# Q0 Department of Public Safety and Correctional Services – Capital

# Capital Budget Summary

# State-owned Capital Improvement Program (\$ in Millions)

Projects	Prior Auth.	2020 Request	2021 Est.	2022 Est.	2023 Est.	2024 Est.	Beyond CIP
Baltimore City Correctional Complex Demolition	\$7.180	\$23.816	\$5.284	\$0.000	\$0.000	\$0.000	\$0.000
ECI High Temperature Distribution and Perimeter Security				0.170	0.440		0.000
Improvements	6.870	0.000	9.211	8.459	8.460	0.000	0.000
Jessup Region Electrical Infrastructure Upgrade	1.078	7.930	6.460	0.000	0.000	0.000	0.000
Jessup Regional Infirmary Facility	0.000	0.000	0.000	0.000	4.970	4.070	80.465
MCE Furniture Restoration Plant	0.000	0.000	0.000	0.000	2.318	0.000	0.000
MCE Textile and Graphics Shops	0.000	0.000	0.000	0.757	5.989	3.045	0.000
MCI-H Perimeter Security Upgrade	0.000	1.226	3.355	9.307	7.671	0.000	0.000
MCTC Housing Unit Windows, Heating System Replacement	0.663	10.337	0.000	0.000	0.000	0.000	0.000
RCI Gatehouse and Perimeter Security System	0.000	0.611	5.830	10.256	5.134	0.000	0.000
Therapeutic Treatment Center	0.000	0.000	16.971	20.742	72.994	109.491	157.388
Total	\$15.791	\$43.920	\$47.111	\$49.521	\$107.536	\$116.606	\$237.853

For further information contact: Kenneth B. Weaver

Fund Source	Prior Auth.	2020 Request	2021 Est.	2022 Est.	2023 Est.	2024 Est.	Beyond CIP
GO Bonds	\$15.791	\$43.920	\$47.111	\$49.521	\$107.536	\$116.606	\$237.853
Total	\$15.791	\$43.920	\$47.111	\$49.521	\$107.536	\$116.606	\$237.853

CIP: Capital Improvement Program ECI: Eastern Correctional Institution

GO: general obligation

MCE: Maryland Correctional Enterprises

MCI-H: Maryland Correctional Institution - Hagerstown

MCTC: Maryland Correctional Training Center

RCI: Roxbury Correctional Institution

## **Key Observations**

- State Inmate and Detainee Populations Continue to Decline: Since fiscal 2012, the number of offenders released each year has exceeded the number of offenders entering State prisons (including the Patuxent Institution). As a result, the growth rate of the incarcerated population continues to decline and is at its lowest total since 1992.
- Baltimore City Therapeutic Treatment Center (TTC) Enters the 2020 Capital Improvement Program (CIP): In recent years, the Division of Pretrial Detention and Services (DPD) and the Department of Public Safety and Correctional Services (DPSCS) Capital Department have stated that the Baltimore City Jail Complex needed more space and funding to offer the mental health and drug treatment options that its detainees required. The new TTC is designed to address these concerns and is now in the fiscal 2020 CIP.

# Summary of Recommended Bond Actions

#### **Funds**

1. Department of Public Safety and Correctional Services

Adopt committee narrative requesting a report on the new Baltimore City Therapeutic Treatment Center.

2. Roxbury Correctional Institution Gatehouse and Perimeter Security System

Approve \$611,000 for the Roxbury Correctional Institution gatehouse and perimeter security system.

3. Maryland Correctional Institution Perimeter Security Improvements

Approve \$1,226,000 for the Maryland Correctional Institution – Hagerstown perimeter security improvements.

4. Maryland Correctional Training Center Housing Unit Windows and Steam Heating System

-\$5,000,000 GO

Reduce funds.

5. Jessup Region Electrical Infrastructure Upgrade

Approve \$7,930,000 for the Jessup region electrical infrastructure upgrade.

6. Demolition of Buildings at the Baltimore City Correctional Complex

Approve \$23,816,000 for the Baltimore City Correctional Complex demolition.

SECTION 2 – Department of Public Safety and Correctional Services

 Patuxent Institution Fire Safety Improvements and Window Replacements

Approve the extension of \$10,281,000 in general obligation bonds for the Patuxent Institution fire safety improvements and window replacements. 8. SECTION 2 – Department of Public Safety and Correctional Services – Maryland Correctional Training Center Housing Unit Windows and Heating Systems

Approve the extension of \$9,729,000 in general obligation bonds for the Maryland Correctional Training Center housing unit windows and heating system project.

9. SECTION 2 – Department of Public Safety and Correctional Services – Dorsey Run Correctional Facility

Approve the extension of \$1,200,000 in general obligation bonds for the Dorsey Run Correctional Facility 560-bed minimum-security compound.

10. SECTION 12 – Department of Public Safety and Correctional Services – Housing Unit Windows and Steam Heating System

\$5,000,000 P1

Add a preauthorization for the 2020 session to complete the project funding.

11. SECTION 12 – Department of Public Safety and Correctional Services – Jessup Region Electrical Infrastructure Upgrade

Approve the preauthorization of \$6,460,000 in general obligation bonds for the Jessup region electrical infrastructure upgrade.

12. SECTION 12 – Department of Public Safety and Correctional Services – Hot Water and Steam System Improvements

Approve the preauthorization of \$9,211,000 in general obligation bonds for the Eastern Correctional Institution hot water and steam system improvements.

13. SECTION 12 – Department of Public Safety and Correctional Services – Demolition of Buildings at the Baltimore City Correctional Complex

Approve the preauthorization of \$5,101,000 in general obligation bonds for the Baltimore City Correctional Complex demolition.

14. SECTION 13 – Department of Public Safety and Correctional Services – Hot Water and Steam System Improvements

Approve the preauthorization of \$8,459,000 in general obligation bonds for the Eastern Correctional Institution hot water and steam system improvement project.

15. SECTION 14 – Department of Public Safety and Correctional Services – Hot Water and Steam System Improvements

Approve the preauthorization of \$8,459,000 in general obligation bonds for the Eastern Correctional Institution hot water and steam system improvement project.

**Total General Obligation Reductions/Additions Total Preauthorization Reductions/Additions** 

-\$5,000,000 \$5,000,000

# Performance Measures and Outputs

DPSCS is responsible for the operation of all State correctional and Baltimore City detention facilities for the purpose of protecting the people of Maryland and providing a safe and secure environment that assists inmates' re-entry into society as law-abiding citizens. Overall, DPSCS operates 21 State correctional and detention facilities with a current operating capacity of nearly 23,000. Department facilities operate under the jurisdiction of two primary agencies: the Division of Correction (DOC) and the DPD. DPSCS is also responsible for administration of the Local Jails and Detention Centers Capital Grant Program, which is discussed in a separate analysis.

