

**Administrator's
Recommendations on**

**Public Safety
and
Justice**



November 3, 2004

*Sustainable Solutions for
Justice and Public Safety*

**TO: Washtenaw County
Board of Commissioners**

**FROM: Robert E. Guenzel
County Administrator**

DATE: 3 November 2004

RE: Administrator's Recommendations on Public Safety and Justice

I am reporting to you today on what I feel has become a significant threat to the commitment we've made to safety and justice in our community. That commitment to our citizens – that they will be safe; that they will be treated justly – underpins the quality of life we would want everyone to enjoy. What I also bring to you today is a proposal to answer the present threat, and create anew that fundamental commitment.

The County jail – a cornerstone of community safety – is in a situation of chronic overcrowding. Over the past two years, all options to alleviate overcrowding have been explored and implemented. Our attempts to find answers to this dilemma through every imaginable creative use of space, along with creative sentencing alternatives, bring us back to one fact that will not budge: the capacity of our jail. This community has long valued alternative sentencing approaches, finding them to be just, safe and cost effective. Our Community Corrections program has one of the highest utilization rates in the state. Still this is not enough.

Justice depends on accountability. Accountability hinges on consequences. At present, there is little that our judiciary can do to assure that those who violate conditions of probation, fail to pay child support, or commit many other misdemeanor offenses will feel the full consequence of their transgressions. Even those who are sentenced to jail are likely to be released early – not as a result of good behavior, or completion of corrective programs, but simply as a result of the resources available.

This report proposes a three-pronged strategy which has been reviewed and scrutinized by the Criminal Justice Collaborative Council and has received their unified support. The CJCC consists of fifteen local leaders in public safety and public policy as well as two representatives from the public. The group is chaired by Circuit Court Chief Judge Archie Brown.

Two years of active research on the best practices in the field of community corrections support these strategies, as well as a deep understanding of the specific needs of our own community.

- First, we need to increase the capacity of our jail by adding jail beds so that it keeps pace with the population growth of our county.
- Second, construct and operate a probation residential center as an alternative sanction for non-violent offenders. Probation residential centers have been proven to be a lower-cost, more effective option than jail for many offenders.

- Third, improve our 14A District Court capacity by constructing a new facility adjacent to the jail. The current facility is clearly unsafe and inadequate. A physical link with the jail will correct this and support systems integration for the justice system.
- Finally, it is an unfortunate reality that many offenders suffer from a mental illness and unless treatment and supervision are provided, these individuals are likely to reoffend. This proposal has specific strategies to divert the mentally ill from jail to provide demonstrated effective responses to offenders with mental illness.

The costs of these strategies are significant and I believe that a property tax increase is necessary to fund these proposed solutions. An increase of .75 mills over 20 years will be sufficient to implement all of the proposed strategies. While these costs are significant, I firmly believe that if we choose to do nothing, the costs may prove incalculable.

I would like to personally thank Hon. Archie Brown, the Chief Judge of the Circuit Court. His leadership as chair of the CJCC has been crucial in our ability to develop these solutions. This is an issue that is visited once in a generation and our time to address this public safety issue is now. Implementing these strategies will assure the safety and security for ourselves, our children, and our grandchildren.

EXECUTIVE SUMMARY

Problem Statement

Washtenaw County's jail has a rated capacity of 332. In the six months prior to this report, (April 2004 through September 2004), the jail has had an average daily population of 355, and has had a population below 332 on just fifteen days. The facility is in a chronic state of overcrowding and the justice system does not have the resources to adequately sentence offenders.

When facing an overcrowding, state law mandates that the jail must make the inmate population comply with the jail's rated capacity, or below it, through any means possible – including the early release of felons and misdemeanants. From January 2003 through September 2004, 482 inmates have been released early due to chronic overcrowding. An additional 25 Washtenaw County inmates per day, on average, are being housed at the Jackson County Jail - again as a direct result of overcrowding.

In addition to early releases, overcrowding can be detrimental to public safety in other ways. Police agencies become unable to perform targeted operations (drug sweeps, drunk driving operations, targeted vice arrests, etc..) because this population presents a lower risk to the public than violent felons. Beyond any physical discomfort, inmates too are influenced by the overcrowding. Rather than agree to a reduced jail term with compliance to corrective programming outside of the jail, many choose instead to take a chance on staying in jail and receiving an early release due to overcrowding. Alternative sanctions do not work without the threat of jail time for violators of those sanctions. Sanctions require access to a full continuum of justice options, including incarceration, to be used effectively.

The root cause of overcrowding is simply that the size of the jail has not kept pace with the population of the county. While other growing counties have increased their jail's capacity in recent years, Washtenaw has not yet done so. The Washtenaw County jail now has the lowest number of jail beds per 1,000 residents of all Michigan counties with a population greater than 100,000.

Finally, the jail was constructed in 1978. In the intervening 26 years, jail management philosophies have changed dramatically. The jail must be updated to assure better inmate management and better system-wide management. The current facility is already in need of upgrades in order to meet state and federal standards, with a cost to meet these standards estimated at \$20.8 million – without adding a single jail bed.

Response

Elected officials and professionals in the fields of criminal justice, public safety and public policy have formed the Criminal Justice Collaborative Council (CJCC). The purpose of the CJCC is to manage the elements of the criminal justice system that are inter-agency in scope. The jail is key to all of these issues as it impacts the judiciary, police agencies, prosecution, and defense. This group meets monthly to confront and comprehend these complex issues of justice and to make recommendations to the County Board of Commissioners. This report reflects recommendations which have received unanimous support from the CJCC.

Summary of Recommendations

Based on reviews of Washtenaw County's justice system by national and state experts, local task forces and with the unanimous support of the CJCC, the County Administrator recommends the following actions:

- Increase the capacity of the jail, from its current capacity of 332 to 532 by 2014. This will provide our justice system with sufficient size to address the current overcrowding situation, and allow the expansion it will need to meet the needs of the community. This increase in capacity should be accomplished by expanding the current facility in a phased approach over a number of years.
- Develop a stronger physical link between 14-A District Court and the jail. The current location of the 14-A District Court is both an inappropriate and inadequate building that is neither sufficiently safe nor friendly to the public. Integrating district court into the same facility as the jail will address this deficiency, and will allow for greater staffing efficiencies as inmates attend hearings.
- Improve alternative sanctions available to the judiciary by constructing a probation residential center (PRC). A facility of this nature can be used by the judiciary as a lower cost, more appropriate sanction for non-violent offenders. Centers in other counties have helped reduce recidivism by focusing on the root causes of criminal activity and providing the necessary programming to keep its clients from re-offending.
- Develop strategies to divert mentally ill offenders from jail. Numerous studies show that incarcerating individuals who suffer from mental illness in the jail's general population does not serve the individual or the community at large. Without specific actions and treatment, a very high percentage of these people have been shown to continue to offend.
- Refer the issue to the voters. Each of these strategies is necessary to ensure the high quality of life that Washtenaw County residents enjoy today, but each is also expensive and can not be funded through dollars currently available to county government. Public safety is a community issue and only county residents should determine the level of service that they deem

appropriate. A ballot issue that refers funding these strategies through increasing property taxes is recommended for February 22, 2005. A twenty year millage increase of .75 mills is sufficient to fund these strategies in their entirety.

- Finally, the Criminal Justice Collaborative Council has been a model for addressing this complex issue. The CJCC should continue their work to identify improvements to the justice system, manage the inmate population, and seek appropriate alternatives to incarceration when available.

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1. INTRODUCTION

The adult criminal justice system is a foundation of a just and safe community. The major players (police, courts, prosecution, defense, and the sheriff) all have many mandates that they need to fulfill and a high degree of cooperation is required for the system to work well. Washtenaw County's elected officials and appointed policy makers work well together to ensure that Washtenaw County is a just and safe community. These officials agree that current inadequacies in the system threaten the safety of the community.

Adult Criminal Justice System¹

Criminal justice is one of the services that counties are mandated to provide. The system includes the elected offices of Sheriff and Prosecutor, and the appointed office of Public Defender. It also includes elected Circuit Court judges and District Court judges, who together operate as a separate branch of government: the judiciary. The County Board of Commissioners funds the operations of the services provided by each of these departments and the courts, which comprise some \$67 million in operations.² Other key external stakeholders include local police agencies and the Michigan Department of Corrections Probation.

The adult criminal justice system rests on seven major decision points, which illustrate the level of coordination and collaboration necessary for the system to function well. The fate of an alleged offender, the safety of the community, and the provision of justice depend on these decisions. These decisions include arrest, pretrial detention, release from pretrial jail, prosecution, adjudication, sentencing and sentence modification. The jail is the hub of this system and is the place for pretrial detention as well as the place for sentencing for many crimes. A crowded jail impacts each of these seven decisions. A jail that is chronically overcrowded like Washtenaw's creates a situation in which justice, which hinges on consequences, can not be adequately provided to the community.

In 2003, there were 30,080 crimes reported to the Michigan State Police.³ Depending upon the severity and nature of the crime, an individual may be sentenced to a federal prison (the trial for which is also held in federal courts), state prison, or county jail. Federal prisons are funded through the federal budget and state prisons are funded through the state budget. County jails are funded through county general funds and should therefore reflect local community values.

¹ Definitions used throughout this document are available in the glossary, in Appendix G.

² The full budget for Washtenaw County is available at the following link: http://www.ewashtenaw.org/government/departments/finance/fn_toc.html.

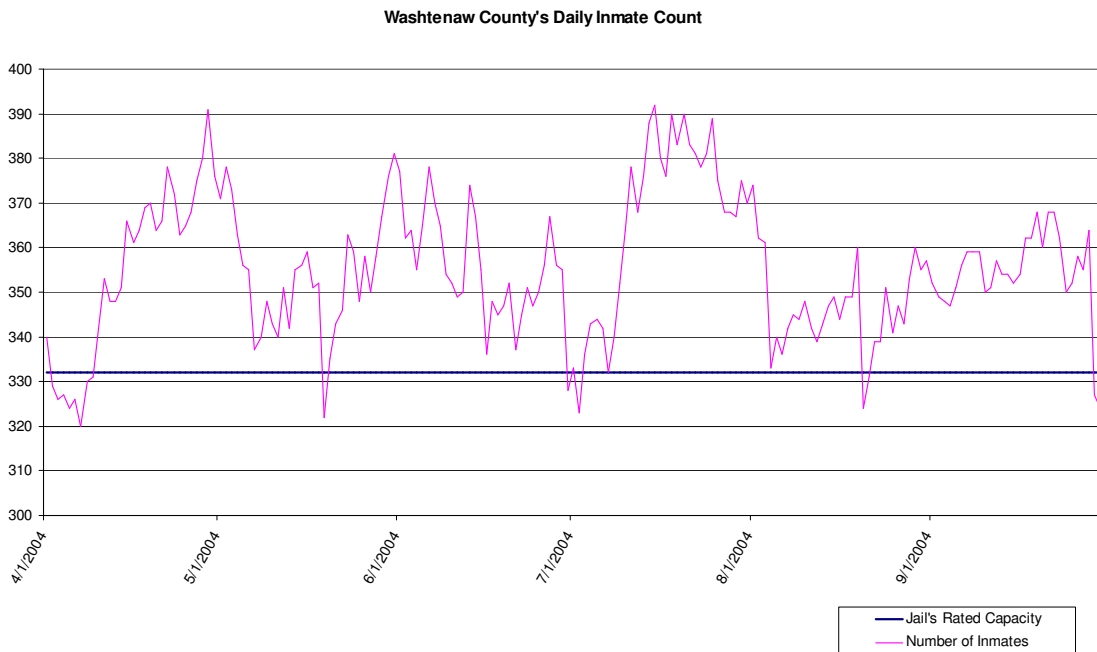
³ Criminal activity and arrest rates are reported to the Michigan State Police and are published annually in their Uniform Crime Report (UCR). A breakdown of the nature of crimes and trend information can be found on the official website of the State of Michigan (www.michigan.gov) under the search term "UCR."

Trends

National professional standards and best practices advise that a jail the size of Washtenaw's should average no more than an 80 percent occupancy rate. This allows for adequate consideration for peaking and classification. Peaking refers to criminal activity's somewhat seasonal nature and there are natural times at which there will be more arrests and incarcerations than average. Classification refers to the ability of the Sheriff to ensure that inmates are housed at appropriate level of security for their offense and behavior. Put another way, a jail with a capacity of 332 becomes "crowded" with around 266 inmates. It becomes "overcrowded" once the number of inmates exceeds 332.

State law mandates that jails can not be overcrowded for over seven consecutive days. If the jail remains overcrowded after several administrative steps, judges must release inmates early in order to bring the number of inmates below the jail's rated capacity.

Washtenaw County has been chronically overcrowded in 2003 and 2004 (see graph below). The only times that the jail population has been below 332 has been immediately following the early release of inmates.



The fundamental question for justice officials is to determine what the appropriate size of the jail⁴ should be. For this, it is helpful to compare Washtenaw with other counties in Michigan and compare them on a per capita basis. Washtenaw's current capacity is less than one jail bed per 1,000 residents. This is lowest of comparably sized counties in Michigan, which average 1.715 beds per 1,000. For a county comparison, see Appendix A.

One other trend in Michigan has been the institution of sentencing guidelines. These guidelines are applied statewide and are designed to limit judicial discretion of sentencing in order to achieve greater equity of sentencing across judicial jurisdictions. An impact of these guidelines that has been experienced across the state is that many offenders who may have been sentenced to prison prior to the guidelines being adopted are now being sentenced to jail – resulting in jail overcrowdings across the state. This is a significant budgetary issue, as the State funds the operations of prisons while counties fund the operations of jails. The State has considered additional changes to sentencing guidelines. While these measures have not yet been instituted, the most recent proposal would have resulted in a net transfer of offenders from prison to jail, resulting in an average increased daily inmate count of between ten and fifteen inmates.

Response to Issues

During the 2004-05 planning process, the Board of Commissioners established several "Areas of Consideration" – strategies for the County to address during 2004 and 2005. Two of these areas dealt specifically with public safety and justice. The Board requested a comprehensive continuum of sentencing options including a recommendation of how to address mental health services in corrections.

The group that was established to tackle these issues was the Criminal Justice Collaborative Council (CJCC). The CJCC⁵ consists of fifteen local leaders in public safety and public policy as well as two representatives from the public. The group is chaired by Circuit Court Chief Judge Archie Brown and has been meeting regularly to make recommendations to the Board of Commissioners about jail overcrowding and the Board's areas of consideration. The Council is a successor to the Jail Overcrowding Task Force (JOTF), which was established in 2003 to make recommendations to alleviate jail overcrowding. The primary recommendation of the JOTF was to establish the CJCC.⁶

⁴ The Washtenaw County Jail's rated capacity is 332. Roughly speaking, a jail's rated capacity is the number of beds in the jail minus specially designated beds (including health care and temporary holding) and temporary jail beds (such as cots in a gymnasium). The Michigan Department of Corrections conducts annual audits of jails in Michigan. One result of this audit is to determine the jail's rated capacity.

⁵ A list of CJCC members can be found in Appendix B.

⁶ The full report of the Jail Overcrowding Task Force can be found at cjcc.ewashtenaw.org.

