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LEGISLATIVE RESEARCH COMMISSION

INTERIM
REPORT
TO THE
1975

GENERAL ASSEMBLY OF NORTH CAROLINA
SECOND SESSION 1976

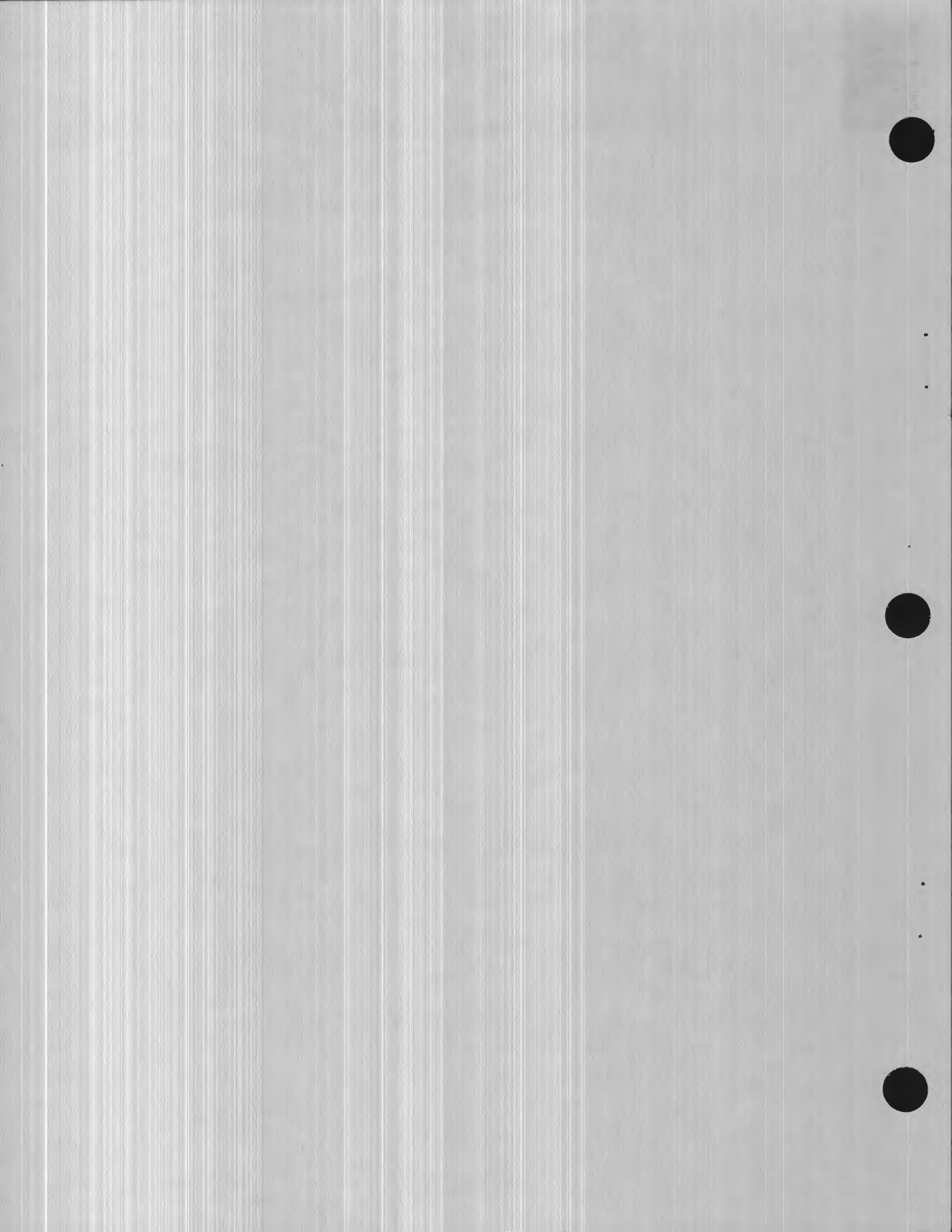


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FEMALES IN THE DEPARTMENT OF CORRECTION

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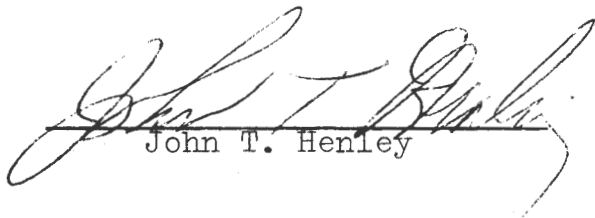