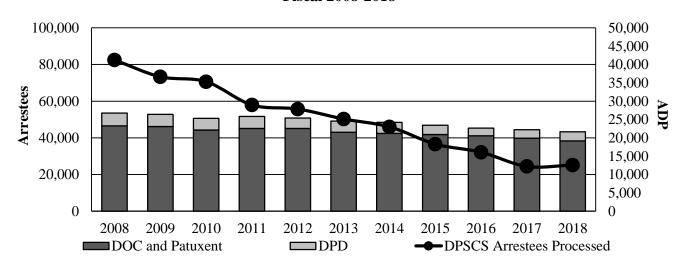
#### 1. State Inmate and Detainee Population

Since fiscal 2012, the number of offenders released each year has exceeded the number of offenders entering State prisons (including the Patuxent Institution). As a result, the growth rate of the incarcerated population continues to decline and is at its lowest total since 1992. Because of criminal justice reform including the Justice Reinvestment Act and changes in sentencing and bail, these numbers are expected to fall further in fiscal 2019. **Exhibit 1** shows the number of sentenced offenders and detainees under DPSCS jurisdiction along with the total number of arrestees processed at DPSCS Baltimore Central Booking and Intake Center (BCBIC). Overall, DPSCS experienced the following trends in fiscal 2018:

- 19,151 offenders were sentenced and incarcerated in State prisons;
- 2,481 offenders were held in pretrial detention (2,045 local and 436 federal);

- 9,222 inmates were released from prison while 8,020 inmates entered prison; and
- since fiscal 2008, the number of arrestees processed has decreased from over 82,000 to 25,000.

# Exhibit 1 ADP Offenders under DPSCS Jurisdiction Fiscal 2008-2018



ADP: Average Daily Population DOC: Division of Correction DPD: Division of Pretrial Detention

DPSCS: Department of Public Safety and Correctional Services

Source: Department of Public Safety and Correctional Services

#### **Detainee Population Increases 7%**

While the number of incarcerated individuals continues to decrease as a whole, the total number of detainees in Baltimore City has risen from 2,320 to 2,481 - a 7% increase. Although the department has seen more (particularly nonviolent) individuals released due to bail reform, there has been an increase in the percentage of detainees held without bail. Currently, 92% of detainees are being held without bail; as a result, this population tends to be charged with more violent crimes and is expected to be detained for longer periods of time.

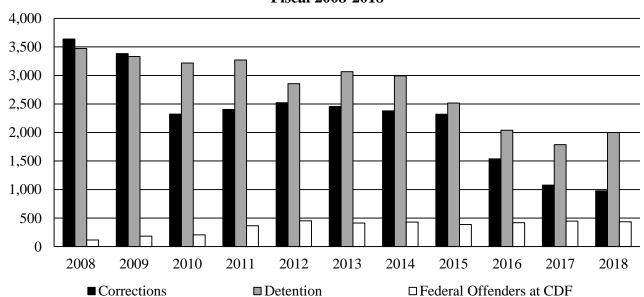
### 2. Incarcerated Offenders in Baltimore City – by Facility

**Exhibit 2** shows the total sentenced population across all Baltimore City facilities. While DPD is responsible for local detainees, it also has a number of federal detainees. In addition, DOC has nearly

1,000 inmates in Baltimore prisons as well. Overall, fiscal 2018 totals compared to fiscal 2017 are as follows:

- **Detainees:** 2,000 due to more detainees at Central Booking and the Metropolitan Transition Center (MTC);
- **DOC State Prison Inmates:** 978 (9.1% decrease due to 99 fewer inmates); and
- Federal Offenders at Chesapeake Detention Facility (CDF): 436 (2% decline, relatively stable).

Exhibit 2
ADP for Offenders Incarcerated in Baltimore City Facilities
Fiscal 2008-2018



ADP: average daily population CDF: Chesapeake Detention Facility

Source: Department of Public Safety and Correctional Services

#### 3. DPSCS Facilities: Operational Capacity

**Exhibit 3** shows the department's current capacity versus January 2019 average daily population (ADP) separated by conventional and nonconventional beds. Overall, the reported capacity of each facility can vary from year to year as operational shifts are made to house inmates. For example, this can include the addition of beds via the use of double-celled or other nonconventional bed space.

Exhibit 3 Average Daily Population and Operational Capacity Fiscal 2019

<u>Facility</u>	Total <u>Capacity</u>	Conventional <u>Beds</u>	Nonconventional <u>Beds</u>	ADP <u>January 2019</u>	Capacity <u>Percentage</u>	Excess Beds
Maximum Security						
Chesapeake Detention Facility <sup>1</sup>	n/a	n/a	n/a	n/a	n/a	n/a
Maryland Correctional Institution – Women <sup>2</sup>	849	756	0	732	86.2%	117
Maryland Reception, Diagnostic, and Classification Center <sup>3, 4</sup>	768	543	0	505	65.8%	263
North Branch Correctional Institution	1,487	1,198	0	1,198	80.6%	289
Patuxent Institution <sup>5</sup>	1,306	1,033	56	1,076	82.4%	230
Western Correctional Institution <sup>6</sup>	1,715	1,656	0	1,413	82.4%	302
<b>Total Maximum Beds</b>	6,125	5,186	56	4,924	80.4%	1,201
Medium Security						
Eastern Correctional Institution <sup>6</sup>	2,811	2,722	0	2,631	93.6%	180
Jessup Correctional Institution <sup>6</sup>	1,819	1,748	0	1,805	99.2%	14
Maryland Correctional Institution – Hagerstown	750	540	95	632	84.3%	118
Maryland Correctional Institution – Jessup	940	921	48	750	79.8%	190
Maryland Correctional Training Center <sup>6</sup>	2,941	2,826	0	2,854	97.0%	87
Roxbury Correctional Institution	1,804	1,748	0	1,767	97.9%	37
<b>Total Medium Beds</b>	11,065	10,505	143	10,439	94.3%	626
Minimum Security						
Baltimore City Correctional Center	508	457	0	467	91.9%	41
Brockbridge Correctional Facility	651	596	0	487	74.8%	164