The establishment of the CJCC was also the primary recommendation made by the National Institute of Corrections (NIC) in their local assessment of Washtenaw County. At the request of Sheriff Daniel Minzey, the NIC Jails Division visited Washtenaw County, reviewed our situation, and spent three days conducting intensive interviews of staff, public officials, and other community leaders. Their assessment was completed in October 2003 and the Sheriff released the final 138-page report⁷ in February 2004. Major findings from the report included:

- The jail is crowded and too small. All local officials, including public and private defense attorneys, agreed.
- Alternative sanctions, like probation and community corrections, are less effective as a result of jail overcrowding. These programs become less effective if there is not a realistic chance that termination results in jail.
- Officials agree that there are not enough alternative programs for either pre-trial or sentenced inmates.

Based on these findings and a thorough review of Washtenaw County's available data, the NIC made several recommendations. Among them were:

- Establish a CJCC that would be responsible for the systematic management of criminal justice in Washtenaw County.
- Expand programs in the jail with their continuation in the community.
- Consider other kinds of facilities and programs to include pre-booking screening and assessment services.
- Improve the way in which information is gathered, tracked, and reported to the CJCC and its member agencies.

The CJCC began meeting in May 2004 and has focused on developing strategies to alleviate jail overcrowding. In addition to addressing the overcrowding situation, CJCC members began to discuss ways in which the justice system could be better integrated to realize efficiencies and to allow the various members of the system to improve service delivery. Several measures have already been implemented, including:

- Contracting with Jackson County to house a limited number of Washtenaw inmates at the Jackson County Jail.⁸ While this is a good short term solution, it is not considered a viable long term solution because inmates lose legal, family, and community connections while they are away. The costs incurred by Washtenaw County for transporting inmates are also considerable. Further, it causes the Washtenaw criminal justice system to become dependent on market forces, like available bed space. Perhaps the most compelling reason why this is not a viable long-term solution is that other facilities can select the inmates they wish to take and can refuse those held on violent offenses or those who have health issues.

⁷ The full report of the NIC can be found at cjcc.ewashtenaw.org.

⁸ Continuing or expanding this policy was studied at length by the Criminal Justice Collaborative Council. It is discussed in Section 2 as Option A.

- Proactively examining the inmate population on a weekly basis to determine which inmates would best qualify for early release or supervision through Community Corrections. Early release is also not a viable long term solution as sentence modification should be driven by inmate behavior and completion of jail programs and not by overcrowding.
- Instituting several policy and process standards including: increasing use of summonses when appropriate, thereby reducing the issuance of arrest warrants for non-violent offenders; scheduling pre-trial hearings within one week after an un-sentenced inmate waives a preliminary examination; reducing the sentencing dates for in-custody felony offenders to three weeks post-conviction; and releasing selected non-violent misdemeanants on personal recognizance bond during the second phase of overcrowding. Each of these proactive measures will reduce the number of inmates in jail and seems inevitable to continue even after the overcrowding situation has been alleviated.

Washtenaw County officials have dedicated themselves to alleviating the overcrowding situation and have already taken many measures to control overcrowding. While these measures have helped, the jail remains chronically overcrowded. The conclusion of the CJCC is clear: additional jail capacity must be added for the public safety of the community.

2. WASHTENAW COUNTY CORRECTIONAL FACILITY

The size of the County jail is insufficient to support public safety in Washtenaw County. This situation will continue to worsen unless and until capacity is increased. In addition, the current jail facility is in need of serious repair and upgrading. To comply with codes and best practice standards would cost \$20.6 million. However, it is still a functional asset that is designed to last a number of years. After examining a number of possibilities, a phased expansion of the current jail is deemed to be the best solution for our community.

Jail History

The present jail facility, located at 2201 Hogback Rd., was built as a result of the lawsuit filed in 1973 by Legal Aid and the American Civil Liberties Union (ACLU) of Michigan. The lawsuit charged that conditions within the former jail, located near the intersection of N. Main and Ashley Streets in downtown Ann Arbor, constituted cruel and inhumane treatment of inmates. A consent decree was submitted, in which the County agreed to construct a new jail facility and demolish the former structure. The Board of Commissioners enacted a millage to fund the construction. At the time, no voter approval was required to levy a millage; since the passage of the Headlee Amendment in 1978, the all millage increases be subject to voter approval. If the present situation is not remedied through referendum, Washtenaw County may be forced to fund the jail and programming improvements via internal means, which would impact service delivery in other areas.

The present jail facility was opened in 1978 with the capacity to house 215 inmates. In 1981, a portion of the jail space housing the Inmate Services Program was converted to inmate housing (H-block), increasing the capacity to 231. This area of the facility was not initially designed to house inmates, which was a concern to the Department of Corrections Jail Inspection Unit. As Washtenaw County continued to grow, so too did its jail needs and in 1982, a courtyard was enclosed and converted to housing, bringing the capacity to 251. In 1989, a maximum security housing unit was converted to double-bunking, which further increased the capacity to 285. This compromised the Sheriff's ability to adequately classify inmates, as double-bunked units are not appropriate for high risk inmates.

The concept of jail expansion was raised as early as 1986 with the County Administrator and was discussed with the Board of Commissioners (BOC) in March 1987. In December 1987 a Jail Advisory Committee was formed by the Sheriff to study options to reduce overcrowding. This committee included the Chair of the BOC, Circuit and District Court Judges, the Prosecuting Attorney, the Public Defender and area Police Chiefs. In 1989, the issue was studied by the Washtenaw County Metropolitan Planning Commission. Both the Advisory Committee and the Commission recommended expansion.

In 1995, a plan was being developed for expansion; however, another option, in the form of program funding for diversion, became available through the Community Corrections Act. Expansion planning was put on hold while

alternatives were explored and implemented. These diversion programs initially reduced the jail population, and slowed the rate of increase between 1991-1995. Community Corrections has become among the most heavily utilized programs in the state, fulfilling its mission of providing the judiciary with alternatives to jail and prison. The recommendations included in this document assume that Washtenaw's Community Corrections programs will continue to be leaders in the state as a jail alternative. However, these programs can only be successful if there are consequences associated with violating the conditions of probation. Further discussion of the role of Community Corrections is included in Section 3.

Inmate management philosophy had also shifted from the time in which the jail was originally opened and in 1998 a "direct supervision" housing unit expansion was opened expanding the jail to its current capacity of 332.⁹ Direct supervision is an inmate management model in which a corrections officer has direct interactions with the inmates by taking presence among the inmates that he or she supervises. In traditional jails, there is nearly always a wall between an inmate and the officer. The Washtenaw jail is designed in a traditional manner (called "podular remote"), and the vast majority of newer facilities are designed to support direct supervision. Direct supervision has proven to be a more effective inmate management philosophy, resulting in fewer inmate incidences despite smaller, more efficient staff to inmate ratios. Partial redesign of the jail's housing units is necessary to support direct supervision.

Facility Issues

From September 30, 2003, to October 10, 2003, a team of licensed professionals representing architecture, mechanical engineering, electrical engineering and electronic security disciplines under the direction of Healy Bender Associates conducted a physical facilities audit of the Washtenaw County Adult Detention Center. The team concluded the following:

1. Generally, the current building is constructed to last a number of years into the future.
2. Significant building systems (air handling, mechanical, laundry and food service, and security electronics) are operating beyond their capacity or they are at the end of their useful life.
3. The facility does not comply with all applicable codes. Those codes are:
 - a. 2000 Michigan Building Code
 - b. Americans with Disabilities Act (ADA)
 - c. Michigan Department of Corrections
 - d. American Correctional Association Standards for Adult Local Detention Facilities

⁹ This housing unit, known as "J Block", added 84 beds to the jail's capacity. However, an inspection by the Michigan Department of Corrections Jail Services Unit condemned two housing units which lacked appropriate supervision and lavatory facilities. These adjustments in housing space, along with the addition of J Block, made the jail's rated capacity 332, which is where it stands today.

4. In order to meet applicable codes and update facility infrastructure, substantial costs will be incurred: the preliminary estimate was \$20.6 million.

Projecting Future Needs

The jail's current capacity of 332 is clearly insufficient. In the six month time period between April 2004 and September 2004, the jail's average daily population was 355. During the same time period, the jail was overcrowded 168 days and below its rated capacity just 15 days.

When projecting for future needs, the peaking and classification factors discussed in Section One were taken into account. Capacity projections were developed based on historical data for daily and monthly average daily population, and average length of stay information from jail nightly log data compiled by the Sheriff's Office. Projection methodologies included regression, ratio and other nationally-accepted baseline (or policy-free) projection methods. Additional snapshot data was compiled by the NIC Local System Assessment Team and incorporated into the projections, and the NIC Local System Assessment Team reviewed the preliminary data and projections. The County Budget Office weighted more heavily recent jail use history. Extensive debate was conducted regarding the likely impact of what the NIC referred to as "suppressed use" – meaning that arresting and sentencing practices are impacted by the overcrowding situation¹⁰. Other issues taken into account include the role of CJCC in managing jail capacity and use, the creation of an adult probation residential center (discussed in Section Four), and diversion from the jail for mentally ill offenders (discussed in Section Five).

These studies concluded that the estimated average daily number of inmates in 2014 will be 450. Incorporating peaking and classification yields an estimated capacity need of 508. Any proposed solution must meet this minimum number of jail beds. Options were developed to support that primary objective as well as the following objectives:

- The responding space should be constructed to meet the needs of Washtenaw County only – Washtenaw should not construct additional bed space in order to house inmates from other counties or state prisoners.
- The space plan must be sustainable. It needs to solve the space needs of the jail for ten years and it also needs to have the potential to expand if County need expands and the potential to slow expansion if the County need is decreased.
- A solution for jail space should support system integration by integrating court and other law enforcement activities such that operational efficiencies can be realized.

¹⁰ This issue was discussed extensively by the CJCC in its June meeting. Minutes from that meeting can be found at cjcc.ewashtenaw.org.

- The space should adequately address the mental health and physical health needs of the offender population.
- The space plan should allow for increased programming and treatment opportunities of the inmate population and the programming should be designed in such a way that support systems remain in place when an inmate leaves the jail and is integrated back into the community.
- Any new construction should provide adequate holding space for that short-term population that stays less than 24 hours and allow the intake/transfer/release area to serve as an access point for possible diversion out of the jail by transforming this function into an assessment center.¹¹

All programming and design options were developed in working meetings conducted in Washtenaw County starting in 2000 and concluding in 2004. Participants in the process included representatives of the Sheriff's Office (more than fifteen line-level supervisors and key command staff), the 14A District Court (judges and line-level supervisors and administrative staff), Facilities Management, County Administration, Circuit Court (judges and administrative staff), and other groups. All information developed was coordinated with the National Institute of Corrections interviews and findings of their local system assessment. After development and review of more than five options, three primary design options for new and renovation / addition options were selected, and construction cost data was developed by Healy, Bender & Associates, Inc. based on comparative data (recent bid and award contract prices). Costs for the new construction alternative are based on national construction cost factors, supplemented by specific bid data received for similar area type construction in St. Clair County. Parameter cost estimates (dollars per square foot) were developed based on data from the American Institute of Architects Architecture for Justice. Professional reviews and validations were conducted by Construction Cost Systems, Inc., nationally-recognized cost estimating consultants with continuing federal, state, and county experience.

Summary of Three Options

In response to the general findings, Washtenaw County and Healy Bender Associates developed three options. Graphic representations of these options are available in Appendix C. The options are as follows.

Option A – No New Jail Construction. This option does not add any capacity to the existing facility. When overcrowding occurs, the County will take measures that include leasing beds from other jurisdictions and imposing the jail

¹¹ Approximately 25 percent of inmates are in jail for fewer than 24 hours and the current space to hold these inmates is insufficient. This causes jail administrators to house temporary inmates in permanent facilities at a higher cost. For further discussion of the intent of an assessment center, visit cjcc.ewashtenaw.org and refer to the document entitled "Assessment Center."

overcrowding act.¹² The county will respond to the deficiencies outlined above and address codes compliance issues and upgrades to the building infrastructure. This option does include adding District Court capacity on the existing site.

Option B – Build a New Facility. This option calls for the construction of a new state-of-the-art facility at the existing site. This option includes the construction of space for 14A District Court. Demolition of the existing facility will occur after occupancy of the new facility.

Option C – Incremental Jail Expansion and Improvements. This option allows for the construction of additional jail capacity, construction of new space for the District Courts, and upgrades to the infrastructure and resolution of code compliant deficiencies in a phased scheduled. This option continues to use the existing facility.

Option A – No New Jail Bed Construction

This option maintains the current facility and calls for capital improvements to respond to code deficiencies and infrastructure limitations. The option also anticipates that as crowding occurs, the County will be confronted with the need to lease beds in other counties. The option also provides for the construction of new District Court space in the current Huron Valley Ambulance (HVA) building, which is adjacent to the jail. The County recently purchased the HVA building.

Option A: Advantages

Three distinct advantages rest with this option. The first advantage is to bring the existing facility up to code and to update the building infrastructure to increase life expectancy. The second advantage of this option is that it responds to the needs of District Court by providing new space in the HVA building. The third advantage is that future expansion remains a potential.

Option A: Disadvantages

Numerous disadvantages rest with this option. First, the reliance on other jurisdictions to house County inmates is uncertain at best. Unless long-term contracts are negotiated and secured, there is no guarantee that beds will be available. This appears highly unlikely, given the overcrowded nature of jails in so many other Michigan counties. Further, many inmates by nature of their classification (violent offenders, pre-trial, medical conditions, etc.) are not accepted by other jurisdictions for housing. Typically, those jurisdictions prefer the lower risk inmates for contract housing. As the need for housing inmates in other jurisdiction increases, the County can expect to spend significant resources (per diem cost for housing inmates, transportation, and staffing costs) for that housing.

¹² A copy of the Jail Overcrowding Act can be found at www.michiganlegislature.org under the search term “jail overcrowding act.”

Second, this option does not allow for the improvements to the management of inmates as recommended by the National Institute of Corrections. Proper classification and management of the inmate population is paramount to institutional safety. A crowded facility does not allow for the proper inmate classification because all beds are occupied and housing options are limited.

Third, because inmates will be housed in other jurisdictions, this option will increase disruptions to family members and community support programs. Family members will potentially have to travel long distances to visit incarcerated inmates. Community support programs are typically only available to inmates incarcerated in other jurisdictions upon their return to Washtenaw County.

Finally, because inmates will be housed in other jurisdictions, this option increases the difficulty of maintaining attorney/client access and professional visiting. As with family visiting, attorneys will potentially have to travel potentially long distances to visit with their clients.

