

ZB02
Local Jails and Detention Centers
 Department of Public Safety and Correctional Services

Capital Budget Summary

Grant and Loan *Capital Improvement Program*
 (\$ in Millions)

| Program | 2017 Approp. | 2018 Approp. | 2019 Request | 2020 Estimate | 2021 Estimate | 2022 Estimate | 2023 Estimate |
|---|-------------------------|-------------------------|-------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Anne Arundel County Central Holding and Processing Center | \$0.853 | \$6.496 | \$2.035 | \$1.715 | \$0.000 | \$0.000 | \$0.000 |
| Calvert County Detention Center Inmate Program Space | 0.000 | 0.000 | 0.500 | 0.000 | 0.000 | 0.000 | 0.000 |
| Montgomery County Pre-Release Center Dietary Center Renovation | 1.365 | 2.408 | 1.618 | 0.000 | 0.000 | 0.000 | 0.000 |
| Prince George's County Medical Unit Renovation and Expansion | 6.072 | 2.000 | 2.448 | 0.000 | 0.000 | 0.000 | 0.000 |
| St. Mary's County Adult Detention Center Upgrades, Housing, and Medical Units | 0.000 | 0.000 | 0.731 | 9.145 | 0.000 | 0.000 | 0.000 |
| Total | \$8.290 | \$10.904 | \$7.332 | \$10.860 | \$0.000 | \$0.000 | \$0.000 |

| Fund Source | 2017 Approp. | 2018 Approp. | 2019 Request | 2020 Estimate | 2021 Estimate | 2022 Estimate | 2023 Estimate |
|--------------------|-------------------------|-------------------------|-------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| GO Bonds | \$8.290 | \$10.904 | \$7.332 | \$10.860 | \$0.000 | \$0.000 | \$0.000 |
| Total | \$8.290 | \$10.904 | \$7.332 | \$10.860 | \$0.000 | \$0.000 | \$0.000 |

GO: general obligation

Note: Numbers may not sum to total due to rounding.

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Analysis of the FY 2019 Maryland Executive Budget, 2018

Summary of Issues

Pretrial Reform: In October 2016, the Office of the Attorney General (OAG) submitted a letter to the Standing Committee on Rules requesting that the committee consider changes to Maryland Rule 4-216 to prohibit pretrial detention based solely on financial ability to afford bail. Bail reform and other pretrial reform initiatives will result in changes to local jail detainee populations and department budgets. **The Department of Public Safety and Correctional Services (DPSCS) should comment on potential pretrial reform initiatives and their potential effect on capital projects.**

Summary of Updates

Local Jails and Detention Centers Monthly Population Reports: The General Assembly adopted committee narrative requesting that the department provide monthly average daily population (ADP) statistics for local jails and detention centers in the State. This update reviews the data received, trends observed, and implications for local jail and detention centers' budgets, capacity, and operations.

Summary of Recommended Bond Actions

1. Anne Arundel County Central Holding and Processing Center
Approve.
2. Calvert County Detention Center Inmate Program Space Addition
Approve.
3. Montgomery County Pre-Release Center
Approve.
4. Prince George's County Correctional Center
Approve.
5. St. Mary's County Adult Detention Center Upgrade
Approve.

Program Description

The five-year *Capital Improvement Program* (CIP) includes matching grants to the counties for design, construction, and capital equipping of local jails and detention centers. In order to meet the needs of growing inmate populations at the local level, the State pays a minimum of 50% of eligible costs for construction or expansion of local detention centers.

Overall, if a county can demonstrate that a portion of the expansion is necessary to house additional offenders serving between 6- and 12-month sentences due to changes in sentencing made by Chapter 128 of 1986, then the State provides 100% of funding for that portion of the project. In other words, if DPSCS determines that the anticipated confinement of those inmates serving between 6 and 12 months in a county's local correctional facility would exceed the capacity of the local correctional facility, the State must pay 100% of the costs to construct a new facility or expand the existing local correctional facility.

In addition, DPSCS processes the applications for State funding. The department determines the portion of the project cost eligible for State participation. State funds may only be used for costs directly related to incarceration. By contrast, ineligible costs include, but are not limited to, air conditioning; single cells; maintenance work on current facilities; utility connections; and space not directly attributable to detention functions, such as office space. Total amounts recommended are based on the most recent information provided to the State by the counties; facility improvements are funded to the extent they conform to standards established by DPSCS, the Department of Budget and Management, and the Department of General Services.

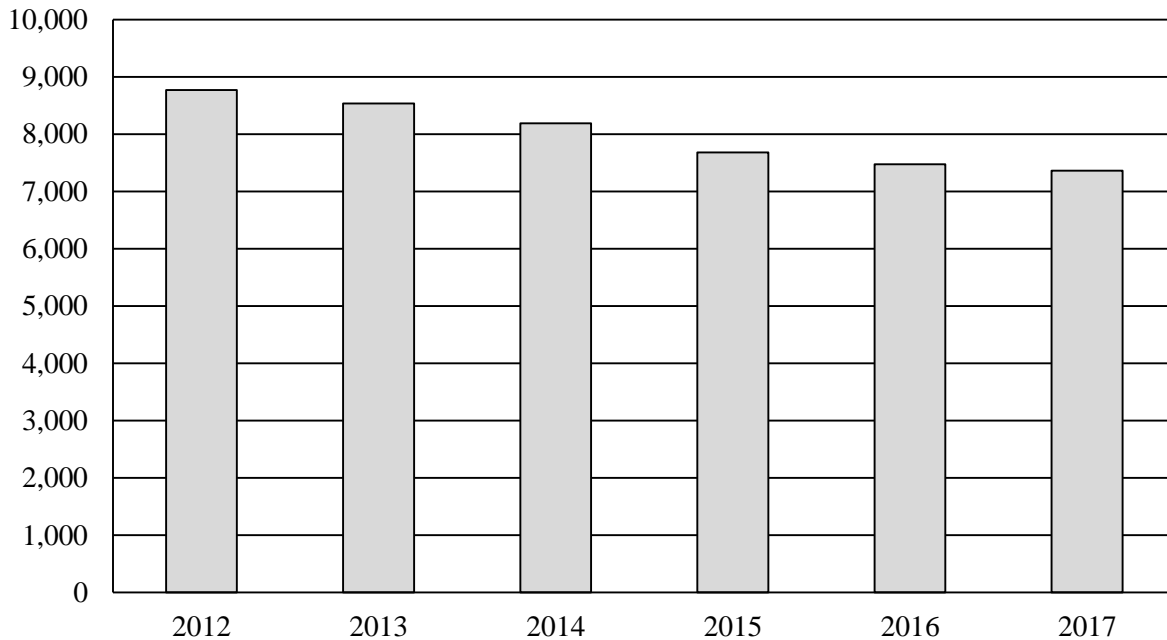
The fiscal 2019 budget includes funding for five projects: (1) the Central Holding and Processing Center at the Anne Arundel County Detention Center; (2) the Inmate Program space addition at the Calvert County Detention Facility; (3) improvements to the Montgomery County Pre-Release Center Dietary Center; (4) the expansion of the Prince George's County Correctional Center's Medical Unit; and (5) the expansion and upgrades to the St. Mary's County Adult Detention Center.

