



The Koror Jail: *Cultivating a Community Within a Prison*

By the Hon. Michael J. Rosenthal

The only correctional facility in the Republic of Palau, the Koror Jail, has undergone significant changes in the past three and half years. This is evidenced by a 75 percent reduction in escapes, a significant decrease in contraband smuggled into the facility, fewer inmate problems and improved relations between inmates and police officers. These improvements have occurred in spite of a 40 percent increase in the number of inmates and an operating budget that has remained the same for years. The changes can be attributed to improved personnel and management decisions, building a sense of community within the facility, empowering inmates and providing positive activities. While there are significant differences between the administration of a prison in a small Pacific Island jurisdiction and those of larger nations, there are commonalities in human behavior that are applicable to all jurisdictions.

Background

The Republic of Palau is an archipelago of more than 300 islands located in the western part of the Caroline Islands group of the Pacific, just north of the equator. The total land area of the nation is approximately 458 square kilometers, slightly more than 2.5 times the size of Washington, D.C. This nation of about 20,000 people is best known as one of the premiere dive sites in the world.

In 1914, Japan took control of Palau under a League of Nations agreement, using it as a base of operations for all of Micronesia. At the end of World War II, Palau became a trust territory of the United States under a U.N. agreement. In 1981, Palau adopted a constitution that is modeled after the U.S. Constitution. In 1994, Palau became an independent nation and the 185th member of the United Nations. Since gaining independence, Palau has continued its relationship with the United States through a Compact of Free Association in which the United States provides, among other benefits, military defense and financial assistance.

The Republic of Palau has a form of government similar to that of the United States. The Ministry of Justice, with an annual budget of approximately 3.6 million U.S. dollars (excluding grants and donations), is one of eight Cabinet-level ministries in the executive branch, which contains the Office of the Attorney General, the Bureau of Immigration and the Bureau of Public Safety. The Bureau of Public Safe-

ty includes the divisions of corrections, criminal investigation and drug enforcement, fire and rescue, fish and wildlife protection, marine law enforcement and patrol. Approximately 200 people are employed by the Ministry of Justice, three-fourths of whom are officers.

Koror Jail

The Koror Jail presently houses 110 inmates,¹ an increase of 40 percent since March 2001.² Thus, the incarceration rate for inmates and long-term custodies is about 550 per 100,000 residents, compared with the U.S. rate of 715 per 100,000, according to the U.S. Department of Justice. The rate at Koror Jail does not include short-term custodies, which are especially frequent on weekends.³ There are currently eight women and eight non-Palauan inmates, one of whom is a female, imprisoned at Koror Jail.

The crimes for which inmates are incarcerated vary. Approximately one-third of inmates have been convicted of trafficking methamphetamine. Many are incarcerated for acts committed while under the influence of alcohol. In fact, according to the Palau Anti Substance Abuse Program, at least 90 percent of all violent crimes in the Republic of Palau are committed while offenders are under the influence of alcohol and/or drugs. Two inmates are in the jail based on their convictions for the successful conspiracy that resulted in the assassination of a former president of the republic. Sentences range in accordance with the crime, from weekends in jail to life imprisonment.⁴

The jail is run by police officers assigned on a rotating basis to the Division of Corrections. The division has 10 police officers, one administrative assistant and one chief. At most times, there are only two officers on duty in the jail. With a yearly budget of \$200,000 for food, toiletries, cleaning supplies and salaries, there are limited discretionary funds available to make improvements or implement new programs. The government spends approximately \$5 per day, per inmate.

The jail is situated in the nation's government center, between the buildings that house the ministries of Finance and Justice, the Office of the Vice President and the Palau National Congress. The facility consists of three structures located within an area of about 17,000 square feet, and is surrounded by an eight-foot wire mesh fence, an eight-foot concrete wall, and the wall of the main Ministry of Justice

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building. The two older structures were built in the 1970s, while the new structure was completed in the 1990s.