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<u>Facility</u>	Total <u>Capacity</u>	Conventional <u>Beds</u>	Nonconventional <u>Beds</u>	ADP <u>January 2019</u>	Capacity Percentage	Excess Beds
Central Maryland Correctional Facility	516	503	0	486	94.2%	30
Dorsey Run Correctional Facility	1,098	812	0	813	74.0%	285
Eastern Correctional Institution – Annex	608	585	0	574	94.4%	34
<b>Total Minimum Beds</b>	3,381	2,953	0	2,827	83.6%	554
Pre-release						
Eastern Pre-Release Unit	180	154	0	161	89.4%	19
Southern Maryland Pre-Release Unit Total Pre-release Beds	180 <b>360</b>	120 <b>274</b>	0 <b>0</b>	158 <b>319</b>	87.8% <b>88.6%</b>	22 <b>41</b>
Pretrial Detention						
Youth Detention Center <sup>7</sup>	60	46	0	37	61.7%	23
Metropolitan Transition Center (Pretrial) <sup>4</sup>	1,080	540	540	784	72.6%	296
Baltimore Central Booking and Intake Center <sup>4</sup>	948	470	476	796	84.0%	152
Total Pretrial Detention Beds	2,088	1,346	0	1,617	100.9%	-15
Total	23,019	19,974	1,215	20,126	87.4%	2,893

<sup>&</sup>lt;sup>1</sup> As of September 2010, the Chesapeake Detention Facility (CDF) houses only federal detainees but remains a State-operated facility. The capacity of CDF is 576 of which 450 are currently occupied.

Source: Department of Public Safety and Correctional Services

<sup>&</sup>lt;sup>2</sup> The Maryland Correctional Institution for Women is the only facility exclusively for female inmates and, therefore, houses women of all security levels. The security level is defined as administrative with a small number of women classified as maximum. Following the closure of the Women's Detention Center, pretrial females needing segregation or medical needs are also housed here.

<sup>&</sup>lt;sup>3</sup> The Maryland Reception, Diagnostic and Classification Center has a maximum security level, but only a fraction of inmates are classified as maximum. Pretrial detainees housed here are included under pretrial detention, but the overall facility capacity is listed under maximum.

<sup>&</sup>lt;sup>4</sup> Following the closure of the Women's Detention Center, the pretrial women are now housed in the Baltimore Central Booking and Intake Center. The Metropolitan Transition Center houses all detainees in dormitory housing.

<sup>&</sup>lt;sup>5</sup> The Patuxent Institution count includes men, women, and youth.

<sup>&</sup>lt;sup>6</sup> The Eastern Correctional Institution, the Jessup Correctional Institution, the Maryland Correctional Training Center (MCTC), and the Western Correctional Institution are regional intake facilities and were reclassified as administrative security. MCTC also includes pre-release offenders.

<sup>&</sup>lt;sup>7</sup> The Youth Detention Center was opened in September 2017. It houses males and females under the age of 18 who are awaiting trial and those who have been sentenced. The facility also holds a number of sentenced offenders.

#### **DPSCS Facilities Have More Excess Bed Space**

Overall, DPSCS total capacity is 23,019 with a January 2019 ADP of 20,126. The data indicates that the department has 2,893 beds available. However, this is about 66% of the fiscal 2016 total of 4,387 excess beds. Total excess bed space has been reduced due to multiple partial and full closures of department facilities. From the data, the following results can be observed by security and type classification:

- *Maximum Security (80% Full):* These high-security facilities have the most bed space as they are just 80% full.
- Medium Security (94% Full): The facilities in this classification hold the most offenders statewide and consist of most of the facilities with the highest inmate population totals. Of note is the fact that the Jessup Correctional Institution (JCI), the Maryland Correctional Training Center (MCTC), and the Roxbury Correctional Institution (RCI) are nearing full capacity. The department should comment on the capacity levels at its medium-security facilities.
- Minimum Security (83.6% Full): DPSCS minimum-security facilities have 554 excess beds, more than enough additional bed space. Brockbridge Correctional Facility (BCF) is the State prison with the most space, operating at just 75% of capacity. The department has indicated that it is considering depopulating this facility and should comment on its plans for BCF.
- **Pretrial Detention** (77.4% Full): Overall, pretrial facilities in Baltimore City appear to have the least amount of need at 77% capacity. However, the department has been using dormitory housing in Baltimore City to address its space issues; a majority of the space in BCBIC is dormitory housing, and MTC is all dormitory housing. An additional 336 detainees are housed outside of Baltimore City, primarily at the JCI B-Building (JCI-B).

#### **Detainees, Space Issues, and Assaults**

Approximately half of the Baltimore City detainees are housed in dormitory housing, and over 18% of DPD detainees are outside of the Baltimore City limits in State prisons. The fact that detainees are away from the city affects their ability to meet with counsel and family and has cost implications for the division. DPD already has extensive security and transportation logistics to deal with as it moves offenders between buildings in the Baltimore City Jail Complex. Additionally, DPD's detainee and space issues have led to increased assault rates. Further information on this topic can be found in the Baltimore City TTC section of this analysis.

## **Budget Overview**

#### **DPSCS:** Five Capital Projects, \$44 Million Total

In fiscal 2020, DPSCS receives \$44 million in general obligation (GO) bonds for 5 projects:

- **Baltimore City Correctional Complex Demolition:** The department receives \$23.8 million to continue the demolition of vacant and antiquated buildings and structures within the Baltimore City Jail Complex.
- **Jessup Region Electrical Infrastructure Upgrade:** The department also receives \$7.9 million to complete the design and begin upgrades to the electrical infrastructure for the correctional facilities and supporting operations in the Jessup region.
- Maryland Correctional Institution Hagerstown (MCI-H) Perimeter Security Upgrade: The department receives \$1.3 million to begin the design of perimeter security improvements with fencing, a new gatehouse, and guard towers.
- *MCTC Housing Unit Windows and Heating Systems Replacement:* The department receives \$10.3 million to replace windows and heating systems in housing units three and four, which will result in the completion of this project.
- *RCI Gatehouse and Perimeter Security System:* The department receives \$611,000 to design and construct a new security system, fencing, gatehouse, and a new building.

#### **Demolition of Buildings at Baltimore City Correctional Complex**

The fiscal 2020 capital budget provides \$23.8 million in GO bond funds to demolish 11 major and minor structures, including guard towers, bridges, tunnels, site walls, and modular structures at Baltimore City Correctional Complex. Major structures slated to be demolished include the following:

- the Annex Building;
- the Baltimore City Detention Center (BCDC) power plant;
- the C-Block Building;
- MTC's west wing, power plant, C-block building, and building A; and
- a wall separating BCDC from MTC.