Performance Measures: Inmate Population Data

Because of previous discrepancies in the reporting of population statistics for inmates held in local correctional facilities, the committees requested an annual report that provided data on facility bed capacity and the size of the inmate population, with the first *Local Jails and Detention Center Annual Population Statistics Report*, which summarized data from fiscal 2008 onward.

Exhibit 1 shows Maryland local jail and detention centers' ADP annual total for fiscal 2017. Overall, the number of detainees in Maryland local jails is 7,362, down 16% from fiscal 2012.

Exhibit 1
Detainees in Local Jails and Detention Centers
Fiscal 2012-2017



Source: Department of Public Safety and Correctional Services

Exhibit 2 shows changes in ADP by jurisdiction from fiscal 2012 through 2017. During the most recent period, from fiscal 2016 to 2017, the counties with the largest decreases in population were Calvert (-17.5%), Caroline (-14.6%), and Worcester (-13.1%). Over the long term, Montgomery and Prince George’s counties had two of the three largest declines with 25% and 29%, respectively. The county with the largest population decline was Somerset, which fell from 99 to 59, a 40% decrease.

On average, all counties continue to see declines in ADP. During the last five fiscal years, Maryland counties had a collective population decrease of 16.0%, or 1,407 inmates. The only counties with substantial population increases during the last fiscal year are St. Mary’s with an 11.6% increase (23 inmates) and Garrett with a 42.7% increase (18 inmates). Finally, in fiscal 2016, just four Maryland counties had positive average annual growth in their inmate populations. In fiscal 2017, all but three counties had negative annual growth in their jail populations over the last five fiscal years.

Exhibit 2
Average Daily Population by Jurisdiction
Fiscal 2012-2017

| <u>County</u> | <u>2012</u> | <u>2013</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> | <u>2017</u> | <u>% Change 2016-17</u> | <u># Change 2012-17</u> | <u>% Change 2012-17</u> | <u>Average Annual Growth</u> |
|------------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------------------------|---------------------------------|---------------------------------|--------------------------------------|
| Allegany | 150 | 153 | 136 | 134 | 147 | 144 | -2.0% | -6 | -4.0% | -1.0% |
| Anne Arundel | 822 | 768 | 764 | 687 | 750 | 733 | -2.3% | -89 | -10.8% | -2.8% |
| Baltimore County | 1,392 | 1,211 | 1,260 | 1,217 | 1,165 | 1,171 | 0.5% | -221 | -15.9% | -4.2% |
| Calvert | 213 | 224 | 249 | 202 | 229 | 189 | -17.5% | -24 | -11.3% | -2.9% |
| Caroline | 108 | 97 | 106 | 105 | 96 | 82 | -14.6% | -26 | -24.1% | -6.7% |
| Carroll | 210 | 209 | 228 | 233 | 226 | 202 | -10.6% | -8 | -3.8% | -1.0% |
| Cecil | 271 | 271 | 257 | 290 | 246 | 264 | 7.3% | -7 | -2.6% | -0.7% |
| Charles | 416 | 361 | 344 | 351 | 333 | 306 | -8.1% | -110 | -26.4% | -7.4% |
| Dorchester | 171 | 160 | 129 | 127 | 138 | 135 | -2.2% | -36 | -21.1% | -5.7% |
| Frederick | 394 | 380 | 360 | 405 | 453 | 397 | -12.4% | 3 | 0.8% | 0.2% |
| Garrett | 62 | 64 | 53 | 49 | 42 | 60 | 42.9% | -2 | -3.2% | -0.8% |
| Harford | 395 | 410 | 414 | 414 | 352 | 372 | 5.7% | -23 | -5.8% | -1.5% |
| Howard | 308 | 340 | 349 | 304 | 283 | 285 | 0.7% | -23 | -7.5% | -1.9% |
| Kent | 70 | 65 | 71 | 69 | 75 | 74 | -1.3% | 4 | 5.7% | 1.4% |
| Montgomery | 953 | 877 | 784 | 759 | 755 | 719 | -4.8% | -234 | -24.6% | -6.8% |
| Prince George's | 1,293 | 1,347 | 1,200 | 1,008 | 950 | 913 | -3.9% | -380 | -29.4% | -8.3% |
| Queen Anne's | 86 | 112 | 136 | 123 | 123 | 125 | 1.6% | 39 | 45.3% | 9.8% |
| Somerset | 99 | 77 | 69 | 50 | 58 | 59 | 1.7% | -40 | -40.4% | -12.1% |
| St. Mary's | 242 | 280 | 236 | 217 | 198 | 221 | 11.6% | -21 | -8.7% | -2.2% |
| Talbot | 85 | 84 | 74 | 63 | 67 | 73 | 9.0% | -12 | -14.1% | -3.7% |
| Washington | 383 | 385 | 344 | 296 | 303 | 315 | 4.0% | -68 | -17.8% | -4.8% |
| Wicomico | 446 | 401 | 365 | 387 | 376 | 364 | -3.2% | -82 | -18.4% | -5.0% |
| Worcester | 200 | 261 | 261 | 192 | 183 | 159 | -13.1% | -41 | -20.5% | -5.6% |
| Total | 8,769 | 8,537 | 8,189 | 7,682 | 7,538 | 7,362 | -2.3% | -1,407 | -16.0% | -4.3% |

Source: Department of Public Safety and Correctional Services, 2017 Managing for Results Submission; *Local Jails and Detention Centers Annual Population Statistics Reports*, Fiscal 2012-2017

Declining detention center populations are also evident when evaluating ADP. **Exhibit 3** depicts ADP by jurisdiction compared with local facility operating capacity. A total of 11,444 beds are available, with just 7,362 inmates to fill them. Overall, local jails and detention centers are operating under capacity, with 4,082 excess beds. In total, local facilities are 64% full, down 2% from fiscal 2016.