Option B – Construct a New Facility

This option requires the construction of a new, stand-alone 608 bed facility at the existing site. The facility will be constructed to adapt to the current site and would be an estimated five floors in height. The new Adult Detention Center would have the following spaces:

1. Lower Level -- Service, including Mechanical Areas, Food Service, Warehouse
2. Level Two -- Intake/Transfer/Release, with Visitation Entry and Public Entry
3. Levels Three and Four provide Inmate Housing – one 64-bed unit and three 80-bed units per level. Visitation will be conducted on the mezzanine levels. Recreation, services, programs, and access directly from the housing unit in direct or indirect configuration
4. Option (Fifth Level) for Inmate Housing
5. Penthouse for Mechanical System
6. District Court will be incorporated into the facility

Option B: Advantages

This option has three advantages. One primary advantage of constructing a new facility is that it accommodates the adoption of modern inmate management practices and would be constructed to comply with all current standards and codes. Second, the current site accommodates law enforcement and correctional operations well. Third, staff efficiencies are realized immediately upon moving into the newly constructed facility.

Option B: Disadvantages

Disadvantages of this option include the cost of constructing a new facility (approximately \$80 million) and the loss of the current facility as a functional asset. The current facility still has a useful life. The height and aesthetics of the

new facility may also be considered a disadvantage. The building will command a strong presence on the site. Finally, this option is not a 30 year solution given current population projections and will require expansion in the future.

Option C – Incremental Jail Expansion and Improvements

This option is the phased expansion of the current facility. This option continues to use the existing structure with renovation and expansion beginning in 2005. This option increases capacity to 532 jail beds and accommodates future expansion to a potential total build out capacity of 800 beds. The option also provides for the construction of new District Courts space in the current HVA building that is adjacent to the jail. This option maintains the current facility and calls for capital improvements to respond to code deficiencies and infrastructure limitations. Incremental Jail Expansion and Improvements will have the following spaces:

1. An expanded intake center that would include space for those inmates (25% of ADP) that stays less than 24 hours.
2. The construction of an Assessment Center that will provide an effective and efficient process for the intake and release of inmates brought to the facility. The assessment center will include services to improve efficiency and effectiveness of the many components of the Criminal Justice System.
3. The first housing unit that is constructed will be a 96 bed unit that will accommodate both general population inmates and a variety of at-risk inmates. The design of this unit is intended to enhance the ability of staff to classify and manage this population.
4. Upgrades to respond to code deficiencies and infrastructure limitations. These upgrades will cause a loss of some jail bed space.
5. Construction of District Court in the current HVA Building.
6. Security improvements through technology and system upgrades.
7. Demolition of two 32-bed housing units and replacement with two 80-bed units. If 80-bed units are determined to be insufficient, the space can be reconfigured prior to construction to allow for additional beds to be added.
8. While not part of the proposal, additional housing units can be demolished and reconstructed at a greater capacity as needs arise, making option C a solution that is sustainable for many years to come.

Option C: Advantages

Advantages of this option include the continued use of the existing facility with logical expansion to accommodate current and future needs. Expansion can be accomplished with minimum disruption to current operations and services. Further, expansion occurs on a “pay-as-you-go” approach with capacity being added and equipment replaced to coincide with new construction activities. A second advantage is that increased staffing costs are scheduled to coincide with phased expansion and will have less of a burden on operational budgets. Staffing efficiencies are achieved in a phased approach with the renovation of

housing units and the construction of new units. Third, District Court receives a separate identity with the renovation and expansion of the HVA building. Finally, this option accommodates upgrades of key components of the Sheriff's Law Enforcement operations.

Option C: Disadvantages

Two distinct disadvantages rest with this option. First, because the current facility will remain operational during renovation and expansion, construction will take place near sensitive security operations and will require a significant degree of coordination and supervision. Second, staff density will be increased near the security perimeter and therefore will require careful planning for Sheriff's Office, District Court, and attorney access and public/ inmate movement.

A Summary of Jail Capacity Options

	Option A Do Nothing	Option B Construct New	Option C Phased Expansion
Capacity in 10 Years	332 beds Advised ADP: 300	608 beds Advised ADP: 550	532 Advised ADP: 450
Capacity in 30+ Years	332 beds Advised ADP: 300	608 beds Advised ADP: 550	800+ Advised ADP: 720+
Assessment used as diversion	No	Yes	Yes
District Court constructed	Yes	Yes	Yes
Space accommodates special needs	No	Yes	Yes
Code compliance	Yes	Yes	Yes
Construction project costs	\$20.6 Million	\$80 Million	Phase 1 (\$10.6 Million) 10 yr. cost (\$48.1 Million)

Recommendation: Option C

Because of the phased approach of Option C, the costs of construction are anticipated to be spread out from 2006 through 2011. This phasing is detailed on Appendix D. A breakdown of the specific cost elements within each phase can be seen by reviewing Appendix E.

At a higher level, the \$48.1 million funds three major priorities. \$20.6 million will go toward upgrading the infrastructure of the existing facility, including structural, mechanical, plumbing and electrical systems as well as upgrading security within the jail. Another \$10.1 million will provide for the construction and integration of the District Court with the jail, while \$15.6 million will finance the construction of new housing units. The remaining \$1.8 million will cover miscellaneous cost such as site work and construction fees.

Option C – Operating Costs

As each phase of construction occurs, additional operating costs will be incurred. The nature of these operating costs are two-fold: some costs are due to an increase in the number of inmates and some costs are due to increasing the program options available to inmates.

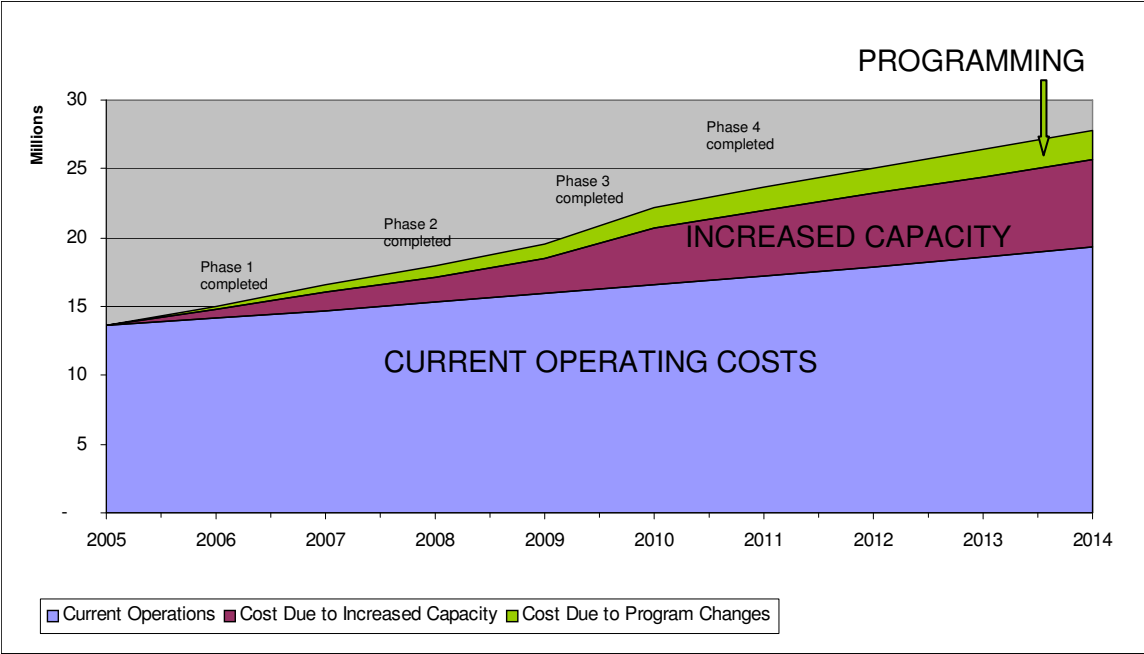
First, there will be additional costs because of expanded capacity. Facilities with a larger square footage and a greater number of inmates cost more to operate than smaller facilities. These costs include supervision, food, medical, building maintenance, etc. A critical point here is the nature of running a facility that is in use 24 hours a day, 7 days a week. For each supervisory position added, an additional 5 to 6 employees will be needed to fully staff all shifts required for 24/7 coverage.

The second set of costs is due to programming changes. Programming is an important element in jail management because it offers a constructive opportunity to gain life skills and support for drug and alcohol dependency – frequently a root cause of criminal activity.¹³ There are a number of programs and services that are currently not being offered in the jail simply because there is no space or funding available. In order for the sanction of jail to be effective in changing inmate behavior, appropriate programming must be in place. The specific costs for providing these services is described in Appendix D. Also, a list of current programming options available in the jail is included in Appendix J.

Operating costs will increase over time not only as a result of expansion and increased population but also due to inflation. In developing these costs the County Budget office worked directly with Sheriff's Office Command Staff to review required positions and staffing levels. These were reviewed and described in terms of location and lines of sight. These were reviewed by the NIC Local System Assessment team, and by an independent justice system consultant, Jim Robertson. The operating costs over time are depicted in the graph below.

¹³ At the time of booking, 60% of inmates indicate they had used drugs or alcohol immediately previous to committing their crime.

Proposal C: Cumulative Operating Costs



3. DISTRICT COURT

District courts are fundamental to the Michigan justice system. It is the court that the majority of citizens will have direct interaction with, whether it is to pay a traffic ticket or to file a civil claim less than \$25,000. In Washtenaw County, the 14-A District Court site at the service center adjudicates criminal misdemeanors within its jurisdiction and, based upon a concurrent jurisdiction plan, houses all felony preliminary examinations for the entire County. The current District Court facility has outlived its usefulness and is in need of replacement. Constructing a stronger physical link between the 14-A District Court and the jail will help the justice system integrate its processes, operate more efficiently, operate more securely, and provide improved services to citizens.

Role of District Court

District Court adjudicates criminal and traffic misdemeanors, traffic and non-traffic civil infractions, and hears civil matters under \$ 25,000 and all small claims, playing a pivotal role within the justice system. District Court also conducts preliminary examinations for all felonies within its jurisdiction. As a result, all criminal matters first come to the District Court, making the importance of a strong interface with the jail of great significance. Further, District Court is the court that the majority of citizens come into contact with, shaping their initial and often their overall impression of the justice system.

Washtenaw County has three (3) District Courts. In addition to the County District Court (14A District), the City of Ann Arbor (15th District) and Ypsilanti Township (14B District) each have a district court that handles matters within its geographical jurisdiction. Based upon a concurrent jurisdiction agreement that includes all three (3) District Courts (14A, 14B & 15th), all felony preliminary examinations in the County are conducted at the 14A Service Center site (an average of 65 exams are scheduled per week) with each of the County's seven (7) District Court Judges sharing the caseload. The consolidated, centralized preliminary examination process improves access to justice and shortens the caseload process. This has the impact, in many cases, of reducing jail bed days.

The County's 14A District Court has three (3) locations. The 14A-1 & 6 District Courts are located at the County Service Center, on the same campus as the jail. In 2003, the 14-A District Court, as a whole, handled 52,563 filings – the majority of which were handled at the Service Center. This is a substantial increase from 36,349 filings from 1985.

History of 14-A1 & 6 District Court Facility

About 1970, Washtenaw County purchased the seminary complex at the corner of Washtenaw Ave. and Hogback Road and began to house services within the facilities. The 14A-1 District Court was among the services that were moved into the complex. Around 1972, the court began to hold proceedings in the "chapel" on the east side of the seminary complex. Eventually, the building was remodeled into its present configuration of courtrooms. In 1985, the Traffic Bureau was created (14A-6) where all civil infractions within the 14A court's jurisdiction are centrally filed.

Over the years, the County has demolished all of the buildings from the seminary complex with the exception of the District Court. The remaining building houses:

- The Chief Judge, his courtroom (14A-1), clerk's office and probation;
- The Traffic Bureau (14A-6) which processes all civil infractions and traffic misdemeanors for the 14A judicial district, its courtroom and a magistrate;
- District Court Administration;
- All felony preliminary examinations for all of Washtenaw County, including the City of Ann Arbor and Ypsilanti Township. As a result, all of Washtenaw County's seven District Court Judges serve at the site.

Facility Assessment

The facility is old and in poor repair. It does not meet the basic standards for court design or security, as determined by the State Court Administrative Office. Due to its age and the impact of retrofitting over the years, it is common that the facility experiences flooding during major storms and insect infestation during the warmer months. The facility also has the following design shortfalls:

- Inadequate space for prosecution to meet with victims and witnesses;
- Inadequate space for defense to meet with defendants and witnesses;
- Insufficient storage space for court records;
- Little or no space for victims, witnesses and their families;
- A confusing floorplan that leads to considerable difficulties with traffic flow and customer friendly service.

Most importantly, the facility lacks the security and safety features that the public should expect from a modern courthouse. The structure is simply inadequate for a courthouse and the problem is exasperated by the volume of cases and citizen traffic the District Court now experiences. Serious disagreements regularly occur between parties in public areas because the facility is not designed for nor has the space to physically separate them when necessary, and an inmate recently defeated the security system and escaped from the building while the judge was alone in his chamber.

Recommendation: Improve Integration between District Court and Jail

The County recently purchased the Huron Valley Ambulance building, which is located adjacent to the jail. This space can be reconfigured and expanded to allow for three courtrooms for the 14-A District Court. One of the courtrooms would be a special, secure courtroom allowing for episodic proceedings for special circumstance circuit court cases, such as a high-profile murder case, arraignments on all crimes, and both special and more routine District Court matters.

Adjacency provides economies of scale in service capability and transport costs while improving security. It reduces the need for inmate transport from a secure location (jail) to a less secure location (district court) and allows for a more

speedy adjudication process, thereby reducing needed jail bed days by moving individuals through the system more efficiently.

4. PROBATION RESIDENTIAL CENTER

Judges have a variety of sanctions available for sentencing offenders who have been found guilty. These sanctions vary from probation to tether to jail (county-operated) to prison (state operated). One sanction that is utilized in other counties is a Probation Residential Center (PRC). A PRC is an alternative sanction for non-violent offenders that is less secure than a jail but guarantees a high level of supervision and programming designed to ensure that the offender does not re-offend. It also helps the offender to gradually gain ties in the community so that the offender has support mechanisms (family ties, employment, etc.) in place upon release, which helps reduce recidivism.

History of Alternative Sanctions

In 1988, the Community Corrections Act (P.A. 511) was adopted by the State of Michigan.¹⁴ This act provides funding for community-based corrections programs through local government subdivisions or certain nonprofit agencies. Community Corrections supplements the services provided to inmates by the Michigan Department of Corrections and assists in improving public safety by lowering crime through controlled recidivism rates. The mission of Community Corrections is to design, implement, monitor, assess, and evaluate community corrections programs in the County to strengthen the effectiveness of the county jail and inmate services. It seeks to provide alternative options to jail for nonviolent offenders, to reduce recidivism rates, and to target at-risk offenders who may benefit from the rehabilitation programming.

Community Corrections utilizes various methods to accomplish its mission, including diverting non-violent offenders into cost-effective, credible treatment alternatives such as electronic monitoring systems, day reporting programs, or individual outpatient treatment plans.¹⁵ Another alternative to jail is to sentence particular non-violent offenders to Probation Residential Centers (PRC), which are facilities that provide oversight and support for clients who require supervision but who are not appropriate candidates for expensive and restrictive jail or prison sentences. Such facilities offer residential services for a duration typically up to 90 days and are less restrictive than jails. They provide rehabilitative services for clients, such as substance abuse counseling, education and job training, mental health services, and cognitive behavioral programming.

