Draft 9/4/2020[1]

IMPROVING ACCOUNTABILITY AND TRANSPARENCY IN JAIL OPERATIONS

Results - Survey of the Field

Introduction

The Center for Innovative Public Policies, Inc. (CIPP) developed a survey to identify the extent to which jails have policies and procedures related to use of data in making decisions; elements of transparency and accountability in operations; and the level of community and citizen input in the organization. It was reviewed by subject matter experts prior to making it available to the list serves of the National Jail Leadership Command Academy and the Texas Jail Association. The survey remained open for three weeks.

These findings have been used to provide recommendations to assist jail leadership to improve accountability and transparency in jail operations. CIPP also conducted an extensive literature review and did not identify any similar surveys or data regarding these important matters.

Observations From the Survey Results:

Written Directives, Reporting, Data Analysis

- 55% of jails report having jail-specific performance measures; with smaller jails reporting a slightly higher percentage; and the mid-size jails less. (Table 1)

- 60% of jails report having written policies, procedures addressing data collection, analysis, and data to be collected, with mid-size jails reporting a higher percentage; 48% of jails identify the data to be analyzed; and 56% have policies regarding how data is used in the jail's decision-making. (Table 1)

- 75% of all jails report that employees have input into policy making and revisions, with larger jails reporting only 62% (Table 1)

- 79% of jails report engaging in critical incident review, 31% conduct root cause analysis; and 74% report they use corrective action plans (Table 2). It is

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[1] This narrative will be included in the final monograph for this project.

interesting to note 79% is a higher percentage than jails who report having written policies and procedures, pointing toward the existence of practices not governed by written directives.

- 37% of jails report that the responsibility for data collection, analysis and reporting (e.g. planning and research) is a shared responsibility of different positions; 40% of the largest jails report a full-time organizational unit or command for this purpose (Table 3).

- 25% of jails report that no single person or post is assigned responsibilities for data collection, analysis and reporting (e.g. planning and research), including 16% of the largest jails. (Table 3)

- 68% of jails report they have written policies, procedures, SOPs, etc. to formally establish or define a process through meetings or other means, that regularly hold employees, managers, and leaders accountable for achieving performance measures, accomplishing goals, problem-solving, and developing and implementing corrective action plans; with the largest jails reporting 60%. (Table 4). Several comments noted that the practice occurs but is not guided by written policy.

Community Involvement

- 5% of jails report a formally established citizen advisory-only committee or group whose primary focus is jail operations; 8% of the largest jails report they have such a group. (Table 5)

- 16% of jails reported a legally established citizen oversight board or commission for their jail; the highest percentage for the largest jails. (Table 7)

- 58% of jails report that citizens volunteer to participate in or conduct inmate programs; and 48% report citizen involvement in inmate re-entry programs. (Table 6)

- Jails report that there are few other opportunities for citizen involvement and input, including in the critical area of recruiting employees (20%), and participating in candidate interviews. (Table 6)
- 19% of jails report they hold regular public hearings or meetings about jail performance. (Table 7)

Oversight of Jails

- The primary means identified to provide jail operational oversight are: budget/staffing approval process by elected officials and funders (77%) and state-level jail inspections (76%). (Table 7) Required PREA audits are noted as oversight by 52% of jails.
- 16% of jails report a legally established citizen oversight board or commission (Table 7)

Jail Medical and Mental Health Collaboration

- Approximately one-third of jails report they have little participation with medical providers in morbidity and mortality reviews, regular review of health and mental health performance metrics , or setting performance measures. (Table 10). The largest jails, reported the more participation.

Public Information

- Only 3% of jails report that the citizens they serve are knowledgeable about the jail and its function and operations; with 45% reporting citizens are somewhat knowledgeable; and 52% reporting citizens not at all knowledgeable. The smallest jails reported 66% of their citizens were not at all knowledgeable. (Table 12)
- When asked to rate the barriers to improving community knowledge about the jail, most jails (56%) cited the community's lack of interest, especially as reported by the smaller jails. (Table 12)
- 43% of jails report that they routinely release investigative reports to the public regarding inmate deaths or serious injuries; and 13% report that reports

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regarding allegations of staff misconduct are routinely released. Several jails indicate that such reports are released only pursuant to a public records request. (Table 8).