#### **Baltimore City Detention Center and Aging Facilities**

Most of the BCDC buildings were built in the mid-1800s to early 1900s, including MTC, which is the oldest correctional facility in the country, built in 1811. Overall, the alternatives to demolition meant that DPSCS would face substantial costs to depopulate, renovate, and restore those buildings. The depopulation of BCDC gave the department the opportunity to complete demolition in one phase rather than the previous multiphase plan that required shifting offender populations to coincide with demolition and construction timelines. In addition, it also gave the department the ability to address several key issues, including the safety and security of inmates and staff in a deteriorating complex, and the future expansion of services and facilities on the footprint of the area to be demolished. **Exhibit 4** shows the Baltimore City Correctional Complex and buildings to be demolished for this project.

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Exhibit 4
Baltimore City Correctional Complex (Demolition Area)
Fiscal 2019

Source: Department of Public Safety and Correctional Services

Removing these structures will result in some operational savings and the elimination of potential security threats, but there are also implications for the *Jerome Duvall*, *et al.* v. *Lawrence Hogan*, *Jr.*, *et al.* settlement that requires DPSCS to address physical plant, health, and safety issues. According to the department, in fall 2018, the court-appointed monitors for *Duvall* declared that DPSCS was in substantial compliance with the areas under court supervision for physical plant and conditions of confinement.

#### **Modular Units**

Because of demolition taking place at the facility, the department did include modular buildings to house inmate programming as a temporary solution to provide medical, substance use disorder (SUD), and mental health treatment as well as religious, commissary, and laundry services. These changes did not result in an actual square footage increase, and the department reports it did not submit a program modification because the units do not constitute a 5% change to the project.

#### **Current Cost Estimate: \$36.3 Million and Future Plans**

Currently, this project will require one more year beyond fiscal 2020; there is \$5.3 million allocated in the CIP to finish the project. In the previous year's CIP, this project had a total of \$30.7 million in funding. In fiscal 2020, project costs are \$36.2 million, nearly a \$5.6 million increase due to costs associated with relocating steam lines under the complex. **The department should comment on how recent bids align with the cost estimates for this year's construction.** With the August 2017 closure of the Jail Industries Building, the transfer of detainees out of the demolition area was completed. However, the transfer of detainees to other areas of the complex meant that DPSCS had to house them in dormitories in BCBIC and MTC. While there were no previous plans in the CIP for the demolished site, the 2020 CIP now has added TTC, a project designed to address many of the concerns mentioned in this analysis. **The Department of Legislative Services (DLS) recommends approval of the \$23.8 million in GO bonds for the demolition of buildings at the Baltimore City Correctional Complex.** 

#### Jessup Region Electrical Infrastructure Upgrade

Overall, the fiscal 2020 budget includes \$7.93 million in funding for design completion and to begin the construction phase of this project. The Jessup region electrical grid provides power to six correctional facilities, Maryland Environmental Service plants, and a State firing range in Anne Arundel County. The existing grid, which is more than 40 years old, does not provide reliable uninterrupted power and also is unable to support any additional buildings. The more than 120 buildings serviced by the current infrastructure include 4,500 inmates and 1,600 State employees. In addition, the Jessup electrical system has failed at least seven times in recent years and is an unreliable power source.

There are three main reasons for the current infrastructure failures: (1) the existing system is over 40 years old; (2) the main substation transformers lack the capacity to adequately power future loads (based on peak load data from Baltimore Gas and Electric (BGE)); and (3) the main switching station lacks the proper protection relays to disconnect from power during a single phase event. Another

item of note is that one of the main transformers on the grid did not meet national recommended standards for explosive gases.

#### **Power Outages and Repairs**

Due to power outages, the area's prisons have been unable to function properly and must operate under full lockdown. In total, there have been seven power outages in seven years that have caused parts of the complex to completely lose power. Perimeter security, the opening/closing of secured doors, and maintaining sufficient lighting have been compromised in the past and increase the risk of inmate escape. In addition, the department has continued to incur costs for repairs and added overtime for employees; cost estimates for repairs average \$50,000 to \$100,000 for each repair. Electrical system failures include the following:

- in July 2015, an outage at BCF lasted approximately 24 hours before power was restored at a cost of \$10,000;
- in November 2015, BGE lines failed, costing the State \$5,000 to investigate and repair, and resulting in several momentary outages over a 48-hour repair period; and
- in early February 2016, BCF experienced a failure to the electrical standby system. Repairs to the standby system, which provides back-up power for all perimeter lights and gates, had costs in the \$50,000 to \$60,000 range.

DPSCS reports that it is typical for outages to last 12 to 24 hours before power is restored due to the time that it takes for an electrical contractor to respond and obtain necessary materials. Power failures at correctional facilities present a significant safety risk for inmates and staff. Additionally, DPSCS facilities rely on cameras and outdoor lighting to monitor the perimeter and gates at all times. While the department has relied on additional officers to staff utilities during power outages, the risk of contraband entering facilities remains high. Finally, during the winter months, outages can hinder any of the institutions' ability to provide adequate heating levels that also have serious effects on both inmates and facility staff.

#### **Schedule and Costs**

Due to scheduling delays, the design phase of this project will be complete in August 2019. The vast majority of fiscal 2020 funds are for construction that will begin in December 2019 with a completion date in December 2021. Approximately \$6.5 million is allocated in fiscal 2021 for project completion, and total project costs for the upgrade are \$15.5 million.

DLS recommends approval of \$7.9 million in GO bonds for the Jessup region electrical grid.

#### MCI-H Perimeter Security Upgrade (\$1.2 Million)

The fiscal 2020 capital budget provides \$1.2 million to start design of security improvements for MCI-H, a medium-security facility that housed 632 inmates as of January 2019. These improvements and upgrades will consist of new perimeter security fencing, a visitor's center, intrusion systems and alarms, and a gymnasium.

#### **Project History**

Opened in 1939, MCI-H is the oldest correctional facility in DOC. Its age and poor sightlines, among other deficiencies, are major issues. While this project was previously included in the Governor's CIP in fiscal 2014 with funding beginning in fiscal 2017, project funding was deleted from the 2017 CIP as the department considered various options for the facility. Given the decline in statewide inmate populations and the number of vacant correctional officer (CO) positions in the region, the department decided to downsize this facility. In fiscal 2017, MCI-H was successfully downsized in two phases. DPSCS successfully transferred 773 inmates to other facilities across the State. Although the facility has remained open, serving a much smaller amount of inmates, the security upgrades from the earlier CIP are still necessary. MCI-H has several key ongoing programs for the department, including the onsite Maryland Correctional Enterprises (MCE) shop that produced over \$60 million worth of goods and services in fiscal 2016; there are 266 inmate employees there with 632 total inmates as of January 2019.

