



THE DELAWARE PRISON SYSTEM

A report of the Delaware Advisory Committee to the United States Commission on Civil Rights prepared for the information and consideration of the Commission. This report will be considered by the Commission, and the Commission will make public its reaction. In the meantime, the findings and recommendations of this report should not be attributed to the Commission but only to the Delaware Advisory Committee.

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THE UNITED STATES COMMISSION ON CIVIL RIGHTS

The United States Commission on Civil Rights, created by the Civil Rights Act of 1957, is an independent, bipartisan agency of the executive branch of the Federal Government. By the terms of the Act, as amended, the Commission is charged with the following duties pertaining to denials of the equal protection of the laws based on race, color, sex, religion, or national origin: investigation of individual discriminatory denials of the right to vote; study of legal developments with respect to denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to denials of equal protection of the law; maintenance of a national clearinghouse for information respecting denials of equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

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--A report prepared by the Delaware
Advisory Committee to the U. S.
Commission on Civil Rights .

ATTRIBUTION:

The findings and recommendations contained in this report are those of the Delaware Advisory Committee to the United States Commission on Civil Rights and, as such, are not attributable to the Commission.

This report has been prepared by the State Advisory Committee for submission to the Commission, and will be considered by the Commission in formulating its recommendations to the President and the Congress.

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DELAWARE ADVISORY COMMITTEE TO THE
U. S. COMMISSION ON CIVIL RIGHTS
November 1974

MEMBERS OF THE COMMISSION
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John A. Buggs, Staff Director

Sirs and Madam:

The Delaware Advisory Committee submits this report of its study of the Delaware prison system as part of its responsibility to keep the Commission advised on civil rights problems within this State.

The Advisory Committee focused its investigation on such factors as housing conditions, medical care, classification, and vocational training. We also attempted to determine if black prisoners and women receive treatment which is different from that accorded the rest of the prison population.

In a State where blacks total 14 percent of the population, the prisons have a black population of 62 percent. The prison staff is 17 percent black.

Generally, the Advisory Committee found many problems within the State's four institutions, including insufficient and poorly trained staff, overcrowding, housing of men awaiting trial with those serving sentences, inadequate medical care, and general neglect of female prisoners.

The Women's Correctional Institution is given the lowest priority of the four institutions. There seems to be a general disregard for the system's own rules for the treatment of inmates in all the prisons in terms of facilities, staffing, and programming.

The Advisory Committee has concluded that poor management underlies many of these problems, and recommends that the Delaware Department of Health and Social Services undertake a management analysis of the Division of Adult Corrections covering all aspects of the prison system. Through such an analysis the public should learn who creates prison policy, who is responsible for carrying it out, and who checks the system to assure that humane policies are implemented.

The Delaware Advisory Committee submits this report to the Commission with the hope that our efforts will contribute to the Commission's national prison study.

Respectfully,

/s/

L. COLEMAN DORSEY
Chairman

ACKNOWLEDGMENTS

The Delaware Advisory Committee wishes to thank the following staff members of the Mid-Atlantic Regional Office, U. S. Commission on Civil Rights, who assisted in the preparation of this report: Robert Coulter, Phyllis Dodson, John Medina, Edwina Miles, Alma Missouri, Emily Olbrich, Natalie Proctor, and Wynora Tucker. All worked under the guidance of Jacob Schlitt, regional director.

Final edit and review was conducted in the Commission's Office of Field Operations, Washington, D. C., by editor Bonnie Mathews, assisted by Rosa L. Crumlin and Mary Frances Newman, under the direction of Charles A. Ericksen, chief editor. Preparation of all State Advisory Committee reports is supervised by Isaiah T. Creswell, Jr., Assistant Staff Director for Field Operations.

INTRODUCTION

In the aftermath of serious disturbances at the Delaware Correctional Center in September 1971, the Delaware Division of Adult Corrections adopted a document, Rules for the Treatment of Inmates in Delaware Correctional Institutions, based on the United Nations' bill of rights for prisoners. The rules, written by a group of inmates, lawyers representing inmates, and staff of the Division of Corrections, became effective February 1, 1972.

These rules cover general areas including disciplinary procedures, health services, the size of cells and number of occupants, recreation, and visiting privileges, among others. The rules were instituted in an effort to upgrade the level of treatment given to inmates and to set down minimum standards by which an inmate's conduct is evaluated.

In 1972 the Delaware Advisory Committee to the U. S. Commission on Civil Rights undertook a study of the prisons which focused in part on the implementation of these rules. Shortly after the Advisory

Committee initiated its investigation, the U. S. Commission on Civil Rights undertook a broad inquiry into State and Federal correctional institutions. The project is designed to accomplish several goals: to determine if there is a need for a set of national guidelines that will establish basic rights of prisoners, to determine whether minority and female prisoners are denied opportunities afforded to the general prisoner population, and to determine whether the adoption of minimum standards will improve the lot of these groups.

Guidelines for the Commission's prison study were created by its consultant, Donald Goff, formerly secretary of the New York Correctional Association. Mr. Goff was a member of the panel appointed by the Governor of New York to protect the civil rights of all Attica prison inmates and personnel immediately after the 1971 riot there.

The Goff guidelines, Minimum Standards of Civil and Human Rights for Inmates in Correctional Institutions, cover 16 basic areas similar to those covered by the Delaware Department of Adult Corrections' rules. A chart comparing the two documents is attached as Appendix A.

Members of the Advisory Committee and Commission staff made several visits to the State's four prisons -- the Delaware Correctional Center, the Sussex Correctional Institution, the Women's Correctional Institution, and Plummer House. They interviewed prisoners, prison staff, community organization leaders, and public officials.

The Advisory Committee held an informal hearing in Wilmington and Smyrna, June 1, 2, and 6, 1973. Participants included inmates, administrators of the Delaware Division of Corrections, ex-inmates, and representatives of community organizations.

As part of its analysis of the adult prison system, the Advisory Committee hoped to obtain information about the structure and finances involved in the administration of justice in Delaware, including the courts, police, and juvenile and adult corrections. The Advisory Committee contacted the Governor's office, the Delaware Department of Justice, the Delaware Agency to Reduce Crime, the Delaware Council on Crime and Justice, and other groups, but was unable to obtain the information it sought. The Advisory Committee also hoped to obtain data on recidivism from the Division of Adult Corrections. This information was not available either.

The Delaware Division of Adult Corrections has been studied by several groups concerned with the Delaware prison system, including the University of Georgia in 1972 and the National Council on Crime and Delinquency in 1969. Both of these studies made recommendations to the Division. The University of Georgia, in its study, called for a training course for all division employees in "concepts of treatment" and "handling of correctional problems," the separation of pretrial and unsentenced inmates from the general prison population, the elimination of the food cart system at Delaware Correctional Center and the feeding of all inmates in the main dining hall, analysis of the adult prison system to

eliminate job overlap, and the transfer of female inmates to a women's institution in another State where they can participate in more programs than are available in Delaware.¹

The National Council on Crime and Delinquency recommended that a community-based correctional facility be developed for short-term and detainee female inmates and that long-term female inmates be sent to institutions in neighboring states, that Sussex upgrade its medical care by having a doctor on call 24 hours a day, and that new inmates be given thorough physical examinations including x-rays and dental care.²

In the report that follows, inmates and ex-inmates who participated in the open meeting or otherwise assisted the Advisory Committee have not been identified by name because such identification might make their reintegration into society more difficult.

The Advisory Committee hopes that the report will be helpful to the Division of Adult Corrections in its efforts to improve the prison system, and to the people of Delaware who are seeking a better understanding of these institutions.

1. Fremont Shull and Henry J. Davis, Management and Organizational Study, Delaware Department of Corrections (University of Georgia, Mar. 1972), p. 31.

2. National Council on Crime and Delinquency, A Survey of Correctional Services in Delaware (New York: National Council on Crime and Delinquency, 1969), pp. 3.39, 3.61.

DEMOGRAPHIC AND RACIAL DATA

Delaware, the second smallest State in the United States, covers 2,057 square miles and shares its border with Pennsylvania on the north, New Jersey on the east, and Maryland on the south and west. Its population is 548,093, of which 78,284, or 14 percent, is black. Slightly more than 1 percent, 6,267, is of Spanish-speaking background.

Between 1960 and 1970, the non-white population increased 31.8 percent statewide, while the white population increased 21.4 percent. The increase in the non-white population was largely in the Wilmington area. In the city of Wilmington, in New Castle County, non-white residency increased from 25,075 to 35,485 (41.5 percent) and from 11,346 to 15,125 (33.3 percent) outside the center city. In contrast, the white population of the center city decreased 36.5 percent, from 70,752 to 44,901, and the white population outside the center city increased from 200,273 to 290,345 (45 percent).

In 1970 of the 16,301 crimes reported to the police, 14,506 were property crimes involving burglary, larceny over \$50, or auto theft and 1,795 were violent crimes of murder, rape, robbery, or aggravated

assault. Approximately 80 percent of these crimes took place in New Castle County. There were 1,150 narcotic offenses reported of which 90 percent were in New Castle County.³

The Delaware Correctional Center (DCC) outside Smyrna and the Sussex Correctional Institution (SCI) near Georgetown maintain custody of men in all classifications -- minimum, medium, and maximum security. They also house men who are awaiting trial or sentencing. The Women's Correctional Institution (WCI) at Price's Corner maintains custody of all women prisoners. Plummer House in Wilmington is the education-work-release center for men who are within 6 months of parole.

On November 5, 1973, there were 703 inmates in the four Delaware penal facilities. Of that number, 432 were serving sentences of over 1 year, 141 were serving sentences of 1 year or less, and 130 were awaiting trial. In contrast to the State's black population of 14 percent, its black prison population was 62 percent. Other minorities, including those of Spanish-speaking background, comprised approximately 1 percent of the prison population.