Exhibit 3
Local Jails and Detention Centers ADP and Capacity
Fiscal 2017

| <u>County</u> | <u>2017 ADP</u> | <u>Operational Capacity</u> | <u>Above/Below Capacity</u> | <u>ADP as a Percent of Capacity</u> |
|-----------------|-----------------|-----------------------------|-----------------------------|-------------------------------------|
| Allegany | 144 | 234 | -90 | 62% |
| Anne Arundel | 733 | 1,175 | -442 | 62% |
| Baltimore | 1,171 | 1,513 | -342 | 77% |
| Calvert | 189 | 228 | -39 | 83% |
| Caroline | 82 | 124 | -42 | 66% |
| Carroll | 202 | 185 | 17 | 109% |
| Cecil | 264 | 324 | -60 | 81% |
| Charles | 306 | 490 | -184 | 62% |
| Dorchester | 135 | 285 | -150 | 47% |
| Frederick | 397 | 533 | -136 | 74% |
| Garrett | 60 | 64 | -4 | 94% |
| Harford | 372 | 766 | -394 | 49% |
| Howard | 285 | 479 | -194 | 59% |
| Kent | 74 | 83 | -9 | 89% |
| Montgomery | 719 | 1,371 | -652 | 52% |
| Prince George's | 913 | 1,524 | -611 | 60% |
| Queen Anne's | 125 | 148 | -23 | 84% |
| Somerset | 59 | 120 | -61 | 49% |
| St. Mary's | 221 | 245 | -24 | 90% |
| Talbot | 73 | 144 | -71 | 51% |
| Washington | 315 | 495 | -180 | 64% |
| Wicomico | 364 | 434 | -70 | 84% |
| Worcester | 159 | 480 | -321 | 33% |
| Total | 7,362 | 11,444 | -4,082 | 64% |

ADP: average daily population

Source: *Local Jails and Detention Centers Annual Population Statistics Reports*, Fiscal 2011-2017

Exhibit 4 shows several of the smaller counties had substantial excess capacity – where the facility was less than 50% full. Of these, Worcester County had the fewest number of inmates as a percentage of total capacity with just 159 inmates and 480 beds for a 33% fill rate.

Exhibit 4
Facilities Operating at Less Than 50% Capacity
Fiscal 2017

| <u>County</u> | <u>ADP 2017</u> | <u>Operational Capacity</u> | <u>Above/Below Capacity</u> | <u>ADP as a Percent of Capacity</u> |
|---------------|-----------------|-----------------------------|-----------------------------|-------------------------------------|
| Somerset | 59 | 120 | -61 | 49% |
| Harford | 372 | 766 | -394 | 49% |
| Dorchester | 135 | 285 | -150 | 47% |
| Worcester | 159 | 480 | -321 | 33% |

ADP: average daily population

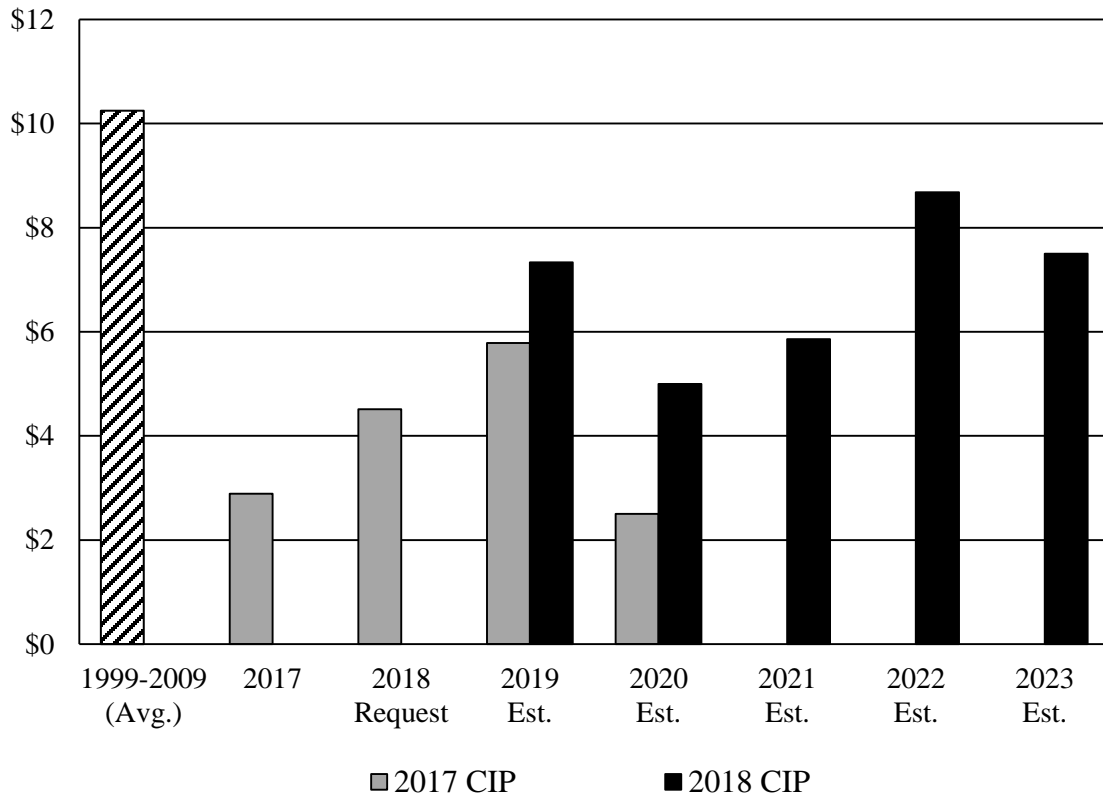
Source: *Local Jails and Detention Centers Annual Population Statistics Reports*, Fiscal 2011-2017

In terms of the larger counties, two jurisdictions have the most available bed space, Montgomery (652) and Prince George's (611). The only county that is over capacity is Carroll County, with 17 excess beds – down from 41 in fiscal 2016.

