

Memorandum

TO: Board of Commissioners
FROM: Robert E. Guenzel, County Administrator
DATE: July 6, 2005
CC: Criminal Justice Collaborative Counsel
SUBJECT: Sheriff's Proposal on Jail Space

FEASIBILITY STUDY PROCESS

At the June 2nd Working Session, the Sheriff presented a plan to alleviate jail crowding. The plan focused on adding jail beds by constructing new modular housing units in two courtyard areas of the jail. The Board discussed this plan at the Working Session meeting and arose at the general consensus that a feasibility analysis was needed to determine: 1) whether the proposal is feasible; 2) estimate major cost considerations (capital and operational) that may not have been included in the proposal; 3) identify additional considerations that may impact the Board's decision on whether to move forward on the Sheriff's proposal.

While the vendor recommended by the Sheriff (RQAW) has experience in modular construction, the Board and I determined to select a local architectural firm to study the feasibility and engineering aspects of the proposal. We retained Meneghini & Associates, LLC and Process Results, Inc. for this purpose. Attached is their analysis.

My staff has also worked with the Sheriff to identify operational changes that would occur under the Sheriff's proposal and to estimate these costs. Many of these changes include the addition of inmate supervision for the new housing units, as well as staffing modifications for the intake area. Jim Robertson of VRJS worked jointly with my staff and the Sheriff's staff to estimate the revised staffing model. Attached is this staffing analysis.

The final analysis that was conducted focused on ancillary functions of the jail including security, infrastructure improvements, food service, laundry, medical and mental health services. For each of these functions, there are operational changes that would be different under my recommendation versus that of the Sheriff. We wanted to incorporate these into the same analysis to give the Board the information you need to make a decision about the best course of action.

FEASIBILITY SUMMARY

After reviewing materials, I stand by the recommendation I made to the Board at the April Working Session: expand the jail by 96 beds, invest in infrastructure, expand key support functions appropriately, construct a new 14-A District Court, implement a dedicated Assertive Community Treatment Team, and construct and operate a Probation Residential Center.

I do not believe that the Sheriff's plan is feasible from a construction standpoint or appropriate from a systems perspective. Chief criticisms of this conceptual alternative include:

- **Cost.** True costs of the Sheriff's concept – including staffing and other core operational necessities – have now been examined and estimated. These costs have escalated from the \$10.7 million figure the Sheriff initially proposed and beyond the \$12.8 million figure that was presented to the Board in June. The feasibility study identified an estimated additional \$4 million to \$5 million needed, bringing the total to at least \$17 million for capital items.
- **Feasibility.** The Sheriff's concept does not take into account key life safety issues, including lack of secondary egress, ADA requirements, and logistical difficulties that would occur during construction.
- **Congruency.** The Sheriff's concept is inconsistent with the thirty-year master plan for the jail facility, and would both complicate and limit options for future expansion.
- **Short-term Solutions.** The Sheriff directed his staff to come up with a "bare bones" solution. I believe this is an accurate description. Key support systems including kitchen, medical, and intake are not improved to the level that is required for the long-term duration of the facility.

- **Parallel Jail Systems.** In short, the Sheriff's concept would create two separate jails on one piece of property. The first jail would be the existing jail: its infrastructure, security, and support systems largely unchanged. The second jail would be constructed within the existing jail, using prefabricated steel modular units. The modular units would utilize new technology to operate a discrete security system, conduct video visitations, and provide remote supervision.
- **Lack of Systems Focus.** The CJCC is charged with making policy recommendations to the Board on key criminal justice issues like the jail. This body, through much deliberation, endorsed the Administrator's Plan.

One final issue is that of local labor. The proposal presented would use prefabricated cells produced out of state, then shipped to the job site and assembled into the building infrastructure. The on site work would be done by the various local unions; however the prefabricated cells manufacturing would not. Paragraph 4 in the Memorandum of Understanding from the Construction Unity Board states: "The parties understand and agree that each contractor and subcontractor at all tiers of this project shall, prior to beginning work on the project, become signatory parties to the respective current collective bargaining agreements of the appropriate Local Unions of the Washtenaw County Skilled Building Trades Council." Prefabricated cells manufactured out of state would not be able to meet this requirement.