At Delaware Correctional Center, the black population was 58.7 percent of the inmate population and 16.2 percent of the staff. At Sussex Correctional Institution, the black population was 67.9 percent of the inmates and 8.0 percent of the staff. At the Women's Correctional Institution, 67.9 percent of the inmate population was black

3. Delaware Agency to Reduce Crime, 1972 Comprehensive Plan for the Law Enforcement, Criminal Justice and Juvenile Justice Systems with the State of Delaware, Dec. 1971, pp. 8, 29, 37, 73.

compared to 15.4 percent of the staff. At Plummer House, 52.4 percent of the inmates were black and 37.5 percent of the staff were black. (See chart on following page.)

Data supplied by officials of the four institutions show that the prisons employed few minorities on the correctional, administrative, teaching, and managerial staff. For example, of 216 staff people at DCC: 1 of 14 in the education department was black, 1 of 8 counselors was black, 2 of 6 captains were black, 6 of 17 lieutenants were black, 20 of 105 correctional officers were black and 2 were Puerto Rican.

Advisory Committee members during their visits observed that both DCC and SCI employ few minority staff. At DCC only one member of the classification team was black. SCI had four black guards and one black clerical worker in a total staff of 63.

In the Federal Register of March 9, 1973, the Law Enforcement Assistance Administration (LEAA) announced that all grantees with 40 or more employees and \$25,000 or more in grants or subgrants must have a written equal opportunity program. To the Advisory Committee's knowledge, the Delaware Division of Adult Corrections does not have a written equal employment opportunity program on file. In fact, the division director and superintendents of DCC and SCI stated that they were not working on any kind of equal employment opportunity program.

STAFF AND INMATES OF INSTITUTIONS OF DIVISION OF ADULT CORRECTIONS

<u>Institution</u>	<u>Delaware Correctional Center</u>		<u>Sussex Correctional Institution</u>		<u>Women's Correctional Institution</u>		<u>Plummer House</u>	
	<u>As of 12/31/72</u>		<u>5/21/73</u>		<u>5/30/73</u>		<u>7/12/73</u>	
<u>Staff</u>	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Black	35	16.2%	5	8.0%	2	15.4%	10	37.5%
White	178	82.4%	58	92.0%	9	69.2%	6	62.5%
Puerto Rican	2	0.9%	0	--	0	--	0	--
Other Spanish-Speaking	1	0.5%	0	--	2	15.4%	0	--
<u>Staff Total</u>	<u>216</u>	<u>100.0%</u>	<u>63</u>	<u>100.0%</u>	<u>13</u>	<u>100.0%</u>	<u>16</u>	<u>100.0%</u>
<u>Inmates</u>								
Black	262	58.7%	142	67.9%	19	67.9%	11	52.4%
White	184*	41.3%	64	30.6%	9	32.1%	10	47.6%
Puerto Rican	0	--	0	--	0	--	0	--
Other Spanish-Speaking	0	--	3	1.4%	0	--	0	--
<u>Inmates Total</u>	<u>446</u>	<u>100.0%</u>	<u>209</u>	<u>99.9%**</u>	<u>28</u>	<u>100.0%</u>	<u>21</u>	<u>100.0%</u>

*Puerto Rican included in this count.

**Column does not add to 100 percent due to rounding.

(Data derived from responses of superintendents to questionnaire submitted by the Delaware Advisory Committee)

Furthermore, the Advisory Committee is not aware of any effort on the part of the Delaware Agency to Reduce Crime (the agency which administers Delaware's LEAA funds) to design a program or put one into effect.

Differing treatment according to race is a daily fact of life in the Delaware prison system. For the most part, inmates do not appear to have succumbed to racism although there have been acts of racial hostility among inmates. Inmates told the Advisory Committee that most racial tension occurs when prison staff treat prisoners on a racial basis. Both white and non-white inmates said that whites generally receive preferential treatment - lighter punishment for the same rule infractions, more laundry privileges, better prison jobs, and earlier assignments to work-release jobs.

One reason cited as the basis for preferential treatment is the difference in environmental and cultural backgrounds of the guards and inmates. Raymond Anderson, superintendent of DCC, explained that most guards are retired personnel of Dover Air Force Base. They live south of the Delaware and Chesapeake Canal in a rural, agricultural area with few black residents, whereas most of the black inmates come from the ghetto areas of Wilmington. The inmates believe that these guards do not understand the problems of the blacks or of the inner city.

At both DCC and SCI, inmates accused the institution of segregating black, politically conscious prisoners by placing them in

restricted areas of the prison where inmates have the fewest privileges. Inmates also accused guards of making racial remarks aimed at promoting tension. Prison officials admitted that they made cell assignments along racial lines.

The small number of guards and their lack of training limits adequate supervision of inmates as well as the security of inmates and prison staff. Former Acting Director of Corrections Harry Towers told the Advisory Committee that the prisons have such a pressing need for guards that new men are put to work without any prior training. They receive training from older guards to whom they have been assigned. Mr. Towers and Jan Wilson, of the Delaware Agency to Reduce Crime, stated that although LEAA has provided money for the training of guards, the training programs have not been implemented. The State had not been able to find a training director or the money to pay guards' salaries during their training.

DELAWARE CORRECTIONAL CENTER (DCC)

The Delaware Correctional Center (DCC), with a capacity of 441 inmates, is the largest of Delaware's four penal institutions for adults. Opened in 1971, it is the main correctional facility for all male prisoners. Many of its staff were previously employed at the New Castle County Workhouse, the former State prison replaced by DCC. The DCC complex is located on a 540-acre tract of land north of the New Castle-Kent County line. The nearest town is Smyrna which has 4,243 inhabitants. Two wire mesh fences topped with barbed wire surround the entire facility. There are several major buildings in the complex. The administration building contains all administrative offices, the reception area, the medical unit, the main security control room, and the pretrial detention area. The education building contains classrooms and workshops. The chapel provides services for those of Protestant, Catholic, and Jewish faiths.

Delaware law provides that special facilities and services be made available for those who are waiting trial. The DCC pretrial detention population is usually 150 to 160 men in an area built to accommodate 90. The hospital ward and maximum security unit are also used at times to house pretrial detentioners.

Inmates are housed in three separate security units, each surrounded by a fence:

1. The maximum security building accommodates 63 inmates at full capacity and is divided into three sections: isolation, B-block (or "max-max"), and maximum custody. Inmates in isolation have no privileges, B-block inmates have a few privileges, and the maximum inmates have a few more privileges.
2. The medium security building can accommodate 137 inmates at full capacity. It houses the maintenance shop, kitchen, and bakery for the entire institution.
3. The minimum security building can accommodate 142 inmates. Some inmates assigned here have jobs within the institution, others work outside the institution in the work-release program, and still others attend university classes.

According to Paul W. Keve, director of the Division of Adult Corrections, the decision whether an inmate is sent to DCC or to Sussex is made by an inter-agency transfer committee. The members of the committee, appointed by the Division of Adult Corrections,

include the superintendents of each institution, the assistant superintendents for treatment, and counselor supervisors. The decision is based on programming needs of the inmates, programming availability at each institution, length of sentence and security status.

Classification

Delaware law requires that all inmates serving a sentence of more than 90 days be classified. The classification system determines the inmate's program, treatment, job, privileges, and security assignment. Though the classification system is different in each of the four facilities, a common objective is to plan and monitor the inmate's treatment.

At DCC, classification is the responsibility of several individual unit classification teams and the Institutional Classification Committee (ICC). The unit teams consist of a correctional officer, a counselor, and a teacher. The ICC has five members from the treatment and custodial staffs headed by the assistant superintendent for treatment. It considers the recommendations of the unit teams and makes the actual classification decisions. The DCC superintendent or the director of the Division of Adult Corrections may veto any of its decisions.

A particularly important function of the Institutional Classification Committee is making pre-parole recommendations. The committee meets with the inmate about 4 to 6 weeks prior to his appearance

before the parole board, prepares a pre-parole report summarizing the inmate's record and progress, and writes an overall evaluation. The pre-parole report also includes a summary of all other reports available to the Institutional Classification Committee.

An inmate begins the classification process shortly after being sentenced. He is tested by the education staff and interviewed by a social worker about his personal history. He then meets with the classification team for the receiving area to discuss housing and work or school assignments.

The team's recommendations are forwarded to the Institutional Classification Committee which makes the final decision about the treatment program based on the inmate's records and the recommendations of the unit classification team. Each week these decisions, without explanations, are posted on bulletin boards which all inmates can read.

After the initial meeting, the inmate does not meet with his classification team on a scheduled basis. If he wants to meet with them, either he or a staff member must send a written request to the team. Generally, all subsequent classification meetings are held in the same manner as the initial one. The team itself may consider changes in the inmate's program at any time it deems appropriate.

Once an inmate is assigned to a security unit, the team in that unit is responsible for him. Thus, most inmates will deal with several teams while at DCC and no one team will have an on-going

personal knowledge of the inmate. There is no appeal from a team or ICC recommendation, or from a superintendent's veto.

Almost every inmate interviewed and those appearing at the Delaware Advisory Committee's open meeting expressed dissatisfaction with the classification process. One inmate with many years experience in the Delaware prisons stated at the open meeting:

The inmate is excluded from participating in these [classification] hearings. He is brought into the room and asked questions, and sent from the room while a decision is made about him on information that he has no knowledge of, which he probably has to have knowledge of if he is going to make adjustment, if he is going to make resocialization. If he is called in there and asked four or five questions and sent from the room, then they pull something from the file, discuss it in his absence and make a decision in his absence, he is never going to know how to correct whatever they find offensive.

Inmates also reported that they did not know what standards the classification teams apply. One inmate at DCC stated:

No inmate here can make a judgement as to the standard used. He will get a written slip of paper and then vague ambiguities. You cannot relate to the written policy. You cannot observe an inmate and see him get a particular classification and pick out any standard that was applied. It is capricious.

Inmates are rarely allowed to have another individual assist them in classification meetings. Prison officials responsible for classification expressed the opinion that allowing the inmate to have a representative would slow down the pace of the classification hearings. These same officials admit that the classification team takes only a few minutes with each inmate.

Officials said that inmates are told the "substance" of material in the files when it is relevant. The psychiatrist at DCC stated that he explains to each inmate the "substance" of his evaluation. Inmates said they are sometimes told about reports of a specific incident in their files, but they never can be certain what these reports say.

