



A GUIDE FOR NEW SHERIFFS AND
JAIL ADMINISTRATORS

SUCCESSFUL TRANSITION TO JAIL OPERATIONS





FOR THE NEW SHERIFF OR JAIL ADMINISTRATOR

We developed these recommendations from our considerable experience both as former jail and correctional administrators, who have faced these issues, and as correctional consultants, who have assisted sheriffs, jail administrators and prison directors since 1974. We have found that a new administrator is at risk of failure if these functions are not operating properly or if they are inconsistent with the expectations of appointing authorities and elected officials.

This document is designed to guide you to success. Carefully review the critical areas we have laid out and identify your system's issues and concerns that require immediate action. Perhaps, most importantly, initiate the steps from this document early in your tenure.

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INTRODUCTION

At CGL, we know how daunting assuming the leadership of a jail system can be for a new sheriff or new jail administrator. Bearing responsibility for the community jail comes with many unique challenges. There are over 3,000 jail facilities in the United States that are as diverse as the communities they serve. As such, you will be immediately presented with many complex problems, like – underfunded operations, overcrowded facilities, poor staff recruitment and retention, and deteriorating physical plants. As the incoming administration, you will be expected to immediately have solutions and plans of action to correct each of these complex problems.

CGL is here to help. We have unparalleled experience in all facets of the justice system. Since 1974, we have worked with every type of justice system across all 50 states and 22 countries. We have compiled our expertise in the following, easy-to-read document to help you create a plan of action, take control, and make unprecedented strides in your facility and operations. The guidelines and suggestions in this document will provide you with expert advice, actionable insight, and industry best practices on how to run your facility.

Our experts will help you navigate a range of common issues, including:

- Protecting civil rights and basic human needs
- Underfunding and/or the need to reduce funding
- Managing overcrowding
- Expanding services and space for special needs populations
- Misclassification of the population due to housing option limitations
- Mitigating risk and reducing claims

- Staff shortages due to inadequate staff recruitment and retention and/or non-competitive salaries
- Physical plant deterioration due to deferred maintenance issues

By examining these issues, you will be able to develop long-term solutions for very complex and pressing challenges.

Of course, an essential first step is to understand the role of your facility within your community and its current state of operation and condition. In all likelihood, based on our experience, you will face more than one of the issues noted above. You're not alone. In reality, many county jails share similar challenges, but in order to develop and implement effective policies and practices, you must take an honest look at your facility and operations. When you do so, you can analyze your jail and position yourself for success in strategically operating your facility through the challenges that lay ahead.

Each chapter will review these functional areas and provide an overview of their importance for the success of your jail. As you read, you will also find examples on how CGL developed our recommendations and approaches, as well as citations from national guidelines that dictate operational practices. All of this is carefully gathered and presented to maximize positive outcomes for your jail.

Think of this document as your tool to understanding the complexities of your jail and a guide to help you improve overall operations, while enhancing your ability to affect change in the areas that lead to success.

Ready? Let's get started.



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Chapter One: Getting to Know Your Jail

HOW DOES A JAIL DIFFER FROM A PRISON?

Understanding your jail and how it differs from a prison system will help guide your decision making and understanding of the needs within your agency.

Prisons and jails both protect the public through the safekeeping of inmates, but each has a different mission. State prisons generally hold only persons convicted of crimes who have been sentenced to more than one year of confinement. Jails generally hold individuals awaiting trial and short-term convicted inmates. There are, however, many exceptions to these generalizations, depending on state law.

Prisons usually have a variety of programs for inmates (industries, vocational, educational, counseling, religious, etc.). Prison programs are easier to deliver when compared to a jail due to longer incarceration periods, similar classification of inmates, different facility designs, and different supervision requirements. Jails do offer some programs, but are challenged due to the shorter time frame individuals remain in custody, a large variety of different inmate classifications, stricter security requirements, and lack of programming space.

In the 2004 *Resource Guide for Jail Administrators* publication by the National Institute of Corrections, a jail is defined as a resource used to address the need for detention at various points in the criminal justice process. Jails serve multiple law enforcement agencies in the community including the local police, sheriff, state police, conservation officers, and federal authorities. Jails also serve prosecutors, the courts, and probation and parole agencies.

The jail responds to many needs in the criminal justice system and serves an integral role within that system. These needs are dynamic and influenced by the policies, practices, and philosophies of the various users of the jail. The jail administrator must understand the full range of these needs and be cognizant of the policies and practices that significantly affect the composition of the jail population and the demand for bed space. Periodic assessments of how well the jail is meeting the needs of the local criminal justice system should be conducted to determine if and when additional resources are needed or can be reallocated within the jail operation.

Think of a jail as a city within a city and you as the administrator are the mayor. You do not have much control over who comes to jail. Every individual that gets arrested in your county male, female or those who don't identify with a particular gender; juveniles charged as adults (or as specified by state law); adults of any age; individuals with varying mental and physical capacities; and individuals at every custody level will come to your jail. As the repository, your jail needs to be able to accommodate every challenge presented. As the mayor, you become responsible for the care, custody, and management of all individuals during their incarceration while they await the processes of the criminal justice system to determine their future.

CONSTITUTIONAL RIGHTS

There is no doubt you will be confronted by community members who complain that jails are too comfortable and have more amenities than some individuals experience at home; all at the expense of law-abiding taxpayers. But, the fact is that individuals do not lose all of their rights upon incarceration.

As a new sheriff, you will be confronted with this scenario from constituents that don't understand the Constitutional guarantees and basic human needs afforded to all human beings. That's not saying there should be free cable television, gourmet meals and air conditioning for every inmate. But there are guarantees established in case law that dictate basic conditions of confinement for how jails and prisons operate.

The below chart is a list of several Rights (not all) that need to be understood and procedures built around to ensure every individual is afforded these Constitutional guarantees. These are the Rights your staff will encounter on a regular basis and how they apply to your jail operation. Legislation at the federal and state levels continuously evolve. From our experiences, CGL recommends regular reviews of your written policies and procedures and evaluating them against the practical application.