#### **Security Issues**

The downsizing at MCI-H has created additional security issues as there are three vacant, dilapidated Quonset huts and the now-vacant North Dorm building that are located outside of the main area. The conditions of these buildings are beyond repair. Because of these abandoned areas, these spaces have to be patrolled on both sides of the fence to ensure that no inmates are using the area to hide or attempt escape. DPSCS reports that there are issues with rust, crumbling walls, flooding, and issues with the buildings' foundations. There are also issues with the gymnasium, which is in need of upgrades to its electrical systems, plumbing systems, and roof.

The current perimeter fence at the facility needs to be replaced. As the facility has expanded, the fence has been repaired with a patchwork of materials consisting of different heights and configurations. In addition, storms have bent fence poles and mangled the razor wire. Currently, the fence cannot support additional razor wire and, as such, cannot effectively deter escape attempts. The proposed new fence will replace the current one with 16-foot inner and outer fences along with an approach notification and alarm system with modern, motion-activated visual monitors.

Because the existing visitor registration center and gatehouse will be inside of the new perimeter fence, other necessary upgrades will include construction of a new visitor registration center and gatehouse outside of the fence so that searches can be conducted prior to anyone entering the facility. The new visitor center and gatehouse will better accommodate the separation of staff and visitors, incorporate access for those with disabilities, and will allow more inmate visits. The last addition, a new perimeter patrol road, will be constructed to allow for a quick response in the event of a security breach.

#### **Inmate Transfers**

The department reports that the windows and heating system project at MCTC will require it to relocate some inmates to MCI-H. The department should comment on how many inmates will be transferred and the effect on operations at MCI-H.

#### **Schedule and Costs**

The fiscal 2020 capital budget provides \$1.2 million to fund design. Design is slated to begin in October 2019 and be completed in one year. Construction is set to begin in March 2021 with a project completion date of March 2023. The 2019 CIP programs a total of \$21.6 million for the project with the construction expected to commence in the later part of fiscal 2021 through 2023. Since design for the project has not commenced, the total project estimate is very preliminary.

DLS recommends approval of \$1.2 million in GO bonds to begin design funding for the MCI-H perimeter security upgrade.

#### **MCTC Housing Unit Windows and Heating Systems Replacement**

The 2020 CIP includes \$10.3 million to complete design of the final phase of a multi-year project to upgrade the housing unit windows and heating systems at MCTC. High maintenance costs, energy losses, and security breaches necessitate the replacement, and four of the six housing units are already complete. Due to the need for MCTC to accommodate an increased number of inmates from MCI-H downsizing, this project was accelerated by the General Assembly in fiscal 2018.

#### **Current Status**

This project has been done in several phases to account for each of the facility's six housing units that were built in 1966. Because the current system has aged, maintenance costs continue to rise. The unit windows are also energy inefficient, and contraband is often passed through the windows. Currently, the heating system remains damaged, exposing staff and inmates to cracks in the floors and leaking pipes. If the system were to shut down, the housing units would be without heat and hot water for at least 12 to 16 hours. If a shutdown occurred in the winter, there could be unsafe temperatures for staff and inmates; in addition, this would be a violation of State correctional standards and could expose the department to potential lawsuits. Finally, there are extra costs of over \$200,000 a month to provide temporary heat, hot water, and staff to work overtime if the system goes out.

#### **Schedule and Costs**

The completion of the project will increase safety and security and reduce costs. Additionally, the new systems provided for the first four housing units have resulted in energy savings. The department reports that exact savings are difficult to ascertain because those systems serve multiple adjacent buildings. However, once Phase 3 is complete, the department reports that it will be easier to measure differential savings. Once design is completed, the construction phase is slated to begin in September 2019 with project completion in September 2021. The \$10.3 million in the 2020 CIP is

nearly \$5.5 million above the amount originally planned as the Department of Budget and Management has decided to fund the entire amount needed for construction in fiscal 2020 rather than over fiscal 2020 and 2021 as was programmed in last year's CIP. Since the construction phase of the project will run through the entirety of fiscal 2021 and into the early part of fiscal 2022, DLS recommends that the MCTC project should be split funded over fiscal 2020 and 2021, which would allow for the deferral of \$5.0 million to fiscal 2021.

#### **RCI Gatehouse and Perimeter Security System**

More than \$600,000 is included in the fiscal 2020 budget to begin the design of a replacement security system at RCI. The goal of this project is to replace the entire security fence and related lighting systems as well as the construction of a new gatehouse for the facility. Because RCI has multiple security issues, this project was accelerated from fiscal 2021 to the current fiscal year. Issues addressed by this project include the following:

- **Perimeter Security:** The current fence has 13,000 linear feet and is over 30 years old. Due to age, wind, and weather, the fence moves and buckles; in addition, some of the razor wire has become brittle and fallen from the structure. The inner fence, which is 12 feet high, is below the standard of 16 feet for medium-security facilities.
- Secure Entrance to the Facility: The main gate of RCI inside of the secure perimeter has a single guard tower. Therefore, visitors entering from outside are not securely searched until they clear the gate and enter the visitor registration building. There is also a need to increase the lighting system in the courtyard and upgrade the aging fire alarm systems in the facility. All of these factors create significant security issues.
- Armory: RCI has a single port used for inmate transport, deliveries, and emergency access. After inmate transport, armed escorts must unload their weapons and lock them in the armory shed near the port. The shed is deteriorating and needs a full replacement for a more secure armory.
- **Building Relocation:** Finally, the project calls for the relocation of the DPSCS Regional Business Office. The office, while not part of direct RCI operations, is located inside of the RCI security perimeter. Multiple visitors to that building along with 30 to 40 staff members results in additional security checks, time, and effort. This project will relocate the office outside of the security perimeter, which will increase safety and reduce RCI workloads. Also, the offices will have more space to expand as needed.
- Space: As the MCI-H downsizing resulted in inmates being moved to RCI, the population at RCI is nearing full capacity. The department should comment on RCI capacity issues and its effect on capital needs at this facility.

#### **Schedule and Costs**

In fiscal 2020, \$611,000 is provided for the beginning of the design phase of this project. There is an additional \$21.2 million in future State funding with construction of the security improvements in fiscal 2021 and project completion in fiscal 2023. Since design for the project has not commenced, the total project estimate is very preliminary.

#### Issues

#### 1. Baltimore City TTC

In recent years, DPD and the DPSCS Capital Department have stated that the Baltimore City Jail Complex needed more space and funding to offer the mental health and drug treatment options that its detainees required. The new TTC is designed to address these concerns and is now in the 2019 CIP. This project replaces previous attempts to fund new facilities to house detainees with a new focus on providing space to treat detainees and inmates with short-term sentences for various SUD and mental health issues. Previous iterations of this project were removed from the forecasts.