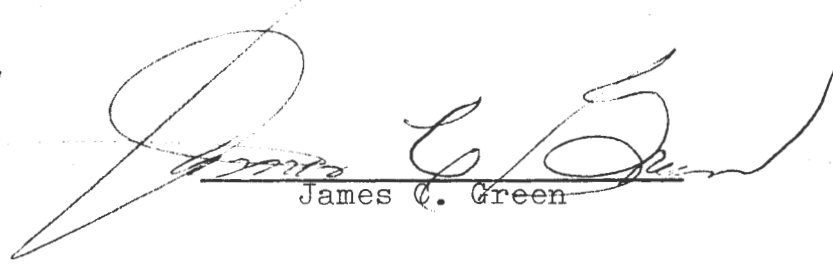
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TO THE MEMBERS OF THE GENERAL ASSEMBLY:

The Legislative Research Commission herewith transmits to the 1975 General Assembly (Second Session, 1976) the interim recommendations of its Committee on Females in the Department of Correction. This study was authorized by Chapter 851 of the 1975 Session Laws and this interim report was approved at the June 1, 1976, meeting of the Legislative Research Commission.

Respectfully submitted,


John T. Henley


James C. Green

Co-Chairmen

Legislative Research Commission

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State Legislative Building
North Carolina

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PREFACE

The Legislative Research Commission, authorized by Article 6B of Chapter 120 of the General Statutes, is a general-purpose study group. The Commission is co-chaired by the Speaker of the House and the President Pro Tempore of the Senate and has five additional members appointed from each house of the General Assembly. Among the Commission's duties is that of making or causing to be made, upon the direction of the General Assembly, "such studies of and investigations into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner" (G.S. 120-30.17(1)).

At the direction of the 1975 General Assembly, the Legislative Research Commission has undertaken studies of twenty-nine matters. These studies were divided into ten groups according to related subject matter. The Co-Chairmen of the Legislative Research Commission, under the authority of General Statutes 120-30.10(b) and (c), appointed committees to conduct the studies, the committees consisting of members of the General Assembly and of the public. Each member of the Legislative Research Commission was given responsibility for one group of studies, and served as chairman of the committees appointed within his area of responsibility. Co-Chairmen, one from each house of the General Assembly, were designated on each committee.



INTRODUCTION

Pursuant to Chapter 851 of the 1975 Session Laws, the Legislative Research Commission Committee on Females in the Department of Correction was appointed and charged with the evaluation of "the educational, vocational, and rehabilitative programs available to females committed to the custody of the Department of Correction, . . ." The Committee is further directed to "recommend possible improvements and additions to these programs."

The Committee has held eight meetings to date. A portion of one meeting was devoted to a visit to the North Carolina Correctional Center for Women and an examination of the physical layout of the institution. The Department of Correction has made numerous presentations, explaining in detail each program and service currently available to inmates at N.C.C.W. Citizens groups and concerned individuals have made significant contributions in an effort to protect the rights of inmates.

The Committee will conclude its work in time to submit a final report to the 1977 Session of the General Assembly. For the most part, the recommendations contained in this report call for no immediate action by the General Assembly. It is hoped that this Interim Report will serve three purposes. First, it will inform the members of the legislature of the issues raised during this study. Second, it will focus

attention on some specific tentative solutions to the perceived problems. Third, it will elicit responses from the Department of Correction and interested individuals with respect to the recommendations set forth. The Committee will re-examine these recommendations in light of the comments and criticisms they elicit. Efforts will also be made to assess the costs of recommended programs and where it appears in the best interest of the citizens of North Carolina, the Committee will make specific proposals for appropriations.

A list showing the membership of the Legislative Research Commission and one showing the membership of this Committee are attached to the end of this Report.

RECOMMENDATIONS

The Legislative Research Commission Committee on Females in the Department of Correction, after a review of the data it has thus far collected, and for the reasons set forth below, makes the following recommendations:

(1) All physical examinations or extensive body searches at North Carolina Correctional Center for Women should be conducted by, or under the supervision of, a licensed physician or registered nurse.

The Committee has heard testimony indicating that body searches for contraband, including vaginal examinations, have been conducted at N.C.C.C.W. by staff persons with no medical training. The complaints have included allegations that precautions have not been taken to insure the use of sanitary implements in these searches. The Committee feels that the best way to guarantee proper medical procedures and precautions is to have qualified medical personnel attending all physical examinations or extensive body searches.

