

AELE Jail & Prisoner Legal Issues Workshop

January 11-13, 2010

Las Vegas, Nevada



Agenda

Monday January 11

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 W. Schmidt, AELE Staff Representative

9:20 - 11:00 AM Judge Emory A. Plitt, Jr., Course Director
▣ Workbook Sections 21, 22, 23, 34

- 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

10:00 AM 10-Minute Break

11:00 AM 10-Minute Break

11:10 AM John Peters, Ph.D.
▣ Workbook Section 53

- Psychological Considerations

12:15 PM Lunch - Complimentary for All Registered Attendants

1:30 - 4:40 PM Carrie S. Hill
▣ Workbook Sections 24, 40, 46, 48, 49, 50, 51

- 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, Legal Assistance, Law Libraries, Court Access, Trained Personnel, Supplies, Outside Resources, The Real Issue - Access to the Courts

- 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 10-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 January 12

9:00 - 11:00 AM Carrie Hill, continued

- Religious Worship Issues, The Impact of RLUIPA on Operation of Correctional Facilities, The Least Restrictive Means Test, Scope of Restrictions, Prisoner Rights vs. Legitimate Operational Concerns, Ceremonies, Articles, Defining Religion?
- Search Issues, Types of Searches, Patdown, Strip, Body Cavity, Search Criteria, Justification, Safety, Order, Contraband, Types of Prisoners and Custody Levels, Visitors

10:00 AM 10-Minute Break

11:00 AM 10-Minute Break

11:10 AM - 3:20 PM Ken Katsaris

☑ Workbook Section 33

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

12:15 PM Lunch - Complimentary for All Registered Attendants

1:30 PM Ken Katsaris, continued

2:30 PM 10-Minute Break

3:20 PM 10-Minute Break

3:30 - 4:40PM Judge Emory A. Plitt, Jr., Course Director

- 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

4:40 PM Conclude for the Day

Wednesday January 13

(Please remember that the program will start at 8:00 AM tomorrow)

8:00 - 10:55 AM Donald Leach
☑ Workbook Section 55

- 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 10-Minute Break

10:00 AM 10-Minute Break

10:55 AM Closing Remarks
Program Conclusion