Budget Overview

Overall, funding for the Local Jails and Detention Centers Capital Construction Program has been lower than the decade between fiscal 1999 and 2009, when an average of \$10.2 million in general obligation (GO) bonds was authorized each year. In addition, funding declines due to constraints in county and State budgets lowered the average amount requested in recent fiscal years. Currently, funding for capital projects continues to grow when compared to the period from fiscal 1999 to 2009. **Exhibit 5** shows the funding history in the 2017 and 2018 CIP through fiscal 2023.

Exhibit 5
Local Jails and Detention Centers Capital Construction Program Funding
Fiscal 2017-2023 Est.
(\$ in Millions)



CIP: *Capital Improvement Program*

Source: Department of Legislative Services

Fiscal 2019 Proposed Budget

The fiscal 2019 budget includes funding for five projects: (1) the Central Holding and Processing Center at the Anne Arundel County Detention Center; (2) the Inmate Program space addition at the Calvert County Detention Facility; (3) improvements to the Montgomery County Pre-Release Center Dietary Center; (4) the expansion of the Prince George’s County Correctional Center’s Medical Unit; and (5) the renovation and expansion of the St. Mary’s County Adult Detention Center.

Anne Arundel County Central Holding and Processing Center

The purpose of this project is to construct a new Central Holding and Processing Center at the Jennifer Road Detention Center in Anne Arundel County, which will centralize the court commissioners' offices into a single location. The project will eliminate the need to transport arrestees to police stations for booking, then to the court commissioners' office for their hearing, and then to the Jennifer Road Detention Center for bail processing or commitment. Overall processing times for arrestees being released on bail will be significantly reduced.

(\$ in Millions)

| Fund Uses | Prior Appropriation | FY 2019 Request | Future Estimated | Estimated Total |
|--------------------|----------------------------|------------------------|-------------------------|------------------------|
| Planning | \$0.853 | \$0.000 | \$0.000 | \$0.853 |
| Construction | 6.216 | 2.035 | 1.435 | 9.686 |
| Equipment | 0.280 | 0.000 | 0.280 | 0.560 |
| Total | \$7.349 | \$2.035 | \$1.715 | \$11.099 |
| | | | | |
| Fund Source | | | | |
| State: 50% | \$1.800 | \$2.035 | \$1.715 | \$5.550 |
| Matching Fund: 50% | 5.549 | 0.000 | 0.000 | 5.549 |
| Total | \$7.349 | \$2.035 | \$1.715 | \$11.099 |

A total of \$2,035,000 in GO bonds are provided in fiscal 2019 to continue construction of the new Central Holding and Processing Center that began in July 2017. This project will construct a 10,854 net square foot (sq. ft.) addition and renovate part of the county's detention center. Construction is set to be complete by December 2018. Initial State support began in fiscal 2018 with a \$1.8 million GO bond authorization. While the State is committed to 50% of the total \$11.1 million project cost, the county agreed to a three-year phased funding plan by the State to minimize the fiscal impact on the annual capital budget.

Benefits

Currently, the booking of individuals charged with crimes takes place in as many as 10 different locations in the county. The Central Holding and Processing Center will allow all individuals charged with a crime in Anne Arundel County to be processed in one location. In addition to this consolidation, the court commissioners' offices will be consolidated into a single location at Jennifer Road. These changes will result in a variety of efficiency gains for the department, including the following:

- **Location Efficiency:** Currently, individuals charged with a crime must be brought before a Maryland court commissioner in either Annapolis or Glen Burnie within 24 hours of arrest to determine whether or not they will be charged with a crime and whether they will be committed to the detention center or released on bail. After a hearing, if charges are brought and bail is not immediately posted, the individual is transported by the arresting officer or a contracted

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transport service to the Jennifer Road Detention Center. Centralizing the court commissioners' offices into one location eliminates the need to transport arrestees to the police station for booking, then to the court commissioners' office for a hearing, and then to Jennifer Road for bail processing or commitment.

- ***Enhanced Security:*** The multiple transports involved in the current process pose safety and security risks, which have resulted in substantial costs to the county and State. Because post-booking transport of arrestees is the responsibility of the arresting agency, the county uses a contracted transport agency for the majority of these transports at an annual cost of about \$900,000. Also, the additional transport time removes the arresting officer from their primary law enforcement duties for an extended period of time. Eliminating delays in the hearing and transport process will reduce the time that the arresting officer spends away from their normal law enforcement activities.
- ***Improved Bail Process and Reduced Population:*** Holding detainees during the bail process is disruptive to normal operations. Each month, between 430 and 530 arrestees are transported to Jennifer Road. The majority of these arrestees post bail within 72 hours – but during that time, they are held in the intake center at Jennifer Road. As a result, the center is overcrowded four to five days a week. Now, individuals who are expected to make bail will no longer be held at the detention center. This alternative to incarceration in the detention center will significantly reduce the ADP and reduce the staff required to operate the center intake facility.

Overall, this consolidated approach means that annual jail intakes would decrease by close to 1,000, effectively reducing the local prison population. In addition, the operating efficiencies created by this project will amount to the equivalent of adding 35 law enforcement officers to protect the public in Anne Arundel County. Moreover, this new holding facility will divert close to 1,000 defendants into numerous alternative programs including community service, home detention, and a robust pre-trial program without creating incarceration records, all of which will improve staff safety and reduce workload levels.

For the current fiscal year, the State bears 100% of the cost (\$2,035,000 in GO bonds) and is slated to provide an additional \$1.7 million to complete the project.

Calvert County Detention Center Site Inmate Program Space Addition

This project will construct an Inmate Program Space Addition at the Calvert County Detention Center. As program space is limited, the addition will provide three offices and two inmate classrooms. The design phase is slated to run from August 2018 to January 2019, with construction starting in April 2019 and project completion by October 2019. Total funding will be split on a nearly even basis in fiscal 2019, with \$500,000 in State GO bonds and \$515,000 in county funds.

