

STATE OF MICHIGAN

IN THE 7th CIRCUIT COURT FOR THE COUNTY OF GENESEE

S.L., et al.,

Plaintiffs,

v.

SHERIFF CHRISTOPHER SWANSON, et
al.,

Defendants.

EXPERT REPORT AND AFFIDAVIT OF DR. DORA SCHIRO, Ed.D, J.D.

I, Dora Schiro, declare as follows:

BACKGROUND AND QUALIFICATIONS

1. I am a career public servant with nearly 35 years of experience as a top-level administrator of a variety of jail and prison systems and overseer of federal immigration detention facilities. Between 1984 and 2018, I served as an executive-level administrator, policymaker, and homeland security advisor and was appointed to lead a number of city and state correctional and law enforcement agencies and a federal office overseeing immigration detention. I continue to shape policy and improve practice in the civil and criminal justice systems as an Expert in the fields of Corrections and Immigration Detention.
2. I was selected for and served as Warden of the Medium Security Institution, a jail housing men and women, pretrial or sentenced to a year or less, and adolescents remanded to stand trial as adults, in St. Louis City, Missouri, from 1989 to 1993. I was appointed Commissioner of the St. Louis City Division of Corrections from 2001 to 2003.
3. I was confirmed Director of the Missouri Department of Corrections and held that position from 1993 to 2001. During my tenure as Director, I served concurrently as the Vice-Chair of the State's Sentencing Commission. In 1999, I was selected by my peers to receive the Correctional Leaders of America Michael Franke award, for outstanding service.¹

¹ The Correctional Leaders Association is made up of current and former heads of the country's 50 state correctional systems, the U.S. Bureau of Prisons and several large city jail systems including New York City. Michael Franke was the Secretary of the Oregon Department of Corrections. He was killed in the line of duty.

4. I was appointed Assistant Commissioner of Program Services for the New York City Department of Correction (NYCDOC) from 1985 to 1989; and Commissioner of the NYCDOC, the nation's second largest jail system, from 2009 to 2014. The NYCDOC is distinguished as one of just a few correctional systems to operate a nursery for moms and their newborns, thereby forming as well as fostering parent-child relationships. As Assistant Commissioner, I participated in its planning and, as Commissioner, I supported its ongoing operation.
5. I was appointed Director of the Arizona Department of Corrections (ADC) in 2003, a position I held until 2009. During my tenure, the ADC was the first, and is still the only, correctional system to receive the Innovations in American Government Award, for our prison-based reform, Getting Ready, a comprehensive pre-release preparation and re-entry initiative in which all inmates participated from the first to the last day of their incarceration guided by norms and values mirroring those of the community, including family reunification and fortification.²
6. In 2009, I was selected by U.S. Department of Homeland Security (DHS) Secretary Janet Napolitano, first to serve as Senior Advisor on Immigration Detention and Removal, and then as the founding Director of Immigration and Customs Enforcement (ICE) Office of Detention Policy and Planning. My DHS security clearance was Secret. During my tenure at DHS, I authored the report, *Immigration Detention Overview and Recommendations*,³ adopted in its entirety by DHS as its template for immigration detention reform. The report recognized the importance of parenting and urged facility staff to defer to parents when parenting of their children in the family detention facilities was necessary.
7. In 2015, I accepted an invitation extended by DHS Secretary Jeh Johnson to serve as a member of the DHS Advisory Committee on Family Residential Facilities. Once the Committee was formed, I was selected by my colleagues to serve as one of several co-chairs; our collective charge was to issue a Report with recommendations in 2016. Chief among the Report's findings was the need for ICE facilities to facilitate contact visitation and included recommendations for policies and practices to maximize contact visitation.⁴
8. Most recently, I was appointed Commissioner of the Connecticut Department of Emergency Services and Public Protection consisting of six public safety agencies including the Connecticut State Police, the Peace Officers Standards and Standards (POST) Training Academy, and the state's Forensic Laboratory, from 2014 through 2018. I served concurrently as Connecticut's Homeland Security Advisor (HSA) from 2016 through 2018. My DHS security clearance as HSA was Top Secret. Throughout my tenure as Commissioner and HSA, I partnered with the state's Commissioners of Education, Children's Services, and Corrections, and the state's Police Chiefs to fortify families as a means to strengthen public safety.

² Getting Ready, <https://dss.mo.gov/dys/pdf/iaga.pdf>.

³ DHS, ICE, Immigration Detention Overview and Recommendations, Schriro, Dora, Oct. 6, 2009, <https://www.ice.gov/doclib/about/offices/odpp/pdf/ice-detention-rpt.pdf>

⁴ Report of the DHS Advisory Committee on Family Residential Centers, Sep. 30, 2016, <https://www.ice.gov/sites/default/files/documents/Report/2016/ACFRC-sc-16093.pdf>.

9. In the course of my career, I was recognized on a number of other occasions by the field including the National Governors Association which awarded me the Distinguished Service to State Government Award in 2006, and by the U.S. Department of Justice, Office for Victims of Crime, with the Allied Professional Award in 2012.

10. I received a Bachelor of Arts degree cum laude from Northeastern University in 1972, a Master of Science degree from the University of Massachusetts at Boston in 1974, a Doctoral degree in Administration from Columbia University in 1984, and a Juris Doctorate from St. Louis University in 2002.

11. I was a member of the adjunct faculties of University of Missouri-St. Louis Department of Criminology from 1990 to 1998, St. Louis University School of Law from 2000 to 2002, and Arizona State University Sandra Day O'Connor School of Law from 2005 to 2008, during which time I taught graduate-level Criminology and Correctional Law courses and co-led seminars on sentencing with state court judges.

12. I am knowledgeable about the field's corrections and immigration detention operating standards, notably, the American Correctional Association (ACA) Performance-Based Standards for Adult Local Detention Facility (ALDF)⁵ and Performance-Based Standards and Expected Practices for Adult Correctional Institutions (ACI).⁶ I was directly involved as well in the drafting and revision of several sets of standards, serving as the ACA's representative to the American Bar Association (ABA) committee which was convened to revise the ABA's Treatment of Prisoners,⁷ the ABA's standards for jails and prisons, and selected as well to serve on the ABA Commission on Immigration (COI) committee formed to draft immigration detention standards.⁸

13. Beginning part time in 2013 and continuing full time since 2019, I have served as an Expert in the fields of Corrections and Immigration Detention for government clients including the California Department of Justice, Disability Rights California, a quasi-governmental organization, and the Hampton County, Massachusetts Sheriff's Department; not-for-profit clients, including the American Civil Liberties Union, Southern Poverty Law Center, Human Rights First, and Refugee and Immigrant Center for Education and Legal Services; various civil rights attorneys and firms; and the St. Louis University School of Law Legal Clinics.

⁵ ACA, Performance-Based Standards and Expected Practices for Adult Local Detention Facilities, 5th ed., American Correctional Association, Mar. 2023.

⁶ ACA, Performance-Based Standards and Expected Practices for Adult Correctional Institutions, 5th ed., American Correctional Association, May 2021.

⁷ ABA, Standards for Criminal Justice, Treatment of Prisoners, 3rd ed., https://www.americanbar.org/content/dam/aba/publications/criminal_justice_standards/treatment_of_prisoners.pdf.