(2) Personnel on the medical staff should be rotated regularly so that no physician or nurse will be treating inmates continuously for a long period of time.

There have been many inmate complaints about inadequate medical treatment at N.C.C.C.W. These complaints have not been directed, for the most part, at existing facilities or the qualifications of the medical staff, but rather at the staff's unwillingness to accept as valid claims of illness by inmates.

The Committee recognizes the problem confronting medical personnel in a prison setting: it can be difficult to determine if an inmate is really ill, or feigning sickness to avoid an unpleasant work assignment. The Committee feels, however, that in constantly facing this problem, even the most conscientious nurse or physician may become too willing to disbelieve an inmate. No matter how many malingerers are treated, every effort must be made to insure treatment will be provided when needed. By rotating the medical personnel on a regular basis, the Committee feels that a staff can better be maintained with a normal professional attitude towards the complaints of patients.

(3) The Department of Correction should review and reassess the psychological testing and psychological services provided for inmates at N.C.C.C.W.

The Committee has received testimony indicating that the psychological tests administered to incoming inmates at N.C.C.C.W. are inadequate to identify the emotional disturbances of many inmates. From a description of available psychological services, it appears that insufficient time is allotted to counseling and follow-up treatment after initial testing. The Committee recommends that these tests and programs be given a thorough review by the Department of Correction and that modifications be proposed. The Committee also stresses the advisability of placing inmates in work and other assignments based on analysis of the tests administered and not on the maintenance needs of the institution.

(4) Greater emphasis should be placed on vocational training which will enable inmates to become productive members of society upon their release.

The Committee feels that equipping inmates to get good jobs upon their return to society is the best way to reduce recidivism. It is important that the skills taught to inmates be those that will enable them to get worthwhile employment. Preparing an inmate for only menial work may be laying the foundation for frustration and a return to crime. Vocational training could be made available for beauticians, office machine maintenance, food preparation, child care, and nursing. Several of the recommendations that follow are directed towards good use of inmates' time while incarcerated, and meaningful preparation for work upon release.

(5) Private industry should be contracted with to employ inmates on jobs which can be accomplished within the Correctional Center for Women.

The Committee feels that private industry can be recruited to employ inmates on jobs to be performed within the facility. The inmates would work and be paid in a manner similar to work release, but because they would function within the institution, inmates could participate who are not eligible for work release. Money earned by inmates could be used to help defray the costs of their incarceration, to help support children or other relatives outside the prison, and to provide savings upon release.

Industry should be attracted to such a program as a source of labor and as an opportunity to perform a civic service. Assembly line work on small products would probably be most amenable to this type of program. Any equipment needed would be provided by the private company involved, and work would be done in existing facilities.

(6) Inmates should be given work assignments at mental health institutions and other state-operated facilities where their services are needed and measures to insure security have already been taken.

The Committee feels that a number of benefits may be obtained by placing inmates in jobs in state-operated institutions such as those provided for the mentally ill. Because security is maintained at these institutions, inmates not otherwise eligible for work release could be employed. There is a need for nurses' aides and similar workers which could be alleviated through such a program and which will create a market for the experience gained by an inmate upon her release. This type of work would enable motivated inmates to perform a worthwhile task and realize a feeling of accomplishment.

(7) Facilities should be constructed or converted for use in vocational training.

Several of the preceding recommendations deal with the importance of vocational training. The Committee feels that this importance cannot be over-emphasized. No matter what

steps are taken to improve vocational training programs, it is apparant that the institution lacks adequate facilities. The Committee is unaware of any building at N.C.C.C.W. which is not being used and would therefore be available for conversion for this purpose. If such a building is now, or will soon become, available, the Committee recommends that it be converted. If, as appears to be the case, all buildings are being used, the Committee recommends construction of a facility for vocational training.

(8) Efforts to place inmates in jobs upon their release should be increased.

Effective job placement is essential if inmates are to be returned to society in a useful capacity. In times of high levels of unemployment, it is especially difficult to find work for a person returning to freedom from prison. No amount of vocational training is meaningful unless the person who has received it has an opportunity to use the newly acquired skills. Without help from persons outside prison, locating a job before release can be nearly impossible. An effective placement program may be crucial to inmates who otherwise have no assistance.

