

Report to the Colorado General Assembly:

CORRECTIONAL FACILITIES FOR FEMALE OFFENDERS



COLORADO LEGISLATIVE COUNCIL

RESEARCH PUBLICATION NO. 71

DECEMBER 1962

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FOR FEMALE OFFENDERS

Legislative Council Report
To The
Colorado General Assembly

Research Publication No. 71
December, 1962

COLORADO GENERAL ASSEMBLY



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December 10, 1962

To Members of the Forty-fourth General Assembly:

As directed by the terms of Senate Joint Resolution No. 17 (1962), the Legislative Council is submitting herewith its report and recommendations on correctional facilities for female offenders.

The committee appointed by the Legislative Council to complete this study submitted its report on November 30, 1962, at which time the report was accepted by the Legislative Council for transmittal to the General Assembly.

Respectfully submitted,

James E. Donnelly
Chairman

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December 10, 1962

Senator James E. Donnelly, Chairman
Colorado Legislative Council
State Capitol
Denver 2, Colorado

Dear Senator Donnelly:

Transmitted herewith is the report of the Legislative Council Women's Prison Committee, appointed pursuant to Senate Joint Resolution No. 17 (1962). This report covers the committee's study of the need for and feasibility of establishing a correctional facility for Colorado's female offenders and contains the committee's findings and recommendations.

Respectfully submitted,

/s/ Senator Sam Taylor, Chairman
Women's Prison Committee

FOREWORD

This study was made under the provisions of Senate Joint Resolution No. 17, passed at the second session of the Forty-third General Assembly. This resolution directed the Legislative Council to make a thorough study of the need for the construction or acquisition of a new women's prison in Colorado, including consideration of an interstate women's correctional facility. Further, this resolution specified that the Legislative Council shall make its final report and recommendation on this study to the Forty-fourth General Assembly upon its convening in 1963.

The committee appointed by the Legislative Council to make this study included: Senator Sam T. Taylor, Walsenburg, chairman; Senator Charles E. Bennett, Denver, vice chairman; Senator Rena Mary Taylor, Palisade; Senator Hestia Wilson, Nucla; Representative Ruth B. Clark, Fort Collins; Representative Lela S. Gilbert, Denver; Representative John L. Kane, Northglenn; Representative C.P. Lamb, Brush; Representative Harold L. McCormick, Canon City; Representative M.H. Morgan, Eagle; Representative Elizabeth Pellett, Rico; and Representative H. Ted Rubin, Denver. Harry O. Lawson, Legislative Council senior research analyst had the prime responsibility for the staff work on this study.

Five meetings were held by the Legislative Council Women's Prison Committee during the course of its study. One meeting was held at the state penitentiary, where the committee toured the present women's facility and examined possible sites for a new institution. The committee chairman and another committee member also examined sites in Huerfano County, and delegations from various areas of the state appeared before the committee at two meetings.

In making its study, the committee considered the following: 1) trends in the number of female offenders before the courts and given institutional commitments; 2) adequacy of present facilities and programs; 3) possibility of interstate cooperation; 4) criteria for site selection; and 5) type of facility and programs needed and estimated costs.

The committee wishes to thank the following state officials for assistance they provided during the course of the study: Harry Tinsley, Chief of Corrections, Department of Institutions, and Warden, Colorado State Penitentiary; Edward Grout, Director, Adult Parole Division; and Mrs. Margaret Curry, Women's Division, Adult Parole Division. The committee would also like to express its appreciation to Mrs. Irma Wagner, Administrative Assistant, Illinois State Reformatory for Women, for meeting with the committee and providing it with the benefit of her experience and knowledge of women's correctional programs and facilities. In addition, the committee wishes to acknowledge the assistance provided by the judges who completed the committee questionnaire on women before the courts.

December 10, 1962

Lyle C. Kyle
Director

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COMMITTEE FINDINGS AND RECOMMENDATIONS

Colorado uses two facilities for the confinement of female offenders. Those given penitentiary sentences are committed to the women's department, an adjunct of the main prison in Canon City. Those given reformatory sentences are committed to the Denver County Jail, which was designated as the state reformatory for women by executive order of Governor Edwin C. Johnson in 1955. The increase in the number of female prisoners in recent years and the lack of adequate programs for these offenders have caused considerable concern. This concern led to the passage of Senate Joint Resolution No. 17, 1962, which directed the Legislative Council to make a thorough study of the need for the construction or acquisition of a new women's prison.

Committee Findings

1) Colorado's facilities for female offenders are already considerably overcrowded, and the situation is expected to become much worse in the near future.

Colorado's female reformatory and prison population has more than tripled since 1955, when there were 14 inmates in the women's department at the state penitentiary and two girls of reformatory age confined in the Denver County Jail. The women's department at the penitentiary has a maximum capacity of 38; during the summer and early fall of 1962, there were from 42 to 48 women inmates. Because of this overload on the facilities of the women's department, six inmates were transferred to the Denver County Jail. These transfers were in addition to the six girls already confined there as reformatory inmates.

Warden Harry Tinsley estimates that Colorado will have at least 75 female inmates by 1970. This total does not include the number of additional commitments which might be made by the courts if the state

had adequate facilities and programs. Responses from Colorado district judges indicate that 15 to 30 additional commitments might be made under such circumstances.

2) Colorado does not have adequate programs for female offenders, although efforts have been made within present staff and facility limitations.

The establishment of satisfactory programs at the women's department of the state penitentiary has been hampered by the inadequacy of the present facility in size, arrangement, and expandible area. At present academic classes are held in the dining room three evenings a week. On one evening the Alcoholics Anonymous group meets, and one night is devoted to a nursing and hair dressing program. None of these programs are carried on during the day, and there are no vocational training or industrial arts programs, such as sewing. Both the outdoor and inside recreational areas are limited.

One of the major problems with the Denver County Jail is the lack of any program at all or even anything for the girls to do. There is no psychiatric or psychological help available and very little medical treatment.

3) There are other disadvantages to the facilities presently used for female offenders.

The immediate proximity of a male prison creates an unfavorable atmosphere, and such nearness constitutes a serious security problem. Moreover, attention to program and medical-psychiatric services are of necessity concentrated on the men, who make up the bulk of the prison population. At the Denver County Jail, the girls with reformatory sentences have to mix with prostitutes and other undesirables who have been committed for misdemeanor offenses. Generally, reformatory inmates are exposed to this unhealthy environment for seven to nine months.

4) It is impossible to expand the women's department at the penitentiary adequately.

There is very little area for expansion of the women's department building because of its proximity to the east wall of the main prison. It is Warden Tinsley's opinion that 10 cells at the most could be provided by extending the present structure. There would be no additional space for rehabilitation programs, and the building would not be any better arranged for this purpose than at present. The addition of 10 cells would not alleviate the present crowded condition for very long, and expansion of the women's department would not meet the need for an adequate facility and program for female reformatory inmates.

5) The boarding of female prisoners in another state offers at best only a temporary solution.

Colorado would have to board from 12 to 15 female prisoners in another state if present overcrowded conditions were to be alleviated in this way. If this approach were to be followed for any length of time, it would require finding space for 35 to 40 women. Most other states of approximately Colorado's size and larger are finding that their female inmate population is also on the increase. It would be difficult, therefore, to find sufficient space in any state near Colorado to house 12 to 15 women prisoners for any length of time, let alone 35 or 40.

The cost of boarding 15 women prisoners in another state with an adequate program (if space were available) would cost more than \$30,000 annually. This expense would contribute nothing to a long-term solution for Colorado, but might be justified as a means of relieving population pressures while other steps were taken.

6) There is little possibility at this time that several western states would be willing to join together to establish an interstate facility for female offenders, although three states might be interested in boarding prisoners if Colorado established a women's correctional institution with an adequate program.

There are several reasons why there is little possibility that a number of western states either can or will get together to appropriate funds for an interstate facility for women: 1) legal obstacles to the appropriation of funds for a facility in another state; 2) legislative opposition (even if no legal obstacles) to the appropriation of funds for a facility in another state; 3) difficulty of getting legislatures in participating states to take action at the same time; and 4) plans and construction by some states (which otherwise might be interested) to solve the women's facility problem within their own borders. Several western states are currently in the process of building correctional facilities for women or have just completed such facilities. These states include: Arizona, Montana, Nevada, and Oregon. Wyoming has contracted to board its female prisoners at the Nebraska State Reformatory for Women.

Even though Utah has a new facility for women offenders located near the main gate of its state penitentiary, it would like to use this building for a pre parole center and would, therefore, be interested in boarding its women prisoners (approximately 15) in Colorado, if this state were to construct a new facility with adequate staff and program. New Mexico is also interested in boarding women prisoners in Colorado. The present facility is located within the confines of the New Mexico State Penitentiary, and with 21 inmates, it is almost filled to capacity. However, expected per diem and capital construction charges might deter New Mexico from making such an arrangement. South Dakota (four to eight

prisoners) might also be interested in boarding women prisoners in Colorado, according to Warden Tinsley.

Committee Recommendations

1) Colorado should build a correctional facility for both female penitentiary and female reformatory inmates. This facility should have an initial capacity of 90 to 120 and an expandable capacity to a maximum of 240 to 300.

It is difficult to forecast with a high degree of accuracy the exact size of a women's correctional facility which would be needed by late 1964 or 1965, the probable time when an institution would be ready for use if approved by the Forty-fourth General Assembly in 1963. Best estimates indicate that there will be between 75 and 80 inmates (both penitentiary and reformatory) by 1965. The most feasible approach would be to plan initial capacity to be 25 per cent to 30 per cent in excess of expected need at the time the facility is opened.

The construction design should be such that it would be relatively easy to build additional units or wings. Long range planning should include a sufficient land area for expansion and the installation of utilities with sufficient capacity to provide for a larger institution. Central facilities such as the dining room and class rooms should either be larger than the initial capacity of the institution warrants or should be arranged in such a way that expansion would be possible without much additional building or remodeling.

