



**American Correctional Association**

***RESOLUTIONS***

(As reviewed, amended and adopted at the  
141st Congress of Correction)



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## Supporting Creation of an Office of Criminal Justice Health Care

1999-1

**WHEREAS**, the American Correctional Association affirms that comprehensive health care includes prevention, intervention, education and treatment for physical, mental and behavioral health problems; and

**WHEREAS**, many individuals involved with the juvenile and adult justice systems have or are at risk for communicable diseases and mental health and other health-related problems; and

**WHEREAS**, a public health crisis is occurring in our nation and its juvenile and adult justice systems; and

**WHEREAS**, applying public health prevention and intervention strategies in juvenile and adult justice systems is important for protecting and improving the health of offenders, staff, and the community at large; and

**WHEREAS**, providing timely assessments and appropriate services may result in the prevention of further spread of communicable diseases in the community; and

**WHEREAS**, juvenile and adult justice staff of various disciplines can be exposed to these diseases in the course of their daily duties and placed at risk; and

**WHEREAS**, there is a need to develop and sustain educational and immunization programs for persons in the adult and juvenile justice systems; and

**WHEREAS**, the adult and juvenile justice systems have a responsibility to improve public health through the education, immunization, prevention and treatment of an at-risk population; and

**WHEREAS**, there is no single source of information and resources dealing with the issue of juvenile and adult offender health care; and

**WHEREAS**, there is a need for collaboration among the various components of the adult and juvenile justice systems and public health systems; and now

**THEREFORE BE IT RESOLVED** that the American Correctional Association supports and urges the creation within the U.S. Department of Health and Human Services an Office of Criminal Justice Health Care to coordinate health programs directed at populations under the jurisdiction of adult and juvenile justice systems.

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This resolution was adopted by the American Correctional Association Delegate Assembly on Aug. 11, 1999, at the Congress of Correction in Denver. It was reviewed, amended and reaffirmed at the Congress of Correction in Anaheim, Calif., Aug. 8, 2002. It was reviewed, amended and reaffirmed at the Congress of Correction in Baltimore, Aug. 10, 2005. It was reviewed, amended and reaffirmed at the Congress of Correction in New Orleans, Aug. 13, 2008. It was reviewed and reaffirmed without amendments at the Congress of Correction on Aug. 6, 2011, in Kissimmee, FL.

## **Recognizing the United Nations Standard Minimum Rules**

### **for Treatment of Offenders**

**2001-1**

**WHEREAS**, the American Correctional Association's vision statement reflecting the 1870 Declaration of Principles requires that we shape the future of corrections through strong leadership that brings together various voices and forges coalitions and partnerships to promote a principle-centered criminal and juvenile justice system; and

**WHEREAS**, the American Correctional Association is a recognized authority in establishing standards and accreditation of adult and juvenile corrections; and

**WHEREAS**, the American Correctional Association has a heritage of supporting initiatives for safe, effective and efficient programs for offenders that enhance human dignity; and now

**THEREFORE, BE IT RESOLVED** that the American Correctional Association recognizes and appreciates the contributions of the United Nations Standard Minimum Rules to the universal development of more humane and effective correctional systems, and to the continuing development of ACA standards; and

**THEREFORE BE IT FURTHER RESOLVED** that the American Correctional Association indicates a willingness to attain the optimum benefits of the United Nations Standard Minimum Rules.

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This resolution was adopted by the American Correctional Association Delegate Assembly on Jan. 24, 2001, at the Winter Conference in Nashville, Tenn. It was reviewed, amended and reaffirmed at the Winter Conferences in New Orleans, Jan. 14, 2004 and Tampa, Fla., on Jan. 24, 2007 and Jan. 27, 2010.

