

TO: Vanderbilt Legal Clinic, Nashville, Tennessee  
FROM: Anthony S. Kuharich, Jail Consultant, South Holland,  
Illinois  
SUBJECT: Inspection of Robertson County Jail, Springfield,  
Tennessee  
DATE: May 10, 1983

#### STATEMENT OF PROBLEM

Inmates at the Robertson County Jail filed a class action complaint for declaratory and injunctive relief in the United States District Court for the Middle District of Tennessee, Nashville Division on April 13, 1983 against the Sheriff, Chief Deputy, Chief Jailer, and County Executive of Robertson County in their official capacities. The Plaintiffs claim their rights, secured under the First, Sixth, Eighth, and Fourteenth Amendments to the United States Constitution were violated. They contend they "are being and will continue to be subjected to illegal, unsafe, unconstitutional, and dehumanizing conditions" which "exist as a result of the willful and intentional acts, practises, policies, instructions and omissions of the defendants."

The Vanderbilt Legal Clinic is representing the Plaintiffs in this action and requested Consultant to inspect this jail facility and submit a timely and objective report of findings and recommendations.

#### METHOD AND SCOPE OF STUDY

Consultant conducted an on-site visitation of this jail on May 10, 1983 and made direct observations of its physical facility and operations. This was augmented by personal interviews with the

following persons: Chief Deputy Sheriff Paul R. West; Chief Jailer Lieutenant Wilson; and Jailer William Roach.

The following reports, document, records, and forms were also examined and studied:

INTERVENORS' COMPLAINT-CLASS ACTION, Douglas, et. al. v. Ted Emery, et. al., No. 81-3826, Judge Wiseman, U. S. District Court, MD Tennessee, Nashville, Division, filed April 15, 1983.

DEFENDANTS EMERY, WEST and SUTER'S FIRST SET OF STIPULATIONS, Douglas, et. al. v. Ted Emery, et. al. No. 81-3826.

AGREED ORDER, Douglas, et. al. v. Ted Emery, et. al., No. 81-3826.

Inspection Report, Robertson County Jail, submitted by Tennessee Corrections Institute, Nashville, Tennessee, November 18, 1980.

Reinspection Report, Robertson County Jail, September 16, 1981, Tennessee Corrections Institute.

Inspection Report, Robertson County Jail, December 2, 1982, Tennessee Corrections Institute.

Jail Policy and Procedures Manual, Robertson County Jail, 1983.

Rules For Inmates, Robertson County Jail and Workhouse.

Robertson County Jail Admission Forms.

MINIMUM STANDARDS FOR LOCAL CORRECTIONAL FACILITIES, Tennessee Corrections Institute, Nashville, 1982 (hereinafter referred to as Tennessee Standards)

STANDARDS for ADULT LOCAL DETENTION FACILITIES, American Correctional Association, Second Edition, April, 1981. (hereinafter referred to as ACA Standards)

FEDERAL STANDARDS FOR PRISONS AND JAILS, U. S. Department of Justice, Washington, D. C., December 16, 1980. (hereinafter referred to as Federal Standards)

#### PHYSICAL PLANT

The offices of the Robertson County Sheriff's Department and the county jail are located in a two-story brick and concrete

structure which was constructed in 1967.

The first floor of this building is underground on the front side of the jail. It is above ground only at the back of the facility.

The jail consists of an attorney interview room, a prisoner reception area, a control center, the visiting area, a cell block and two drunk tanks on the first floor, and a cell block and the jail kitchen on the second floor.

#### Cell Blocks

The cell blocks are identical in every respect. One is located above the other. Each has one (1) double-occupancy cell, eight (8) four-bunk cells, and a dayroom.

Each cell block has a semi-outside cell formation. There is a jailer inspection corridor behind the cells inside the outer wall of the building around each cell block. The rear of the cells have grille bars, allowing the jailer to visually supervise the inmates and their activities.

