



United States Department of State

A Practical Guide to Understanding and Evaluating Prison Systems



Bureau of International Narcotics and Law Enforcement Affairs
Bureau of Democracy, Human Rights and Labor
Bureau of Consular Affairs





United States Department of State
Washington, D.C. 20520

Most U.S. citizens, fortunately, never see the inside of a prison. Some U.S. Embassy officers, on the other hand, often visit detention facilities in the host nation to which they are assigned. The two likeliest reasons for a visit are reporting by officers preparing the annual human rights report and consular visits to U.S. citizens in custody abroad.

Prisons are normally not designed to be unsanitary, unsafe, or inhumane; most countries have become parties to treaties imposing obligations regarding the humane treatment of prisoners and specifying certain prison conditions. There are also international standards for prisons and other detention facilities which, though not legally binding, often derive from UN guidelines and manuals, and may be useful as a guide or check-list for ascertaining fair and humane prison conditions and treatment of prisoners. In the Department's experience, most countries genuinely want to improve conditions in their prison systems, and a growing part of the Bureau of International Narcotics and Law Enforcement Affairs' work overseas is devoted to helping that process.

Nevertheless, the reality is that prisons are too often overcrowded, poorly designed, and poorly maintained. Prison staff may not be well trained or monitored. Inmates may be in ill-health with limited access to adequate food, water, clothing, and medical care. Such failures have significant consequences for those in detention (including U.S. citizens), and more broadly for the functioning of the entire criminal justice system in that country.

With that in mind, three State Department Bureaus—International Narcotics and Law Enforcement Affairs, Democracy, Human Rights and Labor, and Consular Affairs—created this handbook to provide embassies with a basic understanding of international standards for correctional systems. A sample checklist is included to give officers an idea of what aspects formal prison assessments should consider. We recognize that it is not always possible for officers to ask detailed questions about the facility, but they still may be able to gather important information through careful preparation and close observation. We hope that this handbook will prove useful to you and welcome your comments.

A handwritten signature in black ink that reads "Maria Otero".

Maria Otero
Under Secretary of State
for Democracy and Global Affairs



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Effective corrections and prisons systems have a direct relationship to a country's security and adherence to human rights standards. In order for the Department to develop effective foreign policy and deliver programs, Department personnel must understand the fundamentals of corrections and prisons systems and possess accurate information regarding corrections and prisons systems, particularly in developing countries, countries emerging from conflict, and totalitarian regimes.

The following manual was produced by our three Bureaus - International Narcotics and Law Enforcement Affairs (INL), Democracy, Human Rights and Labor (DRL), and Consular Affairs (CA)—all of which have missions involving some aspect of prisons and/or corrections. It was designed to provide State Department personnel with a basic understanding of prison systems, their operations, and nomenclature. The Department's foreign and civil service personnel are our most important resource in evaluating a prison or correctional system. Our evaluations must be objective, provide the best information available, and include an unbiased assessment of the system's strengths, weaknesses, and vulnerabilities. These assessments must be consistent with international standards and obligations, and hold up to intense scrutiny from our partners. We intend this manual as a tool to guide program officers, consular officers, and human rights officers in this important work.

Each of you will approach your work with prisons and corrections from a different perspective. INL's perspective is to assist nations in developing their criminal justice systems to strengthen the rule of law and to limit impunity for criminal groups. For INL officers, the goal is to evaluate the system's operational capacity, condition, and ability to initiate and sustain meaningful reforms which will lead to consistency with international standards, and compliance with international obligations, as well as to allow the correctional system to contribute to government stability and legitimacy.

DRL focuses on ensuring that the human rights of prisoners are respected, particularly because their freedoms are, by definition, limited. Prisoners are generally dependent on the correctional facility or outside family members for basic needs such as food, clean water, and medicine. Prisoners' access to basic necessities should not be at the discretion of correctional staff and subject to restriction or withdrawal. Prison monitoring, carried out effectively, does not simply report on a situation, but encourages positive action to prevent the deterioration of conditions or mistreatment in the future. For DRL officers focusing on human rights issues or preparing human rights reports, the goal is to obtain accurate information, which will assist in the formulation of policy, and to evaluate compliance with international standards and obligations, as well as with United States laws. Furthermore, the act of visiting is in and of itself a preventative measure that can result in better treatment and conditions, or help keep conditions from worsening.

CA monitors the equity of the criminal justice system and the treatment of prisoners since American citizens on occasion are arrested, detained, prosecuted, and imprisoned. For consular officers, the goals are to ensure that U.S. citizens being held in a foreign prison are being treated humanely and have access to legal counsel, judicial processes, family visits and communications, food, and medical care.

We trust that this guide will help all of you perform your duties better, with a clearer idea of how to evaluate both what you are seeing and what you should ask. We look forward to receiving your feedback.

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I. INTRODUCTION: WELCOME TO PRISON



Penitentiary - 2009

The story you are about to read is a true composite, drawn from prison assessments in several countries. Unfortunately, this scenario is not unique to one location, but far too common in societies emerging from conflict or ruled by totalitarian regimes.

Pete was an entry level political officer at the Embassy. He was nervous. This was the first time he had ever been inside a prison—let alone one in a country emerging from a decades-long civil war. He was there to gather information on prison conditions and write a report for the ambassador to send back to Washington. Rumors of torture and abuse inside the prison were common, and Washington wanted answers before requests for assistance were finalized and sent to Congress.

The sun beating down on his head, coupled with the heavy air, added to his sense of foreboding. What was on the other side of the wall? The faint breeze, which should have brought relief from the heat, instead brought the smell of human waste, and only heightened his discomfort.

The interpreter knocked on the outer door. A set of eyes appeared from behind a sliding peep hole and then disappeared as the hole closed. The next sound was a key being inserted into a lock and the twisting of a handle as the heavy steel door swung open to allow Pete, the Assistant Regional Security Officer (A/RSO), and the interpreter to enter the outer compound.



Prisoners making daily provisions (Africa) - 2011

Stepping through the door, Pete was surprised when he did not immediately see prisoners inside the compound, but instead saw only several buildings just outside an inner wall. The air was putrid. Pete fought back his gag reflex, smiled weakly, and motioned for the group to follow the uniformed officer towards what appeared to be the administration building. He took note of the many guards sitting around in clusters, talking among themselves or cooking over wood fires; they seemed indifferent to the arrival of the Americans. There were AK-47 rifles and crude wooden clubs resting against chairs and walls where the

guards were gathered. Despite all the people and weapons, no one seemed to be working.

Pete noticed something else: many of the guards were wearing different military-style uniforms and only a few of them were wearing shoes.

He also saw the long line of visitors waiting at a desk, where staff searched their large sacks and baskets of food. Men, women, and children of all ages were waiting patiently in line under the blistering sun. They appeared to be numb to the process—well-conditioned to the routine. Very few words were being exchanged; the visitors were quiet, even the children. Pete could feel the tension between the guards and the visitors.

The prison director met the group in front of the administration building and ushered them into his air-conditioned office, filled with well-worn furniture. Once the group had taken their seats, the director offered coffee and sweets. Pete thanked him for his time and for his willingness to discuss the challenges the prison faced in housing and caring for so many prisoners. The prison director launched into a seemingly rehearsed litany of equipment and funding needs. It was obvious that this was not the first foreign delegation to come to his office looking for information.

After some cursory questions and answers, the director informed Pete that he could not let them into the prisoner living areas, as he could not guarantee their safety. He did agree, however, to give them a tour of the support service areas, such as the classrooms and the kitchen, and to take them around the top of the inner wall, so they could see “inside the prison.”