- 74% of jails reported that they provide staff recruitment and hiring information on their website; with the largest jails reporting as 100%. Other than this information, most report little information is available on their jail's website, with several jails noting they didn't have a website. (Table 9).   Even though PREA audits and annual reports are required by the standards to be published, only 26%) reported the audit or the annual report (29%) was available. Although not at this time required to be published, agencies did not indicate either NCCHC or ACA findings are readily available or available at all to the public.

- Less than half the jails reported that that either information on how to file a complaint or to access inmate medical or mental health services are publicly available.

Opportunities For Jails' Improvement to Increase Transparency and Accountability

These opportunities exist for jails to improve operations through the use of data and accountability as well as to strengthen community knowledge and good will by increasing transparency and participation.

1. Increase agency transparency through commitment to public involvement and participation. Recognize citizens and stakeholders as vital and important contributors to the success of the jail.   Improve public portals of information (web). Commit to regularly publicly providing information on jail issues including serious incidents and completed investigations of employee misconduct. Consider regularly scheduled public meetings about the jail's operations.

2. Involve the public in recruitment of new employees, including participation on interview panels.

3. Establish a jail community advisory board, defining their objectives as assistance with public outreach, gaining additional resource for the jail, and advocating for the jail with

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funders. Encourage employees to see part of their role as improving public information and outreach to their neighbors. Assure the advisory board has bylaws to guide their participation, and sufficient jail staffing to capitalize on the talent.

4. Develop policies and procedures to address a data-driven jail, including what data is collected, analysis, direction and operational guidance, and accountability. Develop and disseminate annual reports.   Determine the human resources (and training) needed to support a data-driven organization and gain funding authority support.

5. Establish accountability within the organization for achieving performance objectives.

6. Consider adopting root cause analysis as part of the agency's operations both to address incidents as well as pending challenges. Assure that critical incident reviews uncover the core issues and develop action plans which have measurable outcomes and hold staff responsible for implementation.

7. Develop and implement meaningful jail-based performance objectives.

8. Assure the jail's mission, vision and values are aligned with performance-based objectives.

9. Improve the liaison and collaboration with inmate medical and mental health service providers. Develop performance measures, review operations, with attention to "near misses" and morbidity and mortality reviews. Assure completion of corrective action plans.

IMPROVING ACCOUNTABILITY AND TRANSPARENCY IN JAIL OPERATIONS

Results - Survey of the Field

1. The survey's methodology did not attempt to determine if there were multiple respondents from the same agency. Nor does the author make any claim of scientific rigor for survey methodology. However, results can be used to identify issues of shared concern, current practices by respondents, needs of the field, and areas for future study.[2]

ADP/Size of Jail	# of Jails	# of Respondents	Percent of Respondents	% of Jails Nationally
99 or fewer	1488	18	18.9%	.63
100- 249	677	11	11.5%	.39
250-499	305	17	17.9%	.60
500 - 999	205	24	25.3%	.85
More than 1000	151	25	26.3%	.88
	2826	95	100	

2. Do your jail's written policies, procedures, SOPs, etc., formally establish or define:

Table 1

	% All Respondents			% 0 To 249 ADP			% 500 to 1,000 ADP			% 1,000 or more		
	Yes	No	DN	Yes	No	DN	Yes	No	DN	Yes	No	DN
Data collection/analysis functions/tasks	61	31	8	48	38	14	79	13	8	64	32	4
Identification of data to be collected	62	32	6	52	38	10	79	13	8	60	36	4
Identification of data to be analyzed	48	37	15	34	45	21	57	22	21	60	36	4
Use of data in jail decision-making	56	37	6	54	32	14	67	33	0	48	44	8
Engagement in follow-up/corrective action plans	71	24	5	76	24	0	67	29	4	64	24	12
Identification of jail-specific performance measures	55	37	8	62	35	3	46	37	17	56	36	8
Periodic reporting of performance measures to employees	65	33	2	59	38	3	67	29	4	76	24	0
Periodic reporting of performance measures	50	38	12	48	45	7	58	25	17	60	28	12

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[2] Due to rounding of percentages; not all responses = 100%.

