

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

***Capital Budget Summary***

---

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

<b>Program</b>	<b>2016 Approp.</b>	<b>2017 Approp.</b>	<b>2018 Request</b>	<b>2019 Estimate</b>	<b>2020 Estimate</b>	<b>2021 Estimate</b>	<b>2022 Estimate</b>
Local Jails and Detention Centers	\$0.829	\$2.891	\$4.512	\$5.788	\$2.500	\$5.000	\$5.000
<b>Total</b>	<b>\$0.829</b>	<b>\$2.891</b>	<b>\$4.512</b>	<b>\$5.788</b>	<b>\$2.500</b>	<b>\$5.000</b>	<b>\$5.000</b>

<b>Fund Source</b>	<b>2016 Approp.</b>	<b>2017 Approp.</b>	<b>2018 Request</b>	<b>2019 Estimate</b>	<b>2020 Estimate</b>	<b>2021 Estimate</b>	<b>2022 Estimate</b>
GO Bonds	\$0.829	\$2.891	\$4.512	\$5.788	\$2.500	\$5.000	\$5.000
<b>Total</b>	<b>\$0.829</b>	<b>\$2.891</b>	<b>\$4.512</b>	<b>\$5.788</b>	<b>\$2.500</b>	<b>\$5.000</b>	<b>\$5.000</b>

GO: general obligation

***Summary of Issues***

---

***Implementing the Justice Reinvestment Act:*** Chapter 515 of 2016, the Justice Reinvestment Act (JRA), established Maryland’s path to comprehensive criminal justice reform by altering provisions relating to sentencing, corrections, parole, and the supervision of offenders. Recommendations under the JRA include encouraging counties to develop reentry programs and house State inmates who are nearing release. In addition, local correctional facilities were required to analyze the potential impact of the JRA and related programs on their facilities, populations, and budgets. A report created by the Governor’s Office of Crime Control and Prevention (GOCCP), *Budgetary Requirements on Local Detention Centers*, presented nine areas of potential impact and suggestions for improving offender outcomes. **The Department of Public Safety and Correctional Services (DPSCS) should comment on the JRA implementation and how the provisions, once they take effect, could impact local jails and detention centers’ budgets, populations, and facilities.**

## ***Summary of Recommended Bond Actions***

---

1. Local Jails and Detention Centers

Adopt committee narrative requiring the Department of Public Safety and Correctional Services to submit monthly reports that provide local jail and detention center population statistics.

2. Anne Arundel County Detention Center Central Holding and Processing Center

Approve \$1.8 million in general obligation bonds for the Anne Arundel County Central Holding and Processing Center.

3. Calvert County Detention Center Security Improvements

Approve \$508,000 in general obligation bonds for the Calvert County Detention Center Site and Security Improvements.

4. Montgomery County Pre-Release Center Renovations

Approve \$1,204,000 in general obligation bonds for the Montgomery County Pre-Release Center Dietary Center Renovation.

5. Prince George’s County Correctional Center Renovation and Expansion

Approve \$1,000,000 in general obligation bonds for the Prince George’s County Medical Unit Renovation and Expansion.

## ***Program Description***

---

The five-year *Capital Improvement Program* 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.

## *ZB02 – DPSCS – Local Jails and Detention Centers*

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; and 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 2018 budget includes funding for four projects in four counties: (1) the Central Holding and Processing Center at the Anne Arundel County Detention Center; (2) site and security upgrades at the Calvert County Detention Facility; (3) improvements to the Montgomery County Pre-Release Center Dietary Center; and (4) the expansion of the Prince George's County Correctional Center's Medical Unit.

### ***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. **Appendix 1** provides an annual summary of monthly jail statistics for fiscal 2016, including incarceration status data and inmate participation in work release or home detention programs.

**Exhibit 1** shows Maryland local jail and detention centers' average daily population (ADP) by jurisdiction from fiscal 2011 through 2016. From fiscal 2015 to 2016, the counties with the largest decreases in population were Cecil and Harford, with both decreasing by about 15.0%. In terms of the larger counties, Montgomery had a 10.7% decline. This matched the overall trend of declining populations in State and local facilities. The five-year trend for all counties trends downward, and large counties saw substantial declines including Montgomery (35.0%), Baltimore (16.0%), and Prince George's (20.0%). During the last five years, the only counties with increases over 10.0% were Queen Anne's (21.0%) and Worcester (18.0%). However, these counties, like nearly all of the rest, had population decreases from fiscal 2015 to 2016. Overall, the number of inmates in local jails and detention centers has decreased by 16.0% – a decline of over 1,400 inmates.