(9) Courses in Adult Basic Education (ABE) should be made available to all offenders sentenced to terms greater than two years who have not graduated from high school.

Adult Basic Education is presently available to all youthful offenders. The Committee feels that any inmate

who has not received a high school degree and who has been committed for more than two years is in a position to significantly further her academic achievement. While ABE is already available to many of the inmates covered by this recommendation, the Committee feels that it should be available to all of them.

(10) The teaching and tutoring skills of both inmates and staff persons should be utilized to the greatest extent possible.

Officials of the Department of Correction have testified that departmental policy opposes inmates as instructors because it places one inmate in a position of authority over another. The Committee has also received testimony indicating that this policy is not strictly adhered to. The Committee feels that the need to utilize all existing educational sources requires that inmates and staff persons be allowed to use whatever teaching and tutoring skills they possess. No valuable expertise should be ignored, but should be applied both in academics and vocational training.

(11) The Pre-Release and Aftercare Program of the Department of Correction should be continued and expanded.

The Committee feels that this program provides contact with inmates at the most crucial time in terms of their readjustment to life in free society. For this reason, the program should be expanded to reach the greatest possible number of inmates whose records indicate that they would benefit from it. The Committee urges that the funding for

this program not be eliminated or reduced. Parolees should be included in the program.

(12) The building used for disciplinary segregation should be converted to some other use if feasible, and destroyed if not amenable to conversion.

The Committee feels that the building used for disciplinary segregation has outlived its usefulness for that purpose. It is unnecessary to list here the deprivations suffered by an inmate isolated in this facility. The Committee feels that such inhumane treatment has no place in the prison system of North Carolina and recommends that this building never again be used to house a human being.

(13) Procedures concerning indefinite non-punitive segregation should be revised.

Indefinite non-punitive segregation (INS) is an administrative segregation device for maintaining security and order in the prison system. It is not a specific problem with respect to N.C.C.C.W., but is applicable to both men and women. For this reason, the Committee has referred investigation of INS to the Commission on Correctional Programs. The Committee feels, however, that the apparent violation of the inmates' constitutional rights which is inherent in this practice merits notice in this Interim Report. This Committee lacks the resources to give INS the careful scrutiny it requires, but has received sufficient testimony to warrant a recommendation that these procedures be revised.

(14) A position should be established for a coordinator of voluntary programs.

The Committee feels that the general public offers a limitless reservoir of volunteer assistance for programs at N.C.C.C.W. Tapping this source, however, is a difficult and time consuming task. Some staff person must be given responsibility and sufficient time and resources to develop, institute, and coordinate voluntary programs. The Chaplain would seem to be one logical person to hold this position. Whoever is given this responsibility, it must be seen as a major part of his duties and a significant portion of his work-week should be devoted to this effort.

(15) The facilities at Richard T. Fountain Training School should be used for female youthful offenders convicted of misdemeanors.

One tentative proposal of the Special Joint Committee to Reduce the Budget is the closing of Richard T. Fountain Training School. If this proposal is adopted, the Committee recommends utilizing the vacated facilities for female youthful offenders committed of misdemeanors. The youthful offender population at N.C.C.C.W. is overflowing the single dormitory allocated to this group. Using Fountain as recommended would facilitate the separation of youthful offenders required by statute. It would also separate the youthful offenders who have committed the less serious violations from those who committed felonies. This

separation should increase the chances of rehabilitating the young female misdemeanants.

(16) Incentive pay should be uniformly available to inmates performing institutional work.

The Committee has heard testimony indicating that groups of women working side-by-side on the same task have contained some women who were receiving incentive pay and some who were not. The Committee recommends that, with respect to institutional labor, incentive pay be made uniformly available to inmates. Inequality of treatment is probably the most certain way to foster resentment and bitterness among inmates.

(17) A complete program should be developed for each inmate as part of the orientation and classification process.

Coming into the prison system is very likely to be a confusing time for an inmate. She is surrounded by uncertainties. The Committee feels that by working with the inmate during orientation to set up an overall plan of activities--work, schooling, vocational, etc.--a stabilizing influence may be exerted. Many of the uncertainties will be resolved. The inmate will know what will be expected of her during the entire duration of her prison term. The Committee does not recommend making this program inflexible, the attitude of the inmate may change as time goes on. This advance planning should also help administrators project future demands on various programs and services.



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1975-76

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