	% All Respondents			% 0 To 249 ADP			% 500 to 1,000 ADP			% 1,000 or more		
	Yes	No	DN	Yes	No	DN	Yes	No	DN	Yes	No	DN
to funding authority, elected officials												
Periodic reporting of performance measures to the public/citizens	34	52	14	31	62	7	33	33	33	40	48	12
Formal evaluation processes for programs, services, initiatives	53	43	4	45	55	0	54	29	17	64	36	0
Input by employees into policy making/revisions	75	20	4	76	24	0	92	4	4	64	28	8

Comments:
- Data is collected informally, on an as needed basis, to address issues. We are in the process of improving our data collection and performance measures.
- Every year, our agency publishes a budget document that contains program criteria related to policy document, operations guide, financial plan and performance measures
- We perform the majority of these tasks – but the process is not formalized in policy or procedures.
- The overall performance of detention operations is reviewed by detention staff. Some operations are dated but efforts to improve overall operations is on-going. Equipment issues have been first and foremost.
- We do not have mandated policy.
- Performance metrics are not jail specific.

3. Do your jail's written policies, procedure, SOPs, etc. formally establish or define a process to conduct:

Table 2

	% All Respondents			% 0 To 249 ADP			% 500 to 1,000 ADP			% 1,000 or more		
	Yes	No	DN	Yes	No	DN	Yes	No	DN	Yes	No	DN
Critical Incident Reviews	79	16	5	76	14	10	75	25	0	80	16	4
Root Cause Analysis	31	61	8	42	48	10	33	58	8	32	64	4
Corrective Action Plans	74	24	2	76	17	7	67	33	0	80	20	0

4. Does your jail/jail system designate a post, person or unit responsible for data collection, analysis, and report preparation (e.g. planning and research)?

Table 3

	% All Respondents	% 0 To 249 ADP	% 500 to 1,000 ADP	% 1,000 or more
Full-time organizational unit or command	21	3	33	40
Full-time person/post (one)	12	14	0	20
Part-time person/post	3	0	4	4
No person/post with this assignment	25	38	17	16
Responsibility shared among different positions	37	45	37	20
Don't know	2	0	8	0

Comments:
- Jail administrator or his/her designee work together along with jail personnel to complete all required report preparation.
- The unit for our agency is referred to as the investigations and Projects Unit
- We are a small jail with very limited staffing. This is one of the Administrator's multiple roles.
- Planning Section – multiple employees with an established hierarchy

5. Do your jail's written policies, procedures, SOPs, etc. formally establish or define a process through meetings or other means that regularly hold employees, managers, and leaders accountable for achieving performance measure, accomplishing goals, problem-solving, and corrective action?

Table 4

	% All Respondents	% 0 To 249 ADP	% 500 to 1,000 ADP	% 1,000 or more
Yes	68	66	75	60
No	31	34	25	40
Don't know	0	0	0	0

Comments:
- We will reward staff for all noticed improvements among staff along with constructive criticism

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- Commander meetings are held, however, performance objectives, goals, etc. are not discussed.
- After action reviews.
- Nothing in writing. But meetings are held once a quarter.

6. Does your jail have a formally established citizen advisory-only committee/group whose primary focus is jail operations?

Table 5

	% All Respondents	% 0 To 249 ADP	% 500 to 1,000 ADP	% 1,000 or more
Yes	5	3	4	8
No	89	93	83	92
Don't know	5	3	12	0

7. For citizen input/involvement, do your jail's written policies, procedures, SOPs, etc. formally establish or define a process/means for citizen involvement/input in:

Table 6

	% All Respondents			% 0 To 249 ADP			% 500 to 1,000 ADP			% 1,000 or more		
	Yes	No	DN	Yes	No	DN	Yes	No	DN	Yes	No	DN
Review of policies/procedures	3	91	5	0	93	7	9	78	13	4	96	0
Budget through development and review	6	86	8	0	90	10	9	74	17	8	92	0
Review of investigations of allegations of staff misconduct	12	83	5	7	86	7	22	65	13	12	88	0
Review of data reporting and analysis	7	88	5	3	90	7	13	74	13	4	96	0
Review of investigation of inmate deaths/serious injuries	13	80	7	7	86	7	17	65	17	16	84	0
Review of investigations of serious incidents	7	88	5	0	93	7	13	74	13	8	92	0
Advocate for the jail with funders/elected officials	14	79	7	7	86	7	13	70	17	25	75	0
Tours of the jail(s)	47	48	4	21	72	7	65	26	9	60	40	0
Assist with staff recruitment	20	76	4	7	86	7	39	52	9	24	76	0
Participate in candidate interviews	8	88	4	7	86	7	22	70	8	0	100	0