⁸ ABA, Commission on Immigration, ABA Civil Immigration Detention Standards, Third Edition, https://www.americanbar.org/content/dam/aba/publications/commission_on_immigration/abaimmdetstds.pdf.

14. I am knowledgeable about the case law and operating assumptions for local jails, state prison systems and federal immigration detention and have firsthand knowledge about the treatment of thousands of individuals in their custody.

15. In the previous four years, I have testified as an expert at trial or by deposition in the following cases: *Endicott v. Hurley et al.*, No. 2:14-CV-107-DDN (E.D. Mo.) in 2020; *Doe v. Senger et al.*, No. 20-cv-3217-DPR (W.D. Mo.) in 2021, *Humphrey v. LeBlanc*, No. 20-cv-233-JWD (M.D. La.) in 2022, and *Lewis et al. v. Cain et al.*, No. 3:15-cv-00318-SDD-RLB (M.D. La.), *Jones, Jones, Rusan, and Withers et al. v. City of St. Louis et al.*, No. 4:21-cv-600 (E.D. Mo), and *Anthony Gay v. John Baldwin et al.*, No. 19-cv-1133, (C.D. Ill.) in 2023. I also testified at trial in the matters of *Doe v. Senger et al.* (W.D. Mo.) and *Lewis et al. v. Cain et al.* (M.D. La.) in 2022.

16. A complete and correct resume that includes a list of my publications from the last ten years is attached as Appendix A.

OVERVIEW

17. I have been asked by counsel for the Plaintiffs in this Matter to opine on the feasibility and value of routinely affording inmates remanded to a county correctional facility in-person contact visits. Specifically, I was asked to address the following questions:

- (a) Are in-person contact visits an industry standard for jails? Why or why not?
- (b) What effect do in-person contact visits have on inmates' well-being, for example on their sense of themselves, their safety, and their future?
- (c) What effect do in-person contact visits have on inmates' behavior, for example on their inclination to act out or withdraw, to harm others or themselves, to instigate or cooperate?
- (d) What effect do in-person visits have on the availability of contraband in a facility?
- (e) In what ways does in-person visitation affect staff safety and job satisfaction?
- (f) What effect do in-person visits have on a facility's budget, and other logistics?
- (g) Do alternative forms of communication, such as communication vis a vis video conversations, phone calls or letters, provide inmates with the same benefits as do in-person contact visits?

18. I relied on my education, decades of professional experience as an administrator in a wide range of correctional facilities, and my professional training in formulating these opinions.

19. I am being compensated in the amount of \$250 per hour to provide my expertise, and deposition or trial testimony at \$1,500 a day, except time spent traveling and not performing work relating to the Matter will be billed at a rate of \$100 per hour.

20. Beyond what has been described above, I was not asked to make any assumptions nor was I provided specific facts or data by Counsel on which I have relied in my analysis.

21. As noted above, I was a top-level administrator of a variety of jail and prison systems and overseer of federal immigration detention facilities between 1984 and 2018 – almost 35 years. At all of these facilities, in-person contact visits were available as a matter of course. In each of these positions I was tasked with setting policy that improves key custodial indicators, such as: the safety and security of the facility (as evidenced by indicators such as the frequency of lock-downs, overuse of disciplinary segregation, and excessive uses of force); the well-being of staff (as evidenced by indicators such as the number of vacancies and the time to fill them, sick leave usage, and grievances filed by the workforce), the custody and care afforded the confined population (as evidenced by indicators such as delayed or denied requests for healthcare, inmate grievances filed or appealed and then reversed, and acts of self-harm), and the safety of the community-at-large (most notably gauged by technical revocations and new charges). A key factor shared in all of the systems in which I served was the availability of in-person contact visits, both those that were available every week throughout the year and those that were arranged to accommodate special family circumstances.

22. Additionally, in each of the correctional systems that I oversaw, I ensured special visits of some kind were available (*e.g.* for holidays, to celebrate graduations from certain programs, or to otherwise raise inmate and staff morale, such as a cookout during a heat wave at a jail without air conditioning). Special visits were typically conditioned on an inmate's good conduct beginning from the time the opportunity was announced, thus allowing the special visit to function as an incentive for good behavior.

OPINIONS

A. Question: Are in-person contact visits an industry standard for jails? Why or why not?

Answer: Yes, in-person contact visitation is the preferred form of visitation as established by the American Correctional Association, the American Bar Association, and general practice among industry leaders.

23. An “industry standard” is a composite of both the case law and research literature on a specific policy or practice. Essentially, each standard is the sum of the core components of a policy, program, or widely recognized practice that should be in place to meet the minimum conditions of adequate confinement. The American Bar Association (ABA) and American Correctional Association (ACA) are the two bodies recognized by the field for promulgating standards for correctional facilities to meet these qualities and characteristics.

24. The American Bar Association's Treatment of Prisoners 3rd edition, published in 2010, expects correctional officials to implement visitation policies that assist inmates and detainees in maintaining and sustaining healthy family relationships and that, therefore, enhance the likelihood of successful reintegration upon their release from custody and return to the community. To that end, ABA Standard 23-8.5 on Visiting specifically provides that "[c]orrectional officials should implement visitation policies that assist prisoners in maintaining and developing healthy family relationships"⁹ Standard 23-8.5 encourages jail and prison administrators to implement visitation policies with the following qualities and characteristics:

- (a) "[S]ufficient and appropriate space and facilities for visiting;"¹⁰
- (b) "[R]easonable visiting hours that are convenient and suitable for visitors, including time on the weekends, evenings, and holidays;"¹¹
- (c) "[P]olicies and programs that facilitate healthy interactions between prisoners and their families, including their minor children," absent individualized determinations to the contrary;¹²
- (d) "Correctional authorities should treat all visitors respectfully and should accommodate their visits to the extent practicable, especially when they have traveled a significant distance. Prisoners should be allowed to receive any visitor not excluded by correctional officials for good cause. Visitors should not be excluded solely because of a prior criminal conviction, although correctional authorities should be permitted to exclude a visitor if exclusion is reasonable considering the conduct underlying the visitor's conviction. Correctional authorities should be permitted to subject all visitors to nonintrusive types of body searches such as pat-down and metal-detector-aided searches, and to search property visitors bring inside a correctional facility;"¹³
- (e) "Visiting periods should be of adequate length. Visits with counsel and clergy should not be counted as visiting time, and ordinarily should be unlimited in frequency. Pretrial detainees should be allowed visiting opportunities beyond those afforded convicted prisoners, subject only to reasonable institutional restrictions and physical plant constraints;"¹⁴
- (f) "For prisoners whose confinement extends more than 30 days, correctional authorities should allow contact visits between prisoners and their visitors, especially with their

⁹ ABA, Treatment of Prisoners Standards 23-8.5(b), available at: https://www.americanbar.org/groups/criminal_justice/publications/criminal_justice_section_archive/crimjust_standards_treatmentprisoners.

¹⁰ *Id.*, 23-8.5(b)(i).

¹¹ *Id.*, 23-8.5(b)(ii).

¹² *Id.*, 23-8.5(b)(iii), (c).

¹³ *Id.*, 23-8.5(c).

