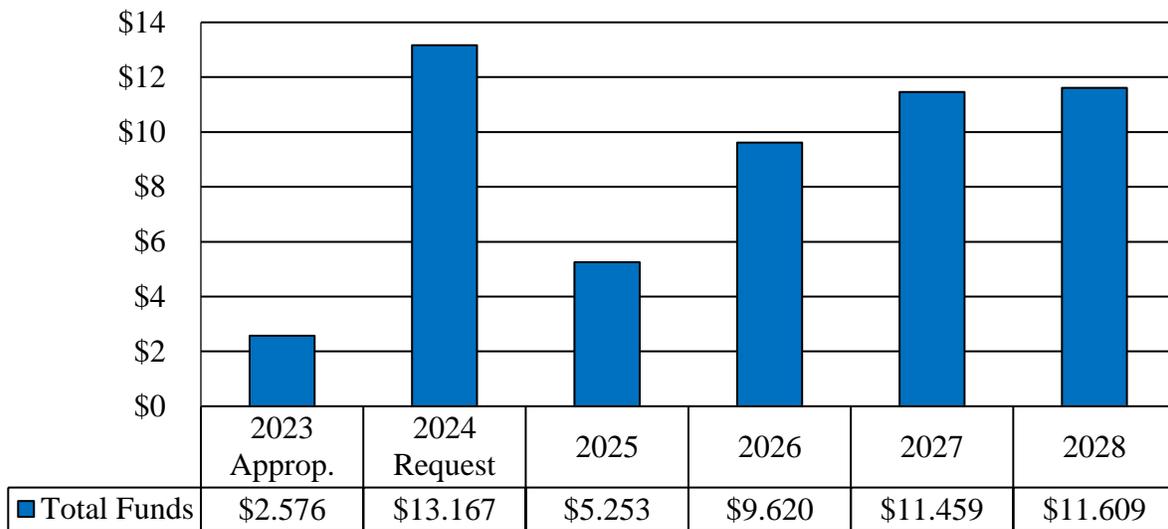


ZB02
Local Jails and Detention Centers – Capital
Department of Public Safety and Correctional Services

Capital Budget Summary

Grant and Loan *Capital Improvement Program*
Local Jails and Detention Centers Program
(\$ in Millions)



Note: All funds are sourced from general obligation bonds

Key Observations

- ***Frederick County Detention Center Medical Addition Delayed:*** The budget proposes an additional \$1 million State contribution based on updated project schedules and costs.
- ***Significant Cost Increase for Queen Anne’s County Detention Center Project:*** Schedule delays and construction inflation have more than doubled the estimated cost.
- ***New \$77.2 Million Montgomery County Criminal Justice Complex:*** This project replaces the existing Montgomery County Detention Center with the State and the county committing \$38.6 million each. The cost per square foot is much higher than most county detention center projects but is in line with previous Montgomery County renovation projects. Initial planning funding of \$3.6 million by the State is included in fiscal 2024.

GO Bond Recommended Actions

1. Approve proposed general obligation bond authorizations.
2. Adopt the following narrative:

Local Jail Population Report: The budget committees request that fiscal 2023 local jail average daily population (ADP) data be provided by the Department of Public Safety and Correctional Services (DPSCS). In addition to the Annual Summary of Maryland Local Jail Statistics, which shows ADP data by county, DPSCS should provide the following for each local jail or detention center:

- operational capacity at the end of each month, making note of specialized population beds that cannot be used by general population inmates;
- the ADP for each month, separated by male and female offenders;
- the number of days each facility exceeded operational capacity each month; and
- the peak inmate population at each facility per month.

Information Request	Author	Due Date
Local jail population report	DPSCS	September 15, 2023