#### **Timeline and Estimated Cost**

The project will require five years to design and construct at an estimated cost of \$378 million. Design is estimated to cost \$38 million and would commence in fiscal 2021. Construction is estimated to cost \$340 million and could commence in fiscal 2023.

#### **Programs and Functions**

Overall, the new facility will consolidate therapeutic (SUD) treatment, mental health treatment, and medical treatment and position the State to be in compliance with the major components of the Duvall Agreement, specifically, the mental health treatment and medical treatment components. Under the settlement, the State must overhaul the jail's health care system and make major improvements to facilities, including accommodations for people with disabilities. To ensure compliance with the settlement, independent monitors assess the State's progress in meeting the agreement. The proposed facility entails a collaborative effort by DPSCS and the Maryland Department of Health (MDH) to provide an innovative approach to treating the mental health and SUD treatment needs of the detention population in a therapeutic environment. TTC will include the following:

- *Medical Infirmary:* A total of 276 medical infirmary beds (220 for men and 56 for women) that will include 100 beds for detox for opioid addiction treatment. To address the medical needs of the population, TTC would include an onsite hospital for routine medical care and mental health screening and treatment.
- Mental Health Treatment: A total of 282 beds (176 for men and 106 for women) will be dedicated specifically to mental health. This would include a crisis management unit for emergency responses; acute care unit for stabilization and treatment of detainees with co-occurring SUDs and psychiatric

illnesses; a step-down unit for short-term, less acute residential treatment; and a residential unit that would function as a community and group setting where individuals would work on improving life skills while still receiving mental health care. Collectively, the units would provide a continuum of mental health treatment so that individuals could progress to the point where they could be safely housed in the general population or receive specific re-entry services depending on whether they are adjudicated to a short-term sentence or released into the community.

• Therapeutic Community Pods: A total of 832 therapeutic community beds (576 for men and 256 for women) designed to deliver evidence-based SUD treatment. Each member of a therapeutic community would receive random drug testing throughout the duration of the program. The current Opioid Maintenance and Opioid Initiation Program would be expanded to accommodate a larger number of participants.

**Exhibit 5** shows total bed space by category for TTC.

Exhibit 5
Therapeutic Treatment Center Bed Space
Fiscal 2025

<u>Area</u>	<u>Men</u>	Women	<b>Total Beds</b>
Medical			
Isolation – Single Beds	12	4	
Wards	96	24	
Shelter Care	32	8	
Detox	80	20	
Total	220	56	276
Mental Health			
Crisis Management and Suicide Prevention	6	6	
Acute	30	30	
Step-down Mental Unit	60	30	
Mental Health Residential	80	40	
Total	176	106	282
Therapeutic Community Pods			
Second Level	320	n/a	
Third Level	256	n/a	
Fourth Level	n/a	256	
Total	576	256	832
Grand Total	972	418	1,390

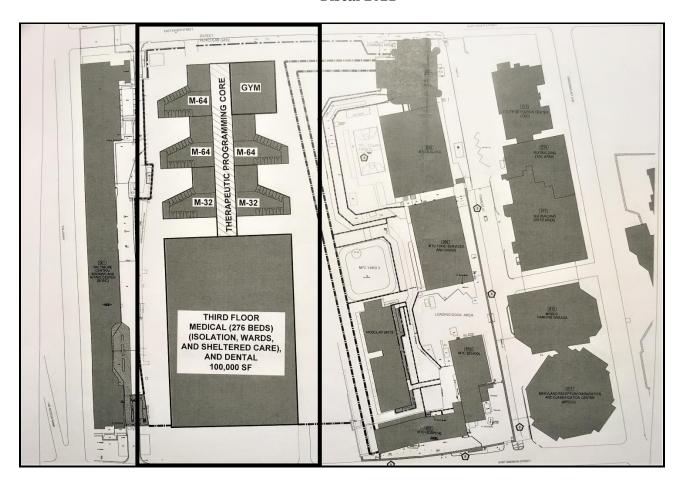
Source: Department of Public Safety and Correctional Services

**Exhibit 6** shows the design configuration and location of TTC.

 $Q0-Department\ of\ Public\ Safety\ and\ Correctional\ Services-Capital$ 

Analysis of the FY 2020 Maryland Executive Budget, 2019

Exhibit 6
Therapeutic Treatment Center – Proposed Design
Fiscal 2021



Source: Department of Public Safety and Correctional Services

#### **Potential Benefits**

#### **The Duvall Agreement**

TTC is designed to address the major components of the Duvall Agreement while also providing a unique collaboration between DPSCS and MDH to improve outcomes for detainees with mental health and SUD needs for their eventual transition back into the community.

#### **Detainees**

The current length of stay for detainees awaiting adjudication is 125 days, which provides an adequate timeframe and opportunity to provide treatment rather than simply housing detainees until the cases are resolved. This facility also has the potential to alleviate some of the housing issues within the department as more than 300 detainees are housed outside of Baltimore City at JCI-B, and the majority of detainees at BCBIC and MTC are currently in dormitory housing.

#### **Expanded Programming**

While the demolition of buildings at the Baltimore City Jail Complex continues, the facility has had limited space in which to conduct various programming and attend to medical and treatment needs. TTC will increase options in this regard as well as offer other potential benefits, including improved re-entry and employment opportunities for offenders and improved proximity to family members, friends, and support networks. Additionally, the physical consolidation of services and facilities within the Baltimore City Jail Complex will enhance security and save operating and staffing costs.

#### **Items to Consider**

There are, however, a number of considerations and details that will need to be resolved before the State commits to the construction of the proposed \$378 million facility. Since there is a year before the General Assembly has to consider whether to authorize funding for TTC, it would be prudent to take this time to ensure that a proper operational plan has been developed and outlined in detail between all invested parties, particularly DPSCS and MDH.

This not only includes proper and adequate service delivery and the appropriate facility design, but also staffing needs (for example, CO vacancies at DPD are now at 25%, and there are also staffing shortages at State-run psychiatric facilities in the kind of skilled health care professionals that would need to be hired for TTC), community support services, the role and involvement of the courts in this approach to the population, *etc*. There are also issues regarding space; as this project develops, there are several years before the center will be open to detainees. In the meantime, the department's ability to move detainees around the complex and provide treatment and programs will continue to be affected. This information needs to be carefully examined and provided to the budget committees before the State makes a decision to commit to the capital cost of the facility and, more importantly, the annual operational costs. There are also additional areas for discussion.