**Supporting Full Funding of Programs Authorized by the Mentally Ill Offenders  
Treatment and Crime Reduction Act**

**2003-1**

**WHEREAS**, a significant number of adults incarcerated in U.S. jails and prisons have a mental illness; and

**WHEREAS**, a significant number of youths in the juvenile justice system have serious mental health problems including co-occurring mental health and substance abuse disorders; and

**WHEREAS**, the majority of these individuals have illnesses or disorders that are responsive to treatment in the community; and

**WHEREAS**, the Mentally Ill Offenders Treatment and Crime Reduction Act was made public law on Oct. 30, 2004, by Congress to provide local communities with resources they need to develop innovative solutions to avoid the criminalization of those with mental illness; and

**WHEREAS**, the law creates planning and implementation grants for communities to offer treatment and other services including housing, education, and job placement to mentally ill offenders; and

**WHEREAS**, grants under the law allow for the establishment and expansion of community-based treatment programs in adult and juvenile detention and corrections facilities, jail treatment programs, and transitional services; and

**WHEREAS**, grants under the law can be utilized to enhance training for criminal justice personnel and mental health system personnel who must understand how to respond appropriately to this population; and now

**THEREFORE BE IT RESOLVED** that the American Correctional Association supports full funding of the provisions of the Mentally Ill Offenders Treatment and Crime Reduction Act.

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This resolution was adopted by the American Correctional Association Delegate Assembly at the Congress of Correction in Nashville, Tenn., Aug. 13, 2003. It was reviewed, amended and reaffirmed by the American Correctional Association Delegate Assembly at the Congress of Correction in Charlotte, NC, Aug. 16, 2006. It was reviewed, amended and reaffirmed by the American Correctional Association Delegate Assembly at the Congress of Correction in Nashville, Tenn., Aug. 12, 2009.

**In Support of the ABA Blueprint for Cost-Effective Pretrial Detention,  
Sentencing and Corrections Systems**

**2003-2**

**WHEREAS**, it is good correctional practice to regularly examine the effectiveness of current sentencing and correctional policies;

**WHEREAS**, the American Bar Association House of Delegates unanimously approved a resolution calling on the federal, state, territorial and local governments to undertake a comprehensive review of their pretrial detention, sentencing and correctional systems to address important budgetary priorities; and now

**THEREFORE BE IT RESOLVED** that the American Correctional Association affirms the need for federal, state, territorial and local governments to closely examine and, wherever feasible, consider implementing the recommendations of the "ABA Blueprint for Cost-Effective Pretrial Detention, Sentencing and Corrections Systems."

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This resolution was adopted by the American Correctional Association Delegate Assembly at the Winter Conference in Charlotte, N.C., Jan. 15, 2003. It was reviewed and amended at the Winter Conference in Nashville, Tenn., Feb. 1, 2006. It was reviewed and amended at the Winter Conference in Kissimmee, Fla., Jan. 14, 2009.

## **Urging Representation of Corrections at the United Nations Crime Congress**

**2004-1**

**WHEREAS**, the United Nations Congress on the Prevention of Crime and the Treatment of Offenders is a significant global forum within which to disseminate research, information and share practical experience and expertise on criminal justice practices throughout the world; and

**WHEREAS**, the scope of the U.N. Crime Congresses has broadened from the early focus on penology and treatment of juvenile offenders to include issues such as the relationship between crime control and social and economic development and international responses to transnational crime; and

**WHEREAS**, U.N. Crime Congresses bring together representatives of the world's governments, specialists in crime prevention and criminal justice, scholars with noted international expertise and members of intergovernmental and non-governmental organizations; and

**WHEREAS**, the recommendations from the U.N. Crime Congresses, issued through the Commission on Crime Prevention and Criminal Justice, impact on the legislative bodies of the United Nations - the General Assembly and the Economic and Social Council - and the criminal justice policies and practices of national and local governments; and now

**THEREFORE BE IT RESOLVED** that the American Correctional Association urges all governments that send representatives to the Crime Congresses, the United Nations Crime Commission and related bodies include individuals with practical corrections expertise in their delegations; and

**THEREFORE BE IT FURTHER RESOLVED** that the American Correctional Association urges all representatives to the United Nations Crime Congress, the United Nations Crime Commission and related bodies to pursue internationally recognized exemplary practices consistent with ACA standards.