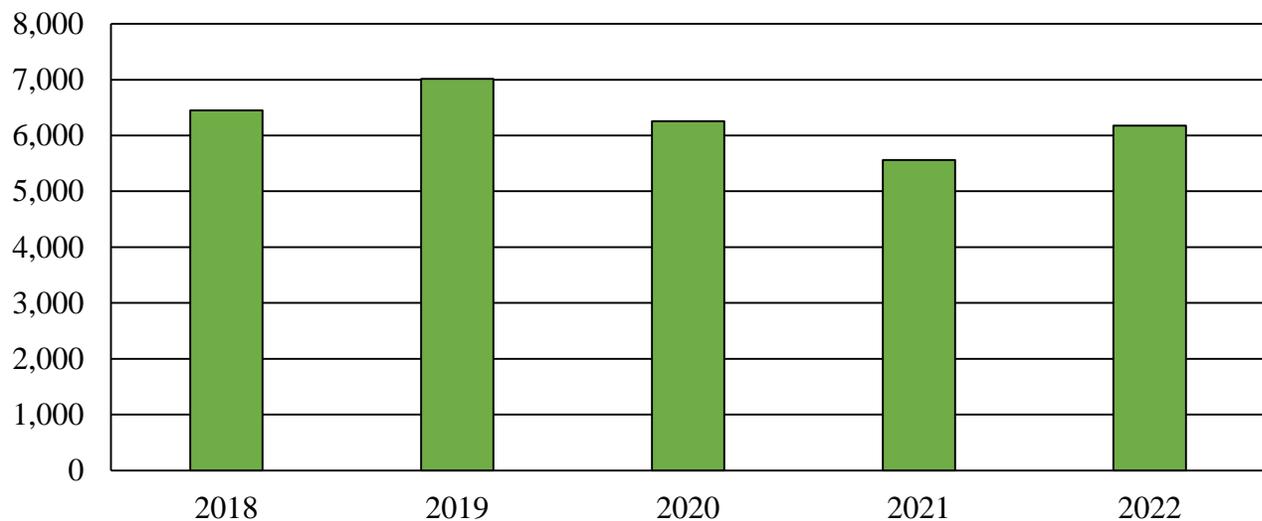
Updates

- **Significant Progress Made in Reducing Unexpended Balance:** In the 2022 session, the Department of Legislative Services (DLS) noted a lack of progress in expending and encumbering authorized capital grant funds for local jails. Updated expenditure data shows improved management of these funds by the Department of Public Safety and Correctional Services (DPSCS). The unexpended balance was reduced by 75% to \$17 million, or 11% of the total authorized.

Inmate Population Statistics

Exhibit 1 shows Maryland local jail and detention centers’ average daily population (ADP) from fiscal 2018 to 2022. The fiscal 2022 inmate ADP increased 11% from fiscal 2021 but is close to fiscal 2020 levels and 12% lower than peak fiscal 2019 ADP.

Exhibit 1
Detainees in Local Jails and Detention Centers
Fiscal 2018-2022



Source: Department of Public Safety and Correctional Services; Annual Summary of Local Jail Statistics

Exhibit 2 shows that 18 of 23 counties saw population increases from fiscal 2021 to 2022, reversing the trend from fiscal 2020 to 2021 caused by the closure of courts and diversion of offenders from pretrial detention. A few counties had decreases, led by Caroline, Talbot, and

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Worcester. With regard to overall offender capacity, Talbot County continues to operate above historical levels but within facility capacity, while the Carroll County and Cecil County detention centers have been operating above capacity for several years.

**Exhibit 2
Local Jails Average Daily Population by Jurisdiction
Fiscal 2018-2022**

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u># Change 2021-2022</u>	<u>% Change 2021-2022</u>	Total Operating Capacity Q4 2022
Allegany	116	151	169	144	187	43	30%	297
Anne Arundel	668	739	571	474	517	43	9%	1,182
Baltimore County	997	1,148	1,033	869	966	97	11%	1,513
Calvert	149	149	116	111	104	-7	-6%	228
Caroline	53	52	58	66	56	-10	-15%	134
Carroll	171	182	184	176	191	15	9%	185
Cecil	212	238	262	252	248	-4	-2%	233
Charles	296	257	198	136	148	12	9%	590
Dorchester	103	145	129	101	135	34	34%	281
Frederick	286	294	273	232	260	28	12%	468
Garrett	47	63	60	41	58	17	41%	85
Harford	331	357	335	246	269	23	9%	820
Howard	295	302	253	201	231	30	15%	477
Kent	43	58	55	39	49	10	26%	81
Montgomery	724	828	759	645	733	88	14%	1,439
Prince George's	861	818	696	731	883	152	21%	1,525
Queen Anne's	90	100	66	78	80	2	3%	152
Saint Mary's	186	208	205	164	196	32	20%	321
Somerset	59	66	45	37	43	6	16%	120
Talbot	58	72	73	99	89	-10	-10%	153
Washington	248	317	300	304	316	12	4%	495
Wicomico	298	319	291	273	294	21	8%	530
Worcester	157	154	123	144	125	-19	-13%	500
Total	6,448	7,017	6,254	5,563	6,178	615	11%	11,929