Each cell block has a dayroom and three (3) multiple-occupancy cells on the left side and six (6) multiple-occupancy cells on the right. They face and open into a 3'8" wide corridor which is located in the center and extends the entire length of the cell block. The only entrance door into each cell block opens into this corridor. This is also the only exit door from each cell block.

#### Cells

Eight (8) cells in each cell block on both floors have four

(4) bunks each and 64 square feet of floor space (8' x 8'), which includes the areas occupied by the metal bunks and the combination toilet and wash basin fixture. The bunks and the toilet fixture take up approximately 33 square feet of floor space. When four (4) prisoners occupy a cell, they have about 31 square feet of floor space or 7.75 square feet per inmate when all are out of their bunks at the same time.

The first cell on the right side in each cell block on both floors has two (2) bunks and 64 square feet of floor space (8' x 8'), which includes the areas occupied by the metal bunks, the combination toilet and wash basin fixture, a small metal table with two metal benches, and a shower. In these cells two (2) inmates each have approximately 15 square feet of floor space when both are out of their bunks at the same time.

The double-occupancy cell on the second floor is used to house female prisoners.

Tennessee Standards require that multiple-occupancy cells provide a minimum of forty (40) square feet of clear floor space for each occupant in the sleeping area.

ACA Standards require that multiple-occupancy rooms provide a minimum floor area of fifty (50) square feet per occupant in the sleeping area.

Federal Standards require that multiple-occupancy rooms provide a minimum of sixty (60) square feet of floor space per inmate (excluding activity area).

#### Cell Door Lock System

The electric door lock system for the doors to the individual

cells within the cell blocks is currently inoperative and, therefore, cell door are kept open 24 hours per day. All residents of the cell block, with the exception of the women's cell in the second floor cell block, have 24 hour access to all other cells and the dayroom in the cell block.

#### Dayrooms

Each cell block has a dayroom which has 192 square feet of floor space (24' x 8'). It contains two metal tables with attached benches, a combination toilet and wash basin fixture, and two showers. Due to the inoperative door locking system the inmates in a cell block have 24 hour access to the dayroom.

The dayrooms can be used for dining, writing, reading, and table games.

Tennessee Standards require a minimum of thirty-five (35) square feet of floor space per prisoner in a dayroom.

ACA and Federal Standards also require a minimum of thirty-five (35) square feet of floor space per prisoner in a dayroom.

Each dayroom in this facility, according to the standards, has sufficient space to accommodate five (5) prisoners at a time.

#### Drunk Tanks

Two drunk tanks are located adjacent to each other on the first floor. They are separated from each other by sight but not by sound. Each has 100 square feet of floor space (12½' x 8'). On three walls of each tank is a continuous concrete bunk which is 24" wide and 12" above the floor. Each tank has a combination toilet and wash-basin and a floor drain.

There is no natural light in these tanks. They have solid metal doors with small glass view panels for visual observation of the occupants by the staff.

They have no shower facilities. Inmates housed in these tanks are permitted to shower once a day. They are taken by the staff to shower facilities in other areas of the jail.

Due to poor jail design and inadequate inmate housing units, these drunk tanks may also house other than inebriated persons. They are used to house juvenile males and females, inmates in need of administrative segregation and disciplinary detention, and adult female prisoners if there are more than two (2) in the facility.

#### Plumbing

Due to the age of this jail, there are some plumbing problems. Valves are broken and leaking and need to be replaced. Some toilet fixtures are broken causing water to back up in the cells. The Chief Deputy Sheriff stated that all efforts are being made to obtain appropriate valves and replace broken toilets with modern stainless steel fixtures.

#### Air Circulation

This facility has no air conditioning. The staff admitted that there is no air circulation.

Tennessee, ACA, and Federal Standards require circulation of at least ten (10) cubic feet per minute of fresh or purified air for each person occupying the facility. The Chief Deputy Sheriff stated that this problem will be corrected with forced air ventilation.