Setting off down the hall, the director led Pete and the A/RSO into the kitchen and storage room. In prior years, the Department’s annual Human Rights Reports had noted serious problems with malnourishment at the prison, and Pete wanted to

check on whether the situation had improved. Some of the staff was cooking food, but it was obvious that the two pots of soup they were working on would not be sufficient to feed the prison’s estimated population of more than 1,000 prisoners. In addition, the dry storage room held only two 50 pound bags of rice, some coffee, and a few spices. It was becoming obvious to Pete that the prison could not be feeding all its inmates three times a day, as the director claimed, unless families were supplying most of that food. Pete wondered what happened to prisoners who had no one to bring them food.

Further inside the main building, Pete was shown a dingy classroom and a clinic with very few medical supplies. The “doctor” was sitting behind a desk, wearing a white lab coat over soiled clothing; he gave no indication of possessing medical knowledge. Pete suspected that he was a prisoner.

The director led them out of the clinic, down a dark corridor with wires hanging from destroyed sockets, up a set of flimsy wooden stairs, through a locked door, and onto the perimeter wall. Below the Americans was a swirling mass of prisoners, dressed in civilian clothes and apparently engaged in various activities, including card-playing and smoking. The faint odor of marijuana was noticeable amid the pungent reek of unwashed prisoners,



Staff cooking in open, wood-fired kitchen (Africa) - 2007

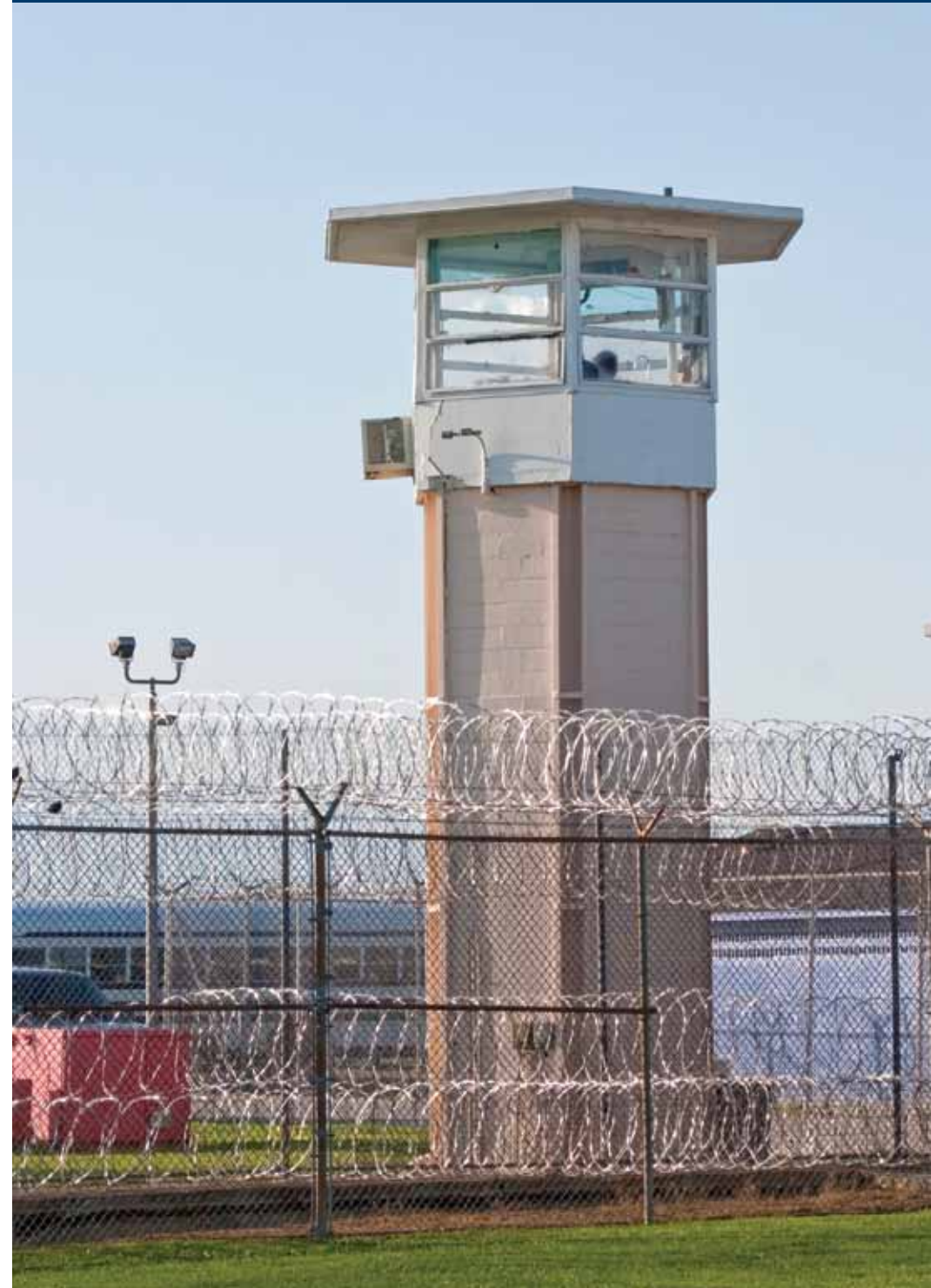
garbage, and human waste. Hacking coughs could be heard echoing above the drone of conversation. The scene closely matched a description he had received before the visit from the head of a local non-profit organization that worked with prisoners and their families. Pete noticed that boys were mingling with the adults, contradicting the prison director's statement that juvenile offenders were kept separate from the adult inmates. Looking into cell windows, Pete noticed prisoners lying in hammocks strung from the window bars. They were suspended above masses of prisoners packed onto the cell floors. The A/RSO whispered to Pete that the prisoners with hammocks were probably leaders or had paid handsomely for 'luxury' accommodations.

Walking further along the wall, Pete looked down into the women's compound. Male guards were standing at the doors and the women, some with small children or infants, were washing clothes or sheltering in the small areas of shade. Their compound looked cleaner, and there were fewer inmates. It was apparent that there were juvenile offenders—mere girls—mixed in with the adult women prisoners.

Turning the final corner, Pete saw the visitors entering into a courtyard where a large number of prisoners waited. Children were dashing about and families had broken off to separate areas to visit and eat. The free flow of movement in and out of the compound suggested to Pete that the guards did not keep track of who was entering and who was leaving. This was an area that Pete suspected was a major pipeline for contraband and weapons.

Looking down at the roof of the administration building, Pete saw exposed wires and sprouting vegetation. The prison walls were dingy, molding, and crumbling in several places. On the backside of the inner wall, Pete could just see tall reeds and the festering black pool of sewage—the source of the prison's pervasive stench.

The tour was over. It was cursory at best, but Pete had been able to see more than he anticipated. He was ready to continue his research so he could draft his report.



There are **three main pillars** to any functioning criminal justice system:

- Police,
- Courts (including prosecutors and defenders), and
- Corrections

Correctional systems and prison systems are not the same thing, and jails are not prisons: **prison systems** focus on containment and control of the prisoners; **corrections systems** not only contain and control the prisoners, but also provide them with opportunities for change and successful re-entry into society by offering education and vocational programs, drug treatment, and life-skills training. **Jails** are primarily used for prisoners being detained in pre-trial status (although they are commonly used to hold misdemeanor prisoners or prisoners serving sentences less than two years) and, because the profiles on the offenders are incomplete, these operations are focused on containment and prisoner movement to and from court.

Corrections systems reflect a complex approach to incarceration and contribute to public safety. Many systems include prisons or penitentiaries, correctional centers, probation and parole operations, and diversion programs. **Penitentiaries** are usually high security, designed to hold dangerous offenders or those serving extremely long sentences; **correctional centers** focus not only on security, but rely on programs to help manage the offenders; **probation and parole** are focused on community supervision through halfway houses, electronic monitoring, home visits, et cetera; and **diversion programs** include approaches such as drug and alcohol treatment in lieu of incarceration.

