

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

Capital Budget Summary

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

Program	2019 Approp.	2020 Approp.	2021 Request	2022 Estimate	2023 Estimate	2024 Estimate	2025 Estimate
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Local Jails and Detention Centers Program	\$7.332	\$8.153	\$11.645	\$6.807	\$6.341	\$7.500	\$7.500
Total	\$7.332	\$8.153	\$11.645	\$6.807	\$6.341	\$7.500	\$7.500

Fund Source	2019 Approp.	2020 Approp.	2021 Request	2022 Estimate	2023 Estimate	2024 Estimate	2025 Estimate
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GO Bonds	\$7.332	\$8.153	\$11.645	\$6.807	\$6.341	\$7.500	\$7.500
Total	\$7.332	\$8.153	\$11.645	\$6.807	\$6.341	\$7.500	\$7.500

GO: general obligation

Key Observations

- ***One New and Two Existing Projects in Fiscal 2021:*** There are three capital projects in the Governor’s *Capital Improvement Program* (CIP) for a total State funding of \$11.6 million. This is \$2.7 million more than what was programmed for this year in the 2019 CIP.
- ***Emphasis on Medical Treatment Space:*** The three projects in the CIP modify existing medical units, in addition to other facility modifications, to allow for enhanced delivery of medical and mental health services as well as Medication Assisted Treatment (MAT) for those with opioid use and substance use disorders (SUD).

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Summary of Recommended Bond Actions

1. Frederick County Adult Detention Center Phase IV Medical Addition

Approve the \$1,263,000 in general obligation bond funding for the Frederick County Adult Detention Center Phase IV Medical Addition.
2. Queen Anne’s County Detention Center Additions and Renovations

Approve the \$4,852,000 in general obligation bond funding for the Queen Anne’s County Detention Center additions and renovations.
3. St. Mary’s County Adult Detention Center Upgrades, Housing, and Medical Units

Approve the \$5,530,000 in general obligation bond funding for the St. Mary’s County Adult Detention Center upgrades, housing, and medical units.

Program Description

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

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

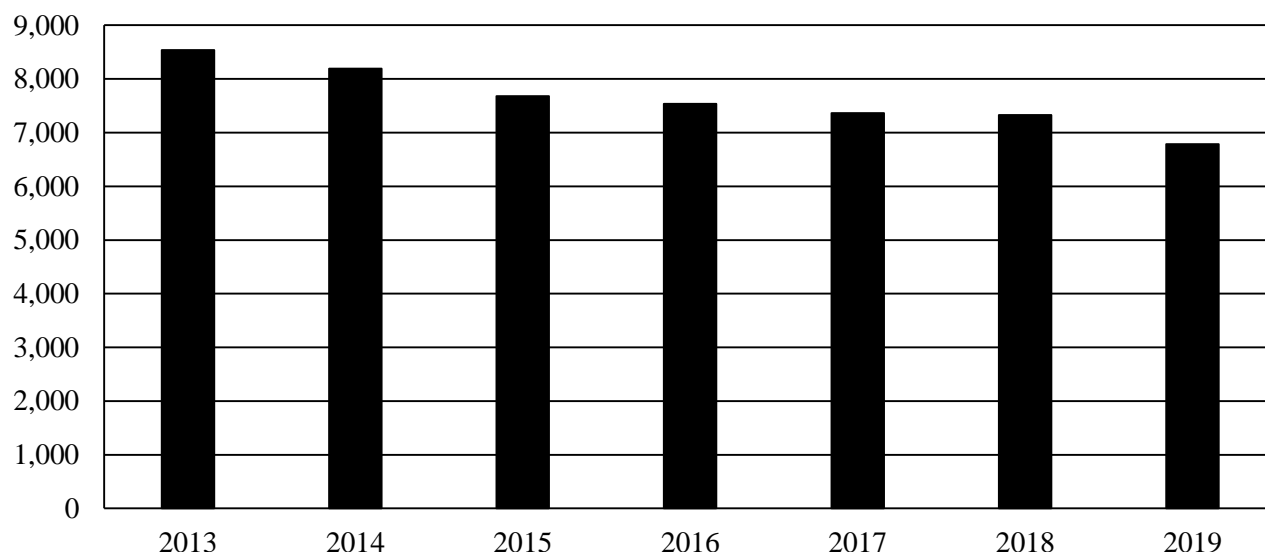
In addition, DPSCS processes the applications for State funding. The department determines the portion of the project cost eligible for State participation. State funds may only be used for costs directly related to incarceration. By contrast, ineligible costs include, but are not limited to, air conditioning;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

Performance Measures and Outputs

Local Jail Populations Continue to Decline

Exhibit 1 shows Maryland local jail and detention centers’ average daily population (ADP) from fiscal 2013 to 2019. Inmate populations declined 20.4% from fiscal 2013 and 7.4% from fiscal 2018.

