 years to buildings in progress. Thirteen of the county jails were built prior to 1930, while 17 have been built since 1970.

Some of the state's jails have physical conditions which create not only management problems, but also potentially dangerous situations which can threaten the life and safety of staff and prisoners. Inadequate jail conditions in one area can, and often do, lead to problems in other areas such as inadequate staff combined with the lack of automatic fire alarms. The

table on the following pages summarizes conditions in county jails in Colorado.

Twenty-one counties have either formal plans or have begun discussions for upgrading their jail. The reason most often cited for upgrading the jail was overcrowding (71.4%) followed by lawsuits (38.1%).

STAFFING

During the survey period there were 950 sworn individuals performing jail detention duties within the state. Using an average daily population of 2,918, the statewide ratio of sworn officers to individuals in jail is one to three.

At the time of the survey 18, or 1/3 of the jails in Colorado, did not have staff coverage by a detention officer on all shifts, usually nights, weekends and holidays. This figure is higher than the national average of 9.3 percent.

RECOMMENDATION

Local decision makers involved in operating and appropriating funds for jails should become actively engaged in reviewing and remedying deficiencies in jail conditions and staffing levels.

STAFF TRAINING

Six and one-half percent of all detention officers within the state were in need of basic training during the survey period. All of these individuals

COUNTY JAIL AND DETENTION FACILITY CONDITIONS

<u>PHYSICAL CONDITIONS</u>	<u>ADEQUATE</u>		<u>INADEQUATE</u>		<u>COMPOUNDING CONDITIONS</u>
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>	
Overcrowded at least once during the week of 6/20/82 to 6/28/82	32	(59)	22	(41)	
Air Flow Circulation	39	(72)	15*	(28)	*Of these, 9 (33%) have neither
Automatic Temperature Controls	42	(78)	12*	(22)	
Sufficient Lighting Levels	42	(78)	12*	(22)	*Of these, 4 (33%) were overcrowded in 6/82
Space to Segregate Persons by Classification	27	(50)	27*	(50)	*Of these, 5 (19%) do not have sufficient airflow, temperature control or lighting *Of these, 13 (48%) were overcrowded in 6/82
Space to Separate Juveniles from Adults (Sight & Sound)	25	(46)	29	(54)	
Space for Visitation	48	(89)	6*	(11)	*Of these, 2 (33%) were overcrowded in 6/82
Space for Attorney Interviews	43	(80)	11*	(20)	*Of these, 3 (27%) were overcrowded in 6/82
Space for Detoxification	25	(46)	29	(54)	
Space for Medical Examination and Treatment	24	(44)	30	(56)	
<u>LIFE SAFETY CONDITIONS</u>					
Automatic Fire Alarms	22	(41)	32	(59)	
Smoke/Fume Alarms	28	(52)	26	(48)	
Either Fire or Smoke Alarms	32	(59)	22*	(41)	*Of these, 8 (36%) were overcrowded in 6/82
Regularly Scheduled Staff Fire Drills	22	(41)	32*	(59)	*Of these, 18 (56%) do not have fire or smoke alarms *Of these, 7 (22%) were overcrowded in 6/82

	ADEQUATE		INADEQUATE		COMPOUNDING CONDITIONS
	N	%	N	%	
Fire Plans	31	(57)	23*	(43)	*Of these, 22 (96%) do not have alarms *Of these, 15 (65%) do not have alarms or drills *Of these, 9 (39%) were overcrowded in 6/82
Emergency Plans	29	(54)	25*	(46)	*Of these, 8 (32%) were overcrowded in 6/82
Regularly Scheduled Staff First Aid Training	47	(87)	7*	(13)	*Of these, 1 (14%) was overcrowded in 6/82
Emergency Communications System for Inmates to Summon Help	20	(37)	34*	(63)	*Of these, 17 (50%) do not have fire or smoke alarms *Of these, 15 (44%) were overcrowded in 6/82
Detention Officers on All Shifts	36	(67)	18*	(33)	*Of these, 12 (67%) have no emergency communication system for inmates *Of these, 8 (44%) do not have fire or smoke alarms *Of these, 7 (39%) were overcrowded in 6/82
Emergency Lighting or Power Source	21	(39)	33	(61)	
<u>OPERATING CONDITIONS</u>					
Programs/Activities (Except TV)	19	(35)	35*	(65)	*Of these, 15 (43%) were overcrowded in 6/82
Indoor Recreation Area	16	(30)	38	(70)	*Of these, 17 (45%) were overcrowded in 6/82
Outdoor Recreation Area	19	(35)	35	(65)	*Of these, 13 (37%) were overcrowded in 6/82
Either Indoor or Outdoor Recreation Area	26	(48)	28	(52)	*Of these, 11 (39%) were overcrowded in 6/82
Jail Health Care Equal to That of Other Citizens Within the County	46	(85)	8*	(15)	*Of these, 1 (13%) was overcrowded in 6/82
Medical Services Plan	37	(69)	17*	(31)	*Of these, 5 (29%) were overcrowded in 6/82
Classification Plan	23	(43)	31*	(57)	*Of these, 13 (42%) were overcrowded in 6/82
Sanitation Plan	24	(44)	30*	(56)	*Of these, 11 (37%) were overcrowded in 6/82
Library Plan	22	(41)	32*	(59)	*Of these, 14 (44%) were overcrowded in 6/82
Discipline Plan	32	(59)	22*	(41)	*Of these, 8 (36%) were overcrowded in 6/82
Privilege Plan	33	(61)	21*	(39)	*Of these, 6 (29%) were overcrowded in 6/82
Female Plan	31	(57)	23*	(43)	*Of these, 8 (35%) were overcrowded in 6/82

were from 22 rural departments where training is hampered by a lack of funds and insufficient staff resources to assume the additional workload when an officer goes to training.

Approximately 72 percent of the sheriffs interviewed expressed an urgent need for in-service or advanced training. The topics for advanced training most often cited are as follows, not in prioritized order:

- custody and care of the mentally ill
- fire prevention and evacuation planning
- custody and care of violent individuals
- supervision
- hostage negotiation
- crisis intervention
- medical program planning
- suicide prevention

RECOMMENDATION

The General Assembly of the State of Colorado should recognize and declare the need for a local detention officers' training program. At a minimum, this declaration should include, but not be limited to, standardization of curriculum, certification of appropriate existing inhouse training programs, and certification of graduates. The procedures for these activities could be patterned after the ones currently in use at the Colorado Law Enforcement Training Academy (CLETA); however, the actual training would not necessarily need to take place at a central academy location.

COLORADO JAIL LITIGATION

Twenty-one counties (36%) have been sued in the last two years because of inadequate conditions in their detention facilities. As shown in the following table, inadequate exercise facilities was the most frequently cited problem in suits against county jails.

JAIL CONDITIONS CITED IN LITIGATION SINCE 1980

Jail Condition	Counties Sued	
	Number	Percent
Exercise	12	52.4
Medical	10	38.1
Overcrowding	9	33.3
Ventilation	9	33.3
Classification	9	33.3
Law Library	9	33.3
Mail	9	33.3
Space	9	33.3
Lighting	8	28.6
Food	8	28.6
Telephone	7	23.8
Staffing	5	19.0
Education/Rehabilitation	4	14.2
Mental Health	1	9.5
All Other Areas	17	61.9

As a result of litigation, the courts will occasionally set a limit on the number of persons a jail may hold at any one time. Also, the Colorado Health Department has the authority to condemn and/or set limits on jail capacities. During the survey, seven county jails were under a court ordered capacity limit and an additional five county jails had a Colorado Department of Health imposed limit. This represents 21 percent of the counties which have operational jails or holding facilities.

RECOMMENDATION

1. Local officials involved in operating or appropriating funds for county jails should review and evaluate the conditions of their jail facility against the areas cited in the past and present lawsuits found in the above table and develop a strategy or plan for making any necessary improvements. This strategy may include short term improvements as well as implementation of a long term planning process for a new facility if needed.

2. This assessment should be undertaken as soon as possible, prior to a lawsuit being filed. Although recognition of problems and a plan for resolution cannot be used as the sole defense in a lawsuit, it can help to show that a good faith effort is being made to rectify the current inadequate conditions.

The outcome of lawsuits against jails is affected in Colorado by the absence of state jail standards. Because Colorado is one of only a few states which does not have jail standards, standards for local jails are being set by the courts through litigation. In addition, counties are often forced into building a more costly facility to comply with all existing federal and court established standards rather than building to one set of standards developed to meet the needs in Colorado.

RECOMMENDATION

The General Assembly should create a commission on jail standards to promulgate rules and regulations for the construction, renovation, equipment, maintenance and operation of county and municipal jails and set minimum standards for the custody, care and treatment of inmates.

Because of the high cost involved in litigation, many counties have established the policy of settling many suits out of court. Many criminal justice practitioners feel that such policies have led to an unprecedented number of frivolous or nuisance lawsuits. Such suits have limited or no legal grounds; however, the individual filing the suit hopes to obtain a modest financial settlement before the case proceeds through the court process where it may be dismissed.

RECOMMENDATION

1. The sheriffs with their county attorney should review all present and recent jail litigation to determine the merits of all such lawsuits. In the event this review determines that some of these may be frivolous in nature, or are questionable in merit, they should explore with the proper members of the judiciary any available legal method(s) to reduce or restrict such future filings.

2. Each unit of local government should evaluate existing policies and practices which involve monetarily settling frivolous or nuisance jail lawsuits out of court to insure that their policies and practices are not encouraging the filing of such suits.

OTHER JAIL RELATED ISSUES

REGIONAL JAILS

Approximately 1/3 of the 54 sheriffs that were interviewed felt that a regional jail concept was either a good idea or should be explored further. A regional jail was defined as a jail shared between counties, not between the state and a county or counties. Thirty-five percent of these sheriffs felt that such a facility would be cheaper to run, and 35 percent also felt that it would be better for sentenced individuals.

Those sheriffs that felt a regional jail was a bad idea or not worth exploring felt that distance, terrain and transportation costs were the major disadvantages. Approximately 69 percent of these same sheriffs felt that "turf" problems are also an important issue.

RECOMMENDATION

The feasibility of establishing regional jails should be explored. The initial effort should be concentrated in rural, rather than urban areas of the state, where the distances and terrain are such that transportation problems would be minimal and where local officials are willing to explore the feasibility of such a venture (e.g., the northeastern section of the state).

STANDARDIZED RECORDKEEPING

Eighty-one percent of the sheriffs interviewed felt that standardized jail records should be established. Likewise, 94 percent of the sheriffs felt that if such standardization was accomplished, they would be willing to pursue the idea of forwarding this information to a centralized location for the purpose of establishing a statewide demographic and criminal justice booking information data base.

RECOMMENDATION

1. *The Division of Criminal Justice and the County Sheriffs of Colorado, Inc. should work together in developing jail records with standardized data elements.*
2. *The Division of Criminal Justice and the County Sheriffs of Colorado, Inc. should formally explore ways and means of developing a centralized, statewide data base for jail information.*

RELATIONSHIPS WITH OTHER AGENCIES

Some sheriffs mentioned that because of their unique location, having a state institution within their county, they were often called upon to house state inmates. These sheriffs raised concerns over who should pay for these individuals, who gets priority when the jail is full, and the cost of litigation from jail suits filed by the individuals against the jail.

RECOMMENDATION

The Division of Criminal Justice and the County Sheriffs of Colorado, Inc. should conduct a meeting with the sheriffs, county commissioners, legislators and judges from these affected counties and the Department of Corrections for the purpose of resolving these and other policy questions concerning confinement of state inmates in local jails.

The lack of sensitivity about jail problems by certain groups of individuals was mentioned by a number of sheriffs. The groups most often mentioned were the Colorado State Patrol, public defenders, county commissioners, legislators, medical and mental health, and the general public.

RECOMMENDATION

- 1. The County Sheriffs of Colorado, Inc. should continue to assume the lead role in establishing and maintaining a statewide, ongoing, positive rapport with all groups of individuals who are in any way connected with or to any degree responsible for jails.*
- 2. The County Sheriffs of Colorado, Inc. and Colorado Counties, Inc. should establish and maintain an ongoing subcommittee made up of elected officials from both associations for the purpose of working together on jail issues and to make recommendations to the legislature on jail funding mechanisms and other jail related issues.*
- 3. Sheriffs in areas where the working relationship with other groups needs improvement should take the lead as elected officials to increase the awareness and sensitivity of these individuals and groups. If necessary, the County Sheriffs of Colorado, Inc. should assist in these activities, which might include meetings with other groups, jail tours, use of the media and the help of other professional organizations or associations.*

JUVENILES CHARGED AS ADULTS

Two sheriffs mentioned the problems and potential liability associated with housing pretrial juvenile offenders who have been charged with adult crimes. These juveniles could not be housed with other juveniles because of their charges, nor could they be housed with adults because of their age.

RECOMMENDATION

- 1. The Division of Criminal Justice and County Sheriffs of Colorado, Inc. should host a meeting of interested parties including the judiciary and members of the legislature to determine what legal or statutory remedies might exist for both the segregation issue and the potential liability to sheriffs.*
- 2. When necessary, the County Sheriffs of Colorado, Inc. should stand prepared to assist sheriffs from smaller communities with inadequate jail conditions locate suitable space in other jails for pretrial juveniles who have been charged as adults.*

MEDICAL TREATMENT

Several sheriffs expressed concerns over medical treatment, especially the cost of such treatment for individuals held in jail. This included responsibility and liability for elective surgery for sentenced individuals, responsibility for payment between contracting counties, medical insurance payments and ways to insure or hedge against catastrophic medical bills.

RECOMMENDATION

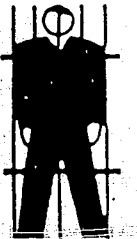
1. *The Division of Criminal Justice, County Sheriffs of Colorado, Inc. and the Colorado Medical Society, Jail Health Care Project should host a meeting of interested individuals to explore legal or statutory remedies to these and related issues.*

2. *The Colorado Medical Society, Jail Health Care Project should continue its review of the procedures used by federal and state medical programs to terminate coverage for pretrial detainees and make appropriate recommendations to affected parties including the Colorado General Assembly.*

CHAPTER I: COLORADO'S JAIL POPULATION

This chapter provides an analysis of Colorado's jail population with Pre-trial, Sentenced and Other Holds discussed separately. During the sample period of July 1, 1981 to June 30, 1982, there were approximately 120,500 admissions to county jails in Colorado. This figure represents a 24.2 percent statewide increase over the bookings during calendar year 1980 of approximately 97,000.

The average daily population (ADP) in county jails is estimated to be approximately 2,918. This figure represents a 46 percent increase over the ADP of 2,000 in 1980. This increase in ADP is attributable to two factors: the increase in the number of bookings and an increase in the average length of stay from 7.5 days to 9.2 days between 1980 and 1982. It is estimated that another 300 to 400 persons are held in municipal jails each day prior to being transferred to county jails or released on bond.