The goal of a correctional system is to provide various degrees of confinement in a safe (for the offender and staff), secure, humane, and transparent manner, and to provide programs that give offenders the opportunity to reform and successfully reintegrate into society.

A correctional system should support the rule of law, protect and advance human rights, and contribute to the stability and security of the country.

THE CORRECTIONS WORLD

Throughout the world, there are approximately nine million people under some form of incarceration or supervision, with one-quarter of them in the United States. The circumstances of prisoners and the nature of prison facilities are as varied as the cultures and the resources available to each nation. However, no matter where they are being held, prisoners are a vulnerable population, and they rely upon the government to ensure provision of their needs and welfare. Therefore, it is incumbent upon a government to adhere to standards and obligations that create environments that are safe, secure, humane, and transparent.

While adult males constitute, and are likely to continue to constitute, the largest group of prisoners, there are several other important groups, including women, juveniles, and those with mental and physical disabilities. These three groups are sometimes referred to as “vulnerable populations” because they are particularly vulnerable to abuse, exploitation, or neglect within the prisons.

Crimes committed by individuals with mental disabilities are sometimes driven by the illness itself, such as depression, bipolar disorder, or schizophrenia. In some countries, incarceration for such cases takes place in mental health hospitals, private homes, or other community-based facilities, and any forced commitment is done through a civil, rather than criminal, process. However, in a growing number of countries and for a variety of reasons, forced commitment and incarceration of these individuals takes place within the criminal justice system. This ‘criminalization’ of people with mental disabilities is a worldwide phenomenon; understanding the systems at work in a given country can be especially challenging for political or consular officers charged with reporting on, or visiting, these institutions.

The fastest growing segment of the world’s prisoner population is female. These offenders have unique needs, particularly when it comes to family considerations (including care of children), causes for criminality, health care (including childbirth), and psychology.

Juveniles represent another vulnerable population. Some of the issues that must be addressed are the minimum age of criminal responsibility, age of adulthood, education, mental, and physical development, as well as whether juvenile offenders are kept segregated from adult offenders.

INTERNATIONAL CORRECTIONS AT A GLANCE

The diversity among international corrections and prisons systems is astounding. The availability of human and financial resources, existence of laws, cultural values, crime rates and types, and other factors all influence the criminal justice equation. In many nations, the corrections system or prison system is a national agency. However, sometimes responsibility for the prison system is assigned to the provinces or states, while other systems rely upon informal mechanisms. Sometimes it is law-enforcement focused, sometimes it is social-reformation focused, but often it fulfills a dual role.

In some developing countries, the prisons and jails are operated by the police (through the Ministry of Interior). However, this is not a recommended practice. **The preferred structure is to have the corrections system independent of the police**, because it provides a counterbalance to police misconduct, arbitrary arrest, and detention.

In many countries the corrections system is part of the Ministry of Justice or the Ministry of Social Affairs.

U.S. CORRECTIONS AT A GLANCE

Corrections in the United States are a conglomeration of various local, county, state, tribal, and federal agencies. The U.S. Federal Bureau of Prisons (FBOP) is responsible for incarcerating persons charged and convicted under federal law (see: *Title 18 of the U.S. Criminal Code*).

There is no national prison service in the United States. A national prison system is one charged with operating all the prisons in a country, while a **federal** prison system is responsible for operating prisons holding criminals charged or convicted of federal crimes.

In early 2011, there were approximately 2.3 million people incarcerated in the United States. Of these, just over 210,000 were serving in FBOP facili-



U.S. prison cell block - 2010

ties. The remaining 90 percent were incarcerated in non-federal systems. Each U.S. state has its own correctional system. A few state systems operate jails, prisons, probation, and parole. Most state systems, however, are not combined operations and only manage prisons. Jails in the United States are usually operated by municipal and county governments, and most probation departments are attached to the courts. Parole operations are often independent and report to a parole board or commission. In 2010, nationwide expenditures for U.S. corrections systems were approximately \$52 billion.

With very few exceptions, all personnel working in U.S. corrections have attended certified training academies of varying lengths and curricula. Correctional officers make up the bulk of these personnel. However, the sector also employs professionals in probation and parole, facilities, administration, medical services, education and vocational training, mental health, social services, procurement, employee training, transportation, information technology, and human resources. Depending on the system and the duties assigned, training programs can last from just a few weeks to more than three months.

While correctional systems in the United States often struggle with issues of overcrowding, insufficient human and financial resources, and incidents of violence and other abuse, there are oversight and enforcement mechanisms in the United States, including the Department of Justice, which help ensure that U.S. correctional systems are operated in conformity with the U. S. Constitution, statutes, and regulations.

III. THE LEGAL AND HUMAN RIGHTS FRAMEWORK



U.S. LAW & ASSISTANCE

The State Department’s work in the corrections sector overseas is primarily governed by **The Foreign Assistance Act of 1961** (as amended), which limits the accounts and circumstances under which assistance funds may be used to provide corrections assistance. Although Section 660 of the Act contains a general prohibition on providing assistance to police forces and prisons, it contains some exceptions. For example, the Act provides “notwithstanding” authorities to INL, which gives the Bureau flexibility in delivering corrections assistance through its various country programs. Although various restrictions on assistance may apply to a country or government, particularly relevant to corrections work is the requirement that no assistance may be provided to units or individuals if the Department has credible evidence that the unit or individual has committed gross violations of human rights. This is a requirement under the Leahy Amendment.

HUMAN RIGHTS

Human rights violations can occur in any correctional system and at any point during incarceration. Correctional systems must be structured and managed in such a way that they respect the rights of the prisoner, the staff, and the public.

Officers reporting on prison conditions should bear in mind that in addition to inhumane conditions, human rights violations may be the result of discriminatory treatment towards vulnerable populations, including but not limited to members of racial, ethnic, and religious minorities, women, children, LGBT persons, and the disabled.

The U.S. Congress has been particularly interested in the conditions and treatment of prisoners, and has included language requiring increased attention on this issue in the Department of State’s annual appropriation legislation since 2009, including increased reporting requirements. Members of Congress have expressed particular interest in efforts that result in actual improvement in conditions for prisoners. Every year, the section on criminal, justice, systems in the State Department’s Country Reports on



Unsanitary cell block toilets
(West Africa) - 2007

Human Rights is one of the report's largest; its drafting requires significant dialogue between posts and DRL.

Conditions within a country's prisons are also of concern to consular officers. The conditions in which U.S. citizens are incarcerated or detained are important aspects of our embassies' interactions with foreign governments, as well as with the incarcerated citizen's family. There is no higher priority for the Department of State than the protection of U.S. citizens abroad, including incarcerated U.S. citizens.¹

INTERNATIONAL LAW AND PRACTICE

International standards are not legally binding rules or measures, but have been widely accepted internationally; rules or measures adopted by the United Nations General Assembly are a good example. One of the first documents setting forth international standards related to corrections is the **Standard Minimum Rules for the Treatment of Prisoners (SMRs)**. These Rules were adopted at the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1955. Subsequent UN Congresses have adopted additional standards to complement the Minimum Rules, such as the **Beijing Rules** (1985), the **Riyadh Guidelines** (1990), and the **Bangkok Rules** (2010). These Rules make up some of the standards upon which INL assesses a country's correctional system. They are not legally binding.

International obligations are legally binding requirements that a country has taken on by becoming a party to a treaty or through customary international law. For example, the United Nations currently has 16 potentially relevant treaties (sometimes also called conventions - see links next page). Many

¹ Consular officers should refer to 7 FAM 400 for guidance on required timeliness and frequency of prison visits to arrested and incarcerated U.S. citizens.

conventions are relevant to the criminal justice system, but two are currently garnering particular attention: the **UN Convention against Corruption** and the **UN Convention against Transnational Organized Crime**. Each is binding on countries that become a party to the document. These documents set the requirements to which we hold accountable the countries that are parties to them.