It is clear that the primary issue that the Sheriff attempted to address in his conceptual proposal is to get the greatest number of jail beds available for use as quickly as possible. If the Board chooses to implement the Administrator's Plan, and the Sheriff believes additional jail beds will be needed soon. The CJCC should consider this in the future.

OVERVIEW OF SHERIFF'S PROPOSAL

As presented to the Board on June 2, 2005, the Sheriff proposes the construction of jail beds in two courtyards in the jail. Of the two courtyards, C-D Courtyard is currently used primarily for outdoor recreations and secondarily as a secondary egress. The Sheriff states that this courtyard is currently used infrequently for recreation and his operations

would be minimally impacted by the loss of this use. The B-C Courtyard is currently not used for any activity and serves the purpose of a secondary egress in case of emergency. Both courtyards also assist in lighting the facility.

The Sheriff proposes that construction into both courtyard areas occur as part of the same project in order to reduce capital costs. Construction in the B-C Courtyard would result in the creation of 64 medium security beds. Construction in the C-D Courtyard would result in the creation of two housing units. The first (76 beds) would include 26 beds for high risk inmates and 50 beds which would be used primarily for orientation and those inmates who are expected to leave the facility within 72 hours. The second would be constructed dormitory-style and would create 80 beds and be operated similarly to J-Block, which is also dormitory-style.

In addition, the Sheriff proposes construction of an additional 12 direct supervision beds within the current area designated for female housing (G Block).

As discussed at a recent CJCC meeting, it may be useful to describe the Sheriff's proposal (and any other option) in terms of two broad categories:

- **Capacity** – including construction of jail beds, capital improvements necessary for increased capacity, and operating costs associated with supervising the additional inmates.
- **Supportive functions** – including security, infrastructure improvements needed due to age of facility, and operating costs associated with food service, medical care, mental health care, and laundry.

The above issues are presented below with concluding opinions. Those conclusions are supported in appendices.

CAPACITY ISSUES

As you are well aware, projecting jail bed need requires a systems approach and this discussion occurred through many deliberations of the CJCC. When taking into account population growth within the County, pending changes in sentencing guidelines, outstanding warrants in the County, as well as systems impacts on mental health diversion

and probation residential services, the CJCC concluded that the projected jail bed need would be 532 within ten years. There was consensus on this discussion item and the master plan reflected this need.

After the failed millage in February, I put together a new recommendation about how to move forward on alleviating jail crowding without the millage funding. The CJCC deliberated my recommendations and agreed that my plan incorporated the projected capacity need in the design. This motion passed with the Sheriff dissenting on this opinion. When he shared his plan with the Board in June, the Sheriff noted that his plan would reach the projected jail bed need sooner than the plan endorsed by the CJCC.

Construction of Jail Beds

To conduct the feasibility of this element, the firm of Meneghini & Associates was retained. The findings of this architectural firm can be found in Appendix A. Highlights of their conclusions (page 4) include:

- Modular construction can be a cost effective solution. However, as it is proposed to be applied to the jail facility, it will result in increased capital costs.
- Filling in the courtyard areas, as proposed, cannot meet life safety requirements of emergency egress.
- Lifting modular units over current housing units would require the units to be vacated resulting in increased construction costs.

Also, while not noted in the feasibility report, I would like to emphasize two key policy issues. The first is the issue of natural light. A key function that the two courtyard areas perform is the provision of natural light to much of the facility. Filling in the courtyards will significantly darken the jail as well as the beds that would be created. This can cause inmate management and staff morale issues – both of which should be taken seriously. The second issue is that of future use of outdoor recreation. Filling in the courtyards would constrain the use of outdoor recreation for the future life of the facility. Future Commissioners and Sherrifs may debate the feasibility of constructing a new facility to provide outdoor recreation to inmates.