1st: Religion - Speech - Press	<ul style="list-style-type: none"> • Religious services for all denominations • Religious texts for all denominations • Religious diets and worship items • Religious holiday observance 	<ul style="list-style-type: none"> • Mail procedures • Access to publications • Censorship of materials • Visitation • Access to media
4th: Unreasonable Search & Seizure	<ul style="list-style-type: none"> • Frisk searches • Strip searches • Body cavity searches • Cell searches 	<ul style="list-style-type: none"> • Urinalysis testing • Contraband • Property procedures
5th: Self-Incrimination	<ul style="list-style-type: none"> • Investigative procedures • Law enforcement interviews 	<ul style="list-style-type: none"> • Attorney access
6th: Access to Courts	<ul style="list-style-type: none"> • Access to courts • Access to attorney • Due process • Pro se inmates 	<ul style="list-style-type: none"> • Law library access • Legal mail • Privileged mail
8th: Cruel and Unusual Punishment	<ul style="list-style-type: none"> • Excessive bail • Use of Force • Conditions of confinement • Deliberate indifference 	<ul style="list-style-type: none"> • Medical Care • Food Service • Recreational/leisure time activities • Out of cell time
14th: Due Process and Equal Protection	<ul style="list-style-type: none"> • Disciplinary procedures • Appeal processes 	<ul style="list-style-type: none"> • Ability to call witnesses • Due process

MEETING BASIC HUMAN NEEDS

Each Sheriff and jail administrator has a duty to protect the inmates under their care, custody and control by meeting their essential human needs. Substantial deference is given to each sheriff and their command leadership regarding how best to protect all inmates, staff and visitors while maintaining institutional safety, security, order, discipline and control. Every jail operation shares the same responsibility to ensure the jail procedures and supervision meet each individual's

basic human needs; e.g. physical needs, safety needs, social needs and emotional needs. While the Constitution does not mandate jails to be comfortable, it does not permit inhumane ones [Farmer v. Brennan, 511 U.S. 825, 832 (1994)]. The Eighth Amendment to the Constitution prohibits cruel and unusual punishments; whereby, incarcerated individuals have a basic right to receive adequate food, clothing, shelter, and medical care.

CONDITIONS OF CONFINEMENT

Conditions of confinement is an area often challenged by individuals incarcerated and relate to the Eighth Amendment of Cruel and Unusual Punishment. Since 1991 (Wilson v. Seiter, 111 S. Ct 2321), cruel and unusual punishment occurs when conditions are so bad as to amount to the "wanton and unnecessary infliction of pain" and evidence shows the responsible officials are deliberately indifferent to those bad conditions.

In legal challenges of conditions of confinement, the courts focus on the "effects" the deficiency has on the inmate in meeting their basic human needs. As in the case cited above (and others) these conditions include, but are not specifically limited to: personal safety (violence in the facility); medical care; food; shelter; exercise; sanitation; and clothing.

An overcrowded jail is not necessarily unconstitutional, but circumstances and factors coupled with an overcrowded jail make the facility susceptible to constitutional attack. Factors such as philosophy and quality of management; leisure time activities and out-of-cell time; the amount of staff; and a poor classification system of housing, all have been used in legal challenges about conditions of confinement. Later in this guide, we introduce other factors to consider in the larger context of evaluating conditions of confinement.



Chapter Two: Key Operational Considerations

PLANNING FOR SUCCESS

Performance and operational reviews provide an objective assessment to demonstrate how well a jurisdiction manages its jail operations and programs. These reviews address the jail's operational and program effectiveness, as well as its efficiency as a whole. They require comprehensive knowledge about detention system management and operations as well as extensive technical expertise in how to conduct performance reviews. The following are critical steps to perform as you assume responsibility of your detention system:

STEP 1

Validate and Assess – Where are you now?

Collect and analyze data that documents your current system conditions, which will provide an accurate assessment of system performance. This entails a review of existing reports, data systems, policies, and operational practices, as well as any available data on program performance.

STEP 2

Document Management Objectives – Where do you want to be?

Once you grasp the current conditions, move into documenting the jail's performance priorities of anyone who has a stake in the system. This will show you how alternative governance systems may affect your ability to achieve objectives.

STEP 3

Gap Analysis – What's holding you back?

The next step is a gap analysis of the disparity between management objectives and current conditions. This analysis focuses on any inconsistencies between current organizational structures and stakeholder objectives. Then, assess the relative impact that the other organizational alternative under consideration will have on overall system performance.

STEP 4

Best Practice & Benchmark Analysis – How do you stack up to current industry standards?

A review of current and emerging best practices in criminal justice operations and management provides context and "benchmarks" for a comparative analysis.

STEP 5

Provide Informed Solutions – What are your best options available?

During this final stage, the extensive data you have collected, along with the analysis you performed, will combine to produce comprehensive, informed recommendations complete with rationales, cost/benefit analysis, fiscal impact, and implementation plans to improve operational performance. The analysis will answer the following key questions:

- **Accountability:** Does the system of oversight establish clear parameters and direction for management while holding administrators accountable for operations, policies, programs, and spending decisions?
- **Transparency:** Are policy and operational issues clearly communicated internally and externally?
- **Cost-effectiveness:** What system provides the most effective oversight and control over spending and revenue generating activities?
- **Support:** How can administrative and ancillary functions be provided efficiently and effectively?
- **Performance:** What system provides the most effective support to achieve operational program objectives?

As you begin to make decisions about jail operations, it's important to understand the complexities and areas that create concern when improperly monitored/managed. The following section highlights areas of significant importance in proper jail management and why they are important. Other than litigious concerns, each of these areas, when properly implemented assist with inmate management; reducing inmate violence, reducing opportunities of victimization, increasing opportunities for rehabilitation and reducing costs of facility management.

ADMISSIONS AND RELEASE

The admissions (intake) and release area of every jail facility is one of the most critical and high-risk areas within the facility, and in many jurisdictions, the two functions are often designed to share space. This area is the point at which individuals flow into and out of the facility and the point at which the facility is exposed to many influences. New arrests and persons recently admitted to a jail facility pose a higher concern for jail officials. These individuals are at a higher risk for suicide ideations and tendencies, especially within the first 24 to 72 hours of incarceration; new arrestees have a higher potential for being under the influence of unknown narcotics or alcohol and need to be placed on withdrawal protocols; these individuals have a propensity to overdose due to ingestion of unknown or combined substances prior or subsequent to arrest;

and finally, these individuals have a higher incidence of diagnosis of various medical ailments and/or chronic disease. As an entry point into the jail facility, this is one of the most vulnerable areas by which contraband is introduced into the facility; contagious diseases or infections are introduced into the population; and staff become exposed to unknown risks such as weapons, contagions, or lethal substance contact (e.g. fentanyl).