Even though other states have indicated interest in boarding women prisoners in Colorado, it is difficult to justify making allowances for their needs in determining initial capacity, when their participation may not be decided definitely until after the institution is built. Any space not needed by Colorado, however, could be made available to other states at a per diem cost for maintenance for each prisoner plus a

surcharge which would apply against the cost of construction. Should a state wish to enter into a firm commitment with Colorado for the use of a specified number of beds, these could be provided under the long range expansion program.

Most of the architectural suggestions presented to the committee have involved the use of separate one-story cottage-type buildings housing 30 to 60 inmates or one building with wings or spokes which would be used as living quarters for 30 to 60 inmates. The institution should reflect the correctional philosophy in effect, and both the facility and programs should be planned and developed at the same time. Warden Tinsley has stressed the relationship between physical environment and institutional programs. The former has a pronounced affect on the success of the latter. In this respect, it is important that the facility not have a penal atmosphere, even though it is designed with sufficient security features. Reformatory and penitentiary inmates should be housed separately, but should share the same classroom, industrial, and recreational facilities.

2) The area in which the proposed facility is to be located should be determined by the General Assembly, and the specific site within the area should be selected by the Department of Institutions and the Division of Corrections. Certain criteria, however, should be followed in determining the location of the proposed facility.

Many communities in the state have expressed interest in having a women's correctional facility located in their areas. Those expressing interest of which the Women's Prison Committee has knowledge include: Alamosa, Canon City, Cripple Creek, Florence, Fowler, La Veta, Montrose, Rangley, San Luis, Trinidad, Victor, and Walsenburg. There have also been

recommendations that the proposed facility be located somewhere in the Denver Metropolitan Area.

Because of this widespread interest in the location of the proposed institution and the large number of communities which have expressed desire to be considered as a possible site, the Women's Prison Committee is of the opinion that the determination of the area or the community where the institution is to be located should be made by the General Assembly. Once the area or community has been determined, specific site selection should be left to the Department of Institutions and the Division of Corrections because of the technical considerations involved.

The Committee recommends that the following criteria be followed in determining the location of the proposed facility:

a) Acceptance of Institution in the Community in Which it is Located -- It is vitally important that the community accepts the fact that there is to be a correctional facility in its midst. There are a number of problems with reference to the correctional facility that overlap into the community, and if the community is not willing to accept its responsibilities in connection with these problems, the operation of this facility can be an almost insurmountable task.

b) Availability of Personnel -- It is important that the community in which a correctional facility is located be able to provide or attract competent personnel to operate the institution. If competent personnel cannot be attracted to the community in which it is located, the chances for a successful correctional facility are very remote. It is also important to keep in mind the availability of, not only paid personnel, but also volunteer personnel from the community who will assist with various part-time and volunteer activities, such as pre parole programs, Alcoholics Anonymous programs, religious programs,

educational programs, and possibly student training programs. The community in which the institution is located must have the citizen potential to take part in these programs or to attract people to come into the community for this purpose.

c) Availability of Supporting Institutions -- It is vitally important to have a public hospital located within a few miles, as it would probably be impossible to have a fully-equipped surgical hospital at the women's facility, and it would be necessary to call upon private hospitals to take care of surgical cases that could not be handled in the institution's medical facilities. Also, it is important that institutions be located within reasonable distances of state-supported mental institutions, as there will always be a certain number of women inmates who will have to be transferred for specialized mental treatment. If other state institutions are located in reasonably close proximity, there is a possibility of combined purchasing, with all the institutions buying their supplies jointly. Further, there is the possibility of receiving staff assistance from nearby institutions.

d) Accessibility -- It is important that the facility not be located in a remote section of the state, but on or near well-traveled highways that can be reached from every section of the state, both for the transportation of prisoners and for availability to visiting relatives. It is important that it not be located adjacent to major highways, but that it is accessible by good roads connected to major highways.

e) Availability of Utilities -- It is important that such items as water, power, and fuel be available for this site, as well as the potentiality of developing its own sewage system or connecting with an established sewage system. Perhaps, the most important of all these utilities is the availability of sufficient domestic and irrigating water.

f) Potentialities for Development of the Site Both as a Functional Institution and One that is Attractive and Pleasing -- The site that is selected should be viewed as to how it will look in future years. It is not important that all efforts be made toward the development of the aesthetic features in an institution, but it is important that they be given serious consideration, so that the site that is selected can be developed to provide a functional, businesslike appearing institution, yet one that has certain attractive features.

COLORADO'S INSTITUTIONAL NEEDS FOR FEMALE OFFENDERS

Facilities and programs for female offenders have been matters of considerable concern for a number of years in Colorado. This concern led to the passage of Senate Joint Resolution No. 17 (1962), which directed the Legislative Council to make a thorough study of the need for the construction or acquisition of a new women's prison and to consider the possibility of an interstate facility.

The relatively recent increase in the number of women confined in the women's department at the state penitentiary led to the request for the present study. The problem was before the Legislative Council prior to the passage of Senate Joint Resolution No. 17. The Department of Institutions requested that the Council make a study of the need for and feasibility of establishing a women's correctional facility in September, 1961. The Council referred this request to the Criminal Code Committee, which accepted the study but could not give it high priority because of its other work, although portions of two meetings were devoted to it.¹

Earlier concern over the confinement of female offenders was primarily about the lack of proper facilities and programs for those in the 18-25 year age bracket, offenders most usually thought of as being more appropriately confined in a reformatory rather than a prison. As the number of women prisoners in the penitentiary increased, the problem took on added dimensions.

A Brief History

Penitentiary Facilities

The first female felon to be incarcerated in the state penitentiary was sent there in the early 1870's. Since that time, there has always been a separate facility or a section of the main prison set aside for female offenders. The original women's prison was located in the southeast corner of the main prison and was used until 1934. The two-story facility built at that time is still being used as a women's prison. On the top floor are 30 cell-type rooms and three offices. The bottom floor contains a dining room, kitchen, small recreation room, laundry room, and a room-style dormitory for eight additional prisoners. A very small area adjacent to the building is used for recreational purposes.

Reformatory Facilities

Colorado has never had a separate reformatory facility for female offenders. Either various county jails were used or contractual arrangements were made with a neighboring state. The most recent contractual arrangement was with the Nebraska state reformatory in 1952. During that year, four young women were sent to that institution

1. Colorado Legislative Council, Minutes of Meeting, September 28, 1961.

at a cost to Colorado of \$100 per month per inmate. This contract was terminated after the Nebraska reformatory was inspected by Senator Rena Mary Taylor (then a member of the Institutional Advisory Board) and found to be unsuitable.²

From 1952 until June 1955, the Denver, El Paso, and Arapahoe county jails were designated by executive order to be used as state reformatory facilities for girls. The cost varied from \$45 per month in 1952 to \$60 per month in 1955 for each girl. The Denver County Jail was designated as the only such facility to be used as a state reformatory for women by an executive order of Governor Edwin C. Johnson in July 1955. This executive order has not been changed, and the Denver County Jail continues to be the only county facility designated as the Colorado women's reformatory. In 1955, the state paid a per diem rate of \$2.25 for each young woman sentenced to the Denver County Jail as a state offender. The current per diem rate is \$4.00.

In 1956, the Fortieth General Assembly amended the statute providing for age limits at the Mount View School for Girls (Morrison) so that the school could receive girls up to the age of 21 instead of 18, as the law read previously. The amendment also authorized the school to keep girls until the age of 22. The superintendent of the school refused to take girls over the age of 18 because of the lack of adequate facilities and the dubious benefits to be derived from mixing those in the 18 to 21 age group with younger girls. At that time the superintendent had statutory authority to refuse to accept commitments. No facilities for this purpose have been constructed at Morrison, and even though the superintendent no longer has statutory authority to return girls to the committing court, the courts no longer commit girls over 18 to the Mount View School.

Previous Studies

At the same time Governor Johnson issued his executive order designating the Denver County Jail as a women's reformatory, he also requested the State Planning Commission³ to make a survey to determine the need for a separate facility for state female offenders of reformatory age.⁴ The planning commission's findings were published in January, 1956⁴. In making this study, the planning commission consulted judges, sheriffs and other law enforcement officers, and correctional officials. While the commission made no specific recommendations, it summarized the various proposals presented to it as follows:⁵

2. The administration and program at the Nebraska reformatory has changed considerably in recent years, according to Colorado parole officials. The conditions no longer exist which caused Colorado to terminate its arrangement with that institution in 1952.
3. Now the State Planning Division.
4. The Extent of Need In Colorado for a State Correctional Institution for Women, State Planning Commission, January, 1956.
5. Ibid., p.8.

- 1) that the state construct a special facility for older young women on the grounds of the State Industrial School for Girls at Morrison and that the facility be placed under the management of the school;
- 2) that the state construct a correctional facility elsewhere than at the State Industrial School and that the management of the facility be entirely apart from the school;
- 3) that the state do not, at present, construct a new facility, but use the new Denver County Jail, the state paying the necessary charge for such use; and
- 4) that the state enter into an interstate compact with neighboring states and that a facility be established and so designed that one section will serve as a women's prison and another section as a reformatory for young women, with a rehabilitation program provided, and that the several states send their women offenders to this facility and pay for their cost on a per capita basis.