PRC Issues

A Probation Residential Center provides the judicial system with another alternative to jail for non-violent offenders. Washtenaw County currently has

¹⁴ The State measures the effectiveness of Community Corrections programs largely by a county's prison commitment rate. Washtenaw's prison commitment rate is currently 17.5% compared to the state average of 23%. Utilization of community corrections programs has grown rapidly and appears to have contributed positively to the goal of prioritizing scarce and costly jail beds for dangerous offenders.

¹⁵ Tethers provide probation agents with the capacity to monitor the location of a probationer. Day reporting refers to probationers who live and work within the community but are required to report to Community Corrections on a daily basis as a condition of their probation.

contracts with not-for-profits located in other counties to provide a total of 25 PRC placements. These slots are nearly always filled and there is a clear demand for additional PRC beds. In addition, housing people away from their community defeats one of the purposes of a PRC, which is to strengthen the ties between an offender and the community in order to reduce the chance for re-offending. When offenders are enrolled in programs outside of Washtenaw County, the community ties then are lost when their sentence is completed and they move back to Washtenaw County making successful reintegration to reduce recidivism more difficult for the individual.

As part of an effort to reduce jail overcrowding and provide a full continuum of corrections alternatives within Washtenaw County, a PRC would be a significant addition to the corrections system by filling the gaps between jail time and probation. A table depiction of the continuum of sanctions is available in Appendix F. It is important to note that each of the sanctions may be appropriate in certain circumstances and inappropriate in others. At the time of sentencing, the judge takes into account what is recommended under sentencing guidelines, what is in the best interest of the community, and what is in the best interest of the offender.

The issue of having a Probation Residential Center has been studied thoroughly. Through internal and external assessments, the studies have recommended a PRC as an integral part of managing jail crowding. The studies include the Office of Community Corrections¹⁶, National Institute of Corrections¹⁷, Jail Overcrowding Task Force¹⁸, and the Criminal Justice Collaborative Council.

In 2003, a class of the University of Michigan's Ford School of Public Policy undertook a targeted examination of the feasibility of a PRC in Washtenaw County as their practicum requirement. The students researched best practices in Michigan, examined the data specific to Washtenaw County, and made recommendations for Washtenaw. In general, the study¹⁹ found that "best-practice" PRCs are non-profit organizations contracted by counties to provide services. Typical clients are non-violent felony probationers, parole violators, and OUIL (drunk driving) clients. The state of Michigan awards \$43 per day for providing probation residential services to a P.A. 511 client. In addition, some centers charge clients a small daily fee and/or offer other, non-residential services.

¹⁶ The Community Corrections grant from the State of Michigan is available at cjcc.ewashtenaw.org.

¹⁷ NIC's local system assessment is available at cjcc.ewashtenaw.org. It advised continued use of alternative sanctions and a stronger systemic link between the jail and community corrections. Additional information on probation residential centers is available at the NIC's website: nicic.org.

¹⁸ The Jail Overcrowding Task Force's final recommendations are available at cjcc.ewashtenaw.org.

¹⁹ The Ford School's study can be found in its entirety at cjcc.ewashtenaw.org.

While jail time may be the most appropriate sanction for violent offenders, mandatory rehabilitative and probation treatment programs that include cognitive therapy may be most effective for recidivism-prone offenders like parole and probation violators. Research²⁰ shows that probation violators often benefit the most from the structure and support of remedial services. Offenders need structured cognitive-based behavioral interventions as much or more than treatment for drug addiction. Cognitive-based programs focus on the helping the offender identify the root causes of their criminal behavior and take accountability for their actions. National research studies show that cognitive restructuring and substance abuse programs reduce recidivism. For instance, cognitive-based treatment is associated with reductions in recidivism for probation violators of 24 to 40 percent under some treatment models. Yet, according to the Michigan Department of Corrections, felony and misdemeanor sentencing disposition may be influenced by the availability of sanctions and treatment programs in the community.

Methodology

A working committee²¹ of the CJCC was charged with evaluating the feasibility of establishing a PRC in Washtenaw County. This group reviewed the studies that had been done to date and examined the jail population to determine who might be eligible for PRC placement and what the potential demand for placements is. The target populations for a probation residential center are:

- Non-violent sentenced felons (Violating Controlled Substance Act, Breaking and Entering, etc.);
- Non-violent sentenced misdemeanants (Retail Fraud, Driving while License Suspended, etc.);
- Parole violators; and
- Probation violators.

This group examined the characteristics of the inmate population and the primary charges of the offenders. Of those housed in the jail on July 8, 2004, eleven misdemeanants were being held on non-assaultive charges and twenty-two felons were being held on non-assaultive charges for a total of thirty-three individuals who were potential clients of a PRC. This group is in addition to the 25 individuals already placed in PRCs in other counties, for a potential total population of 58. A longitudinal study throughout August 2004 revealed similar findings and also revealed an average of eight individuals in the jail were sentenced to treatment but awaiting placement. The possibility that judges may

²⁰ Visit the Community Corrections website for further information:

http://www.ewashtenaw.org/government/departments/community_corrections/index.html.

²¹ This working committee included Julie Chaffee, Director of Community Corrections; Rick Visel, Director of Jail Inmate Services; Scott Patton, Business Improvement Coordinator; Jennifer Watson, Budget Coordinator; and Jason Fee, Facilities Project Manager.

elect to use the PRC as a sanction for other charges or civil cases, such as failure to pay child support, is not reflected in these numbers.

Evidence supports the establishment of a PRC in Washtenaw County. The Washtenaw Jail Overcrowding Task Force, in its jail crowding summary document, indicated that “there are service gaps and process barriers to utilization of a full continuum of jail alternative programs for specific populations of offenders.”²² Community corrections funds have been used to fund these types of programs based upon these national studies. Yet in Washtenaw County, community-based alternatives for recidivism-prone sentenced felons and probation violators have been primarily confined to residential drug treatment, since Washtenaw County currently does not have its own local cognitive-based residential treatment center.

Recommendation

The subcommittee recommended to the CJCC and to the Board of Commissioners that a 35-bed PRC be constructed. The proposed PRC site is where Community Corrections is currently located – across the parking lot from the jail. The site provides for 8,360 sq feet of residential space down stairs and 4,180 sq ft of program space upstairs. The residential area would accommodate approximately 35 beds. The Board of Commissioners expressed concern that the 35 bed proposal may be insufficient, given the high demand for placements and future growth of the county, so other possible locations and space configurations are being explored.

There are several advantages to the use of the site, the most persuasive of which is its location on the campus already occupied by the Washtenaw County Jail. A close location enhances the ability of the PRC both to integrate its services if viable with the County Jail and to utilize inmate housing services such as meals, laundry, and other inmate needs. This integration may eliminate the need to build-in such necessities, reducing overall cost.

The costs for renovating the existing space into residential and programming space are initially budgeted at \$1,193,940.²³ Operating costs are estimated to be approximately \$650,000 annually which could be funded by a combination of reimbursement from the State and through a per diem charge to PRC residents – resulting in a net even operating budget. These estimates assume that the State's policy of reimbursing counties at the rate of \$43 per day per resident will not change and that a not-for-profit agency will operate the facility.

²² The Jail Overcrowding Task Force's final recommendations are available at cjcc.ewashtenaw.org.

²³ The PRC is included in Phase I budget figures for the jail project, as detailed in Appendix D.

Operations within a PRC would follow best practice management philosophies and would be modeled after centers that have proven successful in Michigan.²⁴ Best practices include very stringent house rules around decency and appearance, clear consequences associated with violating house rules, and awarded rights and privileges associated with following house rules and completing program requirements.

In conjunction with the PRC recommendation there is a recommendation to develop an electronic “bench book” for the judiciary to use when sentencing offenders. This bench book would inform the judiciary at the time of sentencing of the availability of PRC bed space and other alternative sanctions. This bench book would also be linked to current jail population statistics and will assist the judiciary in sentencing and sentence modification decisions.

The CJCC has also expressed the desire for expanding the use of tethers both as an alternative to incarceration as well as a measure to increase the level of security within the probation residential center.

²⁴ The Kalamazoo Probation Enhancement Program (K-PEP) is an example of a best practice. For more information on K-PEP, visit www.kpep.com.

5. JAIL MENTAL HEALTH DIVERSION

Consistently, one-third of the inmates in the jail suffer from a mental illness. The majority of these individuals do not qualify for services through the Michigan Mental Health Code. While services are provided to many of these individuals while in jail, seldom are services continued upon release from jail, resulting in a high re-commitment rate. Implementing strategies to divert these individuals from jail, when appropriate, would help ensure that jail beds are appropriately utilized. The problem is that the availability of diversionary opportunities is very limited.

History

Mental Health Diversion is targeted toward those individuals who have a mental illness, serious emotional disturbance or developmental disability and who commit a crime. Historically, diversion services have been limited to those individuals who meet the service criteria for Community Mental Health services as defined in the Michigan Mental Health Code.²⁵ This limitation has left the needs of a large segment of the proposed population unaddressed, including those who have significant emotional or mental disorders, but who don't quite "make the cut" in qualifying for community mental health services.

Historically, state-run Community Mental Health centers and the Department of Community Health (MDCH) primarily focused their jail diversion efforts on providing in-jail services and post-booking diversion. Washtenaw County has largely followed this pattern, although in the last several years the County has been exploring pre-booking alternatives. Although MDCH has provided guidelines and expectations regarding jail diversion, there has been no dedicated funding stream to support such efforts. Locally, diversion services have been funded through a combination of Community Mental Health general fund (non-Medicaid dollars) and local funding through the Office of the Sheriff. Services have included screening and assessment, short term in-jail counseling and in-jail psychiatric/medication services. Post-booking community treatment opportunities have been limited as they are dependant on available spaces within traditional community treatment programs. The overall funding and capacity pressures on the Community Mental Health system have made it difficult and often impossible to match an individual with an appropriate treatment alternative in a timely manner. A local consumer-led collaborative group has paved the way for pre-booking services, with a focus on officer training. This group has been relied on in-kind contributions and small grants from MDCH and foundations to complete its work.

Pre- and post-booking diversion services must be consistent with community values. These values include balancing public safety with the need to provide safe, humane treatment alternatives for those whose crimes are related to a significant emotional disorder, mental illness or developmental disability. Services must be designed to encourage personal and social responsibility, while recognizing that appropriate treatment and supports can ameliorate symptoms

²⁵ The Michigan Mental Health Code can be found at the following link:
<http://www.michigan.gov/mentalhealth/>.

and strengthen the individual's ability to live safely and productively in the community.

Washtenaw County established a jail diversion agreement²⁶ between the criminal justice/public safety systems and the mental health system in 2001. Through this agreement, we began to bridge the gap between these two sectors. However, systemic barriers, including both structural and funding barriers remain. The diversion initiative was re-invigorated through the process led by the Michigan Sheriff Association (MSA) starting in 2003. Through mapping both systems and identifying points of intersection, a mutual understanding of opportunities to improve treatment options and enhance public safety has begun to emerge. While incarceration may remain the only “guaranteed” option for protecting public safety, the reality is that if untreated, mentally ill individuals often return to the community following their sentence with even fewer emotional, financial and social resources than before they were incarcerated, thereby increasing the likelihood that they will re-offend. Matching the individual with the right treatment and the right legal alternative at the right time has emerged as a core principle that provides both humane and clinically sound alternatives for the individual while promoting public safety.

It is important to note that jail diversion is not always synonymous with diversion from prosecution. As noted above, a core principle is to match the right treatment and the right legal alternative. In some cases, only treatment may be indicated; in others, only legal action. In many cases, a combination of treatment and legal sanctions may be the most appropriate alternative. In many cases, sanctions may involve diversion from actual time in the jail. The core Mental Health Diversion agreement between the criminal justice/public safety and mental health systems clearly defines those offenses that are eligible for diversion and those that are not. Public safety is paramount in defining eligible vs. in-eligible offenses. In general, only non-violent offenses are eligible for diversion.

Process and Methodology

In 2003, a local consortium of representatives from the public safety and justice and mental health sectors convened to develop a comprehensive continuum of options. Led by the Michigan Sheriff's Association, the consortium based its work on emerging national best practice models. The group began by mapping²⁷ the current systems and processes in Washtenaw County from which four gaps were identified: incident, triage, stabilization, and long-term referral (discussed below). Solutions to these gaps were researched and filtered in consideration of the following factors:

- Whether a model is an evidenced based best practice;

²⁶ A copy of the diversion agreement is available at cjcc.ewashtenaw.org.

²⁷ The mapping of the system, along with the meeting minutes from the committee, are available at cjcc.ewashtenaw.org

- Whether a model is recognized by authorities as appropriate for jail diversion;
- The existence of local expertise and experience with a model and/or information on implementation of the model in other communities;
- Whether there are existing partnerships that can be built upon;
- The flexibility and adaptability of the model over time to meet changing needs;
- Whether the individual service component will provide linkages and continuity of care with other service components;
- The potential community impact of the service;
- The long range potential for insurance reimbursement;
- The cost effectiveness of the component;

Finally, team members reviewed local programs including their capacity and service histories and reached consensus on models that seemed to provide the best potential impact for each gap as well as the projected number of individuals who would benefit from each proposed service component.

Gap 1: Incident

Officers in the field benefit from prior training specific to strategies for interacting with individuals who are experiencing a mental illness, emotional disorder, or who have cognitive deficits due to a developmental disability. If an officer is able to recognize the signs and symptoms of mental illness, he or she can employ skills in de-escalation and knowledge of alternative resources and services then the need for arrest may often be averted. In addition, if arrest remains the most appropriate alternative, a trained officer is able to resolve the situation with less risk to the individual, the officer and the public. Locally, over 50 officers have received training and the Ann Arbor Police Department now has a trained officer available on each shift. Expansion and sustainability of training and consultation is critical to ongoing success. Washtenaw County needs the ongoing capacity to provide semi-annual training to officers, combined with refresher courses and special training topics.

Gap 2: Triage/ Assessment

Communities need the capacity to safely and quickly determine whether an individual is most appropriately incarcerated or referred for intensive crisis stabilization services or in-patient care. The triage component of jail mental health diversion is dedicated to the immediate assessment of both the mental and legal status of the individual. Triage components are designed to match the individual with the appropriate right care and legal alternatives early in an incident. The current jail facility does not have adequate facilities or staffing to provide adequate triage/assessment. The Psychiatric Emergency Services (PES) currently sees 25-35 individuals per month who are facing incarceration; however, their services are restricted to evaluating individuals for in-patient psychiatric services. The proposed expansion of the Washtenaw County jail should include adequate space and professional staffing to assure that triage is available to all new inmates within 12 hours of entry to the jail.

Gap 3: Stabilization

Stabilization is designed to provide short-term, intensive psychiatric and behavioral health interventions. Stabilization services provide a short-term alternative to more intensive or restrictive alternatives such as incarceration or in-patient services. Individuals enter a stabilization service following an initial assessment conducted through triage. Stabilization services are indicated for individuals who are experiencing an acute psychiatric crisis, situational stress, and lack of stability and adequate supports in their living environment. Services must be made available immediately in order for them to be effective. Washtenaw County currently has one Crisis Residential Facility. The current six-bed facility is funded as an alternative to in-patient psychiatric care and therefore can only serve as jail diversion only if an individual also meets hospital diversion criteria. Washtenaw County would benefit from three additional six-bed facilities, with one facility specializing in individuals with a co-occurring mental illness and substance abuse disorder.