With all of these elements taken into consideration, the admissions function holds many requirements for administrators to be cognizant of and ensure systems are in place to protect the rights and needs of the newly introduced individual. As many jail facilities are designed, the admissions area usually contains temporary holding cells, deplete of living amenities,

whereby limiting the amount of time an individual can remain for processing. In this short amount of time, jail officials need to:

- Search the individual to maintain the integrity of the facility's security and safety
- Safely secure the individual's personal belongings
- Accurately identify the individual
- Determine an individual's immediate needs and vulnerabilities
- Screen the individual for both medical and mental health needs
- Process the legal custodial charging documents
- Determine the individual's initial custody and housing needs
- Provide release and bail information (as applicable to jurisdiction)
- Provide the individual with telephone access to arrange release, notify family, and/or to manage personal responsibilities such as child care
- Provide orientation to the facility
- Advise the individual about personal protection and reporting while in custody
- Change the individual into jail clothing

While the responsibility might differ slightly by jurisdiction, many of these responsibilities are similar and important. The admission process into the jail is the first opportunity for the jail staff to identify how best to manage the newly admitted individual. Information accuracy is a vital element as the individual enters the criminal justice system. Mistakes or missteps in this area create problems for the entire criminal justice system with wrong identities, incorrect charges, incorrect bail amounts, criminal history information becomes corrupted, etc. These inaccuracies at times cause delays in the processing, court appearance, and release of an individual.

At the end of an incarceration, the release processes mimic many of the above processes to ensure the correct individual is getting released at the appropriate time, with the appropriate belongings, medication needs, and discharge paperwork.

For many jails, the admissions and release operations are areas of concern with the high propensity for mistakes that create problems for administrators. Inadequate staffing levels, poor facility designs, inefficient operating procedures, and inappropriate screening instruments are all areas that need to be evaluated to determine how to improve operations in these areas.

CLASSIFICATION AND INMATE HOUSING

One of the most important aspects for jail administrators is managing risk at different levels. Jail administrators recognize the need to allocate limited resources (financial, physical, and programmatic) to carrying out the organization's mission of protecting those who work and reside in the facility.

With the variety of individuals that a jail encounters on a daily basis, the use of an objective classification system is critical to effectively assign inmates to housing areas that are consistent with their security and safety needs. Objective jail classification is a widely recognized management tool available to jail administrators to aid in risk management of the inmate population. It is designed as a means for enhanced consistency and equity in decision making through risk identification, managed housing assignments and need delivery.

By matching custody levels with an inmate's level of risk, classification systems help to minimize the potential for facility violence, escape, and institutional misconduct. Accurate classification ensures the allocation of valuable high-security beds to the individuals that require a higher level of oversight. Classification systems also assess inmate needs and ensure that they are placed in appropriate programs based upon their criminogenic risks and needs. A properly functioning classification system, in effect, acts as the "brains" of detention system management. Detention systems typically conduct classification assessments of inmates as they enter the detention system. This is to ensure they receive a level of security commensurate with the risk they present and to identify their program or treatment needs. Inmates will then receive periodic

reclassification reviews during their incarceration that may result in changes in their security classification, based upon their conduct and behavioral record within the system. It is essential that an objective jail classification system include the use of accurate, or valid, criteria to assess an individual's custody level. This criterion must then produce consistent, or reliable decisions. *As a note: when we use the term validity here, we are referring to how accurately the classification system predicts an inmate's behavior and assigns him/her to an appropriate risk level.*

The classification system must predict an individual's risk to self, others, staff, risk of escape, and to the public. The system should classify individuals relative to their propensity to comply with institutional rules and regulations, commit acts of violence, and/or to attempt escape while incarcerated. *Another note: reliability refers to consistency in making classification decisions. A reliable system should consider whether the same decision will be rendered if the classification assessment is repeated by the same or a different staff member. In general, the more complicated the classification process, the less reliable it will be. An unreliable classification instrument will not produce valid results.*

Jail systems are increasingly using classification or risk assessment instruments for key decisions on inmate management. For example, classification instruments may identify inmates that qualify for pretrial release programs or those prone to victimization while incarcerated so the appropriate housing assignment can be determined.

STAFFING AND ROSTER MANAGEMENT

The most expensive part of running a jail is the cost of personnel; it is another one of the most critical factors driving operational performance. Appropriate staffing affects employee and inmate safety, facility operations, community security, and your yearly operating budget. Having the right number and type of personnel in your facility should be one of your top priorities. A thorough review of system staffing requirements provides the following benefits:

Improving Management and Control

Are staff members deployed in the proper locations and at the optimal time? As with many questions concerning a jail staffing requirements, the answer depends on the facility. A staffing study evaluates facility posts and, based on multiple factors specific to your facility and/or program, identifies if they are being prioritized appropriately to ensure safe and efficient operations. Detention facilities and programs are not one-size-fits all, and neither are their staffing needs.

Documenting and Justifying Resource Needs

One of the biggest obstacles of budgeting and capital planning is being able to defend and justify resource needs. An independent staffing assessment helps you evaluate those needs and arrive at staffing decisions that are purposeful, informed, and defensible. The research and findings gathered during the assessment arms you with the comprehensive, accurate data you need to support your resource goals and objectives.

Assessing System Risks and Identifying Necessary Security Improvements

Do your shift rosters and deployment practices enable facilities to operate in a manner that is consistent with their institutional missions, department policy, and accepted principles of jail management? Are additional posts required to improve security or facility operations? Performing a staffing assessment will provide clarity.

Reducing Staff Overtime

In addition to being costly, excessive overtime can lead to job dissatisfaction among personnel and eventually even resignations. The best way to prevent this is to have a well-thought-out post plan in place. A staffing study lays the framework for intelligent post planning. By analyzing multiple factors – including the current staffing level and normal operating practices, to name only a couple – this helps define acceptable levels of overtime utilization that will help you identify the possible remedies and resources at your disposal.

Improving Personnel Effectiveness

Performing a professional assessment of your facility staffing may reveal important elements that are missing or in need of modification, some of which can have profound impacts on the effectiveness of personnel. The results of a staffing study may identify an inefficiency or area of weakness that can be remedied through additional staff training or resolved completely through the introduction of new technology, thus freeing up staff for more critical responsibilities or post assignments.

Saving Money

The most expensive part of running a jail over the course of its life is the cost of personnel. Changes in factors that affect staffing requirements, such as classification levels, inmate programs, new procedural mandates, or institutional missions, may require modifications in staff deployment or policies to ensure the most efficient and effective use of resources. Over time, distortions in staffing practices may develop. Without regular staffing reviews, these distortions can grow to have profound consequences on the efficiency of your personnel, the safety of operations, and your bottom line. That's why even the most successful staffing policies and plans require ongoing review and analysis.

DISCIPLINE AND RESTRICTIVE HOUSING

In the past decade, nation-wide research drove discussions and changes to the way inmates are confined and whether or not isolation has any consequential purpose in a correctional setting. Both jails and prisons are reviewing the effects that conventional inmate discipline and segregation systems have had on the mental stability of those segregated.