Nearly all inmates believe that correctional officers place prejudicial reports in their files. The records of the inmates in the Delaware prisons are required by law to be kept confidential; therefore, it is not possible to confirm or deny these allegations. Most prison officials oppose permitting inmates to see their own files because it would be damaging to the inmate and dangerous for the correctional officers. The American Correctional Association supports this position.

Inmates also complained that the members of the classification teams do not have the qualifications to exercise such discretion. In fact, few if any of the "classifiers" have had formal training for such responsibility. Only at DCC does the psychiatrist sometimes participate in the initial classification process. Inmates consistently reported that custody and the convenience of the correctional officers almost always take precedence over treatment.

Housing

The inmate's housing facility depends on his security classification. In the maximum security unit, each inmate lives in a cell with a

cot and a "hopper" (a combination toilet and sink). In the medium security unit, inmates are housed either in rooms or in cells like those in the maximum unit. Some rooms have sliding doors which are controlled by the guards. Other rooms have hinged doors with locks to which the inmates possess the keys. In the minimum security unit, inmates live in 52 single rooms with keys or in a 45-man dormitory.

There are nine cells on the isolation block, a wing of the maximum security unit. Each cell measures about 9 feet by 12 feet and has one narrow window. The cell contains a mattress on a raised cement slab, a "hopper," and a ceiling light. Each inmate is provided with a pillow and blanket, although an inmate in one cell said that he had no pillow until the day before the open meeting.

Isolation

Inmates drew a bleak picture of the time spent in the isolation cells. They told of being allowed to send only three letters a week to people on their mailing list, although they can send any number to their attorneys. No limit is put on the number of letters they may receive. They said they are allowed to shower for 5 minutes twice a week. Superintendent Anderson stated, however, that inmates in isolation are allowed to shower for 30 minutes three times a week. At shower time, inmates are provided brooms to sweep their cells and are given a clean set of coveralls, but no cleaning material and no clean underwear.

When inmates enter isolation, they are allowed to keep only their underwear and shoes. The rest of their clothes are exchanged for the special white coveralls worn in isolation. An isolation inmate who appeared at the Advisory Committee's informal hearing was wearing extremely worn coveralls given him the morning of the hearing. One sleeve was threadbare and there were holes in both wrists and one elbow.

Inmates in isolation have no control over the environment in which they live. The guards control the lights and heat. Inmates complained of cells being too hot in the summer and too cold in the winter. They are served the same menu as the rest of the inmate population, but complained that the food is always served cold. Since they cannot work or have reading material, hobbies, or visitors, inmates have nothing to do.

Inmates alleged that guards do not check individual cells on their hourly inspection, but only walk to the end of the block, punch the clock notifying the control room of a completed inspection, and return to the guard room. Superintendent Anderson said that the guard checks each cell when he makes his hourly rounds.

The cells have steel doors with slots near the floor and at eye level and another steel door separates the guard station from the isolation area. Inmates said that it was necessary to yell loudly through the two sets of steel doors to get the attention of the guard.

As with his physical well-being, the isolation inmate is totally dependent on the guards for his psychological well-being. When an inmate wants to see the social worker, he sends his request through the guard, who relays the request to the social worker. The same is true of the chaplain. Neither social worker nor chaplain make routine visits. Inmates also alleged that the doctor gives isolation inmates only a superficial check on his visits.

In isolation, each of the nine toilets flush automatically, one after the other, every 2 minutes. Inmates charged that guards change the timing on the toilets so that each cycle starts immediately after the previous one is finished. At other times, they said, the flushing is less frequent. When inmates talk among themselves, the guards will start the toilets flushing, inmates told Advisory Committee. The flushing, they said, sounds like an explosion and blocks out any other sound; they claimed it serves as a form of punishment.

According to Superintendent Anderson, the guards have no way of controlling the flushing. It depends on an automatic timing mechanism built into the prison for maintenance control, he said, and to change it would involve a major plumbing operation. The purpose of the automatic flushing, Mr. Anderson said, was to prevent inmates from stopping up toilets.

Pretrial Unit

Delaware law provides that special facilities and services be made available for inmates who are awaiting trial, subject to the discretion of the administration. Inmates in the pretrial unit wear black and white striped coveralls rather than the color-coded slacks and shirts worn by inmates serving sentences. Because of overcrowding, seven or eight men are frequently placed in one cell designed for five men. To accommodate them, mattresses are placed on the floor. Inmates housed in these cells complained that at night those sleeping near the one toilet get splashed when other inmates use it.

The DCC pretrial detention population is usually 150 to 160 men in an area built to accommodate 90. The hospital ward and maximum security unit are also used at times to house pretrial detentioners, according to Mr. Anderson.

Inmate Council

Only the medium security unit has an inmate council. The maximum security unit is not allowed to have one, and to the Advisory Committee's knowledge, the minimum security unit has not requested one.

The Prisoners' Action Committee, the inmates' council for the medium security unit, works with the administration on inmates' complaints. These may include medical services, visiting procedures, 24-hour lock-up notations on inmates' records, or the number of books allowed in inmates' rooms.

Inmates in the maximum security unit said they had attempted to form their own council, but the administration would not let them have it. Mr. Anderson explained that, according to the rules, inmates could elect members of the inmate council, but the administration had to approve the elected members. The administration, he said, did not approve the individuals who had been elected to the council.

Treatment

Various "treatment" programs are available to the DCC inmate. The term is used to include work-release, academic education, work counseling, and recreation. Work-release is designed to give marketable skills to inmates who are within 3 to 12 months of completing their sentences. In the program, inmates receive counseling as well as educational, legal, and medical assistance. They work daily outside the institution in the nearby community and return at the end of their workday. They must abide by all of the institution's rules and regulations.

The academic education program provides remedial, grade school, high school, and college courses. Vocational education consists of courses in drafting, automotive mechanics, and climate control. On June 6, 1973, there were 78 inmates participating in the academic program and 53 in vocational courses. Some inmates, depending on their classification, go to school full-time at DCC or at one of the

nearby universities. Others go to school part-time and work part-time. All inmates except those in maximum security are eligible for either academic or vocational classes.

Eight full-time social workers are available 5 days a week to provide counseling.

The indoor recreation program provides a variety of choices for the inmate's free time. A recreation director oversees all the programs and coordinates intramural competition in weight lifting and boxing between minimum and medium security inmates. Also included in the program are weekend movies. The guards, not the inmates, control which television programs inmates may watch. Inmates may play pinochle, chess, checkers, bridge, table tennis, and other games.

The amount of outdoor recreation depends on the inmate's classification. Each security level has its own exercise yard with a basketball court. According to a DCC staff member, inmates in pretrial and maximum security are allowed 1 1/2 hours a day of recreation weather permitting, and inmates in medium and minimum security can use their yard any free time they have.

Two inmate bands play on various holidays, at variety shows, and at other inmate functions.

On June 5, 1973, 219 inmates were assigned to jobs inside the institution in the following units: maximum, medium, and minimum

security housekeeping, pretrial, the kitchen, education, the hospital, the receiving room, maintenance, central supply and laundry.

Although 59 percent of the DCC inmate population was black, 68 percent of the inmates working in the kitchen were black, as were 64 percent of the inmates assigned to maintenance jobs. In contrast, 40 percent of the inmates assigned to the hospital and 27 percent of the inmates employed in the vocational-technical building were black.

Inmates were paid 23 cents to 73 cents a day based on their job assignments.

Health

The institution has its own hospital where minor illnesses that do not require a doctor are treated. The hospital includes a waiting room, examining room, an eight-bed ward, and four cells for emotionally disturbed inmates. A doctor visits the prison twice a week, seeing all inmates who have obtained a pass to go to the hospital unit. A full-time nurse is in attendance at the hospital 5 days a week.

Inmates expressed concern about the poor medical treatment they felt they were receiving. One inmate with a neck problem claimed he required a brace and was told by the prison doctor, after guards took his brace, that he did not need one. Another inmate said he did not know what kind of medicine he was taking, or if he was receiving the correct medicine. The nurse measured the dosage, he said, and gave it to a guard who gave it to him.

Health-related problems described by DCC inmates included overcrowding and lack of cleansing materials--soap and scouring powder--with which to clean isolation cells.

Inmates in the pretrial, minimum, and maximum units complained of cold food. The food is prepared in the medium security unit and sent to the other areas on carts. By the time it reaches the inmates, it is cold. DCC officials indicated that they were making the route shorter for the food carts.

Discipline

An inmate accused of breaking an institution rule goes before an adjustment board and if found guilty, is punished. The inmate is given a written copy of the charges but has little opportunity to defend himself. If he desires, he may appeal his punishment, but if he does not appeal, punishment begins at the end of the hearing. Although the Inmate Reference Manual states that the inmate has 3 days to appeal, some inmates charged that they were made to begin their punishment while the appeal was in process.

4

There are five adjustment boards at DCC, a major board and four minor boards. The major board, which deals with major violations of rules throughout the institution, consists of a hearing officer, a member of the treatment staff, and a correctional officer with the rank of

4. Delaware Correctional Center, Rules and Regulations, Inmate Reference Manual, Feb. 1973, p. 13.

lieutenant or above. Each of the four minor boards deals with lesser rule infractions in the four security units--pretrial, minimum, medium, and maximum security. The minor boards consist of the shift lieutenant and a social worker.

Inmates charged DCC staff with manipulating rules to punish inmates. According to the rules, the maximum penalty for an offense is 15 days. Inmates who had been confined to isolation for more than 15 days said they had complained to the superintendent who answered their complaints by citing Rule 31, which states that inmates can be placed in isolation during an emergency.

One inmate told the Advisory Committee of a pretrial inmate who set fire to his mattress as a protest because he had served his punishment time in isolation and had not been returned to the pretrial unit. Inmates allegedly have cut themselves with razors while in isolation.

Two inmates confined to isolation told the Advisory Committee of several different abuses: guards threatening the use of tear gas; dental work started but not completed after an inmate was put in isolation; a guard who "forgot" to bring white coveralls which he had promised, leaving the inmate for a day with only his underwear.

A guard can give 24-hour lock-up punishment at his own discretion, during which time the inmate remains locked in his cell except for school or work. These punishments are not reviewed. The guard only has to complete a report for the inmate's official file. Since this

file is reviewed by the parole board, such reports may have an adverse effect on parole.