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This resolution was adopted by the American Correctional Association Delegate Assembly on Aug. 4, 2004, at the Congress of Correction in Chicago. It was reviewed, amended and reaffirmed by the American Correctional Association Delegate Assembly on Aug. 15, 2007. It was reviewed, amended and reaffirmed by the Delegate Assembly on Aug. 4, 2010, at the 140<sup>th</sup> Congress of Corrections in Chicago.

**Supporting the Full Funding for the Residential Substance Abuse Treatment (RSAT)  
and the Flexible Use of those Funds**

**2005-1**

**WHEREAS**, Bureau of Justice Statistics studies show the vast majority of offenders were under the influence of drugs or alcohol at the time they committed the offense that led to their incarceration; and

**WHEREAS**, without treatment offenders continue to use drugs and engage in criminal activities; and

**WHEREAS**, the Residential Substance Abuse Treatment (RSAT) program was created by Congress in 1994 to address the high incidence of incarcerated persons with substance abuse problems; and

**WHEREAS**, RSAT is the only federal program that provides funding for substance abuse treatment in secure correctional facilities; and

**WHEREAS**, 90 percent of RSAT money can only be spent on drug testing and/or treatment within secure institutions; and

**WHEREAS**, research has shown that continuity of treatment after release has proved to be one of the most effective ways to reduce recidivism and break the cycle of drug dependency; and

**WHEREAS**, a number of states would like the flexibility to spend the RSAT money to provide continuity of treatment; and now

**THEREFORE BE IT RESOLVED** that the American Correctional Association supports increased Residential Substance Abuse Treatment funding for correctional substance abuse treatment at all levels – federal, state and local; and now

**THEREFORE BE IT FURTHER RESOLVED** that this funding should include the flexibility to be spent both during incarceration and during an offender's transition back into the community.

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This resolution was adopted by the American Correctional Association Delegate Assembly on Aug. 10, 2005, at the Congress of Correction in Baltimore. It was reviewed, amended and reaffirmed at the Winter Conference in Kissimmee, Fla., Jan. 14, 2009.

## Supporting the Prison Litigation Reform Act (PLRA)

2007-1

**WHEREAS**, the Prison Litigation Reform Act was enacted by Congress in 1996 to eliminate the overwhelming number of frivolous lawsuits that were being filed by our nation's inmates; and

**WHEREAS**, 141 Cong. Rec. 27,042 (1995) states that ...“in 1994, over 39,000 lawsuits were filed in Federal Courts, a staggering 15 percent over the number filed the previous year. The vast majority were completely without merit”; and

**WHEREAS**, the United States Supreme Court in *Porter v. Nussle* described the purpose of PLRA, in part, as two-fold: “to reduce the quantity and improve the quality of prisoner suits;” and

**WHEREAS**, the analysis of statistical data on the impact of PLRA is a necessary first step before the recommendation of any formal changes; and now

**THEREFORE BE IT RESOLVED** that the American Correctional Association continues to support the Prison Litigation Reform Act; and now

**THEREFORE BE IT FURTHER RESOLVED** that the American Correctional Association requests the appropriate U.S. government entity perform outcome-based research on the effects of PLRA.

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This resolution was adopted by the American Correctional Association Delegate Assembly at the Winter Conference in Tampa, Fla., Jan. 24, 2007. It was reviewed, amended and reaffirmed at the Winter Conference in Tampa, Fla., Jan. 27, 2010.