A number of officials with whom the commission discussed this problem felt there was a real need for a reformatory for women. Others thought that there was no need for such a facility or that there were other needs in the field of delinquency and corrections which should be met first. With the exception of the recommendation for an interstate facility for women with a combination of penitentiary and reformatory facilities, there was not much concern expressed about the women's prison at Canon City. There were perhaps two major reasons for this lack of concern. First, there were other projects and programs considered more important. Second, the population of the women's facility had not reached alarming proportions. As of September, 1956, for example, there were 30 women confined in the women's department at the state penitentiary; however, eight of these were from Utah and four from South Dakota. They were boarded at Canon City under an agreement with these two states. Both of these states paid maintenance costs to Colorado of \$2.75 per day per inmate.⁶

Legislative Council Study. In 1956, the Legislative Council made a study of the over-all correctional situation in Colorado including: institutions, programs, sentencing, probation, and parole.⁷ Only a small portion of this study was concerned with facilities and programs for female offenders. One of the recommendations resulting from that study was that a facility be constructed for female offenders of reformatory age.⁸ This recommendation was based on the finding that Denver County Jail was inadequate because of a lack of staff, programs, and proper facilities. Even though this recommendation was made, it was pointed out that there would probably be too few female offenders

6. Colorado's Programs In The Field of Corrections, Colorado Legislative Council, Research Report No. 21, December, 1956, p.55.
7. As directed by House Joint Resolution No. 12, (1956).
8. Colorado's Programs In The Field of Corrections, op.cit. p.5.

of reformatory age in the next few years to make it practical for Colorado to construct an institution for this purpose alone. For this reason the possibility of an interstate facility was suggested, such facility perhaps to include both reformatory and prison inmates.⁹

Even though the women's department was not crowded, penitentiary officials were concerned for several reasons: 1) the lack of adequate vocational, academic, and other programs; 2) the security problem caused by the women's department's proximity to the main prison; and 3) the lack of space to expand the women's prison to meet the anticipated future increase in the number of inmates and to provide adequate facilities for rehabilitation programs.¹⁰

Dr. Sanford Bates. In 1958, Dr. Sanford Bates, nationally-known correctional official and consultant, was retained by the State Planning Division to examine the buildings and grounds of the state correctional institution, particularly the state reformatory at Buena Vista, and to make recommendations for future building and program needs. One of Dr. Bates' recommendations also pertained to facilities for female offenders:¹¹

Most states have abandoned the idea of placing women in the State Penitentiary, and many have set up an institution which places more emphasis on rehabilitation than on punishment....

The recommendation that Colorado provide such a separate but well-staffed institution for women is but a reflection of the better judgment of all informed people in the State. For years informed visitors from abroad have pointed to our separate women's institutions in America as models of their kind and far superior to men's prisons. The much better records of success on parole would seem to confirm this. There seems to be no excuse for Colorado not to follow the lead of larger states in this regard. (underlining in original text.)

Western Interstate Corrections Compact

At a meeting of the Western Governors' Conference in 1958, the chief executives present agreed that joint use of correctional institutions was desirable and that the practice should be encouraged and expanded. The chairman, Governor Robert E. Smylie of Idaho, named a special committee to formulate specific recommendations. Members of the committee were Governor George D. Clyde, Utah, chairman; Governor Stephen L. R. McNichols, Colorado, and Governor Milward L. Simpson, Wyoming. With the assistance of consultants, the committee developed a proposed interstate corrections compact which, after extensive review

9. Ibid.

10. Ibid., p.55.

11. Colorado's Penal and Correctional Institutions, Report of a Survey and Recommendations by Dr. Sanford Bates, Colorado State Planning Division, March 1958, pp.24 and 25.

and revision, was approved by the Western Governors' Conference in November, 1958. Colorado was one of the initial nine western states to ratify the compact; this action was taken by the General Assembly in 1959.

The governors of the ratifying states named an advisory group of institutional officials to assist them in implementing the compact. This advisory group met in San Francisco in August, 1959. Among the findings and conclusions formulated by the advisory committee at this meeting was the following:¹²

Among the special categories of inmates, women prisoners present the most urgent problem. In most western states, the program for women prisoners consists of little more than custody. And with few exceptions, the custodial facility is an appendage to the prison for men rather than a separate institution with staff and facilities specifically designed to meet the special needs of women prisoners.

From the correctional point of view, the state prison is not considered a desirable site for a women's institution. Clean, comfortable and secure quarters for women can be and are maintained at predominantly male prisons, but clean and comfortable quarters are not enough. In addition, a carefully worked out program of counselling, treatment and training is needed for the rehabilitation of women prisoners. The nearness of a male prison creates an undesirable atmosphere. Moreover, attention to program and medical-psychiatric services at the state prison is concentrated of necessity on the men, who make up the bulk of the prison population. Even when special attention is focused on the women's section of the state prison, space is lacking for an adequate work program, and the small number of women involved in most western states raises the per capita cost of even the most rudimentary work or training program to an excessively high level.

Western correctional administrators are agreed that the need for a specialized regional institution and program for women cannot be stressed too strongly. Most of the western states are struggling to provide merely custody for women prisoners, and none of the states has any unused capacity that could be placed at the disposal of other states in the region. Even if planning were begun immediately and carried forward expeditiously, one or two years or even more time might elapse before a facility could be completed to help relieve the urgent needs of the western states for suitable facilities and programs for their women

12. Western Interstate Corrections Compact, The Council of State Governments, Western Office, San Francisco, November, 1957, pp.21 and 22.

prisoners. Eventually, two or more regional institutions may be needed in the West to provide adequately for women prisoners at economically feasible costs.

Examination of Denver County Jail. In 1959, Warden Harry Tinsley, Colorado State Penitentiary, and Chief of Corrections, Department of Institutions, and wardens and correctional officials from several western states examined the Denver County Jail to determine its suitability as an interstate facility for women. They concluded that the jail could not be used as a women's reformatory without extensive renovation. The State Planning Division estimated that it would cost approximately \$900,000 to remodel the jail to make it suitable as a women's institution. The estimated purchase price for the jail at that time was between two and three million dollars. The total cost (purchase price plus renovation) of between three and four million dollars was considered much too expensive by the officials examining the facilities, and no further action was taken.

Recent Trend in the Number of Female Offenders in Colorado

In 1951, the population of the women's department at the state penitentiary varied from 32 to 35. Half of these prisoners were from other states: South Dakota, Utah, and Wyoming. As the number of state commitments increased, Colorado was forced to terminate its boarding agreements with other states. Between 1950 and 1960, the number of Colorado inmates in the women's department doubled (from 16 to 32). During 1961, the average number of women incarcerated was 35.

The number confined as reformatory inmates at the Denver County Jail varies considerably. In the past two years, it has averaged between four and six. (Often female offenders confined in the Denver County Jail are transferred to the state penitentiary by executive order, because of the unsuitability of the Denver facility.)

The Present Situation

Inmate Population and Women Before the Court

As recently as last year, Warden Tinsley estimated that Colorado would have 50 female penitentiary inmates as of 1970. In light of present experience, he has revised this estimate upward to a total of 75. At the time this report was written (September, 1962), there were 45 women incarcerated in the penitentiary (with a maximum capacity of 38) and the number reached a maximum of 48 during the summer months. Because of this overload on the facilities of the women's department, six inmates were transferred to the Denver County Jail. In addition to these six there were six girls who were reformatory inmates at the Denver County Jail.

Women Before the Court. When the planning commission made its survey in 1955, it found that at least 330 women and girls between the ages of 16 and 25 had been before the courts during the five-year period, 1950 through 1954. Of this total, 67 were committed to state

institutions. A somewhat similar survey made by the Legislative Council Women's Prison Committee, covering 1960, 1961, and the first three months of 1962 showed that during this 27-month period at least 447 women and girls in this age group were before the courts, and 75 were committed to state institutions.¹³ In all, at least 783 women and girls were before the courts on criminal charges or delinquency petitions for acts which would have been crimes had they been so charged.

In 1955, the Planning Commission found that approximately one-half of the women and girls in the 16 to 25 year age group who were before the courts from 1950 through 1954 were placed on probation. The use of probation has not changed much according to the most recent survey. Excluding pending cases, dismissals, and acquittals, slightly more than 52 per cent of all female offenders were given probation in 1960, 1961, and the first quarter of 1962.

The most significant comparison between the two surveys is the large increase in the number of women and girls over 16 before the courts annually. The exact proportion of the increase cannot be computed because it is not known whether the Planning Commission report included all county and district courts and if offenders appearing more than once were subtracted from the totals. The Planning Commission statistics indicate that between 65 and 75 women and girls were before the courts annually during the 1950-1954 period. The current district court survey covering 90 per cent of the state's population indicates that approximately 180 women and girls over 16 appeared annually in district court on criminal charges in 1960 and 1961. In addition, at least 180 girls of 16 and 17 were before juvenile and county judges annually for delinquency.¹⁴

Colorado's female reformatory and prison population has more than tripled since 1955. As of September 1, 1955, the Planning Commission reported that there were 14 inmates in the women's department at the State Penitentiary and two girls of reformatory age incarcerated in the Denver County Jail.¹⁵

Possibility of Additional Commitments. In 1955, the Planning Commission stated that perhaps an additional 30 female offenders between the ages of 16 and 25 might have been committed to a state correctional institution for women, had one existed with an adequate rehabilitation program.¹⁶ This statement was based on reports from district and county judges. The former indicated they might have made 20 such commitments and the latter 10.

13. The exact number cannot be ascertained because the ages of 261 women were not reported.

14. According to the Division of Administrative Management Research and Statistics Unit, State Department of Welfare and based on juvenile delinquency statistical reports from the following counties: Adams, Arapahoe, Boulder, Denver, El Paso, Garfield, Huerfano, Jefferson, Larimer, Las Animas, Logan, Mesa, Montezuma, Morgan, Pueblo, and Weld counties.

15. The Extent of Need in Colorado for a Correctional Institution for Women, op.cit., pp.5 and 6.

16. Ibid. pp.6 and 7.

Responses from judges to the current survey indicate that a number of additional commitments might have been made were there an adequate state facility. No exact number could be determined, however, from these responses. (Experience in other states has shown that the number of commitments may almost double after a new facility is built or an old one expanded and improved.) Some judges answering both the 1955 and the current survey stated that often a female offender is placed on probation only because there is no suitable facility and not because the pre sentence investigation indicates that probation would be the most desirable disposition of the case.

Institutional Facilities, Programs, and Costs

Women's Department. At the present time, the women's department at the state penitentiary is staffed by eight custodial matrons. Two matrons work each of the day and evening shifts, and one matron is on duty during the night shift. Three matrons (two are part-time) work relief shifts. The penitentiary has authorization for a women's department superintendent, but this position has not yet been filled. The daily per capita cost in the women's department is approximately \$3.00, according to the penitentiary business manager.¹⁷

The low per capita cost reflects the lack of adequate vocational training and other rehabilitation programs. The biggest obstacle to establishing a satisfactory program is lack of space. At present there is an academic program on Monday, Wednesday, and Friday nights from 5:30 to 9:00. Classes are held in the dining room. On Tuesday night the Alcoholics Anonymous group meets in the same room. On Thursday night there is a nursing and hair dressing program. Even though participation in these programs is voluntary, 18 women were taking part in the academic program in the spring of 1962.