Juveniles represent a very small portion of the total jail population - less than four percent. Adult females also represent a relatively small proportion of the jail population. Table I-1 presents a breakdown by sex of the adults and juveniles booked into county jails during the sample period. A list of adults and juveniles booked into jail by county is found in Appendix B.

TABLE I-1
ADMISSIONS TO JAIL BY SEX

	<u>Number</u>	<u>Percent</u>
Adult Male	104,682	86.8
Adult Female	11,632	9.7
Juvenile Male	3,344	2.8
Juvenile Female	810	0.7
	<u>120,468</u>	<u>100.0</u>

Table I-2 shows the sex and age distribution of the jail population. Adults and juveniles are shown separately.

TABLE I-2

AGE AND SEX DISTRIBUTION OF TOTAL JAIL ADMISSIONS

Adults				Juveniles			
Age	Male	Female	Total	Age	Male	Female	Total
18-19	6.8%	9.0%	7.0%	10-11	0.9%	0.6%	0.8%
20-24	30.6	35.2	31.0	12-13	4.9	7.4	5.4
25-29	22.2	18.9	21.9	14-15	25.9	42.5	29.1
30-34	15.6	16.2	15.7	16-17	68.3	49.5	64.7
35-39	10.2	8.1	10.0	Total	100.0%	100.0%	100.0%
40 +	14.6	12.6	14.4				
Total	100.0%	100.0%	100.0%				

During the survey period, the majority of all individuals booked into county jails, about 60 percent, were Anglo. Blacks are underrepresented in the juvenile population, at least in part because most of the black population in the state lives in Denver and Colorado Springs metro areas where juveniles are more likely to be placed in a detention center than in a county jail. The following table presents the ethnic distribution of the total jail population for both adults and juveniles.

TABLE I-3

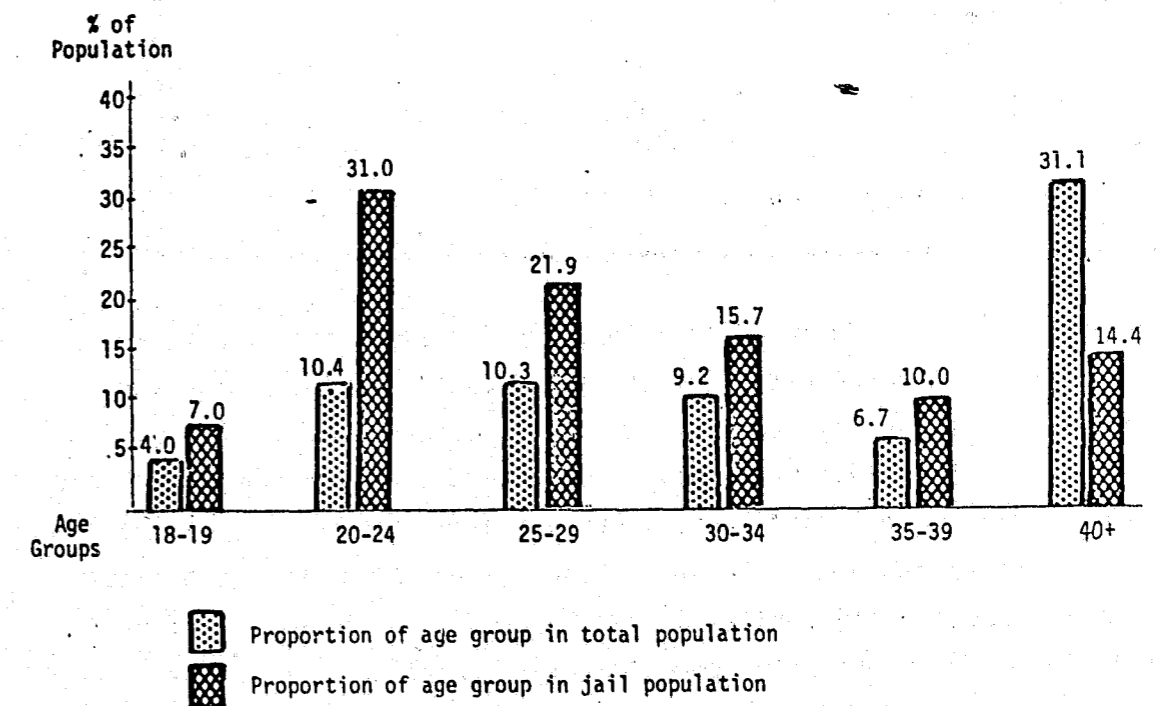
ETHNIC AND SEX DISTRIBUTION OF TOTAL JAIL ADMISSIONS

Ethnicity	Adults			Juveniles		
	Male	Female	Total	Male	Female	Total
Anglo	58.7%	71.1%	59.9%	67.7%	42.7%	62.5%
Black	17.0	12.5	16.5	1.5	1.0	1.4
Hispanic	22.5	11.6	21.4	29.4	44.8	32.7
American Indian	1.3	3.0	1.5	0.3	-	0.2
Asian	0.2	0.9	0.3	-	-	-
Other	0.3	0.9	0.4	1.1	11.5	3.2
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

In Colorado, as well as nationally, males tend to be overrepresented in the jail population when compared to their proportion of the total adult population. Black and Hispanic males also tend to be overrepresented in the jail population. The age group of 20 to 24 is the most overrepresented in jail for both sexes when compared to this group's proportion of the total adult population in the state. This age group comprises approximately 31 percent of Colorado's adult jail population while making up only 10.4 percent of the state's adult population. Chart I-1 reflects the relationship between census age groups of individuals who were booked into jail during the survey period compared to the general population.

CHART I-1

COMPARISON OF AGE GROUPS OF ADULTS BOOKED INTO COUNTY JAILS TO STATE POPULATION



Source: State population figures are 1980 Census provided by Y. Richard Lin, Planning Assistance, Division of Local Government, Department of Local Affairs

Analysis of the residency of those individuals who were booked into county jails during the sample period shows that the majority resided within municipalities in Colorado, as seen in Table I-4. This table is presented in two sections: the first shows adults in the state, excluding the City and County of Denver; the second section shows adults for the total state, including Denver. Comparable data were not available for juveniles.

TABLE I-4

RESIDENCY OF INDIVIDUALS BOOKED INTO COUNTY JAILS

<u>Residency</u>	<u>Adults Excluding Denver</u>	<u>Adults Statewide</u>
Municipality	77.7%	77.6%
County (Unincorporated)	5.8	7.3
Indian Reservations	.7	.5
Out of State	14.2	12.7
Other*	1.6	1.9
Total	100.0%	100.0%

*Includes state institutions and military

When the above data are compared to information on arresting agency, we see that a much higher proportion of people arrested reside within city limits than are arrested by municipal law enforcement. Table I-5 presents a breakdown by arresting agency. Totals are shown for the state, both excluding Denver and including Denver, because of differences resulting from the City/County combination in Denver. Juveniles are also shown separately. The arresting agency for juveniles is fairly evenly split between city and county law enforcement with approximately 11 percent arrested by state or federal agencies.

TABLE I-5

ARRESTING AGENCY OF INDIVIDUALS BOOKED INTO COUNTY JAILS

<u>Arresting Agency</u>	<u>Adults Excluding Denver</u>	<u>Adults Statewide</u>	<u>Juveniles Statewide</u>
Municipal	47.0%	64.0%	46.0%
County Sheriffs	36.7	25.0	42.7
Colorado State Patrol	12.6	8.4	-
Other State and Federal Agencies	3.7	2.6	11.3*
Total	100.0%	100.0%	100.0%

*Includes State Patrol

Further analysis of residency and arresting agency of adults shows that 46 percent of those booked into jail resided in the same county in which they were arrested. Table I-6 compares the percentage of individuals who were arrested in the same county in which they lived with those who lived in other counties or out of state. This type of information is important when reviewing pretrial bonding procedures discussed later in this chapter.

TABLE I-6

COUNTY OF RESIDENCE COMPARED TO ARRESTING AGENCY

<u>County of Residence</u>	<u>Adults Booked Into Jail</u>
Same as County of Arrest	45.8%
Out of County	26.8
Out of State	8.7
Other*	18.7
Total	100.0%

*Includes individuals who resided in state institutions and state and federal arrests

Information was also collected concerning education, marital and employment status for the total jail population. However, since many of the jail records do not include this type of information, the results are inconclusive and, therefore, not contained within this report.

Table I-7 shows the legal status of individuals booked into county jails. The status of approximately 3/4 of the people in jail is pretrial. These are individuals who have been arrested and charged with committing an offense, but have not yet been adjudicated through the courts. Sentenced individuals are those persons who have been convicted by the courts and have been committed to the county jail to serve a sentence. The status entitled "holds" refers to those individuals booked into jail and who are being held for other counties, held for state agencies, protective custody, etc.

TABLE I-7

STATUS OF INDIVIDUALS BOOKED INTO JAIL

<u>Status</u>	<u>Adult</u>	<u>Juvenile</u>	<u>Total</u>
Pretrial	77.0%	76.5%	77.0%
Sentenced	13.3	6.2	13.0
Holds	9.7	17.3	10.0
	100.0%	100.0%	100.0%

In summary, the most typical person in the county jail population between July, 1981 and June, 1982 was an Anglo, adult male between the ages of 20 and 29. He resided within a municipality in Colorado, was arrested by a municipal police department within the same county in which he lived, and was booked into jail on pretrial status.

PRETRIAL POPULATION



This section of the report will address the demographic and criminal justice information on individuals in county jails on pretrial status. As shown in Table I-7, individuals with this

status make up the majority (77%) of the state's total county jail population.

Interviews with sheriffs and jail administrators reveal that the pretrial population of a jail is often a very difficult group to manage because of the difficulty in predicting their behavior and attitude. Within this mixture of individuals are persons who may have been arrested for crimes ranging from the most violent felony down to the lesser offenses, such as being drunk in a public place or not paying a traffic fine.

When handling the pretrial individual, it is often said that jail detention officers are dealing with an unknown quantity. In other words, the individual and his or her actions are unpredictable. National jail studies have found that the booking process in any local jail is often the first contact many individuals have ever had with the criminal justice system, other than perhaps receiving and paying for a traffic citation. The risk of suicide is at the highest during the first few hours of pretrial incarceration. This is especially true of first time offenders who are intoxicated at the time of arrest and booking. Regardless of the variation in charge at arrest, the unique characteristic common to these individuals is that during this period of their incarceration within the jail, they have not been convicted of any wrongdoing.

Another factor that makes managing the pretrial population particularly difficult for the jail staff is that the quantity of pretrial individuals coming into the jail during any one period of time is unknown. Although there are sophisticated projection models that assist in projecting weekly, monthly or annual trends, these models cannot accurately project workloads during any 24 hour period. An incident such as a barroom fight or impromptu demonstration could triple the normal volume of pretrial individuals being booked into a county jail on any given day or night. This is often a more critical problem to smaller rural jails than it is to the larger urban facilities.

Thus, in dealing with pretrial individuals, jail personnel have in their control for custody and safekeeping a population of persons who have often been arrested and charged with committing a variety of offenses; who may be violent,

uncooperative, scared or suicidal; who may be in need of medical, mental or detoxification help, all of whom have not been convicted of committing an offense against society. Equally as significant is the fact that the number of these individuals entering the jail at any one time cannot always be accurately projected. These factors, coupled with the necessity of keeping pretrial individuals segregated from sentenced individuals and from each other in some instances, plus the judiciary's trend toward expanding the rights for pretrial prisoners, can and often do create severe management problems for sheriffs and detention personnel.

Table I-8 shows the sex, age and ethnicity of adult and juvenile individuals in pretrial status. A higher percentage of the juveniles booked into jail are female, 19.7 percent compared to 11.9 percent for adults. The ethnic background of the adults and juveniles also differs, primarily because fewer juveniles are booked into front range jails, but are instead placed into detention centers.

TABLE I-8
PRETRIAL POPULATION BY SEX, AGE GROUP AND ETHNICITY

Sex	Adult	Juvenile
Male	88.1%	80.3%
Female	11.9	19.7
Total	100.0%	100.0%
<u>Age</u>		
10-11	-	1.0%
12-13	-	5.4
14-15	-	29.9
16-17	-	63.7
18-19	7.1%	-
20-24	29.7	-
25-29	20.7	-
30-34	15.2	-
35-29	3.4	-
40 +	23.9	-
Total	100.0%	100.0%
<u>Ethnicity</u>		
Anglo	61.8%	73.8%
Black	15.9	1.2
Hispanic	20.3	22.1
Am. Indian	1.6	0.2
Asian	0.2	-
Other	0.2	2.7
Total	100.0%	100.0%



Data from the sample indicate that the highest percentage of bookings involves traffic-related charges and not crimes of violence, as is often perceived by people not familiar with local corrections. For the purposes of this report, traffic related offenses include all drivers license offenses and driving offenses, including driving under the influence (DUI) and driving while impaired (DWAI). Table I-9 shows the types of charges for which adults and juveniles are booked into county jails.

TABLE I-9
CRIME TYPE OF PRETRIAL OFFENDERS

Crime Type	Adult	Juvenile	Total
Traffic	36.1%	21.2%	35.6%
Property	20.4	39.8	21.1
Personal	11.1	7.1	11.0
Drugs/Vice	7.4	3.9	7.3
All Other Charges*	25.0	28.0	25.0
Total	100.0%	100.0%	100.0%

*Includes holds for other jurisdictions and for juveniles includes Status, CHINS, Dependent/Neglected, etc.

By looking at the felony and misdemeanor classification of the offense charged we get some indication of seriousness of the offense, as reflected in Table I-10. Over 1/3 of the adults booked into jail are there for traffic offenses, 26 percent for felony charges and 24 percent for ordinance violations. A larger proportion of juveniles are held in jail on felony charges than are adults. The difference in the percentage of traffic offenses in Tables I-9 and I-10 lies in missing cases within the sample and rounding errors.

The data were further analyzed in such a manner as to provide information on the most frequent reasons, or charges, for individuals who were booked into jail during the sample period. Alcohol related driving offenses were the most frequent charges at booking, with almost 25 percent of the adults

being booked for DUI/DWAI offenses. The most frequent charges for juveniles are runaway, followed by theft and burglary. The most frequent booking charges are found in Table I-11.

TABLE I-10

CRIME CLASSIFICATION FOR PRETRIAL OFFENDERS

Crime Classification	Adult	Juvenile	Total
Traffic	35.7%	21.6	35.2%
Felony	25.7	36.7	26.1
Ordinance	23.5	1.7	22.8
Misdemeanor	12.6	16.6	12.7
All Other Charges*	2.5	23.4	3.2
Total	100.0%	100.0%	100.0%

*Includes hold for other jurisdictions

TABLE I-11

MOST FREQUENT CHARGES AT BOOKING

Offense	Adult	Juvenile	Total
DUI/DWAI	24.7%	7.6%	24.1%
Failure to Appear	11.5	5.7	11.3
Disorderly Conduct	10.5	2.2	10.2
Theft-Larceny	9.2	16.1	9.4
Other Traffic	7.2	7.2	7.2
Assault	5.9	3.2	5.8
Drugs	4.6	3.8	4.6
Driving License Violation (DUS-DUR-DUD)	4.1	3.2	4.1
Burglary	4.1	12.7	4.4
Runaway	-	16.3	0.6
All Other Charges	18.2	22.0	18.3
Total	100.0%	100.0%	100.0%

Approximately 1/3 (32%) of all adults in the sample admitted into county jails are booked with a second charge. Eleven percent of all individuals were

booked with three or more charges. Table I-12 shows the type of offense for second and third charges when multiple charges were involved. Over 50 percent of the second and third charges are traffic related.