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(\$ in Millions)

| Fund Uses | Prior Appropriation | FY 2019 Request | Future Estimated | Estimated Total |
|------------------|--------------------------------|----------------------------|-----------------------------|----------------------------|
| Planning | \$0.000 | \$0.105 | \$0.000 | \$0.105 |
| Construction | 0.000 | 0.910 | 0.000 | 0.910 |
| Equipment | 0.000 | 0.000 | 0.000 | 0.000 |
| Total | \$0.000 | \$1.015 | \$0.000 | \$1.015 |

| Fund Source | | | | |
|----------------------|----------------|----------------|----------------|----------------|
| State: 49.3% | \$0.000 | \$0.500 | \$0.000 | \$0.500 |
| Matching Fund: 50.7% | 0.000 | 0.515 | 0.000 | 0.515 |
| Total | \$0.000 | \$1.015 | \$0.000 | \$1.015 |

Overall, the Calvert County Detention Center lacks program space for inmates and as a result, GED, mental health, re-entry, and education classes must compete for programming space. This compromises inmate re-entry and employment opportunities. Additionally, the lack of classroom space requires unnecessary inmate movement as they attend and leave programs. Because inmate movement must be done by security classification, this creates security issues for inmates as well as staff.

Expansion Benefits

Once the addition is complete, Calvert County will be able to offer additional programming, including the following:

- Alcoholics and Narcotics Anonymous, and other substance abuse counseling;
- church services and Bible study;
- Thinking For Change programming;
- anger management courses;
- trauma counseling; and
- future employment and continuing education classes.

Finally, the new addition will enable staff to not only better control the flow of inmates to and from programming, but will improve staff ability to control contraband.

Montgomery County Pre-Release Center Dietary Center Renovation

This project will renovate and expand the dietary center at the Montgomery County Pre-Release Center. The dietary center's kitchen, built in 1978, was designed for 90 residents and 10 staff and has not yet been upgraded with current equipment or expanded to meet current demand. The current population includes approximately 150 residents, 50 nonresidents, and 65 full-time employees, as well as visitors. The fiscal 2019 budget includes \$1,618,000 in GO bonds to complete construction, which includes renovations and an addition to the Montgomery County Pre-Release Center Dietary Center, and provides \$206,000 in capital equipment. Construction is scheduled for completion by December 2019.

(\$ in Millions)

| Fund Uses | Prior Appropriation | FY 2019 Request | Future Estimated | Estimated Total |
|------------------|----------------------------|------------------------|-------------------------|------------------------|
| Planning | \$1.365 | \$0.000 | \$0.000 | \$1.365 |
| Construction | 2.408 | 3.026 | 0.000 | 5.434 |
| Equipment | 0.000 | 0.206 | 0.000 | 0.206 |
| Total | \$3.773 | \$3.232 | \$0.000 | \$7.005 |

| Fund Source | | | | |
|-----------------------|----------------|----------------|----------------|----------------|
| State: 50.01% | \$1.887 | \$1.618 | \$0.000 | \$3.505 |
| Matching Fund: 49.99% | 1.886 | 1.614 | 0.000 | 3.500 |
| Total | \$3.773 | \$3.232 | \$0.000 | \$7.005 |

The Montgomery County Pre-Release Center, built in 1978, can accommodate a maximum of 170 residents. While the dietary center was designed to serve 100 residents, it now serves an average of 150 residents. To adequately serve this increased population, approximately 540 sq. ft. of kitchen space is needed. In addition, the dietary center has the following inadequacies:

- lack of space for food storage that can lead to decreased food security;
- lack of bathroom facilities;
- an undersized dining area that forces meals to be served in multiple shifts;
- an outdoor dining area and loading dock are needed; and
- various age-related issues – most equipment dates to 1978 and needs to be replaced.

Multifunction Space and Security Risks

The dietary center is also used for visitation and additional center program events. While an additional 900 sq. ft. is needed for food production, the space is also necessary to better fulfill the needs for multi-use programming. Noise from the kitchen areas negatively affects the space when visits or events are taking place. There is also a security risk, as the dietary space has poor sightlines, making it difficult for security as the area is always overcrowded.

This project will create an addition to the dietary center that will address the issues by enlarging the available space, which will improve service delivery and security (by improving sightlines); installing partitions to block noise during visiting hours and special events; and allowing for a loading dock and outdoor dining area, further increasing the space and enhancing the product delivery process.

Prince George's County Correctional Center Medical Unit Renovation and Expansion

This project will expand the medical unit at the Prince George's County Correctional Center and double its capacity and provide a safer environment for inmates, staff, and corrections officers. When completed, the medical unit will have 14,354 sq. ft. of space on two floors. The fiscal 2019 budget includes \$2,448,000 in GO bonds to continue to construct and to equip this project.

(\$ in Millions)

| Fund Uses | Prior Appropriation | FY 2019 Request | Future Estimated | Estimated Total |
|------------------|----------------------------|------------------------|-------------------------|------------------------|
| Planning | \$1.097 | \$0.000 | \$0.000 | \$1.097 |
| Construction | 6.575 | 3.874 | 0.000 | 10.449 |
| Equipment | 0.400 | 1.025 | 0.000 | 1.425 |
| Total | \$8.072 | \$4.899 | \$0.000 | \$12.971 |

| Fund Source | | | | |
|--------------------|----------------|----------------|----------------|-----------------|
| State: 50% | \$4.037 | \$2.448 | \$0.000 | \$6.485 |
| Matching Fund: 50% | 4.035 | 2.451 | 0.000 | 6.486 |
| Total | \$8.072 | \$4.899 | \$0.000 | \$12.971 |

While construction of this project was anticipated to begin in October 2016, the county encountered complications during the design procurement process. As a result, a portion of the fiscal 2018 planned construction funds were deferred to fiscal 2019 to reflect this delay and mirror the project schedule. Construction has not yet begun but will begin prior to June 2018 and is expected to be complete in April 2019.

Space Limitations and Security

The space limitations in the existing medical unit restrict the number of inmates that can be evaluated and treated at the same time. As a result, inmates have had to be referred to offsite clinics for care. In addition, the pharmacy area is undersized and can only be accessed from inside the female ward, which causes issues during shift changes, as medication counts must be witnessed. There is also a lack of storage for medication, and the administrative areas are co-located with exam rooms and holding cells. The proposed renovation and expansion will allow the center to provide more types of medical services onsite, including orthopedic, optometry, and neurology services. Costs associated with these procedures and the risks that occur with frequent inmate transfers to offsite clinics will be reduced. Also, a centralized security station will be built in the sick call area to improve safety.