During the morning, the inmates take care of laundry, cleaning, and food preparation, and they have their recreation period in the afternoon. There is only a small area, as already indicated, for outside recreational activities. There are no academic and vocational programs in operation during the day.

The state parole department has established a pre parole program for women during the past few months. Unlike the pre parole program for male offenders, it is conducted in the women's department rather than in a special facility. In connection with this program, Warden Tinsley has allowed the women to spend their clothing allowances two or three months before release. This action has made it possible for them to buy material and make their own clothes, so that they may have two or three times as much clothing upon release than if ready-made items were purchased.

The lack of an over-all program for women prisoners should not be construed as purposeful neglect on the part of the institution. In fact, the opposite is true, but there have been a number of obstacles, the most important of which is the inadequacy of the present facility in size, arrangement, and expandable area. When the population of the women's facility was small, there were too few women to establish

17. Legislative Council Women's Prison Committee, Minutes of July 24, 1962.

full-scale training and rehabilitation programs. Now that the facility is crowded beyond capacity, there are severe space limitations. There have not been sufficient funds available to provide adequate programs and sufficient qualified personnel. There were and are many major needs of the main penitentiary (now housing more than 1,800 offenders), which of necessity had to be given higher priorities. Within staffing, space, and budget limitations, considerable effort has been made to develop at least partial programs for the women's department, and outside volunteer assistance has been sought from time to time for this purpose.

Denver County Jail. During the 1961-62 fiscal year, the state paid the City and County of Denver \$4,908 for the care of state reformatory female inmates. This amount covered 1,227 days of confinement at the current rate of \$4.00 per day. One of the major problems with the use of the Denver County Jail is the lack of any program at all or even anything for the girls to do. There is no psychiatric or psychological help available and very little medical treatment. The absence of such help and treatment is unfortunate according to state parole officials, because many of the reformatory girls have more serious problems than the women confined at the penitentiary. In the past some of these girls were transferred to the penitentiary by executive order, but now overcrowded conditions at the women's department has resulted in the transfer process being reversed.

Another major problem is that the girls with reformatory sentences have to mix with prostitutes and other undesirables who have been committed to the Denver County Jail for misdemeanor offenses. Unless transferred to the women's department, the reformatory girls are exposed to this unhealthy environment for seven to nine months, the usual sentence.

Meeting Colorado's Needs: Some Alternatives

The Legislative Council Women's Prison Committee has studied and carefully considered several possible ways of meeting Colorado's present and future institutional needs for female offenders. These alternatives include:

- 1) expansion of the present women's department at the penitentiary;
- 2) arrangement with another state to board women prisoners in excess of Colorado's present capacity;
- 3) participation in the construction and operation of an interstate correctional facility for women; or
- 4) construction of a new facility in Colorado for both penitentiary and reformatory prisoners.

The first two of these alternatives might alleviate the present situation to some extent but offer little, if any, help in meeting future needs for the reasons discussed below. The possibility of agreement by several states prior to construction concerning the location,

size, programing, and financing of an interstate correctional facility for women appears to be very remote at this time. In examining the fourth alternative, the committee has given considerable attention to size, location, type of construction and costs, program, and staffing.

Expansion of Women's Department

There is very little area for expansion of the women's department building because of its proximity to the east wall of the main prison. It is Warden Tinsley's opinion that 10 cells at the most could be provided by extending the present structure. There would be no additional space for rehabilitation programs, and the building would not be any better arranged for this purpose than at present. The population of the institution has varied between 42 and 48 in recent months, and the trend is upward. Consequently, the addition of 10 cells would not alleviate the present crowded situation for very long. Expansion of the women's department would not meet the need for an adequate facility and program for female reformatory inmates.

Boarding Prisoners in Another State

Colorado has had arrangements with other states in the past for boarding female prisoners and has been both a sending and a receiving state. Many states with only a few women prisoners and inadequate facilities find that an agreement with another state to board these prisoners is a very satisfactory arrangement. For example, Wyoming never has had more than six or seven female prisoners at any one time. It would be extremely expensive and impractical to construct an adequate facility and develop a proper program for this small number, so that Wyoming by agreement sends these prisoners to the Nebraska State Reformatory.

A sending state, however, can never be certain that the receiving state will have space for all of its prisoners. This was the situation in Colorado, when the increase in commitments from Colorado courts made it necessary for the penitentiary to terminate its arrangement for boarding women prisoners, first from Wyoming, then from South Dakota and Utah. This is not as much of a problem if a state only has a few prisoners or is looking for a short-term solution to the overcrowding of its own facilities. If a state has a sizable number of prisoners, boarding them elsewhere on a long-term basis is not practical, because ultimately the state will have to meet its own needs by providing its own facility and programs. If this is the case, the per diem costs paid to another state for boarding prisoners might better have been used at home, because it is money wasted as far as meeting long-term needs is concerned.

The type of program provided, as well as the physical layout of the facility, is an important consideration in selecting a state to house female prisoners, and the per diem cost usually reflects the institutional program. An adequate program for women prisoners cannot be provided for less than a per capita daily cost of \$6.00.¹⁸ Missouri, which has an old institution but a program considered adequate by Warden Tinsley, Senator Rena Mary Taylor, and Edward Grout, director of parole (all of whom visited that institution recently) would charge Colorado at least \$5.60 per day for each female prisoner sent there.

Short-term solution. It would appear that any arrangement that Colorado might make for the boarding of female prisoners in another state would provide only a short-term method of alleviating the present overcrowding of the women's department at the state penitentiary. It might also make it possible to provide a better program and surroundings for young female offenders. To do this Colorado would have to make arrangements for boarding from 12 to 15 women prisoners, based on present institutional populations (eight over capacity at the state penitentiary and six girls at the Denver County Jail).

Colorado correctional officials are of the opinion that the number of committed female offenders will continue to increase and expect an inmate population of at least 75 by 1970. Most other states of approximately Colorado's size and larger are finding that their female inmate population is also on the increase. It would be difficult, therefore, to find sufficient space in any state near Colorado to house 12 to 15 women prisoners for any length of time, let alone 35 to 40.

The cost of boarding 15 women prisoners in another state, using Missouri's per diem charge of \$5.60, would be almost \$31,000 annually. This expense would contribute nothing to a long-term solution for Colorado, but might be justified as a means of relieving population pressures while other steps were taken.

An Interstate Correctional Facility

At the time an interstate correctional facility for women was first proposed, Colorado had too few inmates to justify the construction of a separate facility, and it would have been extremely costly to staff such a facility to provide an adequate program. There were several other mountain and plains states in the same position as Colorado: Montana, North Dakota, South Dakota, New Mexico, Idaho, Utah, and Wyoming.

Many of these states were also interested in an interstate facility for the same reasons as Colorado. As contemplated, the facility would be centrally located; each participating state would either provide funds for initial construction or help pay construction costs through a surcharge on the daily per diem rate. These charges would be paid to

18. This per capita daily cost estimate was made by Richard Magee, Director of Corrections, State of California at the Western Interstate Meeting on Corrections in Salt Lake City on April 19, 1962, and was generally subscribed to by the correctional officials from other states.

the state in which the facility was located, and that state would have the responsibility of administering the institution. The machinery for such an arrangement is contained in the Western Interstate Corrections Compact.¹⁹ All of the Rocky Mountain and far western states, with the exception of Arizona and Hawaii, have ratified the compact. Neither North Dakota nor South Dakota is a party to the compact.

Plans Not Developed. While there was considerable interest in the development of an interstate correctional facility for women, the idea never got any further than the discussion stage, even after adoption of the interstate compact by most of the western states. No state took the initiative in developing a plan, and this reluctance may have stemmed in part from recognition that it is very difficult to get officials from other states to make specific commitments as to financing, space needed, facility location, and related matters. Such commitments, even if made, could not be binding until acted upon by the legislature. Therefore no state could make plans with any assurance that other states would actually participate or of the extent of such participation. In the absence of any specific proposal for an interstate facility, each western state has gone ahead to try to solve its own problems with respect to female offenders.

Salt Lake City Meeting. The most recent western interstate meeting on corrections at which this subject was discussed was held in Salt Lake City, April 18-20, 1962.

The following states were represented at the meeting, Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Colorado, and Washington.

The first session of the meeting was devoted to a state by state inventory of present correctional facilities. This inventory was followed by a discussion of the exchange of inmates under the compact, using the facilities now in existence.²⁰ During the third session of the meeting (state by state review of plans for expansion of correctional systems and consideration of long range possibilities of shared facilities and/or inmate transfer), discussion was focused primarily on correctional facilities for women.

There appeared to be little possibility, in light of this discussion, that a number of states either could or would get together to appropriate funds for an interstate facility for women. There were several factors mentioned which discourage this possibility:

1) legal obstacles to the appropriation of funds for a facility in another state;

2) legislative opposition (even if no legal obstacles) to the appropriation of funds for a facility in another state;

19. A copy of the Compact will be found as Appendix A.

20. It became obvious during this discussion that no western state is able to help Colorado by accepting the transfer of some women prisoners on a temporary basis; all of the states represented were either full to capacity or would be shortly.

3) difficulty of getting the legislatures in participating states to take action at the same time; and

4) plans and construction by some states (which otherwise might be interested) to solve the women's facility problem within their own borders.

It did appear likely, however, that some states might be interested in participating in a women's correctional facility if: 1) one state went ahead and constructed an adequate facility with sufficient capacity to make space available; 2) construction costs could be shared through a surcharge added to the usual per diem maintenance costs, such surcharge designed to amortize construction costs over a 40 or 50-year period; and 3) an adequate rehabilitation program was developed at the new facility.

Representatives from Colorado and Washington indicated that their respective states were working toward the development of women's correctional facilities, regardless of whether other states wished to participate.²¹ Representatives of both states, however, said that they would welcome arrangements with other states for the care of women prisoners.

A state by state review was made of the feasibility of such an arrangement with either Colorado or Washington. This review indicated that Alaska and Idaho might possibly enter into an agreement with Washington and that New Mexico and Utah might possibly enter into an agreement with Colorado.