Gap 4: Long Term Referral

In order to assure delivery of necessary treatment, which leads to increased stability of the individual and community safety, long-term community-based services are the final critical component of jail mental health diversion. Intensive, long-term treatment options offered through the community mental health system are currently restricted to individuals who meet criteria for community mental health services under the Michigan Mental Health Code. Typically, these programs have waiting lists of up to six months for those who do meet criteria. The diversion committee has identified the need for a set of intensive clinical, medical and psychosocial services that would be provided by a multi-disciplinary team and include a probation agent/criminal justice liaison as a member of the team. The team has identified the Assertive Community Treatment model as best suited for the local community. A program serving up to 90 individuals would provide adequate capacity to serve those most in need.

Recommendations

Incident

The proposed model is based on a highly successful local pilot program, which was based on the nationally recognized Memphis Model.²⁸ The training consists of a 30-hour training course for officers. The course provides knowledge and skills in recognizing signs and symptoms of mental illness and developmental disabilities, skills in de-escalation and successful interaction with individuals with disabilities, and knowledge of available community resources. The goal is to develop a pool of trained officers within each department or jurisdiction. The training process also develops relationships between officers and the mental

²⁸ More information about the Memphis Model can be found on NAMI's website (www.nami.org) under the search term "Memphis."

health service system, consumers and family members. Five local departments have participated to date, with over 50 officers having been trained. The plan is to continue to offer the full training academy semi-annually along with special events and “refreshers” annually. We propose to continue coordination by the current local collaborative body, with training provided by local mental health professionals, public health, consumers and National Association for the Mentally Ill (NAMI) members on an in-kind basis. In order to make the training feasible for local departments it has been most effective to provide stipends to local departments to offset cost of officer participation in training.

Triage/Assessment

Triage and assessment services will be incorporated into the proposed assessment center within the jail. In addition, the Psychiatric Emergency Room at the University of Michigan will continue to assess individuals who appear to be in need of immediate admission to in-patient psychiatric care. The assessment center will provide mental health screening and assessment as early as possible in the booking process, allowing early identification of those with mental health needs who could potentially be diverted. The process will also permit early identification of those who will need enhanced services within the jail if booked (enhanced classification process). Additionally, the assessment center will allow officers to complete inmate transfer and return to the field as quickly as possible. Professional staff in the assessment center will gather and verify information prior to defendant's initial appearance in court and provide linkages with in-patient care, Crisis Stabilization Services, Detox and other community services that may be used for diversion.

Stabilization

Crisis Residential Services (CRS) will focus on individuals experiencing a psychiatric crisis coupled with potential legal charges, as well as those with co-occurring mental illness and addiction. CRS may be used as either pre-booking, post-booking, or post-incarceration as transition back to the community. Clinical assessment while in CRS will assist in developing recommendations for the criminal justice system in determining whether it is most appropriate to proceed with charges or to seek a treatment alternative. Services will be provided in six-bed, licensed facilities located in the community. The programs will be staffed 24/7. Intensive clinical services will be provided on site. Analysis reveals that there is demand for three licensed facilities and this proposal includes providing three facilities in a phased approach.

Services will be individually tailored, with a flexible length of stay. The service provides the ability to stabilize individual on needed medications while providing close observation and supervision. There will be 24 hour on call capacity by clinicians, including “after hours” admissions. CRS provides a strong focus on health and safety of individual and community. The inclusion of case management services provides linkages to other needed community resources and treatment services.

Long Term Referral

We propose to provide Assertive Community Treatment Services (ACT) tailored to the needs of the jail mental health diversion population. ACT is a model with a proven track record of success with individuals with serious mental illness who have experienced multiple hospitalizations and/or incarcerations. ACT is a set of intensive clinical, medical and psychosocial services provided by a mobile multi-disciplinary treatment team. The team will include a clinical team leader, psychiatric nursing, psychiatry, master level therapists/case managers, bachelor level case managers, paraprofessionals experienced with population, Probation agent/criminal justice system liaison. The team will provide intensive clinical services, along with basic services and supports essential to maintaining the individual's ability to function in community settings, including assistance with accessing basic needs such as food, housing, and medical care. ACT services are designed to allow the individual to function in social, educational, and vocational settings. ACT is based on principles of recovery and community re-integration, with a strong focus on the health and safety of both the individual and the community. Services are provided in the person's home and other community settings and are individually tailored to meet the person's needs. The team can provide up to daily contact when needed, with intensive medication monitoring. The team will have 24 hour on-call capacity, and will conduct daily team meetings to review the current status of all participants. ACT is also designed to provide gradual transition to less intensive services, lessening the chance for relapse.

Mental Health Diversion Summary

Gap	Solution	Unit Cost	Total Annual Costs	Comments
Incident	Officer Training	\$50,000 per training series	\$100,000	Trainings semi-annual to start
Triage/ Assessment	Psych. Emergency Services	N/A	N/A	Currently provided by mental health system
Triage/ Assessment	Assessment Center	N/A	N/A	Costs included in facility and operating plan for jail
Stabilization	Crisis Residential Services	\$300 per day per bed	\$655,224 per home \$1,965,672 Total	Can be phased in and capacity matched to demonstrated usage and performance
Long Term Referral	Assertive Community Treatment	\$10,507 per client per year	\$945,618	
TOTALS			\$3,011,289	Does not include phasing

Costs and Benefits

Costs for each component have been carefully considered. Best practice standards have been used in determining the appropriate staffing level. Professional staffing has been constructed in such a way as to lay a foundation for potential Medicaid, Medicare or Third Party insurance funding streams at a future date. Costs have been based upon 2004 salary and cost figures and inflationary factors have been factored into the projected costs. The following is a summary for each component.

These strategies are designed to help control the growth of the inmate population and provide appropriate sanctions and treatment to this population. These strategies help assure that the root causes of offenses are addressed to reduce recidivism for this group.

6. FINANCING RECOMMENDATIONS

Each of the solutions contained in this recommendation would be costs that are not included in the County budget. While these costs are considerable, it is less than the costs that the County would incur over time if the identified solutions are not addressed soon. The only feasible way to fund these strategies is to refer the issue to the voters of Washtenaw County to approve a property tax millage increase. A .75 mill increase over 20 years would be sufficient to fund construction and operating expenses associated with the expansion. A special election for

Total Costs

The total costs associated with these recommendations include capital expenses and operating expenses. To fund the capital expenses, Washtenaw County would issue bonds and pay off the debt to those bonds over the course of twenty years. The table below demonstrates the annual amount of funding required to fund debt service and operations associated with these recommendations. An expanded version of this table, which includes more detail, is included as Appendix H.

31-Dec Year	Total Debt Service	Operating Costs	Mental Health Diversion	Total Annual Costs
2005	\$7,737,575	\$864,370	\$780,689	\$9,384,639
2006	6,947,825	1,905,521	\$1,854,273	10,709,625
2007	6,574,175	2,604,935	\$1,937,274	11,118,391
2008	5,814,175	3,663,814	\$1,924,812	11,404,809
2009	3,691,250	5,685,756	\$2,067,171	11,446,186
2010	3,327,625	6,437,703	\$2,941,259	12,708,597
2011	3,225,625	7,131,733	\$3,127,581	13,486,950
2012	2,622,625	7,790,845	\$3,221,284	13,636,766
2013	2,540,875	8,442,961	\$3,422,827	14,408,676
2014	2,206,875	9,045,294	\$3,532,703	14,786,886
2015	2,385,000	9,407,106	\$4,761,862	16,555,983
2016	2,297,250	9,783,390	\$4,932,328	17,014,984
2017	1,958,000	10,174,726	\$5,214,922	17,349,665
2018	1,883,000	10,581,715	\$5,410,410	17,877,143
2019	1,806,750	11,004,983	\$5,719,615	18,533,367
2020	1,979,250	11,445,183	\$5,943,417	19,369,870
2021	1,885,500	11,902,990	\$6,282,757	20,073,268
2022	1,791,000	12,379,109	\$6,538,643	20,710,774
2023	1,695,000	12,874,274	\$6,912,156	21,483,453
2024	1,598,250	13,389,245	\$7,204,453	22,193,972

Financing Options

There are two basic financing options for a project of this magnitude. The first is to finance construction and operational costs through the County's current general fund on a pay-as-you-go basis and the second is to seek additional revenues through a millage increase.

Funding these costs through the current County budget is not a viable option. Under the current budgetary constraints, Washtenaw County could not finance the annual cost of this project without significant program and service reductions. The County would need to dedicate nearly 15% of its general fund budget toward this project in addition to the nearly 60% of its budget that is already dedicated to public safety and justice.

Part of the reason for the constraint within the General Fund goes back to a constitutional amendment passed in 1978 known as the "Headlee Amendment." Under Headlee, total property tax growth for the County cannot exceed the rate of inflation. This limitation results in a permanent reduction to the County's operating millage rate, which since 1978 has been reduced from 5.5000 mills to 4.6110. This equates to a reduction in General Fund revenue of over \$11,000,000 annually, more than enough to fund the capital and programming put forth in this recommendation.

A second constraint is the limit on property tax growth passed by voters in 1993 known as Proposal A. While Headlee applies to total County-wide tax revenue, Proposal A limits the annual taxable value increase of an individual parcel to either the rate of inflation or 5%, whichever is less. Since 1993, the annual rate of inflation has averaged less than 2.5%. The reduction in General Fund property tax revenue due to Proposal A for 2005 equates to over \$16,500,000 annually.

The second financing option is to seek voter approval of a millage increase. To fund the recommendations described herein, Washtenaw County would need to issue bonds that could be retired over a 20 year period. This would enable the facility to be constructed as quickly as possible while spreading out the costs over the life of the facility. In addition, the annual operating cost increases will also require funding.

To generate an annual revenue stream sufficient to cover these costs would require a millage increase of 0.75 mills. This millage would provide \$9,600,000 in 2005; projected property tax growth in future years is sufficient to cover the rising costs. A typical home value in Washtenaw County is \$250,000 (Taxable Value of \$125,000). The millage would result in a \$94 increase in taxes on a house of this value for 2005.

These recommendations could be financed in their entirety through a Headlee Override referendum. Under this option, the County's operating millage rate would be increased to its original amount of 5.5000 mills. This would also require voter approval. However, the revenue generated from this would exceed the funds needed to implement these recommendations.

Recommendation: Millage Referendum

A millage increase requires voter approval. Under recently passed Michigan law, elections can happen only four times per year: February, May, August, and November. Due to the pressing nature of this issue, a vote is requested for the first available election date: a special election on February 22, 2005.

Appendix A

2002 Comparative Jail Population Data for Mid-Size Michigan

Counties (pop. 150,000-600,000)

County Name	'02 Population	Jail Cap	Beds / 1,000	CY 2002 (% cap)	CY 2001 (% cap)
Berrien	162,285	341	2.101	366.4 (107.4%)	356.9 (104.7%)
Genesee	441,423	680	1.540	637.0 (93.7%)	616.7 (90.7%)
Ingham ¹	281,362	575	2.044	N/A	N/A
Jackson	160,972	192	1.193	226.4 (117.9%)	211.7 (110.3%)
Kalamazoo	241,471	327	1.354	334.9 (102.4%)	331.7 (101.4%)
Kent ²	587,951	1251-1271	2.128 - 2.162	1159.7 (91.2%)	1081.7 (86.5%)
Livingston ³	168,862	205-254	1.214 - 1.504	195.2 (76.8%)	180.4 (88.0%)
Monroe ⁴	149,253	343	2.298	399.9* (116.6%)	N/A
Muskegon ⁵	171,765	370	2.154	N/A	N/A
Ottawa	245,913	366	1.488	342.8 (93.7%)	303.5 (82.9%)
Saginaw	210,087	513	2.442	559.4 (109.0%)	494.9 (96.5%)
St. Clair	167,712	171 *	1.020 *	263.8 (154.3%)	235.4 (137.7%)
Washtenaw	334,351	332	0.993	333.7 (100.5%)	307.4 (92.6%)
Averages ⁶	255,647	435.4	1.715	435.4 (100.0%)	412.0 (92.6%)

Comparative Jail Population Data for Mid-size Michigan Counties (pop. 150,000 – 600,000) - Source: Ed Martin, JPIS Systems analyst, OCC.

- 1- JPIS data was unavailable for Ingham County
- 2- Kent County's jail bed capacity fluctuated during the period, rising from 1,251 to 1,271 and returning to 1,251
- 3- Livingston County added 49 beds during the period
- 4- JPIS data is only available from May 2002 to December 2002
- 5- JPIS data is unavailable for Muskegon County
- 6- The averages calculations for percent of capacity include only those counties reporting JPIS data for the year. For Kent and Livingston Counties, the low range of bed capacity was used to calculate the 2001 data; the high end of the range was used to calculate 2002 data

Appendix B

Criminal Justice Collaborative Council Members

Member	Representing
Archie Brown	Circuit Court Chief Judge
Barbara Levin Bergman	Community Corrections Advisory Board Chair
Barbara Ryan Fuller	General Public At Large
Bill McFarlane	City Mayor or Township Supervisor
Brian Mackie	County Prosecutor
Cedric Simpson	District Court Presiding Judge
Dan Minzey	County Sheriff
Dan Dwyer	Trial Court Administrator
Glenn Cotton	General Public at Large
John Shea	Bar Association
Kathy Reynolds	Community Mental Health Representative
Leah Gunn	Board of Commissioner Chair
Lloyd Powell	Public Defender
Patrick Hughes	Department of Corrections Probation
Chief Paul Bunten	Chief of Police, City of Saline
Peggy Haines	Clerk of Court
Robert Guenzel	County Administrator