Prince George’s County Correctional Center is one of only three local jail facilities in Maryland that provide onsite infirmary care. After being constructed in 1984, a 2002 expansion added approximately 2,880 gross sq. ft., which added security stations, ward beds, and isolation cells. Overall, the center’s medical unit serves 100 inmates in an eight-hour shift, and no more than 19 inmates are permitted in the sick call area at one time. This project, when completed, will increase the amount of space in the unit, double the amount of beds, increase medical and treatment service areas, and will alter the facility layout to increase security.

St. Mary’s County Adult Detention Center Upgrades, Housing, and Medical Units

This project will construct a two-story, 23,000 sq. ft. addition to the detention center that will include a new female housing unit, medical unit, and several upgrades that will enhance security and improve facility operations.

(\$ in Millions)

| Fund Uses | Prior Appropriation | FY 2019 Request | Future Estimated | Estimated Total |
|----------------------|----------------------------|------------------------|-------------------------|------------------------|
| Planning | \$0.000 | \$1.462 | \$0.000 | \$1.462 |
| Construction | 0.000 | 0.000 | 23.791 | 23.791 |
| Equipment | 0.000 | 0.000 | 0.000 | 0.000 |
| Total | \$0.000 | \$1.462 | \$23.791 | \$25.253 |
| | | | | |
| Fund Source | | | | |
| State: 39.1% | \$0.000 | \$0.731 | \$9.145 | \$9.876 |
| Matching Fund: 60.9% | 0.000 | 0.731 | 14.646 | 15.377 |
| Total | \$0.000 | \$1.462 | \$23.791 | \$25.253 |

Overall, the estimated total cost for this project is \$25.3 million, with \$9.9 million in GO bonds and \$15.4 million in local matching funds. Additionally, the State is estimated to fund approximately

39% of this project. The design phase will begin in April 2018 and will be completed in March 2019; construction will begin in July 2019, and the project will be complete by June 2021.

Inmate Housing and Male/Female Inmate Separation

Currently, the St. Mary's Adult Detention Center houses 48 female inmates and has an operating capacity of just 48 inmates. Because of the lack of space, there are several key issues that a facility upgrade will solve. First, there is no current proper intake space for female inmates. As a result, these inmates are processed in a converted space that houses maximum security male inmates. There is no sight/sound separation during this phase. Another key deficiency concerns disciplinary issues. The limited space means that inmates placed in disciplinary housing must be moved to Pod A (where male inmates are held) or Pod B. Due to multiple small housing units, mixed classifications of inmates are housed together. If the number of inmates disciplined grows too large, staff must rearrange multiple units to accommodate those with disciplinary issues. Recreation time is also a sight/sound separation issue, as male inmates must pass by the female areas to get to the recreation area in Pod B. Additional segregation issues complicate the use of the library, which is the only space for female programming in the facility, because it must be shared with the male population. Finally, female work incentive inmates do not have a separate housing area, which means they can mix with the general population. This increases the opportunity for drugs and other contraband to be smuggled into the facility.

Medical Services

The St. Mary's Adult Detention Center medical unit is located in the core of the facility and provides the following:

- inmate and staff physicals and medical assessments;
- inmate welfare check-ups;
- immunization and communicable disease testing; and
- routine procedures such as x-rays, eye examinations, stitches, and other laboratory testing.

Additionally, the medical unit area hosts staff offices, medical files, and a pharmacy. Currently, there is no waiting area for inmates to see physicians. As a result, inmates must be relocated to several holding areas, recreation areas, and an attorney conference room – all of which limit the amount of activities in these areas due to scheduling issues.

Supply Room/Restroom: Inventory, including medications, are stored in the supply room. Due to the lack of space, equipment must be stored in the bathroom, and there is only one bathroom in the area that must be shared by staff and inmates.

Security Systems: Current security systems are over 29 years old, with the exception of Main Control and the Pod E Housing Unit that were put in service in 1998 during a renovation and expansion project.

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While guards at Central Control can monitor corridors and doors in local housing, they cannot take over those controls in the case of a dangerous situation. Overall, all security components work independently of one another, with no actual control from Central Control. In addition, Central Control must answer public phone calls and handle building visitors, which reduces time spent on monitoring the facility.

Pretrial Services: In total, 13 community supervision staff members for the home detention program, work release, and offender re-entry programs work from this unit. With a total of only eight workstations at their disposal, there is limited space for the various teams to conduct their duties. Additional space and resources for the pretrial team is important, as their efforts will free up much-needed detention space.

Other issues with the facility include insufficient laundry facilities that are overused due to lack of infrastructure and are monitored via video due to lack of space for a security officer; kitchen roof and flooring damage and deterioration; and a heating, ventilation, and air conditioning system that lacks adequate ventilation.

Project Benefits

After project completion, the St. Mary's Adult Detention Center will have the following:

- a renovated medical unit with a 100% increase in available bed space;
- an expanded and renovated laundry;
- a total of 64 beds for female inmates;
- two new additions of 17,000 sq. ft.;
- additional office and administrative space;
- additional holding cells;
- enhanced security provisions and mobility that will increase sight/sound separation of male and female inmates; and
- a total of 294 beds, up from 245.

Given that the majority of this project is locally funded, with \$15.4 million in matching funds required through fiscal 2021, representatives from St. Mary's County should update the committees on the county's commitment to the project, especially in light of the fact that this project was canceled several years ago due to a lack of county commitment.