The following two links, repeated in the Annex at the end of this Practical Guide, may be useful in providing information on pertinent human rights instruments and law enforcement treaties.

1) **International Human Rights Instruments**

(with particular reference to those listed under the heading "Human Rights in the Administration of Justice: Protection of Persons Subjected to Detention or Imprisonment")

<http://www2.ohchr.org/english/law/index.htm>

2) **Crime-related Conventions**

<http://www.unodc.org/unodc/en/treaties/index.html?ref=menuaside>

GLOBAL STANDARDS

The United Nations has worked to create standards for the world community to follow. However, it is difficult to create a set of requirements where "one size fits all;" therefore, the bulk of the UN rules dealing with prisons are non-binding standards, rather than obligations.

Numerous international conventions address human rights, and numerous rules set standards regarding the treatment of prisoners specifically. These human rights obligations and standards provide baseline guidance for the treatment of prisoners and detainees. However, no universal international obligations exist to govern the operation of all corrections systems, which are left up to each sovereign nation in accordance with its international obligations.

The United Nations has a handbook on International Human Rights Standards for Prison Officials. The guide provides a brief overview of relevant

human rights standards specifically applicable to the rights of prisoners. It was designed as one part of four guides on training for prison officials on human rights, and can be obtained online from several sources.

The most important set of guidelines are the Standard Minimum Rules for the Treatment of Prisoners (UN 1955).

UN STANDARD MINIMUM RULES FOR THE TREATMENT OF PRISONERS

The Rules referenced here, and the supporting additional Rules mentioned above, can be found on-line at www.unodc.org.

Here are some important rules to note:

- Every location should have a registry of who is being held, including name, gender, legal status, date admitted, date released, and other pertinent information.
- Every person being held must have a commitment order signed by an authority of competent jurisdiction.



Overcrowded cell block (Middle East) – 2005

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- There should be adequate:
 - Natural and artificial light;
 - Ventilation;
 - Sanitation;
 - Food and potable water; and
 - Medical care
 - There should be access to:
 - Legal aid;
 - Visits; and
 - Recreation
 - Staff should be trained in their duties.
 - Prisoners should be separated according to:
 - Legal status;
 - Gender; and
 - Age



HUMAN RESOURCES

Corrections is a people business. Equipment such as metal detectors, radios, and cameras are tools used by corrections professionals. They are not a substitute for well-trained and motivated staff. In functional systems, 60 to 80 percent of every department's budget is allocated to personnel. This is the cost of employing a professional work force.

Many times, officials battling the challenges of improving prison security and conditions request assistance in identifying and purchasing technology. While there is nothing wrong with technology, **it should be emphasized that no amount of technology will fix a dysfunctional system if there is a lack of well-trained, properly compensated, and motivated staff.**



Penitentiary Officer Academy after Reforms
(Latin America) - 2009

Many correctional systems use different terms for the same function, activity, or task. Following is a list of some common terms you may encounter in corrections.

Personnel

- **Case manager** – a person who manages an inmate's or offender's file.
- **Correctional officer or Custodial Agent** – a person who is responsible for the direct supervision of prisoners. The term "guard" should not be used.

- **Counselor** – a person who provides specialized counseling to an offender.
- **Department/Division head or chief** – leader of a function or section.
- **Director, Secretary, Commissioner** – head of a department or agency.
- **Probation and/or Parole officer** – an officer assigned to a department, an agency, the court, or a parole board.
- **Shift commander** – the leader of a shift of correctional officers.
- **Warden, Superintendent, Director** – head of an institution.

Operations and Processes

- **Classification** – an objective system designed to categorize prisoners according to their criminal risk and program needs.
- **Custody** – a score assigned to a prisoner through classification that determines the type and intensity of supervision assigned to a prisoner. The custody of prisoner can change depending on his/her institutional behavior, such as smuggling or fighting or active participation in programs.
- **Count** – the process of counting prisoners.
- **CS/CN** – a synthetic powder dispersed in a canister—often called tear gas—a less-than-lethal manufactured agent commonly used for crowd control.
- **CTU** – central transportation unit.
- **Detainee** – a term commonly used to describe a person held in pre-trial or non-convicted status.
- **Direct Supervision** – a management method whereby correctional staff is in constant contact and interaction with the prisoners.
- **ERT, CERT, SORT** – emergency response team, critical emergency response team, special operations response team: usually a unit for disturbance control, often referred to as riot control.
- **Inmate** – a term commonly used to describe a person incarcerated following conviction in a court of law.
- **Indirect Supervision** – a management method whereby correctional staff does not mix with the prisoners, but remains outside the living, working, and recreational areas.
- **OC** – oleoresin capsicum, also known as pepper spray – a less-than-lethal organic agent used to temporarily incapacitate aggressors.

- **Offender** – a term used interchangeably with prisoner, but most commonly used to refer to a person being supervised in the community under probation and/or parole.
- **Post** – term used to define a location staffed by a correctional officer.
- **Post order** – a list of duties for an officer to carry out at that location.
- **PR-24 or ASP** – a baton.
- **Prisoner** – a term used to describe a person held in either pre-trial or convicted status.
- **PTO** – prisoner transport officer – an officer specially trained to transport prisoners.
- **Rover** – an officer assigned to a mobile “roving” post.
- **Unit management** – a system where prisoners are managed by a team of corrections professionals according to their classification.
- **Use of Force** – a scale used to determine the level of force required to control or manage a situation. Usually on a continuum of increasing control from presence and verbal commands to the use of lethal systems, such as firearms.

Organizational Structures

- Administration
 - Executive Management
 - Internal Affairs
 - Public and Intergovernmental Relations
 - Budget and Finance
 - Human Resources
 - Procurement
 - Facilities Maintenance
 - Planning
 - Prisoner Classification and Records
 - Prisoner Transportation
 - Prisoner Programs
 - Medical Services
- Institutions
 - Correctional Centers
 - Penitentiaries

- Training
 - Academy
 - Field Training
- Probation and/or Parole
(sometimes known as Community Corrections)
 - Probation
 - Parole
 - Community Residential Centers
 - Electronic Monitoring

PRISONER CLASSIFICATION AND FACILITIES DESIGNATIONS

A vital component of any correctional system is its method of classifying prisoners according to risk and programmatic needs. There are many different variations for classification levels and facility security designations. General categories are:

■ Prisoners

- **Community** – a prisoner housed in a location such as a half-way house, treatment center, participating in work release, and/or electronic monitoring;
- **Minimum** – a prisoner who requires minimal supervision and presents a low risk of violence or escape—often a misdemeanor or a prisoner nearing the end of his/her sentence;
- **Medium** – a prisoner who presents a moderate risk of violence or escape, and who is serving a sentence of some length – perhaps 2–10 years -- but who has demonstrated responsible behavior while incarcerated;
- **Close** – a prisoner who presents a somewhat higher risk of violence or escape and who is serving a longer sentence—often over 10 years, including life—or who has inconsistent institutional behavior;
- **Maximum** – a prisoner who, through poor institutional conduct, presents an on-going threat to the safety and security of staff and other prisoners, and who requires extremely limited access to programs and movement.

■ Facility Security Levels

- **Community Residential Centers** – locations in the community where there is official supervision, but the prisoner is allowed to work and program in the community;
- **Camps/Minimum Security** – centers with no fences and open movement around the compound;
- **Minimum Security** – usually a facility with a single fence and dormitory-style housing or light (e.g. wood frame) construction;
- **Medium Security** – usually facility with a double-fenced perimeter, higher levels of staffing, and double-occupancy cells;
- **Maximum Security** – a facility with multiple perimeters and controlled gates with single or two-person cells, armed towers, and a larger number of staff in relation to the number of prisoners;
- **Administrative Segregation** – this is often referred to as “super max.” This is a highly restrictive environment where prisoners who present serious risks to the safety and security of staff and prisoners are housed in single cells, and are restrained during movements outside their cells.