OPTION A: Improve Infrastructure, Incorporate District Court

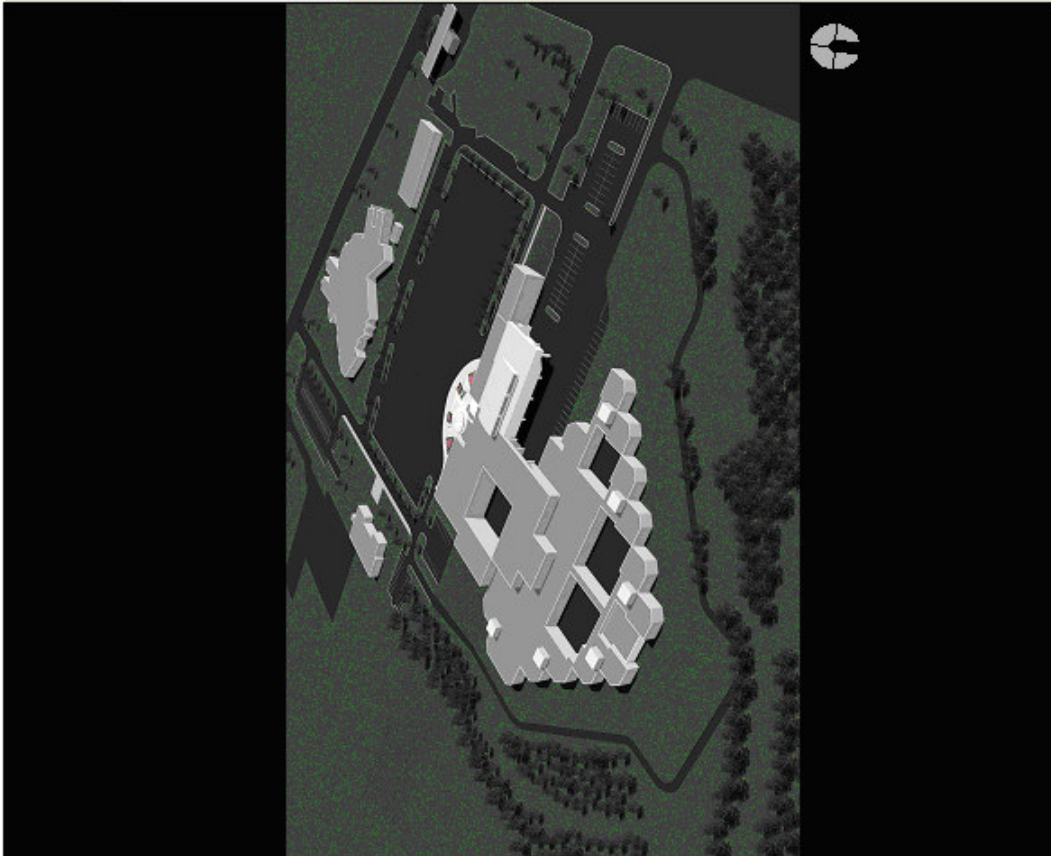
Total Beds 332

Advantages

- Brings facility up to code
- Incorporates District Court
- Future expansion possible


Disadvantages

- Reliance on other jurisdictions
- Many inmates are not appropriate for boarding out
- Significant out-of-county expenditures
- Does not allow for appropriate inmate management
- Disruptions in support
- Difficulty in family and attorney access



Appendix C: Graphic Representations of Jail Options

OPTION B: New Facility	
Total Beds	608
Advantages	
<ul style="list-style-type: none">• Supports modern management practices upon move• Site works well for corrections• Staff efficiencies realized immediately	
Disadvantages	
<ul style="list-style-type: none">• Not a 30+ year solution• High construction costs• Loss of functional asset• Height of facility/ aesthetics	



Appendix C: Graphic Representations of Jail Options

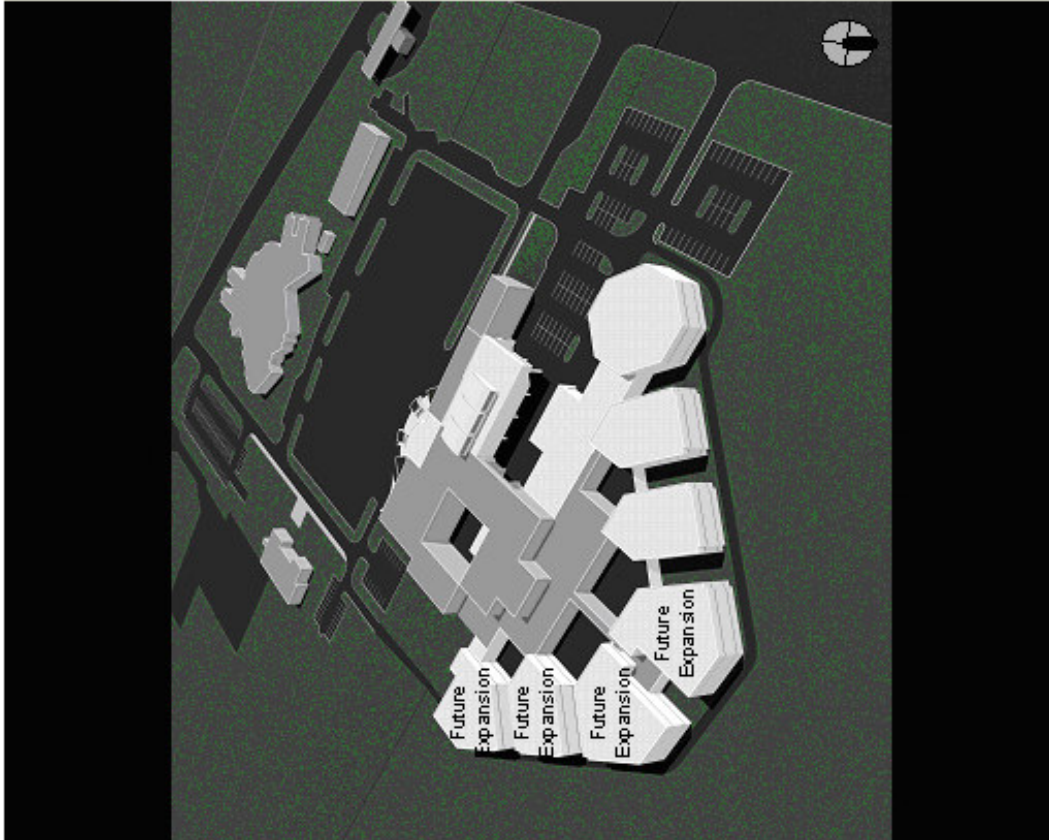
OPTION C: Phased Expansion	
Beds in 30 + years	800 +
Beds in ten years	532

Advantages

- Logical expansion of facility
- Pay-as-you-go expansions
- Incrementally improves staffing efficiency
- Separate identity for Courts
- Accommodates Sheriff Law Enforcement

Disadvantages

- Requires operations near secured areas
- Will require careful planning during construction



The image is a 3D architectural rendering of a jail facility. It shows a complex of interconnected buildings with various rooflines and structures. Four specific areas are highlighted with white labels that read "Future Expansion". These labels are positioned at the bottom of the rendering, pointing to different sections of the facility. The background is a dark, textured surface, possibly representing the ground or a sky. A small circular icon is visible in the top right corner of the rendering.

APPENDIX D: Washtenaw County Proposed Jail Expansion

	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Total
	1st Housing Pod, Medical and Mental Health, Probation Residential Center	2nd Housing Pod, District Court	Assessment / Booking / Central Control, Security System	3rd Housing Pod, Court Clerk functions, Infrastructure	Kitchen	
Construction Project Cost	10,600,000	13,200,000	9,800,000	12,800,000	1,700,000	48,100,000
Increased Annual Operating Cost - Capacity	620,000	1,190,000	630,000	1,570,000	490,000	4,500,000
Increased Annual Operating Cost - Program	240,000	530,000	230,000	450,000	100,000	1,550,000
New Beds Added	80 - 96	44 - 60	(20) - (28)	80 - 96	0	
Total Beds Available	412 - 428	456 - 488	428 - 468	508 - 564	508 - 564	
Projected Peak Capacity @ completion	440	463	475	487	500	
Completion Date	2006	2008	2009	2010	2011	

* This cost equates to \$4,768,000 when adjusted for salary, fringe benefit and other inflationary factors.

** This cost equates to \$1,670,000 when adjusted for salary, fringe benefit and other inflationary factors.

Appendix E: Cost Estimates by Phase

Phase 1 - 1st Housing Pod, Medical and Mental Health, Probation Residential Center

Component	Description	New Construction / Rehab	Phase 1 Oct 2004 - May 2008
New Special/Medical/Classification Hsg	New 96-bed unit	New Construction	\$ 5,706,641
<i>First Floor</i>			
<i>Mezzanine</i>			
Vehicle Sallyport	New VSP for bus and 2 oversize vans	New Construction	\$ 506,520
Medical/Mental Health	Medical area (required by ACA standards) for staff, screening, supplies, etc.	New Construction	\$ 1,434,085
Laundry	New addition in service area for new laundry. Clears space for kitchen expansion	New Construction	\$ 475,631
Adult Residential Unit (40-bed)	Allowance for 40-bed Adult Probation Residential Program unit construction. Actual budget to be developed under separate contract	New Construction	\$ 1,193,940
Site Preparation	Prep of 2 acre initial construction parcel	New Building Site Area	\$ 110,048
Site Improvements	Prep of 2 acre initial construction parcel	New Building Site Area	\$ 217,683
Site Utilities	New service lines	New Building Site Area	\$ 274,365
Perimeter Road Regrading	Minimal repair	Renovation	\$ 15,075
Fence Remodeling	At each unit	Renovation	\$ 30,150
Remodel / Add Security System	Minor upgrades (local) for PLC system -- integrates with future system	Renovation / upgrades	\$ 375,141
Site / Civil	West side of existing facility	Upgrade	\$ 9,799
Architectural / Structural	Exterior repairs, enclosure	Renovation / upgrades	\$ 46,624
Mechanical / Plumbing	Misc. piping	Renovation / upgrades	\$ 75,375
Electrical	Upgrades	Renovation / upgrades	\$ 150,750
Total Construction Cost			\$ 10,621,827

PHASE I INCLUDES:

- New 96 bed unit**
- Increased capacity for vehicle sallyport**
- Probation residential unit - actual budget to be developed under a separate contract**
- First upgrades to the security system**

Appendix E: Cost Estimates by Phase

Phase 2 - 2nd Housing Pod, District Court

Component	Description	New Construction / Rehab	Phase 2 April 2006 - Nov 2009
Maximum Security	Renovation of existing medical unit for maximum security housing	Renovation	\$ 777,825
Replacement Housing Units (80 Bed Unit)	New Unit - overflow ITR; direct supervision unit	New Construction	\$ 3,548,987
Remodel Outdoor Recreation Areas	Renovate / fence outdoor recreation area (due to adj. modified HU)	Rehabilitation of existing areas	\$ 90,450
Building Demolition			
A Block Housing	Demolition	Demolition	\$ 17,926
Max Housing (Portion Only)		Demolition	\$ 22,424
B, C, D, E Housing Units	Demolish one unit	Demolition	\$ 44,584
Building Gutting			
Medical/Mental Health	Major portion of ITR	Demolition	\$ 66,379
Addition to HVA for District / Circuit Court	3 Crts above; District Crt admin, Probation, storage below, with space for Prosecutor, PD	New Construction	\$ 7,571,419
DEIS Building -- CC / Other Improvements	Conversion of lower level available space for District Court Archives	Renovation / system upgrades	\$ 273,611
Site Preparation	Prep of 1 acre construction parcel	Upgrade existing site	\$ 55,024
Site Improvements	Prep of 1 acre construction parcel	Upgrade existing site	\$ 108,842
Site Utilities	Extension	Upgrade existing site	\$ 137,183
Fence Remodeling	At each unit	Repair / Rehab	\$ 30,150
Remodel / Add Security System	Minor upgrades (local) for PLC system -- integrates with future system	Upgrades to security envelope	\$ 375,141
Electrical	Additional upgrades	Support Security system upgrades	\$ 37,688
Total Construction Cost			\$ 13,157,631

PHASE 2 INCLUDES:

Demolish one housing pod (Block A - 32 beds)
Reconstruct at greater capacity (80 - 96 beds)
Addition to HVA for District/ Circuit Court
First half of renovating maximum security
Minor upgrades to security system

Appendix E: Cost Estimates by Phase

Phase 3 - Assessment / Booking / Central Control, Security System

Component	Description	New Construction / Rehab	Phase 3 Oct 2007 - May 2011
Assessment/Booking/Central Control	Renovation of existing areas for new ITR / Classification Center	Major Renovation / New Systems	\$ 3,372,549
Property	Renovation of existing Sally Port for high-area property storage	Major Renovation / New Systems	\$ 492,500
Maximum Security	Second 1/2 of renovation for maximum security	Major Renovation / New Systems	\$ 777,825
Correctional Services / Staff Lounge	Renovation of correctional services program areas to accommodate expanded program	Major Renovation / New Systems	\$ 777,071
Kitchen (Equipment NIC-Negot Contract)	Expand kitchen into existing laundry area	Major Renovation / Adaptive Reuse	\$ 211,050
New Entrance to Building	Expanded entrance to support visitation, courts (at HVA), and Sheriff's Ofc visitor / professional traffic	New Construction / Some Renovation	\$ 868,320
B, C, D, E Housing Units	Demolish second unit	Demolition	\$ 44,584
Booking/Max/Holding	Prepare area for ITR renovation	Demolition	\$ 40,827
Correctional Services / Staff / Program	Prior to renovation / expansion of program areas	Demolition	\$ 49,442
Vehicle Sallyport	Interior walls, doors demo prior to relocation of property storage	Demolition	\$ 18,644
B-C Recreation Yard	Demolish existing surfaces associated with new HU	Demolition	\$ 30,098
Hearing Room	Renovations	Demolition	\$ 4,296
Central Control	Renovations	Demolition	\$ 1,888
Visitation	Renovations	Demolition	\$ 20,351
DEIS Building -- CC / Other Improvements	Verify if space still exists - if yes, plan for District 14A central store/supply	Renovation	\$ 555,514
Perimeter Road Regrading	Minimal repair	Rehab	\$ 15,075
New Secure Parking Lot west of Building	Staff parking	New Construction	\$ 68,591
Fence Remodeling	At each unit	Rehab / Repair	\$ 30,150
Parking Lot improvement w/in secure area	In service courtyard	Rehab / Repair	\$ 87,813
Remodel / Add Security System	Central Control with consoles and PLC systems (head end equipment)		\$ 1,875,707
Architectural / Structural	Floor repairs		\$ 22,613
Mechanical / Plumbing	Piping repair, rerouting and water heater / supply		\$ 301,500
Electrical	Additional upgrades		\$ 75,375
Exitng	HU Area repairs		\$ 75,375
Total Construction Cost			\$ 9,817,158

PHASE 3 INCLUDES:

- Transforming current Intake/ Transfer/ Release into an Assessment Center**
- Central Control**
- Second half of renovation for maximum security**
- Correctional Services Staff Lounge**

Appendix E: Cost Estimates by Phase

Phase 4 - 3rd Housing Pod, Court Clerk functions, Infrastructure

Component	Description	New Construction / Rehab	Phase 4 April 2008 - Oct 2011
Replacement Housing Units (80 Bed Unit)	New 80-bed HU	New Construction	\$ 3,548,987
Remodel Outdoor Recreation Areas	Renovate / fence outdoor recreation area (due to adj. modified HU)	Rehab / Repair	\$ 90,450
Renovate HVA Building for Clerk Functions		Major renovation / new Systems	\$ 2,553,705
Demolition of District Court	Demolish and remove foundations	Demolition	\$ 250,999
Site Preparation	Prep of 1 acre construction parcel	Upgrade existing site	\$ 55,024
Site Improvements	Prep of 1 acre construction parcel	Upgrade existing site	\$ 108,842
Site Utilities	Extension	Upgrade existing site	\$ 137,183
Perimeter Road Regrading	Minimal repair	Rehab / Repair	\$ 15,075
Fence Remodeling	At each unit	Rehab / Repair	\$ 30,150
Remodel / Add Security System	Minor upgrades (local) for PLC system -- integrates with future system	Upgrades in existing	\$ 375,141
New Sprinklers in Existing Building	Sprinklers in existing bldg (areas that will remain)	New system in existing areas	\$ 633,150
Infrastructure Upgrades			
Site / Civil	Bridge area		\$ 56,049
Architectural / Structural	See detailed report	Various repairs	\$ 877,811
Mechanical / Plumbing	Replacement of central area AHUs, boilers, chillers, etc.	Major system upgrades	\$ 3,830,407
Electrical	Service upgrades (verify if generator upgrade completed)	Major system upgrades	\$ 241,200
Total Construction Cost			\$ 12,804,171