Legal Services

Inmates said they had little access to legal materials or legal aid. The prison has one copy of the Delaware Code for 440 inmates and incomplete sets of the Atlantic Reporter and the Federal Reporter. Inmates charged that their mail was delayed to hamper their efforts to get papers notarized. One "jailhouse lawyer," an inmate who acts as a lawyer, charged that he was placed in maximum security so he could not help other inmates.

Visits

As part of the reception process, each inmate makes a list of visitors. The administration must approve each name on the list. Ex-inmates are not allowed to visit. An inmate may change the names on his list every 3 months.

Pretrial, maximum, and medium security inmates are permitted contact visits totalling 1 1/2 hours a week, on Monday, Tuesday, Wednesday, Saturday, or Sunday. According to Division of Adult Corrections Director Keve, all inmates are permitted contact visits unless otherwise assigned for disciplinary or security reasons. The time may be split among visitors and children are permitted to visit inmates. The visits take place in a room 30 feet by 50 feet. Inmates in minimum security may have contact visits of 1 1/2 hours a week on

Saturdays and Sundays only. The visiting room is 30 feet by 30 feet. Inmates classified to receive "honor visits" may visit outdoors, where picnic tables are available, and visitors may bring picnic lunches and remain for 2 hours.

According to Mr. Keve, emergency visits are permitted for sickness, death, domestic problems, sensitive particulars in any individual's offense (with approval of attorneys involved in the case), or any emergency warranting such a visit as determined by the supervisor.

A visitor must advise the prison administration in advance of the date of the visit. Inmates and visitors may embrace at the beginning and end of the visit.

Commissary

Inmates may purchase such items as tobacco, deodorant, coffee, and candy at one of two commissaries. One is in the minimum security building and serves only minimum security inmates. The other is in the education building and serves the rest of the inmate population, including those in pretrial detention. Each security level has a scheduled weekly time when inmates may go to the commissary.

The institution provides the inmate with basic items such as toothbrush, soap, combs, etc. Other items must be purchased at the commissary which sells toilet articles, snacks, and cigarettes which are purchased from local vendors. There is no limit to the amount an inmate may spend each month except that it should not exceed the balance in his account. Profits from the commissary pay for rental

of movies shown to inmates and purchase and repair of recreation equipment. Mr. Keve explained that this procedure is followed at Sussex Correctional Institution and the Women's Correctional Institution as well.

SUSSEX CORRECTIONAL INSTITUTION

The Sussex Correctional Institution (SCI), located 2 miles from Georgetown on 265 acres of land, has a maximum capacity of 225 adult male inmates and on May 21, 1973, housed 209 men. It has a 150-acre farm which provides the four adult facilities with part of their food supplies.

The main part of the institution is located in a two-story, red brick building constructed in 1930. In contrast to the Delaware Correctional Center, where inmates are housed according to their security classification, Sussex Correctional Institution does not maintain specific maximum, medium, and minimum security units. Inmates of different classifications live in the same areas.

The first floor of the building contains the security office and meeting room, four tiers of cells, dining hall, kitchen, all-purpose room, receiving area, isolation and "the island" (a wing attached to the main building). The all-purpose room is used for visits, counseling, library, general meetings, and education classes.

The second floor contains four dormitories, social services offices, medical unit, commissary, recreation room, and a furniture refinishing shop at the back of the building above "the island." Behind the building is a small exercise yard with a baseball diamond, a dirt basketball court, and a grassy area. This yard is surrounded by a fence with a guard tower.

An old, two-story, wooden farmhouse near the main building has been converted to a dormitory which houses 25 inmates on work-release. These men work outside the institution at poultry plants or canning factories. Although these inmates do not live in the main building, they eat all their meals there. Some inmates living in the main building also participate in the work-release program.

Classification

All classification decisions are made by a committee with a flexible membership. The superintendent, or in his absence the social services supervisor, heads the committee. Other membership is rotated and includes the counselors, the shop and/or farm foremen, and the deputy superintendent or another ranking correctional officer.

The procedures for classification hearings and the information considered by the committee are substantially the same as at DCC. The classification committee controls the inmates' work assignments, visits, and educational opportunities. There are few treatment programs and little differentiation in housing.

Housing

John C. Ellingsworth, superintendent of SCI, told the Advisory Committee that many of the institution's problems were due to poor and inadequate facilities. There should be one man to a cell, he said, but space does not permit it and most cells are occupied by two inmates. Each cell contains a ceiling light, two metal bunk beds welded to the wall, and a "hopper." The beds have mattresses but an inmate alleged that sometimes inmates are not given pillows or sheets for the beds. On the "island" and the tiers of the first floor, the halls outside the cells are long and narrow with several tables on which inmates may play cards or games. Inmates said that the games created a great deal of noise. The halls are lit by rows of ceiling lights which frequently go out and are not replaced for weeks, according to one inmate.

Isolation

The four isolation cells are located in the main building next to the receiving area. They have barred doors similar to the cell doors on the tiers. Each cell contains a "hopper" and narrow angle iron bunks. An inmate told the Advisory Committee that the bunks are so narrow that many inmates prefer sleeping on the floor.

Pretrial Unit

For the most part, pretrial detainees are housed on "the island" in cells similar to those on the tiers. Those not housed on "the

island" are dispersed throughout the institution. Because of their status, pretrial detainees do not have to work if they do not want to.

Inmate Council

The Advisory Committee was told that some inmates had tried to organize an inmate council. The administration responded that the inmates really did not want one. Inmates in turn said that the administration would only approve a council consisting of the administration's choices. Thus there was no inmate council.

Treatment

Treatment programs available to inmates include General Education Development (GED)--a program which helps students pass the high school equivalency test--Adult Basic Education (ABE), drug counseling, alcohol counseling, work-release, education-release, and work within the institution. Most educational program classes are conducted in the all-purpose room on the second floor of the main building. The education program is quite limited. Because of space limitations, only eight inmates (two white and six black) were taking GED at the time of the Advisory Committee's meeting. One inmate told the Advisory Committee that he wanted to enter the education program but was not allowed to because there was no room. A vocational school teacher from nearby Georgetown teaches the GED classes. A teacher paid by the State conducts the Adult Basic Education Program. One teacher is black and one is white. The Advisory Committee was

told that an education-release program had been arranged with the public school, but it could not be implemented because money was not available to pay for inmates' transportation. According to Mr. Ellingsworth, there is insufficient space in Sussex for educational and recreational programs.

Inmates said that they have very little contact with the outside world. They are not allowed to speak with newspaper reporters or other news media representatives who visit the institution. Inmates said that they had never seen a list of magazines, newspapers, or literature which are banned but felt that the administration decides what material to allow the inmates to read. Although they may receive regular newspapers, inmates claim they are not permitted to receive what the administration sees as radical literature.

Work

On May 21, 1973, 50 inmates--all white--were participating in the work-release program at jobs outside the institution. Another 80 inmates were working inside the institution at the farm, in the furniture shop, and on maintenance jobs. Inmates with jobs at the institution receive monthly salaries ranging from \$3.50 to \$12. Of the 80 inmates assigned to jobs in the institution, 25 were white. In the furniture refinishing shop, 12 out of 36 of the inmates were white, and of the kitchen workers, 1 out of 15 was white. The

2 inmates who worked at clerical jobs were both white, and the 3⁵ trashmen were black.

Superintendent Ellingsworth explained that the work-release program had not been expanded from the present 50 inmates because SCI does not have the additional facilities to house and feed them. He said that having work-release inmates living in the general prison population is demoralizing both to those in the program and those who are not.

The furniture refinishing shop is the largest "employer" within the institution. About twice the number of inmates were assigned to the factory as were needed for the work available. George Reddish, a counselor at SCI, told the Advisory Committee that about half the prison population is idle during working hours because some inmates refuse to work and pretrial detainees are not required to work. Idleness is also due to the absence of work assignments, he said.

Health

The medical facility at SCI is an infirmary with one small ward and an office. The ward contains six beds and a shower. Since SCI has little medical equipment, only emergencies and minor illnesses are treated there. The medical staff consists of one part-time doctor and a full-time medical para-professional who acts as a nurse, dispenses medicine, gives first aid to inmates, and assists the doctor.

5. Data derived from response of SCI superintendent to questionnaire submitted by Delaware Advisory Committee.

The doctor visits the institution once a week for 2 to 3 hours. Inmates told the Advisory Committee that no routine physical examinations or blood tests are given inmates on admission. If an inmate wants a physical examination he must make a special request.

Inmates alleged that it is difficult to get medical treatment. One inmate said he had badly cut his finger at 11:00 a.m. but was not taken for treatment until 4:00 p.m. In another instance, the Advisory Committee was told of an inmate who went to the doctor for 3 weeks in a row, and each time was told that there was nothing wrong with him. He turned yellow after the third week and was sent to DCC hospital's isolation ward where he said he was diagnosed as having hepatitis.

The physical facilities of SCI are in a chronic state of disrepair, resulting in poor sanitary conditions and endangering the health of inmates. During a visit to the prison, Commission staff observed filthy walls with rusted, corroded material and paint peeling off them. No disinfectant, paint, or other materials are readily available to repair or clean them. Inmates claimed that the kitchen has a foul odor and is overrun with roaches. When guards inspect the kitchen, inmates alleged, they put their hands in the food containers.

According to one inmate, some of the toilets "are so rusted they couldn't flush," and it takes 3 or 4 weeks to get toilet cleaning materials. Another inmate said that "scum just hangs off the walls" in the showers on the "island." Shower sandals are not provided by the institution but must be bought by the inmates at the commissary.

Discipline

According to Mr. Ellingsworth, SCI follows the disciplinary procedures specified in the Rules for the Treatment of Inmates In Delaware Correctional Institutions. Questioned about allegations that inmates are sent to DCC as punishment, Mr. Ellingsworth did not deny it.

For minor infractions, a guard, at his own discretion and with no adjustment board hearing, may lock an inmate in the isolation cell without recreation or showers for 24 hours. Inmates told of receiving this punishment for talking to other inmates across the table in the dining hall. Inmates also said that they received 24-hour lock-up for refusing to volunteer to work without pay. The 24-hour lock-up prevents inmates from leaving their cells except to go to school and work.

