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## County weighs its jail reform alternatives

Federal mandates concerning the operation of state correctional institutions and county jails have left local officials with little choice. Either "throw up, fix up, joint up," as the saying goes, or be closed up and face possible contempt of court charges.

Last May, Nicholas County closed its jail and began transporting its prisoners to neighboring Harrison and Mason county jails. Here's how it went.

The result of a federal court order governing the operation of and maintenance of local jails can and has been, statewide, hundreds of thousands of county tax dollars being required to be spent to meet jail needs and control of the local jail being passed to the courts. Local officials, the courts insist, can be used as an individual basis.

With this in mind, state officials already facing court orders over the prison system at Edinville and La Grange look measures to head off similar lawsuits over county jails.

In 1982, the state legislature voted overwhelmingly to support county jail reform legislation which would prevent federal judicial intervention at the local level.

The General Assembly established a development of standards under which county jails were required to meet certain minimum constitutional standards relating to health and life safety. Jail standards cannot prevent prisoner litigation but they are a necessity to local officials in their county's legal defense.

The '82 legislature enacted minimum jail standards even though it was not a politically popular issue to pass. Handling that counties would need considerable financial assistance, the legislature created the Kentucky Local Correctional Facilities Construction Authority, better known as the Jailing Bonding Authority.

The JBA can issue bonds for some \$15 million dollars to help counties with jail construction or renovation of existing facilities. It will also issue

grants.

The grant program provides up to \$6.5M (not tax money) from the JBA which can be used to fund jail improvements made since Jan. 1, 1981.

These funds must be matched by at least 18 percent local funds. A county is eligible to receive both bond and grant money.

Money issued by the JBA are funded through a \$1 fine assessed to every district court cost collected from citizens. (This fine was increased to \$12 by the 1984 legislature.)

The 1984 General Assembly continued its support of county jail reform by implementing a new funding formula for a more equitable distribution of state dollars, with no county receiving less than \$5,000.

NICHOLAS COUNTY, for example, would receive a 32 percent increase over and above the 1982-83 appropriation which was generated by the number of prisoners held there in the preceding year.

The 1982-83 budget for the Nicholas County jail is \$642,928. Receipts for financing the operation are as follows: \$1,000 jail fees from the state, \$171,311 jail fees from the circuit clerk's office (collected from court costs), \$18,000 from General Revenue Expense Funds, \$12,000 from Harrison Sharing Fund and \$60 from miscellaneous funds.

Disbursements totaling \$46,428 break down (not year) Personnel: \$12,000 for jailer salary, \$60 for per-diem jailer, \$2,000 fringe benefits, \$90 liability insurance and \$20 sanitation dues. In operational costs, \$2,200 goes to transportation of prisoners, \$24,200 in contracts with Mason and Harrison counties to house prisoners and \$1,000 in miscellaneous expenses.

All other county officials pointed out, today's imposed requirements are a far cry from the days when a jailer's salary was \$200 a month and that was the highest expense incurred in operating a county jail.

Rep. Arthur Arnold, who has spent hundreds of hours in committee dealing with the legislative process, put it this way:

"Jail reform is like a bitter medicine. It's not pleasant if you've had a bad cold but it is absolutely necessary to cure some very real problems. The alternative to taking this medicine is the federal court with its orders and jail intervention."

Gov. Martha Layne Collins obviously feels the urgency of jail reform. "I will move quickly in corrections," she said at a recent meeting in Louisville. "I believe that if we show the federal courts we are taking every reasonable step to live up to our obligations to our prisoners and our citizens, the courts will not step in with expensive mandates." — KAW.

### Background commentary

# The Carlisle Mercury

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Arrow of Light recipients  
1984 Arrow of Light recipients from Pack 50 Scouts are, l., Craig Jones, Jabron Forch, George Joseph, Billy Chris Dixon, Matthew Smart and Tom Gabriel. (See news story page 10.)

## Jury clears woman in shooting death

Due to insufficient evidence to indict, Bernice Holland, 31, of Carlisle, has been cleared of charges in the shooting death here of Dudley Mason Holland, also 31.

The decision, handed down last Thursday by the Nicholas County grand jury, came after a day-long session in which the jurors heard testimony from eight witnesses.

Mrs. Holland, arrested shortly after the shooting at her home on East Main Street by Kentucky State Police, had been charged with murder, due to mitigating circumstances.

SINCE THAT TIME, extensive investigation, autopsy report and laboratory tests appeared to conflict with the original charge and the case was referred to the grand jury by Commonwealth Attorney Jack Keith in district court action two weeks ago.

The grand jury report, signed by Dennis Hunt, foreman, read as follows:

"We have heard extensive testimony in the matter of Commonwealth vs. Bernice Holland from eight witnesses and have reviewed all available physical evidence and all forensic and ballistic and serological reports and evidence available, and upon all of such evidence we find insufficient evidence to indict Bernice Holland for the murder of Dudley Mason Holland.

