



U.S. Department of Justice

National Institute of Corrections

Washington, D.C. 20534

March 4, 2020

Senator William N. Brownsberger
Massachusetts Senate
State House, Room 319
Boston, MA 02133-1053
William.Brownsberger@MASenate.gov

Dear Senator Brownsberger:

The Massachusetts Special Commission on Correctional Funding Requested technical assistance from the National Institute of Corrections to provide a review of a draft statement of work (SOW) that could be used to secure external consultant recommendations regarding the appropriate level of funding for the Department of Correction and each sheriff's department within the state. A preliminary review of the draft SOW resulted in a telephone conversation with the Commission co-chair and an invitation to discuss concerns with the document at the next Commission meeting. After discussion with the members of the Commission, NIC secured the services of a recognized expert in the area of correctional staffing analysis to provide an assessment of the Commission's draft SOW and the content of this recommended statement of work.

This document examines three areas the Commission should consider in assessing the appropriate staffing needs for each unique jurisdiction: 1) Standards (Expectations), 2) Performance Measurement, and 3) Continuous Improvement.

RECOMMENDED STATEMENT OF WORK FOR ASSESSING THE STAFFING NEEDS FOR EACH UNIQUE JURISDICTION

Standards (Expectations) - A foundational basis to evaluate jail facilities and operations.

Presently, ten of the fourteen Massachusetts jurisdictions voluntarily seek accreditation for compliance with the Performance Standards for Adult Local Detention Facilities (ALDF) 4th Edition, published by the American Correctional Association (ACA) and administered by the Commission on Accreditation.

NIC facilitated the development of National Core Jail Standards, developed by ACA, the American Jail Association (AJA) and the National Sheriffs' Association (NSA). These standards were written as minimum standards, thoroughly grounded in the case law that has evolved over the last 40 years. The ALDF standards are written as the 'professional standards, exceeding the minimum standards that are implemented in approximately half of the States. These standards are available free of cost.

Jurisdictions in several states operate credible peer-audit programs to measure compliance with minimum standards. A self- or peer-audit form has been developed for the Core Jail Standards. The

Core Jail Standards were drawn from the broader ALDF standards -- all of the Core standards are included in the ALDF standards.

The provider will:

- Provide the Core Jail Standards to all jurisdictions.
- Provide the latest Self-Audit Form for the Core Jail Standards.
- Explain performance-based standards, outcome measures, and the Core Jail Standards to jurisdiction officials at their meetings (sheriffs, jail managers, and other key stakeholders).
- Develop a peer-audit system to implement audits using the Core Jail Standards.
- Each jurisdiction implements a self-audit.
- Conduct peer audits in the four jurisdictions that are not implementing ALDF accreditation.

Jurisdictions that are not accredited by the ACA Adult Local Detention Facilities (ALDF) Performance-Based Standards 4th Edition will have been peer-audited for compliance with Core Jail Standards.

Thereafter, every Jurisdiction will be audited under a peer-audit program managed by the Commission for compliance with either the Core Jail Standards or the ALDF 4th Edition.

Performance Measurement - A statewide mechanism to measure jail performance using objective evidence of outcomes.

Because many jurisdictions are already ACA accredited, those jurisdictions have an established baseline of conditions by which performance is measured. ACA's *Performance-based Standards*:

- describe *conditions* that are to be achieved;
- provide *outcome measures* to measure the extent to the performance condition is achieved using objective data and information;
- provide *expected practices* intended to implement to achieve the condition sought;
- provide *process indicators* used to determine the extent to which the expected practice has been implemented; and
- provide *protocols* that should be developed to guide operations.

ACA's performance-based model is intended to enable agencies to collect, track, and analyze internal outcomes related to each standard to gauge their performance and adjust their operations accordingly. The standards interface with all aspects of operations, including safety, security, order, care, programs, justice, and administration, among others.

The provider will:

- Conduct peer audits in the four jurisdictions that are not implementing ALDF accreditation.
- Establish a template and instructions for assembling three years of outcome measures from the four jurisdictions that do not have them.
- Assemble this data in a central database and create protocols for access and analysis.
- Develop protocols for analyzing the data for the purpose of Commission funding decisions.

Every jurisdiction will have a least three full years of outcome measures data available for analysis.

Thereafter, quarterly outcome measure reports will be submitted by every Jurisdiction to the Commission.

Continuous Improvement - *Using comprehensive jail staffing analysis methods and tools to move forward.*

NIC has developed and refined a comprehensive jail staffing analysis process over the past 32 years. This process is designed to be self-administered, as it does not rely on outside “experts.” It requires the participation of a cross-section of all jail stakeholders, who work through a series of steps that develop a detailed staffing plan. The process:

- gathers and analyzes data as a foundation for subsequent analysis;
- uses outcome measures and other performance measures to identify policies and practices that require extra attention;
- generates a detailed staffing plan from the ground up to ensure that *needs* are met - no less and no more;
- explains, illustrates, and provides justification for the specific staffing resources that are needed;
- restores fundamental security and safety practices that have eroded over time; and
- generates implementation plans that ensure that the number of staff available on the ground at a given time (supply) matches operational demands to ensure safety and security.

When adhered to in both practice and principle, this process results in a detailed report that addresses a jurisdiction’s current staffing levels and the unique needs associated with their operational characteristics. This report can be shared with other jurisdictions in a peer review process, inform funding authorities, and serve as a baseline historical document that should be updated and revised annually.

The provider will:

- Disseminate the jail staffing analysis texts and tools to all jurisdictions.
- Develop a library of materials that may be used during the process.
- Provide training to assist with the implementation of a staffing analysis for all jurisdictions.
- Identify four ACA-accredited jurisdictions to serve as pilot sites. These should be located in different regions of the state and should represent a variety of facility capacities, design, and operational practices.
- Implement a comprehensive staffing analysis in each of the four pilot sites. Invite representatives from the non-pilot jurisdictions to participate.
- Implement a staffing analysis in the other eight jurisdictions. Provide technical assistance and mentoring as needed.
- As staffing analysis reports are completed, share them with at least two other jurisdictions and ask for a thorough review and comments – peer review process.

Every jurisdiction will have completed a comprehensive jail staffing analysis using the NIC Staffing Analysis methodology and tools. Each jurisdiction's staffing analysis report will have been reviewed by officials from at least two other jurisdictions and by others as appropriate as established by the Commission.

Thereafter, every jurisdiction will update its staffing analysis annually.

The provider will:

Provide the Commission with all of the information and findings from the preceding three initiatives: 1) Audit Report, 2) Outcome Measures, and 3) Staffing Analysis Report. The Commission will maintain an ongoing database for this material.

Thereafter, the Commission will ensure that standards audits, outcome measures, and updated staffing analysis reports are prepared and submitted annually to coincide with the budget process.

Recommended Qualifications of Provider

It is recommended that any potential provider be able to:

- demonstrate familiarity with ACA standards and auditing process;
- demonstrate experience of having conducted multi-institutional staffing analyses using NIC's staffing analysis process methods; and
- demonstrate instructional experience using NIC Staffing Analysis curriculum(s).

Conclusion

In closing, we thank the Commission for the opportunity to provide assistance and hope this document is responsive to the Commission's request. NIC stands ready to further assist the Massachusetts Legislature with training and technical assistance in reaching its goal of utilizing best practices in their work.

Sincerely,



Stephen Amos
Chief, Jails Division