TABLE I-12

SECOND AND THIRD BOOKING CHARGES

Crime Type	2nd Charge	3rd Charge
Traffic	54.3%	50.9%
Property	16.2	15.1
Personal	11.9	13.2
Drugs/Vice	4.5	7.9
All Other Charges*	13.1	12.9
Total	100.0%	100.0%

*Includes holds for other jurisdictions

As stated earlier, individuals who are booked into county jails on a pre-trial status have not been convicted of committing a crime; therefore, there are several methods for releasing such a person from jail. This section of Chapter I will address these releases and the amount of time an individual will spend in jail prior to being released or adjudicated.



A person who is on pretrial status may be released through the use of bonds, court orders, or dismissed charges. Only 16 percent of those booked into county jails on pretrial charges remain in jail until their case is adjudicated. Most of these are adults, and many are ineligible for bond or cannot afford to pay the bond. Table I-13 presents pretrial releases. Of the adults, 68.6 percent are released on bond, compared to 21.1 percent of the juveniles. Approximately 1/4 of the juveniles are transferred to detention centers and are held in jail only a short time, and almost 1/3 are released to their family.

Analysis of the length of stay of the pretrial individuals released through one of the methods shown in Table I-13 shows that 43 percent of the adults are released within the first six hours of custody and 72 percent are released within 24 hours. Chart I-2 shows the length of stay distribution of pretrial

detainees and compares those released on bond to other types of releases.

TABLE I-13

PRETRIAL RELEASE

Type of Pretrial Release	Adult	Juvenile
Bail Bond	68.6%	21.1%
Not Released-Adjudicated	15.6	0.7
Charges Dismissed	4.2	0.6
Transfer to Another County Jail	4.0	0.3
Transfer to a Juvenile Facility	-	24.7
Family	-	31.4
Other*	7.6	21.2
Total	100.0%	100.0%

*Includes court ordered releases

CHART I-2

ADULT PRETRIAL RELEASE TYPES BY LENGTH OF STAY

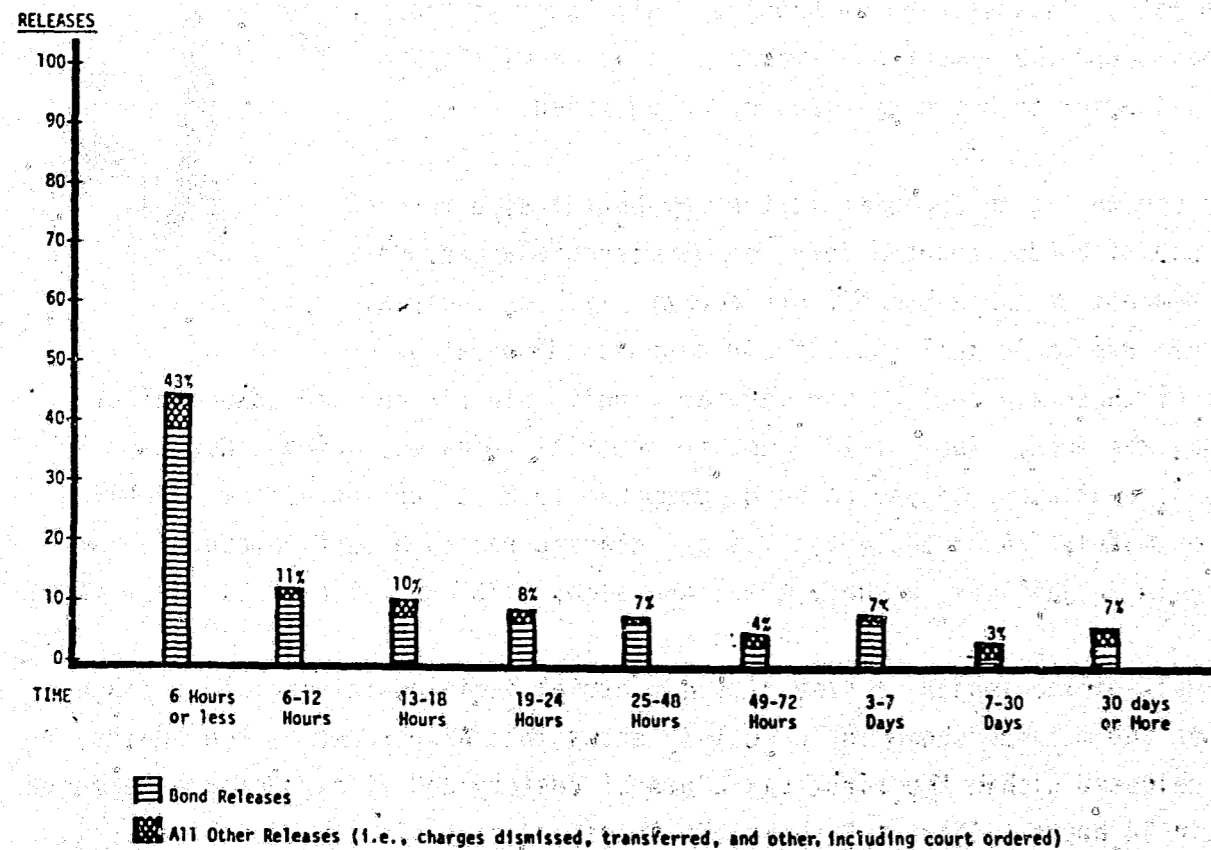


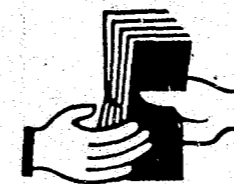
Table I-14 shows the types of bonds used by those released on bond. Surety bonds (bonds posted by a bail bondsman) were the most common method of bonding releases, used in 35 percent of the cases. Cash bonds were used in 33 percent of the cases and personal recognizance (PR) bonds were used 29 percent of the time.

TABLE I-14

ADULT BOND RELEASE TYPES

Type of Bond	% of Total Bond Releases
Surety Bond (Bail Bondsman)	35.2%
Cash (Individual)	32.9
Personal Recognizance (PR)	28.7
Property	2.7
Other	0.5
Total	100.0%

In addition to the type of bond that individuals may use, the amount of the bond and the length of time an individual spends in jail compared to the crime the individual is accused of committing are also important elements in analyzing pretrial releases. Bond amounts range from a few dollars to tens of thousands of dollars and pretrial length of stay ranges from a few hours



to months. As a means of providing information in the most meaningful manner, a statistical measure of central tendency called the "median" is used in the following table to represent bond amount and length of stay. A median is the central value among all of the possible values within the range. It is the value where 50 percent of the values in the range are higher and 50 percent

are lower. Since bond amounts were grouped during data collection, the median bond amount is within the range shown on the table. Because of the difference between Denver and the balance of the state, and because of variation in the data collection between the two, Table I-15 is broken down by the Balance of State (excluding Denver), and Denver. Comparable data was not available for juveniles released on bond.

TABLE I-15

BOOKING CLASSIFICATION BY LENGTH OF STAY AND BOND AMOUNT FOR PRETRIAL ADULTS THAT WERE BONDED

Crime Type	Balance of State (Excluding Denver)		Denver	
	The Median Pretrial Time in Jail Prior to Bonding	The Median Pretrial Bond Amount	The Median Pretrial Time in Jail Prior to Bonding	The Median Pretrial Bond Amount
Traffic	4.3 hours	\$ 301-\$ 400	7.2 hours	\$ 201-\$ 300
Property	18.1	1001- 2500	19.5	1001- 2500
Personal	15.6	501- 1000	24.8	1001- 2500
Drug & Vice	21.0	1001- 2500	15.8	501- 1000
Other	6.2	201- 300	10.7	100
Crime Classification				
Traffic	4.3 hours	\$ 301-\$ 400	7.2 hours	\$ 201-\$ 300
Felony	22.6	1001- 2500	31.8	1001- 2500
Ordinance	13.5	201- 300	11.8	100
Misdemeanor	9.0	201- 300	17.0	201- 300
Other	14.1	100	5.3	101- 200
Most Frequent				
DUI/DWAI	43.0 hours	\$ 401-\$ 500	7.1 hours	\$ 201-\$ 300
Failure to Appear	4.0	101- 200	Not Available	Not Available
Disorderly Conduct	9.2	101- 200	11.1	100
Theft-Larceny	10.1	501- 1000	14.9	100
Other Traffic	4.4	101- 200	7.3	101- 200
Assault	14.0	501- 1000	9.7	101- 200
Drugs	24.7	1001- 2500	19.3	1001- 2500
Driving License Violations (DUS-DUR-DUD)	4.4	301- 400	Not Available	Not Available
Burglary	30.3	1001- 2500	48.1	2501- 5000
All Other Charges	13.4	501- 1000	11.3	101- 200

32

Appendix C shows the mean, median and modal length of stay for pretrial adult individuals who were released on bond. Appendix C-1 shows the mean, median and modal length of stay for all pretrial individuals, regardless of whether or not they were bonded, for the balance of the state's jurisdictions, excluding Denver. Appendix C-2 shows the pretrial length of stay for juveniles.

SENTENCED POPULATION

Approximately 13 percent of the admissions to county jails in Colorado are sentenced offenders. Individuals in this group have been convicted of committing a violation of the law and are sentenced to serve a period of time in a county detention facility. Prior to adjudication, these individuals may have been released on bond or, having either not made bond or not been eligible for bond, were in jail awaiting trial and sentencing. For individuals who were held in jail awaiting trial, the sentencing court may elect to return the person back to the jail to serve his or her sentence, or the court may elect to count some or all of the time the individual spent in jail against his or her sentence. In the latter case, an individual's actual sentence length will be reduced by the amount of pretrial time authorized by the court. Approximately 10.4 percent of the sentenced individuals in the sample were given credit for all or part of the time they had served in jail prior to sentencing.



Upon conviction, the court will issue a mittimus (mitt) for individuals who have been on bond during their pretrial time, remanding the person to the custody of the sheriff for the purpose of serving a sentence. The mitt will specify the length of sentence, and in some cases, may state when the sentence is to begin and what type of sentence it shall be. Examples of types of sentences include work release or weekend programs.

The sentenced population is in some instances an easier group of individuals to manage than the pretrial population discussed earlier. The individuals

making up the sentenced population of the jail are of a known quantity compared to the unknown quantity of pretrial individuals. From a management standpoint, in general, these individuals do not require the same degree of segregation except by sex and adult/juvenile. Also, they have a lower suicide rate and often are in a better state of mind and physical condition (e.g., needs for detoxification or medical assistance) than the general pretrial population.



Some of these individuals may obtain trustee status during their sentence and thereby assist in performing limited duties in and around the detention facility. However, it is important to keep in mind that these individuals have been convicted of committing a crime against society and are serving a sentence in jail for that crime and can be dangerous, violent or disruptive.

The sentenced population of county jails in Colorado contains a higher proportion of males than the pretrial population. Sentenced adults include a higher proportion of Anglos than the pretrial population. The proportion of Anglo juveniles is lower in the sentenced population than the pretrial population, while Hispanics are higher. Sentenced juveniles also tend to be older than those admitted to jails on pretrial status. The sex, age and ethnicity of the sentenced population is found in Tables I-16 and I-17.

TABLE I-16
SENTENCED POPULATION BY SEX AND AGE GROUP

Sex	Adult	Juvenile
Male	95.2%	92.7%
Female	4.8	7.3
Total	100.0%	100.0%
Age		
10-11	-	-
12-13	-	-
14-15	-	18.5%
16-17	-	81.5
18-19	5.8%	-
20-24	36.4	-
25-29	20.8	-
30-34	14.2	-
35-39	9.6	-
40 +	13.2	-
Total	100.0%	100.0%

TABLE I-17
SENTENCED POPULATION BY ETHNICITY

Ethnicity	Adult	Juvenile
Anglo	77.3%	50.4%
Black	5.2	1.6
Hispanic	14.7	46.0
Am. Indian	2.8	-
Asian	-	-
Other	-	2.0
Total	100.0%	100.0%

Analysis of the crimes for which individuals are sentenced to county jails shows that, similar to the pretrial population, the highest percentage of sentences is for traffic related offenses. Thirty-seven percent of the adults are sentenced to jail for traffic offenses, while slightly over 55 percent of the juveniles are sentenced for traffic related offenses. Table I-18 reflects the charge at conviction for persons who were sentenced to county jails during the sample period.

TABLE I-18
CRIME TYPE OF SENTENCED OFFENDERS

Crime Type	Adult	Juvenile	Total
Traffic	37.2%	55.2%	37.5%
Property	14.6	17.2	14.7
Personal	7.6	9.8	7.6
Drugs & Vice	6.3	1.2	6.2
Other*	34.3	16.6	34.0
Total	100.0%	100.0%	100.0%

*Includes ordinance violations

Table I-19 presents the most frequent charges for which individuals are sentenced to county jails. For adults, the highest percentage is for disorderly conduct, followed by traffic offenses. For juveniles, the highest percentage is for traffic offenses, followed by DUI/DWAI offenses.

TABLE I-19
MOST FREQUENT CHARGE AT CONVICTION

Offense	Adult	Juvenile	Total
DUI/DWAI	12.2%	19.0%	12.3%
Failure to Appear	1.4	0.4	1.4
Disorderly Conduct	20.1	1.2	19.8
Theft/Larceny	12.0	6.0	11.9
Other Traffic	19.8	21.3	19.8
Assault	6.2	10.4	6.2
Drugs	3.3	4.3	3.3
Driving License Violations (DUS-DUR-DUD)	5.0	9.8	5.2
Burglary	3.0	6.7	3.1
All Other Convictions	17.0	20.9	17.0
Total	100.0%	100.0%	100.0%

Table I-20 shows the median length of stay for those sentenced to jail. The median length of stay is used because the mean or average is distorted by a few very long sentences. However, the mean, median and mode for sentenced adults are presented in Appendix D and for juveniles in Appendix D-1. In order to show the data in the most representative manner, the information in Table I-20 is presented separately for the balance of state, Denver, and juveniles.