Several states were not interested in the interstate transfer of women at the present time, because they were in the process of constructing or remodeling facilities or had just completed the construction or remodeling of facilities for women prisoners. In all but one of these states, the facilities built or in the process of construction are limited in capacity and designed only to meet the state's expected needs. A summary of these states follows:

Arizona is building a facility for 150 women, but has only 42 in custody; some questions were raised by representatives of other states about the adequacy of the facility and proposed program. Arizona is not a member of the compact. The state would be willing, however, to accept women from other states.

Montana is meeting its immediate needs, having remodeled an existing building on the main prison ground to house seven women. The warden of the prison indicated that Montana might be interested sometime in the future in using the proposed facilities in either Colorado or Washington.

Nevada is in the process of constructing a facility for 17 women. It is not expected that Nevada would be interested in transferring women to any other state in the near future.

21. Colorado's position was presented by Warden Harry Tinsley and Senator Sam Taylor, chairman, Legislative Council Women's Prison Committee.

Oregon is building a facility for 56 women, slightly more than the number now incarcerated. The size and quality of the facility have been limited by a small appropriation for this purpose.

Utah at the present time is housing its women prisoners in a recently constructed building located outside the main gate of the penitentiary. This facility was designed for 13 women, but it can hold a few more if necessary; the present population is 15. Utah would like to use this building as a pre parole center if its women prisoners could be handled in some other way. Utah representatives indicated that they were quite pleased with the arrangement they had with the Colorado penitentiary in previous years with respect to the boarding of Utah women. They stated that Utah would be quite interested in such an arrangement again if Colorado builds a new women's facility.

New Mexico has 21 women confined in its women's division located at the state penitentiary. Its representatives at the meeting said that New Mexico has been interested for some time in the possibility of transferring these women to some other state. The probable per capita daily cost (including construction surcharge) of the proposed Colorado facility may make New Mexico reluctant to join in an interstate arrangement. Per capita daily cost at the New Mexico penitentiary is \$4.01. (New Mexico indicated in its correctional inventory questionnaire that it had very few and inadequate industrial, vocational, educational, and rehabilitation programs; this is the reason for the low per capita daily cost.) Warden Tinsley anticipated that the per capita daily cost of the proposed Colorado women's correctional facility would be between \$6 and \$7, plus a capital construction surcharge.

Both Colorado and Washington were asked to keep the other western states informed of their progress in developing plans for the proposed women's institution. The western states which are interested in an interstate correctional arrangement with either Colorado or Washington were requested to survey both current and long-term needs with respect to women prisoners, so that Colorado and Washington might be guided in their planning.

The question of distance was raised with respect to family visits, and it was suggested that this might be a deterrent to interstate arrangements. The California Director of Corrections said that he felt the problem of distance had been overstated. Nationally, there were only two facilities for women operated by the Federal Bureau of Prisons, and the women's prison at Corona, California is 1,000 miles away from the homes of some of the inmates. He and other officials stressed that emphasis should be placed on program and that while distance might be a consideration, there should be little hesitancy to transfer inmates to another state if they would benefit thereby.

Many states indicated that they would have more women prisoners if the courts knew facilities were available. This has been demonstrated in those states which have recently added or enlarged facilities for women. They found that their capacity was soon exhausted. There is some question, however, as to whether judges would be reluctant to commit women, if they were sent to a facility in another state.

Construction of a New Facility

The planning of a new correctional facility for women involves the consideration of several important factors, all of which are interrelated, such as: 1) type and purpose of the facility; 2) present capacity and future expansion; 3) location; 4) costs; and 5) program and staffing.

Type and Purpose

The first matter to be considered is whether a new facility should house both penitentiary and reformatory inmates. Even though there has been a substantial increase in the number of female offenders committed in recent years and this increase is expected to continue, there are not now, nor will there be in the near future, a sufficient number of penitentiary and reformatory inmates to justify establishing two facilities. If a new facility is provided only for penitentiary inmates, the state would still have the problem of inadequate facilities and programs for female offenders with reformatory sentences. Moreover, the larger the number of inmates (within reasonable limits), the more economically feasible it becomes to have good training and rehabilitation programs.

For these reasons, Warden Tinsley and other Colorado institutional and correctional officials recommend that the facility be designed to include both reformatory and penitentiary inmates. It is suggested that the institution be known as the "Colorado Correctional Facility for Women," with no reference in the name to "prison" or "reformatory."

Warden Tinsley recommends further that the institution should not have a penal atmosphere. In his opinion, the facility could be designed with sufficient security features without guard towers and heavy walls. There should be a fence around the institution, but it should be camouflaged; for example, at the California Correctional Facility for Women at Corona, the fence is covered by a hedge. The institution should be located away from highways and public and private facilities. The inmates should live in rooms rather than cells, and living quarters for reformatory inmates should be separated from those for penitentiary inmates. It would be desirable, however, to have one central building or wing for academic and vocational classes.

Facility and Program. Throughout his discussion with the Legislative Council Women's Prison Committee, Warden Tinsley has stressed the relationship between the layout of the facility and institutional programs. The institution should reflect the correctional philosophy in effect, and both the facility and programs should be planned and developed at the same time. For this reason, it is better to start with a new building, if at all possible, rather than remodel an existing structure. Remodeling is costly and usually the results do not exactly meet the needs.

The relationship between physical layout and institutional programs is stressed in a handbook of correctional institution construction prepared by the U.S. Bureau of Prisons:²²

22. Handbook of Correctional Institution Design and Construction, Federal Prison Industries, Inc. U.S. Penitentiary, Leavenworth, Kansas, 1949, pp.2 and 3.

Students of correctional problems recognize that a vital relationship exists between the physical plant of any correctional institution and its administration. The design and adequacy of the physical plant determine the efficiency and convenience with which the administrative staff can carry on their work of executing the minimum and basic tasks of assuring the safe confinement and profitable employment of inmates.

It is not so generally understood, however, that there is an equally close connection between the architecture of a correctional institution and the effectiveness with which the more fundamental responsibility of inmate rehabilitation can be carried out. Yet, it is surely true that both administrative attitudes and inmate response are deeply conditioned by the physical surroundings within which correctional administrators operate and the inmates spend their lives. The very existence of gloomy, thick-walled bastilles inevitably produces mental attitudes and behavior patterns on the part of both administrators and inmates which militate strongly against the possibility of putting rehabilitation foremost among the aims of correctional administration or the interest of inmates.

If the architecture of a correctional institution gives the impression of being primarily, if not entirely, designed to prevent escapes, then the administrators, however enlightened in theory, are bound to succumb in greater or less degree to the habits and patterns of the purely "jailing" function. Similarly, if the inmates are mentally overwhelmed and dejected by forbidding and repressive surroundings, they can hardly be expected to respond to reformative policies with zest of understanding. They either sink into hopelessness and lethargy or regard the seeming impossibility of escape as a challenge to their interest and ingenuity in achieving illegal freedom.

...An appropriate atmosphere is very essential to the successful operation of any program of enlightened correctional administration and to inmate cooperation therein. And nothing more directly and powerfully conditions the mental atmosphere of both administrators and inmates than the physical plant of an institution, its location, structure, and facilities. No other single factor has so retarded the development and success of rehabilitative programs as has the lag in correctional architecture -- its signal failure to keep pace with the progress in correctional philosophy and practices.

...There is no possibility of achieving wide-spread success in introducing even those methods and practices of rehabilitation upon which all informed and enlightened correctional administrators are in essential agreement until the physical plant of our correctional institutions is brought into basic harmony with the assumptions of the

the philosophy of rehabilitation. And this compatibility between physical plant and reformative methods involves not only such larger aspects of physical construction as the site, the general layout of the institution, the questions of walls, and the like, but every important detail of design and operation. A badly located, designed and equipped kitchen, for example, can upset an otherwise admirably planned and administered institution. Not so many years ago, there were serious riots in the institution administered by the man who was generally regarded as the most enlightened of our wardens because of allegedly poorly-cooked food. The ideally designed institutional plant must give attention not only to general location and over-all plans but also to the hospital, the kitchen, the shops, the school and chapel, and the recreational facilities, if it is to promote with the greatest possible success a realistic program of inmate rehabilitation.

Several suggestions regarding the physical layout of a correctional facility for women were made by Mrs. Ina Wagner, administrative assistant, Illinois Reformatory for Girls, when she met with the Legislative Council Women's Prison Committee. These included:

- 1) keep the facility as compact as possible;
- 2) provide toilet facilities and closet space in each room;
- 3) arrange central shower facilities so that they can be easily supervised;
- 4) provide central dining facilities;
- 5) house from 60 to 80 girls or women in each unit and have units arranged for easy supervision;
- 6) provide space for indoor recreational activities in each housing unit, as well as an outside recreational area for each unit;
- 7) provide central heating, if possible; and
- 8) locate academic, vocational, and industrial facilities centrally.²³

Capacity and Future Expansion

It is difficult to forecast with a high degree of accuracy what size facility will be needed by late 1964 or 1965, the probable time when an institution would be ready for use if approved by the Forty-fourth General Assembly in 1963. If Warden Tinsley's latest estimate of 75 women prisoners by 1970 is accurate, there should be at least 60 inmates with reformatory and penitentiary sentences by 1964 or early 1965.

23. Legislative Council Women's Prison Committee, minutes of May 24, 1962.

This estimate was made, however, without any allowance for additional commitments which may be made because an adequate facility and program are available. In some states, the number of commitments doubled when more adequate facilities were provided. The 1955 Planning Commission survey indicated that 30 additional commitments might have been made. That judges still feel there would be some additional commitments was shown by the survey made by the Women's Prison Committee, although no definite number could be ascertained. It may not be unrealistic to anticipate at least 15 or 20 such commitments. Based on this assumption, there would be at least 75 to 80 inmates in 1965.