PHASE 4 INCLUDES:

- New Housing Unit (80 beds)**
- Renovation of New District Court building (formerly HVA)**
- Demolition of current District Court building**
- Replacement of mechanical, plumbing, and electrical**

Phase 5 - Kitchen

Component	Description	New Construction / Rehab	Phase 5 Oct 2009 - April 2012
Kitchen (Equipment NIC-Negot Contract)	Additional renovation / expansion of FS	Renovation	\$ 1,659,456

APPENDIX F: CONTINUUM OF SANCTIONS

Washtenaw County Government Continuum of Available Offender Services

1	2	3	4	5	6			7		8	9
					Residential Non-secure	Boot Camp Minimum security	Jail Medium security	Jail Maximum security	Confinement		
Screening Assessment Referrals Pretrial Services/ Probation <ul style="list-style-type: none"> • Pre- and post arraignment screening OCC & Jail <ul style="list-style-type: none"> • Post-arraignment jail screening (support service) CSTS <ul style="list-style-type: none"> • Mental health screening within 72 hours of jail 	Community-based treatment and education AA/ NA meetings OCC <ul style="list-style-type: none"> • Life/ Job Skill Training (Employment) • Drug screening • BTC (Breaking the Cycle) • Cognitive behavior modification (MRT) • Domestic violence counseling Non-residential <ul style="list-style-type: none"> • Anger Mgmt • Day Reporting • Domestic Assault Intervention (DAIP) • Successful Thinking 	Supervision District Court Probation <ul style="list-style-type: none"> • Supervision MDOC <ul style="list-style-type: none"> • Probation and parole supervision with alcohol screens and assessments OCC <ul style="list-style-type: none"> • Drug and alcohol testing • PBTs 	Jail Jail	Intensive supervision District Court <ul style="list-style-type: none"> • Court-enforced intensive supervision (CEIS) OCC <ul style="list-style-type: none"> • Day reporting • Tether (alcohol, conventional, GPS) MDOC <ul style="list-style-type: none"> • electronic monitoring (EMS) • Sobrieter 	Residential Non-secure MDOC <ul style="list-style-type: none"> • Residential Programming Center OCC <ul style="list-style-type: none"> • PRC placements (out of county) 	Boot Camp Minimum security MDOC <ul style="list-style-type: none"> • Special Alternative to Incarceration (SAI) 	Jail Medium security Multiple occupancy cells <ul style="list-style-type: none"> • Pretrial • Sentence • DTC sanction • Holds 	Jail Maximum security Single cells <ul style="list-style-type: none"> • Pretrial • Sentence • DTC sanction • Holds 			
Assessment and Referral	Community Supervision				Community Supervision						Most restrictive confinement
	AA/NA: Alcoholics Anonymous/Narcotics Anonymous										
	MDOC: Michigan Department of Corrections										
	GPS: Global Positioning System										

APPENDIX G

GLOSSARY OF TERMS

Definitions Taken from National Institute of Corrections Reports: Jail Design Review Handbook, Staffing Analysis, Budget Guide for Jail Administrators, Criminal Justice Glossary Acquittal, Local System Assessment: Washtenaw County

Acquittal. Judicial deliverance from a criminal charge on a verdict or finding of not guilty.

Appropriation. The legal authorization of funds by a governing body to make expenditures or to incur obligations for specific purposes. An appropriation is usually limited in amount and to a time period within which it may be expended. It is the act of appropriation that funds a budget.

Arrest. Hold time in legal custody, either at the scene of a crime or as a result of investigations. Arrest can also be the result of a complaint filed by a third party, an outstanding warrant, or a revocation of probation or parole.

Average Daily Population (ADP). The average number of inmates in a jail over a period of time (e.g., 1 year). It is computed using the equation: (Bookings X Average Length of Stay) / 365.

Average Length of Stay (ALOS). The length of stay of inmates in a jail over a period of time.

Bond. Written evidence of the issuer's obligation to repay a specified principal amount on a certain date (maturity date), together with interest at a stated rate, or according to a formula for determining that rate.

Bookings. The number of people booked into the jail.

Cognitive Based Behavioral Interventions. Programs that are designed to help an individual identify the circumstances that cause behavioral issues so that those circumstances can be avoided.

Day Reporting Center. A place where select offenders must report while on probation or parole and where the offender receives an increased intensity of services. Day reporting centers may include educational services, vocational training, treatment, and other service deliveries.

Debt Service. The dollars required to repay funds borrowed by means of issuance of bonds or a bank note. The components of the debt service payment typically include an amount to retire a portion of the principal amount borrowed and interest on the remaining outstanding unpaid principal balance.

Detoxification. Structured medical or social milieu in which the individual is monitored for withdrawal from the acute physical and psychological effects of addiction at court.

Diversion. Process whereby an offender's disposition is modified or suspended based on levels of custody and intervention appropriate to the offender's level of risk, need, and responsivity. Available resources, attention to just sentencing, and interagency collaboration are essential components of diversion programs.

Drug Testing. Random and targeted technical examination of urine samples to determine the presence or absence of specified drugs or their metabolized traces.

Felony. A crime that carries a maximum sentence greater than one year of incarceration.

Full-time equivalent (FTE). A term used to translate staffing needs into the number of full-time staff members needed to fill the required hours. FTE calculations consider the net amount of time a full-time staff member is available (*net annual work hours*) after time away from the job (e.g., vacation, sick leave, holidays, training time) is subtracted.

Indirect Supervision. The supervision and management of inmates primarily by staff located in a control room separated from housing units by secure windows, walls, and, sometimes, corridors. Under indirect supervision, staff control (and have visibility into) doors and other mechanisms in two to six housing units. Control room officers must be supplemented by rovers who walk through housing units periodically to enhance supervision, answer questions, and help provide services such as food distribution.

Intermediate and Graduated Sanctions. A structured purposeful array of sanctions designed to assign level and type of consequence to violations of supervision/custody and or new crimes. Consequences must be appropriate to the behavior, related to levels of risk and need and integrated with planned interventions. Examples of graduated sanctions include increased surveillance combined with an appropriate intervention, loss of privileges combined with an appropriate intervention. Intermediate and graduated sanctions are designed to facilitate the balance between offender accountability, responsibility, and change. Intermediate and graduated sanctions are directly related to the principle of diversion.

Jail. To hold a person in lawful custody, usually while he or she is awaiting trial. In some jurisdictions, jails are used punitively for offenders serving short-term sentences or sentences to work release or weekends in jail. Jails range in size from rural jails having a dozen cells to urban jails having hundreds of cells.

Life-Skills Programs. A variety of related services designed to teach an offender how to function in society without drinking, using drugs, or committing criminal

acts. May include such topics as job seeking skills, personal hygiene, budgeting and financial management, time management, recreation, stress management, and decision making.

Mandate. A requirement imposed by a legal act of the federal, state, or local government.

Mandatory Programming. Programs required as a condition of the case plan which hold disciplinary consequences for failure to attend or otherwise comply with conditions of treatment. Mandatory programming should always be expressed in terms that emphasize the offender's choice. Discipline relative to the offender's decision for non-participation should be simply assignment to locations with fewer amenities and privileges. Consequences for refusal to program should not be viewed as punishment.

Mandatory Release. Required release of an inmate from incarceration upon the expiration of a certain period as stipulated by a determinate sentencing law or by parole guidelines.

Mill. A monetary measure equating to 0.001 of a dollar. When referring to the property tax, it means that a 1-mill tax is \$1 of tax on \$1,000 of taxable value. The millage rate is the rate per \$1,000 of taxable property that, when multiplied by the taxable value, yields the tax billing for a given parcel.

Misdemeanor. A crime that carries a maximum sentence of less than one year incarceration.

Operating Budget. The budget, including appropriations for recurring and certain onetime expenditures, that will be consumed in a fixed period of time to provide day-to-day operations (e.g., salaries and related benefits, operating supplies, contractual and maintenance services, professional services, and operating equipment). The operating budget does not include debt service, budgeted reserves, transfers between budgets, and the capital budget.

Outcome. What is expected to be achieved in the target population as a result of the program.

Own Recognizance. Released on one's own responsibility (i.e., released with an obligation to appear in court, but the release is not secured by financial bail).

Parole. Process of being granted release from prison by the appointed paroling authority prior to the completion of a sentence. Parole imposes supervision and other stipulations such as prohibitions on certain activities. (Varies in different states)

Peak Population. The largest total number of inmates in a jail over a period of time.

Plea Hearing. Court hearing at which time the defendant answers to the charge or indictment brought against him/her.

Position. A job not filled by any other staff member when the person holding the position is not on duty (e.g., secretary, classification officer, assistant jail administrator). A position has tasks that can usually be deferred until the staff member is available. Continuous coverage usually distinguishes a post from a position; a post has tasks that cannot usually be deferred.

Post. A job defined by its location, time, and duties that can be filled interchangeably by different staff members. Continuous coverage usually distinguishes a post from a *position*; a post has tasks that cannot usually be deferred.

Pre-Sentence Investigation Report. Document prepared, upon completion of an inquiry into the circumstances related to a crime, and the background of an offender, for the primary purpose of providing sanction and interventions recommendations to the court.

Pre-Trial Hearing. Appearance in court before a magistrate at which time bond is set or a determination is made to retain in jail or release the offender.

Prison. Secure institution in which offenders are confined after sentencing for crimes. Prisons are classified as minimum, medium, close, or community security facilities based on need for internal institutional fortification. Inmates are similarly classified by severity of offense and/or other behavior and are usually assigned to prisons having a corresponding level of security.

Probation. Sentence of community-based supervision. Probation includes stipulations and prohibitions on certain activities and often includes fines and other penalties imposed by the court at the time of sentencing. Probation services are also responsible for the integration and delivery of effective interventions.

Residential Treatment. Treatment in which participants live in a facility and receive a variety of structured educational and therapeutic services.

Standards. A broad term encompassing mandatory and voluntary operating conditions for a jail. National, State, and local standards provide important guidelines for developing and evaluating *staffing plans*.

Supervision of Inmates. Staff activities that involve direct, barrier-free contact with inmates, including conversing and interacting directly with them. Good supervision allows staff to sense inmate moods, anticipate problems, and prevent future problems.

Surveillance of Inmates. Staff activities that include observing or monitoring inmate behavior, often through glass barriers or by using audio or visual

equipment. For example, an officer may view a housing area or dayroom from an enclosed control station or through a closed-circuit television monitor.

Total Bed Days (TBD). Shows exactly how jail bed resources are used. It is computed by the equation: Bookings X Average Length of Stay (ALOS).

Tether. A locating unit that is attached to an individual to track their movement or location. Tethers can be used in some instances as an alternative to incarceration.

Treatment. Any intervention that may change the behavior that leads to social or health problems. Treatment focuses on one or more specific criminogenic risk factors such as substance abuse and/or criminal thinking and utilizes appropriately integrated therapeutic tools. Optimum treatment outcomes are achieved through proper integration with supervision activities. To qualify as treatment services must include assessment of the problem, an appropriate case plan, the delivery of appropriate services, and discharge summary.

Trial/Sentencing. Court hearing at which a prosecutor presents a case against the defendant to show that he or she is guilty of a crime. The judge or jury decides the verdict. Sentencing is the disposition of a case where penalties are imposed.

Work Release. Alternative to total incarceration whereby inmates are permitted to work for pay in the free community but must return to the institution during their non-working hours.

Appendix H
County of Washtenaw
Millage Collection
3/4 Mill

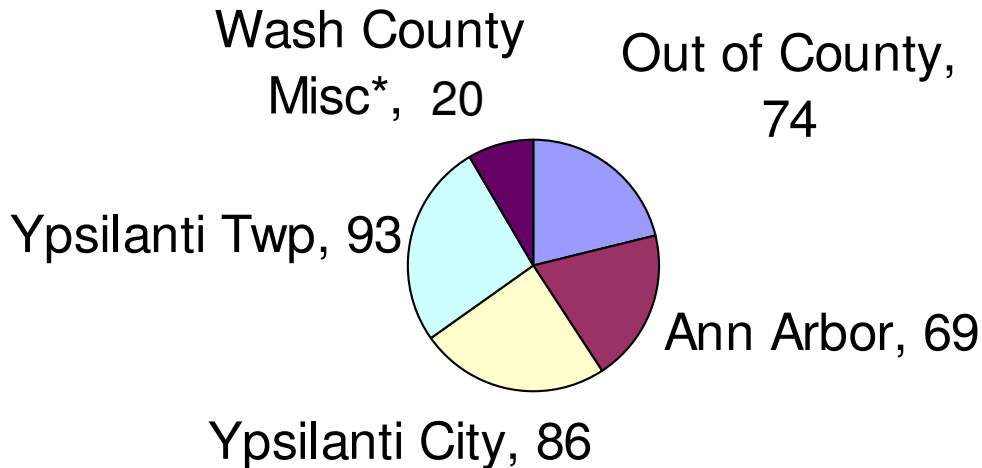
31-Dec Year	Millage Collection	Total Debt Service	Operating Costs		Mental Health Diversion			Balance / Shortfall
			Capacity	Program	Training	ACT	CRS Units	
2004								
2005	\$9,615,775	\$7,737,575	\$621,087	\$243,283	\$100,000	\$0	\$680,689	\$233,141
2006	10,144,642	6,947,825	1,388,965	516,557	100,000	1,046,966	707,307	-562,977
2007	10,702,597	6,574,175	1,825,614	779,321	100,000	1,102,134	735,140	-413,786
2008	11,291,240	5,814,175	2,612,847	1,050,967	0	1,160,559	764,253	-111,561
2009	11,912,259	3,691,250	4,160,901	1,524,855	50,000	1,222,453	794,717	468,082
2010	12,507,872	3,327,625	4,767,972	1,669,731	0	1,288,043	1,653,216	-198,716
2011	13,133,265	3,225,625	5,317,471	1,814,262	50,000	1,357,573	1,720,008	-351,674
2012	13,789,928	2,622,625	5,833,398	1,957,448	0	1,431,303	1,789,981	155,174
2013	14,479,425	2,540,875	6,356,223	2,086,738	50,000	1,509,512	1,863,315	72,761
2014	15,130,999	2,206,875	6,831,090	2,214,204	0	1,592,499	1,940,204	346,127
2015	15,811,894	2,385,000	7,104,334	2,302,772	50,000	1,680,585	3,031,277	-742,074
2016	16,523,429	2,297,250	7,388,507	2,394,883	0	1,774,113	3,158,216	-489,539
2017	17,266,983	1,958,000	7,684,048	2,490,678	50,000	1,873,451	3,291,471	-80,664
2018	17,957,663	1,883,000	7,991,409	2,590,305	0	1,978,993	3,431,417	82,538
2019	18,675,969	1,806,750	8,311,066	2,693,917	50,000	2,091,163	3,578,452	144,621
2020	19,423,008	1,979,250	8,643,508	2,801,674	0	2,210,415	3,733,002	55,158
2021	20,199,928	1,885,500	8,989,249	2,913,741	50,000	2,337,235	3,895,522	128,682
2022	21,007,925	1,791,000	9,348,819	3,030,291	0	2,472,147	4,066,496	299,173
2023	21,848,242	1,695,000	9,722,772	3,151,502	50,000	2,615,710	4,246,446	366,812
2024	22,722,172	1,598,250	10,111,682	3,277,562	0	2,768,527	4,435,925	530,225

Tax increase on a \$250,000 home (\$125,000 Taxable Value) = \$94

Appendix I

Washtenaw County Jail Inmate Home Address Location Snapshot from May 17, 2004

City/Village/Township	Number of Inmates	% of Total
Ann Arbor	69	20.2%
Ypsilanti City	86	25.1%
Ypsilanti Twp	93	27.2%
Chelsea	3	0.9%
Lodi Twp	1	0.3%
Milan	5	1.5%
Manchester	1	0.3%
Saline	3	0.9%
Scio Twp	4	1.2%
Whitmore Lake	2	0.6%
Willis	1	0.3%
Out of County	74	21.6%
TOTAL	342	100%



**Washtenaw County Miscellaneous includes: Chelsea (3), Lodi Twp (1), Milan (5), Manchester (1), Saline (3), Scio Twp (4), Whitmore Lake (2), Willis (1)*

Appendix J: Washtenaw County Jail Inmate Programs

Substance Abuse education:

Dawn Farm: This class is sponsored by Community Corrections and is a 30 day treatment program designed as a first step in a continuum of services to address substance abuse, denial, acceptance and recovery.