¹⁴ *Id.*, 23-8.5(d).

minor children, absent an individualized determination that a contact visit between a particular prisoner and a particular visitor poses a danger to a criminal investigation or trial, institutional security, or the safety of any person. If contact visits are precluded because of such an individualized determination, non-contact, in-person visiting opportunities should be allowed, absent an individualized determination that a non-contact visit between the prisoner and a particular visitor poses like dangers;”¹⁵ and

- (g) “Correctional officials should develop and promote other forms of communication between prisoners and their families, including video visitation, *provided that such options are not a replacement for opportunities for in-person contact.*”¹⁶

25. Similarly, the ACA Performance-Based Standards for Adult Local Detention Facilities, 5th edition, sets forth the following as its performance standard for visitation: “Inmates maintain ties with their families and the community.”¹⁷ Recognizing visitation is key to maintaining foundational relationships with family and friends in the community during one’s incarceration, the ACA adopted its indicators of an effective visitation program in jails:

- (a) “Sufficient space is provided for inmate visiting. There is adequately designed space to permit appropriate screening and searching of both inmates and visitors. Space is provided for the storage of visitors’ coats, handbags, and other personal items not allowed into the visiting area.”¹⁸
- (b) “The number of visitors an inmate may receive and the length of visits are limited only by the facility’s schedule, space, and personnel constraints or when there are *substantial* reasons to justify such limitations. Conditions under which visits may be denied are defined in writing.”¹⁹
- (c) “Special visits are provided.”²⁰
- (d) “Visitors identify themselves and register on entry into the facility. The circumstances under which visitors are searched are described in writing.”²¹
- (e) “Inmates in restrictive housing units have opportunities for visitation *unless there are substantial reasons* for withholding such privileges. All denials for visitation are documented.”²²

¹⁵ *Id.*, 23-8.5(e).

¹⁶ *Id.* (emphasis added).

¹⁷ ACA, Performance-Based Standards for Adult Local Detention Facilities, 5th edition, 5B. Performance Standard: Family and Community Ties, Mar. 2023, ISBN 979-8-9850365-2-7. The ACA Standards are only available for purchase.

¹⁸ *Id.*, 5-ALDF-5B-01.

¹⁹ *Id.*, 5-ALDF-5B-02 (emphasis added).

²⁰ *Id.*, 5-ALDF-5B-03.

²¹ *Id.*, 5-ALDF-5B-04.

²² *Id.*, 2E. Performance Standard: Special Management, Special Management Inmates, 5-ADLF-2F-16 (emphasis added).

26. Also of note, in 2016, ACA delegates unanimously ratified a new standard affirming that video communication should not replace in-person visitation. Standard 2016-1 states, “Correctional agencies should promote communication between offenders and their family and friends and adopt family-friendly policies that: A. Allow visitation . . . [and] B. Use emerging technologies *as enhancements* to existing in-person visitation . . . ”²³

27. The facilities I ran followed industry standards. We offered in-person contact family visits as a matter of course. And everywhere I worked, special visits of one kind or another were added to supplement that minimum practice. This is not to say a person’s access to regularly scheduled in-person contact visits could not be modified to no contact or suspended temporarily by means of an individualized disciplinary hearing if visiting rules had been violated. Similarly, the special visits my staff administered were conditioned on good conduct.

28. In sum, the ACA and ABA recognize – and my own experience serving in systems of varying size and many of the country’s regions over the course of 35 years affirms – that in-person contact visitation, the more normalized the better, minimizes institutional misconduct throughout the population’s incarceration and fortifies their re-entry upon their release. In sum, there is little to lose and everything to gain by adopting both the letter and spirit of those standards.

B. Question: What effect do in-person contact visits have on inmates’ well-being, for example on their sense of themselves, their safety, and their future?

Answer: In-person contact visits have a positive effect on inmates’ well-being; notably, their sense of themselves, their safety, and their future.

29. In my experience, there is no substitute for in-person contact visits. This is borne out by research as well.²⁴ Incarceration is the primary means by which the legal system separates someone charged with or convicted of a crime from his or her community. For as long as these individuals are incarcerated, they have but three means to breach those bars – a letter (including electronic messaging), a phone call, or a visit, specifically a contact visit unless the visitor is unable to visit in person in which case, communication via video should be afforded. Both the ACA and ABA recognize how important in-person contact visits are to help maintain one’s stability and optimism, to minimize misconduct while incarcerated, and to sustain successful reentry upon one’s release. It is also my experience that in-person contact visits are the most effective means for incarcerated people to resolve outstanding issues with immediate family members and make amends before an incarcerated person is released and comes home. Absent access to those visits, the incarcerated person’s anxiety, tension, and sense of isolation has no

²³ ACA Standard 2016-1, Policy Statement, [https://www.aca.org/common/Uploaded%20files/Publications/ACA%20Policy%202024%20-%20Each%20policy%20\(orderd\).pdf](https://www.aca.org/common/Uploaded%20files/Publications/ACA%20Policy%202024%20-%20Each%20policy%20(orderd).pdf).

²⁴ ABA Treatment of Prisoners, 3rd ed., Commentary, pp. 260–64.

place to go, their decision-making is diminished, and their fear of the unknown spirals out of control. Communication is much more than a conversation; it is seeing with one's own eyes what their visitor is conveying and in turn, its impact on the inmate. It is also my experience that in-person contact visits not only reduce the anxiety or tension of the inmates who receive the visits, they also tend to calm the other inmates who know the person who had visitors and saw how much better the person felt when they returned to their housing unit.

30. Similarly, so much good can come from an in-person contact visit for any reason and at any scheduled time. When the cause for that visit is a special occasion for the benefit of many inmates, its impact can be amplified facility-wide. For example, the NYC Department of Correction partnered with the NYC Board of Education and together operated a public high school on Riker's Island with classroom instruction and GED preparation and testing several times a year for anyone under the age of 22. And several times each year, there was a graduation ceremony at those facilities complete with caps and gowns and diplomas. Graduates were able to invite their families and many family members came. I was always on the stage to shake each graduate's hand and I attended wearing my graduation gown and doctoral hood. Inmates had reached an academic milestone under the most difficult of circumstances; they had put their best foot forward. Their families, fortified with the knowledge that their loved ones were doing their best to be their best, were more excited than ever to have them return home. My experience and research show that these kinds of bonds improve internal facility behavior and improve the chances of law-abiding behavior after release.

31. When I was Director Arizona Department of Corrections, I recall one specific conversation with a female corrections officer that was representative of my experiences during which she described the improved mood after one of these special events. She expressed her amazement that after the event the change in the environment in the yard was extraordinary; inmates were saying "hello" to her and having much more positive interactions with her after the event. It seemed to her, and to me, that the special events – and in-person contact visits in general – had a significantly positive impact on inmate morale.

C. Question: What effect do in-person contact visits have on inmates' behavior, such as their inclination to act out or withdraw, to harm others or themselves, to instigate or cooperate?

Answer: In-person contact visits help "to lower the temperature," for weeks before and afterwards, reducing the number and severity of rule violations and building a reservoir of good will that carries over to their releases and contributes towards better outcomes in the community.