Facilities in post-conflict or developing countries are frequently substandard, or are converted buildings such as schools and hospitals. In these environments, rarely are prisoners classified or staff trained to manage prisoners according to their risk. These conditions present serious challenges to the safety and security of other prisoners, the staff, and the public. At times, officials will try to mitigate these risks by limiting inmate movement, access to programs, and other activities, which turns the prison into little more than a warehouse for criminals.

PROCESSES

Foundations for good correctional systems include:

- Efficient law enforcement and court processes;
- Thorough intake and classification processes;
- Focused and frequent training;
- Adequate resourcing;
- Competent management; and
- Accountability for staff and prisoners.

Corrections is a process: an individual is arrested, remanded into detention, tried, and, if convicted, committed to a correctional system. Once committed to the corrections department, the offender is evaluated for his or her risks and programmatic needs, and then transferred to an institution that best fulfills the security and programming requirements for that offender. After transfer, it is contingent upon the prisoner to make the best use of his/her time of incarceration, so that s/he may increase the chances for successful re-entry to society. It is contingent upon the system to afford the prisoner with opportunities to improve his/her condition.

If the police and/or the courts are not functioning properly, then the correctional system is at risk for overcrowding. Severe overcrowding creates environments that are unsafe for staff and prisoner, cause physical plants to deteriorate and sanitation systems to collapse, lower staff morale, generate public resentment about the equity of the government's criminal justice system, and can contribute to larger societal instability.

Large numbers of pre-trial prisoners inhibit a correctional system's ability to manage arrestees according to risk, gender, age, and need. Pre-trial status requires that these prisoners be kept in reasonable proximity to the courts with jurisdiction. Because the prisoner is not yet convicted or acquitted, it is not possible to evaluate accurately his/her risk of escape. This requires the system to treat all prisoners as a high risk for escape, which requires maximum-security facilities and the commitment of significant financial and human resources.

Conditions within pre-trial facilities in many countries are frequently worse than in the prisons, because these structures were not designed for long-term incarceration or large numbers of prisoners. Pre-trial facilities, including police station holding cells, usually have limited spaces for recreation, programs, visitation, or sanitation.

A large number of pre-trial prisoners as a percentage of all inmates in a system and long periods in pre-trial status is indicative of dysfunction within the entire criminal justice system.

STANDARDS AND BEST PRACTICES

The corrections industry references many standards and makes frequent use of the term "best practices;" however, what defines best practices remains subject to interpretation. Common sense is usually the best standard to use when evaluating and/or observing a system or a facility.

This handbook includes a number of reference documents you can use in the Resources section. However, by becoming familiar with the United Nations Standard Minimum Rules for the Treatment of Prisoners, you should be able to understand the basics of prison or correctional center operational standards.

Look for the following:

PRACTICES

- There should be a registry log of all prisoners, including date of admission, legal status, sentence date, sentence length (if any), and date of discharge (if any).
 - It is not unusual in some countries for prisoners to be held far beyond the amount of time they would have served if convicted, simply due to poor record-keeping.
- There should be a commitment order of some type from a court.
- The prisoners should be separated at a minimum by gender, age, and legal status.
- The prisoners should be informed of the rules of the facility.
- The prisoners should have access to legal and family visits, unless there is a legitimate and documented reason for a restriction.
- The prisoners should have access to recreation for no less than one hour per day.
- There should be adequate natural light and ventilation in the housing areas.
- The prisoners should have adequate space for sleeping, movement, and some personal property.
- The prisoners should be clothed in clean and serviceable attire.
- The prisoners should have access to food of adequate nutritional value and quantity.

V. EVALUATING A PRISON OR CORRECTIONAL SYSTEM: INL, POLITICAL AND CA OFFICERS

- The prisoners should be afforded medical services at least equal to those available in the surrounding community(ies).²
- The staff should be supervising the prisoners either directly or indirectly.
- Staff should have been trained in their duties according to a set curriculum and national standard.
- The facility should be clean.
- No prisoners should be shackled as a means of punishment
- Prisoners should be remunerated for any work.



Dilapidated Cell Block Sink (Middle East) - 2005



² Department guidance on preparing the Annual Report on human rights practices requires reporting on "inadequate medical care" and does not refer to community standards.

GOALS

Regardless of your job, evaluation of a prison or correctional system should be objective and targeted at providing the best information available, including an unbiased assessment of the system's strengths, weaknesses, and vulnerabilities, as well as consistency with international standards and obligations.

When the purpose of your efforts is related to human rights problems and U.S. diplomatic approaches, the goal is to obtain accurate information to assist in the formation of policy and ensure compliance with United States laws. Further, the act of visiting is by itself a preventative measure that can result in better treatment and conditions, or help keep conditions from deteriorating. To be credible and effective, an evaluation would ideally include more than a review of media and non-governmental organization human rights reports.³

For Consular Affairs officers, the goal is to ensure that U.S. citizens held in a foreign prison are being treated humanely, and have access to legal counsel and judicial processes, family visits and communications, food, and medical care.

For INL officers, the goal is to evaluate the system's operational capacities, conditions, and its ability to initiate and sustain meaningful reforms. These in turn will lead to compliance with international obligations, consistency with international standards, and will allow the correctional system to contribute to government stability, legitimacy, and respect for the rule of law.

³ Officers preparing human rights reports should seek out information related to the numbers of persons with mental disabilities being held, whether the treatment available is adequate to treat the disability, and if the people with mental disabilities are there for committing crimes or because there were no other options for their care. In addition to visiting prison and detention facilities, mental health facilities should be visited as well. The same guidelines noted previously for assessment can be applied. However, it should be remembered that these facilities are not criminal settings, so the only restrictions on freedom should be predicated on securing the safety of self and others. Staff training may differ, and classifications will be more dependent on health needs than security needs, but common sense still applies. Conditions should, at a minimum, meet the same general guidelines as for prison and detention facilities.

SCOPE

The more information you can gather, the better your report will be. A thorough evaluation ideally should include:

■ Interviews with:

- Government leaders;
- Correctional systems managers, department heads, and prison staff and correctional officers;
- Prisoners;
- Civil society / advocacy groups or independent observers such as International Committee of the Red Cross, judges or court officials;
- Other law enforcement agency personnel;
- Other donors (if applicable);
- Medical staff;
- Family/visitors; and
- Religious organizations serving prison populations.

■ Site visits to:

- Prisons;
- Jails and/or police lock-ups;
- Mental health units (if applicable);
- Detention centers;
- Juvenile centers;
- Program centers; and
- Training academies.

■ Collection and analysis of:

- Department budgets;
- Prisoner demographics;
- Staff demographics;
- Key indicators, such as escapes, riots, use of force, infection rates, grievances, et cetera;
- Training curricula;
- Strategic plans; and
- Independent assessments (by groups such as UNODC or others).

DEPARTMENT GUIDANCE ON HUMAN RIGHTS REPORTING

Look for, and report on, serious threats to life or health, such as food shortages, inadequate sanitation, ventilation, temperature, lighting, medical care, and instances of corrections officers or other prisoners abusing inmates physically or sexually. Also note the use of living or executed prisoners as sources of organs for transplant. Describe the prevalence of death in prison or pretrial detention centers, whether deliberate or unintended. If there were no problems, use the following language: “Prison and detention center conditions generally met international standards, and the government permitted visits by independent human rights observers.”

Provide the approximate total number of prisoners and detainees, including the number of juveniles and female prisoners, and if available, the number of prisoners the facility was designed to hold. Report if men and women, juveniles and adults, and/or pretrial detainees and convicted prisoners were housed together. Take into account but do not cite explicitly, the International Center for Prison Studies (<http://www.prisonstudies.org/info/worldbrief>). Note if political (or “security”) prisoners faced significantly different conditions from those of the general population.