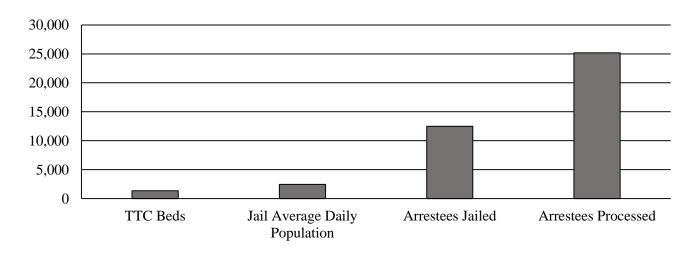
#### **Increasing Numbers of Detainees**

Although inmate and detainee populations continue to decline statewide, there has been a slight increase in the number of detainees, as noted in Exhibit 1 earlier in this analysis. While there are 1,390 beds programmed in the new TTC, over 25,000 arrestees entered the Baltimore City Jail Complex in fiscal 2018, and over 12,500 were detained. This is a very large offender population with special needs. Of the approximately 25,000 offenders who entered Baltimore City facilities in fiscal 2018:

- 57% of detainees were charged with drug possession;
- 36% reported drug withdrawal symptoms;
- 42% had mental health issues; and
- in fiscal 2017, over 12,000 offenders were treated within the complex for mental illness.

In addition, this large, volatile population has led to increased assault levels across the complex in recent years. Because TTC can only treat a limited number of offenders, there will be issues in terms of which offenders are treated and for how long. Because the average length of stay is just 125 days, the options for detainees with shorter sentences may be limited. **Exhibit 7** shows the number of TTC beds when compared to the Baltimore jail population mix.

Exhibit 7
Proposed Treatment Center Beds vs. Detainee Population
Fiscal 2018



TTC: Therapeutic Treatment Center

Source: Department of Public Safety and Correctional Services

#### **Medical and Treatment Issues**

Finally, there are multiple medical issues to be considered. The process for choosing and prioritizing who receives treatment and the options for detainees who are treated and then released are important to understand. In addition, because the average length of stay is so brief, the efficacy of treatment over such a short timeframe should be studied. DPSCS and MDH have recently begun to work more closely together to ensure that DPSCS populations are enrolled in Medicaid upon release as well as to ensure connections to community-based aftercare/outpatient facilities; this will be vital to ensure continuing care and avoid relapse. It is unclear the extent to which there is currently adequate community-based capacity to ensure a smooth hand-off between the different systems of care. **DLS recommends adoption of committee narrative requesting a report on TTC.** 

# Operating Budget Impact Statement

# Executive's Operating Budget Impact Statement – State-owned Projects Fiscal 2020-2024 (\$ in Millions)

		2020	2021	2022	2023	2024
Dal	time and City Comment and Comment		<u> </u>			
	Itimore City Correctional Complex emolition					
	Estimated Operating Cost	\$0.156	\$0.185	\$0.139	\$0.139	\$0.139
	Estimated Staffing	0.000	0.000	0.000	0.000	0.000
C	aryland Correctional Training enter Housing Unit Windows and					
Н	leating System Replacement					
	Estimated Operating Cost	\$0.124	\$0.156	\$0.033	\$0.000	\$0.000
	Estimated Staffing	0.000	0.000	0.000	0.000	0.000
Н	aryland Correctional Institution – Lagerstown Perimeter Security Opgrade					
	Estimated Operating Cost	\$0.000	\$0.091	\$0.312	\$0.486	\$0.212
	Estimated Staffing	0.000	0.000	0.000	0.000	0.000

		2020	2021	2022	2023	2024
					1	
	sup Region Electrical Infrastructure					
U	pgrade					
	Estimated Operating Cost	\$0.085	\$0.201	\$0.084	\$0.000	\$0.000
	Estimated Staffing	0.000	0.000	0.000	0.000	0.000
G	xbury Correctional Institution atehouse and Perimeter Security ystem					
	Estimated Operating Cost	\$0.000	\$0.059	\$0.156	\$0.249	\$0.109
	Estimated Staffing	0.000	0.000	0.000	0.000	0.000
Tot	tal Operating Impact					
	<b>Estimated Operating Cost</b>	\$0.450	\$0.692	\$0.724	\$0.874	\$0.460
	Estimated Staffing	0.000	0.000	0.000	0.000	0.000

# Summary of Other Projects in the Capital Improvement Program

- *160-bed Jessup Regional Infirmary Facility:* This new facility will contain a 160-bed medical treatment center on the site of the former Maryland House of Corrections. The estimated total cost for this project is \$80.5 million with \$9.0 million in funding programmed for fiscal 2023 and 2024.
- **Baltimore City TTC:** The new facility, located on the grounds of BCDC, will provide a specialized facility for detainee mental health and substance abuse treatment. Funding is programmed from fiscal 2021 to 2024. The project's total funds programmed so far total \$220.2 million with an estimated total project cost of \$378.0 million.
- Eastern Correctional Institution (ECI) High Temperature Distribution and Perimeter Security: This project will replace the aging ECI high temperature hot water system and perimeter fence system to reduce maintenance costs and improve safety for inmates and staff. Total costs programmed in the CIP are \$33.0 million.
- *MCE Furniture Restoration Plant:* This project will fund an expansion to MCE's plant at ECI. The project will provide 25 jobs to ECI inmates along with a secure, safe environment that alleviates dust and ventilation issues experienced with the current building. Funding is programmed for \$2.3 million in fiscal 2023, which will begin and complete the project.

• *MCE Textiles and Graphics Shop:* This project is designed to construct a new building for MCE on the grounds of JCI to expand the division's textile and graphics work. This initiative will provide nearly 200 new jobs for JCI inmates as well as additional revenue to the department. Total program costs are \$9.8 million with funding allocated from fiscal 2022 through 2024.

#### **Projects Deferred in Fiscal 2020**

**Exhibit 8** shows information on the projects deferred. The following ECI project is designed to replace the facility's existing high temperature and hot water system, associated pipelines, and other aging equipment. It will also build new perimeter fencing to enhance security. While the project has been deferred in fiscal 2020, funding has been preauthorized for fiscal 2021 through 2023.

# Exhibit 8 Projects Deferred Fiscal 2020

<u>Project</u> <u>Description</u> <u>Reason for Deferral</u>

Eastern Correctional Institution High Temperature Distribution and Perimeter Security Improvements Will replace the existing hot water system and perimeter fencing at the facility.

Scheduling delays.

Source: 2019 Capital Improvement Program

### Preauthorizations and Prior Authorizations

**Exhibit 9** provides detail on preauthorized funding for various DPSCS capital projects. Over \$5.1 million has been allocated to complete demolition at the Baltimore City Correctional Complex in fiscal 2021. In addition, a total of \$26.1 million has been preauthorized for the ECI hot water and steam system improvement project, which was deferred from fiscal 2020 due to delays in the project schedule. There is also \$6.4 million in funding to complete design and begin construction for the Jessup region electrical infrastructure upgrade project. **Exhibit 10** provides information on changes in prior authorizations, which extend funding termination dates for the Patuxent Institution, Dorsey Run, and MCTC to June 2021.