Issues

1. Pretrial Reform

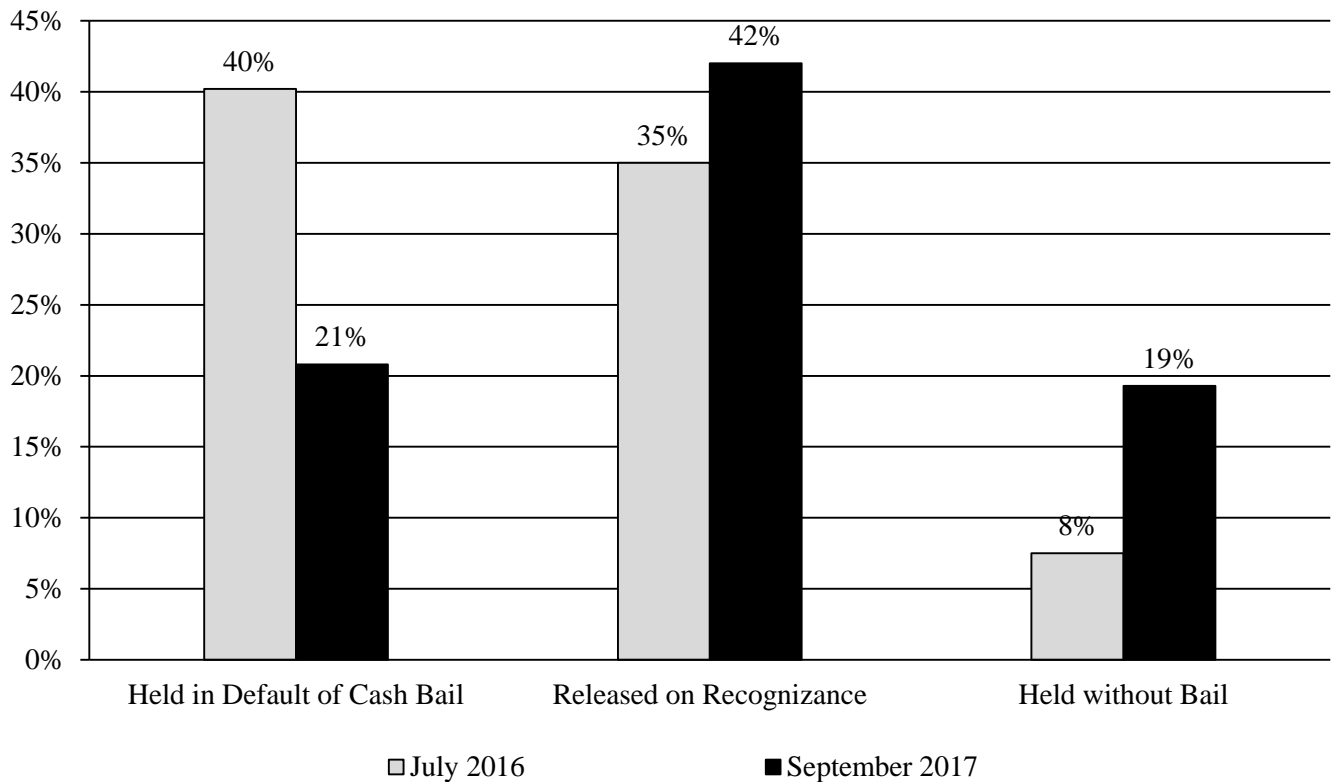
In October 2016, OAG submitted a letter to the Standing Committee on Rules requesting that the committee consider changes to Maryland Rule 4-216 to prohibit pretrial detention based solely on financial ability to afford bail. In addition, both the Justice Reinvestment Act and OAG have encouraged the expansion of pretrial services to reduce the number of detainees in local jails, particularly those who are awaiting trial for nonviolent and low-level crimes. Reducing these numbers will result in lower costs for local jails and detention centers, mitigate potential capacity issues, and ultimately have an effect on the cost and need for capital projects at the local level.

According to the Judiciary, rule changes regarding bail have had an impact on pretrial release results, including the following:

- the percentage released on their own recognizance increased from 35% to 42%;
- the percentage held on cash bail decreased from 40.2% to 20.8%; and
- the percentage held without bail increased from 7.5% to 19.3%.

Exhibit 6 shows bail outcomes by percentage in the State from July 2016 to September 2017. After the initial court appearance, individuals who were held on bail and held without bail go before a commissioner. In those cases, as the commissioner exercised their discretion regarding bail, individuals held without bail decreased 34%.

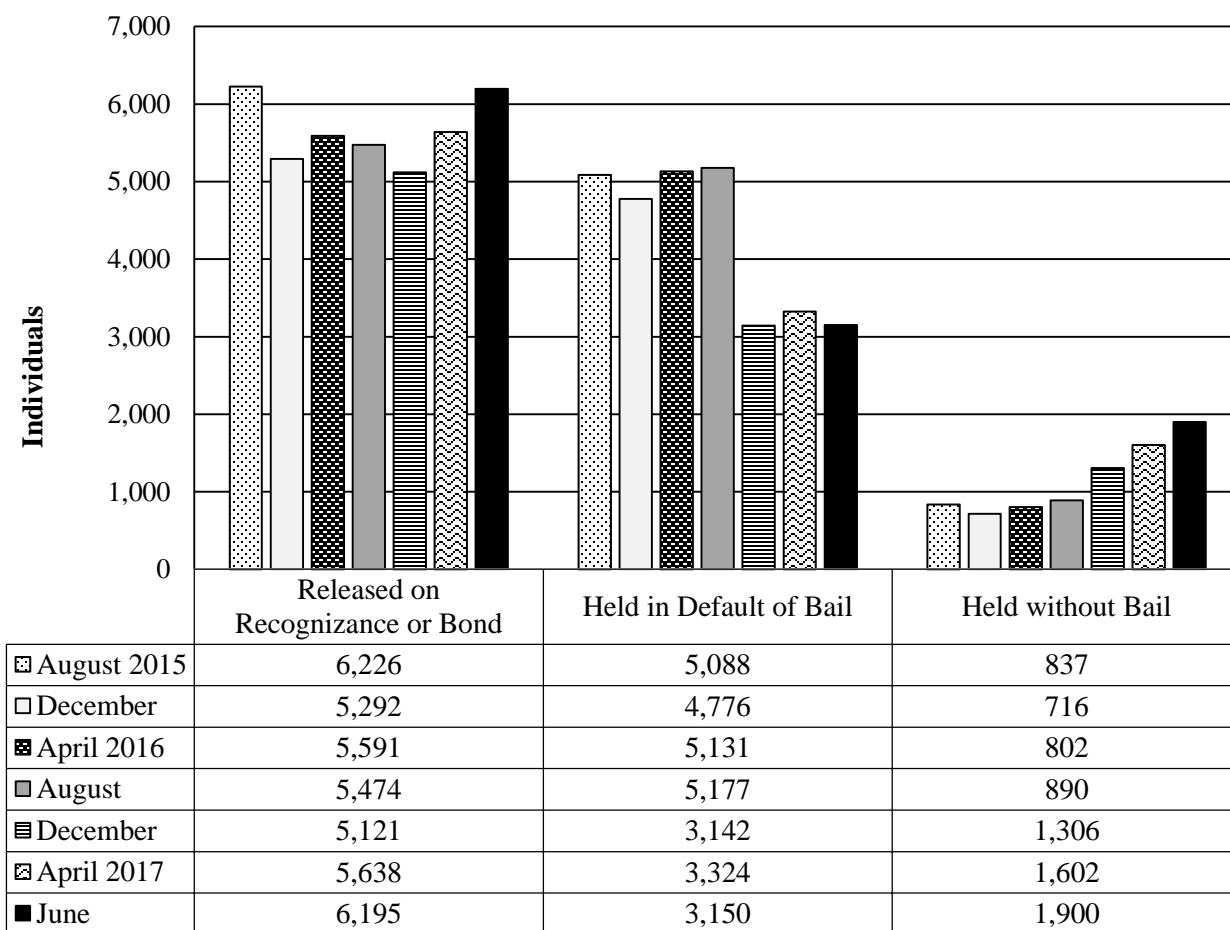
Exhibit 6
Bail Outcomes by Percentage
July 2016 and September 2017