32. In-person contact visits are also a highly effective means to decrease violence and other forms of misconduct in the facility. When inmates believe they have nothing to lose, they are more likely to behave as if they have nothing to lose. In my experience, in-person contact visits are both a strategy and an incentive, unlike any other that a facility has to offer, to enhance the safety and wellbeing of everyone in the facility. They are a highly effective strategy, one that

buoys everyone's spirits, and reduces conflict among inmates and between inmates and staff. The reduction in conflict reduces inmates' violations of facility rules and staffs' enforcement. Moreover, in addition to the positive general psychological and emotional effects of in-person visits, routine in-person visits can also be a specific incentive to deter intentional misconduct because they are a highly desired occurrence the threatened deprivation of which can be a strong motivation.

33. Several months into my tenure as Warden of the jail in St. Louis City, it was unseasonably hot and the remainder of the summer was expected to bring more of the same – the jail had no air conditioning, many of the windows were stuck shut, the ventilation was poor, and passing out extra ice and running the box fans day and night only went so far. I conferred with staff and then proposed to the population a special family visit, an outdoors barbeque to be held over the Labor Day weekend. Everyone who remained violation-free could invite their children and an adult family member to join them. Most inmates who were violation-free were joined by a family member. We took special precautions to prevent the introduction of contraband. For example, we had changing tables and disposable diapers where the visiting adult, supervised by a correction officer of the same gender, could change the child before entering the rec yard and plastic bottles into which their formula was poured. Everyone, including the correctional officers who worked the yard those several days, was able to partake in the meal. Those who were incident-free but had no visitors were served barbeque, too, indoors. No public monies were used. Donations poured in. The goodwill that permeated the building continued well past the meal and the weekend. That October, we held a Halloween party in the jail's gym, again for inmates who were incident-free, and their children who we invited to come in costume. When they arrived, there was a face painting booth to complete their costumes, and a lot of candy, too, all of it suitable for a correctional facility – no gum, lollipops, or wooden sticks – and all of it quickly consumed. That was followed by a Christmas party featuring a Santa in his distinctive red suit, and gifts donated by religious volunteers so that every incarcerated parent had something to give to their children. To round out the first of what became an annual calendar of special visits, were Mother's Day and Father's Day celebrations complete with arts and crafts supplies, also donated, for the children who came to make a card to give to and leave with their mom or dad.

34. As Director of the Missouri Department of Corrections, I observed that the women received far fewer visitors than men did – even when there were special visits. Their inability to see their children not only affected how badly they felt and behaved in prison but how successful they may be as parents after their release. I had the good fortune to partner with the Girl Scouts of America (GSA) Behind Bars program, enabling incarcerated moms and their daughters to form their own Troop that met at the facility. These visits afforded mothers and daughters the opportunity to be with one another regularly and to engage in activities that they could continue when the moms came home, and they were reunited. Among the resources that the program provided were the bus, a driver, and chaperons who traveled with the girls to and from the prison. The GSA also sponsored troop meetings in the community in-between those at the facility so that the girls could cultivate friendships with their peers and better support one another.

35. One might wonder why a Department of Correction would try to increase visitation and not merely accommodate it. We made that effort for the same reasons that in-person visitation is the industry standard. Visiting promotes safety now while inmates are incarcerated, and later, after their release and return to the community. In each instance, the goodwill generated by these events is palpable, the organizational climate for both staff and inmates appropriately warm and fuzzy. Visiting is deinstitutionalized without sacrificing either safety or security and, at the same time, inmates' relationships with their families and facility staff are normalized and fortified. Not only is this important, but its impact on the community is consequential. The better inmates' relationships with their families are, the more likely they are to remain in the community upon their release, crime free.

36. Conditioning attendance at these events on inmates being violation-free also provides a positive incentive to encourage good behavior by inmates, thus reducing misconduct. As I describe further below, corrections staff can use the promise of these visits to motivate inmates to avoid poor behavior.

D. Question: What effect do in-person visits have on the availability of contraband in a facility?

Answer: In-person contact visits do not meaningfully increase the presence of contraband in a facility.

37. In my experience, visitation is not the primary way that contraband enters a facility; that, I attribute to the workforce whose responsibility it is to maintain a secure perimeter. No doubt, in-person contact visits can be an opportunity for visitors to try to pass contraband to the population. But eliminating contact visits would not make a material difference in the number or nature of the contraband that is introduced and passed. Visiting policy customarily requires visitors to leave most of their personal property in their vehicles and the rest secured in a locker outside the visiting area. After that, they must clear a walk-through metal detector and/or submit to handheld screening and, when warranted, are subjected to a pat down. Once in the visiting area, custody staff are expected to patrol the area and monitor inmates' and visitors' interactions and intercede when warranted.

38. Unfortunately, most of the contraband that makes its way beyond the secure is attributed to staff, primarily custody personnel, who bring it in on their person or their personal property or allow it pass imbedded in the deliveries of laundry, commissary, and food stuffs, and through various entry ways including the loading docks and employees' entrance. To the extent that any contraband is passed during visitation, it could and should be mitigated readily by adhering to policy and procedures that govern the identification and interdiction of contraband and enforcing the corresponding statutes. Several of the interdiction practices I found to be very effective were limiting the personal property staff could bring into the facility and requiring it fit into a clear plastic container that was run through the metal detector upon entry to the facility and then requiring it was secured in their lockers, also searched on a routine, irregular basis.

39. In my experience, one of the most effective measures to control the introduction and improve the interdiction of contraband through visitation is to do more to inform visitors of the facility's rules. A measure that I took in my first year as Director of the Missouri DOC and continued thereafter – a measure also adopted by a number of other correctional systems since then – was to publish a booklet expressly for newly admitted inmates' immediate family members and their registered visitors, much like the rule book issued to the inmates upon Admission, informing them of that agency's rules and regulations and the consequences if not followed, *just in case those inmates had not done so*. This booklet was not intended to be a substitute for basic safety and security protocols, but it was part of our holistic strategy to minimize risk. There is no substitute for seeing something for one's selves in black and white to promote compliance.

40. The visitor's booklet augmented widely recognized safety policies and procedures also in place to reduce the possible introduction of contraband by the visiting public. Simple security measures, such as gender-neutral pat downs, walking through a correctly calibrated metal detector, and/or wandling visitors with a handheld device, are exceptionally effective means to deter or detect any visitor contemplating the transmission of contraband. Similarly, there are precautions that can and should be taken to clear infants, "lap babies," and toddlers. They include: (i) setting up several tables in the facility's lobby, each one enclosed in a medical screens for privacy, where under the supervision of a correction officer, the visiting adult can be asked to remove the diaper in which the child arrived and change them into a disposable diaper provided by the facility; (ii) allowing one bottle of baby formula in a clear plastic bottle onto the visiting floor; and (iii) maintaining a supply of disposable diapers in the visit house so that any diaper bags can be left in lockers. By implementing these straightforward strategies, my teams and I ensured visits, even with the youngest children, were conducted in a manner that was family-friendly but did not compromise core correctional policies and procedures. The families appreciated the courtesies we extended and complied. Visitors rarely – if ever – intentionally attempted to introduce contraband.