"If you've got a grievance against the way the institution is, or against the guard, you're going to get thrown in the hole, or transferred to another institution," one inmate said. Inmates told the Advisory Committee that they can file a complaint with the warden, "but probably won't get to see the warden." Mr. Ellingsworth agreed that he has only "...limited time to talk to inmates." Rule 35 of the treatment manual makes provision for an inmate to register complaints. However, inmates say they receive punishment if they complain. Inmates claim that when a complaint is filed, the guards

talk with them or give them a "write-up" (a written report of undesirable behavior which is put in the inmate's official file).

Legal Services

Mr. Ellingsworth explained that inmates may give each other legal assistance when time schedules permit. However, one inmate stated that when he tried to give legal help to his fellow inmates, he was labeled a troublemaker and separated from the rest of the prison population. Although staff observed a complete set of the Delaware Code, inmates said that Volume 11 was the only legal book available to them. Another inmate said when he requested Volume 16 of the Delaware Code, he was told that an inmate had taken it from the library and had never returned it. Inmates commented that if the book had not been returned to the library, a prison-wide search would have been made to find it.

Visits

As at DCC, upon entering SCI, each inmate submits a list of visitors to the administration. Each name on the list must be approved and individuals must make appointments in advance to visit inmates. Each inmate is allowed one 1-hour visit a week. Those inmates with contact visit privileges may not split the visit between groups of people. Those inmates without contact visit privileges may split their visits. Contact visits take place in a room 30 feet x 25 feet. Children are allowed to visit. The rules for emergency visits are the same as at Delaware Correctional Center.

PLUMMER HOUSE

Plummer House, the work-release center, is located in northern Wilmington. At full capacity, it accommodates 27 male inmates who have served most of their sentences at DCC or SCI and have been classified as ready to participate in the work-release program. On July 21, 1973, it housed 21 inmates and employed 10 staff members.

The center consists of two houses on one-half acre of land. The main house provides a sleeping area for 17 inmates and recreation and dining facilities for all the inmates. The second house, known as the annex, consists of two floors and houses 10 inmates.

Inmates at the Advisory Committee's open meeting said they had no idea how they were selected for Plummer House. They knew only that it was the responsibility of classification teams at DCC and SCI.

According to Francis J. Herron, director of Plummer House, the classification team at DCC or SCI selects a candidate, and Plummer House staff interviews the prospective resident and seeks out comments about him from the classification team, correction officers, and other

inmates who know him. The Plummer House staff then reviews the inmate's files and makes the decision whether to accept him.

Upon arrival at Plummer House, each inmate is given a house-keeping job. Every few weeks these housekeeping jobs are reassigned among the residents. They include washing dishes, cleaning floors, cleaning bathrooms, cutting grass, and cleaning garbage cans.

Plummer House inmates have many more privileges than inmates in the other institutions. Each inmate is usually within 6 months of parole. The Plummer House staff aids the inmate to re-enter society by helping him find a job and providing counseling. Inmates also frequently receive furloughs and participate in educational and community programs outside Plummer House. They have more telephone and kitchen privileges than at DCC or SCI.

Plummer House differs considerably from Delaware's three other adult correctional facilities. Plummer House is not a security facility, and one inmate told the Advisory Committee that the front door is always unlocked. Rules at Plummer House are at a minimum. Inmates have to be in the house by a certain hour at night, and drinking, drugs, and foul language are prohibited.

Classification

Plummer House does not have classification as such. Program planning for individual inmates is handled through weekly meetings with the staff. During these meetings, any matter may be discussed

with the inmate, including his work, disciplinary problems, or personal problems.

Inmates told the Advisory Committee that individuals who break Plummer House rules are returned to DCC and SCI without the benefit of a hearing. Many inmates returning to one of the security institutions are put in maximum security. (See Discipline, p. 42.) Inmates stated that parole from maximum security is virtually impossible, and sending an inmate back to SCI or DCC in effect lengthens his prison term.

Housing

Three or four inmates share dormitory-type bedrooms containing closets, beds, and dressers. When an inmate is transferred to Plummer House, he is placed in the larger house. There are four bedrooms and two bathrooms on the second floor. The third floor has sleeping quarters in one large room partitioned into three smaller rooms and one bathroom. As his work habits improve, the inmate has the option to move to the annex where he will have more privileges. The annex consists of two floors and houses 10 inmates. Administrative, recreational, laundry, and small kitchen facilities are on the first floor. Three bedrooms and two bathrooms are on the second floor. Plummer House inmates, in contrast to the three security institutions, may chose their roommates.

Treatment

Plummer House inmates are encouraged to take vocational or academic education courses in which they are interested. Since these are not given at the center, inmates can take courses with staff approval at community institutions.

The staff includes one full-time counselor. Mr. Herron said that staff people are chosen for their ability to communicate and their desire to help inmates. Each inmate is assigned a guard with whom he can discuss his problems. Each inmate also has a weekly meeting with the director and the staff to discuss his progress and problems. A guard explained that an inmate is never cut off from Plummer House and after release can always come back for job assistance or counseling.

Recreation is left to the individual inmate. In each parlor, there are cards, games, and a television set. On the weekend, the inmate can get a pass to go to a movie. Mr. Herron said that outdoor recreation equipment was purchased by the center for inmates to use on weekends. Because most inmates go home on weekend passes the equipment is seldom used.

Work

Helping inmates obtain and maintain employment is a major goal of Plummer House. Because some inmates have difficulty finding jobs before they arrive at the work-release center, inmates without jobs are allowed to remain at Plummer House while they look for employment. Inmates differed on the amount of assistance they said they

received from Plummer House staff. One inmate praised the staff for helping him arrange job interviews and taking him to the interviews. Another inmate complained that staff should do more to help inmates find jobs before they arrive at Plummer House. He said he felt that the staff did not give him adequate counseling to help him find a job and subsequently did not provide sufficient counseling while he was on the job. Much of the counseling involves work habits: getting to work on time, general behavior on the job, and getting along with supervisors and co-workers.

Each week the inmate gives his salary to the Plummer House secretary who puts it in an account for him. Certain expenses are deducted, such as room and board, family support (if applicable), and Plummer House fines. The inmate keeps some money for pocket money and transportation.

Health

Plummer House does not have any medical staff. One of the guards told the Advisory Committee that each inmate is responsible for finding his own doctor and paying his own medical bills. An inmate indicated that some inmates felt that because they were still wards of the State and must obey the rules, the Division of Corrections should pay their outside medical bills, or Plummer House should provide a doctor.

Discipline

Isolation is not used as a punishment at Plummer House. An individual who breaks the rules attends the staff meeting where his

infraction is discussed. Punishment includes warnings, losing weekend passes, and returning to one of the security institutions.

Once Plummer House staff decides to return an inmate to a security institution, the responsibility and control of the inmate is taken over by that institution. Mr. Herron said his staff does not recommend what kind of reclassification the inmate should receive.

One guard stated that present Plummer House rules do not guarantee an inmate a hearing before being returned to DCC.

Visits

Visitors must make an appointment with the staff prior to visiting inmates at Plummer House. They may not go to an inmate's room, but may visit him in the first floor parlor.

WOMEN'S CORRECTIONAL INSTITUTION

The Women's Correctional Institution (WCI) is located at Price's Corner, approximately 5 miles southwest of Wilmington in New Castle County. This facility, originally a part of the New Castle County Workhouse for adult male and female inmates, became the Women's Correctional Institution in April 1971 when male inmates were transferred to the new facility at Smyrna. At full capacity, the Women's Correctional Institution accommodates 45 inmates. On May 30, 1973, the population was 28 with a staff of 13.

All functions of the women's prison are contained in a three-story, red brick building opened in 1929. A 12-foot steel and barbed wire fence surrounds a small recreation area behind the building. On the first floor are three administrative offices, dining room, kitchen, bathroom, storage closet, and visiting room. The second and third floors contain sleeping and treatment areas for inmates.

Classification

Because WCI is a small institution with a limited staff, its classification system is quite informal. The classification team consists of the superintendent, one correctional officer (matron), a clergyman, a counselor, and a volunteer worker. They determine the inmate's participation in work or education programs outside the institution and grant furloughs.

Some women seemed to have only a vague idea of the function of the classification team and were hardly aware that they were being classified. Other inmates complained to the Advisory Committee that team decisions were made before inmates could participate in the classification process.

Housing

The second floor of the building consists of an enclosed cellblock for new inmates, three large sleeping rooms with three or four beds in each, a combination chapel-recreation room, a small paperback library, a storage closet, two small classrooms, and a bathroom.

The third floor contains three six-bed dormitories, a bathroom, and a classroom.

The building also has a basement, which contains the shower room, isolation room, inmate commissary, another storage room, utility closet, laundry room, and a clinical examination room.

There is no housing based on security classification. Pretrial inmates live with the other inmates. All inmates eat together and perform the same housekeeping chores.

Inmate Council

The WCI has an elected council composed of eight inmates, four of whom make up the executive council which works with the institutional staff. The council serves as a grievance committee for inmates, administers the money earned by the commissary, and helps promote rehabilitation, education, and recreational programs.

Treatment

Much of WCI's limited treatment program is provided by members of outside organizations who come to the institution. Among the programs available are Adult Basic Education (ABE), General Educational Development (GED) courses in mathematics and English, and limited vocational training at the Emily T. Bissel Rehabilitation Center in Wilmington. Most classes at WCI are given in the dining room.

Four women were participating in a study-release program at the time of the open meeting. One inmate's parents were paying for her education. The other three were studying under a GED program financed by the State.

Recreation is a problem area at WCI. Inside recreation includes table tennis and several other games. Because indoor recreation takes place in the same room as the sewing and typing classes, inmates

say that it is difficult to play. Outside recreation includes baseball, basketball, volley ball, and badminton. There is no scheduled recreation period. When and how the inmates have recreation depends on the matrons on duty. Two matrons are on duty at one time. If one leaves the institution to accompany an inmate, the other matron locks all inmates in their rooms.