Other States. Another factor to consider is the possible participation of other states. Utah appears to be the state most likely to participate; it presently has 15 prisoners. Warden Tinsley indicated to the Women's Prison Committee that South Dakota is also interested and might have from five to 10 prisoners. While New Mexico is interested, expected per diem costs plus a surcharge for construction might prove a major obstacle. That state presently has 21 women prisoners. If they were transferred to Colorado, it might cost New Mexico \$25,000 to \$30,000 more annually than it is presently spending on these prisoners.²⁴ Even though these other states are interested, it is difficult to justify making allowances for their needs in determining capacity, when their participation may not be definitely decided until after the institution is built. Perhaps a more expedient approach would be to plan for a certain amount of capacity, which, if not needed in the near future by Colorado, could be made available to interested states.

Expandable Facilities. Probably the most feasible approach would be to plan initial capacity to be 25 per cent to 30 per cent in excess of expected need at the time the facility is opened. The construction design should be such that it would be relatively easy to build additional units or wings. Long range planning should include a sufficient land area for expansion and the installation of utilities with sufficient capacity to provide for a larger institution. Central facilities such as the dining room and class rooms should either be larger than the initial capacity of the institution warrants or should be arranged in such a way that expansion would be possible without much additional building or remodeling.

Most of the architectural suggestions made thus far have involved the use of separate one-story cottage-type buildings housing 30 to 60 inmates or one building with wings or spokes which would be used as living quarters for from 30 to 60 inmates. If one of these designs were followed, initial capacity requirements might be space for from 90 to 120 inmates. (Adoption of the lower capacity probably would not provide space, other than on a short-term basis, for inmates of other states.) The institution could then be expanded as needs require in units providing for 30, 45, or 60 prisoners. The maximum planned capacity of the facility has been suggested at between 240 and 300.

24. New Mexico's present per diem cost is \$4.01 per inmate; Colorado's estimated charge would be from \$6 to \$7 plus a surcharge to help amortize construction.

Location

Many communities in the state have expressed interest in having a women's correctional facility located in their areas. Those expressing interest of which the Women's Prison Committee has knowledge include: Alamosa, Canon City, Cripple Creek, Florence, Fowler, La Veta, Montrose, Rangely, San Luis, Trinidad, Victor, and Walsenburg. There have also been several suggestions that the proposed facility be located somewhere in the Denver Metropolitan Area.

At its May 24, 1962 meeting, the committee heard presentations from delegations from Cripple Creek, Canon City, and Florence. The committee also toured several possible sites in Fremont County. All except two were located on penitentiary farm property and were considerably removed from the main penitentiary. The city of Florence owns one of the other two sites, an area of 40 acres located south of the city, and would donate it to the state. The other site is located north of Canon City and is privately owned; however, the owner has offered to donate 25 acres to the state for a women's correctional facility.

If the facility were located in Cripple Creek, Teller County officials would donate to the state a 40-bed nursing home, a 27-cell jail house (both no longer used but maintained in good shape), and seven acres of level ground upon which the nursing home is situated, located at the edge of Cripple Creek.

Several proposed sites in the vicinity of Walsenburg and La Veta were inspected by Senator Sam Taylor, chairman of the committee; Representative Harold McCormick, committee member; and Warden Tinsley. Time and fund limitations precluded first hand inspection of sites offered by other interested communities, but representatives from Alamosa, Fowler, La Veta, Montrose, Victor, and Walsenburg met with the committee on September 24, 1962.

Criteria for Site Selection. Several criteria have been suggested by Warden Tinsley for determining the general location of a women's correctional facility.²⁵

1. Acceptance of Institution in the Community in Which it is Located

It is vitally important that the community in which a correctional facility is located accepts the fact that there is to be a correctional facility in its midst. There are a number of problems with reference to the correctional facility that overlap into the community, and if the community is not willing to accept its responsibilities in connection with these problems, the operation of this facility can be an almost insurmountable task.

25. Enumerated in a letter dated July 18, 1962 from Warden Tinsley to Senator Sam Taylor, committee chairman.

2. Availability of Personnel

It is important that the community in which a correctional facility is located be able to provide competent personnel to operate the institution or is able to attract personnel assigned to work in the institution, who live and become a part of the community. In correctional work one of the most important factors is personnel. If competent personnel cannot be attracted to the community in which it is located, the chances for a successful correctional facility are very remote. It is also important to keep in mind the availability of not only paid personnel, but also volunteer personnel from the community who will assist with various part-time and volunteer activities, such as pre-parole programs, Alcoholics Anonymous programs, religious programs, educational programs, and possibly student training programs. The community in which the institution is located must have the citizen potential to take part in these programs or to attract people to come into the community for this purpose.

3. Availability of Supporting Institutions

It is vitally important to have a public hospital located within a few miles, as it would be impossible to have a fully-equipped surgical hospital at the women's facility, and it would be necessary to call upon private hospitals to take care of surgical cases that could not be handled in the institution's medical facilities. Also, it is important that institutions be located within reasonable distances of state-supported mental institutions, as there will always be a certain number of women inmates who will have to be transferred for specialized mental treatment. If other state institutions are located in a reasonably close area, there is a possibility of combined purchasing, with all the institutions buying their supplies jointly. Further, there is the possibility of receiving staff assistance from nearby institutions.

4. Accessibility

It is important that the facility not be located in a remote section of the state, but on or near well-traveled highways that can be reached from every section of the state, both for the transportation of prisoners and for availability to visiting relatives. It is important that it not be located adjacent to major highways, but that it is accessible by good roads connected to major highways.

5. Availability of Utilities

It is important that such items as water, power, and fuel be available for this site, as well as the potentiality of developing its own sewage system or connecting with an established sewage system. Perhaps, the most important of all these utilities is the availability of sufficient domestic and irrigating water.

6. Potentialities for Development of the Site Both as a Functional Institution and One that is Attractive and Pleasing

The site that is selected should be viewed as to how it will look in future years. It is not important that all efforts be made toward the development of the aesthetic features in an institution, but it is important that they be given serious consideration, so that the site that is selected can be developed to provide a functional, businesslike appearing institution, yet one that has certain attractive features.

Advantages to Location in Fremont County. A number of areas, after more extensive examination, may prove suitable for the location of a women's correctional facility. There appear to be certain advantages in locating the proposed facility in Fremont County, as long as the institution is removed sufficiently from the main prison and its various units.

First, it is estimated that approximately 40 per cent could be saved on construction costs through the use of inmate labor.²⁶ (Some spokesmen for other sites point out that inmate labor could be used for construction in their areas by bringing in a mobile labor camp.) There has never been any objection in Fremont County to the use of inmate labor in the construction of state facilities. It is not known what the reaction would be in other areas to the use of inmate labor, even if it were feasible to do so.

Second, substantial savings could be realized through joint purchasing with the penitentiary. The penitentiary would also be able to supply dairy products, meat, and bakery goods to the women's facility. Accounting and record keeping functions could also be performed by the penitentiary.

26. Even greater savings have been realized through the use of inmate labor, according to R.L. Denholm, Chief of Administrative Services, Department of Institutions. In a letter to the Legislative Council, dated July 18, 1962, Mr. Denholm stated that a building similar to the pre-parole center would cost approximately \$15 to \$17 per square foot without inmate labor and \$7 to \$8 per foot with inmate labor. On a building comparable to the new medium security prison, the cost with inmate labor would be \$9 to \$11 per square foot as compared with \$19 to \$21 if inmate labor was not used.

Third, it would be possible to share certain categories of personnel, especially professional staff members, with both the penitentiary and the state hospital in Pueblo. These arrangements would reduce costs, while providing services not needed on a full-time basis because of the size of the proposed institution.

Fourth, location within reasonable proximity of the penitentiary would simplify supervision by reducing travel time for Warden Tinsley, who is also chief of corrections for the Department of Institutions.

Fifth, community attitude would be favorable towards the facility and its staff; there is considerable rapport between the penitentiary staff and the officials and citizens of both Canon City and Florence. Prison officials are respected and are leaders in community activities.

Last, but not least, a sufficient water supply is assured in Fremont County because of old and established water rights.

Construction Costs

An accurate cost estimate depends on decisions concerning the location of the proposed facility, initial and expandable capacity, use of inmate labor, and construction type and design. Current estimates indicate that it will cost approximately \$1.5 million to build an adequate facility with an initial capacity of 90 to 120 inmates and an expandable capacity of 240 to 300, if the institution is built with inmate labor. If inmate labor is not used, the cost may be approximately \$2 million.

Facility Example. As a guide to the Women's Prison Committee, Warden Tinsley had some preliminary plans made of one possible construction design for the proposed women's facility. The building is designed as a wheel with eight spokes around a center axis housing the kitchen, control center, and security passage. Four of the spokes would be used for housing, with a capacity of 60 inmates each. One spoke would contain the auditorium, gymnasium, and chapel; another would house the laundry and educational and vocational classes; a third would provide space for administrative offices; and the fourth, medical facilities including hospital beds (both ward and isolation) X-ray, laboratory, examination room, and space for doctors and dentists.

The building is planned so that it may be built in two or three phases. Phase one would include space for 120 inmates, and the other two housing units (60 inmates each) could be added at the same time or separately as need arises. The layout design of this proposed facility is shown in Figure 1.

The cost of phase one of this facility is estimated at \$9.70 per square foot if inmate labor is used. The total cost for phase one, including space for 120 inmates is estimated at \$1,650,000, as shown in the table on the following page.