There is no outside perimeter, and no watch towers or other security devices such as surveillance cameras and floodlights. In the past, inmates have escaped from the jail by scaling the walls or breaking through the frail construction of the facility.⁵ These same structural deficiencies are avenues through which drugs, weapons and other contraband have been surreptitiously transported inside. In addition, the prison cannot be expanded because it is sandwiched between government buildings and private residences. Notwithstanding these limitations, prison escapes have been reduced by 75 percent since March 2001.⁶

Personnel

For many years, the functions of the Division of Corrections were considered less significant than other police matters and the least effective officers were assigned to the agency. As a result, neither management nor the officers sought to make positive improvements.

In fact, effectively fulfilling the duties of an officer at the Division of Corrections can be extremely difficult. The job does not present the same excitement as other positions, but instead demands conscientious adherence to routine procedures such as headcounts. Additionally, officers may be subjected to pressures from family, friends or inmates to bend the rules. This is particularly problematic in a country with a small population where officers may have relationships with inmates through birth, marriage, adoption or clans. Also, the officers are generally not under public scrutiny, allowing the perception that there are opportunities to take advantage of the system.

To address these issues, officers are frequently rotated through the Division of Corrections. This has helped reduce the bad habits and improper relationships that had developed, and has also provided an opportunity to evaluate staff performance. Moreover, the officers previously detailed to the Division of Corrections have improved their performance at the other divisions to which they are now assigned. In addition, there is now more accountability through the use of forms to track events at the jail and improved policies. The management recognizes the crucial nature of the Division of Corrections and stresses this importance with the officers.

These personnel changes have resulted in enhanced professional conduct toward the inmates and a mutual respect and trust between officer and inmate. Consequently, the lives of the inmates are more tolerable, their attitudes more cooperative and the environment has become more positive.

Fairness

It is necessary that prison rules and regulations be reasonable, clear and applied equally to all inmates. One rule that required clarification was the long-standing policy to allow inmates to attend funerals of “close” relatives. This term is especially vague in Palau due to the myriad relationships, and decisions by the police in this regard previ-

ously appeared to be enforced unfairly. For this, among other reasons, the phrase “close relative” was defined as a brother or sister, mother or father and son or daughter. A form was created for all those requesting to attend a funeral on which the policy is set forth. Although the new policy is more restrictive, inmates have accepted the change. In fact, these Division of Corrections policies have been more stringent, yet inmates appear to respect the reasonable policies and fair administration by the officers.

It is also helpful if inmates are consulted regarding changes. Often the inmates have insightful ideas that can be incorporated, adding to the sense of a responsibility and community. For those instances for which policies are required by law or for security, the inmates are, at a minimum, advised of changes in advance with an explanation of how and why those changes will be applied.

Sense of Ownership

The Koror Jail was not built to handle the current number of inmates, so to accommodate the increasing prison population, the facility has continually undergone structural changes. The newer facility houses a total of about 100 inmates. The shower room, chapel and kitchen in the new building have all been converted to cells, which presently house about 25 inmates. Other areas have been constructed or modified, many with used materials. Before undertaking these projects, or any renovations or changes, inmates are now consulted. Often, without government funding, upgrades have been accomplished through the cooperation of inmates and sometimes at their initiative. Inmates also have contributed labor and have donated materials. A case in point is the new jail chapel, known as the Glory House. The increase in inmate population required that the former chapel be converted into four jail cells and the activities be moved to an alternate location. The best alternative was a structure known as the “summerhouse.” It is a typical Palauan structure that consists of a roof supported by posts. However, the structure was located on a dirt floor and was in obvious disrepair. Alterations were needed and the inmates were allowed to take responsibility for the project. Donations were sought by inmates, and provided by local churches, community members and even some of the inmates themselves. The inmates designed the modifications and undertook all the work. The Glory House, which



Inmates at Koror Jail take pride in the story boards they carve, which have become a shopping attraction in Palau.

opened in October 2003, is now a very attractive, clean structure maintained by the inmates and used for daily religious services and various types of meetings.

Inmates have also provided labor and materials, at their own expense, to construct the new inmate store, install a sink and cleaning area, and make various improvements to the kitchen, among other projects. The facility is no longer viewed as just a government structure, but instead as a part of the community that the inmates have helped create. Not surprisingly, graffiti and vandalism, which were common at the jail in the past, has significantly decreased. Inmates are now happier with their environment, take more pride in their residence and work to ensure that it remains well cared for.