Capital Improvements

In partnership with Facilities Management, Meneghini & Associates was asked to also verify engineering and architectural concerns identified by Facilities Management. Attachment C details the findings of Facilities Management to which Meneghini & Associates responded to in Attachment B. Highlights of these conclusions include:

- Current Electric Service and related infrastructure is too small for any growth without substantial updates.
- The existing water and sewer system within the confines of the structure are not sized to accommodate this large of an upgrade without major improvements within the structure and additional feeds from outside the structure.
- There is currently a central heating and central cooling plant that is too small for any additions and is at the end of its useful life. Small additions added previously have separate rooftop style units due to capacity constraints with the central plants.
- The building and related support structure is not built or engineered for multiple level construction in the areas indicated in the sheriff's proposal. This would require major foundation work.
- Construction within the confines of the secured building will require vacating portions of the operating facility during construction due to the large cranes and extensive work that will need to occur to construct the support structure for the modular cells.
- Support Spaces will need to be enlarged in several areas: kitchen, laundry, booking, intake, etc.
- Secondary egress is cut off to the new addition and current adjoining cells due to the removal of the C-D and B-C courtyards. This will require secure passage for the large number of beds in the proposed addition and the existing cells to a secure area that has yet to be identified or engineered.
- The Meneghini and Associates evaluation identified between 4 and 5 million dollars of infrastructure required improvements that have not been included in the Sheriff's proposal.

Inmate Supervision: Operating Costs

A staffing model was prepared by Jim Robertson of VRJS – a consultant who has been assisting with CJCC deliberations, including the Administrator's Recommendation. The Sheriff maintains that while construction would happen at the same time, staffing could be

done incrementally. The VRJS analysis (Attachment D) shows how fully staffed units would appear. This analysis was done in through detailed discussions with my staff and the Sheriff's staff. Highlights of this analysis include:

- The corrections officer to inmate ratio is similar under both the Administrator's Proposal and the Sheriff's Proposal.
- Once fully staffed, the Sheriff's Proposal would require an additional 38 FTE (approximately \$2,280,000 annually) for intake, inmate supervision and inmate movement compared with 21 FTE (\$1,260,000) under the Administrator's Recommendation.
- Additional policy issues for the Board to consider include staff supervision, inmate programming, janitorial services, and inmate classification. The VRJS analysis includes staffing estimates for these categories.

SUPPORTIVE FUNCTIONS

In late 2003, Healy Bender & Associates was retained for the purpose of conducting a needs assessment for the jail facility. Their methodology included extensive interviews with jail staff to record operational inefficiencies and opportunities for improvement. They submitted their report on December 2, 2003 and presented findings to many criminal justice leaders – many of whom would become members of the CJCC. A portion of their system analysis included supportive functions of security, infrastructure improvements needed due to age of facility, food service, medical care, and laundry. Each of these supportive functions included capital investments to bring the jail up to current code or best practices and to handle increased demand that would be created by housing additional inmates. Standards that were used included the 2000 Michigan Building Code, Michigan Department of Corrections standards, American Correctional Association standards, and the Americans with Disabilities Act.

These recommendations were included in the CJCC proposal which resulted in a millage referendum and were also included in the Administrator's Recommendation which followed the failed millage.

In his presentation to the Board, the Sheriff indicated that each of these components could be significantly scaled back, eliminated, or could otherwise be handled with minimal capital investment. He does not disagree with the need but his proposal sought to address each of these issues for the short-term while my approach is to do it once and get it right the first time. These functions are outlined below, along with a feasibility conclusion and reference to supporting documentation available in the appendices.

Intake/ Transfer/ Release

Both proposals call for a redesign of this crucial function but differ greatly in the scope and stated need. The Sheriff describes his proposal as “bare bones” and this is an accurate description of this function as his is a short-term solution to allow for limited additional intake.

The intake area is the front door not just to the jail but to the entire justice system. As such, I directed my staff to approach the design of this area to accommodate systems issues – including establishing a scaled back assessment center. This feature is absent in the Sheriff’s proposal. The development of my recommendation was the result of a discussion that involved Jim Robertson, Gordon Burger, and the Sheriff’s staff through which a detailed square footage estimate was produced. This estimate is included as Attachment D.

Security

The current security system in the jail includes key-locking mechanisms and a central control system that has been inoperable for some time. Under the Administrator’s Recommendation, a new central control system would be instituted throughout the facility. The Sheriff’s Proposal includes two security elements. The first is to replace existing locking mechanisms and doors that are worn and the second is to establish a centralized security system within the new housing units – effectively creating parallel security systems in the jail. Meneghini & Associates indicated (Attachment A, page 2) that a key system would be more expensive over time but did not have the data to calculate this conclusion.