Exhibit 1
Detainees in Local Jails and Detention Centers
Fiscal 2013-2019



Source: Department of Public Safety and Correctional Services

Exhibit 2 shows the change in the inmate population by jurisdiction from fiscal 2013 through 2019. From fiscal 2018 to 2019, 14 of 23 counties saw decreases in ADP, and the results were as follows:

- **Counties with Largest Population Increases:** Dorchester (25%), Carroll (17%), and Talbot (12.5%) counties. Dorchester County increased by 32 detainees to its highest ADP since fiscal 2013.
- **Counties with Largest Population Decreases:** Somerset (-30%), Calvert (-24.5%), Charles (-23%), and Worcester (-20%) counties. Anne Arundel and Prince George’s counties had the largest decrease in population count at -125 and -154, respectively.

Exhibit 2
Average Daily Population by Jurisdiction
Fiscal 2013-2019

Analysis of the FY 2021 Maryland Executive Budget, 2020

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<u>County</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>% Change 2018-2019</u>	<u># Change 2013-2019</u>	<u>% Change 2013-2019</u>	<u>Average Annual Growth</u>
Dorchester	160	129	127	138	135	128	160	25.0%	0	0.0%	0.9%
Allegany	153	136	134	147	144	152	155	2.0%	2	1.3%	0.4%
Cecil	271	257	290	246	264	245	262	6.9%	-9	-3.3%	-0.1%
Carroll	209	228	233	226	202	168	197	17.3%	-12	-5.7%	-0.3%
Queen Anne's	112	136	123	123	125	107	103	-3.7%	-9	-8.0%	-0.8%
Kent	65	71	69	75	74	54	58	7.4%	-7	-10.8%	-1.0%
Garrett	64	53	49	42	60	56	54	-3.6%	-10	-15.6%	-1.1%
Baltimore County	1,211	1,260	1,217	1,165	1,171	1165	1131	-2.9%	-80	-6.6%	-1.1%
Montgomery	877	784	759	755	719	846	792	-6.4%	-85	-9.7%	-1.3%
Talbot	84	74	63	67	73	64	72	12.5%	-12	-14.3%	-1.9%
Anne Arundel	768	764	687	750	733	789	664	-15.8%	-104	-13.5%	-2.0%
Frederick	380	360	405	453	397	302	312	3.3%	-68	-17.9%	-2.3%
Harford	410	414	414	352	372	352	350	-0.6%	-60	-14.6%	-2.4%
Washington	385	344	296	303	315	316	318	0.6%	-67	-17.4%	-2.9%
Somerset	77	69	50	58	59	77	54	-29.9%	-23	-29.9%	-3.3%
Howard	340	349	304	283	285	319	271	-15.0%	-69	-20.3%	-3.3%
St. Mary's	280	236	217	198	221	219	218	-0.5%	-62	-22.1%	-3.7%
Wicomico	401	365	387	376	364	364	308	-15.4%	-93	-23.2%	-4.1%
Charles	361	344	351	333	306	304	234	-23.0%	-127	-35.2%	-6.6%
Calvert	224	249	202	229	189	163	123	-24.5%	-101	-45.1%	-8.4%
Caroline	97	106	105	96	82	49	51	4.1%	-46	-47.4%	-8.5%
Prince George's	1,347	1,200	1,008	950	913	915	761	-16.8%	-586	-43.5%	-8.9%
Worcester	261	261	192	183	159	175	140	-20.0%	-121	-46.4%	-9.0%
Offenders in Local Jails	8,537	8,189	7,682	7,538	7,362	7,329	6,788	-7.4%	-1,749	-20.5%	-3.7%

Source: Department of Public Safety and Correctional Services

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Since Fiscal 2013, Inmate Population Decreased 20.5%

On average, all counties continue to see declines in ADP, except Allegany and Dorchester counties, whose fiscal 2019 levels only differed by 2 and 0 detainees, respectively, from fiscal 2013 levels. The average annual population decline was -3.7% for this period and totaled -20.5%. Caroline (-47.4%), Worcester (-46.4%), Calvert (-45.1%), and Prince George’s (-43.5%) counties saw the sharpest declines from fiscal 2013 levels. Prince George’s County supervised 586 fewer detainees than in fiscal 2013.