**Exhibit 1**  
**Average Daily Population and Inmate Growth by Jurisdiction**  
**Fiscal 2011-2016**

<u>County</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>% Change 2015-16</u>	<u># Change 2011-16</u>	<u>% Change 2011-16</u>	<u>Average Annual Growth</u>
Allegany	170	150	153	136	134	147	9.7%	-23	-13.5%	-3.6%
Anne Arundel	874	822	768	764	687	750	9.2%	-124	-14.2%	-3.8%
Baltimore	1,393	1,392	1,211	1,260	1,217	1,165	-4.3%	-228	-16.4%	-4.4%
Calvert	234	213	224	249	202	229	13.4%	-5	-2.1%	-0.5%
Caroline	105	108	97	106	105	96	-8.6%	-9	-8.6%	-2.2%
Carroll	213	210	209	228	233	226	-3.0%	13	6.1%	1.5%
Cecil	247	271	271	257	290	246	-15.2%	-1	-0.4%	-0.1%
Charles	460	416	361	344	351	333	-5.1%	-127	-27.6%	-7.8%
Dorchester	167	171	160	129	127	138	8.7%	-29	-17.4%	-4.7%
Frederick	441	394	380	360	405	453	11.9%	12	2.7%	0.7%
Garrett	51	62	64	53	49	42	-14.3%	-9	-17.6%	-4.7%
Harford	425	395	410	414	414	352	-15.0%	-73	-17.2%	-4.6%
Howard	308	308	340	349	304	283	-6.9%	-25	-8.1%	-2.1%
Kent	87	70	65	71	69	75	8.7%	-12	-13.8%	-3.6%
Montgomery	1,038	953	877	784	759	678	-10.7%	-360	-34.7%	-10.1%
Prince George's	1,181	1,293	1,347	1,200	1,008	950	-5.8%	-231	-19.6%	-5.3%
Queen Anne's	102	86	112	136	123	123	0.0%	21	20.6%	4.8%
Somerset	94	99	77	69	50	58	16.0%	-36	-38.3%	-11.4%
St. Mary's	232	242	280	236	217	198	-8.8%	-34	-14.7%	-3.9%
Talbot	104	85	84	74	63	67	6.3%	-37	-35.6%	-10.4%
Washington	333	383	385	344	296	303	2.4%	-30	-9.0%	-2.3%
Wicomico	475	446	401	365	387	376	-2.8%	-99	-20.8%	-5.7%
Worcester	155	200	261	261	192	183	-4.7%	28	18.1%	4.2%
<b>Total</b>	<b>8,889</b>	<b>8,769</b>	<b>8,537</b>	<b>8,189</b>	<b>7,682</b>	<b>7,471</b>	<b>-2.7%</b>	<b>-1,418</b>	<b>-16.0%</b>	<b>-4.3%</b>

Source: *Local Jails and Detention Centers Annual Population Statistics Reports, Fiscal 2011-2016*

*ZB02 – DPSCS – Local Jails and Detention Centers*

As inmate populations continue to decline, local jails and detention centers' population as a percentage of their operating capacity fall as well. **Exhibit 2** shows that in fiscal 2016, the ADP is at 66% of the potential total, which means that local facilities are about 3,830 beds under full capacity.

---

**Exhibit 2**  
**Local Jails and Detention Centers**  
**Fiscal 2016 Population Versus Capacity by County**

<u>County</u>	<u>ADP 2016</u>	<u>Operational Capacity</u>	<u>Exceeded Capacity</u>	<u>ADP as a Percent of Capacity</u>
Allegany	147	234	-87	63%
Anne Arundel	750	1,175	-425	64%
Baltimore	1,165	1,513	-348	77%
Calvert	229	228	1	100%
Caroline	96	125	-29	77%
Carroll	226	185	41	122%
Cecil	246	324	-78	76%
Charles	333	460	-127	72%
Dorchester	138	285	-147	48%
Frederick	453	533	-80	85%
Garrett	42	64	-22	66%
Harford	352	766	-414	46%
Howard	283	343	-60	83%
Kent	75	83	-8	90%
Montgomery	678	1,399	-721	48%
Prince George's	950	1,524	-574	62%
Queen Anne's	123	148	-25	83%
Somerset	58	120	-62	48%
St. Mary's	198	245	-47	81%
Talbot	67	144	-77	47%
Washington	303	393	-90	77%
Wicomico	376	530	-154	71%
Worcester	183	480	-297	38%
<b>Total</b>	<b>7,471</b>	<b>11,301</b>	<b>-3,830</b>	<b>66%</b>