The Sheriff has indicated in the presentation to the Board that while he would prefer an upgraded security system throughout the jail, he is willing to operate under the current key system if it is not cost feasible from the Board's perspective. The cost of total upgrades is estimated at \$3.2 million.

Infrastructure Improvements Due to Age of Facility

There is a cost discrepancy between the Sheriff's Proposal, as submitted, and the Administrator's Recommendation. The analysis conducted by Facilities Management included recommendations to replace several systems (HVAC, electrical, etc.), as they have already outlived their useful life. In the June 2, 2005 presentation, the Undersheriff indicated that he agreed with the Facilities assessment and stated that the corresponding costs for system improvements should be added back into the Sheriff's proposal.

Operating Costs Associated with Food Service and Laundry

The jail was originally designed for 215 inmates and it currently averages a population 65% greater than this. No significant upgrades have occurred to the kitchen area since its original construction. Through added equipment and food storage, the Sheriff has been able to accommodate the growth. General rules of thumb for space planning for food service indicate 11-12 square feet per inmate served for food service (storage, preparation, assembly, cart storage, etc.) and 2,000 to 2,400 square feet for laundry (washing, storage, folding area, etc.). This is in contrast to the current 2850 square feet for kitchen and 750 square feet for laundry.

The Sheriff proposes minimal facility improvement to the kitchen to accommodate additional growth indicating that the growth can be handled through operational changes. Attachment E is a letter from Aramark – the food service vendor – detailing how this can be achieved. Because Aramark also oversees laundry, both issues are covered in the same analysis. Highlights include:

- Replacing grills, steamers, and other kitchen equipment to enhance production capacity to handle up to 600 inmates.
- Adding additional washer and dryer in laundry to handle up to 600 inmates.
- Total estimated cost for both functions is \$170,000 – a portion of which Aramark proposes to invest, amortized over a ten year period.

Facilities staff have confirmed that these improvements can be completed if they are directed to do so. Despite the plan put forth by Aramark, I believe that their solution is a short-term one. If we want to make improvements, we should focus on the long-term for the facility.

Medical Care Costs

The Sheriff proposal includes modifying the medical area to allow for increased capacity of up to 520 inmates. A letter from SecureCare, the medical care provider, indicates that this is possible and would ensure HIPPA requirements are met. This letter is included as Attachment F – the highlights of which include:

- Splitting the exam room into two by adding a curtain.
- Increasing medical record storage units and pharmacy capacity through capital improvements in storage.
- Restructuring the nurses' office to add additional work space.
- Increasing staff incrementally as jail population grows – ending with \$1,646,472 per year when the population reaches 520 inmates.

My approach to this is the same as food service – a long-term solution is preferable to a short-term one.

Mental Health Care

CSTS estimates that the additional 96 bed unit would result in an increased demand for suicide assessment and monitoring that could be covered through an additional 1.0 FTE mental health professional. This 1.0 FTE would also suffice if the capacity increased 225 beds under the Sheriff's proposal. These operating costs are currently not included in either proposal. In addition to the mental health professional, an estimated 4 hours of psychiatry time per week would be needed if the capacity increased 96 beds and 8 hours would be needed if the capacity increased 225 beds.

CONCLUSION

In summary, I recommend that the Board not implement the Sheriff's concept. Reasons for this recommendation include:

- True cost of implementation is \$6.3 million greater than initially estimated;
- Construction is not feasible for life safety reasons;
- Concept is inconsistent with the master plan for the facility;
- Solutions addressed by the Sheriff are short-term and I believe that a long-term fix is needed;
- Implementing the concept would result in parallel systems for operating the jail;
- Concept lacks a systems focus.

APPENDICES

- A. FEASIBILITY ANALYSIS FROM MENEGHINI & ASSOCIATES
- B. FEASIBILITY ATTACHMENT A – COMPARISON OF ELEMENTS
- C. CORRECTIONS CENTER CURRENT SYSTEM AND CONCERNS REGARDING PROPOSAL
- D. PUBLIC SAFETY AND JUSTICE PRELIMINARY STAFFING ANALYSIS
- E. JAIL OPERATIONS ROOM LIST
- F. ARAMARK PROPOSAL
- G. SECURE CARE PROPOSAL