

## **AELE Jail & Prisoner Legal Issues Workshop**

### **Agenda**

#### **Monday**

8:15 AM Registration

9:00 AM Welcome and Announcements, Use of AELE Web Site, Computer Research at AELE, Review of AELE Resources, Review of Workshop Materials  
(Wayne Schmidt, AELE Staff Representative)

9:20 AM - 12:15 PM (Judge Emory A. Plitt, Jr, Course Director)

- Program Introduction and Objectives, Current Trends in Corrections Litigation, Federal Court, State Courts, Most Frequently Litigated Issues, The Omnibus Deliberate Indifference Standard, Where We Are Headed, Staff Use of Force Legal Standards
- Conditions of Confinement (Conditions) Litigation, Legal Standards, Litigation Considerations, Facility Vulnerability, Capacity Issues, Provision of Services, Accreditation, Standards, Legal Effect, Pros and Cons, Use, Selection and Impact of Expert Witnesses, Use of Your Own Experts, Impact of Prison Litigation Reform Act
- Policy Liability, Relationship to Conditions Cases, Federal Court Standards, State Court Standards, Pitfalls and Mistakes, System Needs, Record Keeping, Reports, and Protecting Yourself, Prisoner Discipline Issues

10:00 AM 15-Minute Break

11:00 AM 10-Minute Break

12:15 PM Lunch (Complimentary for All Registered Attendants)

1:30 - 4:40 PM (Carrie S. Hill)

- Prisoner Mail and Correspondence, Types of Mail, Legal, Official, Personal, Scope of Permitted Regulation and Restriction, Inspection, Removal, and Censorship, Defining and Enforcing Contraband, Packages, Books, Magazines, and Subscriptions, Recommended Procedures
- Failure to Protect, Internal, External, Prisoner to Prisoner, Prisoner to Staff, Staff Obligations, Protective Custody, Threat Assessment, Special Relationships and Special Knowledge, Work Release, Notification and Warning
- Medical Issues Liability, Legal Standards, Required Medical Care Systems and Protocols, Drugs and Appliances, Payment, Private Contractors, Application of Americans With

Disabilities Act (ADA) to Jails, Defining Disabilities, Accommodations, Special Procedures and Housing, Facility Modifications, Programs

2:25 PM 15-Minute Break

3:30 PM 10-Minute Break

4:40 PM Conclude for the Day - Please note that Carrie Hill's presentation will be continued in the morning.

**Tuesday**

9:00 AM (Carrie Hill, continued)

- Religious Worship Issues, New Federal Law, Least Restrictive Means Test, Scope of Restrictions - Legitimate Facility Concerns, Ceremonies and Articles, Legal Assistance, Law Libraries, Trained Personnel, Court Access, Supplies, Postage, and Possession of Papers, Availability of Outside Resources, The Real Issue - Access to the Courts

10:00 AM 15-Minute Break

10:15 AM - 2:30 PM (Ken Katsaris)

- In Custody Deaths and Suicides, Intake Screening, Use of Profiles, Observation Issues and Standards, History of Prior Incidents, Availability of Research, Psychological Services, Transportation and Custody
- Staff Use of Force, Equipment and Techniques, Reporting and Documentation, Force Use Policies, Post-incident Analysis

11:10 AM 10-Minute Break

12:15 PM Lunch (Complimentary for all registered attendants)

1:30 PM (Ken Katsaris, continued)

- Training Needs and Liability Considerations, Entry, In-Service, Training Needs Assessments, Incident Review and Analysis, Staffing, Needs Assessments, Allocation, "Collapsing Posts", Direct vs. Indirect Supervision, Relationship to Liability

2:30 PM 10-Minute Break

2:40 - 3:40PM (John Peters, Ph.D.)

- Psychological Considerations

3:40 PM 10-Minute Break

3:50 - 4:40 PM (Raymond J. Sabbatine)

- Search Issues, Types of Searches, Patdown, Strip, Body Cavity, Search Criteria, Justification, Safety, Order, Contraband, Types of Prisoners and Custody Levels, Visitors

4:40 PM Conclude for the Day - Please note that Ray Sabbatine's presentation will be continued in the morning.

**Wednesday Please remember that the program will start at 8:00 AM tomorrow**

8:00 - 10:55 AM (Raymond Sabbatine, continued)

- Classification, Types of Systems, Objective, Other, Advantages and Disadvantages, Documentation and Use of Forms
- Relationship of Classification to Liability, Why a Working System is Needed, Implementing a System, Literature Review and Availability of Resources
- Classification Standards, Periodic Reviews, Custody and Security Changes, Relationship to Programming

9:00 AM 15-Minute Break

10:00 AM 10-Minute Break

10:55 AM Closing Remarks  
Program Conclusion