Lighting

The two cell blocks and the two drunk tanks have no access to natural light.

There is an insufficient amount of artificial light in the cell blocks.

Tennessee, ACA, and Federal Standards state that all housing and activity areas shall provide for, at a minimum, lighting of at least thirty (30) footcandles, to be measured three (3) feet off the floor. These standards also require access to natural light in the housing and activity areas.

Medical Examination or Treatment Facility

There is no room in this jail designed for medical examination or treatment. A doctor does not visit the jail to conduct sick call. It is conducted at a local doctor's office once a week. If an inmate claims illness at any time, the jailer makes appropriate arrangements for the inmate to be taken to the doctor's office or to the local hospital.

Tennessee Standards make it mandatory that space or provisions shall be provided where a physician may conduct sick call, examine patients in privacy and render routine medical treatment.

This standard is supported by the following court decision:

Jones v. Wittenberg, 440 F. Supp. 60 (N.D. Ohio, 1977)  
- Required to have rooms and equipment for physical exams, treatment or medical emergencies and minor injuries and illness, quarters for inmates to remain safely as part of general population and adequate space for dental exams and treatment

Visiting

Two visits are conducted simultaneously. This arrangement does not allow for privacy. It is recommended that the dividers on the visitors' side and the inmates' side are three (3) feet wide and extend to the ceiling. It is further recommended that acoustical tile is installed in the appropriate areas on both the visitor and inmate sides to permit for more private conversation between visiting parties.

Program and Activity Space

This facility has no multi-purpose room for inmate activities such as religious services, educational programs, meetings, library services, group counseling, etc.

A multi-purpose room is required by Tennessee, ACA, and Federal Standards.

There are no indoor or outdoor physical exercise areas for the prisoners in this jail.

Tennessee, ACA, and Federal Standards require that adequate indoor and outdoor space is provided for inmate exercise.

Inmates in this jail spend all their time (24 hours per day) in their housing units - cells, dayrooms, or drunk tanks - without adequate exercise. For the most part they spend their time sleeping and watching television. A constructive recreational program which permits strenuous exercise helps to lower tensions and reduce disciplinary, physical, and mental health problems.

The following four Federal Court decisions from among many address this issue:



Campbell v. Cauthron, 623 F. 2nd 503 (8th Circuit 1980)  
Each inmate confined in his cell more than 16 hours per day is to have one hour of out-of-cell exercise. Walking the corridor does not constitute exercise.

Campbell v. McGruder, 580 F. 2nd 521 (D.D. Cir. 1978)  
Jail must provide prisoners recreation, including prisoners in maximum security.

Johnson v. Lark, 365 F. Supp. 289, 302 (E.D. MO 1973)  
Absence of outdoor exercise contributes to a finding of cruel and unusual punishment.

Rhem v. Malcolm, 371 F. Supp 594 (S.D. NY 1974)  
Daily exercise is essential to health.

Some sentenced prisoners work outside of the jail and only spend their non-working hours in their living units. On March 29, 1983, eight (8) of the fifteen (15) sentenced inmates worked outside of the jail.

This facility was originally designed for the maximum security confinement of a large number of prisoners supervised by a small staff with minimal contact between personnel and inmates. It was constructed at a time when emphasis was placed solely on security, custody and prisoner control. Space for correctional services and programs or physical exercise was not considered essential for the physical and mental well-being of the inmates.

This jail is a "human warehouse" where most prisoners languish in enforced idleness, boredom, and despair. Many inmates spend the greater portion of each 24 hour day lying on their bunks. They are required to spend all their time in their housing units. There is no communication with staff, and they have nothing constructive to do.

#### INMATE SAFETY

Each cell block has only one exit. This presents a serious problem concerning the safety of the inmates because even the most minimal fire could and does cause immediate danger to human life from smoke and toxic gases.

The State of Local Fire Prevention Bureau should conduct an indepth inspection of this facility to ensure that it has an adequate fire detection and suppression system and an effective fire evacuation plan to implement in the event of a fire.