Exhibit 3 shows ADP by jurisdiction compared with each facility’s operating capacity. A total of 6,788 are in local jails with over 12,000 beds, meaning local jails are 57% full; this percentage is lower than the 64% seen in fiscal 2017 and 2018 due to fewer inmates and additional beds.

Exhibit 3 Local Jails and Detention Centers ADP and Operational Capacity Fiscal 2013-2019

<u>County</u>	<u>ADP 2019</u>	<u>Operational Capacity</u>	<u>Exceeded Capacity</u>	<u>ADP as a Percent of Capacity</u>
Carroll	197	185	12	106%
St. Mary’s	218	239	-21	91%
Baltimore County	1,131	1,513	-382	75%
Cecil	262	353	-91	74%
Kent	58	81	-23	72%
Queen Anne’s	103	152	-49	68%
Washington	318	495	-177	64%
Garrett	54	85	-31	64%
Frederick	312	533	-221	59%
Wicomico	308	530	-222	58%
Dorchester	160	281	-121	57%
Howard	271	477	-206	57%
Anne Arundel	664	1,182	-518	56%
Calvert	123	228	-105	54%
Allegany	155	296	-141	52%
Montgomery	792	1,531	-739	52%
Prince George’s	761	1,525	-764	50%
Talbot	72	153	-81	47%
Somerset	54	120	-66	45%
Harford	350	820	-470	43%
Charles	234	590	-356	40%
Caroline	51	134	-83	38%
Worcester	140	500	-360	28%
Total	6,788	12,003	-5,215	57%

ADP: average daily population

Source: Department of Public Safety and Correctional Services

CIP Addresses Medical Space Needs for Opioid Use Treatment

Chapter 532 of 2019 requires local detention centers across the state to create MAT programs for individuals with an opioid use disorder. The statute phases in the localities initially required to set up a program, but every locality will be phased in and required to create a MAT program by fiscal 2024. Some counties, like Anne Arundel and Montgomery, already provided MAT services prior to passage of Chapter 532. By January 1, 2020, the bill's provisions apply to local detention centers in Howard, Montgomery, Prince George's, and St. Mary's counties, and by October 1, 2021, the bill's provisions apply to six additional counties.

The Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYV), the Maryland Department of Health, and the Maryland Correctional Administrators Association must evaluate the implementation of the bill's requirements and determine a schedule to add additional counties; however, the provisions must apply to all local detention centers and the Baltimore Pretrial Complex by January 2023. Federal funding administered by GOCPYV through the Comprehensive Opioid Abuse Site-based Program supports three existing and six new Law Enforcement Assisted Diversion and detention-based diversion programs for nine sites in Maryland. The fiscal 2021 allowance includes \$2.8 million for this initiative. The nine local partners include:

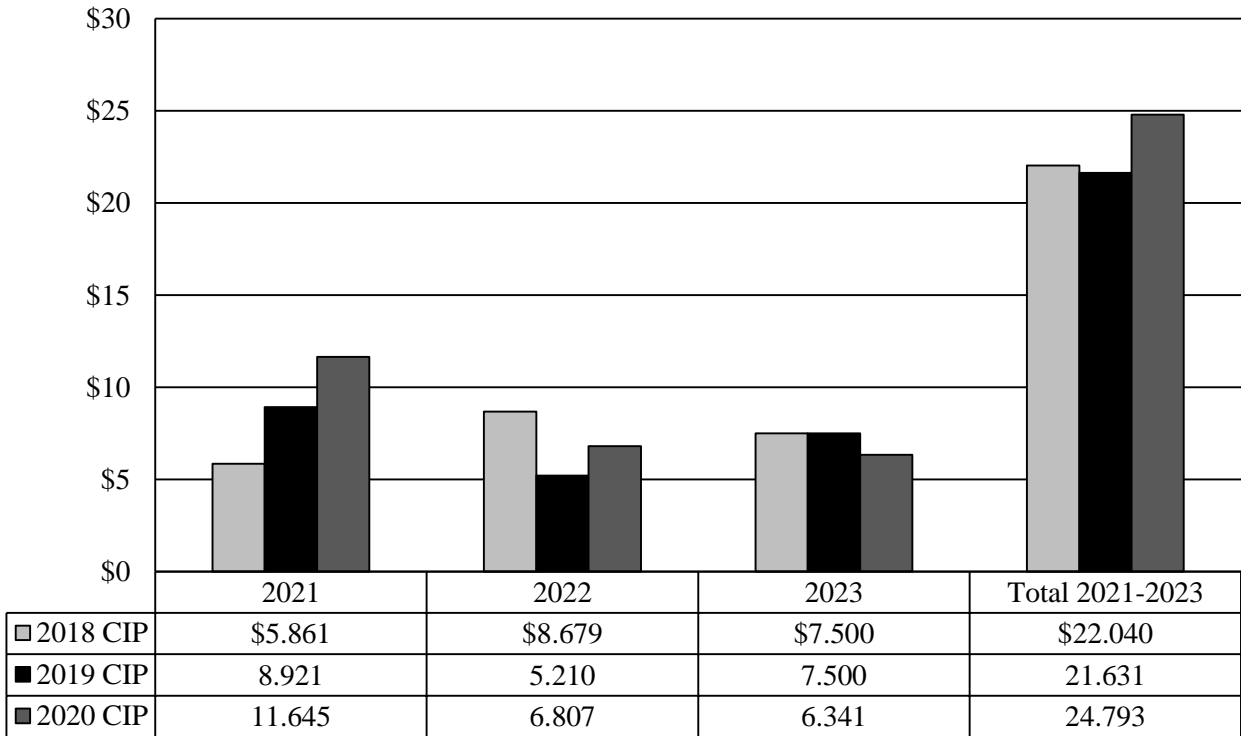
- Annapolis;
- Baltimore City;
- Bel Air;
- Cumberland;
- Howard County;
- St. Mary's County;
- Washington County;
- Westminster; and
- Wicomico County.

These partners may use granted funds to implement Chapter 532. Additionally, the capital projects in St. Mary's and Queen Anne's counties in the current CIP will provide the physical spaces necessary to establish MAT programs. Due to the physical layout requirements of establishing a MAT program, it is possible that projects submitted and planned in future CIPs will address medical space needs and make the necessary pharmacy modifications to comply with federal narcotics regulations. **The agency should comment on anticipated capital funding needs at facilities without existing MAT programs.**

Budget Overview

Overall funding for the Local Jails and Detention Centers capital construction program has continued to increase since fiscal 2017. **Exhibit 4** shows planned spending from the past three CIPs. The current CIP includes \$11.6 million compared to the estimate of \$5.9 million in the 2018 CIP. The CIP historically programs an average of \$7.5 million per year for the Local Jails and Detention Centers capital construction program. The current estimate for capital funding between fiscal 2021 and 2023 is now \$24.8 million, more than \$3 million above the previous estimate.

Exhibit 4
Capital Improvement Program Funding
Fiscal 2021-2023
(\$ in Millions)



CIP: Capital Improvement Program

Source: Department of Public Safety and Correctional Services

Fiscal 2021 Proposed Budget: Three Projects, \$11.6 Million

St. Mary’s County – Adult Detention Center Renovation and Expansion

The purpose of this project is to renovate and expand the St. Mary’s County Adult Detention Center by constructing a two-story, 25,800 square foot (SF) addition. The facility currently operates at about 91% capacity and is consistently over capacity for female detainees. This renovation will include a new female housing unit, medical unit, additional space for pretrial services, and several upgrades that will enhance security and improve facility operations. Project construction began October 1, 2019, and is expected to be completed in December 2020. Overall, the estimated total cost for this project is now \$28.6 million; \$15.2 million in local matching funds and \$13.4 million in general obligation (GO) bonds, an increase of \$1.9 million in GO bond funds from the previous year’s plan of \$11.6 million. While the State initially expected to fund 39% of this project, that share increased to 44.7% in fiscal 2020 and currently stands at 46.9%.