Source: Department of Public Safety and Correctional Services

The 2022 *Joint Chairman’s Report (JCR)* requested quarterly population reports and an annual summary of local jail statistics by August 15, 2022. The required data was submitted late on February 16, 2023, but the report was not submitted at the time of writing this analysis. DLS recommends adding this language again in the 2023 JCR.

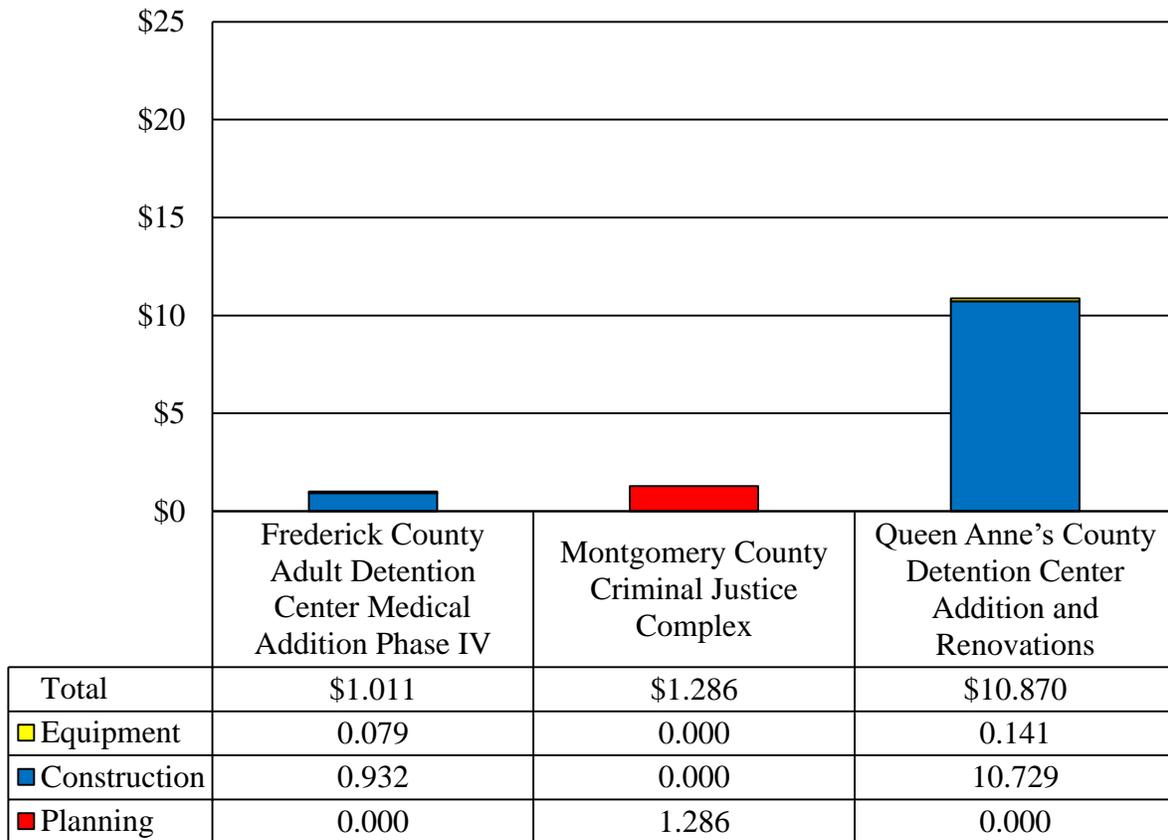
Budget Overview of Grant and Loan Programs

The fiscal 2024 capital budget as introduced includes \$13.2 million for three projects including:

- \$1.0 million for the Frederick County Adult Detention Center Phase IV Medical Addition;
- \$1.3 million for the Montgomery County Criminal Justice Complex; and
- \$10.9 million for the Queen Anne’s County Detention Center Addition and Renovations.