	% All Respondents			% 0 To 249 ADP			% 500 to 1,000 ADP			% 1,000 or more		
	Yes	No	DN	Yes	No	DN	Yes	No	DN	Yes	No	DN
Volunteering for inmate programs	59	37	4	34	59	7	71	21	8	76	24	0
Assist with inmate re-entry	48	47	4	17	76	7	71	21	8	64	36	0
Volunteering to support jail administration	28	67	4	17	76	7	43	48	9	32	68	0

Comments:
- We have a citizens' academy that is open to the general public. After completion the citizens are offered to become a member of the Sheriff's Office Volunteer Program. They assist with datal collection for some of the divisions, where needed throughout the agency.
- We do not have citizen involvement with any of the processes. We do have a commissioner assigned to oversee the detention center.
- Volunteers/citizen board are LEO function and not jail oriented.
- No civilian input.

8. Identify the oversight, if any, of your jail facilities/system (check all that apply):

Table 7

	All Respondents			0 To 249 ADP			500 to 1,000 ADP			1,000 or more		
	Yes	No	DN	Yes	No	DN	Yes	No	DN	Yes	No	DN
Legally established citizen oversight board/commission	16	80	3	10	83	7	17	83	0	20	76	4
Budget/staffing approval process by elected officials/funders	77	22	1	79	21	0	67	33	0	80	16	4
Regularly public hearings/meetings about jail performance	19	74	6	14	76	10	17	78	4	20	72	8
State authority through inspections	76	22	2	72	28	0	83	17	0	72	24	4
Voluntary inspections (e.g. ACA)	48	48	4	24	69	7	67	29	4	60	36	4
Community-based organizations or stakeholders	35	62	3	18	75	7	26	70	4	60	40	0
Court supervision (consent decree)	25	69	6	24	66	10	22	69	9	32	64	4
PREA Audit	52	43	4	21	72	7	73	27	0	76	20	4
Inspector general (or similar title)	18	71	11	21	68	11	22	65	13	13	79	8

Comments:
- Agency has been awarded "triple crown"
- Audited by federal agency (2)
- State Sheriffs' Association, Local Health Dept., Local Fire Department all do annual inspections
- Jail Population Control Committee; District and Municipal courts, DA's office, Community corrections and other criminal justice partners, meet to discuss the jail population and arrest trends and other factors.

9. When concluded, are these investigative reports routinely released to the public by your agency regarding:

Table 8

	% All Respondents			% 0 To 249 ADP			% 500 to 1,000 ADP			% 1,000 or more		
	Yes	No	DN	Yes	No	DN	Yes	No	DN	Yes	No	DN
Inmate deaths or serious injuries	43	34	23	39	25	36	54	17	29	48	48	4
Allegations of staff misconduct	13	78	9	14	72	14	17	75	8	12	84	4

Comments:
- Regarding inmate deaths or serious injuries:
  - All deaths are investigated by the State Jail Inspector and by the DA's office
  - Only by public record request (3)
  - All deaths are investigated by state agency (2)
  - All deaths are reported to local law enforcement for 3rd party investigation
  - Routinely is the key word. Circumstantial if released.
  - A report is given but not the actual investigative report.
- Regarding investigations of allegations of staff misconduct:
  - Only by public records request (5)

10. What information and data about your jail is available on the agency's website?

Table 9

	% All Respondents			% 0 To 249 ADP			% 500 to 1,000 ADP			% 1,000 or more		
	Yes	No	DN/ NA	Yes	No	DN /NA	Yes	No	DN/ NA	Yes	No	DN/ NA
Annual Reports	35	49	16	14	66	20	46	33	21	52	43	4

	% All Respondents			% 0 To 249 ADP			% 500 to 1,000 ADP			% 1,000 or more		
	Yes	No	DN/NA	Yes	No	DN/NA	Yes	No	DN/NA	Yes	No	DN/NA
Budget and Fiscal Reports	35	53	12	21	59	20	50	42	8	43	52	4
Commission on Accreditation for Corrections (ACA) Audit Reports	22	47	31	10	66	24	25	42	33	33	46	21
How to Access Inmate Health/Mental Health Care	49	40	11	21	62	17	54	29	17	71	29	0
Inmate Complaint Procedures	45	46	9	14	69	17	37	50	13	87	13	0
Jail Incident Data (General)	12	79	9	3	79	18	8	79	13	25	75	0
Jail Performance Measures/Metrics	13	77	10	3	79	18	17	68	15	21	79	0
Jail Policies and Procedures (non-security)	18	70	12	17	62	21	17	68	15	27	73	0
NCCHC Report	10	62	28	3	66	31	12	54	34	22	52	26
PREA Annual Report	29	49	22	7	69	24	37	33	30	50	33	17
PREA Audit Report	26	49	25	3	69	28	33	37	30	46	33	21
Program Evaluation Reports	7	70	23	3	69	28	8	58	34	17	75	8
Recruitment and Hiring Information	74	16	10	52	31	17	79	8	21	100	0	0
State Jail Inspections	18	59	23	21	55	24	12	50	38	21	62	17
Use of Force Information/Data (general)	7	76	17	3	72	25	4	68	28	21	79	0