WCI has a black chaplain and a program of visiting chaplains.

Work

When a woman first enters WCI, she is given a 2-week housekeeping job by the prison administration. At the end of each 2-week period, the administration changes job assignments. These assignments include cleaning garbage pails, scrubbing floors, washing dishes, preparing food, and washing laundry. Inmates are paid \$2 to \$5 a month, depending on their job assignment. Although inmates had participated in work-release programs in the past, at the time of the open meeting no one was on work-release.

Health

WCI does not have any medical staff other than a doctor who is supposed to visit once a week. Inmates said that he visits when he can, which might be once every 2 weeks. According to Ana Gispert,⁶ superintendent of the facility, the women are taken to an outside clinic for their medical needs when necessary.

6. Mrs. Gispert resigned April 15, 1974. Mrs. Delores Baylor assumed the post of superintendent of the Women's Correctional Institution July 24, 1974.

Neither blood tests nor gynecological examinations are given the women on a regular basis. If an inmate wants a physical examination she must request one. Upon entering the institution, the inmate is placed in a sleeping area separate from the others until the doctor has seen her. According to inmates, the waiting period may be as long as 14 days. If the new inmate is on drugs, she will have to suffer withdrawal without medical help. Under these circumstances, inmates said, the matron will tell the new inmate she should have thought of the pain before taking the drug. The women's facility has a part-time drug counselor, but inmates said this is not helpful to women undergoing withdrawal.

Psychological counseling is not available at WCI. It was charged that disturbed inmates are put in the cellblock and left there. One inmate who felt in need of psychological counseling said she had sought outside psychological assistance but was unable to obtain it. Mrs. Gispert said that neither WCI nor the mental hygiene clinic have set policies for psychological counseling for inmates.⁷

One inmate said that judging from her experience, pregnant inmates receive good pre-natal care at WCI. Her baby was delivered in a Wilmington hospital, she said, and its birth certificate gives

7. Mrs. Ana Gispert, interview by telephone July 11, 1974.

no indication of its mother's incarcerated status. Her only problem was with medication prescribed at the obstetrics clinic. She could not have the medicine until the WCI doctor approved it.

Mrs. Gispert expressed the view that inmates do not receive adequate medical care. Since she started her job, Mrs. Gispert said, she had been requesting a nurse's position for WCI, but had not been authorized one at the time of the Advisory Committee's informal hearing in June 1973.

Mrs. Gispert voiced other concerns. WCI had not had a health inspection during the 9 months of her tenure, and there had been no inspections by a fire marshal and no fire drills. Since the doors to inmates' rooms are locked individually, she said, there is no quick way to unlock them in case of an emergency. Lack of clerical help was another problem, Mrs. Gispert said, and she or one of the matrons performed such tasks as typing, filing, or answering the telephone.

All the heavy maintenance work at WCI is done by a man from DCC. Mrs. Gispert felt there should be a maintenance person on her staff. All supplies including food come from DCC, and at times DCC sent provisions for fewer inmates than are in residence, Mrs. Gispert said.

The shower room, located in the basement, is a damp, cold area with paint peeling off the cement ceiling, floor, and walls. Inmates are not provided shower shoes and must buy them at the commissary or

on shopping trips. Inmates said that they are not given personal articles such as toothbrushes, toothpaste, or wash cloths, and are seldom given towels. They must wait until they have earned money to buy these items from the commissary. Inmates also charged that they must wear their own clothes or clothing contributed by charities. The charity clothes, they said, are often ill-fitting and in poor condition. However, Adult Corrections Director Keve said that women are provided dresses, underwear, slippers, coats, and shoes.

The kitchen has several sanitary problems. An inmate stated that on occasion the institution does not have detergent for washing dishes and must borrow it from one of the inmates. Inmates also alleged that they are given only lye soap and a brush for cleaning garbage cans, but no disinfectant. In part because of the unclean trash cans, they said, there are rats behind the institution.

Discipline

Since Mrs. Gispert became superintendent in September 1972, the isolation or "butterfly" room in the basement has not been used for punishment. Inmates are confined to their cells for 24 hours or more of "lock-up." The length of lock-up depends upon the seriousness of the infraction. One inmate said she had been put on lock-up for expressing a dislike, and subsequently received more lock-up time for "speaking her piece." Guards can lock inmates in their rooms without having to file a report explaining the reason for the punishment.

One inmate said she felt that lock-up was used indiscriminately as a punishment:

I was in 24-hour lock-up for refusing to cook an omelet. I didn't know how to cook an omelet; but I wasn't going to let it sit there and burn; I didn't know what to do, so I didn't cook the omelet.

Another inmate said that punishment is given without a hearing before the adjustment board:

...at one time recently, a person was locked in for 72 hours, and nobody seemed to know why she was locked in. There was a memo which was seen by several inmates, and then the memo was destroyed. And then she was taken out of lock-up because she wasn't supposed to be in lock-up. So you do get locked in, you know, just like that.

Visits

According to Mr. Keve, visits are 1 1/2 hours per week and the time may be split among visitors. Currently, all are contact visits, and emergency visits are permitted under the same circumstances as at DCC and SCI. The visits take place in a room 25 feet by 40 feet.

The Advisory Committee was told at the time of the informal hearing that visiting presented a problem at WCI. Because of limited staff to supervise, WCI operated closed visiting. The narrow, 8x10 foot visiting room was divided into two sections by a mesh, steel, and glass wall. Inmates and their visitors sat on stools on opposite sides of the partition and communicated through a low, small, mesh opening. Inmates told the Advisory Committee that they had to crouch down and talk loudly through the opening to be heard.

Mrs. Gispert said that inmates who are mothers are permitted special visits with their children. They may arrange appointments periodically through the social worker to have their children brought to the institution to eat lunch and play with their mothers. Mothers may also go with the social worker to see their children at the foster home or at the Department of Social Services.

Commissary

Because of the size of the population, the women's commissary is quite limited. Staff observed that only a few articles such as candy, cigarettes, and cocoa were sold. For the most part, when inmates need personal items such as toilet articles and underwear, they are taken to a nearby shopping center. There is no limit to the amount of money an inmate may spend at the commissary.

As at DCC and SCI, according to Mr. Keve, items for the women's commissary are purchased from local vendors. Profits are used for the rental of films and the purchase and repair of recreational equipment.

CONCLUSIONS AND RECOMMENDATIONS

A State correctional system with a relatively small number of long-term inmates should not have the number and kinds of problems which the Delaware Advisory Committee found. These include insufficient and inadequately trained staff; overcrowding resulting in the mixing of pretrial and unsentenced inmates with sentenced inmates, inadequate medical care, neglect of female inmates, and a general disregard for the rules for the treatment of inmates adopted in 1972.

Some of the problems within the Delaware correctional system centered around the absence of a permanent director. Harry Towers served as acting director from April 1961 to January 1965 and again from January 1973 to June 1973. John Moran was appointed director in January 1971 and resigned in December 1972. In October 1973, Governor Sherman Tribbitt appointed Paul Keve director of the Division of Adult Corrections.

The Delaware Advisory Committee to the U. S. Commission on Civil Rights believes that the single most important recommendation it could offer is that the Delaware Department of Health and Social Services undertake a thorough management analysis of the entire Division of Adult Corrections. This analysis should include businessmen in the State in a factfinding group to investigate every function and office of the division. If such an analysis is undertaken, the Advisory Committee feels that many of the basic underlying problems of the system, including poor management, could be confronted and hopefully resolved. The Advisory Committee believes that the prison system and the entire State would benefit from such an analysis.

Application should be made to the Law Enforcement Assistance Administration (LEAA) and the State of Delaware to support this project financially. All levels of the prison system staff, all categories of inmates, government officials, and citizens with expertise in the field of corrections should be interviewed. This analysis should cover all aspects of the prison system: management, business, security, classification, inmate programs, etc., and should produce suggestions for improving the system.

The major areas to be studied should include: management objectives; structure and operations; financial management; ability to analyze needs, define objectives, plan operations, and evaluate achievements; and review of all past studies of the prison system.

Through this analysis the public should learn who creates prison policy, who is responsible for carrying it out, and who checks the system to make sure that the policy has been implemented.

The Advisory Committee suggests that the analysis be patterned after the "Wilmington Housing Authority, Management Study" of March 1, 1971, undertaken by the Delaware Government Research Foundation. In the interim, the Advisory Committee urges the implementation of the following recommendations by the appropriate officials:

General

1. That inmates be accorded all those legal rights and protections enjoyed by other citizens, except those clearly inconsistent with incarceration; the inmates' rights should include the right to be free from racial discrimination and other denials of equal treatment under the law; the right to be free from all forms of arbitrary administrative action; and the right to due process of law.
2. That each superintendent establish and inform inmates of a procedure for confidential complaints to be made by inmates directly to the superintendent, the director of the division, the Governor, and the courts, in accordance with Rule 35, Rules for the Treatment of Inmates.

3. That no inmate be transferred from one institution to another unless the inmate has received notice in advance, and unless the inmate's immediate family, next of kin, or other outside contact has been first notified in writing of the transfer.

4. That Rule 39(b) of the Rules for the Treatment of Inmates be implemented at once, enabling each inmate to have daily access to the complete Delaware Code Annotated with suitable desk or table space for legal research.

5. That the Division of Adult Corrections immediately draft an affirmative action plan to assure equal employment opportunity in its staffing. The plan should include provisions for minority recruitment for positions at the assistant superintendent level and above and should meet LEAA requirements. Upon approval, it should be fully implemented by the division and monitored by the Department of Health and Social Services.

Isolation

1. That each inmate be given a medical examination prior to being placed in isolation and a daily medical examination thereafter while in isolation. In an emergency, each inmate should have the right to request a doctor at any time if necessary. The psychiatrist should examine each inmate in isolation once every 2 weeks.

2. That confinement in isolation cells be limited to 15 days for disciplinary action and that temporary assignments pursuant to Rule 31, Rules for the Treatment of Inmates be limited to the actual duration of an immediate threat to the security or safety of the institution or any of its employees or inmates.