The Frederick County project is in the final year of funding. The Queen Anne’s County project receives funds to continue construction that will begin in fiscal 2023. The Montgomery County project receives new funds to begin planning. **Exhibit 3** breaks down the fiscal 2024 budget request by project and purpose of funds.

**Exhibit 3
Fiscal 2024 Request by Project
(\$ in Millions)**



Source: Department of Budget and Management

Frederick County Adult Detention Center Phase IV Medical Addition

This project will triple the current medical space by building a 26-bed medical unit. The current facility is insufficient to meet the complex needs of the present-day correctional population. The project was added to the Local Jails and Detention Centers Grant Program in fiscal 2021, and funding was authorized again in fiscal 2022 and 2023 for a total of \$6.65 million in State funds, as shown in **Exhibit 4**. The previous *Capital Improvement Program (CIP)* assumed that additional funds would not be necessary, but project delays and a lengthening of the construction timeline require additional funds to complete construction. The revised cost estimate is based on the construction contract awarded by the county in June 2022. The additional

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\$1.0 million of State funds proposed for fiscal 2024 is required to complete construction under the awarded contract and increases the State contribution to \$7.7 million. The project is also supported by \$7.7 million in local funds.

Exhibit 4
Frederick County Adult Detention Center Phase IV Medical Addition
State and Local Funding
(\$ in Millions)

Fund Uses	Prior Appropriation	Fiscal 2024 Request	Future Estimated	Estimated Total
Planning	\$2.394	\$0.000	\$0.000	\$2.394
Construction	11.740	0.932	0.000	12.672
Equipment	0.183	0.079	0.000	0.262
Total	\$14.317	\$1.011	\$0.000	\$15.328

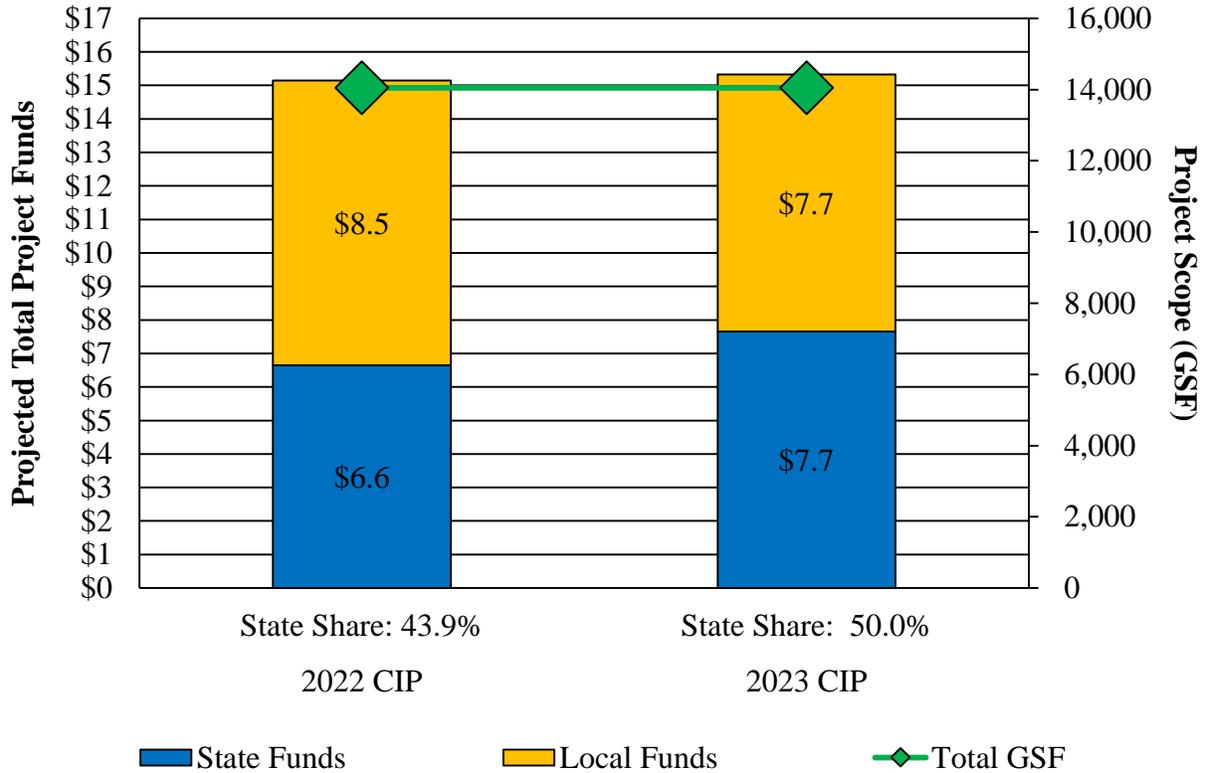
Fund Source				
State: 49.97%	\$6.648	\$1.011	\$0.000	\$7.659
Matching Fund: 50.03%	7.669	0.000	0.000	7.669
Total	\$14.317	\$1.011	\$0.000	\$15.328