TABLE I-20
OFFENSE AT CONVICTION BY LENGTH OF STAY IN DAYS

Classification	Adult		Juvenile
	Balance of State (Excluding Denver)	Denver	Statewide
Traffic	5 days	1 day	2 days
Property	10	2	2
Personal	50	2	1
Drug/Vice	13	1	**
Other	5	1	2
<u>Most Frequent Convictions</u>			
DUI/DWAI	5	2	2
Failure to Appear	1	Not Available*	**
Disorderly Conduct	5	1	**
Theft/Larceny	10	1	2
Other Traffic	5	1	2
Assault	50	1	1
Drugs	10	1	*
Driving License Violations (DUS-DUR-DUD)	5	Not Available*	
Burglary	34	19	2
All Other Charges	13	1	3

*Information not identified separately due to different collection method
**Too few cases for valid computation

OTHER HOLDS

The third and last subpopulation making up the jail population will be called "holds" for purposes of this report. Holds comprise approximately 10 percent of the state's total jail population. Examples of individuals within this population include those who are being held for other agencies such as other counties, state agencies or immigration, or are in jail for protective custody either because of intoxication, mental problems, etc. This group often makes up a higher percentage of the total jail population in rural jails because, as suggested in interviews with sheriffs and other jail personnel, rural communities have fewer alternatives to hold and/or treat these individuals than the larger urban areas. Consequently, the rural jail often becomes the only facility available for these types of people.



Table I-21 shows the relationship between the operating capacity of the jails and the proportion of pretrial, sentenced and other holds. Operating capacity was defined by the sheriffs as the maximum capacity at which the jail can be effectively managed, allowing for proper segregation of prisoners.

TABLE I-21
STATUS OF PRISONERS COMPARED TO JAIL SIZE

Operating Capacity	# of Jails	Pretrial	Sentenced	Holds
1- 6	13	79.3%	9.6%	11.1%
7- 12	15	68.3	15.4	16.3
13- 30	12	71.5	14.5	14.0
31-100	8	76.5	15.7	7.8
101-200	5	80.1	11.7	8.2
201 +	1	63.5	30.0	6.5

Individuals within the "holds" subpopulation can be the most difficult to manage. These individuals can and often do require a disproportionate share of detention personnel time and facility space due to their unique problems and



conditions. Examples range from intoxicated individuals who are a threat to themselves, to mentally ill persons who can become a violent threat to other persons confined in the jail and to jail staff. Table I-22 shows the types of holds for which people are in county jails and the proportion of each for both adults and juveniles. For juveniles, the type of hold entitled "hold for shelter care, group home and Division of Youth Services" consisted of individuals who have run from one of the facilities and are in jail awaiting transport back to the facility. When these juveniles who have run from placement are added to those who have run from home, referred to on page 28, runaways make up approximately 13 percent of the state's total juvenile jail population.

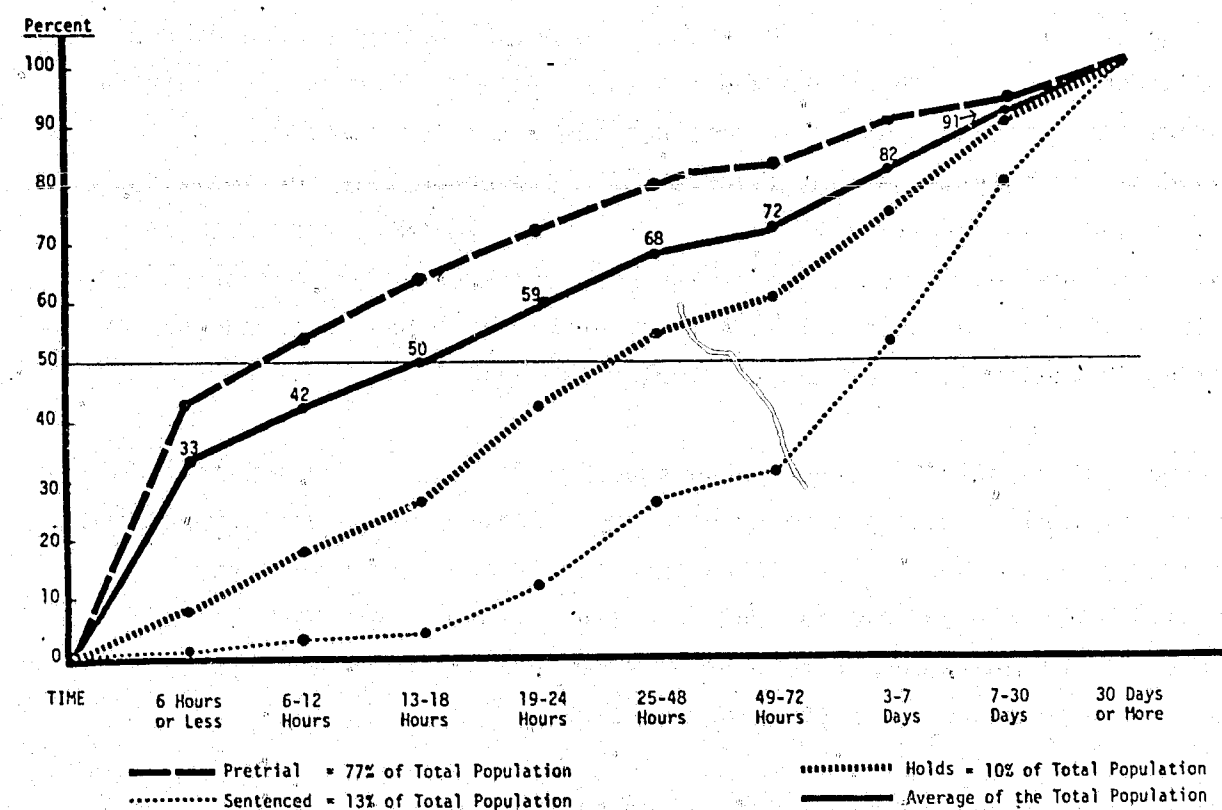
TABLE I-22
TYPES OF HOLDS

Type of Hold	Adult	Juvenile	Total
Hold for other counties	42.6%	3.9%	40.3%
Hold for State of Colorado agencies	18.0	28.8	18.7
Hold for Immigration	7.6	11.7	7.8
Protective Custody, Detox and other	6.4	5.9	6.3
Hold for other Federal agencies	5.4	0.7	5.1
Hold for Court, including Contempt	4.0	34.2	5.9
Hold for Mental Health	2.2	1.9	2.2
Hold for Shelter Care, Group Home and Division of Youth Services	-	10.9	0.6
All Others	13.8	2.0	13.1
Total	100.0%	100.0%	100.0%

Individuals in jail on a "hold" can be released in a variety of ways, from simply being turned loose for individuals held in protective custody, to the transfer to another jurisdiction, agency or facility. The individuals may be transferred to the custody of federal, state or other local jurisdictions, or to a treatment center for mental, alcohol or drug problems. Individuals in this population may have charges filed against them while still in jail. When this occurs, the individual's status changes from that of a "hold" to pretrial, and the individual may be afforded one of the pretrial release methods described earlier.

As a means of summary, Chart I-3 graphically shows the relationship between the length of stay of individuals in the three subpopulations of pretrial, sentenced and holds that make up the total population of a jail. In comparing these three status groups, it is seen that 50 percent of the pretrial individuals are released within the first 12 hours of their custody. On the other hand, 50 percent of those individuals who are serving a sentence are released within seven days and 50 percent of the holds are released within the first 48 hours.

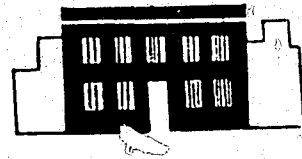
CHART I-3
CUMULATIVE TIME OF RELEASE BY STATUS OF PRISONER



Note: Percent indicates proportion of total population released by the time specified.

CONTRACT SPACE

For those counties not having a jail facility, or where there is a jail but it is overcrowded, a contract with another county is often arranged to house those persons who need to be held in jail. This arrangement can include individuals from any or all of the three subpopulations of the jail (pretrial, sentenced, and holds). The daily cost associated with these contracts is set by the county commissioners of the receiving or "host" county and vary from a low of approximately \$25 per day up to over \$40 per day.



During the sample period there were 18 county jails holding persons in contract space for 15 counties which either did not have a jail or had overcrowded conditions, with an average length of stay of 11 days per individual. However, this does not mean that this was the total length of custody for the individual, it only means that 11 days was the average time the individual spent in the host county jail on contract space. If the person was not released from custody, he or she may have been transferred to another county, perhaps committed to a state institution, or may have been returned to the originating county jail for court or other reasons.

The number of counties involved in contracting for space does not include those county jail facilities which have reciprocal arrangements for holding individuals from other jails such as individuals who need high security, protective custody, and females and juveniles. Most of the sheriffs have reciprocal agreements with other counties and, because they are reciprocal in nature, transfers are accepted without charge.

Another group which needs to be discussed in the mix of jail populations is that of individuals who are sentenced to the Colorado Department of Corrections (DOC), but housed in local county jails. There are basically two reasons why sentenced DOC individuals would be in custody in a local jail. The first is that the individual sentenced to DOC has been returned to the

local jurisdiction for court. This could be for a writ of Habeas Corpus, appeal, or sentence evaluation. Approximately 12.2 percent of the holds in the county jails fall into this category. The second reason for which local jails hold sentenced DOC individuals is because of the recent overcrowding in Colorado's prison facilities. DOC has implemented a reservation system for intake, resulting in a backup of sentenced DOC offenders in local jails. Once sentenced to DOC, the average stay in a local jail is three to four weeks prior to being transported to a state correctional facility. The data presented in this report is for the year ended June 30, 1982. DOC did not begin to back up inmates in the county jails until the spring of 1982. As a result, only a few of these individuals were included in the sample. However, based upon more recent figures published by the Department of Corrections, the average number of individuals sentenced to DOC but held in local jails as a result of overcrowding was 250 per day during the month of March 1983, or approximately 9.7 percent of the local county jails' operating capacity of 2,574 beds.

COMPARISON OF JAILS

Having analyzed Colorado's jail population on a statewide basis, further analysis was done to determine whether or not there is a relationship between jail size, charges for which people are held in jail, pretrial bonding, and pretrial length of stay. This analysis showed that there were no significant relationships between jail size and type of charges, pretrial bonding practices and length of stay. However, there is a significant relationship between these factors and overcrowding. This section will discuss the differences found in overcrowded and non-crowded jails.

The Division conducted a phone survey of county jails in June of 1982 to determine the extent of overcrowding in jails. Twenty-two (41 percent) of the state's county jails were at or over capacity on at least one occasion during the sample week of June 20, 1982 through June 26, 1982 (see Appendix E for complete report). The results of this survey were used to classify jails as overcrowded or not overcrowded.

Table I-23 compares the most frequent charges and the corresponding pretrial length of stay between those jails which are overcrowded and the non-overcrowded facilities. The proportion of people charged with "Failure to Appear" was over three times higher in overcrowded jails than non-overcrowded jails and they were held twice as long. The overcrowded jails also hold individuals charged with "Drugs" and "Driving License Violations" almost twice as long or longer than do non-overcrowded jails.

TABLE I-23

COMPARISON OF MOST FREQUENT CHARGES AND MEDIAN LENGTH OF STAY BETWEEN OVERCROWDED AND NON-OVERCROWDED JAILS FOR PRETRIAL ADULTS

Most Frequent Charges	% of Pretrial Population		Median Length of Stay	
	Overcrowded	Non-Overcrowded	Overcrowded	Non-Overcrowded
DUI/DWAI	23.9%	29.9%	4.3 hrs	4.6 hrs
Failure to Appear	22.1	6.8	4.8	2.2
Disorderly Conduct	2.6	3.8	5.3	9.3
Theft/Larceny	6.2	7.0	8.3	17.3
Other Traffic	9.1	11.0	4.3	4.4
Assault	4.7	6.2	5.4	20.6
Drugs	3.5	3.2	46.6	24.9
Driving License Violations (DUS-BUR-DUD)	3.3	4.8	12.2	4.2
Burglary	4.4	4.0	23.2	30.2
All Other Charges	20.2	23.2	20.7	12.8
Total	100.0%	100.0%		

Table I-24 shows the type of pretrial release categories discussed earlier in this chapter. Overcrowded jails tend to release people on bond less frequently (63%) than jails which are not overcrowded (90%). Approximately 21 percent of the people booked into overcrowded jails are held until trial compared to three percent in non-overcrowded jails.

TABLE I-24

COMPARISON OF ADULT PRETRIAL RELEASES BETWEEN OVERCROWDED JAILS AND NON-OVERCROWDED JAILS

Release Types	Overcrowded	Non-Overcrowded
Bond	63.4%	89.5%
Not Released-Sentenced	21.4	3.0
Charges Dismissed	5.4	1.8
Transfer to Another County Jail Facility	4.1	2.3
Other	5.7	3.4
	100.0%	100.0%



As shown in Table I-25, Personal Recognizance (PR) and surety bonds are less likely to be used in jurisdictions with overcrowded jails than in other jurisdictions.

Cash and property bonds, which are more difficult for many people to raise, are required more often in jurisdictions with overcrowded facilities which may explain, at least in part, why a larger proportion of the people held in overcrowded jails are held until they are sentenced. Table I-25 compares the bonding releases between these two groups of jails.

TABLE I-25

COMPARISON OF ADULT BOND RELEASES BETWEEN OVERCROWDED JAILS AND NON-OVERCROWDED JAILS

Bond Release Types	Overcrowded	Non-Overcrowded
Surety Bond (Bail Bondsman)	32.2%	36.8%
Cash (Individual)	39.1	29.6
Personal Recognizance (PR)	22.4	32.2
Property	5.5	1.1
Other	0.8	0.3
	100.0%	100.0%

As stated earlier in this section, differences did not show up when the data was analyzed by jail size. Since overcrowded detention facilities exist in both urban and rural counties as well as throughout the state, neither the population of the county nor the geographical location of the county can be used to explain overcrowding.

RECOMMENDATION

1. *Counties, especially those with overcrowded jails, should analyze their pretrial population and length of stay to determine if arrest standards or a similar program would significantly reduce the number of those individuals who are booked into jail, but are released within a very short period of time.*
2. *Counties which are experiencing jail overcrowding or which are at operational capacity should analyze their pretrial population and bonding practices to determine if changes in bonding practices would reduce the population of the jail.*
3. *If a Jail Task Force has been or will be established to study future detention facility needs in the county, they should request and analyze data on the current population mix of the jail, length of stay, and bonding practices. Changes in arrest or release practices and procedures will require the involvement of the entire criminal justice system in the area, to include the judges, law enforcement, district attorney, public defender, etc.*

CHAPTER II: COLORADO'S JAIL CONDITIONS

During the Fall of 1982 there were 54 fully operational county jails in Colorado. In addition, there were 5 county jails and 44 municipal jails which hold individuals for a short time, generally less than 72 hours prior to these persons either being transferred to a county facility or being released on bond. This chapter will address conditions within the 54 operational county jails.

The sheriffs and jail personnel are responsible for the safekeeping and confinement of persons and prisoners lawfully committed to the jail. A major problem for many sheriffs and jail staff in meeting this responsibility is that of the physical environment or conditions of the jail facility.