The basic purpose of inmate discipline is to enforce compliance with regulations that govern inmate behavior to protect the safety of others, safeguard the security of the facility and maintain order. Instilling discipline is one of the critical roles of jail facilities, but how this gets accomplished in each facility is highly dependent upon the regulations put in place. There are many court cases that govern disciplinary processes

within jail facilities and well-established policies and procedures based upon these guidelines help to minimize liable exposure.

Assessing your inmate discipline procedures to understand how your jail employs its use of corrective action is essential to ensuring discipline is fair and consistently applied, while maintaining inmate rights. Such reviews should identify the differences between formal and informal corrective actions and the application of the basic guidelines under *Wolff v. McDonald*, 418 U.S. 539 (1974).

INMATE GRIEVANCE PROCEDURES

Assessing inmate grievance procedures is another operational necessity in reducing the jail's exposure to frivolous liability.

In 1995, Congress passed the Prison Litigation Reform Act (PLRA) that placed several restrictions on the ability of inmates to file lawsuits based on the conditions of confinement. Most notably, the PLRA established a strict exhaustion requirement by which "No action shall be brought with respect to prison conditions by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Therefore, having a well-defined inmate complaint process that enables inmates to express their grievances aids in minimizing liable exposure. The PLRA does not specifically dictate the parameters of the administrative process; however, the Supreme Court has held that the inmate must exhaust whatever administrative process the facility has in place.

Having a well-defined inmate grievance process essentially gives you several "bites at the apple" to rectify a complaint or explain your administrative position on a

matter before a situation becomes litigious. Evaluating your grievance system will help determine how well-positioned you are in protecting the agency against frivolous lawsuits. Such evaluations should review:

- The complaint process
- Ease of accessing the complaint process
- Ability to appeal decisions
- Final authority on decisions
- Documentation of the entire complaint process
- Disparity in answering complaints
- Seriousness in which staff take the complaint and respond
- Tracking to monitor and manage complaint trends

ORGANIZATIONAL STRUCTURE AND FUNCTIONAL RELATIONSHIPS

Jails and law enforcement organizations operate through a chain of command structure that determines the flow of information through the system, establishes where decision-making authority resides for different functions, and identifies the means used for ensuring accountability. Jails differ in organizational cultures when compared to law enforcement because of the institutional culture within the jail. The flow of information circulates amongst staff, but also through the inmate population and those that frequent the jail for business (attorneys, contractors, maintenance staff). Therefore, much attention is needed in clearly defining roles and communication lines when implementing your objectives. An organizational structure that is responsive to your direction while still providing the discretion for managers to manage is essential.

The jail, especially within a sheriff's department, is part of a larger organization that has a series of support functions for the daily operations and personnel needs (e.g. human resources, records, finance, criminal investigations, etc.). However, within itself, jails have the need for a functioning support structure to ensure it meets the need of the agency, while maintaining the ancillary functions of institutional security beyond the day-to-day operating staff. Ancillary functions such as:

- Training needs of all personnel (sworn corrections staff and civilian personnel)
- Security control systems (keys, tool control, ingress and egress management)
- Policy and procedure development
- Facility maintenance liaison (if not part of the same organization)
- Contractor oversight for support services (medical, mental health, food service, telephones, television services, visitation, commissary)
- Accreditation and accountability systems

Assessing the organizational structure will determine how well the jail and its associated functions support the mission and performance of the department. The assessment should identify organizational changes, policies, resources, or other measures required to attain a high- level of effectiveness and efficiency. The review should ensure that current organizational structures meet the following criteria:

- Related functions grouped within the same organizational entity
- Clear lines of authority and accountability
- Efficient ratios of supervisors to line staff, including supervisory control over three to ten direct reports, and few (if any) one-on-one reporting relationships
- Effective use of outsourcing functions and contracted staff for service delivery, business risk, and cost
- Appropriate use of information technology
- Absence of non-mandated/nonessential services
- Use of sound resource allocation and scheduling techniques
- Appropriate balance between workload and staffing levels
- Use of routine management and operational reports that incorporate appropriate performance measures

In many counties, jails are one of the largest consumers of public resources. Taxpayers demand a high level of efficiency and professionalism in the administration of these systems. Optimizing the organization and management of your department is an essential step toward meeting these expectations.

RISK MANAGEMENT AND MITIGATION

Claims against the agency and county is a common occurrence in a jail facility and can be very costly. Having a risk management system by which administrators can identify situations and areas that create unnecessary liability is the first step in mitigating risk.

Much of this chapter focused on key operational areas that need to be considered when evaluating your jail. The first section discussed the collection and analysis of data to assist in determining your problem areas. These data sets are most often contained in the facility's jail management system or manually captured within each operation.

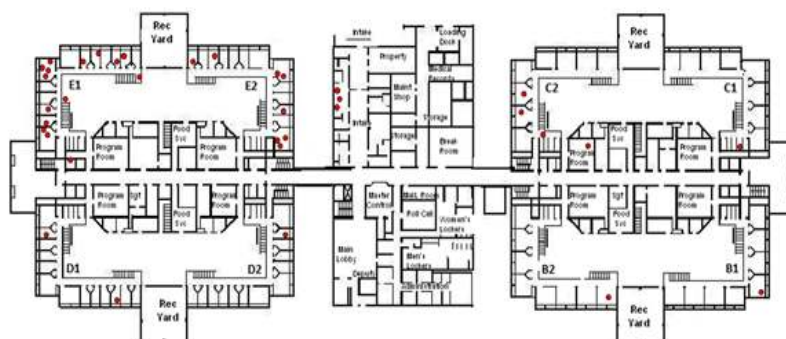
Another set of operational data that proves to be an effective management tool is developing a trend management system based upon incidents and events that occur in the facility. Analysis of this data identifies trends in which to focus more attention to mitigate risk. For example, in law enforcement, officials use geo-mapping technology to identify crime patterns and areas where to increase patrols in an effort to deter crime. Similarly, jails have the ability to use similar geo-mapping techniques to develop "hot spots" within the jail and identify where to focus attention. Jail geo-mapping techniques can be used to identify and track:

- Where and when violence is occurring within the facility;
- Where and when most incidents of force occur and those involved;
- The type of inmate injuries and locations they occur most frequently;

- Where staff injuries occur and the type of injury;
- The areas of the facility that generate the most inmate complaints and types of complaints;
- Where sexual assaults or PREA related allegations occur most frequently;
- Where and when suicide attempts occur;
- And any number of other significant events that drive concern or generate claims.