Tennessee and ACA Standards require that at least two separate means of exit from each cell block area are provided to ensure the safety of the prisoners and staff members.

#### FOOD SERVICE

Trustees are responsible for all food preparation and handling in this jail. The Sheriff's wife orders the food and prepares the menus.

It is recommended that the dietician at the local hospital is requested to periodically review the menus to ensure that they are nutritionally adequate and that the food served is sufficient as to quality and quantity.

The following court decision addresses this issue:

Mitchell v. Untreiner, 421 F. Supp. 886 (N.D. Fla. 1976)

-There should be a trained dietician, nutritionist, or food service director to regularly review the menus, preparation and service.

All persons involved in food preparation and handling must be medically examined.

The following are court decisions which address the issues

relative to medical examinations of food handlers:

Ahrens v. Thomas, 434 F. Supp. 873, 903 (W.D. MO 1977)  
All individuals involved in preparation, handling, or service of food shall meet minimum public health standards for restaurant employees. The jail kitchen shall be inspected monthly by the health department.

Camobell v. McGruder, 416 F. Supp. 100, 105-06 (D. DC 1975)  
All food handlers must be examined at least once every 30 days.

Mitchell v. Untreiner, 421 F. Supp. 886, 900 (N.D. Fla. 1976)  
No one shall handle food in the kitchen without being medically screened and supervised by someone who is also medically screened.

Taylor v. Sterrett, 344 F. Supp. 411, 423 (N.D. TX 1972)  
Food handlers must be examined by a licensed physician

#### ADMINISTRATION

Sheriff Ted Emery is a constitutionally elected law enforcement officer who, at the same time, is legally responsible for the administration and operation of the Robertson County Jail.

The Sheriff appointed Lt. Wilson the Chief Jailer and delegated to him the requisite authority for the efficient operation and management of this facility. His responsibilities include coordination of security, programs, support functions and services, and proper staff deployment.

The goals of the administration and operation of a jail should be: 1. protection of society; 2. humane care of inmates; and 3. provision of services required to maintain the physical, social and emotional health of inmates.

The ultimate goal is to ensure that all who pass through the jail will leave no worse than when they entered, and perhaps better.

The poor design and physical limitations of this facility seriously hamper the administration in their attempts to achieve

these goals.

#### PERSONNEL

The current jail staff consists of a Chief Jailer and five (5) Jailers. The Chief Jailer is on duty from 8:00 am to 4:00 pm Monday through Friday. There is one (1) Jailer on duty during each eight (8) hour shift per day and seven days per week.

This jail does not have sufficient staff. One Jailer cannot adequately respond to the needs of this facility and approximately thirty-five (35) inmates during any eight-hour shift.

Staffing levels are dependent upon a variety of factors. One important element is facility design and layout. It dictates the number of security posts and the number of persons required to man each post. Another is the size of the prisoner population as well as what is done to and for the inmates. In other words, the number and nature of the programs and services made available to them. New prisoners are booked, individuals are escorted to and from court hearings, inmates are released, attorney and family visits are scheduled, prisoners are transferred to and from other facilities, meals are served, inmates are taken to the doctor's office or hospital for medical services, telephone programs are conducted, etc.

Each staffing plan should provide full coverage of security posts and visual supervision of inmates. Back-up assistance should be immediately available if an emergency arises. Staff in inmate living areas should be able to prevent opportunities for any abuses anticipated in a jail population. Sufficient personnel should be available to supervise inmate programs and services.

Jailers should be stationed near inmate living units to prevent inmate misbehavior and avoid disorders as well as respond quickly to emergencies. There should be frequent interpersonal communication between Jailers and inmates.

Tennessee, ACA, and Federal Standards require that jail officer posts are located in or immediately adjacent to inmate living areas to permit officers to hear and respond promptly to calls for help or emergency situations.