ADP: average daily population

Source: *Local Jails and Detention Centers Annual Population Statistics Reports*, Fiscal 2011-2016

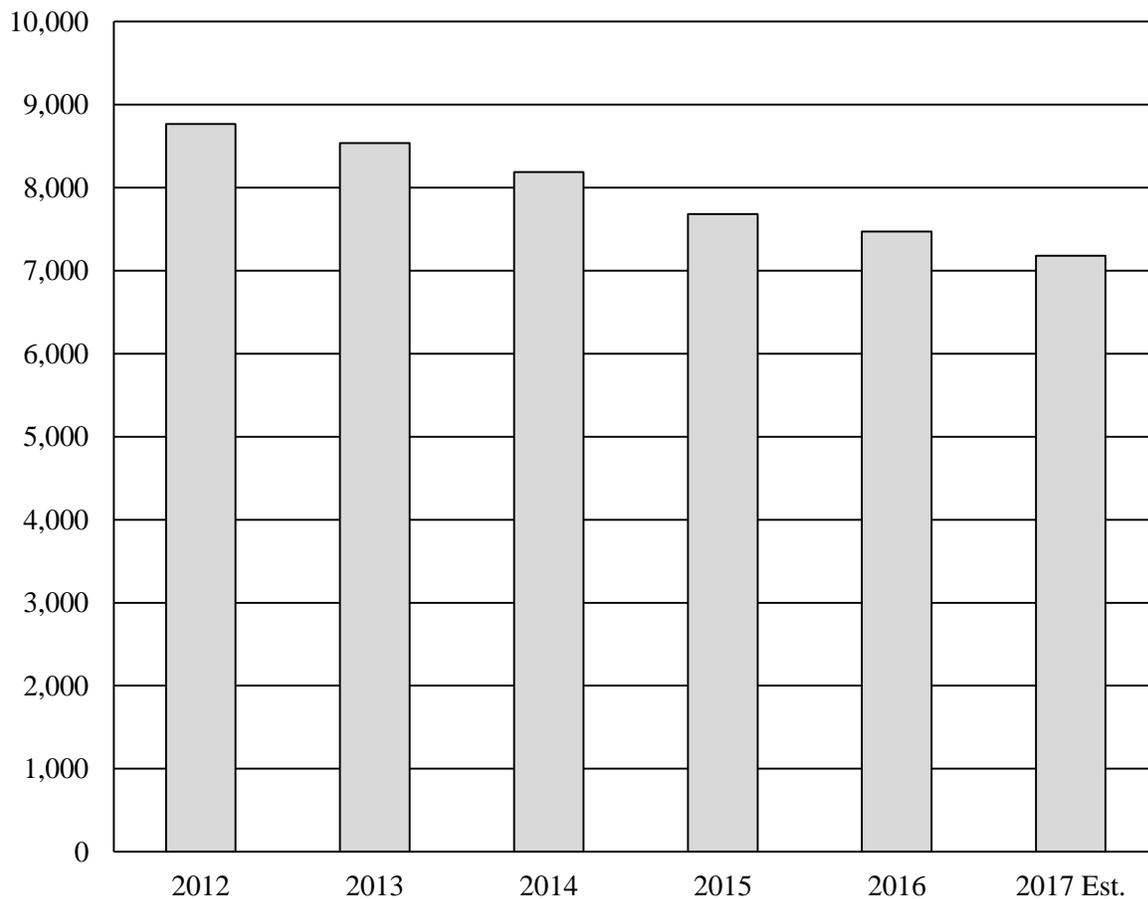
---

Montgomery County has the largest amount of excess bed space, with 721 beds, followed by Prince George's County with 574. The only two counties that are either at capacity or over capacity are Carroll and Calvert. Carroll County is at 122% capacity, with 41 excess beds. Calvert County was just over full capacity, with 1 extra bed.