Classification

1. That all inmates awaiting trial be placed in separate housing apart from all sentenced inmates. Any exceptions should be reported in writing with a full statement of the reasons to the secretary of the Department of Health and Social Services, who would approve such exceptions only when fully justified. (See 11 Delaware Code Annotated 6526(b) (Supp. 1971) requiring special services and facilities to be provided for those awaiting trial.)
2. That the director of the Division of Adult Corrections, in consultation with the classification body at each institution, determine and notify inmates of specific criteria for the selection of inmates for work-release or education-release, furlough, transfers from one security level to another, and transfers between institutions.
3. That no inmate be confined to B-block maximum security at DCC except by action of the adjustment board, and that no such confinement exceed a period of 30 days.
4. That each inmate placed in isolation or B-block maximum security at DCC remain under the jurisdiction of the classi-

fication team of the unit to which he was previously assigned. He should be returned to that unit after the period of punishment or state of emergency unless he is reassigned by recommendation of the classification team and decision of the Institutional Classification Committee.

Medical Services

1. That sufficient funds be appropriated for SCI to employ one doctor on a half-time basis to serve as medical officer and two medical technicians, in addition to the paraprofessional already on staff.
2. That sufficient funds be appropriated for WCI to employ one registered nurse or medical paraprofessional full-time.
3. That the Department of Health and Social Services, in consultation with appropriate professional medical personnel of the Division of Adult Corrections and other appropriate agencies in the department, establish an administrative procedures manual specifying required medical routines and duties, including health care and sanitary inspections of facilities.

Women

1. That sufficient funds be appropriated to employ at least one additional full-time correctional officer for the Women's Correctional Institution to maintain security without locking inmates in their rooms when one officer is on routine duties outside the institution.

2. That the work-release program for inmates at WCI be expanded through the use of LEAA funds to provide increased supervision, vocational training, counseling, job placement, transportation, and professional treatment for drug addiction.
3. That the Division of Adult Corrections provide at least one clerical employee to assist the superintendent at WCI.
4. That the Division of Adult Corrections immediately implement an overall fire emergency plan at WCI that will provide for speedy unlocking of doors, construction of a fire escape (or other means of evacuating inmates), and otherwise meet the requirements of State and municipal law.

Inmate Labor and Work-Release

1. That the work-release and training programs be expanded through the acquisition of additional facilities in or near Wilmington to provide adequate programs of vocational training and counseling.
2. That additional money be allocated for transportation, supervision, and other supportive services in the community.
3. That representatives of the National Alliance of Businessmen, local industry, business, and labor be sought out to assist in planning and implementing the expansion of the work-release program.

Officer Training

1. That funds be requested from the State legislature or LEAA to pay salaries of correctional officers participating in training programs.

2. That a substantial part of training for correctional officers be devoted to race relations, minority cultures, social and economic problems of ghetto-dwellers, problems of drug addiction, and other subjects designed to increase the knowledge and sensitivity of officers toward inmates.

3. That funds be appropriated or otherwise made available to employ additional correctional officers to relieve those officers attending training programs or transporting inmates outside the institution.

In response to other concerns brought to its attention and recognizing that they will not create a financial burden on the State, the Delaware Advisory Committee urges immediate implementation of the following additional recommendations:

1. That determinations of publications permitted in the institutions be made by a joint committee of inmates and staff.
2. That the unit classification team handle problems arising from cell assignments.
3. That inmates in isolation be permitted to smoke and have reading materials.
4. That inmates in isolation who show no evidence of danger to life or property be allowed weekly visiting privileges.
5. That inmates in isolation receive detergent or cleansers for cleaning their cells.

6. That inmates be permitted to have a representative assist them at classification proceedings.
7. That new inmates be given physical examinations within 2 days of arrival, including x-rays, immunizations and vaccinations if needed.
8. That all women inmates be given complete gynecological examinations and appropriate tests on a regular basis.
9. That women inmates be provided clothing, commissary items, recreational equipment, and food on an equal basis with male inmates, and that they receive the same pay as males for equivalent work.
10. That inmates participating in the work-release program be permitted to hold automobile operator permits.

APPENDIX A

Comparison of "Minimum Standards of Civil Rights and Human Rights for Inmates in Correctional Institutions," Prepared for the U. S. Commission on Civil Rights by Donald R. Goff, with Rules for the Treatment of Inmates in Delaware Correctional Institutions.

COMPARISON OF "MINIMUM STANDARDS OF CIVIL RIGHTS AND HUMAN RIGHTS
FOR INMATES IN CORRECTIONAL INSTITUTIONS" AND "RULES FOR THE TREATMENT OF
INMATES IN DELAWARE CORRECTIONAL INSTITUTIONS"

Minimum Standards

Delaware Rules

I. Housing

I. Housing

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| <p>1. Individual rooms or cells are preferable, but institution with 70 percent dormitory type housing and some degree of privacy is satisfactory. Each individual should be allotted 50 square feet of living space. One person to a room or cell. If necessary, three people more desirable than two in one cell.</p> <p>2. Housing assignments should be made by the classification committee, composed of representatives from custody, social service, education, medical, industries, and religion. The inmate should be included in this and all other important decisions.</p> <p>3. Rooms and cells should be equipped with toilet, lavatory, bed, chair, desk or desk/bureau. All personal belongings except those which represent a clear danger or are hard to keep clean should be permitted.</p> <p>4. An individual should be locked out of his cell only when he is away from his housing unit.</p> <p>5. The inmate should control the light and the heat in individual rooms or cells.</p> <p>6. Inmate should be able to close door for privacy unless the institution is under extreme or unusual circumstances.</p> | <p>1. Cells and rooms with individual occupancy preferable. If necessary to have more than one individual in cell or room, two occupants is undesirable. All accommodations will meet health requirements. Roommates carefully selected. All accommodations will meet health requirements.</p> <p>2. No comparable section.</p> <p>3. Inmate provided separate bed and bedding to be kept clean, in good order, and changed as often as necessary for health.</p> <p>4. No comparable section.</p> <p>5. No comparable section.</p> <p>6. No comparable section.</p> |
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II. Work

1. Industrial, maintenance, and agricultural work should be available to all inmates. Work should fit inmates interests, past experience, institutional job possibilities, and equipment should be in current use in the outside community.
2. Rate of pay and hours of work should be close as practical to the outside community.
3. The classification committee should make work assignments. Inmate should be involved in decision. Classification committee should have complete job specifications for all inmate jobs.
4. Work should be integrated with vocational training to encourage inmate to upgrade skills and knowledge.
5. Outside agency should make safety and health inspections.
6. There should be a business-industrial council to advise the institution on needs of the community and on modern techniques.
7. All inmates should be considered for work-release if the institution has such a program.
8. Work programs should be available to women and geared to changing job opportunities in the outside community.

II. Work

1. No comparable section.
2. No comparable section.
3. No comparable section.
4. No comparable section.
5. No comparable section.
6. No comparable section.
7. No comparable section.
8. No comparable section.

III. Medical - Health

1. All incoming inmates should receive physical examination, x-rays, vaccinations, and immunizations.
2. Doctor should be available to all inmates daily. If inmate not allowed to go to doctor, doctor should visit him/her.
3. Medical staff should consist of: full-time M.D., full-time psychiatrist, full-time dentist, full-time psychologist, five RN's or LPN's. For each full-time MD employed, the institution should employ a full-time psychiatrist, psychologists and psychiatric social worker.
4. Inmate may call in outside MD for consultation at inmate's expense.
5. MD dispense all medicines except aspirin which should be kept on wing.
6. Institution with 1,500 inmates requires 40-bed hospital, smaller institution rely on outside facility.
7. Back-up services of consultants, hospitals should be available in outside community.
8. For 500 inmates institution should have one full-time dentist to do all kinds of work including restoration.

III. Medical - Health

1. Physical given within 72 hours, covering physical and mental illness, narcotic or drug addiction.
2. Doctor see those with complaints and those directed to see, regularly as soon as possible, will be daily.
3. One medical officer with some knowledge of psychiatry, medical services should have close relationship with community and psychiatric diagnosis and treatment should be provided when necessary.
4. Inmate may see own MD or psychiatrist by appointment at inmate's expense.
5. No comparable section.
6. Institutions with hospital facilities will have proper equipment and staff to care for sick.
7. Sick inmates sent to other institutions, penal or civil if can't care for.
8. A qualified dentist available to every inmate.

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| 9. Institution should make the necessary replacement of all eyeglasses and dentures. | 9. See III-8 above concerning dentures. |
| 10. Participation in medical experiments should not be in exchange for good time. Inmates must be given monetary compensation, outside authority should investigate the experiment. | 10. No comparable section. |
| 11. Elective correctional medical service should be given when medically advisable and directly related to rehabilitation. | 11. No comparable section. |
| 12. Gynecological, prenatal, and abortion services should be available in institutions housing women. | 12. No comparable section. |
| 13. Large institution should have round-the-clock medical staff. Smaller should have MD on call or take inmate to hospital. | 13. No comparable section. |
| 14. Medical records from institution from which inmate came should arrive with inmate. | 14. No comparable section. |
| 15. All items necessary to maintain sanitation and health should be provided: soap, toothbrush, toothpaste, comb. | 15. Provide water and toilet articles necessary for health and cleanliness. |
| 16. Inmates should be required to bathe at least once a week -- more if facilities permit and so desire. | 16. Inmates may bathe at least three times a week. |
| 17. Balanced diet for all and special diet for those who require. | 17. Good wholesome food provided at regular hours. |
| 18. Institution should provide inmates with facilities to launder underwear and socks and provide change of laundered outer clothing once a week. | 18. Clothing to be laundered as often as necessary for hygiene maintenance. |

19. Institution should provide underwear, socks, shoes, outer garments, foul weather and cold weather garments.
20. Institution should provide clothes for inmates working in hospital, food service, etc. Also provide place to shower if work dirty.
21. Female inmates should be provided with lipstick, hairbrush, shampoo, etc. Other items should be available at commissary.

19. If inmate own clothes not worn, inmate provided with a set of clothes suitable to climate.
20. No comparable section.
21. No comparable section.