Source: Department of Budget and Management

When the project was last reviewed during the 2022 session, the county contribution was reported at \$8.5 million and the State share at \$6.6 million. The revised funding plan evenly splits the cost share, which means the remaining funds needed to complete the project will be State funds.

The construction timeline was delayed by six months compared to the schedule proposed in the 2022 CIP. **Exhibit 5** summarizes the project changes compared to the 2022 CIP.

Exhibit 5
Frederick County Detention Center Medical Addition - Project Changes
2022 CIP versus 2023 CIP
(\$ in Millions)



CIP: *Capital Improvement Program*
 GSF: gross square feet

Source: Department of Public Safety and Correctional Services

Queen Anne’s County Detention Center Addition and Renovations

This project will construct a new housing unit and renovate existing housing, resulting in an increase in the facilities rated bed capacity from 152 to 252 beds. The scope includes the demolition of a temporary housing unit constructed in 1991, the construction of a new permanent housing unit, and renovation of the remaining housing units.

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The project first received State funds in fiscal 2020 and again in fiscal 2021 for a total of \$5.53 million to fund design and the beginning of construction. When last reviewed by the budget committees in the 2020 session, the construction phase was expected to commence in September 2020, and the total project cost was estimated at \$22 million. **Exhibit 6** illustrates the current funding plan based on a March 2023 construction start. While the project scope has not changed, the lengthy delay, which began with the onset of the COVID-19 pandemic and has continued through calendar 2022, and construction inflation now put the project cost at \$47.5 million, which is more than double the initial estimate. In addition to the impact that the pandemic had on executing projects, particularly those at State and local prisons and detention centers where facility access was highly constrained, there was indecision at the county level concerning the local funding commitment when it became apparent that the original cost estimate was significantly low.

Exhibit 6
Queen Anne’s County Detention Center Addition and Renovations
State and Local Funding
(\$ in Millions)

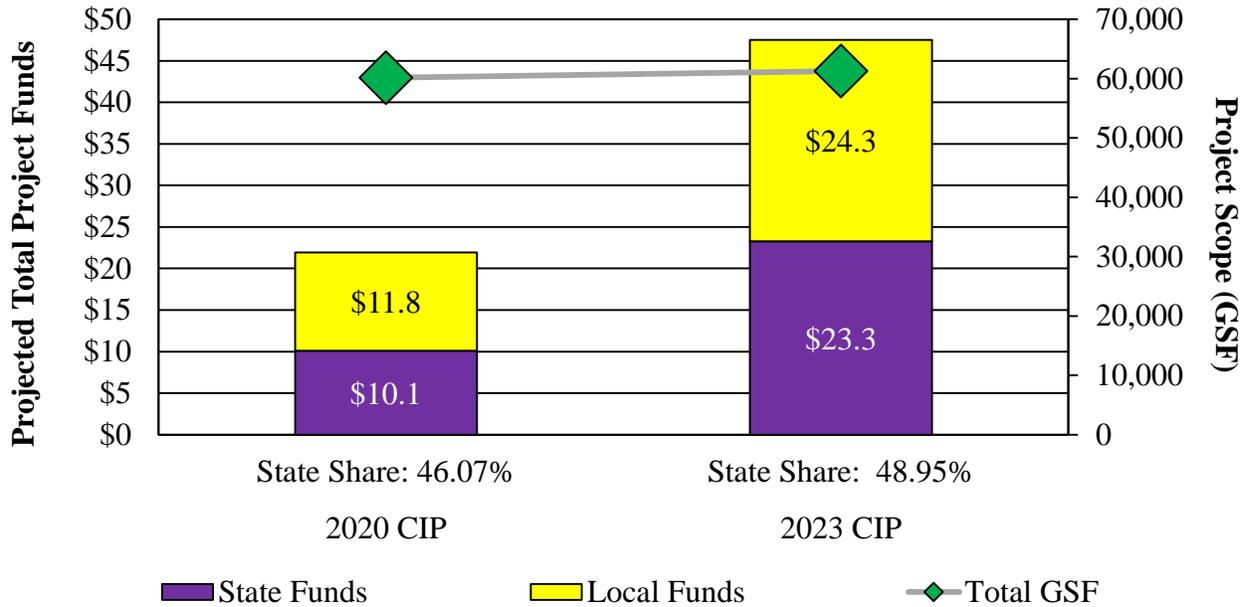
Fund Uses	Prior Appropriation	Fiscal 2024 Request	Future Estimated	Estimated Total
Planning	\$1.356	\$0.000	\$0.000	\$1.356
Construction	9.704	21.458	14.467	45.629
Equipment	0.000	0.282	0.257	0.539
Total	\$11.060	\$21.740	\$14.724	\$47.524