(\$ in Millions)

Fund Uses	Prior Appropriation	Fiscal 2021 Request	Future Estimated	Estimated Total
Planning	\$1.462	\$0.000	\$0.000	\$1.462
Construction	12.290	11.816	3.000	27.106
Other	0.000	0.000	0.000	0.000
Total	\$13.752	\$11.816	\$3.000	\$28.568
Fund Source				
State: 46.9%	\$6.242	\$5.530	\$1.625	\$13.397
Matching Fund: 53.1%	7.510	6.286	1.375	15.171
Total	\$13.752	\$11.816	\$3.000	\$28.568

Inmate Housing and Male and Female Inmate Separation

Currently, the St. Mary’s County Adult Detention Center houses 34 female inmates and has an operating capacity of just 20 beds for female inmates. Because of the lack of space, there are several key issues that a facility upgrade will solve. First, there is no current proper intake space for female inmates. As a result, these inmates are processed in a converted space that houses maximum security male inmates, and there is no sight or sound separation during this phase. Another key deficiency concerns disciplinary issues. The limited space means that inmates placed in disciplinary housing must be moved to Pod A (where male inmates are held) or Pod B.

Due to multiple small housing units, mixed classifications of inmates are housed together. If the number of inmates disciplined grows too large, staff must rearrange multiple units to accommodate those with disciplinary issues. Recreation time also has a sight and sound separation issue as male

inmates must pass by the female areas to get to the recreation area in Pod B. Additional segregation issues complicate the use of the library, which is the only space for female programming in the facility because it must be shared with the male population. Finally, female work incentive inmates do not have a separate housing area, which means they can mix with the general population. This increases the opportunity for drugs and other contraband to be smuggled into the facility.

Medical Services

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

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

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

- ***Supply Room and Restroom:*** Inventory, including medications, are stored in the supply room. Due to the lack of space, equipment must be stored in the bathroom, and there is only one bathroom in the area that must be shared by staff and inmates.
- ***Security Systems:*** Current security systems are 31 years old with the exception of the Main Control and the Pod E Housing Unit that were put in service in 1998 during a renovation and expansion project. While guards at Central Control can monitor corridors and doors in local housing, they cannot take over those controls in the case of a dangerous situation. Overall, all security components work independently of one another with no actual control from Central Control. In addition, Central Control must answer public phone calls and handle building visitors, which reduces time spent on monitoring the facility.
- ***Pretrial Services:*** In total, 13 community supervision staff members for the home detention program, work release, and offender reentry programs work from this unit. With a total of only eight workstations at their disposal, there is limited space for the various teams to conduct their duties. Additional space and resources for the pretrial team is important as their efforts will free up much needed detention space.

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

Project Benefits

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

- a renovated medical unit with a 100% increase in available bed space;
- an expanded and renovated laundry;
- a total of 64 beds for female inmates;
- two new additions of 17,000 SF;
- additional office and administrative space;
- additional holding cells;
- enhanced security provisions and mobility that will increase sight/sound separation of male and female inmates; and
- a total of 294 beds, up from 239.

Queen Anne’s County Detention Center Additions and Renovations

The purpose of this project is to renovate and expand the Queen Anne’s County Detention Center by constructing several additions totaling 60,100 SF. While the female ADP in 2019 was just under capacity for those beds, the peak population regularly climbs above capacity, and specialized housing is insufficient, increasing safety risks as operational workarounds become necessary. Design began in November 2019, and construction is currently set to begin in spring 2021. The project timeline has been delayed, so the amount programmed for fiscal 2021 is less than anticipated in the past. The cost to the State by project completion is expected to be \$10.1 million, or 46.1% of total costs.

In total, this project will increase facility capacity from 148 to 215 beds despite holding 114 detainees. Further, while the need for female-designated bed space exceeds capacity during peak population times, this project will triple the number of beds for females. **DPSCS should provide justification regarding the amount of bed space added for various housing categories considering actual population trends.**

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(\$ in Millions)

Fund Uses	Prior Appropriation	Fiscal 2021 Request	Future Estimated	Estimated Total
Acquisition	\$0.000	\$1.300	\$0.000	\$1.300
Planning	1.356	0.539	0.000	1.895
Construction	0.000	9.165	9.165	18.330
Equipment	0.000	0.000	0.425	0.425
Total	\$1.356	\$11.004	\$9.590	\$21.950