IV. Visits

1. Inmate give institution list of individuals whom he/she does not wish to see or those who present danger or threat to institution.
2. Visits should be at the convenience of visitor, not just Saturday or Sunday or holiday. Not just one hour when have to travel a long distance.
3. Except for unusual circumstances screen separating visitor from inmate should not be used. Informal living room setting where individuals may embrace and smoke is preferable.
4. Supervision should be unobtrusive and individuals should not be monitored.
5. Visitor should not be searched. Bags and handbags should be placed in locked receptacle. If food brought to be shared with inmate, can be searched for contraband.
6. No fingerprinting. Use normal means of identification, such as driver's license.

IV. Visits

1. Family and reputable friends may visit.
2. No comparable section.
3. No comparable section.
4. No comparable section.
5. No comparable section.
6. No comparable section.

7. There should be a place where visitors can purchase food.

V. Mail

1. There should not be a list of approved correspondents.
2. No censoring or reading of outgoing mail unless a special watch is approved by courts.
3. No censoring or reading of incoming mail. Mail can be searched for contraband.
4. Mail to attorneys not opened, mail from attorneys opened to search for contraband in presence of inmate to whom addressed.
5. Inmates may send sealed letters to any elected official, the Governor, Commissioner, members of the judiciary or any other elected office.

IV. News Media

1. No magazine or newspaper permitted in institution should be censored through the deletion of articles or advertising.
2. Any newspaper or magazine of public circulation which can be mailed directly to the individual and is no threat to the institution.

7. No comparable section.

V. Mail

1. No comparable section.
2. Under necessary supervision.
3. Under necessary supervision.
4. Mail to attorney not opened, mail from attorney opened to search for contraband in presence of inmate to whom addressed.
5. No comparable section.

VI. News Media

1. No comparable section.
2. No comparable section.

3. Newsletters from ex-offenders should be permitted unless a threat to the institution.
4. List of prohibited publications should be made by a committee which has inmate participation -- committee should remain informed of court decisions on mail and publications.
5. Use same criteria for foreign language publications as for any other publication.

3. No comparable section.
4. No comparable section.
5. No comparable section.

VII. Radio and Television Reception

1. Individual radios and televisions should be permitted.
2. The institution should provide earphone system and television for groups.
3. The control and selection of programs should be decided by majority of the inmates.

VII. Radio and Television Reception

1. As authorized by the administration.
2. As authorized by the administration.
3. As authorized by the administration.

VIII. Outside Contacts

1. Inmate should be able to correspond with outside newspaper reporters with no censoring or reading.
2. Inmate should be able to talk with reporters as visitors or in official capacity. Inmate also has right to refuse interview.

VIII. Outside Contacts

1. No comparable section.
2. No comparable section.

3. If television cameras permitted, staff and inmates have the right to refuse to be photographed. Before picture taken approval must be obtained from staff and inmates.
4. Outside organizations should be allowed to give programs necessary to increase their involvement in prisons -- inmates may refuse to attend programs.

3. No comparable section.

4. No comparable section

IX. Disciplinary Procedures

1. Each institution should have a rules and regulations handbook which should contain listing of expected conduct, rule infraction penalties and all rules governing prison life. Handbook should also be printed in foreign language if number of non-English speaking people warrants. Rules should be explained to illiterates.
2. Punishment for specific rules broken should be explained to inmate during orientation.
3. Rules and regulation book should contain list of staff authorized to mete out specific penalties.
4. Due process procedures for loss of good time, solitary or increase in security confinement:

IX. Disciplinary Procedures

1. New inmates to receive rules for treatment of inmates, methods of seeking information, procedures for complaints, and other rights and obligations. If illiterate or foreign, rules should be explained in language understandable to inmate.
2. See above.
3. No inmate can discipline another.
4. Inmate has right to due process procedure when accused of rule violation, has a transfer pending, or is being reclassified to a tighter security unit.

4. Continued from preceding page.

- a. Written charges given to inmate.
- b. Opportunity for defense counsel.
- c. Right to call witnesses.
- d. Right to appeal decision of hearing board
- e. Hearing to be before an impartial board or outside referee.

5. Solitary

- a. 30 days in solitary maximum time.
- b. MD visit every 24 hours.
- c. One hour recreation outside cell daily.
- d. Furnishings: toilet, bedding, water for washing and drinking, to be removed only for safety of inmate or institution.
- e. Wear regular prison clothing unless otherwise specified for own safety.
- f. No loss of rights (visits and correspondents), but separate from other inmates.
- g. Legal papers and reading material should be permitted.
- h. Shower daily.
- i. Receive 2,500 calories of same food as non restricted inmates.

6. All men and women should be treated equally in all rules and regulations throughout system.

4. Continued from preceding page.

- a. Charges read to inmate, explained and inmate given copy.
- b. Can call own counsel to help frame exceptions to decisions which shall be incorporated in record on review.
- c. No comparable section.
- d. No comparable section.
- e. No comparable section.

5. Solitary

- a. No comparable section.
- b. No comparable section.
- c. No comparable section.
- d. No comparable section.
- e. No comparable section.
- f. Can not have mail or visits.
- g. No comparable section.
- h. No comparable section.
- i. No comparable section.

6. Same rules for both sexes, race, color, politics, etc.

X. Religion

1. If numbers warrant, have services for minority sects.
2. If economically possible and enough inmates, institution should provide dietary foods.
3. Minority sects observe own holidays, but not necessarily those of other sects.
4. State not required to provide religious leaders to all sects, but any leader who wishes to meet with inmate can.
5. Religious service attendance should not be required.
6. Inmates can refuse visits from religious leaders.
7. All chaplains paid on same basis or none paid.
8. Duties of paid chaplain should not include extraneous activities such as librarian, director of education, etc.
9. There should be a religious advisory council which includes clergymen representing all sects practiced in institution.

X. Religion

1. If enough inmates, have services; if numbers warrant, will have full-time chaplain.
2. No inmate required to eat food contrary to religious beliefs.
3. No comparable section.
4. Access to qualified representative not refused.
5. No comparable section.
6. Can refuse.
7. No comparable section.
8. No comparable section.
9. No comparable section.

XI. Legal Services

1. Same legal services should be available to inmate as are available in free community.
2. Each institution should have a law library containing enough material to file petitions with some legal proficiency.
3. The institution should either allow "jailhouse lawyers" to practice or provide other means of professional legal assistance.
4. The institution should provide formal instruction on the use of law books by law student, volunteer attorney, staff member, or inmate who has been formally trained.

XII. Education

1. Program should include elementary, remedial, high school, and higher.
2. Vocational training should be in socially-accepted and useful areas.
3. Vocational training and work assignment should be related.
4. Training should be in skills useful to finding employment upon release.
5. Women's training programs should take into consideration new areas of employment opening to women.

XI. Legal Services

1. No comparable section.
2. Each security building have set of Delaware Code Annotated, available certain hours each day.
3. No comparable section.
4. No comparable section.

XII. Education

1. No comparable section.
2. No comparable section.
3. No comparable section.
4. No comparable section.
5. No comparable section.

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| <p>6. Programs should provide social education courses to improve inmates' insight and interpersonal relations.</p> | <p>6. No comparable section.</p> |
| <p>7. If inmates take classes during the day, they should be paid the same wages as those who work. If they take classes at night, they should be paid higher wages.</p> | <p>7. No comparable section.</p> |
| <p>8. Special classes such as ethnic literature and history should be available on voluntary basis.</p> | <p>8. No comparable section.</p> |

XIII. Recreation

1. One hour of active recreation, supplemented by watching television and card games.
2. There should be adequate space and equipment to accommodate outside and inside active recreational passtimes such as softball, basketball, etc.
3. The director of the recreation program should be an individual with recreational training or correctional officer with such training. No inmate should be forced to participate.
4. Should have both indoor and outdoor facilities to accommodate to bad weather.
5. Activities such as music, drama, arts and crafts should be used to provide psychological respita and break monotony.

XIII. Recreation

1. Not employed out of doors, should have one hour suitable exercise.
2. Young and those of suitable physique, physical and recreational training during recreation period -- also have equipment.
3. No comparable section.
4. No comparable section.
5. No comparable section.

6. Censorship Committee should also approve library books. Inmate preferences, abilities and interests must be considered.

XIV. Commissary

1. Items should include food, candy, snacks, clothing, hygiene, writing materials, and cosmetics.
2. If there is a demand for an item not stocked which presents no danger to the institution, it should be obtained.
3. Profits go to inmate welfare fund for benefit of total inmate body, not to buy articles which institution should buy. The price should cover running of commissary.
4. Basic prices should be comparable to money inmates earn.
5. The spending limit should be left to individual inmate.
6. Individuals without funds should be given credit -- amount decided by inmate body which will underwrite cost by prices of items bought.

XV. Inmate Body

1. Formal inmate advisory council elected by inmates.
2. The duties and responsibilities of inmate body: to act as spokesman for inmates and advise administration on living and working conditions, educational programs, visiting and correspondence procedures, and special activity and recreational planning.

6. Library stocked with recreational and instructional books for all inmates.

XIV. Commissary

1. No comparable section.
2. No comparable section.
3. No comparable section.
4. No comparable section.
5. No comparable section.
6. No comparable section.

XV. Inmate Body

1. No comparable section.
2. No comparable section.

3. If no other machinery available, will handle inmate grievances -- will handle problems affecting large inmate group.
4. The inmate body will explain and interpret rules and regulations to the general inmate population.
5. Necessary that council's honesty and integrity must be accepted by both staff and inmates.
6. This council will not preclude other groups forming.
7. Newspaper submitted to administration only for censoring of inflammatory material.

3. No comparable section.
4. No comparable section.
5. No comparable section.
6. No comparable section.
7. No comparable section.

XVI. Women

1. Each female inmate should receive a regular gynecological examination.
2. Birth control information should be provided by medical staff to interested inmates.
3. Pre-natal care should be provided using the same standards as outside community.
4. Pregnant women should not deliver in institution, so that birth certificate will not carry institution's name.
5. Abortion should be available on request as in outside community.

XVI. Women

1. No comparable section.
2. No comparable section.
3. Women's Institution will provide pre-natal and post-natal care.
4. Try to have delivery outside of institution, if not possible, institution's name not on birth certificate.
5. No comparable section.