41. Thus, it is my experience that visitation does not significantly contribute to contraband and any risk of contraband coming in through visitors can be minimized through simple security measures and effective communication. Most importantly, we were able to operate a robust in-person contact visiting program including special visits without observing a significant increase in contraband, and I was always looking. From my perspective, the commitment to proceed with an ambitious visitation program arose from a cost-benefit analysis of sorts, in which I saw that the facility, staff, and participating inmates all won when we each did our part by the book; especially our staff whose job it was never to give anyone a free pass if ever there was an attempt to introduce or exchange contraband of any kind. Over the years, every agency evolved its own family-friendly visiting programs and did so without cutting corners or comprising on any of the correctional field's safety and security precautions. As a result, both staff and visitors had the opportunity to see inmates as parents, people in their own right, and at their best. And the inmates had the opportunity to spend time with their child, their partner, or parent, and to be the people their families needed them to be, now and later after they were released.

E. Question: In what ways does in-person visitation affect staff safety and job satisfaction?

Answer: In-person contact visits improve staff safety and job satisfaction, both of which contribute to improvements in staff recruitment and retention.

42. Throughout my career, I have observed that the more productively engaged inmates are, the greater their confidence in their future becomes, and the better their interactions with the workforce become as well. In turn, staff see for themselves inmates' transformations and know that they contributed to that success, and that makes them feel better about themselves and their post assignments. Staff also benefit from watching inmates spend time with their children, partners, and parents. They see for themselves how excited those visitors are to see their parent, partner, or child, and how difficult it is for everyone to say goodbye at the end of each visit. With exposure comes empathy, on all sides. Staffs' shifts become safer and run more smoothly because there are fewer incidents that put staff at risk when inmates spend time visiting their loved ones. And staff's participation in the graduation ceremonies and other kinds of special visits provide more opportunities for them to see those inmates as people, people with hopes and dreams, a future about which everyone could be proud. In short, these officers get to be *correctional* officers. Everyone wins.

43. The information that corrections staff garners is more than interesting – it is intelligence that they can use to interact with the population more effectively. Through the lens that in-person contact visits provide, corrections staff begin to see inmates as more than a person who was locked up for a while in their facility; they see that they are also parents, sons, and daughters who love them. When staff learn about these relationships, they also learn how important their access to those relationships is. Corrections staff learn how they can use that information to encourage good behavior, reminding inmates that misconduct can result in losing visitation, and how sad both they and their families would be. They come to realize visitation is so important to inmates that they will curb their bad behavior so as not to lose it. Staff learn in-person contact visits work as a tool to encourage good behavior, thus increasing staff safety as well.

44. Staff also benefit from a more pleasant work environment created by visitation. During the same conversation I previously referenced with a female correction officer during my time with the Arizona Department of Corrections, she noted the drastically improved environment after a special visitation program. She commented that the improved atmosphere improved her job satisfaction. Conversations like these made it clear to me that staff benefitted from these experiences as much as the facility. When correctional personnel have opportunity to engage in more productive interactions with inmates, those interactions transform them from merely “guards,” a characterization of their role we all resent, to *correctional* professionals.

45. In-person contact visits do so much more than enable staff and inmates to see one another as people; they increase the work force's job satisfaction, thus transforming their view of the work that they do and its value to others. The chemistry that begins with an effective visitation

program can and will run through the facility and its sheriff's department or correctional system, yielding greater job satisfaction, less turnover, fewer vacancies, a drop in mandatory overtime, and increased staff retention. When I was Director of the Arizona Department of Corrections, we received the Innovations in American Government Award for our systemwide reform, a strategy that I described as creating a "parallel universe," operating all our correctional facilities as much like the communities throughout Arizona from which the inmates came and would return as possible. Through this experience, corrections staff discovered that instead of enduring adversarial relationships with the inmate population, they could be *champions* for their success. And, when inmates saw corrections officers as their champions, the quality of interactions between staff and inmates changed for the better. Staff stepped up, cheering on inmates for each of their accomplishments, and inmates opened to exploring other pro-social ways to earn their respect such as earning a GED, remaining incident free, completing an Alcoholics Anonymous program. It changed the dynamic at every facility. Correction officers saw themselves as agents for change. They performed better, and they felt better about their jobs and how they performed. Job satisfaction increased. Turnover decreased. The facilities were safer and operated more smoothly than ever before.

F. Question: What effect do in-person visits have on a facility's budget, and other logistics?

Answer: A jail can provide in-person contact visits with minimal impact on the agency's budget, and, typically, little or no space modifications are needed to accommodate them.

46. In my experience, few if any modifications to the facility are needed to accommodate in-person visits. Generally, all that is necessary is an area inside the secure perimeter with sufficient space to seat visitors and good sightlines, along with restrooms and lockers to secure visitors' personal property nearby. Most facilities have multi-purpose spaces inside the fence line – typically, a chow hall, gymnasium, recreation yard, chapel, classroom, and/or a court room – that is or could be used for visitation. Similarly, most facilities' lobby entrances are equipped with restrooms and lockers and nearby, many have a secure, common area with flexible seating.

47. The U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (BJA)²⁵ has for many years offered technical assistance at no cost to jails and prisons. During my career, I requested and received help on several occasions and was always very satisfied with the results. Several years ago, the BJA received funds to provide technical assistance and training to correctional facilities in furtherance of the Child Friendly Family Visiting Spaces in Jails and Prisons Program.²⁶ The steps that I have taken in my management of effective detention facilities are not unique. I am one of many who looked for and found ways to administer the vital program of in-person visiting safely and effectively.

²⁵ U.S. Department of Justice, National Institute of Corrections, Technical Assistance, Information, and Training for Adult Corrections, <https://s3.amazonaws.com/static.nicic.gov/Library/023063.pdf>.

²⁶ *Id.*, Programs That Support Corrections, <https://bja.ojp.gov/doc/programs-that-support-corrections.pdf>.

48. The benefits of offering in-person contact visits far outweigh any modest financial cost. Unequivocally, objectively, the resources allocated to in-person visits are far less than the financial costs of prohibiting visits, incurred when inmates lack the perspective that family contact provides and believe that they have nothing to lose. These costs include but are not limited to responding to an alarm, the subsequent trips to the medical unit in-house or an off-site emergency room, all the reports to be written, video recordings reviewed, and disciplinary hearings convened to address misconduct. The resources allocated to in-person visits are also far less than the cost to revoke probation or rearrest and then to return a released inmate to jail who is not afforded an opportunity to fortify his or her community ties while incarcerated.

G. Question: Do alternative forms of communication, such as communication via video conversations, phone calls or letters, provide inmates with the same benefits as do in-person contact visits?

Answer: No, there is no substitute for an in-person contact visit with a member of one's family or other approved visitor. The alternative forms of communication – specifically, non-contact visits, video, phone calls and/or letters – do not provide the same benefits.