The following court decisions address this issue:

Parker v. Gladwell, No. C74-391 (N.D. Ohio 1976)  
One (1) guard must be physically present in cell area at all times.

Ahrens v. Thomas, 434 F. Supp. 573 (W.D. MO. 1977)  
Mandates twenty-four (24) hour supervision.

Hamilton v. Love, 326 F. Supp. 1182, 1196 (E.D. AR 1971)  
There should be one staff member patrolling on each cell floor in the immediate area of every detainee on a 24 hour basis.

To ensure the protection of the public and the safety of the staff and inmates and more effectively operate this jail, nine and a half (9.5) additional personnel must be employed. This facility should have the following positions:

<u>No. of Posts</u>	<u>Position</u>	<u>No. Days Per Week</u>	<u>No. Shifts Per Day</u>	<u>Total Staff</u>
1	Chief Jailer	5	1	1
1	Male Jailer - First Floor	7	3	4.5
1	Male Jailer - Second Floor	7	3	4.5
1	Female Jailer	7	3	4.5
1	Counselor	5	1	1
	Total Staff			15.5

This staff level is designed for adequate staff relief, proper visual supervision and surveillance of prisoners and their activities, programs and services. This personnel should only work in the jail

and not be required to perform any functions or duties outside of the jail.

The following is a simple arithmetical formula used in the majority of jails to determine the number of jailers needed to man a 24-hour and 7-day per week post:

365 days is used as the base year. Since a jail officer must be on duty 365 days a year and is required to man each post each 24 hours or three (3) 8-hour shifts, the total man days required coverage is 1095 (365 x 3). A 40-hour week employee in this jail works 239 days a year. This figure is arrived at by subtracting 2 days per week or 104 days (the work week is 5 days) plus 10 vacation days and 12 sick leave days from the base figure of 1095. (104 + 10 + 12 = 126) (365 - 126 = 239) 1095 man days divided by 239 equals 4.5 which is the number of Jailers required to man a 24-hour and 7-day per week post and provide necessary coverage for staff on leave. In Robertson County the Jailers do not get any time off for working on holidays.

#### Role of the Jail Officer

The Jailer occupies one of the most sensitive and perhaps the most critical position in this facility. Male and female jailers must be employed to respond to the needs of both male and female inmates. They have the most direct and continuous contact with the inmates and the greatest impact on them. The line officer has the responsibility to prevent inmates from harming each other or themselves. He/she must develop the interpersonal skills required to adequately communicate with the prisoners. The Jailer must be people-oriented, aware of inmates' legitimate needs and rights, exercise a

non-judicial attitude toward them, and respect them as human beings. American law and justice require no less than this.

When the jail officer works with prisoners as people, he/she will assist them to develop a more favorable attitude toward authority and a better ability to get along with others. His/her own respect for the law is the best example that he/she can give to prisoners. The jail officer must be properly equipped and motivated to create an atmosphere conducive to prisoner change in the jail facility.

Today's jailer should be a sophisticated participant in the corrective process. He/she must be a professional who possesses knowledge, understanding, judgement, tolerance, and wide-ranging competence. His/her work goes on 24 hours a day and every day of the year.

The most important component in any jail is its security staff. Jail operations and management are no longer solely dependent upon steel bars and cages, locking devices and other hardware. It requires sufficient trained staff with personal and professional qualifications to properly supervise human beings in custody.

Jailers must be qualified to handle all aspects of inmate supervision including booking, security, sanitation, work assignments, discipline, mail delivery, laundry exchange, prisoner counts, key control, inmate visits, prisoner and cell searches, telephone programs and other activities, etc., and assist inmates toward self improvement.

The jailer is no longer viewed as an individual who merely guards prisoners. It should not be just a job. He/she is not simply a keeper of the keys and the bodies.

The following are some Federal Court decisions concerning inmate supervision by jail personnel:

Parker v. Gladwell, No. C74-391 (W.D. Ohio, 1976)  
Court required staff on duty in cell areas at all times.