Fund Source				
State: 48.95%	\$5.530	\$10.870	\$6.862	\$23.262
Matching Fund: 51.05%	5.530	10.870	7.862	24.262
Total	\$11.060	\$21.740	\$14.724	\$47.524

Source: Department of Budget and Management

Exhibit 7 illustrates that while the project scope has not changed, the total project cost, which is now based on the 100% construction document design estimate, has increased rather dramatically.

Exhibit 7
Queen Anne’s County Detention Center Addition – Project Changes
2020 CIP versus 2023 CIP
(\$ in Millions)



CIP: Capital Improvement Program
 GSF: gross square feet

Source: Department of Public Safety and Correctional Services

Montgomery County Criminal Justice Complex

This project will replace the existing Montgomery County Detention Center (MCDC) with a new facility focusing on improving core detention processes and expanding deflection and diversion programming. A 2014 Master Facilities Confinement Study concluded that replacement would be more cost effective than renovations. The study also concluded that bedspace was sufficient for the county overall, but maintenance needs and specialized space needs required improvement. In the fourth quarter of fiscal 2022, MCDC only had 6 specialty beds available out of 135 total, and many more individuals are in need of mental health, substance abuse, and stabilization areas as MCDC operates as the county’s central processing facility for intakes.

Fiscal 2024 is the first year this project has appeared in the Local Jails and Detention Centers Grant Program. To begin planning, the project is anticipated to need \$1.3 million in State funds. However, the estimated \$77.2 million total project cost would require \$38.6 million in State

funds by the project conclusion. **Exhibit 8** displays all anticipated funding needs for this project, which are split evenly between the State and local government.

Exhibit 8
Montgomery County Criminal Justice Complex
State and Local Funding
(\$ in Millions)

Fund Uses	Prior Appropriation	Fiscal 2024 Request	Future Estimated	Estimated Total
Planning	\$0.000	\$2.572	\$4.564	\$7.136
Construction	0.000	0.000	68.755	68.755
Equipment	0.000	0.000	1.300	1.300
Total	\$0.000	\$2.572	\$74.619	\$77.191

Fund Source				
State: 50.00%	\$0.000	\$1.286	\$37.309	\$38.595
Matching Fund: 50.00%	0.000	1.286	37.310	38.596
Total	\$0.000	\$2.572	\$74.619	\$77.191