Interviews with sheriffs and jail administrators suggest that such conditions as an exercise area, adequate and wholesome food, frequent visitation and telephone access, and a generally clean and well maintained cell area can and do greatly assist detention officers in maintaining a safe and manageable population. The judiciary has also taken a very active role in this area and are now considering most of the above as individual rights, not privileges, as has been held in the past. Even discounting the court involvement, the issue of easier management of the jail population makes these conditions good business and not luxuries as is often thought by decision makers and members of the general public.



Colorado's jails range in age from 90 years to buildings in progress. The oldest jail was built in 1894, and the newest was completed in 1981. Table II-1 shows the year (grouped into 20 year intervals) in which the

jails were constructed. Thirteen (22%) of all the state's county jails were built before 1930, while 17 (31%) have been built in the last 13 years.

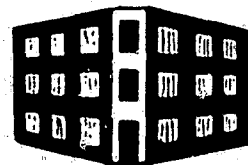
TABLE II-1

AGES OF COLORADO'S OPERATIONAL JAILS AND HOLDING FACILITIES

Year Constructed	Number	Percent
1909 or Older	6	11
1910-1929	7	12
1930-1949	7	12
1950-1969	22	34
1970-Present	17	31
	59*	100
Closed	5	
	64*	

*The City and County of Denver has one jail and one holding facility.

The age of the physical plant of a jail alone does not necessarily dictate the conditions of the facility. Colorado does have some very clean and well maintained jails which were built several decades ago; unfortunately, however, this is not true in all cases. The major problem with older jails, even those in good condition, is that the physical plant itself does not readily lend itself to updating and/or expansion when needed. These jails are often in a structure that houses other county offices or agencies. Numerous older rural detention facilities in Colorado share the same structure as the courts, county offices and/or sheriff's office and living quarters, and are often on the listings of the State Historical Society. Thus, any improvement to the physical plant of the jail or any expansion of the facility is often limited in scope due to available space within the structure or limited by the historical designation of the building. Even in cases where these limitations can be overcome, the cost of such changes in older structures can become prohibitive. Thus, even the simplest of improvements, such as adding a fire escape, can be almost impossible in some of these facilities.



The description of conditions presented in this chapter was compiled from interviews with the sheriffs or designees to update an in depth review of conditions completed by the Jail Standards Commission staff in 1979-80, and from tours of the jails in each of the 54 counties that were surveyed.

Table II-2 contains summarized information on both jail conditions and overcrowding, presented in the following three categories.

1. Physical conditions, such as space, lighting and temperature;
2. Life/safety consisting of fire safety, emergency communications, and staffing levels; and
3. Operating conditions such as recreation, health care and operational plans.

It is very difficult to identify which category of conditions is the most important or the most likely to lead to lawsuits because inadequacies in one area can, and often do, lead to problems in other areas. Such compounding of inadequate conditions can often create not only management problems but also potentially dangerous situations which can threaten the life and safety of prisoners and staff. Two examples of such situations are lack of adequate space to house prisoners and a lack of activities such as exercise, or an inadequate number of jail personnel, combined with the lack of automatic fire alarms or an inmate emergency communications system available to summon help. These areas in which inadequate jail conditions impact other conditions are shown in the column entitled "Compounding Conditions" on Table II-2 on the following pages.



During the interviews, sheriffs or jail administrators were asked about future plans for construction or remodeling. Twenty-one, or 39 percent, of the 54 counties which have an operational jail are at least discussing the need to upgrade their jail. The reason most often cited for upgrading the jail was overcrowding in the current facility. Table II-3 shows these responses. In some cases, more than one reason was given.

For the group of respondents who were planning or had at least begun discussions for upgrading their jail, and for the group that felt it was necessary but had not discussed it as yet, the most frequently mentioned limitation was insufficient, or the total lack of, available county funds.

TABLE II-2

COUNTY JAIL AND DETENTION FACILITY CONDITIONS

PHYSICAL CONDITIONS	ADEQUATE		INADEQUATE		COMPOUNDING CONDITIONS
	N	%	N	%	
Overcrowded at least once during the week of 6/20/82 to 6/29/82	32	(59)	22	(41)	
Air Flow Circulation	39	(72)	15*	(28)	*Of these, 9 (33%) have neither
Automatic Temperature Controls	42	(78)	12*	(22)	
Sufficient Lighting Levels	42	(78)	12*	(22)	*Of these, 4 (33%) were overcrowded in 6/82
Space to Segregate Persons by Classification	27	(50)	27*	(50)	*Of these, 5 (19%) do not have sufficient airflow, temperature control or lighting *Of these, 13 (48%) were overcrowded in 6/82
Space to Separate Juveniles from Adults (Sight & Sound)	25	(46)	29	(54)	
Space for Visitation	48	(89)	6*	(11)	*Of these, 2 (33%) were overcrowded in 6/82
Space for Attorney Interviews	43	(80)	11*	(20)	*Of these, 3 (27%) were overcrowded in 6/82
Space for Detoxification	25	(46)	29	(54)	
Space for Medical Examination and Treatment	24	(44)	30	(56)	
<u>LIFE SAFETY CONDITIONS</u>					
Automatic Fire Alarms	22	(41)	32	(59)	
Smoke/Fume Alarms	28	(52)	26	(48)	
Either Fire or Smoke Alarms	32	(59)	22*	(41)	*Of these, 8 (36%) were overcrowded in 6/82
Regularly Scheduled Staff Fire Drills	22	(41)	32*	(59)	*Of these, 18 (56%) do not have fire or smoke alarms *Of these, 7 (22%) were overcrowded in 6/82

	ADEQUATE		INADEQUATE		COMPOUNDING CONDITIONS
	N	%	N	%	
Fire Plans	31	(57)	23*	(43)	*Of these, 22 (96%) do not have alarms *Of these, 15 (65%) do not have alarms or drills *Of these, 9 (39%) were overcrowded in 6/82
Emergency Plans	29	(54)	25*	(46)	*Of these, 8 (32%) were overcrowded in 6/82
Regularly Scheduled Staff First Aid Training	47	(87)	7*	(13)	*Of these, 1 (14%) was overcrowded in 6/82
Emergency Communications System for Inmates to Summon Help	20	(37)	34*	(63)	*Of these, 17 (50%) do not have fire or smoke alarms *Of these, 15 (44%) were overcrowded in 6/82
Detention Officers on All Shifts	36	(67)	18*	(33)	*Of these, 12 (67%) have no emergency communication system for inmates *Of these, 8 (44%) do not have fire or smoke alarms *Of these, 7 (39%) were overcrowded in 6/82
Emergency Lighting or Power Source	21	(39)	33	(61)	
<u>OPERATING CONDITIONS</u>					
Programs/Activities (Except TV)	19	(35)	35*	(65)	*Of these, 15 (43%) were overcrowded in 6/82
Indoor Recreation Area	16	(30)	38	(70)	*Of these, 17 (45%) were overcrowded in 6/82
Outdoor Recreation Area	19	(35)	35	(65)	*Of these, 13 (37%) were overcrowded in 6/82
Either Indoor or Outdoor Recreation Area	26	(48)	28	(52)	*Of these, 11 (39%) were overcrowded in 6/82
Jail Health Care Equal to That of Other Citizens Within the County	46	(85)	8*	(15)	*Of these, 1 (13%) was overcrowded in 6/82
Medical Services Plan	37	(69)	17*	(31)	*Of these, 5 (29%) were overcrowded in 6/82
Classification Plan	23	(43)	31*	(57)	*Of these, 13 (42%) were overcrowded in 6/82
Sanitation Plan	24	(44)	30*	(56)	*Of these, 11 (37%) were overcrowded in 6/82
Library Plan	22	(41)	32*	(59)	*Of these, 14 (44%) were overcrowded in 6/82
Discipline Plan	32	(59)	22*	(41)	*Of these, 8 (36%) were overcrowded in 6/82
Privilege Plan	33	(61)	21*	(39)	*Of these, 6 (29%) were overcrowded in 6/82
Female Plan	31	(57)	23*	(43)	*Of these, 8 (35%) were overcrowded in 6/82

TABLE II-3
REASONS FOR UPGRADING JAILS

Reason	Counties Sued	
	Number	Percent
Overcrowding	15	71.4
Lawsuit	8	38.1
Conditions - including administrative area	7	33.3
Life Safety	3	14.3
Exercise	3	14.3

Several of the respondents felt that there should be funds made available from the state level to pay for jail renovation and construction. Other respondents felt that it is a county responsibility to raise sufficient local revenues, however, the state would first have to relax the current limits on local government revenues.

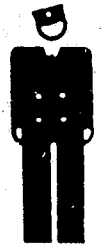
Seventeen or 35% of the counties surveyed had commissioner and/or voter approved plans for jail remodeling or construction. Table II-4 shows how these capital projects are being financed. In some instances, more than one mechanism was being used.

TABLE II-4
FINANCING MECHANISMS FOR UPGRADING COUNTY JAILS

Financing Used	Number	Percent
County General Funds	5	62.5
Sales Tax	4	50.0
Property Tax	3	37.5
Improvement/Construction Fund	2	25.0
Bonds	2	25.0
Public Works Fund	1	12.5
Energy Impact Fund	1	12.5
Contract Space Revenue	1	12.5

STAFFING

The quality of staff and staffing levels are as important in the operation of a safe, efficient and constitutional facility as conditions. During the survey period there were approximately 950 sworn individuals performing detention duties within Colorado's operational county jails. Approximately 74 percent were male and 26 percent were female. In addition, there are approximately 60 full time civilian individuals who perform jail duties such as cooking, counseling, and medical services. Using an average daily population of approximately 2918, the statewide ratio of sworn detention officers to individuals in jail is approximately 1 to 3.1.



During the survey period there were 18, or 1/3 of the jails, which did not have staff coverage by a detention officer on all shifts. For these jails there was a certain time of day (usually evenings, weekends and holidays) when the individual responsible for detention duties was also performing other assigned tasks. These tasks were most often the duties of dispatcher and, in some cases, night watchman for the courthouse. In some instances, deputies on road patrol were assigned to drop by the jail periodically to check on the individuals being held there. In other cases, jail duties during the evenings, weekends, etc. were assigned by the sheriff or undersheriff who have quarters at or near the detention facility. According to the National Sheriffs' Association, the national average for jails in this category is 9.3 percent which is considerably lower than Colorado.

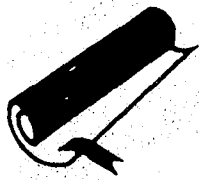
Also shown in Table II-2, "Compounding Conditions," 67 percent of the jails which do not have full time detention officers on all shifts also do not have a communications system which would allow individuals in custody to summon help in the case of an emergency. Likewise, 44 percent of these jails did not have any sort of automatic emergency alarm system which would be activated in the case of fire or if toxic fumes were present in the cell area and 39 percent were overcrowded.

As discussed in Chapter I, the "unknown" nature of the typical jail population, coupled with an inadequate staffing level and life safety conditions, creates a very serious and potentially dangerous situation. In addition, these conditions can result in legal intervention into jail operations whether or not an emergency ever occurs. Fortunately, Colorado has never had a tragedy such as the recent jail fire in Biloxi, Mississippi where 27 inmates died, or the 17 year old male beaten to death by other inmates in the Boise, Idaho county jail in May 1982 (see Appendices F and G for summary). These two incidents are mentioned in this report not in an attempt to sensationalize the issue, but as a reminder that such incidents could happen in Colorado. The potential for disaster in any detention facility increases geometrically as the staffing levels and life safety conditions decrease.

RECOMMENDATION

Local decision makers involved in operating and appropriating funds for jails should become actively engaged in reviewing and remedying deficiencies in jail conditions and staffing levels.

STAFF TRAINING



During the interviews with sheriffs and jail administrators questions were asked about the need for detention officers' training. Sixty-one detention officers were in need of basic training. This represents approximately 6.5 percent of all the detention officers within the state. All 61 of these officers were from 22 of the rural counties within the state which do not have internal training capabilities and in some cases do not have sufficient funds to send officers to another location to be trained. In addition to insufficient training funds, many small departments do not have sufficient staff resources to assume the additional work load necessary to allow one of their officers to attend off site training programs.

As a result, the sheriffs are forced to assign detention responsibilities to officers who have little or no training. All 22 sheriffs representing these counties stated that this presented a very serious problem for them in performing the statutory duties of maintaining a safe and secure detention facility. Additionally, the sheriffs stated that they were concerned about the legal liability they and the county could face in the event of a serious incident within the jail.

County Sheriffs' of Colorado, Inc. has been instrumental in attempting to address these problems of meeting the training needs for small, rural agencies. The Association has implemented the National Sheriffs' Association Basic Detention Officers' Training Program which offers a reasonably priced program which can be used as a home study course. The funds for this training program were received from the National Institute of Corrections through the Division of Criminal Justice. However, this program will be available only through June 30, 1983.

Eleven sheriffs' departments have the capability to offer in-house, detention officers' training programs. As would be expected, this capability exists only in the state's larger, more urban detention facilities. Through cooperative efforts among the sheriffs throughout the state, these sessions are usually open to officers from other jurisdictions and usually at no cost. Even so, as discussed earlier, smaller departments often cannot take advantage of this opportunity because of the lack of funds to pay travel and per diem and/or insufficient staff resources to cover the vacancy.

Thirty-nine (72%) of the sheriffs also expressed an urgent need for in-service or advanced training. This level of training is for officers who have already received the more broad, basic training program and are in need of more specialized and intensive training in certain specific areas. The topics for this level of training that were most often mentioned include the following, not in prioritized order:

- custody and care of the mentally ill
- fire prevention and evacuation planning
- custody and care of violent individuals
- supervision
- hostage negotiation
- crisis intervention
- medical program planning
- suicide prevention

With the limited funds available, the County Sheriffs' of Colorado, Inc. is also attempting to meet some of these advanced training needs through their statewide training program. For example, the Sheriffs' Association and the Colorado Medical Society Jail Health Care Project are currently conducting training sessions in medical program planning, suicide prevention, and other related mental and health issues. These sessions are being conducted in various locations around the state, in an attempt to not only localize training, but also to minimize cost and the impact on staff in the more rural departments.

RECOMMENDATION

The General Assembly of the State of Colorado should recognize and declare the need for a local detention officers' training program. At a minimum, this declaration should include, but not be limited to, standardization of curriculum, certification of appropriate existing inhouse training programs, and certification of graduates. The procedures for these activities could be patterned after the ones currently in use at the Colorado Law Enforcement Training Academy (CLETA); however, the actual training would not necessarily need to take place at a central academy location.

CHAPTER III: COLORADO'S JAIL LITIGATION

This chapter will address the issue of law suits and the type of jail conditions for which legal actions have been filed. Twenty-one counties have had suits filed against their detention facilities during the last two years and many of these counties have been sued several times. These counties represent 36 percent of the 58 counties in Colorado which have an operational jail or holding facility. Table III-1 shows jail conditions which were cited in these suits as being inadequate or unconstitutional. Multiple deficiencies were cited in most suits.