Most counties are experiencing effects from the declining population at local jails and detention centers, and this is consistent with overall trends statewide. **Exhibit 3** shows the declines in the ADP at local jails and detention centers. **The department should comment on the excess capacity and lower populations at local jails and detention centers and how these changes may affect capital improvement projects going forward.**

---

**Exhibit 3**  
**Offenders in Local Jails**  
**Fiscal 2012-2017 Est.**



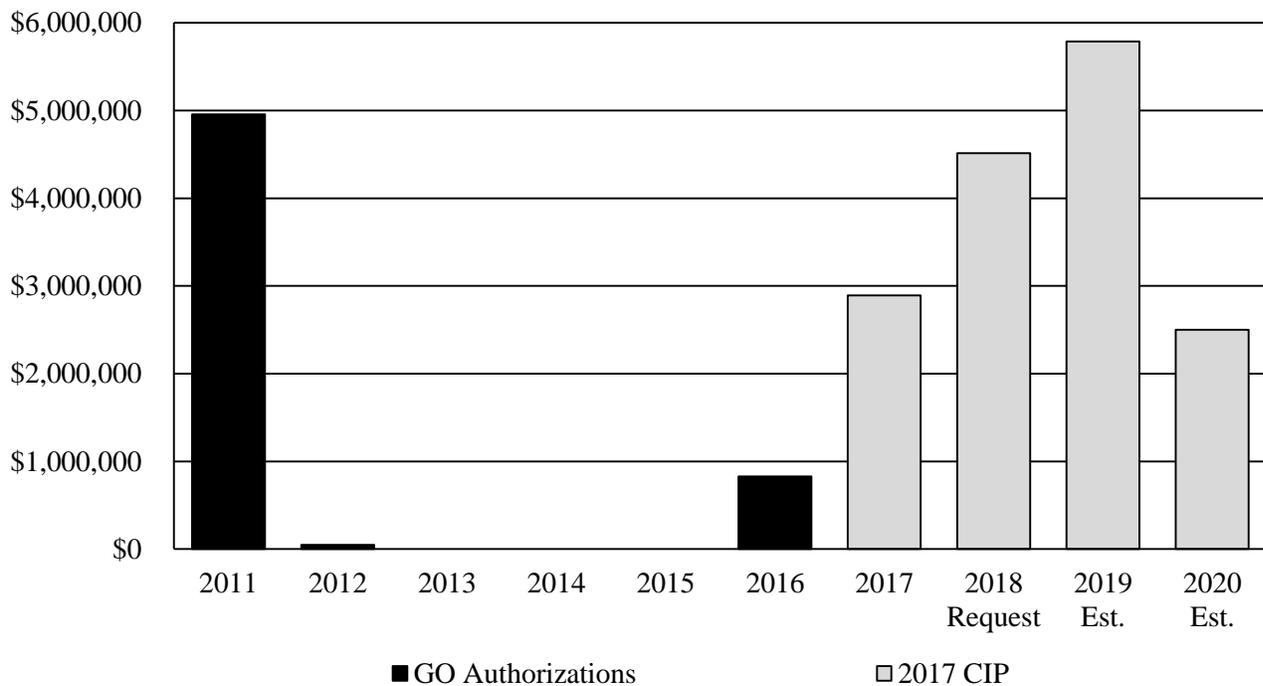
Source: Department of Public Safety and Correctional Services, 2017 Managing for Results Submission; *Local Jails and Detention Centers Annual Population Statistics Reports*, Fiscal 2012-2017

---

## Budget Overview

**Exhibit 4** shows the funding history for the Local Jails and Detention Centers Capital Construction Program. While an average of \$10.2 million in general obligation (GO) bonds were authorized each year for local jail projects between fiscal 1999 and 2009, amounts requested for projects declined in fiscal 2010. Counties deferred projects, and in fiscal 2013 through 2015, made no requests for funding. Funding declines have also been due to constraints in county and State capital budgets. Exhibit 4 shows that substantial increases in capital budget requests are planned for fiscal 2018 through 2020. While fiscal 2018 projects reflect out-year State funding commitments of \$7.5 million, this exceeds the fiscal 2019 programmed level of \$5.8 million. There is also a possibility that St. Mary’s County is reviving its detention center project request, which could require an additional \$6.7 million in State support.

**Exhibit 4**  
**Local Jails and Detention Centers Capital Construction Program Funding**  
**Fiscal 2011-2020 Est.**



CIP: *Capital Improvement Program*

GO: *general obligation*

Source: Department of Legislative Services

## Fiscal 2018 Proposed Budget

The fiscal 2018 budget includes funds for four projects in four counties: (1) the Central Holding and Processing Center at the Anne Arundel County Detention Center; (2) site and security upgrades at the Calvert County Detention Facility; (3) improvements to the Montgomery County Pre-Release Center Dietary Center; and (4) the expansion of the Prince George’s County Correctional Center’s Medical Unit.