Report whether prisoners and detainees had access to visitors, were permitted religious observance, could submit complaints to judicial authorities without censorship, and whether authorities investigated credible allegations of inhumane conditions.

Report whether the government permitted monitoring in accordance with its standard modalities by independent non-governmental observers (e.g. human rights groups, the media, International Committee for the Red Cross, as well as international bodies such as the Council of Europe’s Committee for the Prevention of Torture).

To the extent they are known, report problems in prisons and similar institutions operated by local warlords, paramilitary groups, or rebel forces.

Reports should answer the following questions:

- Do prisoners have access to potable water?
- Is there a prison ombudsmen?
- What steps have been taken to improve record keeping?
- Do alternatives to sentencing for non-violent offenders exist?
- Are conditions for female prisoners worse than those for males? and
- What steps has the government taken to improve prison conditions?

RULES OF THUMB

You might not have the subject matter expertise necessary to produce a thorough scientific evaluation of a system; however, it is possible to provide a reasonably objective evaluation without an expert’s experience. Here are some rules of thumb you can follow:

Administration

- Does the department budget seem sufficient for the tasks at hand?
- What is the department’s organizational structure? Does it appear to support efficient and appropriate management of the system?

Oversight

- Is there independent monitoring of the prisons?
- Is there a formal process for prisoners to raise concerns or address abuse? Are concerns investigated and acted upon?
- Are you able to visit with the prisoners without staff present? Do the prisoners seem uneasy talking with you?
- Are the prisoners made aware of their rights and obligations upon entry, either in writing or verbally?

Infrastructure

- Do the prisoners have adequate space to sleep and keep a few personal items? Do they have mattresses, soap, towels, et cetera?
- Is there adequate light for reading during the day or at night?
- Do there appear to be enough showers, toilets, and sinks for the number of prisoners?
- Is the temperature inside the structure livable?
- Was the structure purpose-built as a prison, or it is an adaptation?
- What is the structure’s overall condition?

Classification

- Does the prison have a logbook/registry with the information required for each prisoner?
- Are women separated from men? Are juveniles separated from adults?

-
- Are the prisoners convicted or not convicted? Do the prisoners know the charges against them? How long has the prisoner been incarcerated, and what was the time between arrest and conviction?
 - What constitutes the majority of the crimes committed by the prisoners?

Staff

- Is staff trained in an academy?
- Is staff pay sufficient to meet basic living needs?
- Is staff literate?
- How many staff members are on the official roster? Does it appear that this number is accurate, or are there “ghost employees” (e.g. employees on paper but not in existence)?
- Does the staff appear and act professionally, or is there an air of indifference or intimidation or fear of the prisoners?

Health and Sanitation

- Is the air stale or sour, indicating poor sanitation?
- Do the prisoners look healthy, or are there signs or reports of diseases such as coughing, open sores, or sickly complexions?
- Is there a doctor or other medical personnel at the facility?
- Does the volume of food being served appear to be sufficient to feed all the prisoners?
- Does it appear that special arrangements were made for your visit, such as new prisoner uniforms, unusually healthy food, etc.?

Programs

- Are the prisoners able to improve their condition through education and vocational training?
- Are prisoners working or engaged in meaningful activities or are they idle in the cells or in open areas?

Security

- Are the prisoners out of their cells and engaging in recreation or visiting?
- Is there an armory with sufficient controls and barriers to keep it secure?
- Were you granted (escorted) access to all areas of the prison? If not, why not?
- What is the disciplinary procedure for rule infractions by prisoners? What is the discipline system like? Are offenses and penalties transparent?
- Do the prisoners seem to be divided into groups or gangs?
- Are there indicators of gang activity such as gang-related graffiti?
- Are there indications of drug use among the prisoners?
- Do the staff and prisoners interact during the day?
- Is the staff armed?
- Is the staff searching prisoners, living areas, and visitors?



Now that you've read through this guide and researched other materials, such as the Department's Annual Country Reports for the last several years, you are ready to apply what you've learned to accomplish this important assignment. But this is no ordinary mission. You are going to visit an unusual place: you are heading to a prison.

When possible prior to your visit, you should speak with knowledgeable and credible people and organizations that are independent of the prison administration.

The International Committee of the Red Cross has extensive experience in prison monitoring. However, ICRC reports are confidential and provided solely to host government authorities: ICRC officials are scrupulous on this issue. Nevertheless, speaking in general terms with ICRC officials can be beneficial.

The most important part of getting ready is to be mentally prepared for what you are about to encounter. You should be well-rested, alert, and attuned to verbal and non-verbal communications. What you may see might shock you or make you feel uncomfortable. Getting prepared before you go is a necessity: you will need to rely on your senses – especially your common sense.

Consular officers are encouraged to visit prisons early in their tours, even if no U.S. citizens are incarcerated, and then maintain contacts with prison officials and administrators for the duration of their tour. These visits and contacts are valuable links to the host nation, and can be passed along to future consular officers when they arrive in country, or shared with INL and DRL officers if they are tasked with evaluating the host nation prisons and jails.

Safety First

- Prisons can be dangerous: **do not take security lightly.**
- Prisons are environments where **personal privacy is scarce.**
- **Trust your instincts.**
- **Give your agenda and contact information to the RSO and others in the office.** Include the precise location of the prison, contact numbers for the director or warden, and the expected duration of visit.
- **Be respectful and polite.**
- **Do not take unnecessary risks:** if conditions do not feel or look safe then end the visit, thank your hosts, and depart for a safe area.

Clothing and Equipment

- **Dress** conservatively and professionally; avoid insignia and flag pins.
- Avoid wearing too much or expensive **jewelry – none is better.**
- Wear comfortable walking **shoes** (no heels, flip flops, or sneakers).
- Bring head cover (**caps**, scarves, etc.).
- Leave your **cell phone and/or BlackBerry** in the car or in the director’s office—do not take it around the prisoners.
- **Do not** carry large amounts of **cash.**
- **Do not** carry **cigarettes, lighters** or pocket **knives.**
- Take a **camera** only if it is allowed by the authorities.
- Take **business cards**, but **do not** give them to prisoners.

Conduct – be a good visitor:

- **Stay with the group:** wandering frustrates staff and puts you at risk.
- **Do not take pictures** of the prison or prisoners without permission.
- **Do not ask** prisoners about their crimes in front of staff or other prisoners.
- **Ask permission** to enter a cell or dormitory.
- **Be polite**, acknowledge the prisoners and staff, and ask permission to move around the living area.
- **Avoid commentaries** about conditions during the visit.
- Ask if any colors or **dress codes** are preferred or prohibited.

- **Expect to be searched** and do not be offended if you are denied access without a search. Searches, which might be thorough, should be professional and appropriate.
- **Do not offer** to do anything for a prisoner (unless you are visiting a U.S. citizen prisoner, or intend to alert a foreign consul to the detention of one of his/her nationals).
- **Do not** give prisoners money, food, or other items.
- If you are entering a living area of the opposite sex, **announce your presence** before you enter.
- If the visit ends unexpectedly, **do not argue with the staff.** Obey their orders and exit the facility calmly and quickly.

Reading the Environment:

- Is the staff friendly, open, and receptive to your visit?
- Is the staff uneasy and/or indifferent to your visit?
- Does the staff appear comfortable or uncomfortable entering the prisoner living areas?
- Do the prisoners seem at ease with staff present, or do they seem agitated by the presence of staff?
- Do the prisoners look down, avoid eye contact, or take a submissive pose in the presence of staff?
- Do the prisoners glare at staff or stare at you (with more than idle curiosity), and do you feel intimidated?
- Are the prisoners cooking in their cells/dorms?
- Are the prisoners working, or are they idle?
- Are there large numbers of staff milling about aimlessly or not paying attention to their duties?
- Do the prisoners have knives, tools, or other instruments that might be used for escape or weapons?
- Do the prisoners appear to be divided into distinct groups and identified by age, ethnicity, tattoos, et cetera?