# Exhibit 9 Preauthorizations Fiscal 2021-2024

<b>Project</b>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	Reason
Baltimore City Correctional Complex Demolition	\$5.101	\$0.000	\$0.000	\$0.000	Funds are needed to complete the project.
Eastern Correctional Institution Hot Water and Steam System Improvements	9.211	8.459	\$8.459	0.000	Additional construction funding was deferred from fiscal 2020 to fiscal 2021 through 2023 due to scheduling delays.
Jessup Region Electrical Infrastructure Upgrade	6.460	0.000	0.000	0.000	Funds are needed to complete design and begin construction; the existing system cannot provide reliable power.

Source: Department of Budget and Management, 2019 Capital Improvement Program

#### Exhibit 10 Prior Authorizations Fiscal 2020

<b>Project</b>	<b>Change in Authorization</b>	Reason
Patuxent Fire Safety Improvements and Window Replacements	Extend termination date to June 1, 2021.	Fire alarm panel needed to be replaced for compliance reasons.
Maryland Correctional Training Center Housing Unit Windows and Heating Systems	Extend termination date to June 1, 2021.	Extending from prior phase to complete funding for final phase.
Dorsey Run Correctional Facility 560-Bed Minimum Security Compound	Extend termination date to June 1, 2021.	Upgrades needed due to recent increase in inmate population.

Source: Department of Public Safety and Correctional Services

#### GO Bond Recommended Actions

1. Adopt committee narrative requesting a report on the new Baltimore City Therapeutic Treatment Center.

Adopt the following narrative:

Report on the Therapeutic Treatment Center: In recent years, the Department of Public Safety and Correctional Services (DPSCS) has stated that the Baltimore City jail complex needed more space and funding to offer the medical, mental health, and drug treatment options that its detainees required. While the new Therapeutic Treatment Center (TTC) is designed to address these concerns, there are a number of issues that need to be resolved, particularly the nature of the partnership between DPSCS and the Maryland Department of Health (MDH), and how services at TTC will be administered. Therefore, the budget committees request a report due November 15, 2019, containing the following information:

- TTC Staffing and Security: A complete annual operational impact statement, including the types and number of new DPSCS and MDH personnel needed to run the new facility and administer the various programs.
- Housing: An evaluation of how the additional TTC bed space will improve the department's management of the detainee and short-term sentenced populations, including, but not limited to, an evaluation of the number of offenders who are (1) housed outside of Baltimore City at Jessup Correctional Institution and (2) housed in dormitories at the Baltimore Central Booking and Intake Center and the Metropolitan Transition Center.
- **Medical:** A fully developed Memorandum of Understanding between DPSCS and MDH that establishes a well-articulated process based on best management evidence-based practices for evaluating, prioritizing, and managing the evaluation and care of detainees selected for health, mental health, and substance use disorder (SUD) treatment care and programming.
- **Aftercare:** Details on the departments' joint plan to ensure that detainees and short-term sentenced offenders are linked to medical, mental health, and SUD aftercare upon release into the community along with any potential partnerships it may offer (including, but not limited to, its current aftercare, rehabilitation, and re-entry service partners).
- Interim Management: Because the proposed facility is slated to open in fiscal 2025, details on how the new construction will affect the department's operations and detainee programs/services in the interim years.

Information Request	Author	Due Date
Baltimore City TTC report	DPSCS	November 15, 2019

- 2. Approve \$611,000 in general obligation bonds for the Roxbury Correctional Institution gatehouse and perimeter security system.
- 3. Approve \$1,226,000 in general obligation bonds for the Maryland Correctional Institution Hagerstown perimeter security improvements.
- 4. Reduce funds.

#### Add the following language:

Housing Unit Windows and Steam Heating System. Provide funds to continue the design and construction of the replacement of windows and heating systems for housing units at the Maryland Correctional Training Center, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project

<u>Allowance</u>	<u>Change</u>	<u>Authorization</u>
10,337,000	-5,000,000	5,337,000

**Explanation:** This action adds language authorizing the commencement of construction in fiscal 2020 without all of the funds authorized to fund the construction contract. A separate action provides a preauthorization for the 2020 session for the remaining funds necessary to fund construction of the project and allow the Board of Public Works to approve the construction contract in fiscal 2020.

- 5. Approve \$7,930,000 in general obligation bonds for the Jessup region electrical infrastructure upgrade.
- 6. Approve \$23,816,000 in general obligation bonds for the Baltimore City Correctional Complex demolition.
- 7. Approve the extension of \$10,281,000 in general obligation bonds for the Patuxent Institution fire safety improvements and window replacements.
- 8. Approve the extension of \$9,729,000 in general obligation bonds for the Maryland Correctional Training Center housing unit windows and heating system project.
- 9. Approve the extension of \$1,200,000 in general obligation bonds for the Dorsey Run Correctional Facility 560-bed minimum-security compound.

#### Q0 - Department of Public Safety and Correctional Services - Capital

10. Add a preauthorization for the 2020 session to complete the project funding.

ZF4250 SECTION 12 - Department of Public Safety and

Correctional Services - Housing Unit Windows and

Add the following language:

# QR02.02 MARYLAND CORRECTIONAL TRAINING CENTER (Washington County)

5,000,000

**Explanation:** This language adds a preauthorization for the 2020 session to complete the construction funds for the housing unit windows and steam heating system project at the Maryland Correctional Training Center. This preauthorization, in combination with the fiscal 2020 general obligation bond authorization for the project, will allow the construction contract to be bid and construction to commence in fiscal 2020.

- 11. Approve the preauthorization of \$6,460,000 in general obligation bonds for the Jessup region electrical infrastructure upgrade.
- 12. Approve the preauthorization of \$9,211,000 in general obligation bonds for the Eastern Correctional Institution hot water and steam system improvements.
- 13. Approve the preauthorization of \$5,101,000 in general obligation bonds for the Baltimore City Correctional Complex demolition.
- 14. Approve the preauthorization of \$8,459,000 in general obligation bonds for the Eastern Correctional Institution hot water and steam system improvement project.
- 15. Approve the preauthorization of \$8,459,000 in general obligation bonds for the Eastern Correctional Institution hot water and steam system improvement project.

**Total General Obligation Bonds Reductions/Additions Total Preauthorization (2019) Reductions/Additions** 

**-\$5,000,000 \$5,000,000**