## Supporting the Second Chance Act and Full Funding of Its Authorized Programs

2007-2

**WHEREAS**, the primary goal of the Second Chance Act is to help states and communities alleviate crowding in their jails and prisons by reducing recidivism through an improved reentry process; and

**WHEREAS**, the Act provides grants to state and local governments that may be used to promote the safe and successful reintegration of individuals who have been incarcerated; and

**WHEREAS**, the Act provides grants to nonprofit organizations that may be used for mentoring of adult offenders or providing transitional services for reintegration; and

**WHEREAS**, the Act provides grants to states for reentry research; and

**WHEREAS**, the Act provides funding for programs under the workplace and community transition training for the Incarcerated Youth Offenders Act; and

**WHEREAS**, the Act creates an interagency task force to identify existing reentry resources, develop interagency initiatives and a national reentry research agenda, and report recommendations to Congress; and

**WHEREAS**, the Act has established a national resource center to collect and disseminate best practices and provide training and support pertaining to reentry; and now

**THEREFORE BE IT RESOLVED** that the American Correctional Association supports the Second Chance Act, which helps state and local governments reduce recidivism, increase public safety, and respond better to the growing numbers of people released from prison and jail returning to the communities; and now

**THEREFORE BE IT FURTHER RESOLVED** that the American Correctional Association supports the full funding of provisions of the Second Chance Act, and now

**THEREFORE BE IT FURTHER RESOLVED** that the American Correctional Association supports the reallocation of all funds that may revert to the treasury from state and local correctional programs for the purpose of funding other correctional programs, particularly those programs authorized by the Second Chance Act.

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This resolution was adopted by the American Correctional Association Delegate Assembly at the Winter Conference in Tampa, Fla., Jan. 24, 2007. It was reviewed, amended and reaffirmed at the Winter Conference in Tampa, Fla., Jan. 27, 2010.

**Supporting the Development of Technologies That Limit the  
Illicit Use of Cell Phones in Correctional Facilities**

**2009-1**

**WHEREAS**, maintaining public safety and operating a safe correctional facility depend upon the effective implementation of the most rigorous security measures; and

**WHEREAS**, controlling and monitoring inmate communications is necessary in order to maintain a secure facility and help ensure inmate and staff safety; and

**WHEREAS**, the possession and use of cell phones by inmates in a correctional facility constitutes a serious breach of security; and

**WHEREAS**, cell phones are being illegally smuggled into correctional facilities with greater frequency; and

**WHEREAS**, security measures currently being used have been unable to prevent inmates from possessing and using cell phones; and

**WHEREAS**, possessing cell phones gives inmates access to a private line of communication from which they can harass, threaten and intimidate victims and witnesses, engage in unlawful activities, and continue criminal enterprises; and

**WHEREAS**, systems currently being deployed to control the growing contraband cell phone problem inside our nation's correctional institutions are required to allow offender calls to 911; and now

**THEREFORE BE IT RESOLVED** that the American Correctional Association supports the development, testing and legitimate use of technologies and practices to minimize the illicit use of cell phones in correctional systems, facilities and programs; and

**THEREFORE BE IT FURTHER RESOLVED** that the American Correctional Association supports efforts to block all calls, including 911 calls, from contraband cellular devices inside correctional institutions.

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This resolution was adopted by the American Correctional Association Delegate Assembly at the Congress of Correction in Nashville, Tenn., Aug. 12, 2009. It was reviewed, amended and reaffirmed at the Winter Conference in San Antonio, Feb. 1, 2011.



**Expressing Support for America's Corrections Professionals  
and Their Role in Ensuring Public Safety**

**2009-2**

**WHEREAS**, correctional officers and staff are trained professionals dedicated to maintaining secure correctional facilities and ensuring public safety; and

**WHEREAS**, members of the U.S. Armed Forces are highly trained and well-qualified professionals capable of performing correctional duties and operating safe and secure detention facilities; and

**WHEREAS**, correctional facilities across the United States, both civilian and military, are administered by highly-qualified women and men experienced in the challenges and difficulties posed by high-profile and/or highly dangerous inmates; and

**WHEREAS**, our correctional facilities are designed and constructed by competent and respected architectural, engineering and contracting firms with the greatest degree of safety and security in mind; and

**WHEREAS**, the military, the Federal Bureau of Prisons, state correctional systems and local jails in the United States operate maximum security facilities and have special housing units capable of securely housing the most dangerous and cunning offenders; and