"We draw no conclusions as to whether his death was self-inflicted or accidental, but find only the evidence that his death was not a homicide."

"We commend the Kentucky State Police and related agencies for the thoroughness of their investigation of this case."

## Revised wheat program sign-up deadline May 4

The sign-up period for the revised 1984 wheat program ends May 4 according to the local ASCS office.

Producers with wheat leases are eligible to participate in the revised program. Basic changes are:

- The target price has been lowered from \$4.45 to \$4.35 per bushel.
- The reduced acreage requirement remains at a minimum of 20 percent.
- 30 percent of the requirement must be under an acreage reduction program and the remaining 10 percent will be a paid land diversion with a paid diversion rate of \$1.20 per bushel.
- Advance diversion payments will be available.
- FIR payments are increased from 75 percent to 80 percent of the established yield times the acre diverted.

—State committees may authorize buying and grazing on acreage conservation reserve acreages devoted to wheat on Jan. 11, 1984.

WINTER WHEAT producers who are covered by federal crop insurance will not have to pay premiums on diverted acreage and may benefit from higher yield guarantee contracts.

To be eligible for the increased yield guarantees and reduced premium liability, a producer must file a revised acreage report with FCIC by May 4. It must designate acreage to be destroyed in order to comply with the new program. The producer must give FCIC a notice of intention to destroy such acreage and must have received written consent from that agency.

If a producer fails to take advantage of the opportunity to revise his acreage report, FCIC will not give consent for insured acreage to be destroyed and the producer must care for the acreage until harvest to receive an indemnity.

FARMERS have until May 15 to report the acres and intended uses of their wheat, oats, barley, rye and other fall-seeded small grains in the ASCS. Fall-seeded crops which are not certified by the deadline will be ineligible for program benefits.

Producers growing program crops but not participating in current program report acreage to insure the opportunity to fully participate in future programs.

Spring seeded crops should be reported by July 15.

Producers who are interested in establishing their individual yields for cost-share should be made during this period. Farmers may apply anytime, however the request will be considered after the sign-up period.

Farmers should be planning ahead and sign up during this period for practices they are planning to start in the fall. A practice cannot be started until approval has been granted.

There will be no deficiency payments for corn under the 1983 Feed Grain Program. The national average market price for corn exceeded the target price.

## New grand jury impaneled

The May 1 orientation session for the summer jury panel of the Nicholas Circuit and District courts lasted for approximately 40 minutes with Circuit Judge Jack Arnold presiding.

All of the 29 jurors constituting the summer panel attended the orientation. Invocation was given by Rev. Allen Campopoli, pastor of the First Christian Church of Carlisle.

The jury panel was advised of their duties and responsibilities through Sept. 1, 1984. The following grand jury was impaneled: Martha Sides, Shirley Adams, Samuel Smith, Mary L. Clendenen, Arlene Brown, Lucille Wash, Paula Buckner, Allen Adams, Manie Snow, Wilma Booth, Carlene Lester, Allen K. Bassett.

## Centel replaces WLWT-5 with two new services

Centel Cable Television Company will introduce two new add-on-delivered services to subscribers on Friday, May 4, according to Centel spokesman Terry L. Vogt.

The new services are Nickelodeon, a children's channel which has won awards for its creative, non-violent programming and Arts and Entertainment Network (AEN), a four-hour cultural service.

Centel will delete the NBC affiliate from Carlisle to make room for the new programming, said Vogt. The affiliate, WLWT-5, is duplicated by Lexington, WLEX-TV and has caused numerous technical problems with adjoining channels, said Vogt.

FAMILIES will enjoy Nickelodeon because it caters to children and teenagers, said Vogt, the company's director of public relations. As the day progresses the programming changes to meet the needs of preschoolers, youngsters and older children.

"With AEN, Carlisle subscribers will be able to enjoy programming dedicated to celebrating the artistic side of life. Ballet, classical music, dance, art and literature are examined along with a good library of films," said Vogt.

"We hope these new services will make cable television that much more valuable," said Vogt. "The company is attempting to add as much programming variety as possible to the Carlisle channel listing," he added.

Nickelodeon/AEN will be seen on cable channel 3. Nickelodeon ends its broadcast day at 9 p.m. with AEN taking over the time slot until 1 a.m.

## New Homemakers officers

Mrs. Norma Kay Stul, left, was installed new secretary of the Nicholas County Homemakers Association April 26 at the organization's annual meeting at the Carlisle Christian Church. Mrs. Lovina McFarland, right, was installed president.



Vintage mower  
The warm weather brought out lawn mowers old and new. Mrs. King Buckley is just right for the small amount of mowing she needs done. The age of the mower is estimated to be at least 40 years.

Stevenson got it in working order, and according to Mrs. Buckley, it just might be the smallest amount of mowing she needs done. The age of the mower is estimated to be at least 40 years.