49. An inmate's access to loved ones is limited to phone calls, letters, and visits. Communicating by either phone or video is expensive; and the inmate or their family pay for both. Either the inmate uses personal funds held in their commissary account or places a collect call to the recipient to speak with one another by phone. Communicating by means of video may only be initiated by the visitor; once cleared by the facility, the visitor must schedule and pay in advance; typically, there is no refund if the inmate is not produced, or the family member is unavailable. Also in common, both phone and video conversations are monitored and may be recorded. Letters must be sent and received through the U.S. Postal Service. Each piece of mail is searched and may be read before it is mailed to the recipient and/or delivered to the inmate. All inmates – except the indigent – are responsible for paying their postage, also from their commissary account. There are three types of on-site visits – (a) in-person contact visits where the inmate and visitor(s) usually sit across from one another at a table and children have some latitude to move about the room; (b) in-person non-contact visits, where the visitor(s) travel to the facility and usually no more than two persons are placed in a booth separated by a plastic partition, the inmate on the other side, in some places there is one phone shared by the maximum of two visitors and in other places there are several holes drilled through the plexiglass requiring everyone to lean forward to hear one another; and (c) on-site, and still, a remote video conversation whereby the visitors travel to the facility only to see by means of a video camera their loved one who remains in another part of the facility, a visit for which they are charged.

50. It is my experience that there is no substitute for an in-person, contact visit – to see a loved one with your own eyes, to feel their touch, watch how they move, catch their scent, know when he or she has turned away from you, shed a tear, shuddered. No other form of communication is comparable in its ability to positively impact the facility's operation, its workforce, the inmate population, and public safety as in-person contact visits. Video may be a valuable supplemental

means of communication under limited circumstances; that is, for those who are immobile, ill, have no means of transportation, or who live a considerable distance from the facility and, in my opinion, should be an option that is available on these occasions only and then, at no cost, as is usually the case with in-person contact visits.

51. In my professional experience, neither non-contact visits nor communicating via a video have the same positive impact on an incarcerated person's sense of self and well-being, or the safety and security of the facility as do in-person contact visits. It is my experience that more contact visits are correlated with a decrease in the severity and number of inmate-on-inmate, inmate-on-staff, and staff-on-inmate incidents of violence, as well as a decrease in acts of self-harm, uses of force, the trafficking of contraband, and revocations or recidivism after their release. Video conversations and phone calls, while important supplements to in-person contact visits, are far less likely to produce the proven benefits that in-person visitation yield.

52. The research literature confirms my experience and those of colleagues. In-person visits with family members not only lower the likelihood of misconduct during incarceration – by minimizing anxiety, tension, and sense of isolation – they also promote successful re-entry at its end, unlike any of the forms of indirect contact in three highly effective ways. One, the strongest bonds to family, friends, and community are formed in-person and once solidified, serve to constrain tendencies to commit crime. Two, these social supports afford more coping strategies for managing the many challenges associated with incarceration as well as re-entry. Three, a viable support system is a highly effective counter to giving up or out-of-control behavior while incarcerated and after release.

53. In the municipal and state correctional systems I led, in-person contact visitation was the norm. Not only are families reunited, but inmate-staff relations also improve. Overall, everyone's safety and wellbeing is improved, fortifying both officer and inmate relationships and the safety and well-being of staff, inmates, their families, and the community at-large. Staff see the softer side of the people in their custody and both the officers and inmates have something positive that they can talk about with each other. It does not take long before a facility's climate changes, for the better. Write-ups go down, more inmates are eligible for visits, inmates' family ties are fortified, and more of the people who are released remain in the community, crime-free.

SUMMARY AND CONCLUSIONS

54. I can attest that, in the course of my 35-year career, correctional facilities operate appreciably better, and inmates and ex-offenders behave appreciably better, when those who are in custody are able to maintain family and community ties. In-person contact visits are the most impactful way to achieve and sustain meaningful critical public safety markers.

55. There is no substitute for in-person contact visitation. None of the other means of communicating with family and friends has the lasting impact that in-person visitation affords.


56. Contact visits benefit both the facility staff and the offenders in their custody. Interacting with one another in a more normalized and less punitive setting creates openings and opportunities to see one another as more complete, and sometimes, complex people.

57. Contact visitation is also an opportunity for inmates and their families to reminisce about what was good, explore their differences, and work through anything that was bad, or sad before the inmate is released and returns home.

58. From a correctional perspective, it would be detrimental to prohibit people detained in a jail facility from in-person contact visits. It is the mission of correctional facilities to promote the public's safety now by means of detention when necessary and promote the public's safety later, when those inmates are released and after they return home. In-person contact visits unequivocally promote both.


59. In my professional experience, in-person contact visitation provides benefits to those in custody, family and friends, staff, and the community at-large. We know better than to prohibit all in-person visits as part of blanket bans on contact with loved ones. There is every reason to do better from a corrections perspective. The only obstacles are those we put in our own way.

I declare under penalty of perjury that the foregoing is true and correct to the best of my ability.


Dora Schriro, EdD JD
March 13, 2024

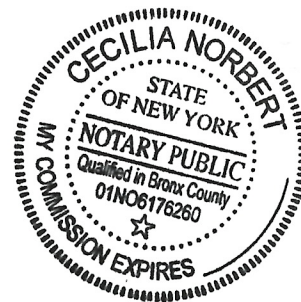
Subscribed and sworn to before me on

This 13th day of March 2024



Notary Public

Commission Expires 10/29/2027



APPENDIX A

DORA B. SCHRIRO, Ed.D. J.D.

EXECUTIVE EXPERIENCE

State of Connecticut, Middletown CT (2014–2018)

Commissioner, Department of Emergency Services & Public Protection (2014–2018)

CT Homeland Security Advisor (2016–2018), DHS clearance, Top Secret, appointed by Gov. Dannel Malloy

- Responsible for CT State Police, Emergency Management & Homeland Security, Scientific Services, Fire Prevention & Control, Police Officer Standards & Training, Statewide Telecommunications
- FY2018 operating budget, \$185M; federal grants, \$348M; bond funding, \$79M; 1817 employees
- Public Safety & Service, Homeland Security, and Emergency Response, Recovery & Resiliency
- Accomplishments: A Comprehensive Procedural Justice Initiative with body-worn cameras for state police on patrol, a civilian complaint process, 21st century curricula for state & local police, annual reports of uses of force, traffic stops & police pursuits, an investigative protocol for officer-involved shootings, and an ICE-interface protocol; Drug Intervention & Enforcement, equipping all troopers and training first responders to administer naloxone, and convening a dark-web opioid taskforce; and Other Harm Reduction Efforts including a statewide cybersecurity investigative unit and comprehensive gun control

City of New York, New York, New York (2009–2014)

Commissioner, New York City Department of Correction, appointed by Mayor Michael Bloomberg

- Responsible for adult detention, prisoner processing, and operation of criminal court pens, an average of 12,000 inmates daily and 100,000 pretrial and city-sentenced inmate admissions annually
- FY2014 operating budget, \$1.065B, capital budget, \$691.9M; 10,440 employees
- Focus: Special Populations; Intake, Classification and Discharge Planning; Staff Accountability; Alternatives to Disciplinary Segregation; Alternatives to Detention
- Accomplishments: 1st U.S. Social Impact Bond funded program, adolescent pre-release initiative; Justice Reinvestment funded pre-release preparation for adults; pre-trial & post-plea diversion for the mentally ill; comprehensive reform of disciplinary segregation with clinical alternatives for special populations; centralized intake with risk & needs classification, gang identification, and discharge planning

US Department of Homeland Security, Washington DC (2009–2009)