### Anne Arundel County Central Holding and Processing Center

**Project Description:** 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 time for arrestees being released on bail will be significantly reduced.

(\$ in Millions)

Fund Uses	Prior Appropriation	FY 2018 Request	Future Estimated	Estimated Total
Planning	\$0.853	\$0.000	\$0.000	\$0.853
Construction	0.000	6.216	3.470	9.686
Equipment	0.000	0.280	0.280	0.560
<b>Total</b>	<b>\$0.853</b>	<b>\$6.496</b>	<b>\$3.750</b>	<b>\$11.099</b>
<b>Fund Source</b>				
State: 50%	\$0.000	\$1.800	\$3.750	\$5.550
Matching Fund: 50%	0.853	4.696	0.000	5.549
<b>Total</b>	<b>\$0.853</b>	<b>\$6.496</b>	<b>\$3.750</b>	<b>\$11.099</b>

For the center, \$1,800,000 in GO bonds are provided in the fiscal 2018 budget for design and construction. This project will construct a 10,854 net square foot (sq. ft.) addition and renovate part of the county’s detention center, the Jennifer Road Detention Center, starting in July 2017. Construction is set to be complete by October 2018. Anne Arundel County initially requested the State share of the planning, construction, and equipment costs for this project in fiscal 2018. However, subsequent to the fiscal 2018 capital budget meeting, the county submitted a letter that stated that State funding over a three-year period was acceptable.

Overall, local funds have made up the majority of this project despite the 50-50 local/State funding split. For the current fiscal year, \$1.8 million in State funding is paired with \$4.7 million in local funding. Future needs for this project are budgeted on the backend, with \$3.75 million in State funds to complete the project. **Given that initial planning, design, and the majority of construction**

**funds will be paid for at the local level, DPSCS should brief the committees on their confidence that the project, which is heavily reliant on future State funds, can be completed as funded.**

## **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:*** At present, 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 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 will 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.

*ZB02 – DPSCS – Local Jails and Detention Centers*

In addition, this new holding facility will divert close to 1,000 defendants into numerous alternative programs including community services, home detention, and a robust pre-trial program without creating incarceration records, all of which will improve staff safety and reduce workload levels. **Given that the Anne Arundel Central Holding and Processing Center will have numerous direct benefits to staff and workload levels and reduce inmate populations while increasing efficiency, the department is asked to comment on the feasibility of evaluating other jurisdictions’ facilities to create capital improvements that could result in similar, positive outcomes.**

**Calvert County Detention Center Site and Security Improvements**

**Project Description:** The purpose of this project is to design and construct site and security improvements at the Calvert County Detention Center. This project will construct a perimeter security fence at the detention center and site improvements that include extending the south driveway at the facility, providing a secured entrance, and improving access to the roof top area.

An architect will be hired in May 2017, and the design phase will run from June through October 2017. Construction will begin in November 2017 and run through April 2018.

(\$ in Millions)

<b>Fund Uses</b>	<b>Prior Appropriation</b>	<b>FY 2018 Request</b>	<b>Future Estimated</b>	<b>Estimated Total</b>
Planning	\$0.000	\$0.092	\$0.000	\$0.092
Construction	0.000	0.924	0.000	0.924
Equipment	0.000	0.000	0.000	0.000
<b>Total</b>	<b>\$0.000</b>	<b>\$1.016</b>	<b>\$0.000</b>	<b>\$1.016</b>

<b>Fund Source</b>				
State: 50%	\$0.000	\$0.508	\$0.000	\$0.508
Matching Fund: 50%	0.000	0.508	0.000	0.508
<b>Total</b>	<b>\$0.000</b>	<b>\$1.016</b>	<b>\$0.000</b>	<b>\$1.016</b>

Overall, the proposed project would solve two facility problems – insufficient security and inefficient operations – by providing perimeter security fencing and a secure entrance for incoming deliveries, detainees, and staff. Additionally, the project aims to make numerous site improvements, including extending the existing driveway to eliminate the dead end and creating easier access for emergency vehicles; extending the existing paved area to enhance delivery operations; and improving roof access to regularly maintain heating, ventilation, and air conditioning (HVAC); cameras; and lighting equipment.

## Security Issues and Maintenance

During an emergency, inmates must be moved to the rear of the building and bused to a temporary holding location because there is only one way in and out of the facility. In addition, because there is only one access road in and out, inmates have to be circulated to avoid emergency personnel and secured in a bus with no containment. There is no convenient paved route to accommodate both vehicle movements during emergency conditions. This project adds an additional point of egress that will improve emergency operations.