Comments:
- Visitation times/inmate roster
- Legal Assistants/Interpreters, Behavioral Services, Inmate Handbook, Video Visitation Center Rules-regulations-sanctions, visitor information and specialized units' role/responsibilities.
- Posted information is generally several years outdated and not specific.
- Population Bookings
- Arrest report, Jail roster, programs offered, visitation system
- We do not have a website (2)

11. Is there routine participation by corrections/security staff with medical/mental health staff in review of:

Table 10

	% All Respondents			% 0 To 249 ADP			% 500 to 1,000 ADP			% 1,000 or more		
	Yes	No	DN	Yes	No	DN	Yes	No	DN	Yes	No	DN
Medical "near misses" of potential inmate harm	72	21	7	59	34	7	83	8	8	80	12	8
Morbidity and mortality reviews (inmate death)	67	26	7	59	38	3	75	17	8	80	12	8
Regular review of medical and mental health metrics/data for your jail	65	28	6	55	41	3	75	21	4	76	20	4
Setting of performance measurements/metrics for medical/mental health services	52	35	13	55	34	10	50	42	8	60	24	16
Oversight of corrective actions by medical/mental health services	60	29	11	62	31	7	67	25	8	64	24	12

Comments:
- No true med/mh oversight because of political pressure
- We have a treatment team made up of health care, mental health, security staff, and classification staff who meet weekly to discuss the more difficult patients/inmates.

12. In your opinion, how knowledgeable is your community, in general, about your jail's functions and operations?

Table 11

	% All Respondents	% 0 To 249 ADP	% 500 to 1,000 ADP	% 1,000 or more
Very knowledgeable	3	3	0	8
Somewhat knowledgeable	45	31	66	48
Not at all knowledgeable	52	66	33	44

Comments:

- We do a lot of high school, local leadership schools and college tours. We also partner with a local college to provide students for job shadow. Finally, we have medical interns and others doing some rotations.

13. In your opinion, what are any barriers to improving community knowledge of and involvement in your jail operation?

Table 12

	% All Respondents	% 0 To 249 ADP	% 500 to 1,000 ADP	% 1,000 or more
Absence of opportunities for community involvement	34	48	33	28
Lack of community interest	56	76	46	36
Lack of community trust in the jail	29	24	29	32
Lack of support by elected officials/funding authority	27	34	17	32
Need to update/expand agency website	40	38	46	36
Negative media attention about the jail	32	17	33	48
Readily available public information about the jail	31	34	29	28
Resistance of agency leadership to community involvement	14	10	8	24
Resistance of staff to community involvement	16	14	4	16

Comments:
- People don't care; they just want sheriff to handle it.
- We are a low-income county. In order to accommodate most of the things mentioned in this questionnaire, we would have to add another full-time employee in the form of a lieutenant to help with administrative paperwork and jail oversight duties. This position is already needed due to the workload that already exists. Our commissioners are hesitate to add extra staffing, even when needed, however, due to the financial burden it creates on the county.
- Hard to promote all the good jails do. Media is only interested in negative events. Elected officials don't care unless something bad happens. Jail leadership too busy to engage in community events.
- No barriers – just have not moved the ball forward.
- Leadership does not trust the jail staff on all levels to engage the community. Zero corrections professionals are allowed to post on the agency FB page but entry level new deputies are.

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- COVID (temporary we hope). As we grow staffing processes to screen and do background checks.
- Need to develop a website for our agency.
- Public has next to no knowledge of county jail. They fall for the TV stereotype of cesspool or think we can solve all the needs real easy (especially mental health).
- Our elected officials lack knowledge of the jail because they choose not to come to find out what the jail is about. We have invited them time and time again to show them what areas of concern we have and what we actually do; and they do not want to come and find out.

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[i] https://www.bjs.gov/content/pub/pdf/ji17.pdf, Table 8, page 8.