**WHEREAS**, there are many inmates, gangs, and other security threat groups currently incarcerated in the United States that pose a threat to facility security, are a danger to the staff, other inmates and the public and are as equally dangerous or more so than those detained in foreign countries; and

**WHEREAS**, corrections professionals fully understand that terrorist groups, with international and domestic roots, have increased their level of organized criminal activities, are often responsible for extremely violent acts, operate with little regard for authority or detection, and will commit any violent act to obtain their goals; and

**WHEREAS**, these types of offenders are well-organized criminal elements that have members with roots in America's prisons and who try to further their illegal and disruptive activity in and outside of prison; and

**WHEREAS**, the ACA has well-established standards for the classification, transportation, monitoring and segregation of maximum-security inmates; and

**WHEREAS**, many military, Federal Bureau of Prisons, state correctional systems and local jails in the United States have already developed special security threat group units and programs specifically for gathering, monitoring, tracking, and responding to criminal and counter-terrorism intelligence; and

**WHEREAS**, the American Correctional Association takes no position on actual transfers of any detainees from foreign lands to the United States; and now

**THEREFORE BE IT RESOLVED** that the American Correctional Association does hereby reaffirm its confidence in America's corrections professionals, both civilian and military; and

**THEREFORE BE IT FURTHER RESOLVED** that the American Correctional Association does hereby assure the American public that they can have every reasonable expectation that they would be safe from harm and free from danger should any detainees be transferred to a facility or facilities within the United States; and

**THEREFORE BE IT FURTHER RESOLVED** that the American Correctional Association does hereby assure Congress and our elected leaders that they can have every reasonable expectation that public safety would be secure and that there would be no danger or imminent threat to the American people should they decide to transfer detainees from foreign countries to federal, state or military facilities in the United States.

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This resolution was adopted by the American Correctional Association Delegate Assembly at the Congress of Correction in Nashville, Tenn., Aug. 12, 2009.

## Supporting Family-Friendly Communication Policies

2010-1

**WHEREAS**, the American Correctional Association encourages communication between offenders and their families through reasonably-priced phone calls, as well as visitation and written correspondence; and

**WHEREAS**, ACA accreditation standards consider visiting important and the association has detailed performance-based standards regarding offender visitation; and

**WHEREAS**, the ACA core position on correspondence is reflected in accreditation standards for prisons and jails that encourage correspondence between offenders and their families; and now

**THEREFORE BE IT RESOLVED** that the American Correctional Association reaffirms its promotion of family-friendly communication policies between offenders and their families through written correspondence, visitation and reasonably-priced phone calls.

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This resolution was adopted by the American Correctional Association Delegate Assembly at the Winter Conference in San Antonio, Feb. 1, 2010.

**Resolution on the United Nations Rules for the Treatment of Women Prisoners and  
Non-custodial Measures for Women Offenders (the Bangkok Rules)**

**2011-1**

**WHEREAS**, the American Correctional Association's (ACA) vision statement reflecting the 1870 Declaration of Principles requires that we shape the future of corrections through strong leadership that brings together various voices and forges coalitions and partnerships to promote a principle-centered criminal and juvenile justice system; and

**WHEREAS**, the ACA is a recognized authority in establishing standards for accreditation of adult and juvenile corrections; and

**WHEREAS**, the ACA has a heritage of supporting initiatives for safe, effective and efficient programs for offenders that enhance human dignity; and

**WHEREAS**, the United Nations General Assembly on 21 December 2010 adopted the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules); and now

**THEREFORE, BE IT RESOLVED** that the American Correctional Association recognizes the United Nations General Assembly for its work in developing the *United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders*; and

**BE IT FURTHER RESOLVED** that the American Correctional Association recommends correctional jurisdictions in the United States and Canada carefully review those rules, and where appropriate, and when possible and practical, seek the incorporation of them in their policies and procedures.

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This resolution was unanimously adopted by the American Correctional Association Delegate Assembly at the 141<sup>st</sup> Congress of Correction in Kissimmee, FL on Aug. 9, 2011.