Hamilton v. Covington, 445 F. Supp 195 (W.D. Ark. 1978)  
Due owed by Sheriff to provide adequate security in the jail.  
Liability may exist for deaths and injuries in unattended jail.

Stevens v. County of Dutchess, 445 F. Supp. 89 (S.D. NY. 1977)  
Sheriff liable if prisoner-on-prisoner attack occurred under  
conditions of inadequate supervision in the jail.

Alberti v. Sheriff of Harris County, 406 F. Supp. 649  
(S.D. Texas, 1975)  
Sufficient jail staff shall be hired to provide one jailer  
for every twenty (20) inmates.

Rhem v. Malcolm, 371 F. Supp. 594, 628 (S.D. NY. 1974)  
Where the lack of staff causes violation of rights to be free  
from mistreatment and to be protected from harm, court may  
order staff increase.

This facility also houses both adult and juvenile female inmates.  
They must be supervised by female jail officers. This jail must  
employ full time female jailers to not only supervise female prisoners  
but also serve as back-up officers for male staff and perform other  
jail duties. The following is a court decision which addresses this  
issue:

Hamilton v. Love, 328 F. Supp. 1182, 1196 (E.D. Ark. 1971)  
There should be one staff member patrolling on each cell floor  
in the immediate area of every detainee on a 24-hour basis.  
One female staff member must be on duty 24 hours a day.

Due to fiscal conditions, no one wants to spend money on a  
new jail, on jail renovation, or on additional jail staff. Conse-  
quently, many jails are in poor physical conditions, overcrowded,  
and understaffed. When these issues were presented to Federal  
Courts, they provided direct answers. The following three Federal  
Court decisions:

Jones v. Wittenberg, 330 F. Supp. 707 (N.D. Ohio, 1971)  
Hamilton V. Love, 328 F. Supp. 1195-97 (E.D. Ark. 1971)  
Lack of money and lack of staff are not adequate to condone  
a constitutional violation. Jailers can work only with what



they have. But when what they are provided with necessarily results in constitutional violation, the court may order jail authorities to hire the staff necessary to remedy the violation and of course responsible public authorities to provide the necessary funds.

Jackson v. Bishop, 404 F. 2nd 571, 580 (CA3 1968)  
Humane considerations and constitutional requirements are not, in this day, to be measured or limited by dollar considerations.

#### STAFF TRAINING

The Chief Jailer and the five Jail Officers have been certified by the Tennessee Correctional Institute. All jail staff received twenty (20) hours of in-service training and forty (40) hours of basic training conducted by the Tennessee Correctional Institute. They are also required to annually participate in an additional forty (40) hour in-service refresher training program conducted by the Institute.

The topics discussed in the Institute training programs are listed in the Tennessee Minimum Standards Manual and in this Consultant's opinion are appropriate in every respect.

The Chief Jailer has never attended the two-weeks Jail Management training program conducted by the National Institute of Corrections (NIC) in Boulder, Colorado. This course is offered without any cost to the County including all traveling and per diem expenses. It is recommended that the Chief Jail immediately apply to NIC for participation in this training program.

The ultimate responsibility for the success or failure of jail administration and operation falls upon those who staff the facility. The primary objective of staff training and development are to develop knowledge, attitudes, and skills required for effective

job performance and career advancement.

In a recent address, Chief Justice Warren Burger of the U. S. Supreme Court stated that the operations of a jail or correctional facility "is no place for amateurs. It calls for substantial professional training and the highest order of sensitivity, beginning at the guard level."

#### CLASSIFICATION

Classification is a procedure for determining the needs and requirements of those for whom confinement has been ordered and for assigning them to housing units and programs according to their needs and existing resources. It provides for more effective management of the different categories of inmates.

A prime requisite of efficient jail administration is knowledge of the inmate population. The persons admitted into a jail should be evaluated in terms of personal, social, medical, and criminal history. A routine interview to simply secure identifying data is inadequate. The classification system should be designed to: 1) limit the more damaging aspects of jail experience; and 2) provide data to aid in the management of individual needs.

