

JOINT SUBCOMMITTEE ON PUBLIC
SAFETY

JAILS BRIEFING
JUNE 16, 2009

DEPARTMENT OF CORRECTIONS

JAILS REVIEW PROCESS

1996 Jails Moratorium Declared

1. LEGISLATIVE EXEMPTION

- Must be submitted as a budget amendment to allow submission of planning documents to DOC

2. COMMUNITY BASED CORRECTIONS PLAN

- DOC review for approval by BOC
- Provide alternatives to incarceration; Justify need for beds

3. PLANNING STUDY

- DOC review for approval by BOC
- Cost, Design and Staff efficiency, Standards/Code compliance

4. STANDARDS MODIFICATION REQUESTS

- To BOC by locality

5. DESIGN REVIEW

- At 35% and 95% completion
- Cost, Design and Staff efficiency, Standards/Code compliance

JAILS REVIEW PROCESS (CONT.)

6. VALUE MANAGEMENT ANALYSIS

- At approx. 35% design (Independent)
- Cost, Design and Staff efficiency

7. CONSTRUCTION DOCUMENT REVIEW

8. COST INCREASE REQUESTS MUST BE MADE, ANALYZED AND APPROVED BY BOC

- Completion: Final inspection

9. CONSTRUCTION

- Midpoint: Inspections Begin – verify compliance with Standards

10. REVIEW FOR REIMBURSEMENT

- Review for legitimate costs, overages and complete documentation.
Reimbursement recommendation is UP TO 25% or 50%
- Authorization of reimbursement by Secretary of Public Safety

JAILS REVIEW PROCESS (CON'T.)

11. REIMBURSE (TREASURY)

12. OPERATIONAL AUDIT (6 MONTHS AFTER
OPENING)

13. OPERATIONAL AUDIT (1 YEAR AFTER
OPENING)

- FIRST OF ONGOING TRIENNIAL AUDITS

14. UNANNOUNCED LIFE, HEALTH AND
SAFETY INSPECTIONS

COMMUNITY-BASED CORRECTIONS PLAN

- Submitted to the Board of Corrections by March 1st biennially in odd-numbered year to be considered for the next budget.

Requirements

The Community-Based Corrections Plan shall include:

- Offender population data
- Existing facility (ies) and alternative programs
- Availability of law enforcement, commonwealth attorney and judicial officer services

COMMUNITY-BASED CORRECTIONS PLAN REQUIREMENTS (CONT.)

- Need for additional resources
- Locality or region-specific jail population forecast
- Proposed facility size
- Address Board of Corrections priorities
- Description of the existing jail (s) in the project
- Jail-based inmate programs and services
- Currently operating alternative programs

PLANNING STUDY REQUIREMENTS

- Synopsis of number of beds required and approved in CBCP
- Schematic floor plan
- Schematic building evaluations and building sections
- Planned operating programs
- Site data and site plan
- Project description and rationale
- Analysis of staffing
- Energy analysis
- Detailed construction cost estimate
- Time schedule for planning, construction & occupancy

Reimbursement up to 25% single jurisdiction and up to 50% for regional

JAIL CELL SIZE

	Total Square Feet (sf)	Unencumbered Square Feet (10+ hours confined to cell)
Single cell (Jail Standard)	70 sf (Jail Standard)	36 sf/person (estimated)
Double cell (Jail Standard)	115 sf (Jail Standard)	39 sf/person (estimated)
Double cell (ACA Standard for Jails)	106 sf (estimated)	35 sf/person (ACA Standard for Jails)

PRISON CELL SIZE

	Total Square Feet (sf)	Unencumbered Square Feet (10+ hours confined to cell)
Double Cell (GROC & Pocahontas)	82 sf (actual)	30 sf/person (actual)
Double Cell (ACA Standard)	82 sf (estimated)	25 sf/person (ACA standard for Prisons)

Operational Capacity Rating

- The operational capacity is determined by DOC based upon the number of inmates that can safely be housed considering square footage, housing type, and building codes.
- **Single cell** – 1 bed, cell must be a minimum of 70 feet
- **Multiple Occupancy Cells** – 1 bed for first 70 square feet of floor space and 1 bed for every additional 35 square feet
- **Dormitory** – 1 bed for every 85 square feet of floor space excluding toilet/shower area

OPERATIONAL CAPACITY RATING (CON'T.)

Housing Units

- Jails with an operational capacity of <250 inmates shall have no more than 24 inmate beds per housing unit.
- Jails with an operational capacity of >250 inmates shall have no more than 48 inmate beds per housing unit.
- There shall be a minimum of 1 shower and toilet for every 15 inmates.

The operational capacities for jails built prior to 1988 are based on the standards that were in effect at time of construction.

JAIL OVERCROWDING DEFINED

- In 1995, jail overcrowding (for jail construction and expansion purposes) was defined as a jail having an average daily population of 25% over its rated operational capacity for one year or more.
- Since 2000, jail overcrowding (in order to obtain an exemption from the Jail Moratorium) has been defined as a jail having an average daily population of 50% or more over its rated operational capacity (not including federal inmates or inmates held for another locality) for one year or more.
- For Compensation Board requests for Emergency Staffing, jail overcrowding is defined as a jail having an average daily population (not including federal inmates or inmates held for another locality) of 100% or more over its rated operational capacity for more than one year.

INMATE PER DIEM

- \$8.00 per day for locally responsible inmate;
- \$14.00 per day for state responsible inmate after the 91st day past sentencing; and
- \$28.00 per day for state responsible inmate;
 - by agreement,
 - work release (+room and board),
 - or reentry.
- \$28.00 per day for jail contract beds (500)

INSPECTION/AUDIT PROCESS

- Conduct unannounced annual inspections of the jails and lockups.
 - 76 jails and 21 lockups
- Conduct triennial audits of jails and lockups.
 - 122 jail standards
- Review corrective action plans, if required.
- Investigate complaints by inmates and/or their families.
- Review serious incident reports.
- Prepare an annual report on the status of jail construction and renovation projects.

INSPECTION/AUDIT PROCESS (CON'T.)

2008 – 35 Jails and Lockups were audited
22 were 100% compliant with Minimum
Standards

Of those not 100% compliant, most frequent issues
were:

- * Verification and documentation of work release inmates' location not consistent.
- * Accountability and inventory of keys not consistent during the audit timeframe.

ISSUES

- BOC is in process of reviewing Minimum Operational Standards for Jail
- BOC has established a committee to consider Minimum Standards for Jail Construction
- Should current process for exemption from the moratorium be reviewed?
- Operational Capacity for jails does not include double bunking
- There is no consistent, accepted definition for “overcrowding”