Incentives

Traditionally, the Division of Corrections attempted to control inmate behavior primarily through a punitive system such as placement in isolation rooms. While the agency continues to administer punishments in accordance with Palau National Code and Ministry of Justice regulations, imposition of disciplinary measures is decreasing. In part, this appears to be the result of the benefits provided to the inmates that can be withdrawn when there are violations of jail rules or other problems. These benefits include, but are not limited to, use of weightlifting equipment, table tennis, basketball, television and visitation.

One of the most significant privileges at the jail is carving story boards, which are pieces of local woods, primarily mahogany, carved with figures and scenes, usually depicting Palauan legends such as the creation of the islands. In the past, there were no more than a dozen inmates engaging in this art. There are now 45 inmates creating story boards, and those who are the most talented, known as the “master carvers,” share their skills with inmates who have never carved before. In addition, four inmates are involved with the production of jewelry made out of turtle shell, which is known locally as “toluk.”

The sale of story boards at the Koror Jail is listed as a shopping attraction in the *Micronesia Handbook*.⁷ The total gross sales of traditional arts from the Koror Jail in 2004 will exceed \$50,000. The carving and sales of story boards serve a number of benefits for inmates, including the ability to pay fines, make restitution, provide support to family members, or be used to purchase food or other necessities. The practice also provides a skill for inmates to use when they leave the jail and perpetuates this traditional Palauan art form.

Responsibility

At the Koror Jail, inmates have been given responsibility for many of their own affairs. The inmates operate a store using the same business license used for sales of story boards, and pay, in accordance with law, a quarterly gross receipts tax. Instead of the Division of Corrections taking a portion of the proceeds from these sales, the inmates are asked to use money to help make repairs or purchase needed cooking equipment for the Koror Jail.

The inmate store sells various items, including food and necessities such as soap, and inmates are allowed to maintain cookware and utensils to prepare and eat their own meals. It has also been the policy of the Ministry of Justice to allow inmates to catch fish, under the supervision of police officers, to feed the jail population, thus reducing food costs for the government.⁸ Additionally, it is common for inmates to receive food from family and friends.⁹ Through these policies, and better accountability, the cost of procuring food has been reduced, even though the number of inmates has increased.

There is also a strong sense of responsibility for the more experienced and older inmates to assist the younger inmates. In part, this has developed at the request of management. It is also in the best interest of the entire population that younger inmates are given guidance to avoid engaging in acts that could result in the loss of privileges for all inmates.

Religion

Religious services are held at least once daily at the Glory House. More than half of all the inmates regularly attend services that are provided by the majority of religious denominations in the Republic of Palau. Additionally, in May 2002, Pastor Ruth Snyder established the Interdenominational Christian Charismatic Fellowship at the jail to provide church meetings, Bible study and counseling to many of the inmates. Snyder also serves as president of the Board of Prison Fellowship Palau, which was incorporated in 2004 and later chartered as a member of Prison Fellowship International, an international organization that has chapters in more than 100 countries. It is evident that the spiritual guidance provided by all the churches has touched the lives of many inmates and there have been real and noticeable changes in the spirituality and demeanor of these participants.

Opportunities

The Ministry of Justice has initiated a number of beneficial programs within the jail. Many of these programs have been implemented in collaboration with other agencies, organizations and people that do not require funding from the Division of Corrections.

Working together with the Ministry of Health, a substance abuse office was established at the jail more than two years ago, and more than a dozen inmates regularly attend the weekly meetings. A GED program is now offered inside the jail with more than 20 inmates attending. Biweekly English classes have also been provided by a teacher from the Palau Community College who donates her time. Inmates may also be allowed, through court order or executive clemency, to attend Palau Community College or work outside of the jail during the day.

As a way of contributing to the Republic of Palau, inmates have been involved in numerous community projects, including repairs to Belau National Hospital and the construction of a site known as Ngirngemelas Square in the state of Ngiwal. The inmates have also made repairs to the Ministry of Justice building and have recently completed a new summerhouse for its employees. Further, inmates reg-

ularly assist with firefighting responsibilities, repairs and maintenance of Ministry of Justice equipment and vehicles, and many other functions, which has greatly benefited the republic, has allowed inmates to learn useful skills and has provided an opportunity to compensate the community.