Due to the physical limitations of this jail facility, the different categories of prisoners cannot be adequately separated. They are separated by sex, and juveniles are separated from adults. The pretrial detainees are supposed to be housed in the first floor cell block, while the sentenced are supposed to occupy the second floor cell block. However, this is not the case. Unfortunately, due to problems among pretrial detainees as well as difficulties among sentenced offenders and the lack of other living units in

in this facility, sentenced and unsentenced are housed together in both cell blocks.

The double-occupancy cell on the second floor is for the female offenders. It is used to house either sentenced or unsentenced females alone or together depending upon who is in custody at any given time.

The following are Federal Court decisions which address the issues of housing pretrial detainees and convicted persons:

Mitchell v. Untreiner, 421 F. Supp. 886, 899 (N.D. Fl. 1976).  
No pretrial detainees may be housed in the same cell with a convicted person.

Moore v. Janing, 427 F. Supp. 567, 571 (D. ME 1976).  
Housing of convicts and detainees together contributes to finding of unconstitutionality. Detainees may not be subjected to restrictions unrelated to securing appearance at trial and maintaining internal order and security.

The drunk tanks are used to house 1) inebriates; 2) adult females if there are more than two in the jail; 3) juvenile females if the female cell is occupied; 4) juvenile males if the female cell is occupied; 5) adult males in need of administrative segregation; and 6) adult males requiring disciplinary detention.

The housing of juveniles and females in the drunk tanks is dehumanizing and cruel and unusual punishment.

The following Federal Court decisions may have an impact on this issue:

Rhem v. Malcolm, 371 F. Supp. 594, 623, 625 (S.D. NY 1974)  
Detainees may not be confined under conditions more rigorous than a convicted prisoner. Detainees retain all rights except where necessary to assure their appearance at trial, and conditions must be least restrictive means to achieve that end.

Smith v. Sampson, 349 F. Supp. 268, 271 (D NH 1972).  
Difference in state interest mandates detainees be treated better than convicts. Least restrictive alternative principles applies to detainees.

This Consultant recommends that this jail employ a trained correctional counselor whose functions would be to (1) interview all persons who are in the jail for more than one day and evaluate them in terms of criminal, medical, and social history, (2) assist in the classification process and provide data to aid in the management of inmates in custody, and (3) provide follow-up casework services for inmates where indicated. Many inmates received in a jail have personal and family problems. A counselor could assist them with their problems and help to reduce their tensions, anxieties, and frustrations. They could improve inmate morale and behavior.

#### CONCLUSION

The Robertson County Jail is an obsolete, antiquated and inadequate detention/correction facility. It houses pretrial detainees. It also serves as a local correctional institution for persons sentenced by the local courts and for convicted offenders sentenced to the Tennessee Department of Corrections who are serving their sentences in this jail pursuant to a contract between the Robertson County Jail and the Corrections Department.

The inmate housing units consist of two cell blocks each with nine (9) multiple-occupancy cells and a dayroom and two drunk tanks. The cells and dayrooms do not have sufficient space to meet state and national standards. There are no cell blocks with any single cells which are essential in any jail for the housing of the majority of inmates to ensure the safety of staff and inmates. Faulty design does not permit the adequate separation of the different categories of prisoners, such as the sentenced from the unsentenced, felons from misdemeanants, youth offenders from older violators, violent from

nonviolent, males from females, juveniles from adults, persons requiring administrative segregation or disciplinary detention from those in the general population, etc. Currently, the drunk tanks are used to house females, juveniles, and prisoners in need of protective custody or disciplinary detention. This is totally unacceptable practice. The jail administration cannot be faulted for this because they do not have a constitutional jail to adequately respond to the needs of the persons placed in their custody.