This project will also construct a staircase to improve rooftop access, giving maintenance staff the ability to repair HVAC equipment, fans, valves, lights, and cameras, rather than ladders or makeshift pulleys and ropes that workers often use to bring larger replacement parts and tools up to the roof. These changes will improve operations and safety, and will allow for officers to be stationed on the roof, where they can monitor detainees during recreation.

## Montgomery County Pre-Release Center Dietary Center Renovation

**Project Description:** The purpose of this project is to renovate and expand the dietary center at the Montgomery County Pre-Release Center. This project will enable the dietary center to meet increased demand for food service in a safe and efficient fashion. The dietary center’s kitchen, built in 1978, was designed for 90 residents and 10 staff and has not been upgraded with current equipment nor expanded to meet the current demand. The current population includes approximately 150 residents, 50 nonresidents, and 65 full-time employees, as well as visitors. The fiscal 2018 budget includes \$1,204,000 in GO bonds to construct renovations and add an addition to the Montgomery County Pre-Release Center Dietary Center. Construction is set to begin in July 2017, with project completion by July 2019.

(\$ in Millions)

Fund Uses	Prior Appropriation	FY 2018 Request	Future Estimated	Estimated Total
Planning	\$1.365	\$0.000	\$0.000	\$1.365
Construction	0.000	2.408	3.030	5.438
Equipment	0.000	0.000	0.206	0.206
<b>Total</b>	<b>\$1.365</b>	<b>\$2.408</b>	<b>\$3.236</b>	<b>\$7.009</b>

Fund Source				
State: 50.01%	\$0.683	\$1.204	\$1.618	\$3.505
Matching Fund: 49.99%	0.682	1.204	1.618	3.504
<b>Total</b>	<b>\$1.365</b>	<b>\$2.408</b>	<b>\$3.236</b>	<b>\$7.009</b>

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

## *ZB02 – DPSCS – Local Jails and Detention Centers*

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;
- 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 visitations 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 Medical Unit Renovation and Expansion**

**Project Description:** The purpose of this project is to expand the medical unit at the Prince George’s County Correctional Facility that will double its capacity and provide a safer environment for inmates, staff, and corrections officers. This renovation and expansion will demolish the existing space, and add 13,000 sq. ft. to the ground level and second floor levels. The fiscal 2018 budget includes \$1,000,000 in GO bonds to continue to construct and to equip this project.

*ZB02 – DPSCS – Local Jails and Detention Centers*

(\$ in Millions)

<b>Fund Uses</b>	<b>Prior Appropriation</b>	<b>FY 2018 Request</b>	<b>Future Estimated</b>	<b>Estimated Total</b>
Planning	\$1.097	\$0.000	\$0.000	\$1.097
Construction	4.975	1.600	3.371	\$9.946
Equipment	0.000	0.400	0.900	\$1.300
<b>Total</b>	<b>\$6.072</b>	<b>\$2.000</b>	<b>\$4.271</b>	<b>\$12.343</b>

<b>Fund Source</b>				
State: 50%	\$3.037	\$1.000	\$2.135	\$6.172
Matching Fund: 50%	3.035	1.000	2.136	6.171
<b>Total</b>	<b>\$6.072</b>	<b>\$2.000</b>	<b>\$4.271</b>	<b>\$12.343</b>

While construction of this project was anticipated to begin in October 2016, the county encountered complications during the design procurement process. As a result, construction is now expected to begin in October 2017 with completion in March 2019. A portion of the fiscal 2018 planned construction funds have been deferred to fiscal 2019 to reflect this delay and mirror the project schedule.

### **Space Limitations and Security**

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 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.

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.

Construction for this project was scheduled to begin in October 2016. Due to complications in the design procurement stage, construction for the center has been delayed to October 2017, and some of the fiscal 2018 funds have been deferred to fiscal 2019 to account for the delay.

## ***Issues***

---

### **1. Implementing the Justice Reinvestment Act**

Chapter 515 of 2016, the JRA, established Maryland’s path to comprehensive criminal justice reform by altering provisions relating to sentencing, corrections, parole, and the supervision of offenders. Recommendations under the JRA include encouraging counties to develop reentry programs and house State inmates who are nearing release. In addition, local correctional facilities were required to analyze the potential impact of the JRA and related programs on their facilities, populations, and budgets.