Source: Maryland Judiciary

As these reforms continue across the State, the number of detainees will continue to decrease. **Exhibit 7** shows total statewide trends for bail outcomes with the total number of individuals by bail status. Those held in default of cash bail are individuals granted bail but unable to post bail. Overall, this group has decreased by nearly half, as judges and court commissioners grant individuals release on their own recognizance. However, the number of individuals held without bail has increased, as judges decide to hold more individuals due to concerns about their potential to commit more crime or failure to appear for trial.

Exhibit 7
Statewide Bail Trends
August 2015 to June 2017



Source: Maryland Judiciary

Conclusion

The State detainee population is changing. Overall, trends have resulted in fewer arrestees, fewer intakes, and ultimately fewer inmates and detainees. In addition, there are fewer detainees being held on cash bail and more detainees released on either their own personal recognizance or via personal bond. While OAG has stated that counties such as St. Mary's and Montgomery are shifting away from cash bail and seeing successful outcomes, just 11 counties have full pretrial services available, with others seeking to develop more comprehensive services that will reduce ADP and, consequently, costs.

Currently, the Judiciary is investigating a statewide risk assessment tool that can more easily categorize detainees' risk of flight (and other factors) and may result in fewer commitments to custody. **As bail reform and other pretrial release initiatives are in place, DPSCS should comment on possible involvement with the Judiciary and counties in developing shared risk assessment tools. In addition, the department should also comment on how bail reform and other pretrial release reforms may affect capital projects going forward and how (to the extent possible) it can assist counties with expanding pretrial services.**

Updates

1. Local Jails and Detention Centers Monthly Population Reports

The budget committees requested that the department provide monthly average daily population statistics for local jails and detention centers in the State that would include the following information:

- operational capacity for each facility, making note of specialized population beds that cannot be used by general population inmates;
- the total ADP for that month, separated by male and female offenders;
- the number of days that the population exceeded operational capacity;
- the most consecutive days that the population exceeded capacity;
- the range in the number of inmates exceeding operational capacity;
- the average amount that the population exceeded capacity; and
- the peak inmate population.

Since the beginning of fiscal 2018, the department has provided monthly ADP information in the *Maryland Local Jail Capacity Report*. Overall, the total inmate population at local jails and detention centers has remained fairly steady, with a decline of 1.6%, as shown in **Exhibit 8**.

Exhibit 8
Local Jails and Detention Centers Average Daily Population
July 2017 to January 2018

| <u>Facility</u> | <u>July 2017</u> | <u>January 2018</u> | <u>Total Change</u> | <u>% Change</u> |
|---|-------------------------|----------------------------|----------------------------|------------------------|
| Allegany County Detention Center | 140 | 144 | 4 | 2.9% |
| Anne Arundel – Jennifer Road | 420 | 424 | 4 | 1.0% |
| Anne Arundel – Ordnance Road | 319 | 309 | -10 | -3.1% |
| Baltimore County | 1206 | 1171 | -35 | -2.9% |
| Calvert County | 182 | 189 | 7 | 3.8% |
| Caroline County | 78 | 82 | 4 | 5.1% |
| Carroll County | 226 | 202 | -24 | -10.6% |
| Cecil County Community Corrections Center | 44 | 40 | -4 | -9.1% |
| Cecil County Detention Center | 233 | 224 | -9 | -3.9% |
| Charles County | 322 | 306 | -16 | -5.0% |
| Dorchester County | 137 | 135 | -2 | -1.5% |
| Frederick County Adult Detention Center | 283 | 344 | 61 | 21.6% |
| Frederick County Work Release Center | 47 | 53 | 6 | 12.8% |
| Garrett County | 43 | 60 | 17 | 39.5% |
| Harford County | 413 | 372 | -41 | -9.9% |
| Howard County | 318 | 285 | -33 | -10.4% |
| Kent County | 65 | 74 | 9 | 13.8% |
| Montgomery County Correctional Facility | 544 | 540 | -4 | -0.7% |
| Montgomery County Detention Center | 79 | 54 | -25 | -31.6% |
| Montgomery County Pre-Release | 135 | 125 | -10 | -7.4% |
| Prince George’s County | 939 | 913 | -26 | -2.8% |
| Queen Anne’s County | 118 | 125 | 7 | 5.9% |
| St. Mary’s County | 212 | 221 | 9 | 4.2% |
| Somerset County | 61 | 59 | -2 | -3.3% |
| Talbot County | 56 | 73 | 17 | 30.4% |
| Washington County | 297 | 315 | 18 | 6.1% |
| Wicomico County | 376 | 364 | -12 | -3.2% |
| Worcester County | 192 | 159 | -33 | -17.2% |
| Total | 7,485 | 7,362 | -123 | -1.6% |

Source: Department of Public Safety and Correctional Services

GO Bond Recommended Actions

1. Approve \$2 million in general obligation bonds for the Anne Arundel County Central Holding and Processing Center.
2. Approve \$500,000 in general obligation bonds for the Calvert Detention Center Inmate Program Space.
3. Approve \$1.6 million in general obligation bonds for the Montgomery County Pre-Release Center Dietary Center Renovation.
4. Approve \$2.4 million in general obligation bonds for the Prince George's Medical Unit Renovation and Expansion.
5. Approve \$731,000 in general obligation bonds for the St. Mary's Adult Detention Center Upgrades, Housing, and Medical Units.