- FACILITIES**
- 1 SHERIFF'S ACCESS
 - 2 TRUCK ACCESS
 - 3 VISITING LOBBY
 - 4 INTERVIEW
 - 5 LOBBY
 - 6 CONTROL
 - 7 ADMINISTRATION
 - 8 CONTROL PASSAGE
 - 9 DINING (68)
 - 10 KITCHEN
 - 11 BASEMENT
 - 12 • RECEIVING
 - 13 • DRESSING
 - 14 2ND FLOOR
 - 15 • DIAGNOSTIC
 - 16 • CLASSIFICATION
 - 17 • PHOTO LAB.
 - 18 DINING (50)
 - 19 KITCHEN
 - 20 BASEMENT
 - 21 • REFRIGERATION
 - 22 • DRY STORAGE
 - 23 • EQUIPMENT
 - 24 • UTILITIES
 - 25 • GENERAL STORAGE
 - 26 2ND FLOOR
 - 27 • RECORDS SECTION
 - 28 • TO CENTRAL TOWER
 - 29 INTERVIEW
 - 30 HOUSING (30)
 - 31 OFFICE
 - 32 SHOWERS, ETC.
 - 33 LAUNDRY
 - 34 VOCATIONAL CLASSES
 - 35 VOCATIONAL LABORATORY
 - 36 2ND FLOOR
 - 37 • EDUCATIONAL SECTION
 - 38 STAGE
 - 39 AUDITORIUM, GYM, MOVIE,
 - 40 CHAPEL, ORIENTATION
 - 41 COURTYARD
 - 42 FOUNTAIN
 - 43 SERVICE
 - 44 DISCIPLINARY ISOLA.
 - 45 EXAMINATION ROOM
 - 46 DENTIST
 - 47 DOCTOR
 - 48 X-RAY
 - 49 SINGLE ISOLATION
 - 50 WARD
 - 51 2ND FLOOR
 - 52 • SICK WARD
 - 53 • QUARANTINE
 - 54 • PRIVATE ROOMS (5)
 - 55 • TECHNICAL FACILITIES
 - 56 • LABORATORY
 - 57 • CENTRAL CONTROL STA.

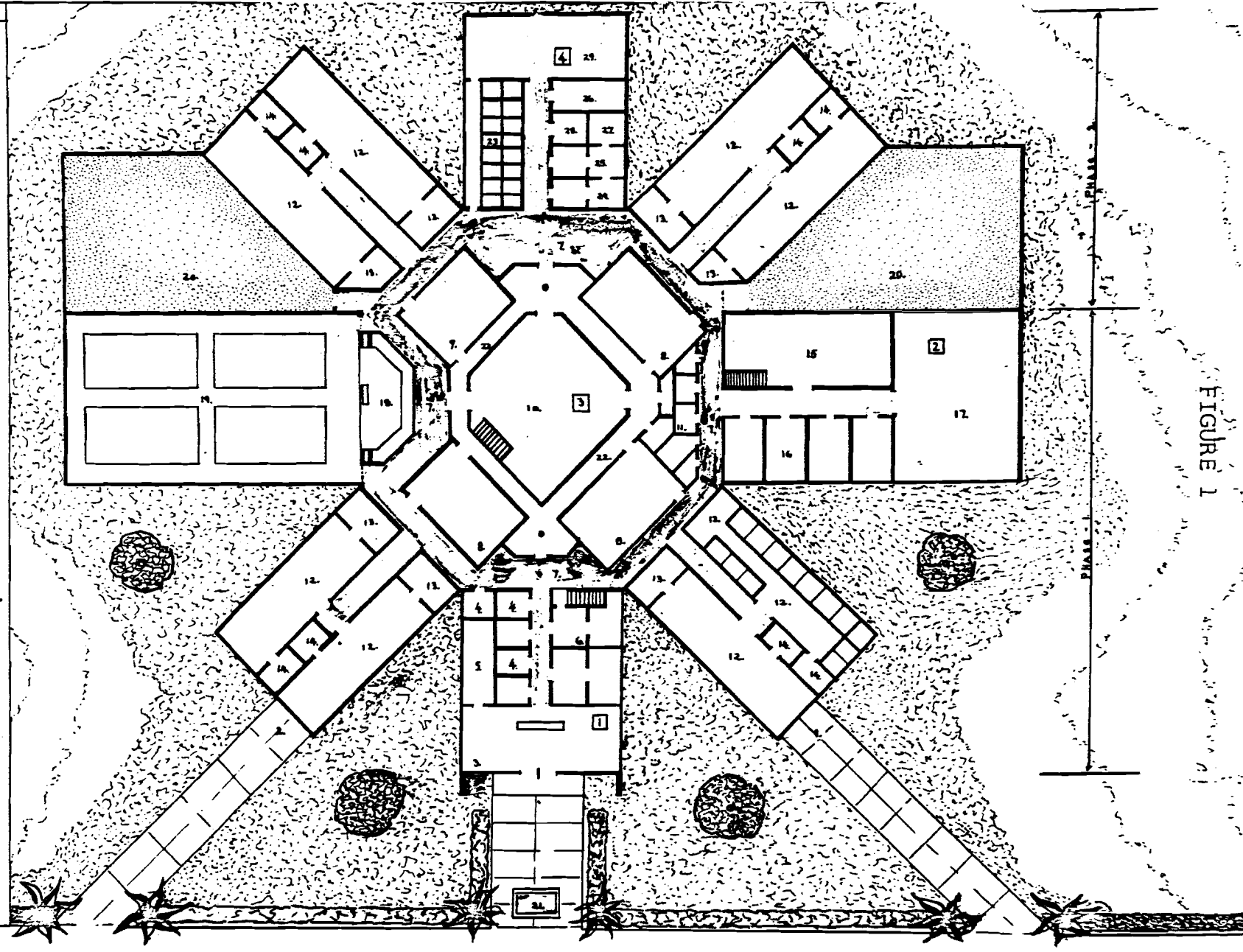


FIGURE 1

<u>A. Construction</u>	<u>Value As Actual Cost</u>
1. Institutional Structure 123,200 Sq. Ft. (Housing units each 6,000 Sq. Ft.)	
2. Gymnasium 9,600 Sq. Ft.	
3. Basement Area 36,400 Sq. Ft.	
4. Penthouse 1,600 Sq. Ft.	\$1,303,680.00
<u>B. Grounds and Services</u>	
1. Walled Yard 17,600 Sq. Ft.	\$ 6,000.00
2. Site (grading)	1,000.00
3. Services (sewer, water, power)	23,320.00
4. Supervision (incl. Guards Salaries)	62,000.00
<u>C. Professional Services</u>	
1. Architectural	\$ 90,000.00
Structure Total Estimated Cost	<u>\$1,486,000.00</u>
(Basis For \$10,000.00 Preliminary Plan Allocation)	
<u>D. Furnishings</u>	
1. Furniture and Loose equipment	\$ 163,460.00
Total Estimated Cost of Project	<u>\$1,649,460.00</u>
Project Requested Amount	<u><u>\$1,650,000.00</u></u>

Structure gross area in Sq. Ft. 134,400 Sq. Ft.

Estimated cost per Square Ft. \$9.70 Per Sq. Ft.

The total estimated cost includes furnishings, equipment, and architectural services. The cost of adding the two additional housing spokes would be less than the original estimated cost per square foot, but no definite amount has been stated. The building is so designed that a floor could be added to each of the housing spokes, providing space for a maximum of 240 more inmates. The utilities are designed to meet expansion needs.

This proposal was offered as an example, and there are many other possibilities, e.g., a series of L shaped buildings located in near proximity to each other; this is the design used at the women's correctional facility in Corona, California.

North Central Engineers. Another proposal for construction of a women's correctional facility was presented to the committee by North Central Engineers, a private construction firm. North Central's representatives proposed that they build a facility with a capacity of 200, with the title to the building and grounds held by private interests, but operated and administered by the state. The state would pay the prorated amortization of the private funds in addition to operating costs. After a period of time (20-30 years) depending on

the total cost, size of facilities, and type of construction, the title to the property and buildings would revert to the state.

In their opinion, the total cost would be approximately \$1 million, depending on the design and method of construction. They expressed hope that other states would also participate in the program; for this reason they recommended that the facility be located in the Denver Metropolitan area for ease of access.

They recognized that there might be some legal obstacles to the acceptance of their proposal, especially since the actions of one General Assembly are not binding upon subsequent General Assemblies. The question of possible constitutional prohibitions was raised, and further research on this question would be necessary if this proposal is favorably considered.

Staffing and Operating Costs

The operation of an adequate program would require vocational and academic teachers, an industrial supervisor, and the provision of medical, dental, psychological, psychiatric, and social work services, in addition to custodial matrons, maintenance workers, and administrative employees. The expected initial number of inmates would not be great enough to make it feasible for the services enumerated above to be provided on a full-time basis. For this reason, it is desirable that the facility be located where these services could be shared with other institutions or where part-time professional help would be available. The isolated location of the state reformatory for men at Buena Vista, for example, makes it difficult for that institution to obtain professional services.

The location of the institution also has a bearing on purchasing, administrative, and utility costs, so it is difficult to determine exactly the amount of annual operating expense. In addition, no specific staffing pattern has been developed for the proposed facility, but Warden Tinsley estimates the ratio would be 2.5 to three inmates per staff member.²⁸

Probable operating costs, as already indicated, are estimated at between \$6 and \$7 per day per inmate. For 90 inmates, approximate annual operating costs would be between \$200,000 and \$230,000; for 120 inmates, approximate annual operating costs would be between \$250,000 and \$300,000.

28. Missouri has a staff of 31 for 69 inmates or 2.2 inmates for every employee.

APPENDIX A

WESTERN INTERSTATE CORRECTIONS COMPACT

ARTICLE I

PURPOSE AND POLICY

1 The party states, desiring by common action to improve their
2 institutional facilities and provide programs of sufficiently high
3 quality for the confinement, treatment and rehabilitation of various
4 types of offenders, declare that it is the policy of each of the
5 party states to provide such facilities and programs on a basis of
6 cooperation with one another, thereby serving the best interests of
7 such offenders and of society. The purpose of this compact is to
8 provide for the development and execution of such programs of coop-
9 eration for the confinement, treatment and rehabilitation of
10 offenders.

ARTICLE II

DEFINITIONS

1 As used in this compact, unless the context clearly requires
2 otherwise:

3 (a) "State" means a state of the United States, the Territory
4 of Hawaii, or, subject to the limitation contained in Article VII,
5 Guam.

6 (b) "Sending state" means a state party to this compact in
7 which conviction was had.

8 (c) "Receiving state" means a state party to this compact to
9 which an inmate is sent for confinement other than a state in which
10 conviction was had.

11 (d) "Inmate" means a male or female offender who is under sen-
12 tence to or confined in a prison or other correctional institution.

13 (e) "Institution" means any prison, reformatory or other cor-
14 rectional facility (including but not limited to a facility for the
15 mentally ill or mentally defective) in which inmates may lawfully
16 be confined.