These data sets can be visually represented in facility pin-mapping, heat mapping areas of the facility, or graphically through charting, based upon the user's preference.

Once established, administrators can quickly identify growing trends within the facility and respond accordingly to mitigate risk. For example, one South Florida facility used this technique to reduce the number of claims received for inmate injuries. The jail mapping technique quickly identified two prime areas for inmate injuries; inmate workers in the kitchen and slip and fall incidents climbing in and out of the upper bunks. This information allowed the facility management to develop solutions to mitigate both areas and reduce the number of claims generated monthly. Solutions to mitigating risk are endless once administrators are able to clearly identify the need for intervention. At CGL, we believe knowledge is power, whereby creating opportunities for solutions.



Sample geo-mapping technique identifying incidents of inmate violence over a six month period of time.



Chapter Three: Key Facility Considerations

ASSESSMENT OF THE JAIL'S CAPACITY BY FUNCTION AND SECURITY LEVEL

The changing dynamics of jail populations requires a careful and ongoing assessment of how to best use the system capacity to meet security and program challenges. With a focus on diverting low-level, non-violent offenders out of custody, many jails are left to house a population that is predominantly characterized by inmates with serious, violent charges, which poses significant management issues. In many cases, facility capacity was not designed to manage inmates of this risk level. Such an environment requires a thorough evaluation of management and program strategies to hone in on the best use of existing facilities and/or to determine how they may be modified to adapt to changing missions and security requirements. Jails built in the 1980s and 1990s (or even older) were designed for a different population and under different operating philosophies than those we see today.

Jail administrators are seeing a complex dynamic of population challenges with the increase of those

with special needs; which dictate unique approaches to management and security. Such populations include female inmates, transgender individuals, the geriatric population, inmates with mental illness or developmental disabilities, inmates with chronic illness or in need of assisted living, youthful offenders, violence-prone inmates with severe behavioral issues, lifers, inmates in need of protective custody, and condemned inmates. These different groups have disparate housing, program, and security needs that must be taken into account when assessing the types of capacity and operations required for effective system-wide management.

A thorough assessment of system resources provides administrators with a precise understanding of the tools at their disposal. These tools allow them to address capacity needs, as well as options to modify the system to better address security, program, and operational requirements.

CURRENT COSTS OF MAINTAINING INSTITUTIONS

We know you face significant challenges in managing the varying components of your jail. You need solid research, comprehensive analysis, and reliable forecasting techniques to make educated policy decisions. This is not as simple as asking, "What will the future jail population be?"

You need to know:

- What are the reasons behind population changes?
- How will future changes affect the system?

- What are the unique populations affecting the population change?
- How can different policies influence the forecasted population?

These are important questions and their answers form useable population projections - a foundation for jail facility policy development. Start your planning and management strategy with a careful, comprehensive examination of the many factors at work in the local criminal justice system. Understand how these factors share a relationship and influence each other. A variety



of complex factors are taken into consideration when analyzing the dynamics of a jail population. A jail's population is significantly different than a prison facility population in that a jail receives all arrests within a jurisdictional limit without regard to charges, demographics, and special needs. To understand the challenges a population creates for the jail, each of the below factors need to be analyzed by category of inmate demographic (misdemeanor/felon; custody level; male/female/juvenile; age; and even by significant special needs):

- Monthly and annual arrest data
- Monthly and annual release data
- Percent of occupied capacity over time
- Average daily population (ADP)
- Average length of stay (ALOS)
- Case filing rate

In addition, the accuracy and reliability of the data available for each of these components plays an important role in projecting and distinctly understanding jail populations. A jurisdiction's community demographics and population projections get evaluated and compared to the facility population to determine potential growth and comparison to local policing policies.

Next, work on modeling. Local policing policies and criminal justice systems have unique characteristics, all of which need to be modeled to understand the causes behind jail population growth and how to control it. It is essential to have a policy simulation model that both projects inmate population levels and reflects the impact that varying police policies and the various components of the justice system can have on the local jail system.

Estimating the future size of any jail system is part science and part judgment. Criminal justice policy is a dynamic phenomenon and is difficult to predict with a high degree of certainty. In the end, there is no single statistical method of forecasting jail populations that is

considered to be correct or preferred, and forecasters often use multiple methodological approaches to determine which forecast is most appropriate in a given instance.

CGL recommends a new generation of micro-simulation models to develop projections based upon local criminal justice uniqueness. These models can help you estimate the effects of current policies and the likely consequences of new policies on your jail population.

These micro-simulation models are designed to mimic the flow of 1) the current inmate population 2) the expected new admissions over the projection horizon (influenced by internal factors). Based on stochastic entity simulation methods, the models mimic the actual flow of the detention system *based on current and future probabilities*.

Those who are released on pretrial or other diversionary alternatives have a certain probability of being revoked for a new crime or technical violation and returning to jail for a certain period of time before being re-released; many times without a bail amount. All of these "probabilities" are based on the current behavior of decision makers.

CGL's preferred micro-simulation models rely on detailed analysis of the **external and internal factors** that drive inmate population levels. **External factors** include the demographic, socioeconomic, and crime trends that produce arrests and influence an individual's first entry into the criminal justice process. Criminologists have long noted that certain segments of the population have higher chances of becoming involved in a crime and being arrested or incarcerated. This "at-risk" population generally consists of younger males. When the at-risk population is expected to increase in a jurisdiction, one can also expect some additional pressure on criminal justice resources.

Internal factors are the various decisions within the criminal justice system that determine jail admissions and drive length of stay. These decisions begin with police and rely heavily upon the efficiencies within the court processes. The rate at which court cases get filed and resolved significantly impact a jail's average

length of stay. Studies of a local criminal justice system demonstrate how court continuances and delays in court processes lengthen an individual's incarceration negatively impacting facility populations. Identifying and streamlining these inefficiencies, coupled with diversion program efforts and programs that attempt to reduce recidivism are mechanisms that assist in correcting growing jail populations.

These models have successfully generated inmate population forecasts in over 50 state and local

jurisdictions across the country. Micro-simulation models have been cited by the Government Accountability Office (GAO) as the most sophisticated and well-established projection methodology available to correctional agencies today. The projections from these models provide Sheriff and jail administrators with invaluable information to base conditions of confinement.

UNDERSTANDING THE CAPACITY, CONDITIONS, AND EXPECTED LIFE OF YOUR INFRASTRUCTURE

In many instances, the day-to-day operations of the jail is the responsibility of the sheriff (occupant), however the building(s) is the responsibility of the county or jurisdiction (owner) it serves. The care and maintenance of that building(s) is shared between the occupant and the owner. These relationships and shared responsibility differ by location around the country; however, the facility infrastructure needs, in supporting an ever-changing population, is a collaborative and cooperative effort between both parties.