TABLE III-1

JAIL CONDITIONS CITED IN LITIGATION SINCE 1980

Jail Condition	Counties Sued	
	Number	Percent
Exercise	12	52.4
Medical	10	38.1
Overcrowding	9	33.3
Ventilation	9	33.3
Classification	9	33.3
Law Library	9	33.3
Mail	9	33.3
Space	9	33.3
Lighting	8	28.6
Food	8	28.6
Telephone	7	23.8
Staffing	5	19.0
Education/Rehabilitation	4	14.2
Mental Health	1	9.5
All Other Areas	17	61.9

Jail litigation can be very expensive for counties in both the short and long term. These expenses include the time and cost of defending the charges as well as the cost of making extensive changes within the detention facility and/or adding staff if the case is settled in the plaintiff's favor. In addition, counties may be forced to make improvements in an existing facility

while planning for a new jail. In Colorado, several counties have been ordered by the court to make such jail improvements as adding exercise space, improving medical services, reducing overcrowding, improving food served to prisoners, etc.

The courts have rarely gone so far as to actually close down a facility because of inadequate conditions. More often, the court will elect to set a limit on the maximum number of individuals who may be held there at any one time, as is currently the case with several of Colorado's local detention facilities. In addition to court imposed limits, the Colorado Health Department also has the authority to condemn and/or set limits on jail capacities and has taken this action in several counties. During the survey period there were seven county jails which were operating under a court ordered capacity limit and an additional five jails which had a Colorado Department of Health imposed limit. This represents 21 percent of the counties which have operational jails or holding facilities. In addition, there were at least two jails for which the court was considering imposing a maximum capacity limit.

Such cases of court or Health Department ordered capacity limits often impose a financial hardship upon the counties which still have the expense of maintaining the existing jail while also contracting with other counties for space. These contract costs plus the costs of litigation and damages can financially bankrupt smaller counties.

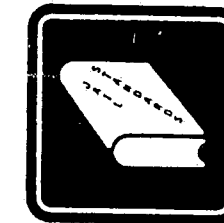
RECOMMENDATION

1. Local officials involved in operating or appropriating funds for county jails should review and evaluate the conditions of their jail facility against the areas cited in the past and present law suits found in Table III-1 and develop a strategy or plan for making any necessary improvements. This strategy may include short term improvements as well as implementation of a long term planning process for a new facility if needed.

2. This assessment should be undertaken as soon as possible, prior to a law suit being filed. Although recognition of problems and a plan for resolution cannot be used as the sole defense in a law suit, it can help to show that a good faith effort is being made to rectify the current inadequate conditions.

The outcome of law suits against jails is affected in Colorado by the absence of state jail standards. Because Colorado is one of only a few states which does not have jail standards, standards for local jails are being set by the courts through litigation. In the absence of state standards the courts often use broad federal standards as guidelines for their decisions.

State jail standards would not eliminate suits against the jails, but should reduce the number of inmate complaints and increase the chances of successfully defending against cases that may be filed.



Standards would also provide written policies and procedures for jails and a cost savings over other, broader standards. For example, one sheriff who is currently planning a new facility said that because the state has not adopted a set of standards, his county is taking all existing federal standards and attempting to meet the requirements in all of them. Standards have been developed by the American Correctional Association, the U.S. Attorney General, the American Bar Association, the American Medical Association, and others. Thus, the state's failure to adopt minimal standards which are reasonable for Colorado is resulting in new facilities which are more costly and which still may not meet changing federal standards.

RECOMMENDATION

The Legislature should create a commission on jail standards to promulgate rules and regulations for the construction, renovation, equipment, maintenance and operation of county and municipal jails and establish minimum standards for the custody, care and treatment of inmates.

Jail litigation is costly, not only because of damages which may be awarded, but also in terms of time and attorney fees. A recent study of tort litigation conducted by the Rand Corporation found that the cost of such actions can easily exceed the amount of the damages at stake. As a result, many jurisdictions are attempting to save these costs by settling law suits before they proceed very far into the judicial process.

Unfortunately, this trend of settling out of court seems to have encouraged what some think is an unprecedented number of frivolous or nuisance law suits. These are suits which are filed when there are no, or limited, legal grounds for the action; however, the individual filing the suit hopes to be awarded a modest financial settlement before the case proceeds through the court and may be dismissed. Also, certain individuals file such suits merely to aggravate the jail officials. When an incarcerated individual elects, for whatever reason, to file a frivolous law suit, unfortunately the local jurisdiction can expect to expend time and money in litigation if they do not settle out of court.

RECOMMENDATION

1. The sheriffs with their county attorney should review all present and recent jail litigation to determine the merits of all such law suits. In the event this review determines that some of these may be frivolous in nature, or are questionable in merit, they should explore with the proper members of the judiciary any available legal method(s) to reduce or restrict such future filings.
2. Each unit of local government should evaluate existing policies and practices which involve monetarily settling frivolous or nuisance jail law suits out of court to insure that their policies and practices are not encouraging the filing of such suits.

CHAPTER IV: OTHER JAIL RELATED ISSUES

During the interviews with sheriffs and their detention personnel, other information, options and ideas were solicited on a variety of jail related issues which do not fit into the first three chapters of this report. The issues discussed in this chapter include regional jails, standardized record keeping and centralized reporting and relationships with other agencies, etc.

REGIONAL JAILS

Approximately 1/3 (17) of the sheriffs interviewed felt that regional jails are a good idea or would be willing to explore the feasibility of regional jails. The term "regional jail" was defined as a detention facility shared among counties and not between the state and a county or counties. It should be noted that many counties currently contract with other counties to hold their prisoners. However, these facilities are operated by the host county and responsibility for the operation of the facility is not shared. Table IV-1 provides the responses to the question concerning regional jails.

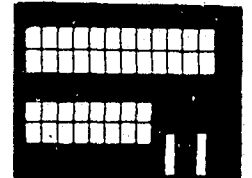


TABLE IV-1
FEASIBILITY OF REGIONAL JAILS AMONG COUNTIES

<u>Response</u>	<u>Number</u>	<u>Percent</u>
Good idea or would be willing to explore feasibility	17	32
Bad idea or was not willing to explore feasibility	13	25
Had no opinion	15	28
Elected not to respond	8	15
Total Responses	53	100

The reasons for supporting the concept of regional jails as provided by the 17 sheriffs who feel that the idea is worth exploring are presented in Table IV-2.

TABLE IV-2

RATIONAL FOR SUPPORT OF THE REGIONAL JAIL CONCEPT

<u>Rationale</u>	<u>Number</u>	<u>Percent</u>
Easier and cheaper to run, economy of scale	6	35
Good for sentenced individuals because of economy of scale, not good for pretrial because of transportation costs	6	35
Already have one because of other jails being closed	3	18
Just like the idea	2	12
Total Responses	17	100

The sheriffs who were opposed to the regional jail concept or did not wish to explore the feasibility of such a concept stated a number of reasons for their opinions, which are presented in Table IV-3. More than one reason was provided by several sheriffs.

TABLE IV-3

RATIONALE AGAINST THE REGIONAL JAIL CONCEPT

<u>Rationale</u>	<u>Number</u>	<u>Percent*</u>
Too much distance, transportation costs and time, terrain and bad weather	13	100.0
"Turf" problems	9	69.2
Problems with administration and accountability	5	38.5
Too expensive	3	23.1
Liability problems	3	23.1
Legislative problems (illegal)	3	23.1
No sheriff would want it	2	15.4
Would be too large to operate	2	15.4
Too much of a travel burden on attorneys and families	2	15.4

*Total responding negatively was 13. Several provided more than one reason.

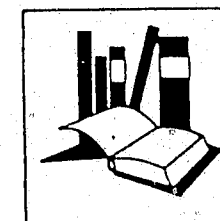
Because of today's high cost of constructing constitutionally legal detention facilities and the long term costs associated with operating such facilities, smaller counties with low tax bases will find it more and more difficult to operate a jail. There is an ever increasing demand and competition for limited funds at all levels of government. Therefore, the concept of sharing the costs for the construction and operation of a detention facility may become the only reasonable method of maintaining detention services in some counties of the state. There are numerous problems that will need to be resolved before such a facility could become a reality, but the feasibility of such facilities should be explored for at least some areas of the state.

RECOMMENDATION

The feasibility of establishing regional jails should be explored. The initial effort should be concentrated in rural, rather than urban areas of the state, where the distances and terrain are such that transportation problems would be minimal and where local officials are willing to explore the feasibility of such a venture (e.g. the northeastern section of the state).

STANDARDIZED RECORDKEEPING

Information on individuals held in county jails is kept by each jail. However, there is no central data collection system and the data kept by the jails vary from one jail to another. In a few cases the information collected and recorded was not sufficient to meet the statutory requirements of §17-26-118, C.R.S. 1973, Jail Records, Contents and Inspection. For these counties a severe legal liability exists should a question ever arise as to who was booked, for what charge, when and how released.



Information on the population, emerging trends, new practices, etc. is important both at the local and state levels for planning new facilities, assessing the impact of changes in legislation or practices, and to address issues such as overcrowding and the feasibility of regional facilities. The sheriffs were asked during the interviews if they would be willing to explore the possibility of developing standardized jail records. Because jail records vary from handwritten jail books to highly sophisticated automated systems, standardization of records would involve the standardization of minimum data elements and definitions, which could be expanded by each jail to meet their own needs. Table IV-4 shows the strong support for this idea.

TABLE IV-4

EXPLORE THE POSSIBILITY OF DEVELOPING A STANDARD JAIL BOOK

<u>Response</u>	<u>Number</u>	<u>Percent</u>
Good idea or of sufficient merit to discuss further	43	81
Neutral	3	6
Bad idea	1	2
No response	6	11
Total Responses	53	100

A followup question was then asked to determine if such standardization was to be implemented, would the sheriff(s) be willing to send this booking information to a central state agency (e.g., the Division of Criminal Justice) for analysis. Most of the sheriffs felt there was a need for a centralized statewide data base on the jail population which could be updated monthly or quarterly. If such a system is to be implemented, it is not the intent to establish a criminal history type data base, only a demographic and criminal justice booking information base. The following table, Table IV-5, shows the results of this question.

TABLE IV-5

CREATING A STATEWIDE DATA BASE FOR BOOKING INFORMATION

<u>Response</u>	<u>Number</u>	<u>Percent</u>
Agreed and/or willing to pursue	50	94
Bad idea	3	6
Total Responses	53	100

The majority felt that, since jail conditions and overcrowding are of great concern throughout the state, a statewide jail data base was a good idea. In addition, several sheriffs noted that other agencies and organizations that have a centralized statewide data base are in a better position to articulate their needs and problems. However, some sheriffs did express certain reservations about creating a statewide data base as listed below:

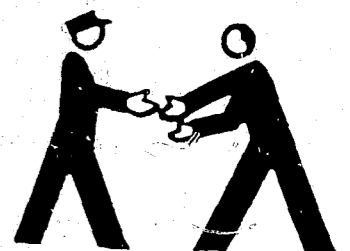
- Nine sheriffs were concerned about the additional time and cost of filling out the information and sending it to a central location.
- Four sheriffs had just purchased new jail books at the cost of approximately \$400 and did not want to implement a new system until they had "gotten their money's worth" out of these new books.
- Four sheriffs mentioned that it may take a long time to agree on the data elements to be collected.

RECOMMENDATION

1. *The Division of Criminal Justice (DCJ) and the County Sheriffs of Colorado, Inc. should work together in developing jail record(s) with standardized data elements.*
2. *The Division of Criminal Justice and the County Sheriffs of Colorado, Inc. should formally explore ways and means of developing a centralized, statewide data base for jail information.*

RELATIONSHIPS WITH OTHER AGENCIES

During the course of the interviews, several sheriffs mentioned a problem which is unique to their counties because a state institution is located within their jurisdiction. These



counties, the majority of which have overcrowded jails, are frequently called upon to hold individuals from state institutions who are awaiting extradition, charged with escape or with committing a crime within the state facility. These sheriffs raised the following policy and legal issues related to this situation:

- Who should pay for the custody of these individuals - state or local government?
- If a county is sued by a state inmate because conditions or services in the jail are inferior to a state institution, who should pay for the litigation - state or local government?
- Who has priority for being admitted to an overcrowded jail - county individuals or state inmates?
- Other counties should also assist in housing the state inmates and the Department of Corrections should transport these individuals to those other counties.

RECOMMENDATION

The Division of Criminal Justice and the County Sheriffs of Colorado, Inc. should conduct a meeting with the sheriffs, county commissioners, legislators and judges from these affected counties and the Department of Corrections for the purpose of resolving these and other policy questions concerning confinement of state inmates in local jails.

The lack of sensitivity about jail problems by certain groups of individuals was mentioned by a number of sheriffs. The groups most often mentioned were the Colorado State Patrol, public defenders, county commissioners, legislators, medical or mental health, and the general public. The areas in which these sheriffs felt understanding and sensitivity could be improved are summarized below:

- Colorado State Patrol - the time that is required to book an individual
- jail overcrowding

- Public Defenders
 - limited jail personnel resources, especially in the small rural jails
 - hours or timing of attorney/client meetings, especially in small rural jails with only one officer on duty
 - continuation of court hearings or trials, thus adding to overcrowding
- County Commissioners
 - funding issues as they relate to staffing levels, conditions and/or potential personal liability for themselves and sheriffs
 - need for jail standards
- Legislators
 - effects on overcrowding and cost of new legislation requiring mandatory jail sentences
 - need for jail standards
 - need for state funding or a local funding mechanism that would allow counties to raise sufficient funds for jail improvements or construction
- Mental Health and Medical Personnel
 - need for timely assistance from these groups in emergency or "after hours" situations
- Public
 - attitude of "lock them up" vs. voting against jail improvements or construction

It is important to point out that although some sheriffs mentioned individuals from the above groups as being insensitive, the majority of the sheriffs and their personnel reported that they had a good or excellent working relationship with these individuals.

RECOMMENDATION

1. *The County Sheriffs of Colorado, Inc. should continue to assume the lead role in establishing and maintaining a statewide, ongoing, positive rapport with all groups of individuals who are in any way connected with or to any degree responsible for jails.*

2. *The County Sheriffs of Colorado, Inc. and Colorado Counties, Inc. should establish and maintain an ongoing subcommittee made up of elected officials from both associations for the purpose of working together on jail issues and to make recommendations to the legislature on jail funding mechanisms and other jail related issues.*

3. *Sheriffs in areas where the working relationship with other groups needs improvement should take the lead as elected officials to increase the awareness and sensitivity of these individuals and groups. If necessary, the County Sheriffs of Colorado, Inc. should assist in these activities, which might include meetings with other groups, jail tours, use of the media and the help of other professional organizations or associations.*

JUVENILES CHARGED AS ADULTS

Two sheriffs from large urban areas mentioned the problem of housing pre-trial juvenile offenders who have been charged as adults. In such cases the classification and segregation of the juveniles created a problem for the jail, in that the juvenile could not be housed in an area with other juveniles because of his or her charge(s). On the other hand, the juvenile could not be housed with adults, because of age. As a result, the juveniles were housed separately from all other prisoners, both adults and juveniles. In each case the sheriff was concerned about potential litigation caused by this level of segregation. Although these situations happened in large communities with large jail facilities, it still created a space and segregation problem for the administrators of the facilities. In smaller communities, this situation would be even more difficult for jail administrators.