The various committees and oversight boards charged with implementing the JRA reviewed State criminal justice data on sentencing and corrections practices and developed 19 recommendations and 6 reinvestment strategies, some of which relate to local jail and detention center operations and offender populations. In particular, the council’s final December 2015 report recommends establishing a grant fund for counties with proposals for initiatives, such as reentry programs, to reduce recidivism and control corrections costs. The report also recommends providing funds to support local detention centers that house State offenders for the final months of their incarceration in the counties to which they will be returning.

#### **Fiscal Impact**

Given that the JRA is still in the early stages of a lengthy implementation process, most stakeholder agencies are primarily engaged in identifying the policies and procedures necessary to implement the JRA provisions. Estimating the fiscal and operational impact of the JRA has proven difficult, as the outcomes for many of the provisions can only be determined once there is experience under the bill.

Pursuant to Section 17 of the JRA, local correctional facilities were asked to conduct an analysis to determine the budgetary requirements of the JRA and potential impact on local jails and detention centers. GOCCP prepared this report in December 2016 and determined that the following policies/provisions of the JRA could have some impact on the local correctional population and budgets:

- reduction in controlled dangerous substance possession sentences;
- third and subsequent controlled dangerous substance felony offenders must serve 50% of sentence (not 25%) before parole eligibility;
- elimination of jail time for driving with a suspended license for failing to pay a fine or failing to appear for trial;
- revocation caps for technical violations of parole or probation;

## *ZB02 – DPSCS – Local Jails and Detention Centers*

- increase in felony theft thresholds and a reduction in theft-related sentences;
- new administrative release provision after serving one-fourth of a sentence for drug- and theft-related provisions;
- mandatory withholding of 25% of inmate’s earnings if there is a restitution order;
- increase from 5 to 10 days good conduct credits for nonviolent offenders at local correctional facilities; and
- State reimbursement of \$45 for local jails that provide pre-release services for Division of Correction (DOC) inmates.

Overall, the increase and decrease in population because of the JRA is difficult to estimate, and the report depicts an early, preliminary estimate on how various provisions of the JRA would impact inmate populations and therefore, local correctional facilities. Of the nine recommendations in the report, four recommendations clearly predicted a decrease in local correctional facilities, but the remainder had increases or were classified as indeterminate or having minimal effect.

While many offenders will have shorter lengths of stay in jail, some new offenders who were previously sentenced to DOC may now be sentenced locally. The increase in good conduct credits and the elimination of jail time for some driving while suspended crimes will likely reduce the population of local correctional facilities. Similarly, administrative release should result in a decrease in the local population. In terms of the sentencing changes for possession of controlled dangerous substances and theft-related offenses, the effect on local correctional facilities is undetermined.

The report also stresses that changes to parole eligibility for third and subsequent felony drug offenders, withholding for restitution, and reimbursements for State pre-release inmates will have little to no fiscal impact on local correctional facilities. For the rule regarding local jails that provide pre-release services for State inmates, the results will vary; in addition, per diem costs for housing inmates vary from county to county, ranging from \$45 a day to \$153 per day. Therefore, the impact on the jail population will vary from county to county with this measure as well.

The report recommends that local jails and detention center staff stringently monitor their populations and document any expected or unexpected changes in population. Once that data is sent to GOCCP and the Justice Reinvestment Oversight Board, the impact of the JRA will continue to be monitored, recommendations on changes in policy could be issued, and the overall impact of the JRA on local jails and detention centers will be studied. **DPSCS should comment on the JRA implementation and how future provisions will be monitored, as well as the potential impact on local jails and detention centers’ budgets, populations, and facilities.**

In recent months, judges and court commissioners are requiring fewer cash bonds. As a result, the number of defendants held without bail and the number of defendants released with unsecured bonds are both rising. **To better track these trends, the Department of Legislative Services requests**

*ZB02 – DPSCS – Local Jails and Detention Centers*

**the adoption of committee narrative requesting that DPSCS provide monthly ADP reports for local jails and detention centers.**

## ***GO Bond Recommended Actions***

---

1. Adopt committee narrative requiring the Department of Public Safety and Correctional Services to submit monthly reports that provide local jail and detention center population statistics.

**Detention Centers Monthly Population Statistics Report:** As overseer of the Local Jails and Detention Center Capital Improvement Program, the budget committees direct the Department of Public Safety and Correctional Services (DPSCS), on a monthly basis, to coordinate the submission of local jail and detention center population statistics on behalf of the counties and provide the information in a report to the budget committees. At a minimum the report shall include:

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

Receipt of this information for every county on a monthly basis would allow the General Assembly, the Department of Budget and Management, DPSCS, and the counties to better assess local jail and detention center capital needs and track inmate population changes resulting from policy changes and legislation including, but not limited to, the Justice Reinvestment Act. The report shall be submitted to the budget committees no later than July 1, 2017, and for each month thereafter.

