

The legal aspects of prisons and jails

Clute, Penelope D

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examining the changing role of the Federal courts in moving from a hands off policy with respect to prison administration to
one of intervention the constitutional rights of prisoners are explained under the principles of first amendment rights due
process of law cruel and unusual punishment equal protection of the laws unreasonable searches and seizures and slavery
and involuntary servitude Fifteen representative excerpts from Federal court opinions illustrate the relationship between
enforceable constitutional rights and the administrative management of penal institutions giving a general preview of how
courts view the balance between what the Constitution may have intended and what prison administrators have in their
discretion provided or withheld The excerpts mirror the types of deliberations recorded by the Federal judiciary in the 1970 s
when confronted by litigation pertaining to the constitutional rights of prisoners A section is then devoted to judicial opinions
on alleged unconstitutional conditions and practices in U S jails and prisons The issues covered are access to the courts

rehabilitation pretrial detainees visiting privileges disciplinary hearings religion medical treatment intrastate transfers transfers to segregation and interstate transfers Additional issues include open cell policy in isolation cell size and double celling punitive isolation assaults by prisoners or staff protective custody mail rights prisoners labor unions totality of conditions prison staffs Civil Rights Act and escapes The appendixes provide abbreviations and definitions a table of cases a consent decree an extensive annotated bibliography standards and related constitutional amendments

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