RECOMMENDATION

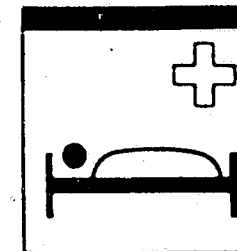
1. *The Division of Criminal Justice and County Sheriffs of Colorado, Inc. should host a meeting of interested parties including the judiciary and*

members of the legislature to determine what legal or statutory remedies might exist for both the segregation issue and the potential liability to sheriffs.

2. *When necessary, the County Sheriffs of Colorado, Inc. should stand prepared to assist sheriffs from smaller communities with inadequate jail conditions to locate suitable space in other jails for pretrial juveniles who have been charged as adults.*

MEDICAL TREATMENT

Another area of concern expressed by several sheriffs was that of medical treatment of persons held in their jails, especially the cost of such treatment. The issues that were raised included the following:



1. What is the county's legal responsibility and liability for sentenced individuals' requests for non-emergency, elective surgery?
2. Which county is responsible for the medical bills of an individual who is in contract space in another county's jail?
3. Why do veterans insurance, medicaid and medicare programs not cover medical costs after a person is booked into jail?
4. Is there a way for small counties with low tax bases to insure or hedge against catastrophic medical bills of individuals held in jail which could bankrupt such a jurisdiction?

RECOMMENDATION

1. *The Division of Criminal Justice, County Sheriffs of Colorado, Inc. and the Colorado Medical Society, Jail Health Care Project should host a meeting of interested individuals to explore legal or statutory remedies to these and related issues.*

2. *The Colorado Medical Society, Jail Health Care Project should continue its review of the procedures used by federal and state medical programs to terminate coverage for pretrial detainees and make appropriate recommendations to affected parties including the Colorado General Assembly.*

CONCLUSION

This report on the status of Colorado jails and holding facilities has attempted to provide decision makers with up to date information concerning conditions and populations in local detention facilities. The report has also attempted to articulate other issues and problems facing sheriffs and detention personnel in the performance of their jail related duties, and to provide recommendations where appropriate, in these areas.

It is hoped that locally elected officials will take the opportunity to compare their facility, or the facility for which they have funding responsibility, against the statewide information contained in this report. Through this process, problem areas may be identified and solutions for their improvement may be prioritized. Likewise, it is hoped that decision makers at the state level, including the General Assembly, will use the information and appropriate recommendations contained in this report to place Colorado in a leadership position in the area of local corrections.



APPENDICES

APPENDIX A

0 = Not Applicable to Case
9 = Missing Data in Jail Book

DIVISION OF CRIMINAL JUSTICE
JAIL DATA COLLECTION FORM
August 1982

County: _____

Subject #: <u>1 2 3 4 5 6</u> (Completed by DCJ)		Judicial District: <u>7 8</u> (Completed by DCJ)	County: <u>9 10</u> (Completed by DCJ)	Name: _____ Last First Middle
Booking #: <u>11 12 13 14 15 16</u>	Sex: <u>23</u> 1. Male 2. Female 9. Missing	Ethnicity: <u>24</u> 1. Anglo/White 2. Black 3. Hispanic 4. American Ind. 5. Asian 6. Other 9. Missing	Marital Status: <u>25</u> 1. Single 2. Married 3. Sep/Div 4. Widowed 5. Other 9. Missing	
Birth Date: <u>17 18 19 20 21 22</u> Mo Da Yr	Residence: <u>26 27 28</u>	How Long at Residence: <u>29</u> 1. 90 days or less 2. 91 days - 1 year 3. 1 year - 5 years 4. Longer than 5 years 9. Missing	Employment at Time of Custody: <u>30</u> 1. Full Time 2. Part Time 3. Unemployed 9. Missing	Education: <u>31</u> 1. Less than HS Grad 2. HS Grad/GED 3. Some College 4. College Grad 5. Post Grad Degree 9. Missing
Booking Charge Most Serious: <u>32 33 34</u>	Charge Classification: <u>31</u> 1. Felony 2. Misdemeanor 3. County Ordinance 4. Municipal Ordinance 5. Traffic 6. Hold for Other Juris. (includes federal) 7. Other 9. Missing	Inmate Status: <u>42 43</u> 1. Pretrial 2. Straight Sentence 3. Work Release 4. Weekender 5. Hold for Mental Health 6. Protective Custody (detox) 7. Protective Custody (other) 8. Hold for Corrections 10. Other 9. Missing	For Those Sentenced Charge of Conviction: <u>44 45 46</u>	
Taken in Custody by Jurisdiction: <u>47 48 49 50 51</u>	Booking Date: <u>52 53 54 55 56 57</u> Mo Da Yr Time: <u>58 59 60 61</u> (Military)	Release Date: <u>62 63 64 65 66 67</u> Mo Da Yr Time: <u>68 69 70 71</u> (Military)		
Offender Needs: <u>72</u> 1. Mental Health 2. Alcohol 3. Drug 4. Other 9. Unknown	Pretrial: <u>73</u> 0. Not Applicable 1. Charges dismissed 2. Bond 3. Transferred to another fac. 4. Still in jail 5. Not released-sentenced 6. Other releases 9. Missing	If Bonded: <u>74</u> 0. Not Applicable 1. Personal Reccg. 2. Surety (bondsman) 3. Property 4. Cash 5. Other 9. Missing	Was Bond Reduced: <u>75</u> 0. Not Applicable 1. Yes 2. No Bond Posted: <u>76 77 78</u> 0 Not Applicable 9 Missing	
Sentenced: <u>79</u> 0. Not Applicable 1. Completed Sentence 2. Fined 3. Sentenced to Another Facility 4. Completed Sentence & Fined 5. Still in Jail 6. Other Releases 9. Missing	Length of Sentence (Days): <u>1 2 3 4</u> Includes time served (if nothing is indicated, assume No) <u>5 6</u> Yes No	Contracts between jails: Transferred to another jail <u>7</u> 1. Yes 2. No Which county: _____ Being held for another jail <u>10</u> 1. Yes 2. No Which county: _____	Date transported: <u>13 14 15 16 17 18</u> Mo. Day Yr. Date Returned: <u>19 20 21 22 23 24</u> 0 Not Applicable	Size of Facility: <u>25 26 27</u> (Completed by DCJ)

Remarks: (Use back of paper)

County	Adults Booked	Juveniles Booked	Total
Kit Carson	237	30	267
Lake	764	34	798
La Plata	2,035	112	2,147
Larimer	6,284	265	6,549
Las Animas	906	60	966
Lincoln	324	40	364
Logan	623	33	656
Mesa	5,283	433	5,716
Mineral	-----	HOLDING FACILITY ONLY	-----
Moffat	898	56	954
Montezuma	1,474	112	1,586
Montrose	1,036	67	1,103
Morgan	890	69	959
Otero	1,168	105	1,273
Ouray	-----	CLOSED	-----
Park	-----	CLOSED	-----
Phillips	27	0	27
Pitkin	251	0	251
Prowers	425	19	444
Pueblo	2,635	177	2,812
Rio Blanco	400	29	429
Rio Grande	337	47	384
Routt	1,159	68	1,227
Saguache	367	29	396
San Juan	-----	CLOSED	-----
San Miguel	-----	CLOSED	-----
Sedgwick	33	5	38
Summit	804	34	838
Teller	283	6	289
Washington	45	0	45
Weld	4,733	643	5,376
Yuma	38	1	39
Total	116,314	4,154	120,468

* Estimate

** Two facilities

APPENDIX C

ADULT BOOKING CLASSIFICATION BY LENGTH OF STAY IN HOURS
FOR PRETRIAL INDIVIDUALS WHO WERE RELEASED ON BOND

Crime Classification	Balance of State (Excluding Denver)			Denver		
	Mean ¹	Median ²	Mode ³	Mean ¹	Median ²	Mode ³
Traffic	22.7 ⁴ hrs.	4.3 hrs.	4 hr.	43.7 hrs.	7.2 hrs.	3 hrs.
Property	206.9	18.1	1	236.2	19.5	48
Personal	103.2	15.6	5	263.3	24.8	48
Drug/Vice	61.0	21.0	2	92.8	15.8	48
Other	111.0	6.2	1	71.2	10.7	4
Traffic	23.7 ⁴ hrs.	4.3 hrs.	4 hr.	43.7 hrs.	7.2 hrs.	3 hrs.
Felony	177.2	22.6	5	330.4	31.8	48
Ordinance	89.2	13.5	24	78.8	11.8	4
Misdemeanor	85.3	9.0	5	61.9	17.0	48
Other	236.3	14.1	24	11.1	5.3	3
MOST FREQUENT						
DUI/DWI	19.0 hrs.	4.3 hrs.	4 hr.	42.0 hrs.	7.1 hrs.	3 hrs.
Failure to Appear	79.1	4.0	1	-----Not Available ⁵ -----		
Disorderly Conduct	23.1	9.2	5	76.3	11.1	4
Theft-Larceny	115.6	10.1	1	102.3	14.9	3
Other-Traffic	31.0	4.4	4	48.2	7.3	3
Assault	94.5	14.0	5	85.5	9.7	5
Drugs	74.8	24.7	2	43.5	19.3	6
Driving License Violations (DUS-DUR-DUD)	34.0	4.4	4	-----Not Available ⁵ -----		
Burglary	311.5	30.3	30	631.3	48.1	48
All Other Charges	149.9	13.4	5	69.6	11.3	4

¹Arithmetic mean: Sum of all lengths of stay divided by the total number of bookings

²Median: The exact middle of length of stay (i.e., 50% of the releases occurred before and 50% occurred after)

³Mode: The most frequent release time

⁴Difference is caused by rounding and missing data

⁵Information not identified separately due to different data collection method

APPENDIX C-1

ADULT BOOKING CLASSIFICATION BY LENGTH OF STAY
IN HOURS FOR ALL PRETRIAL INDIVIDUALS

Crime Classification	Balance of State (Excluding Denver)		
	Mean ¹	Median ²	Mode ³
Traffic	30.9 ⁴ hrs.	4.5 ⁴ hrs.	4 hrs.
Property	272.9	23.0	5
Personal	154.5	20.9	5
Drug/Vice	68.2	22.7	5
Other	181.3	10.1	1
Traffic	32.9 ⁴ hrs.	4.4 ⁴ hrs.	4 hrs.
Felony	268.3	29.1	5
Ordinance	91.1	20.5	24
Misdemeanor	126.9	11.4	5
Other	200.5	23.1	24
<u>MOST FREQUENT</u>			
DUI/DWAI	26.8 hrs.	4.5	4 hrs.
Failure to Appear	103.6	5.0	1
Disorderly Conduct	39.7	12.6	5
Theft-Larceny	101.4	17.0	1
Other-Traffic	34.7	4.5	4
Assault	138.4	20.5	5
Drugs	87.7	29.9	5
Driving License Violations (DUS-DUR-DUD)	53.4	8.2	4
Burglary	538.6	59.4	23
All Other Charges	220.8	21.0	5

¹Arithmetic Mean: Sum of all lengths of stay divided by the total number of bookings

²Median: The exact middle of length of stay (i.e., 50% of the releases occurred before and 50% occurred after)

³Mode: The most frequent release time

⁴Difference is caused by rounding and missing data

CONTINUED

1 OF 2

APPENDIX C-2

JUVENILE BOOKING CLASSIFICATION BY LENGTH OF STAY
IN HOURS FOR ALL PRETRIAL INDIVIDUALS

Crime Classification	STATEWIDE JUVENILE LENGTH OF STAY		
	Mean ¹	Median ²	Mode ³
Traffic	24.5 ⁴	5.9 ⁴	1
Property	65.7	20.6	1
Personal	124.1	23.3	1
Drug/Vice	25.3	15.5	1
Other	45.4	17.9	1
<hr/>			
Traffic	23.2 ⁴	4.9 ⁴	1
Felony	106.4	25.0	2
Ordinance	-----Combined with Misdemeanors-----		
Misdemeanor	40.2	14.7	1
Other	34.7	14.7	1
<hr/>			
<u>MOST FREQUENT</u>			
DUI/DWAI	22.8	6.7	1
Failure to Appear	63.5	9.0	2
Disorderly Conduct	26.0	12.0	2
Theft/Larceny	46.8	18.2	1
Other Traffic	23.2	5.1	1
Assault	40.2	19.7	1
Drugs	24.9	12.7	1
Driving License Violations (DUS-DUR-DUD)	-----Combined with Other Traffic---		
Burglary	71.2	21.4	1
All Other Charges	67.0	20.1	1

¹Arithmetic mean: Sum of all lengths of stay divided by the total number of bookings

²Median: The exact middle of length of stay (i.e., 50% of the releases occurred before and 50% occurred after)

³Mode: The most frequent release time

⁴Difference is caused by rounding and missing data

APPENDIX D

ADULT CONVICTION CLASSIFICATION BY LENGTH OF STAY IN DAYS

Conviction Classification	Balance of State (Excluding Denver)			Denver		
	Mean ¹	Median ²	Mode ³	Mean ¹	Median ²	Mode ³
Traffic	15 days	5 days	2 days	5 days	1 day	2 days
Property	65	10	6	18	2	2
Personal	50	50	1	27	2	3
Drug/Vice	39	13	9	7	1	2
Other	18	5	1	10	1	2
<u>MOST FREQUENT</u>						
DUI/DWAI	16 days	5 days	2 days	22 days	2 days	1 day
Failure to Appear	2	1	1	-----Not Available ⁴ -----		
Disorderly Conduct	14	5	1	4	1	1
Theft-Larceny	22	10	1	6	1	1
Other-Traffic	20	5	5	3	1	1
Assault	51	50	5	5	1	1
Drugs	10	10	1	2	1	1
Driving License Violations (DUS-DUR-DUD)	10	5	5	-----Not Available ⁴ -----		
Burglary	47	34	20	70	19	2
All Other Convictions	63	13	1	5	1	1

¹Arithmetic Mean: Sum of all lengths of stay divided by the total number of bookings

²Median: The exact middle of length of stay (i.e., 50% of the releases occurred before and 50% occurred after)

³Mode: The most frequent release time

⁴Information not identified separately due to different data collection method

APPENDIX D-1

JUVENILE CONVICTION CLASSIFICATION BY LENGTH OF STAY IN DAYS

Crime Classification	STATEWIDE JUVENILE LENGTH OF STAY		
	Mean ¹	Median ²	Mode ³
Traffic	5	2	2
Property	8	2	2
Personal	3	1	1
Drug/Vice	28	_*	_*
Other	5	2	2
Traffic	5	2	2
Felony	7	2	1
Ordinance	(Combined with Misdemeanors)		
Misdemeanor	5	2	2
Other	2	1	<1
<u>MOST FREQUENT</u>			
DUI/DWAI	5	2	2
Failure to Appear	_*	_*	_*
Disorderly Conduct	_*	_*	_*
Theft/Larceny	1.5	2	2
Other-Traffic	9	2	2
Assault	18	1	1
Drugs	_*	_*	_*
Driving License Violations (DUS-DUR-DUD)	(Combined with Other Traffic)		
Burglary	9	2	1
All other Charges	6	3	2

¹Arithmetic Mean: Sum of all lengths of stay divided by the total number of bookings.