<b>Information Request</b>	<b>Author</b>	<b>Due Date</b>
Local jails and detention centers monthly population statistics report	DPSCS	July 1, 2017, and monthly thereafter

*ZB02 – DPSCS – Local Jails and Detention Centers*

2. Approve \$1.8 million in general obligation bonds for the Anne Arundel County Central Holding and Processing Center.
3. Approve \$508,000 in general obligation bonds for the Calvert County Detention Center Site and Security Improvements.
4. Approve \$1,204,000 in general obligation bonds for the Montgomery County Pre-Release Center Dietary Center Renovation.
5. Approve \$1,000,000 in general obligation bonds for the Prince George’s County Medical Unit Renovation and Expansion.

**Appendix 1  
Local Jails and Detention Centers Population Statistics for Fiscal 2016**

<u>Jurisdiction</u>	<u>Traffic</u>		<u>Population</u>		<u>Pretrial</u>			<u>Incarceration Status</u>								
	<u>Intake</u>	<u>Departures</u>	<u>LDP</u>	<u>ADP</u>	<u>Last 90</u>	<u>91+</u>	<u>PSI</u>	<u>Local Sentence</u>					<u>366 Days- 18 Mo.</u>	<u>Over 18 Mo.</u>	<u>DOC</u>	<u>Other</u>
					<u>Days</u>	<u>Days</u>		<u>Last 90</u>	<u>91-180</u>	<u>81-364</u>	<u>365</u>	<u>Days</u>				
Allegany	140	138	154	147	68	24	0	25	19	11	0	1	0	5	0	
Anne Arundel	530	522	758	750	279	153	5	69	12	31	43	146	16	3	0	
Baltimore City	1,466	1,484	2,001	1,993	1,139	822	39	0	0	0	0	0	0	0	0	
Baltimore	1,016	1,010	1,179	1,165	498	168	38	72	55	32	88	208	0	14	6	
Calvert	335	332	237	229	77	27	0	38	15	7	18	48	2	3	2	
Caroline	92	93	95	96	19	7	0	9	8	12	18	22	0	0	0	
Carroll	153	157	224	226	66	35	0	14	12	4	23	58	0	11	0	
Cecil	284	285	244	246	99	46	0	27	18	9	17	23	0	5	0	
Charles	281	283	335	333	87	56	0	51	28	7	23	61	6	15	0	
Dorchester	127	75	138	138	61	27	0	7	8	4	9	13	0	2	4	
Frederick	311	311	451	453	220	58	0	28	24	52	1	57	6	8	0	
Garrett	51	52	40	42	11	3	2	5	6	2	5	3	3	1	0	
Harford	587	588	350	352	93	36	0	74	35	42	20	43	1	7	3	
Howard	269	264	261	283	83	31	2	17	13	8	18	46	1	4	65	
Kent	40	41	74	75	18	12	0	4	4	2	3	6	3	0	21	
Montgomery	585	581	796	678	280	151	2	34	15	79	11	159	31	18	21	
Prince George's	940	938	944	950	412	395	0	14	12	8	24	48	4	30	0	
Queen Anne's	97	101	121	123	36	7	2	13	11	9	9	23	5	5	3	
St. Mary's	146	145	198	198	58	23	2	18	16	7	18	51	4	3	0	
Somerset	58	53	59	58	18	6	0	6	4	3	5	8	10	0	0	
Talbot	63	59	67	67	23	11	0	7	6	2	6	9	1	0	0	
Washington	184	180	291	303	139	51	2	13	8	8	19	37	7	5	2	
Wicomico	717	718	377	376	123	69	1	29	12	28	8	62	0	22	13	
Worcester	217	219	180	183	64	22	4	17	8	11	21	27	3	3	0	
<b>Total*</b>	<b>104,210</b>	<b>103,526</b>	<b>9,574</b>	<b>9,464</b>	<b>3,971</b>	<b>2,240</b>	<b>99</b>	<b>591</b>	<b>349</b>	<b>378</b>	<b>407</b>	<b>1,159</b>	<b>103</b>	<b>164</b>	<b>140</b>	

ADP: average daily population

DOC: Division of Correction

LDP: last day population

Source: *Local Jails and Detention Centers Annual Population Statistics Reports*, Fiscal 2011-2016