The condition of your facility's infrastructure can determine the levels of operational efficiency and effectiveness that your system can reach. The number of beds, the fit between facility population levels and institutional support systems, and the condition of those systems are all key determining factors in operational performance. Likewise, the useful life of the infrastructure will drive decisions on how to invest valuable capital development resources.

STEP 1 Analysis

These actions will help you understand current infrastructure conditions and needs. To perform the analysis, involve maintenance and security personnel as you:

- Review any existing documentation
- Examine the structure

- Identify deficiencies and concerns
- Classify and prioritize deficiencies
- Anticipate future issues
- Recommended future investigations
- Recommended repairs
- Identify opportunities

STEP 2 Documentation

Document any improvements that are needed to meet contemporary correctional standards and safety codes. Be sure to include updates to accommodate new technology and other necessary changes to make the space suitable for future population and service delivery needs.

STEP 3 Cost/Benefit Analysis

This can address issues at any physical facility or system that are deemed deficient. These options may include maintenance programs, renovation, and replacement, with both capital and operating costs taken into account.

STEP 4 Maintenance and Life Cycle Cost Matrix

Include details for life expectancy, replacement costs, extended facilities maintenance costs, projected staffing costs, and estimated operating expenses.

DEPARTMENT EXPANSION PLANS

Dynamic conditions and populations drive policymaking, and jails need to also be dynamic to accommodate this. Understanding how these changes affect system requirements is essential to articulating your plans for expansion and change.

Perhaps you're exploring a program-focused expansion, meeting the needs for new health care or mental health treatment unit. Or maybe your facility is in need of a population-based expansion to accommodate the rising number of inmates in the system. Another option could be a management-oriented expansion to develop specific resources to support the facility needs, such as improved intake and reception areas. Whatever your needs, an effective expansion plan requires present term, mid-term, and long-term capital master plans to address system needs.

Plans should include operational cost models and an evaluation of, among other important considerations:

- Facility needs
- Staffing
- Operations
- Costs
- Schedules
- Environmental
- Safety
- Security
- Court settlements

This will be a process for you, and your partnership with the county, to identify agency goals and establish a roadmap to achieve objectives. The long-term operating costs associated with expansion plans often far outweigh the upfront capital costs, so it is important that your planning clearly identifies both the initial capital costs and the lifetime operational costs associated with the plan.

"Suitability for purpose" is another key factor in master planning. Changing conditions can have a profound

impact on how expansion plans affect your facility. For example, many counties have turned their focus on developing programs and housing conducive to the needs of increasing mental health and infirmity populations which require different needs than the security levels dictated by general population inmates with serious offenses. Evaluating the "suitability for purpose" of your existing facility in conjunction with projections for the long-term population numbers aligns existing facility capacities with the changing inmate population. This offers you the opportunity to develop options to improve facility safety and security. The development process for these initiatives includes the following key phases:

PHASE 1

Hold initial meetings with department managers and county stakeholders to define and clarify the overall scope of the expansion plan, clarify the lines of communication and protocols, and finalize the project schedule.

PHASE 2

Gather data on existing facility, programs, and operations required to support analysis and develop activities.

PHASE 3

Analyze and develop facility use plans. The data you gathered in Phase 2 will help develop needs, space projection models, and space requirements for all facility components. It will also help you analyze the systems, operations, activities, and utilization of your facility.

PHASE 4

Draft master plan alternatives. This provides options for renovation and relocation of facilities, estimation of the costs of ownership, alternative implementation schedules, and a concepts workshop with key stakeholders.

PHASE 5

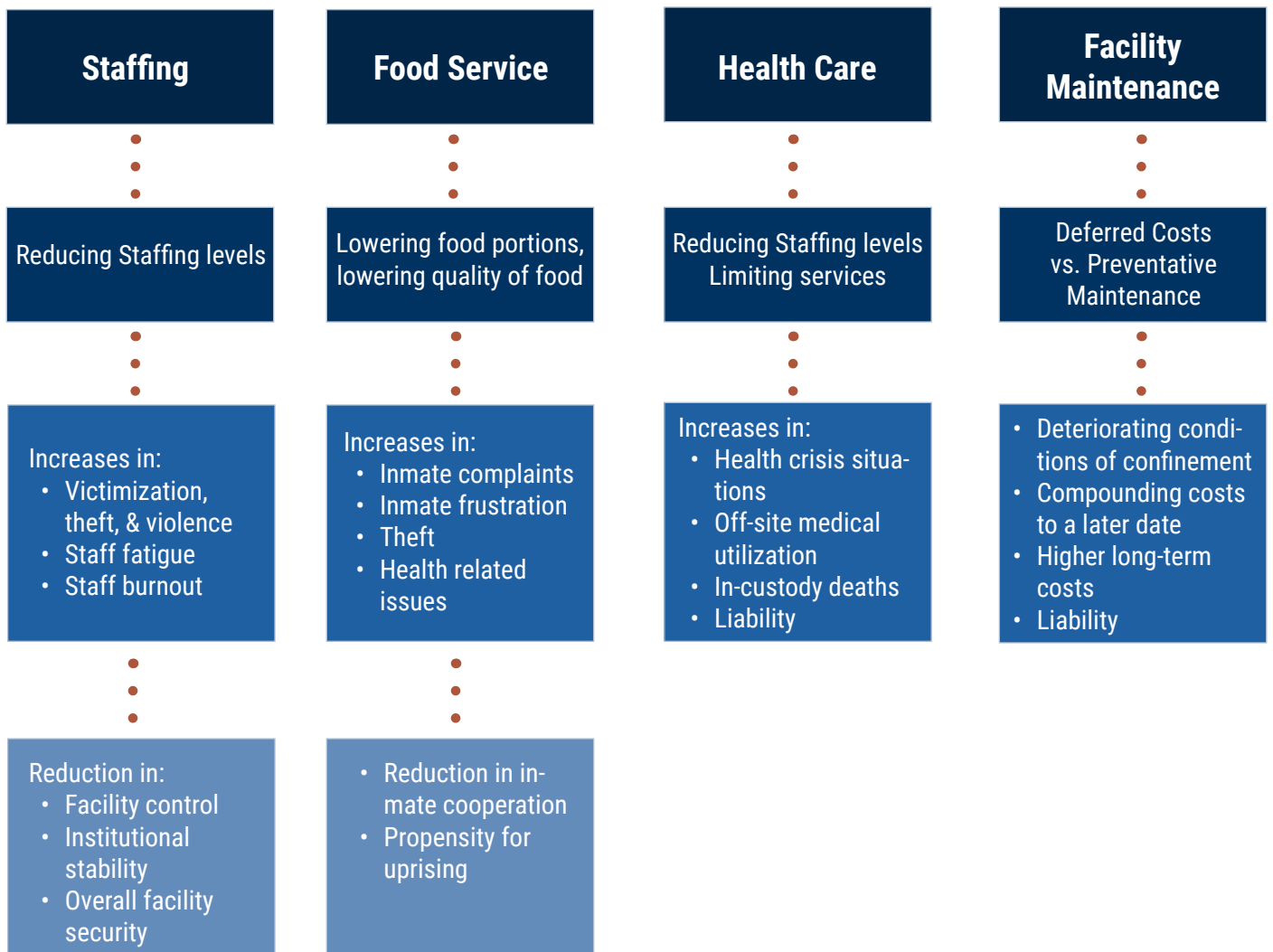
The final master plan. The master plan represents the culmination of your planning efforts and provides the department with a detailed roadmap.