■ INL Areas of Subject Matter Expertise

(For corrections related questions, contact INLCorrections@state.gov)

- Case Management
- Community Corrections
- Emergency Response
- Facility Design
- Industrial Operations
- Industries & Programs
- International Human Rights Standards
- Investigation & Intelligence Operations
- Jail Administration
- Juvenile Justice & Vulnerable Populations
- New Prison Activation/Start-up
- Prisoner Classification
- Probation & Parole
- Program Evaluation
- Prison Operations
- Security Operations and Auditing
- Special Security Operations
- Vulnerability Assessments

■ DRL Areas of Subject Matter Expertise

- International Human Rights Standards
- International Agencies/Bodies involved in Human Rights, including prisons
- Civil Society Organizations working on Human Rights
- Department Human Rights Reporting Procedures and Standards
- Treatment of vulnerable communities and human rights conditions in specific countries
- *The following links may be useful in providing information on pertinent human rights instruments and law enforcement treaties.*
 - International Human Rights Instruments (with particular reference to those listed under the heading, “*Human Rights in the Administration of Justice: Protection of Persons Subjected to Detention or Imprisonment*”)
<http://www2.ohchr.org/english/law/index.htm>
 - Crime-related Conventions
<http://www.unodc.org/unodc/en/treaties/index.html?ref=menuaside>

■ Internet – additional links

(These are not U.S. government publications, and may contain statements that do not reflect USG views.)

- UNODC: <http://www.unodc.org/>
- King's College of London: <http://www.prisonstudies.org/>
- INPROL: <http://www.inprol.org/visitorhome>
- UNHCR: <http://www.ohchr.org/Documents/Publications/training11Add3en.pdf>
- UN: <http://www.un.org/en/documents/udhr/index.shtml>
- International Committee of the Red Cross (ICRC); <http://www.icrc.org/>
- UNODC: <http://ar.unrol.org/files/Handbook%20for%20Prison%20Leaders.pdf>



PRISON EVALUATION FORM

Facility Prison Date _____

Conducted by _____

Staffing	Information and Observations
1. Warden's name and contact info	<u>Warden Smith</u> : Warden, 11 years corrections, worked in X, Y, and Z, with last 4 years at this facility: Assistant Warden Captain Jones (Asst. Warden)
2. Total staff	42 (40 male; 2 female) Note: Ministry of Interior assigns personnel to corrections positions. Most law enforcement do not want an assignment to corrections because: fewer benefits, work more hours for same pay, and equipment is not as good.
3. Uniformed	30 (29 male; 1 female)
4. Non-uniformed	12 (Note: the officers plus administrative support should equal total staff)
5. Human rights training offered or completed	None of the officers reported they received any training in human rights when asked. Officers said they would like the training if available.
Inmate Population	
1. Adult Male – Convicted / Pre-trial	256 (89-convicted; 167-Pre-Trial (PT))
2. Adult Female – C/PT	6 (0-(C); 6-PT)
3. Juvenile Male – C/PT	0
4. Juvenile Fem – C/PT	0

Facility Condition	
1. Date built	MOI rents the building and has occupied it for five years. It was previously a factory before being remodeled into jail; built in the early 1900s.
2. Structural concerns	Too small; no recreation area; no programming areas.
3. Refurbish or replace?	Police are using the top floor. If they move out, the building would be adequate for housing, but there would still need to be recreation space. Options are to make a recreation area in parking lot area or on the roof.
4. Photo	Taken.
Conditions of Confinement*	
1. Living space per inmate	Overcrowded – there were 256 males in 10 cells. The cells are approximately 52 sq m (560 sq ft), which provides less than 22 sq ft/inmate living space. There is no space for personal possessions, but there is sufficient space to sleep.
2. Are cells clean?	Reasonably clean for crowded conditions. Trash is removed on regular basis. Very few bugs were observed.
3. Do all inmates have beds/linen?	No. Most cells had 25 – 28 inmates. Four to six inmates per cell did not have beds, but slept on mattresses on the floor in the common area between bunk beds. Linen and blankets were adequate.
4. Artificial lighting?	Yes.
5. Is light sufficient for reading and working?	Yes, there was a good source of lighting/windows along one entire wall.
6. Are cells ventilated and have fresh air?	Can get fresh air, but not much flow-through.

* requires first-hand observation and/or inmate interview.

7. Heating and Air Conditioning?	None. No heating, but inmates said they were provided sufficient blankets to keep warm in the winter. No A/C, but there were fans. Some inmates complained it was hot in the summer.
8. Water source and availability	Hooked up to city water. Sufficient water always available.
9. Is there sufficient drinking water?	Sufficient water for drinking in cells always available.
10. Is human waste processed away from prison-living quarters?	The toilets are inadequate for the number of prisoners and are not sanitary. There is no sewage system.
Clothing*	
1. Is clothing issued?	No. Inmates have up to five sets of their own civilian clothes.
2. Laundry or Exchange schedule?	Not performed by facility. Inmates are provided detergent and can wash their clothes as needed in their cells. Clothes hanging/drying in cells and by windows.
3. Is clothing replaced?	Not by facility. Family members are allowed to bring in clothes if needed.
Abuse*	
Staff	
1. How is abuse reported?	Inmates may submit a written complaint to an officer or give directly to the Warden when he visits. Captain visits inmates three times per week. If he receives a complaint, he conducts an interview in his office.
2. Number of abuses reported?	None reported within past year according to the Captain.

* requires first-hand observation and/or inmate interview.

3. How are they investigated and resolved?	The Captain would review and submit to an investigation committee. The committee's findings are then submitted through the Captain to Warden.
4. Are staff members held accountable? How?	Use of progressive discipline including warning, transfer, termination, or criminal charges.
Detainee	
5. How is your treatment here?	Inmates interviewed said they were treated well and had no complaints.
6. Do you know what the facility rules are?	Inmates said they were provided an inmate handbook with facility rules on arrival.
7. What happens if prisoners violate a rule?	Inmates said that they would face internal sanctions or possibly be placed in segregation. The biggest incentive for good behavior is good time awards. A file is kept on all inmates and they are allowed a total of three violations. If they get more than that, they lose good time award.
8. What types of discipline are used?	Prisoners lose commissary privileges for smuggling contraband. Some prisoners appear to be subject to arbitrary isolation.
9. Have you known any inmate that received physical discipline?	Inmates said no. One inmate has been at the facility for four years and said he had never seen any inmate who received physical discipline.
10. Were staff members held accountable?	Staff members have been fired, demoted, or criminally prosecuted for abusing prisoners.

* requires first-hand observation and/or inmate interview.

Food*	
1. How is it provided?	The prison authorities provide for all food for prisons and jails. Inmates prepare the food at the on-site kitchen. Inmates, staff, police, and supervisors all eat the same food.
2. How often are prisoners fed?	Three times daily.
3. What is served?	Fruits and vegetables three times per week. Meat five times per week. Bread, rice, and soup daily. One meal was observed and looked acceptable.
4. Are quantity and quality adequate?	Quality and quantity looked acceptable. Inmates said that it was okay, but there will always be those who complain no matter what is served.
Medical/Mental Health Care*	
1. Are medical personnel at the facility?	Yes. There is a small clinic. They have a doctor available eight hours a day and a nurse available 12 hours a day on a daily basis.
2. Are inmates examined upon arrival at the facility?	Yes. The facility won't accept them unless it receives a report that the inmate has been cleared. There is a medical unit for jails and prisons that provides clearances.
3. Is there daily sick call? If not daily, how often?	A nurse visits the cells daily and the doctor visits three days per week.
4. Dentist access?	A dentist visits two days per week (Sundays and Thursdays).