This facility has no multi-purpose rooms and no indoor or outdoor physical exercise areas. Consequently, inmates spend all their time in their cells or drunk tanks in idleness, boredom, and despair. Sleeping and watching television is their only activity. This is a "human warehouse" with very little concern for the physical and mental well-being of the inmates. There are no correctional programs or activities. It is anticipated that under existing dehumanizing conditions of confinement the prisoners released from this facility are much worse than when they entered.

There is an insufficient number of staff, and prisoners are left for extended periods without any visual supervision or surveillance by jail officers which may result in some prisoners physically and sexually abusing other inmates. There is little communication between staff and inmates. Additional jail officers would permit inmates to have more visits and telephone calls. Hopefully other activities would be instituted to reduce the amount of idleness. A professional correctional counselor should be employed to assist prisoners with their personal problems.

Robertson County should immediately begin planning for the

construction of a new local detention/correction facility which would meet the requirements of jail standards and court decisions.

An atmosphere of openness and cooperation with this Consultant was maintained throughout this on-site visitation, and no overt hostility or covert efforts to conceal information was detected at any point.

This report could not have been accomplished without the cooperation and assistance of all individuals interviewed and the reports and documents made available to the Consultant. This Consultant is grateful for all contributions to the successful completion of this effort.

The recommendations presented in this report are intended to be both comprehensive and pragmatic. They are consistent with accepted standards and guidelines relating to the operation and management of local jails, their physical facilities, programs and services.

In summary, the Robertson County Jail is a woefully inadequate facility, and its present operation is hampered by very serious understaffing, which results in conditions that are unsafe for staff and inmates, counter-productive as an element of the county's criminal justice system, and in violation of some inmates' rights.

Respectfully submitted,

*Anthony S. Kuharich*  
Anthony S. Kuharich  
Jail Consultant

PERSONAL RESUME

Anthony S. Kuharich, 17048 Wausau Avenue, South Holland, Illinois  
60473; Phone No. 312/596-6541.

Date of Birth: January 15, 1913, South Bend, Indiana. Oldest of four  
children born to Martin and Theresa Kuharich nee: Alterman.

Marital History: Married Irene M. Mich, April 20, 1940, South Bend,  
Indiana. One son, Martin A., born March 11, 1949, Hammond, Indiana;  
graduated University of Notre Dame, 1971; married; two children.

Educational History: January, 1931 - Graduated, Central Senior High  
School, South Bend, Indiana.

June, 1935 - BA - Education - University of  
Notre Dame.

June, 1941 - MA - History - University of  
Notre Dame.

June, 1954 - MSIR - Social and Industrial Relations,  
Loyola University of Chicago, Illinois.

Educational Honors: June, 1961 - Honorary Doctor of Laws Degree (LLD)  
Atlanta Law School, Atlanta, Georgia.

Present Employment: February, 1977 - Jail Consultant, National Institute  
of Corrections (U. S. Department of Justice  
Agency) Boulder, Colorado. (Part-time)

Prior Employment: January, 1976 - May, 1982; Adjunct Professor,  
Department of Criminal Justice, Loyola University  
of Chicago, Illinois (Part-time).

August 4, 1974 - February 12, 1977; Executive  
Assistant, Metropolitan Correctional Center,  
Chicago, Illinois, U. S. Bureau of Prisons. (Retired)

January, 1975 - April, 1978; Instructor, Corrections  
Program, Chicago State University, Chicago,  
Illinois. (Part-time)

January to July, 1974; Jail Consultant, American  
Correctional Association, College Park, Maryland.

March 2, 1970 - January 2, 1974; Chief, Bureau of  
Detention Standards and Services, Illinois Depart-  
ment of Corrections, Springfield, Illinois.

Sept. 6 to Dec. 19, 1973; Instructor, Criminology,  
MacMurray College, Jacksonville, Illinois (Part-time).

July 7, 1969 - February 28, 1970; Jail Administrator,  
Wayne County Jail, Detroit, Michigan. Resigned to  
accept employment in Illinois Department of  
Corrections.