Fund Source				
State: 48.5%	\$0.678	\$4.852	\$4.582	\$10.112
Matching Fund: 51.5%	0.678	6.152	5.008	11.838
Total	\$1.356	\$11.004	\$9.590	\$21.950

Project Overview

The Queen Anne’s County Detention Center was built in 1986. In both 1991 and 2009, modular housing structures were added to the facility to increase the amount of detainees held. While current capacity is 148 beds, the center has added bunks to accommodate more detainees. As a result, the bunks cause certain areas to be over capacity according to the standards of the Maryland Commission on Correctional Standards, as there are multiple operational and security risks because the center is overcrowded, and detainees from multiple security classifications are housed together. Although housing additions were added to the facility in the past, the kitchen area was not upgraded to meet the needs of a larger population. Queen Anne’s County stated that the health department has prohibited them from increasing bed space due to the limitations of its food service facilities. Other key housing issues include the following:

- **Female Housing Unit:** This unit has insufficient capacity at 20 beds.
- **Lack of Special Needs Housing:** The center has a deficit of space for administrative segregation, mental health, and medical beds. Staff has reported that due to the increasing number of inmates who are gang members, there is a need to separate various groups from one another; restrictive housing is one option to deal with this issue. The need for specialized medical and mental health beds is important; like other facilities statewide, the number of individuals with mental health, medical, and SUD issues continues to rise.

Aging Buildings and Infrastructure

In addition, the center’s existing buildings are operating beyond their expected useful life. Key systems including boilers and hot water equipment, automatic temperature controls, and air handling and condensing units were all built in 1986 and have yet to be upgraded. This project will address these issues. Additionally, there are multiple needs regarding the temporary modular structures. These

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structures are not meant to be permanent, and center staff report that the overall design – multiple housing units, males and females, and special needs detainees all colocated in areas near each other – has resulted in a security situation that is very volatile.

Frederick County Adult Detention Center Phase IV Medical Addition

The purpose of this project is to triple the current medical space by building a 26-bed medical unit. The current facility only contains medical space for nine inmates and is severely over capacity with regard to inmate need. Funds for planning initiate in fiscal 2021, totaling \$2.5 million that will be split equally between State and local funds. The total cost to the State for the overall project is estimated at \$7.3 million, or about 47%. Construction is scheduled to begin in July 2021 with a completion of July 2023.

(\$ in Millions)

Fund Uses	Prior Appropriation	Fiscal 2021 Request	Future Estimated	Estimated Total
Planning	\$0.000	\$2.526	\$0.000	\$2.526
Construction	0.000	0.000	12.142	12.142
Equipment	0.000	0.000	0.169	0.169
Total	\$0.000	\$2.526	\$12.311	\$14.837

Fund Source				
State: 46.9%	\$0.000	\$1.263	\$6.069	\$7.332
Matching Fund: 53.1%	0.000	1.263	6.242	7.505
Total	\$0.000	\$2.526	\$12.311	\$14.837

Need for Additional and Updated Medical Space

From calendar 2013 to 2018, the detention center saw large increases in the following medical/mental health areas:

- suicide watch – up 17%;
- mental health watch – up 45%;
- episodes of restraint – up 300%;
- onsite hypertensive/cardiac clinic – up 500%;
- seizure clinic – up 300%;

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- diabetes – up 200%;
- pulmonary – up 400%;
- routine treatments of inmates – up 125%; and
- checking inmate vital signs – up 100%.

The existing medical space does not meet the standards of a modern correctional facility. There is no medical ward and no facility where acute care may be given. The medical unit does not have dedicated male and female spaces and no room for trash or soiled items. Equipment is outdated, and storage space is very limited. The new medical unit will include negative pressure cells required for the isolation of inmates infected with active tuberculosis, medical and dental areas, mental health treatment areas, a pharmacy, laboratory space, laundry space, medical supply storage areas, and a security station.

GO Bond Recommended Actions

1. Approve \$1,263,000 in general obligation bonds for the Frederick County Adult Detention Center Phase IV Medical Addition.
2. Approve \$4,852,000 in general obligation bonds for the Queen Anne’s County Detention Center additions and renovations.
3. Approve \$5,530,000 in general obligation bonds for the St. Mary’s County Adult Detention Center upgrades, housing, and medical units.