ARTICLE III

CONTRACTS

1 (a) Each party state may make one or more contracts with any
2 one or more of the other party states for the confinement of inmates

3 on behalf of a sending state in institutions situated within re-
4 ceiving states. Any such contract shall provide for:

5 1. Its duration.

6 2. Payments to be made to the receiving state by the sending
7 state for inmate maintenance, extraordinary medical and dental ex-
8 penses, and any participation in or receipt by inmates of rehabili-
9 tative or correctional services, facilities, programs or treatment
10 not reasonably included as part of normal maintenance.

11 3. Participation in programs of inmate employment, if any; the
12 disposition or crediting of any payments received by inmates on ac-
13 count thereof; and the crediting of proceeds from or disposal of any
14 products resulting therefrom.

15 4. Delivery and retaking of inmates.

16 5. Such other matters as may be necessary and appropriate to
17 fix the obligations, responsibilities and rights of the sending and
18 receiving states.

19 (b) Prior to the construction or completion of construction
20 of any institution or addition thereto by a party state, any other
21 party state or states may contract therewith for the enlargement of
22 the planned capacity of the institution or addition thereto, or for
23 the inclusion therein of particular equipment or structures, and for
24 the reservation of a specific percentum of the capacity of the insti-
25 tution to be kept available for use by inmates of the sending state
26 or states so contracting. Any sending state so contracting may, to
27 the extent that monies are legally available therefor, pay to the
28 receiving state, a reasonable sum as consideration for such enlarge-
29 ment of capacity, or provision of equipment or structures, and reser-
30 vation of capacity. Such payment may be in a lump sum or in install-
31 ments as provided in the contract.

32 (c) The terms and provisions of this compact shall be a part
33 of any contract entered into by the authority of or pursuant thereto,
34 and nothing in any such contract shall be inconsistent therewith.

ARTICLE IV

PROCEDURES AND RIGHTS

1 (a) Whenever the duly constituted judicial or administrative
2 authorities in a state party to this compact, and which has entered

3 into a contract pursuant to Article III, shall decide that confine-
4 ment in, or transfer of an inmate to, an institution within the
5 territory of another party state is necessary in order to provide
6 adequate quarters and care or desirable in order to provide an
7 appropriate program of rehabilitation or treatment, said officials
8 may direct that the confinement be within an institution within
9 the territory of said other party state, the receiving state to act
10 in that regard solely as agent for the sending state.

11 (b) The appropriate officials of any state party to this
12 compact shall have access, at all reasonable times, to any insti-
13 tution in which it has a contractual right to confine inmates for
14 the purpose of inspecting the facilities thereof and visiting such
15 of its inmates as may be confined in the institution.

16 (c) Inmates confined in an institution pursuant to the terms
17 of this compact shall at all times be subject to the jurisdiction
18 of the sending state and may at any time be removed therefrom for
19 transfer to a prison or other institution within the sending state,
20 for transfer to another institution in which the sending state may
21 have a contractual or other right to confine inmates, for release
22 on probation or parole, for discharge, or for any other purpose per-
23 mitted by the laws of the sending state; provided that the sending
24 state shall continue to be obligated to such payments as may be re-
25 quired pursuant to the terms of any contract entered into under the
26 terms of Article III.

27 (d) Each receiving state shall provide regular reports to each
28 sending state on the inmates of that sending state in institutions
29 pursuant to this compact including a conduct record of each inmate
30 and certify said record to the official designated by the sending
31 state, in order that each inmate may have the benefit of his or her
32 record in determining and altering the disposition of said inmate in
33 accordance with the law which may obtain in the sending state and in
34 order that the same may be a source of information for the sending
35 state.

36 (e) All inmates who may be confined in an institution pursuant
37 to the provisions of this compact shall be treated in a reasonable
38 and humane manner and shall be cared for and treated equally with
39 such similar inmates of the receiving state as may be confined in the

40 same institution. The fact of confinement in a receiving state
41 shall not deprive any inmate so confined of any legal rights which
42 said inmate would have had if confined in an appropriate institution
43 of the sending state.

44 (f) Any hearing or hearings to which an inmate confined pur-
45 suant to this compact may be entitled by the laws of the sending
46 state may be had before the appropriate authorities of the sending
47 state, or of the receiving state if authorized by the sending state.
48 The receiving state shall provide adequate facilities for such
49 hearings as may be conducted by the appropriate officials of a sending
50 state. In the event such hearing or hearings are had before officials
51 of the receiving state, the governing law shall be that of the sending
52 state and a record of the hearing or hearings as prescribed by the
53 sending state shall be made. Said record together with any recommenda-
54 tions of the hearing officials shall be transmitted forthwith to the
55 official or officials before whom the hearing would have been had
56 if it had taken place in the sending state. In any and all proceed-
57 ings had pursuant to the provisions of this subdivision, the officials
58 of the receiving state shall act solely as agents of the sending state
59 and no final determination shall be made in any matter except by the
60 appropriate officials of the sending state. Costs of records made
61 pursuant to this subdivision shall be borne by the sending state.

62 (g) Any inmate confined pursuant to this compact shall be re-
63 leased within the territory of the sending state unless the inmate,
64 and the sending and receiving states, shall agree upon release in
65 some other place. The sending state shall bear the cost of such re-
66 turn to its territory.

67 (h) Any inmate confined pursuant to the terms of this compact
68 shall have any and all rights to participate in and derive any bene-
69 fits or incur or be relieved of any obligations or have such obli-
70 gations modified or his status changed on account of any action
71 or proceeding in which he could have participated if confined in
72 any appropriate institution of the sending state located within such
73 state.

74 (i) The parent, guardian, trustee, or other person or persons
75 entitled under the laws of the sending state to act for, advise, or

76 otherwise function with respect to any inmate shall not be deprived
77 of or restricted in his exercise of any power in respect of any in-
78 mate confined pursuant to the terms of this compact.

ARTICLE V

ACTS NOT REVIEWABLE IN RECEIVING STATE; EXTRADITION

1 (a) Any decision of the sending state in respect of any matter
2 over which it retains jurisdiction pursuant to this compact shall be
3 conclusive upon and not reviewable within the receiving state, but
4 if at the time the sending state seeks to remove an inmate from an
5 institution in the receiving state there is pending against the
6 inmate within such state any criminal charge or if the inmate is
7 suspected of having committed within such state a criminal offense,
8 the inmate shall not be returned without the consent of the receiving
9 state until discharged from prosecution or other form of proceeding,
10 imprisonment or detention for such offense. The duly accredited
11 officers of the sending state shall be permitted to transport in-
12 mates pursuant to this compact through any and all states party to
13 this compact without interference.

14 (b) An inmate who escapes from an institution in which he is
15 confined pursuant to this compact shall be deemed a fugitive from
16 the sending state and from the state in which the institution is
17 situated. In the case of an escape to a jurisdiction other than the
18 sending or receiving state, the responsibility for institution of
19 extradition proceedings shall be that of the sending state, but
20 nothing contained herein shall be construed to prevent or affect the
21 activities of officers and agencies of any jurisdiction directed
22 toward the apprehension and return of an escapee.

ARTICLE VI

FEDERAL AID

1 Any state party to this compact may accept federal aid for use
2 in connection with any institution or program, the use of which is
3 or may be affected by this compact or any contract pursuant hereto
4 and any inmate in a receiving state pursuant to this compact may par-
5 ticipate in any such federally aided program or activity for which
6 the sending and receiving states have made contractual provision

7 provided that if such program or activity is not part of the customary
8 correctional regimen the express consent of the appropriate official
9 of the sending state shall be required therefor.

ARTICLE VII
ENTRY INTO FORCE

1 This compact shall enter into force and become effective and
2 binding upon the states so acting when it has been enacted into law
3 by any two contiguous states from among the states of Alaska, Arizona,
4 California, Colorado, Hawaii, Idaho, Montana, Nebraska, Nevada, New
5 Mexico, Oregon, Utah, Washington and Wyoming. For the purposes of
6 this article, Alaska and Hawaii shall be deemed contiguous to each
7 other; to any and all of the states of California, Oregon and Wash-
8 ington; and to Guam. Thereafter, this compact shall enter into force
9 and become effective and binding as to any other of said states, or
10 any other state contiguous to at least one party state upon similar
11 action by such state. Guam may become party to this compact by taking
12 action similar to that provided for joinder by any other eligible
13 party state and upon the consent of Congress to such joinder. For
14 the purposes of this article, Guam shall be deemed contiguous to
15 Alaska, Hawaii, California, Oregon and Washington.

ARTICLE VIII
WITHDRAWAL AND TERMINATION

1 This compact shall continue in force and remain binding upon a
2 party state until it shall have enacted a statute repealing the same
3 and providing for the sending of formal written notice of withdrawal
4 from the compact to the appropriate officials of all other party
5 states. An actual withdrawal shall not take effect until two years
6 after the notices provided in said statute have been sent. Such
7 withdrawal shall not relieve the withdrawing state from its obligations
8 assumed hereunder prior to the effective date of withdrawal. Before
9 the effective date of withdrawal, a withdrawing state shall remove
10 to its territory, at its own expense, such inmates as it may have
11 confined pursuant to the provisions of this compact.

ARTICLE IX

OTHER ARRANGEMENTS UNAFFECTED

1 Nothing contained in this compact shall be construed to abrogate
2 or impair any agreement or other arrangement which a party state may
3 have with a non-party state for the confinement, rehabilitation or
4 treatment of inmates nor to repeal any other laws of a party state
5 authorizing the making of cooperative institutional arrangements.

ARTICLE X

CONSTRUCTION AND SEVERABILITY

1 The provisions of this compact shall be liberally construed and
2 shall be severable. If any phrase, clause, sentence or provision
3 of this compact is declared to be contrary to the constitution of
4 any participating state or of the United States or the applicability
5 thereof to any government, agency, person or circumstance is held
6 invalid, the validity of the remainder of this compact and the appli-
7 cability thereof to any government, agency, person or circumstance
8 shall not be affected thereby. If this compact shall be held con-
9 trary to the constitution of any state participating therein, the
10 compact shall remain in full force and effect as to the remaining
11 states and in full force and effect as to the state affected as to
12 all severable matters.