²Median: The exact middle of length of stay (i.e., 50% of the releases occurred before and 50% occurred after)

³Mode: The most frequent release time

*Too few cases for valid computation

APPENDIX E

OVERVIEW OF COLORADO JAIL POPULATION

Prepared by the
Division of Criminal Justice
July 19, 1982

In response to a request by the Prison Overcrowding Project, the Division of Criminal Justice conducted a telephone survey of all county jails in the state to determine the extent of the jail overcrowding problem and the impact of the newly instituted reservation system to get sentenced offenders into the state prisons. The attached chart, Overview of Colorado Jail Population for 6-20-82 Through 6-26-82 shows the results of this survey.

County Sheriffs or their jail commanders were asked to provide the information contained in the chart for the week of June 20, 1982 through June 26, 1982. The reason that this particular week was chosen was because it was the last full week prior to the project's first meeting on June 29-30, 1982.

The following definitions were used by the Division for Design Capacity and Operating Capacity of the Jail:

Design Capacity: The capacity of the building for which it was initially designed plus any building additions or alterations which involved plumbing, electrical or security changes. This does not include alterations such as additional bunks, mattresses in the day room, or putting inmates in office space.

Operating Capacity: The capacity that the jail can operate at before other alternatives are needed such as sleeping on the floor, contract space with other counties, or reservation systems.

The chart shows for each of Colorado's operating jails the year it was built, its capacities, and the maximum and minimum population for the survey week. The maximum jail population figure includes the inmates from that county held in the county jail plus the number of inmates held for them by another county. Likewise, the Division requested information found in the last column of the chart which reflects the total number of inmates held for other counties on the day of the highest population.

These two data elements are important and must be considered when trying to analyze the extent of the overcrowding problem in local jails. For example, by analyzing the jail population of Clear Creek County it is noted that although Clear Creek was operating at 100 percent of its capacity of 28, only 19 of the persons were from Clear Creek County and nine were held under contract for Jefferson County. Thus, although Clear Creek was at 100 percent of its capacity, it would not be fair to suggest that the jail was overcrowded because they could, at any time, limit the out of county inmates. Similarly, when analyzing Jefferson County, although overcrowded when compared to the court order, the full extent of their overcrowding problem is not seen until both the numbers of the inmates within their facility and

those housed in space in other jails are analyzed. Using this analysis process, on at least one day during the survey period of 6-20-82 through 6-26-82, eighteen, or one-third, of the state's 55 county jails exceeded 100 percent of their operating capacity and an additional five were at 100 percent of their operating capacity.

Since the beginning of 1981, fourteen jails have been sued, seven of which have resulted in a court imposed limit on jail capacity. Two examples of jails which have had capacity limited are Jefferson and Garfield Counties.

Because of Jefferson County's overcrowding problems during the month of May, a daily average of 68 persons were held in other county jail facilities throughout the state. With the average daily cost of \$32.00 per day per person, the cost to the residents of Jefferson County was over \$68,000 for the month. This figure does not include the cost of the seven vehicles and sheriff's deputies assigned to transport these inmates nor does the cost include the cost of administering such arrangements and contracts.

Similar to Jefferson County, Garfield County has been affected by a court ordered capacity limit. During the week of 6-20-82 through 6-26-82, the county, in addition to the number of inmates within the jail, had nine persons being held in other jails and had 75 sentenced persons on a reservation system waiting to enter the jail to serve their time.

It should be kept in mind that jail conditions and overcrowding often go hand-in-hand in the eyes of the court. For example, the court may find that conditions in a particular jail might be constitutional for four to five inmates; however, the same conditions are not constitutional for 20 to 25 inmates. When this is the case, the court will often set a capacity limit which then can only be violated with the court's concurrence.

The following jail conditions have been cited in the cases in Colorado:

- Space
- Staffing
- Food (there is a limit on food service capacity)
- Ventilation
- Lighting
- Sanitation
- Exercise
- Visitation (if visitation is limited because space has been converted to housing)
- Programs

For example, in Garfield County, the suit was brought by a female inmate who charged that she had been held in what amounted to isolation for over 30 days. She charged that because the jail did not have any female detention officers, did not have any exercise program or other programs for women, and that because of overcrowding within the jail, she was held in a cell with insufficient ventilation, that her constitutional rights had been violated. The court agreed with her arguments and instructed the county to develop methods to cure the overcrowding problem and that in the interim period to hold no more than 25 persons within the facility. It is interesting to note that the female inmate in this case was being held by Garfield County for Pitkin County, because Pitkin did not have sufficient space to hold female inmates.

Another case in point is the Morgan County jail suit in which the court ended double bunking within the facility and set a capacity limit of 18. Briefly, the county jail was found by the courts to be overcrowded when the jail's ventilation system, lighting system, exercise program and staffing pattern were considered. The courts have also limited capacity in Jefferson, El Paso, Kit Carson, Larimer and Arapahoe Counties and suits are pending in Logan and Mesa Counties. In addition to court ordered capacity, it should also be noted that the Colorado Health Department inspects jails and can and does issue orders which limit jail capacity. This is currently the case in four county jails.

Many of the conditions which existed in the counties which were sued also exist in other county jails throughout the state and may result in additional suits in the future.

OVERVIEW OF COLORADO JAIL POPULATION FOR 6-20-82 THROUGH 6-26-82

July 19, 1982
Division of Criminal Justice

County Jail	Year Built	Design Capacity	Operating Capacity	Court Ordered Capacity	Max. Number* of Inmates	Min. Number** of Inmates	% of Operating or Court Ordered Capacity***	Holds for Corr's on 6-29-82	Holds for Other Counties on Date of Max. No.****
Adams	1964	125	105		137	109	130%	6	Boulder 2 Summit
Alamosa	1934	14	9		27	19	300	0	4 Rio Grande Saguache
Arapahoe	1980 Last Addition	113	134	134 (State Court)	171	165	128	8	1 Denver
Archuleta	1920	9	5		11	0	220	0	1 LaPlata
Baca	1973	36	30		7	2	23	3	
Bent	~1900	8	7		3	1	43	0	
Boulder	1975	103	85		87+1	63	104	0	1 Jefferson
Chaffee	1970	23	12		10	9	83	0	5 Park
Cheyenne	1962	28	12		2	0	17	0	
Clear Creek	1977	28	28		19	18	68	0	9 Jefferson
Conejos	1960	7	7		5	2	71	0	2 Alamosa
Costilla	1964	6	3		10	3	333	0	
Crowley	~1915	H O L D I N G F A C I L I T Y							
Custer	~1952	H O L D I N G F A C I L I T Y							
Delta	1956	20	12		9	6	75	0	
Denver City	1978	158	158		210	140	133	0	
Denver County	1956	750	750 with double bunking-800 with extra bunks in dorms		800	760	100	63+26 for parole revocation hearing	
Delores	1949	4	2		2	0	100	0	
Douglas	1980	30	20		19	11	95	0	
Eagle	1932	16	6 (Health Dept.)		8+4	6	200	0	

82

* Represents the number of the county's inmates held in the facility plus those held for them by other counties.

** Represents actual number of inmates held in jail regardless of county of origin (inmates held by and for other counties was very difficult to obtain and therefore, not available for low population days).

*** Percentage figure represents the total inmate population on the day with the maximum population for the week.

**** Figures in this column are not included in the county total for determining percent of capacity.

+ means approximately

OVERVIEW OF COLORADO JAIL POPULATION FOR 6-20-82 THROUGH 6-26-82

July 19, 1982
Division of Criminal Justice

County Jail	Year Built	Design Capacity	Operating Capacity	Court Ordered Capacity	Max. Number* of Inmates	Min. Number** of Inmates	% of Operating or Court Ordered Capacity***	Holds for Corr's on 6-29-82	Holds for Other Counties on Day of Max. No. ****
El Paso	1973	314	200	200	189	168	95%	11	
Elbert	1912	9	4		4	0	100	0	
Fremont	1907	42	30		23	19	77	2	
Garfield	1966	35	25	25	27+9	20	144	1	
Gilpin	~1900	10	10		9	6	90	0	
Grand	1930	11	6		11+1	4	200	1	
Gunnison	1976	18	16		13	7	81	0	
Hinsdale	1950	3	1		1	1	100	0	
Huerfano	1896	10	5 (Health Dept.)		8	5	160	1	
Jackson	1913	7	5		3	0	60	0	
Jefferson	1958	112	Not Available	75	101+110	Not Available	281	10	
Kiowa	1965	C L O S E D							
Kit Carson	1946	12	7	7 (Federal Court)	4	2	57	0	
La Plata	1961	35	30		39	23	130	3	4 Archuleta
Lake	1955	18	16		12	7	75	0	
Larimer	1956	81	73	73 (Federal Court)	70	55	96	3	5 Jefferson
Las Animas	~1918	56	50		11	6	22	0	
Lincoln	1975	22	11		12	10	109	1	
Logan	1962	59	59		21	12	36	3	
Mesa	1974	96	80	None (One Pending)	76	63	95	5	1 Pitkin
Mineral	1955	H O L D I N G F A C I L I T Y							
Moffat	1961	20	11 (Health Dept.)		19	9	173	0	
Montezuma	1975	48	35		38	28	109	0	

83

* Represents the number of the county's inmates held in the facility plus those held for them by other counties.
 ** Represents actual number of inmates held in jail regardless of county of origin (inmates held by and for other counties was very difficult to obtain and therefore, not available for low population days).
 *** Percentage figure represents the total inmate population on the day with the maximum population for the week.
 **** Figures in this column are not included in the county total for determining percent of capacity.
 * means approximately

OVERVIEW OF COLORADO JAIL POPULATION FOR 6-20-82 THROUGH 6-26-82

July 19, 1982
Division of Criminal Justice

County Jail	Year Built	Design Capacity	Operating Capacity	Court Ordered Capacity	Max. Number* of Inmates	Min. Number** of Inmates	% of Operating Court Ordered Capacity***	Holds for Corr's on 6-29-82	Holds for Other Counties on Day of Max. No.****
Montrose	1968	38	35						
Morgan	1921	19	18		29	17			
Otero	1970	34	26	18-(Fed'l. Court Ended Obl. Bunking)	17	12	83%	0	
Ouray		C L O S E D			24	15	94	0	
Park		C L O S E D					92	1	1 Crowley
Phillips		7	5		0	0	0	0	
Pitkin	~1894	6	5		9+3	5	240	1	
Prowers	1956	23	12	30 Day Hold Limit per Health Dept.		6	100	0	
Pueblo	1980	188	135		12	83	80	1	15 Jefferson
Rio Blanco	1955	12	8		103	2	75	0	
Rio Grande	1975	17	17		6	11	65	0	
Routt	1922	17	17		11	11	71	2	
Saguache	1959	13	10		12	9	80	0	
San Juan		C L O S E D			8	2			
San Miguel		C L O S E D							
Sedgwick	1938	10	5		3	1	60	0	
Summit	1973	12	12	(Health Dept. suggested 7)	18+5	9	192	1	
Teller	~1901	14	12		13	8	108	0	1 El Paso
Washington	1936	6	6		3	1	50	0	
Weld	1981	139	139		91	91	65	4	10 Jefferson
Yuma	1963	12	3		1	0	33	0	
TOTAL		3032	2574		2593+133	2031		131	62

84

* Represents the number of the county's inmates held in the facility plus those held for them by other counties.
 ** Represents actual number of inmates held in jail regardless of county of origin (inmates held by and for other counties was very difficult to obtain and therefore, not available for low population days).
 *** Percentage figure represents the total inmate population on the day with the maximum population for the week.
 **** Figures in this column are not included in the county total for determining percent of capacity.
 ~ means approximately

APPENDIX F

Biloxi, Mississippi

November 8, 1982

Twenty-seven (27) individuals died and 61 were injured when a fire was set in one of the cells. Summary of the incident:

- The fire started in a padded cell. The only occupant of the cell, a former mental patient booked for public drunkenness has been charged with 27 counts of murder.
- The cell was padded with material made of polyurethane, a synthetic material that gives off a deadly gas when burned.
- Inmates who were awakened at approximately 1:30 a.m. were overcome by smoke because the fumes spread quickly through the facility's ventilation system.
- The state fire marshal has cited the jail for lack of emergency plans, accumulation of combustible debris and lack of smoke detectors. Although smoke detectors had been recently installed in the facility, there is some question as to whether they were operational.
- The detention officer with the only set of keys was overcome by smoke while trying to unlock the cells. As a result, tow trucks had to be used to pull the bars out of the windows for evacuation of some cell areas.
- None of the inmates who were released during the incident escaped, and some assisted in rescue efforts.
- The jail was housing 44 state inmates at the time of the incident because the state penal institutions were overcrowded.
- The incident is under investigation by numerous state and federal agencies.
- Litigation in excess of \$450 million has already been filed resulting from this incident.

Facility - Age: 18 years old

Structure: One Story

Capacity: Maximum: 102 persons

At Time of Incident: 97 persons

Number of detention officers on duty at time of incident: 3 Officers

Source: National Institute of Corrections: Jail Center, Boulder, Colorado

APPENDIX G

Boise, Idaho

May 31, 1982

A 17 year old juvenile male was beaten to death by other inmates. Summary of the incident:

- The individual was jailed for contempt of court in not paying \$73.00 in fines and court costs for traffic tickets.
- The young man died after being beaten and tortured over a 12-14 hour period of time.
- Five individuals are accused in the incident, all are 17 years old.
- An emergency communication system for inmates to summon help and TV monitoring camera were inoperable at the time of the incident.
- The facility did not have a jail operating manual or plans which established procedures for segregation of inmates by classification or for regular security checks of inmates by jail staff.
- The department had no regularly scheduled detention officer training for staff.
- To date, one individual has been convicted of first degree murder in the incident.
- The incident is being investigated by numerous state and private agencies.
- One lawsuit has been filed in an earlier related incident and others are expected pertaining to this incident.

Facility: Age: 6 years old

Structure: One story

Capacity: 209 persons

At time of incident: Approximately 150 persons

Number of detention officers on duty at time of incident: 4 Officers

Source: National Institute of Corrections: Jail Center, Boulder, Colorado
and The Youth Law Center, San Francisco, California

END