Chapter Four: Key Cost Considerations

The cost of operating a jail is a topic many new sheriffs and jail administrators are faced with explaining during budget preparations and when making major decisions during slow economic periods. Understanding the cost drivers within the budget is critical. More importantly though, administrators need to understand the impact of limiting budgets in certain areas and the possible cause/effect situations created when such decisions are made.

Jail Operational Cost Dividers



ACHIEVING OPERATIONAL COST EFFICIENCY

Jail system operations represent one of the largest expenditures in every county's budget. As such, agency administrators are under substantial pressure to restrain spending and improve operational efficiency. However, simply reducing the level of resources dedicated to a jail does not necessarily result in greater efficiency if the reduction impairs the organization's ability to achieve desired outcomes. An analysis of efficiency looks instead at achieving the optimal allocation of resources across alternative means to achieve organizational objectives.

Effective action to maximize operational efficiency requires a thorough understanding of the key factors driving system costs and the context for managing its budget. The key cost drivers in any detention system are those resources used to provide basic services in the management of daily operations. This includes staffing, which can represent 65 – 75 percent of total system operating costs. Contracted services for programs such as health care, mental health, education, program services, maintenance, and dietary services are typically the next largest category of operational costs. Finally, facility physical plant design and condition have a major impact on system resource requirements.

Jails do not operate in a vacuum, but instead typically operate under significant constraints that can have a major impact upon system efficiency. Factors such as personnel codes, labor contracts, and procurement rules place limits on management ability to achieve efficient operations. Improperly implemented procedural changes pursuant to new legislation compound operational efficiency and overburden understaffed operations, creating fatigue and unnecessary stressors on staff. A fair assessment of a jail's efficiency requires identifying, and if possible, establishing the impact of those factors that limit how the jail may manage its resources to achieve objectives.

With an understanding of these factors, one can then evaluate the resources used by the system relative to program and operational objectives achieved. Such a review evaluates the efficiency of the jail's approach to achieving specific program outcomes and system goals in terms of three criteria:

- Are there other available alternative means to achieve the same objectives with the use of fewer or different resources?
- If not, do current services, programs, and operational systems achieve objectives with the fewest resources possible?
- Is the level or organization of agency resources an issue where a jail's operational objectives are only partially met or not met at all?

A comprehensive analysis of operational efficiency will apply these criteria to each major operational unit or program in a jail. Based on knowledge of "best practices" in correctional facility operations, the analysis should assess the impact of potential application of "best practices" in staffing, health care, contract service management, and space utilization; and then determine the conditions required for effective implementation of these types of policy and operational changes.

The result of this review will be development of a comprehensive understanding of the factors underlying the jail resource needs; identification of potential means to improve operational efficiency by reducing spending while maintaining or improving system performance; a detailed plan with specific actions required for implementation of recommendations for improving operational efficiency.

As the manager of a county jail, you have dozens of cost considerations that factor into effective operations.

CURRENT COSTS OF MAINTAINING JAILS

A solid understanding of the resources required to maintain your facility's infrastructure, and their component costs, will help you grasp the value of each function and lead to better overall jail management.

Obtaining a cost breakdown of your most important resources is your priority. Compare your costs to other nearby jails or to similar size facilities to create benchmarks for performance measurement. Without this information, you can't fully understand how effectively your facility is performing.

To help you get started, we created this list of key components, benchmarks and recommendations:

1. Key Components

- **Human Resources:** Maintenance supervision and personnel, administrative support, inmate labor, benefits
- **Subcontracted Services:** Certifications, service agreements, corrective maintenance

- **Capital Improvements and Projects:** System upgrades, renovations, lifecycle replacements
- **Materials:** Consumable inventory, critical spare parts, vehicles, equipment
- **Utilities:** Electricity, gas, water, wastewater, etc.

2. Benchmarks

- Cost per square feet or cost per bed
- Preventative Maintenance (PM) Compliance
- Corrective Maintenance (CM) Completion Rate
- Backlog of CM per square foot

3. Recommended Staffing and Spend Rate for Preventive Maintenance in Jail Facilities

Facility Size (square feet)	Minimum Recommended Staffing*	Recommended \$/SF**	Age Factor Additional \$/SF		
			<10 years	15-20 years	>30 years
100,000	3-5	\$3.00	.15	.50	.75
250,000	6-8	\$2.55	.15	.50	.75
500,000	10-12	\$2.25	.12	.40	.60
1,000,000	18-22	\$2.00	.10	.40	.60

* Includes all necessary trades, management, and administration.

** Includes all relevant costs, including labor, materials, subcontractors, etc. DOES NOT include utilities or capital projects.

THE CURRENT COST OF DEFERRED MAINTENANCE

Most of America’s jails were built before 1990. These 30-year-old buildings are nearing the end of their useful lives. In many jurisdictions, local jail funding is a low priority, resulting in limited operations and lower quality of services and personnel. Compounding this issue is the neglect these facilities suffer over a long period of time. Meanwhile, inmate populations continued to rise and diversify in these aging facilities.

Deferred Maintenance is the total of systems that do not function or have gone without upgrade or replacement beyond their useful life. Some of the most common examples are computer-based electronic security systems (seven-year life cycle), heating and roofs (20-year life cycle), and ventilation and air conditioning systems (eight to 20-year life cycles).

Understanding the level of your facility’s deferred maintenance starts with a Facility Condition Assessment. The outcome of an assessment is a prioritized list of infrastructure issues, which could be due to an ending lifecycle, poor maintenance practices, misuse, or vandalism. Projects are developed from the list, including plans to correct the deferred maintenance deficiencies while considering the cost for each system.