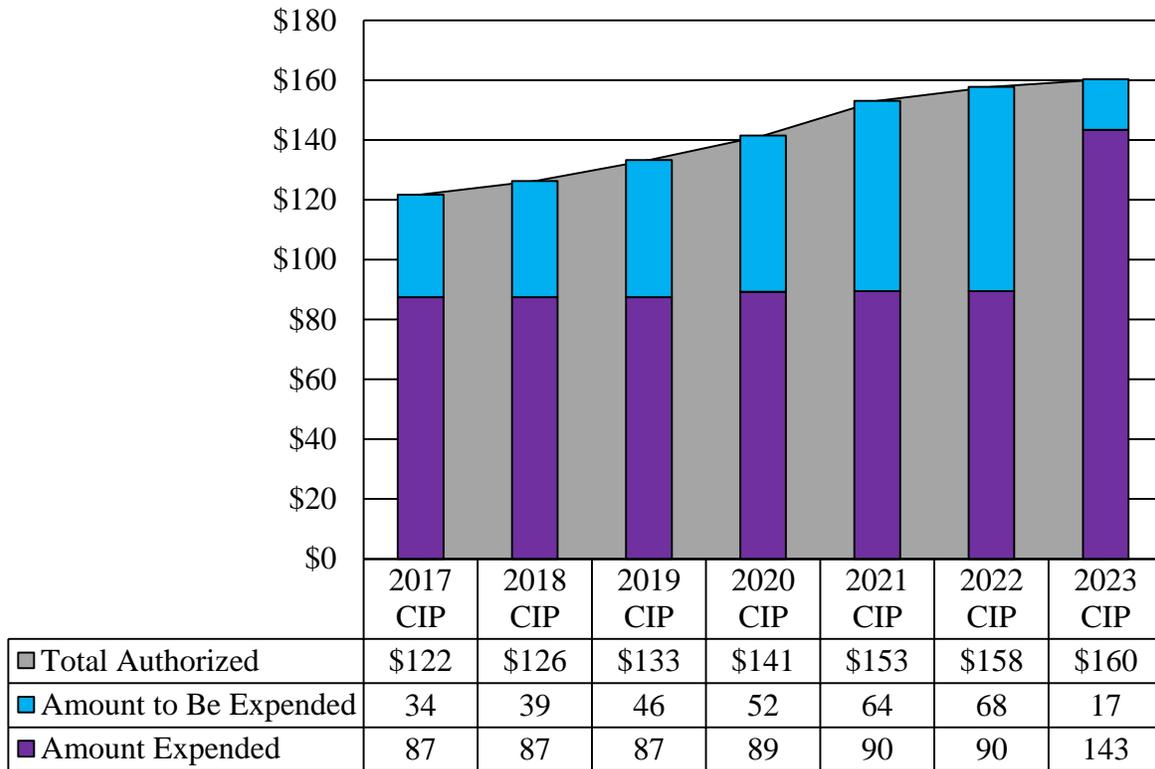
Source: Department of Budget and Management

Montgomery County has been considering renovations to the detention center since fiscal 2003 when the county’s correctional facility (for longer sentences) opened. The detention center was planned for reuse, and funds were added in fiscal 2009 to support project planning. However, the county canceled the project following the 2014 study that indicated renovations and ongoing maintenance requirements would be more costly than a replacement facility. The cost is much higher now due to the project replacing existing space rather than renovating it as well as the additional cost of replacing outdated facility systems that were not part of the original scope.

Updates

In the 2022 session, DLS noted a significant unspent portion of previously authorized spending for the Local Jails and Detention Centers Capital Grant Program. Project spending stagnated from the 2017 CIP to the 2022 CIP, as shown in **Exhibit 9**. In a few cases, projects were completed, but the local jurisdictions did not claim their State grant for reimbursement in a timely manner. Following efforts to coordinate local reimbursements, DPSCS successfully reduced the unexpended balance by 75%. Currently, \$16.9 million in prior authorizations (11% of total) remains to be expended, and \$16.4 million remains to be encumbered. **DPSCS should comment on each project with funds remaining to be encumbered and the estimated timeline for expending the State-provided resources.**

Exhibit 9
Local Jails Authorized Grant Spending
2017 CIP through 2023 CIP
 (\$ in Millions)



CIP: *Capital Improvement Program*

Source: Department of Public Safety and Correctional Services

Program Description

The CIP includes matching grants to the counties for design, construction, and capital equipping of local jails and detention centers. By law, the State funds 50% of the eligible capital costs to design, construct, and capital equip the construction of new or expansion of existing local detention centers. If a county can demonstrate that additional bed, programming, and support space are necessary to accommodate offenders serving between 6- and 12-month sentences, then the State provides 100% of funding for that portion of the project.

DPSCS processes the local applications for State funding and determines the portion of the project cost eligible for State participation. State funds may only be used for costs directly related to incarceration. 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. The amounts recommended are based on the most recent information provided to the State by the counties. These facility improvements are funded to the extent that they conform to standards established by DPSCS, the Department of Budget and Management, and the Department of General Services.