Senior Advisor to Secretary on ICE Detention and Removal, appointed by DHS Sec. Janet Napolitano

Director, ICE Office of Detention Policy and Planning, appointed by ICE Asst. Sec. John Morton

- Focus: Design a civil, civil detention system meeting all its health and safety needs and legal requirements
- Authored, 2009 *Report on ICE Detention Policies and Practices: A Recommended Course of Action for Systems Reform*, DHS' template to transform immigration detention and alternatives to detention
- Opened the Office of Detention Oversight and within the first 100 days, deployed detention experts to the field, reassigned facility inspections to occur outside of ERO, brought online the detainee locator and death notification systems, undertook review of IHSC, detention standards, and risk assessment, and reduced family detention to under 100 beds

State of Arizona, Phoenix, Arizona (2003–2009)

Department Director, Arizona Department of Corrections, appointed by Gov. Janet Napolitano

- Responsible for adult corrections and community supervision including 39,000 inmates and 7,200 parolees daily and 55,000 felons annually (21,000 admissions/11,500 case openings)
- FY2009 operating budget, \$1.23B; 9,750 employees
- Focus: Systems reform, re-entry, victim services, strategic planning, privatization oversight
- Winner, 2008 Innovations in American Government, and its first prison-based reform awards recipient

City of St. Louis, St. Louis, Missouri (2001–2003)

Commissioner of Corrections, St. Louis City Division of Corrections, appointed by Mayor Francis Slay

- Responsible for adult detention, prisoner processing, and city probation and parole including 1,500 jail inmates and 2,000 offenders on supervision daily (9,000 admissions/63,000 bookings annually)
- FY2003 operating budget, \$68M; 615 employees
- Focus: Population management, alternative sentencing initiatives, staff development
- Opened and operated the city's first combined police prisoner processing and detention center

State of Missouri, Jefferson City, Missouri (1993–2001)

Department Director, Missouri Department of Corrections, appointed by Gov. Mel Carnahan

- Responsible for adult corrections and probation and parole services including 28,000 prisoners and 65,000 offenders on community supervision daily, 35,000 admissions/72,000 case openings annually
- FY2002 operating budget, \$500M; 11,000 employees
- Focus: Systems and sentencing reform, litigation reduction, restorative justice, capital construction
- Winner, Council of State Governments Innovations award program, and Innovations in American Government 1997 Finalist and 1998, 1999 and 2000 Semi-Finalist

City of St. Louis, St. Louis Missouri (1989–1993)

Correctional Superintendent, St. Louis City Division of Correction, appointed by Mayor Vince Schoemehl

- Responsible for 600 pre-trial and city sentenced inmates, 4,000 admissions annually
- FY1993 operating budget, \$26M; 210 employees
- Focus: Court oversight, overcrowding, certified juveniles, community relations

City of New York, New York, New York (1984–1989)

Assistant Commissioner, New York City Department of Correction, appointed by Mayor Ed Koch

- Responsible for design and delivery of inmate programs services, programs development, grants
- Services provided to 100,000 pre-trial and city sentenced inmates annually by 200 employees
- Focus: Public-funded and accredited education, school-aged inmates; contracts management

Assistant Deputy Director, Office of the Mayor, Coordinator of Criminal Justice

- Grants administration, federal and state funded systems reforms, \$189M annually
- Focus: Alternatives to detention, intermediate sanctions, policy analysis, applied research

CONSULTING SERVICES

Dora B. Schriro Consulting Services, LLC (est. 2013), Expert, Corrections and Immigration innovation, evaluation, and advocacy. Clients include the California Department of Justice, Sheriff's Department, Hampton County, Massachusetts, Disabilities Rights California, St. Louis University School of Law Clinic, American Civil Liberties Union, Southern Poverty Law Center, Human Rights First, the Promise of Justice Initiative, Transgender Law Center, and Arch City Defenders.

EDUCATION

St. Louis University, St. Louis, Missouri, Juris Doctorate, School of Law (2002)

Columbia University, New York, New York, Doctor of Education, Teachers College (1984)

University of Massachusetts at Boston, Massachusetts, Master of Education (1974)

Northeastern University, Boston, Massachusetts, Bachelor of Arts cum laude (1972)

MANAGERIAL PROGRAMS

Council of State Governments, Toll Fellowship (2018)
Harvard University, JFK School of Government, Innovations in Governance (2005)
Harvard University, JFK School of Government, Strategic Public Sector Negotiations (1996)
Harvard University, JFK School of Government, Senior Executives in State and Local Government (1992)

HONORS AND AWARDS, INNOVATIONS

Innovations in American Government, 2008 Winner, Getting Ready: Keeping Communities Safe
Innovations in American Government, 2000 Semi-finalist, Correcting Corrections
Innovations in American Government, 1999 Semi-finalist, Constituent Services
Innovations in American Government, 1998 Semi-finalist, Pre-Promotional Training
Innovations in American Government, 1997 Finalist, Constituent Services
Council of State Governments, 1998 Innovations Award Winner, Waste Tire to Energy
Council of State Governments, 1997 Innovations Award Regional Finalist, Pre-Promotional Training
Council of State Governments, 1996 Innovations Award Finalist, Constituent Services

OTHER HONORS AND AWARDS

U.S. Department of Justice, Office for Victims of Crime, Allied Professional Award, 2012
Florida Immigrant Advocacy Center, American Justice Award, 2011
Hofstra University (Hempstead, New York) Presidential Medal, 2010
National Governors Association, Distinguished Service to State Government Award, 2006
Arizona Parents of Murdered Children, Filling Empty Shoes, 2006 Honoree
Farmingdale Public Schools (Farmingdale, New York), Wall of Fame, 2001 Inductee
St. Louis Forum, Trailblazer Award, 2000
Association of Correctional Administrators, Michael Francke Award for Outstanding Leadership, 1999
Jefferson City (Missouri) Ten Most Influential Women, 1998
Missouri Governor Award for Quality and Productivity, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000
Missouri Governor Torch of Excellence Gold Award, 1999
Missouri Governor Torch of Excellence Award, 1997
International Association of Correctional Training Personnel Award, Pre-Promotional Training, 1996
Women's Self-Help Center, Twenty Distinguished Women, 1996
St. Louis (Missouri) YWCA Special Leadership Award for a Government Official, 1995
Jefferson City (Missouri) News Tribune Statesman of the Month, June 1995

PUBLICATIONS, IMMIGRATION DETENTION REFORM

ICE Detention Standards: A Guide For Family & Friends of Individuals in ICE Detention, ABA, Commission on Immigration (March 2023)
ICE Detention Standards: Immigration Detention Facilities' Responsibilities and Detained Individuals' Rights: A Guide for Practitioners, ABA Commission on Immigration (December 9, 2022)
Access to Counsel in Immigration Detention in the Time of COVID-19, A Guide to ICE PBNDS 2011 Detention Standards for Dedicated Facilities with ICE COVID-19 Modifications, ABA Commission on Immigration (2019).
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On the Other Side of the Looking Glass: COVID-19 Care in Immigration Detention, MDPI, Soc. Sci. (2021)10(10)
Access to Counsel in Immigration Detention in the Time of COVID-19, ABA Commission on Immigration (2020)
Weeping in the Playtime of Others: The Obama Administration's Reform of ICE Family Detention Practices, in