* requires first-hand observation and/or inmate interview.

5. Is there medicine at the facility?	There are minimal items in the clinic. If an item is not available in the clinic, it will be ordered by facility management. If there is a problem obtaining a certain medicine or drug, the facility management will allow family members to provide it.
6. What if life, limb, or eye-sight emergency occurs?	Facility management will have police (who are on-site in the facility) transport to a local hospital. The facility is in town, so it is just a matter of minutes to a hospital.
7. Is there mental health counseling available?	A psychologist visits the facility every Thursday.
8. What is the process for mental health issues or concerns?	The facility policy is to keep and medicate the prisoner if not too serious. The only facility for long-term mental health care is a mental hospital in a neighboring town.
9. Are there current mental health issues?	There are currently four inmates on medication who receive weekly psychiatrist visits.
10. Are accommodations made for a person with a physical or mental disability?	Mentally disabled prisoners are given more latitude by line staff. Physically disabled prisoners have no ramp access to the recreation yard or cafeteria and must be carried. Showers do not accommodate wheel chairs.
Court/Records*	
1. Are all inmates given an ID number upon arrival at the facility?	No. There is currently no system in place for issuing identification numbers. Files are maintained by name.
2. Is all paperwork concerning the inmates case kept at the facility?	Yes. Hard files are kept in cabinets in a designated records room, along with medical files. There is no set filing system as each prison has its own method.

* requires first-hand observation and/or inmate interview.

3. How is it maintained (hard-copy or electronic)?	Maintain hard copies, as well as some information on computer.
4. Is anyone being held without conviction papers? How many?	Two-thirds of the population is pre-trial. However, all detainees have a detention order or court sentencing. This may require an audit of files to be accurate.
5. Is anyone being held in pre-trial detention? How many?	Two-thirds of the population is pre-trial (173/262).
6. Has anyone in pretrial not seen a judge? How many?	No. They have all seen judges. Some see a judge on a monthly or bi-monthly basis.
7. Have any pretrial detainees been held longer than 90 days?	Yes, including some for several years (one man for seven years on a murder charge). This is due to several factors: lack of forensic capabilities whereby convictions are based solely on witness statements; inability to locate and transport witnesses to court; judges take their time and wait for resolution between families before imposing criminal sentence.
8. Are detainees segregated based on age, gender, and pre-trial vs. conviction?	This facility does not house juveniles. It houses adult male and female offenders only. The males are separated by sight/sound from the females. Males are not separated by classification or by pre-trial vs. convicted. They are separated into two sections: 1. Computer/fraud (white collar crimes) and 2. Criminal offenses (murder, rape, kidnapping, etc.). Facility management tries to house common groups together in cells.

* requires first-hand observation and/or inmate interview.

9. How are inmates transported to court?	No corrections transport teams. The police do all of the transports. There are police stationed at this prison, so it is not a problem.
10. What is the release process?	Once prisoners complete their sentence, they are released out the door/gate. They are not required to return to the arresting station for release.
Hygiene*	
1. Does facility issue personal hygiene items?	Yes – all they need.
2. Are they replaced?	Yes – when needed.
3. How frequently are showers allowed?	The rules are that inmates can shower twice a week in the summer and once a week in the winter. The staff turns showers off at midnight. However, inmates said they could shower all they wanted, and one inmate said he would shower several times a day in the summer to keep cool.
4. How many showers are available?	There is only one in each cell, which houses between 25-28 inmates.
5. How many toilets are available?	Only one per cell, which houses between 25-28 inmates.
6. Are the housing areas clean?	The cells were obviously crowded and cluttered. Two inmates are assigned each day (rotating basis) to clean the cells. They have an officer in charge of assigning them and ensuring they clean their area.
7. Is the overall facility clean?	Yes, they have six inmates assigned to clean the facility in addition to the two assigned to clean cells.

* requires first-hand observation and/or inmate interview.

Discipline*	
1. What constitutes an infraction?	The prison authorities issue a handbook describing facility rules. No contraband, no alcohol or drugs, no gambling, no violence, no refusing an order, no abusive language, no false accusations, no excess amount of money or jewelry, no unauthorized sending or receiving of letters.
2. What types of discipline are used?	Warnings, loss of good time, no participation in recreation, no correspondence for one month, no visits, solitary confinement.
3. Is physical punishment ever used?	No.
4. Do inmates receive facility rules at the time of admission?	Yes. They receive an inmate handbook which is uniform for all prisons.
Visitation*	
1. Is visitation allowed?	Yes.
2. How often?	Twice/week for males and once/week for females (only six).
3. Who is allowed to visit?	Family and friends. They fill out an application and are put on a list.
4. Where is it held?	Visitation area in front of facility.
5. What are the visitation rules?	Non-contact. Exceptions (for contact a visit) can be made by written request to Captain (i.e., haven't seen wife in long time, death in family, conflict resolution, etc.).

* requires first-hand observation and/or inmate interview.

6. Are inmates allowed phone calls?	Yes, there are seven pay phones available in the common area. Numbers are recorded and tracked. No incoming calls. Family can bring in coins. This is unusual: inmates are allowed to keep the equivalent of \$108 USD with them! Any amount over that, along with other personal property, is kept in lockers in the records room.
Inmate Programming*	
1. Is there recreation? What types?	None other than TV and some board games. This is a major issue at the facility.
2. How often are inmates allowed to recreate?	N/A
3. Are inmates allowed to practice choice of religion? Types?	Yes.
4. Are inmates provided an opportunity for education/vocational classes? What types?	None offered. Some inmates do some handcrafts on their own with materials brought in by their family, but none are provided by the facility.
5. Are inmates allowed to work? What types of jobs?	Yes, but job availability is limited. Currently have five cooks, six porters, and one maintenance worker.
6. Are they compensated?	Not with money. They do get some benefits, such as longer visits, extra food, and phone calls.
7. Is education/work voluntary?	The Captain will select inmates for the few jobs available, but they are not forced.

* requires first-hand observation and/or inmate interview.

Any Special Problems	
Facility condition	Too small; not enough inmate housing area; no programming or recreation space available; poor ventilation.
Physical security/safety	In 2007, seven inmates escaped. They were assisted by a staff member who gave them cutting instruments and gave other officers sedatives. The inmates cut through a wall, went out the bathroom window, and then tied blankets together to lower themselves to the ground. Some were captured.
Force protection/quick reaction force	It's not really a problem because the police occupy the second floor and are on-site for response.
Staffing needs	The Captain said he needs twice as many officer—for a total of about 75, and they need training. Right now the officers are working 12-14 hours per day. They have two rotations and work one week on, one week off (seven day work week).
Weapons needs	The Captain said they have no weapons needs at this time due to the proximity of the police station, small area, and no recreation or transport needs.
Contraband issues	Sometimes inmates get cell phones; there are limited hash/marijuana issues. Not much of a problem with weapons. Cell searches are conducted monthly.
Staff issues: pay and equipment	The corrections officers make the same money as the police. However, they work 12-14 hours per day compared to police who work only eight hour shifts.

External grievance or monitoring system	There is a prison ombudsman funded by several human rights groups and the Ministry of Justice. Grievances related to abuse or violation-of-rights are always forwarded to the ombudsman who investigates all reports.
Improvements Made	
Have there been any improvements made since the last visit?	I last visited the facility six months ago on 11/2/10. The outer wall has been painted and facility is now hooked up to community water. Four additional staff members have been hired and all correctional officers have received basic human rights training.
	The Government passed legislation last month for the emergency release of pre-trial detainees with non-violent charges who have been held over six months. This lowered overcrowding in this facility by 20% according to records and the records officer.



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