If a Facility Condition Assessment has not been performed on your facilities in the last five years, a new one should be performed.

The assessment will also give you a score for each facility called its Facility Condition Index (FCI). The FCI is mathematically represented as:

FCI = DM/CRV

DM = the cost of maintenance deficiencies, or Deferred Maintenance

CRV = the total cost of complete facility replacement, or Current Replacement Value

The FCI ratio is utilized as a ratings system to indicate the relative facility condition:

< 0.05	Good
0.05 to 0.10	Fair
0.10	Poor
0.5	Replacement
> 0.5	Critical Systems Failure

Proper maintenance costs less than restoring a Poor facility to Fair conditions. Annually, the cost to fund lifecycle replacement or proactive maintenance and avoid deferred maintenance is \$3.42 per day, per inmate. However, to bring the system out of Critical Systems Failure and return it to Fair condition costs \$27.57 per inmate, per day in the first year, and then \$3.42 per inmate, per day for the remainder of the facility’s life. *

For existing detention facilities, those who are responsible for funding facility maintenance must receive a comprehensive education. The goal of this education is to convey an understanding of deferred maintenance’s true and accurate cost. Bondholders’ investments not protected through proper maintenance performance, taxpayers’ infrastructure investments not reaching their anticipated life expectancy, infrastructure failure, escapes, etc.; are all food for headlines.

FUNDING STRUCTURE AND ALTERNATIVES

With the jail infrastructure crisis at an all-time high and counties being forced to replace old facilities, we may be entering our next building boom. For example, the new Wayne County Justice Center will replace Detroit's three aging jails, which average 31 years old. The Justice Center's \$300+ million price tag gets lots of attention. But the long-term maintenance costs could amount to a third of the total cost of ownership over 50 years, and the County needs to plan to fund those costs as well.

There are dozens of jails nationwide that were built between 1980 and 2000 and need major upgrades, repurposing, or replacement. What can a jail administrator learn from these trends?

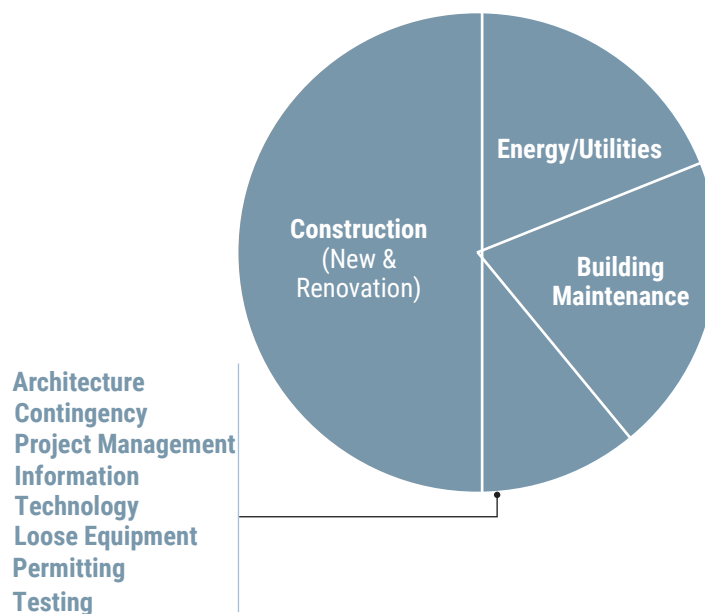
LESSON 1

Change the Funding Paradigm.

First, we need to change the approach to funding jail operations so that long-term maintenance funding is included as part of the initial capital investment. By planning for proper maintenance, we can even reduce long-term capital investments.

Agencies must convince their county officials that funding preventive and corrective maintenance is the right thing to do. Agencies are in the best position to educate lawmakers and budgetary decision-makers of the risks and consequences that occur when facilities are neglected. Through education, we can help them recognize that the capital funding process for long-term operations and maintenance is even more important than the initial investment in construction. Maintenance and utilities can make up 30 to 50 percent of the long-term spend.

Based on a study commissioned by CGL and performed by Whitestone research in 2013, corrections and detention facilities that don't have an established and managed preventive maintenance system spend an average of \$4.98 per square foot, per year on facility maintenance. This is 32 percent higher than facilities with regular preventive maintenance programs. Jails that opened between 1980 and 2000 could be spending an additional \$278 million per year on deferred maintenance, equipment failures, and unnecessary equipment replacement.



LESSON 2

Fail to Plan? Then Plan to Fail.

Jail administrators should perform regular needs assessments and master plan updates to ensure they are adhering to their long-term plans. Regular updates to these guiding documents can help you quickly find problems and make incremental changes without having to spend tens of millions of dollars at a time. Be sure to acknowledge and define capital replacement, regular maintenance, and life cycle maintenance funding requirements in your planning document. This way, future funding needs recognize that it is cheaper to fund maintenance than to avoid it.

LESSON 3

Start Immediately. Stop the bleeding.

Encourage your decision makers to move quickly to implement Jail Maintenance Program Management, which will act as a transition from performing little (if any) preventive maintenance to a full preventive maintenance program. By increasing the amount of performed preventive maintenance, counties with extremely high maintenance backlogs will be able to achieve more manageable levels of deferred maintenance, possibly even eliminating it.

FINANCING ALTERNATIVES FOR EXISTING FACILITIES

If operations and capital funding cannot be acquired through typical channels, there are alternative options from the private sector. The Contracted Model, for example, gives Public Private Partnerships the opportunity to engage correctional facility specialists to take responsibility for the lifecycle

and maintenance funding and performance with added contractual accountability. Risk shifts to the contractor, for a cost, but the agency reduces overall headcount and management responsibility without giving up any operational control. The contractor is obligated to provide the right number and type of technical personnel in the facility to ensure continuous operation. The Contracted Model minimizes day-to-day agency involvement.

Pros: Low long-term cost, lower overhead, risk shifted away from the agency, contractually mandated accountability, operational control, predictable facility performance, lower energy costs, consistent budget, managed life cycle, all maintenance performed

Cons: Higher short-term costs, contractor management, less direct involvement

Regardless of the methodology, your jail must be functional to serve the community and make good use of public dollars. You have the opportunity to re-establish maintenance programs and improve upon old means of providing services. To go in this direction, you must have the necessary information to justify your budget requests and the resources in place to do the job when the money comes through.



**SUCCESSFUL TRANSITION
GUIDELINES
FOR SHERIFFS AND JAIL
ADMINISTRATORS**