A True Difference

In speaking with numerous inmates who have been at the facility for many years, they all stated that they are happier now since reforms have been made. This gradual change in attitude is due to many of the factors that have been described above such as an increased relationship with officers, inmate privileges and religion.

What also has contributed to inmates' improved behavior and overall contentment with the prison is the establishment of relationships among inmates. Inmates now say hello to one another and there is virtually no violence toward other inmates, which was the case in the past. There is now a feeling of community. Another aspect of inmate relationships is counseling that occurs between the senior and younger inmates. In Palauan custom, younger members of society look up to their elders and are expected to listen to them. The senior inmates regularly speak with and counsel the younger inmates and want to make sure that when they leave, they do not return. They feel a responsibility to other inmates to help them not repeat mistakes and they care about their well-being.

Benefiting Everyone

For the past three and a half years, the Division of Corrections has sought to build a community within the Koror Jail and the improvements that have resulted are remarkable. While the inmate population has significantly increased, the number of escapes and import of contraband into the facility has decreased and there are fewer inmate problems, notwithstanding the same budget as four years ago. These changes have been the result of numerous factors, accomplished at no additional cost, including:

- Implementing reasonable policies that are applied uniformly and fairly to all inmates;
- Soliciting input from inmates on prison management and facility issues and keeping inmates informed of policies and changes;
- Implementing improved personnel policies such as rotating officers through the Division of Corrections;
- Giving inmates a sense of ownership in the facility;
- Giving inmates incentives to follow the jail rules and regulations without merely relying on punishments;
- Making inmates more responsible for their lives and the jail; and
- Allowing opportunities for self-improvement and spiritual growth.

Improvements at the jail have benefited the Ministry of Justice both financially and administratively, and the reli-

gious, work and educational programs will benefit inmates with their release into the community. It is hoped that the lessons learned at the Koror Jail will remain with the inmates throughout their lives, reduce the recidivism rate, and result in happier lives for themselves, their families and those in the community.

ENDNOTES

¹ The term inmate is used in this article to refer to those individuals at the Koror Jail who have been sentenced to a term of imprisonment, and those who are in custody awaiting trial or sentencing and have been denied or been unable to make bail.

² There was an average of 70 inmates in March 2001. Although the prison population has increased, statistics show that the overall crime rate has decreased. Thus, the larger prison population can be attributed to factors such as better investigations and prosecutions and mandatory-minimum sentences for drug trafficking.

³ Title 18, Section 218, of the Palau National Code provides that arrested individuals may be held in custody for up to 24 hours.

⁴ The laws of Palau allow for parole after having served one-third of a sentence of incarceration, and the president has authority to issue executive clemency to any person convicted of a crime. The powers of clemency range from a full pardon to other remedies such as work or educational release during a portion of the day. Additionally, the Palau Supreme Court has significant discretion in fashioning criminal sentences and may also provide for some type of work or educational release.

⁵ Some inmates escaped during visits to the hospital. About two years ago, inmates were required to wear handcuffs and orange prison vests when on route to and while at the hospital, which significantly reduced the number of inmates requesting to go. There have not been any such escapes since the implementation of this policy.

⁶ From September 1995 through February 2001, there was an average of 24 escapes per year. From March 2001 until September 2004, there was an average of six escapes per year. The figures for the earlier period understates the actual number of escapes due to inaccurate reporting.

⁷ Levy, N.M. 1997. *Micronesia handbook, fourth edition*. Moon Travel Handbooks. Emeryville, Calif.: Avalon Travel Publishing.

⁸ The Bureau of Public Safety Rules and Regulations state, in part, that "Prisoners are to assist in obtaining their own food." Inmates are assigned as cooks to prepare meals.

⁹ Food is also donated occasionally by local community organizations, and sometimes fish seized by the Division of Marine Law Enforcement is provided.

The Hon. Michael J. Rosenthal, a U.S. citizen, is minister of justice of the Republic of Palau. He is the first non-Palauan to ever hold a Cabinet-level position in the Republic of Palau. Prior to being sworn in, Rosenthal served as the special prosecutor for the republic and was a trial attorney for eight years for the U.S. Department of Justice, Tax Division, Criminal Enforcement Section.