Journal on Migration and Human Security, *The Law that Begot the Modern U.S. immigration Enforcement System: IIRIRA 20 Years Later* (December 2018)

Women and Children First: An Inside Look at the Impediments to Reforming Family Detention in the U.S., in *Challenging Immigration Detention*, ed. by Flynn and Flynn. Edward Elgar Publishing (September 2017)

Afterword, Intimate Economies, Anomie and Moral Ambiguity, in *Intimate Economies of Immigration Detention: Critical Perspectives*, ed. by Conlon and Hiemstra. Routledge Publishers (2016)

Improving Conditions of Confinement for Immigrant Detainees: Guideposts toward a Civil System of Civil Detention in The New Deportation Delirium, ed. by Kanstroom and Lykes. NYU Press (2015)

Family Immigration Detention: The Past Cannot be Prologue, ABA Commission on Immigration (2015)

Envisioning a Civil System of Civil Detention: Our Opportunity, Our Challenge (Foreword), in *Outside Justice*, ed. by Brotherton, Stageman and Leyro. Springer Press (2013)

Improving Conditions of Confinement for Criminal Inmates and Immigrant Detainees, American Criminal Law Review, Georgetown University Law Center (Fall 2010)

The 2009 Report on ICE Detention Policies and Practices: A Recommended Course of Action for Systems Reform, U.S. Department of Homeland Security (October 2009)

Rethinking Civil Detention and Supervision, Arizona Attorney (July–August 2009)

PUBLICATIONS, CORRECTIONS REFORM

Smart and Safe: Making the Most of Adolescents' Time in Detention, the Physical Plant, Our Workforce, and the "What Works" Literature, in *The State of Criminal Justice*, American Bar Association (2013)

Corrections: The Justice-Involved Mentally Ill, A Practitioner's Perspective, in *The State of Criminal Justice*, American Bar Association (2012)

Good Science, Good Sense: Making Meaningful Change Happen – A Practitioner's Perspective, *Criminology & Public Policy*, Vol. 11, No. 1, Special Issue (February 2012)

Is Good Time a Good Idea? *Federal Sentencing Reporter*, Vol. 21, No. 3 (February 2009)

Correcting Corrections: The Arizona Plan: Creating Conditions for Positive Change in Corrections, *Confronting Confinement: A Report of the Commission on Safety and Abuse in American Prisons* (2006)

Missouri's Parallel Universe: Blueprint for Effective Prison Management, *Corrections Today* (April 2001)

Correcting Corrections: Missouri's Parallel Universe, *Papers from the Executive Sessions on Sentencing and Corrections*, U.S. Department of Justice, Office of Justice Programs (May 2000)

Avoiding Inmate Litigation: The 'Show-Me' State Shows How, *Sheriff's Magazine*, (March–April 1999)

Best Practices: Excellence in Corrections, American Correctional Association (August 1998)

Reducing Inmate Litigation, *Corrections Today* (August 1998)

Corrections Management Quarterly, Issue Editor, Aspen Publications (1997)

Currents, Leadership St. Louis, Danforth Foundation (1992)

What Makes Correctional Education Educational, *Journal of Correctional Education* (September 1986)

Safe Schools, Sound Schools, ERIC Clearinghouse on Urban Education (January 1985)

What Works with Serious Juvenile Offenders: US Experience, *Juvenile Delinquency in Australia* (1984)

What Makes Correctional Education Educational: Ethnography of an Instructionally Effective School, University Microfilm (1983)

STANDARDS, SENTENCING AND RELATED CIVIL-CRIMINAL JUSTICE REFORM ACTIVITIES

Women's Refugee Commission, Commissioner (2012–2023)

American Bar Association, Commission on Immigration, Special Advisor (2019–2023)

American Bar Association, Commission on Immigration, Advisory Board Member (2017–2019)

American Bar Association, Commission on Immigration, Standards for the Custody, Placement and Care; Legal Representation, and Adjudication of Unaccompanied Alien Children in the United States (2018)
U.S. Dept. of Homeland Security, DHS Family Residential Ctr. Advisory Committee, member (2015–2016)
American Bar Association, Commission on Immigration, Commissioner (2014–2016)
American Bar Association, Commission on Immigration, Co-chair, Standing Subcommittee on Punitive Segregation, (2012–2014)
American Bar Association, Commission on Immigration, Civil Detention Standards Task Force (2011–2012)
American Bar Association, Criminal Justice Standards Subcommittee, ACA representative (2005–2008)
Arizona State University School of Law, Sentencing Policy Seminar (2004–2005)
Arizona Attorney General Sentencing Advisory Committee (2004–2008)
St. Louis University School of Law, Instructor, Sentencing Policy Seminar (2000–2002)
Missouri Sentencing Advisory Commission, Vice Chair (1994–2001)
U.S. Department of Justice Executive Sessions on Sentencing and Corrections, in conjunction with Harvard University JFK School of Government and University of Minnesota Law School (1997–2000)
Partnership for Criminal Justice Workshop, Institute on Criminal Justice, University of Minnesota Law School, State Partner (1997–2000)
State Sentencing and Corrections Program, Vera Institute of Justice, National Associate (1999–2002)
U.S. Dept. of Justice, Bureau of Justice Assist., Discretionary Grant Program, Peer Reviewer (1994–2002)

PRE-DOCTORAL EMPLOYMENT, LECTURING AND RELATED EXPERIENCE

Employment

- Executive Director, Planned Parenthood of Bergen County, Hackensack, New Jersey (1983–1984)
- Director, Correctional Education Consortium, Long Island City, New York (1982–1983)
- Supervising Social Worker, Franklin Public Schools, Franklin, Massachusetts (1978–1981)
- Director, Adult and Continuing Education, Franklin Public Schools, Franklin, MA (1978–1981)
- Director, Staff Development, Wrentham State School, Wrentham, Massachusetts (1977–1978)
- Program Administrator, Medfield-Norfolk Prison Project, Medfield, Massachusetts (1974–1976)

Academic Experience

- Instructor, Arizona State University School of Law, Corrections Law Seminar (2005–2008)
- Instructor, St. Louis University School of Law, Sentencing Policy (2000–2002)
- Senior Policy Fellow, Public Policy Research Center, University of Missouri-St. Louis (2001)
- Visiting Lecturer, Strategic Planning, National Institute of Corrections (1998–2002)
- Adjunct Professor, Criminal Justice, University of Missouri-St. Louis (1990–1998)
- Adjunct Professor, Criminal Justice, Long Island University at CW Post (1986–1988)
- Instructor, Innovation, Open Center of New York City (1987)
- Teaching Assistant, Field Research Methodology, Administrative Intern to the School Superintendent, Franklin Public Schools, Franklin, Massachusetts (1979)
- Visiting Lecturer, Special Education, Framingham State College, Framingham, Massachusetts (1979)
- Adjunct Professor, Psychology, Fischer Junior College, Boston, Massachusetts (1978)

Related Activities

- Institutional Research Board, St. Louis University (2002–2003)
- Institutional Research Board, University of Missouri-St. Louis (2001–2003)

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Professional References available upon request