Beat the Street Clean and Sober – This program is a five part video series and after each video a group discussion takes place. The first series address dealing with frustration and chronic stress, and resisting the lure of “easy money” and the street life. Step two focuses on early recovery, the first weeks home, dealing with housing, old friends, triggers and how to handle running into old buddies. Step three focuses on exploring relationship challenges that come up in early recovery including dealing with dysfunctional families, sexual triggers and the stress of parenting. Step four focuses on ways to cope with emotional “danger zones” in early recovery, including anger, shame, guilt and self-pity. Step five focuses on hope about long term recovery, showing that it’s possible to “take back your dreams” and achieve your goals related to work, money, school, and fun.

Fetal Alcohol Syndrome – This program tries to educate women on the effects that alcohol plays on the physical and mental development on a fetus.

Men’s Alcoholics for Christ – This program use a combination of group self-help and scripture study to combat their addiction.

Alcoholics Anonymous and Narcotics Anonymous: Alcoholics Anonymous and Narcotics Anonymous are probably the most widely known of the 12 step, self-help peer groups. The same program that is used in the community is mirrored in the jail. There are currently four Alcoholics Anonymous groups that meet weekly and two Narcotics Anonymous groups.

•Each of these substance abuse classes are important to help reduce recidivism. At the time of booking over 60% of the inmates admit to being on drugs or alcohol when committing their crime.

Self Help and Educational Programs

GED – General Education classes are offered through a contract with the Ann Arbor Public Schools. This program will typically graduate 40 to 55 students per year.

Moral Reconciliation Therapy (MRT) – is a 12 step cognitive skills treatment program that research has shown to be effective in reducing recidivism by confronting

and changing the criminal attitudes and thinking distortions. Based on this programs effectiveness it has been implemented in all of the prisons in Texas, California, and Florida. Reconation – is a made up word that is meant to reconnect the mind, body and spirit.

Alternatives to Domestic Aggression (ADA) – this program is sponsored by Catholic Social Services through a domestic violence grant. It uses a cognitive behavior approach in attempting to get inmates to recognize their behavior as being physically or psychologically abusive.

Anger Management – Teaches inmates how to recognize when stress buttons are being pushed and provides them with constructive alternatives to releasing these pent up emotions.

Probation and Parole Survival – This program gives the inmates a realistic view of what life will be like on parole or probation. It allows the inmate to begin to prepare mentally for the life style changes that will be required of them prior to being released from jail.

Prison Bound Orientation – This class tries to answer many of the questions that a person would have if they were sentenced to prison for the first time. Topics such as the quarantine process, classification, visiting privileges, programs available in prison and the realities of prison life are discussed.

Inner Peace – Is a 12-week Christian based class that gets inmates to recognize their failures, understand the power of prayer, and the importance of self-forgiveness in an effort to make amends with ones self and others.

Domestic Violence for women – This class helps women recognize if they are in an abusive relationship and if so assist them in developing a safety plan during domestic violence situations and if they wish to leave the relationship assist the victim with a plan to leave.

HARC (Health Aids Resource Consortium) – This agency comes into the jail once ever four months and makes a presentation to the entire inmate's population. They provide education about HIV and Hepatitis C. Information is also provided about sexually transmitted diseases and how to avoid contracting these diseases. Information is also provided on where they can be tested as well as needle exchange programs.

Life Skills – This program assist inmates with issues related finding employment, interviewing for a job, explaining to an employer why you were incarcerated, money management, family responsibilities, and consequences related to decision making.

Programs assisting inmates with maintaining family and community ties:

Child Visitation – (women only) this program allows incarcerated mothers who have earned the privilege by not receiving any disciplinary report to have a contact visit with their minor aged children once a month. Mother-Child relationships are preserved and those participating mothers have a greater sense of self worth.

Family Book Club – The Family Book Club provides books to the parents of younger children in an effort towards greater literacy. Inmates are provided with tape recorders and cassettes tapes to read short stories to their children. The tapes and recorders are then loaned to the child for listening.

Art Therapy – (women only) Once a week volunteers come into the jail to work with the women in G-block. During class they make primarily greeting cards to send out to family or friends to acknowledge a birthday, specific holiday or to just let loved ones know how important they are in their life. All supplies and materials are provided by the volunteers.

Spiritual Programs:

Non Denominational Church Services – is sponsored by the ecumenical counsel of Ann Arbor. They provide us with a jail Chaplin who coordinates several volunteers to provide Sunday church services in the jail as well a bible studies.

Catholic Church Services: Once a week a Catholic priest will come into the jail for church services for Catholic members as well as anyone who would like to attend. In addition they offer information about the Catholic faith and will hear confessions from Catholic members.



COUNTY ADMINISTRATOR
220 NORTH MAIN STREET, P.O. BOX 8645
ANN ARBOR, MICHIGAN 48107-8645
(734)222-6850
FAX (734)222-6715

TO: Wesley Prater, Chair
Ways & Means Committee

FROM: Robert E. Guenzel
County Administrator

DATE: November 3, 2004

SUBJECT: Approval of Resolution submitting to the Washtenaw County electors a question of whether the tax limitation should be increased by 0.75 of a mill for twenty (20) years, beginning with the December 1, 2005 tax levy, to enhance public safety by providing funding to renovate and increase the size of the County jail, construct the 14-A District Court at the jail site, construct a probation residential center, and fund jail operations and strategies to divert mentally ill offenders from the jail.

BOARD ACTION REQUESTED:

It is requested that the Board of Commissioners approve ballot language for the February 22, 2005 election requesting the Washenaw County electors to approve a 0.75 millage increase for twenty years beginning with the December 1, 2005 tax levy to enhance public safety by funding a number of construction projects and operational programs designed to eliminate the County's persistent jail overcrowding problem and provide increased alternatives to incarceration.

BACKGROUND:

The present Washenaw County jail on Hogback Road opened in 1978. At that time, it could house 215 inmates. As the County's overall population grew, the need for additional inmate housing space increased. Over the years, the County has taken a number of measures to increase the capacity of the jail to keep pace with the increasing inmate population in the County. These measures included converting space originally designed for the Inmates Services Program as well as a courtyard to housing and converting a maximum security unit to double-bunking. Finally, in 1998, a "direct supervision" housing unit expansion was opened. These actions have increased the jail capacity to 332 inmates.

Despite these efforts, the jail remains chronically overcrowded. In the past six months, the jail has had an average daily population of 355 and has been below the 332 capacity for only fifteen days. State law mandates that the inmate population be at or below the rated capacity of the jail. As a result, Washtenaw County inmates are being released early to reduce the inmate population to statutorily acceptable levels. From January, 2003 through September 2004, 482 inmates have been released early. An additional 25 County inmates, on average, are being held, at County expense, in the Jackson

County jail.

To manage all elements of the criminal justice system, including the jail, elected officials and professionals in the field of criminal justice, public safety and public policy representing all parts of the County formed the Criminal Justice Collaborative Council (“CJCC”). This group meets monthly to address issues pertaining to criminal justice in the County and to make recommendations back to the County Board of Commissioners when necessary. The CJCC has been working with County Administration, the County Sheriff, the Court system, as well as state and national experts to review and find solutions to the County’s chronic jail overcrowding problem.

As a result of this collaboration, the County Administrator has created; “Draft Recommendations on Public Safety” which outlines in detail the historic overcrowding problem the County jail has endured as well as a number of recommendations to alleviate this problem. This Report, which has the unanimous support of the CJCC, makes the following recommendations; (1) increase the jail capacity from 332 inmates to 532 by 2014; (2) develop a stronger physical link between the 14-A District Court and the jail by constructing a court facility at the jail which would also serve as a full service court; (3) construct a residential probation center to improve alternative sanctions available to the judiciary; (4) develop strategies to divert mentally ill offenders from the jail; (5) approve a ballot proposal requesting the County electors to fund these physical, operational and programmatic improvements through a 0.75 millage increase for twenty years; and (6) continue to use the CJCC to search for means to improve the justice system, manage inmate population and point out appropriate alternative to incarceration.

DISCUSSION:

A county is mandated by Michigan law to operate a jail. The jail is the key to effectively operating a criminal justice system within the County. The jail impacts all aspects of the criminal justice system, including the judiciary, police agencies, prosecution and defense. Thus, if the County jail is too small for the actual county inmate population or is deficient in any other areas, the entire county criminal justice system suffers.

In Washtenaw County, the jail inmate capacity has not kept pace with the increasing inmate population and increase in more violent crime. This is due in large part to the large overall increase in the general population experienced by the County over the past quarter century. Moreover, the jail facility itself is in serious need of physical improvements apart from any possible expansion.

While the County has taken actions over the years to increase the inmate capacity, its current limit of 332 is simply not enough to adequately handle the County’s criminal justice needs. As noted above, Michigan law requires all county jails to maintain their inmate populations at or below the rated capacity for that jail. As a result hundreds of inmates have been released early to bring the jail population within this statutory guideline. When early releases are necessary, every effort is made to release only those individuals who do not pose a threat to the populace. Nevertheless, the early releases mandated by the inadequate inmate capacity in the jail results in convicted misdemeanants and felons being released earlier than they should.

The overcrowding problem in the jail also creates other public safety problems. For example, police agencies are not able to perform certain operations such as drug sweeps, warrant crackdowns or drunken driving enforcement zones because there is no room in the jail. Moreover, even if there were room for many of the individuals arrested by these actions, such individuals would be the first to be

given early release once the jail became overcrowded because these individuals generally pose a lower threat to the public than other felons.

One of the problems contributing to jail overcrowding is that because of space issues, the County is not able to offer sufficient programming in the jail and an array of diversion programs designed to rehabilitate certain individuals without placing them in jail. One of these programs is the Probation Residential Center ("PRC"). A PRC provides a physical location where non-violent offenders may be placed and receive treatment alternatives. Candidates for this type of alternative program are non-violent sentenced felons and misdemeanants as well as parole and probation violators. Because the County currently has no PRC, these individuals are simply sent to the jail where they add to the overcrowding problem or sent by contract out of the County.

Similarly, the County's mental health diversion efforts are hampered by the lack of space and programmatic funding. There are many current jail inmates who are diagnosed with mental health issues who could benefit from either intensive mental health treatment within the jail or a mental health diversion program. Again, many of these individual today are simply being sent to jail with other inmates. Under this scenario, such individuals stand little if any chance of becoming fully rehabilitated members of society.

To address the problems resulting from the inadequate jail capacity in the County, the Administrator released "Draft Recommendations on Public Safety." The CJCC unanimously supports the recommendations in this document. The "Draft Recommendations" outlines a number of proposed actions designed to alleviate jail overcrowding and improve the criminal justice system in the County. These proposals are stated-above under the Background section of this Memorandum.

To pay for these proposals, the Administrator and CJCC are proposing a millage increase of 0.75 mills for twenty years. The proposed millage request would be submitted to the Washtenaw County electors on February 22, 2005. If approved, the first levy would be on December 1, 2005. The Draft Recommendations conclude that each of the proposals could be funded if the millage is approved by the electors.

Michigan law states that a county-wide ballot proposal must be approved by the county board of commissioners at least 60 days before the election where that proposal will be presented to the electors. As the next regularly scheduled state-wide election date is February 22, 2005, ballot language seeking an increased millage to pay for the recommendations contained in the "Draft Recommendations" must be approved by the County Board of Commissioners by December 23, 2004.

IMPACT ON HUMAN RESOURCES:

The proposed Resolution, if passed, will have no impact on the County's human resources.

IMPACT ON BUDGET:

If the proposed Resolution is passed and the ballot proposal seeking a millage increased is passed, the additional millage funds will be added to the County's budget and used to pay for the items described above.

IMPACT ON INDIRECT COSTS:

There are no indirect costs associated with the proposed Resolution.

IMPACT ON OTHER COUNTY DEPARTMENTS AND OUTSIDE AGENCIES:

Approval of the proposed Resolution will require the County Clerk to insure that the ballot language is properly placed on the ballot for the February 22, 2005 election.

CONFORMITY TO COUNTY POLICIES:

The proposed Resolution conforms to all County Policies and Procedures.

ATTACHMENTS:

The Washtenaw County Administrator's "Draft Recommendations on Public Safety" is attached.

A RESOLUTION SUBMITTING TO THE WASHTENAW COUNTY ELECTORS A QUESTION OF WHETHER THE TAX LIMITATION SHOULD BE INCREASED BY 0.75 OF A MILL FOR TWENTY (20) YEARS, BEGINNING WITH THE DECEMBER 1, 2005 TAX LEVY, TO ENHANCE PUBLIC SAFETY BY RENOVATING THE JAIL AND INCREASING JAIL CAPACITY, CONSTRUCTING A DISTRICT COURT AND RESIDENTIAL PROBATION CENTER AT THE JAIL AND PAYING FOR OPERATIONAL AND DIVERSION PROGRAMS FOR COUNTY JAIL INMATES.

WASHTENAW COUNTY BOARD OF COMMISSIONERS

November 17, 2005

WHEREAS, the Washtenaw County jail was built in 1978 with a capacity to hold 215 inmates; and

WHEREAS, over the years, as demand has increased, the County has taken a number of steps to increase capacity so that today, the jail's capacity is 332 inmates; and

WHEREAS, despite these measures, the jail remains chronically overcrowded thus resulting in the periodic early release of sentenced felons and misdemeanants; and

WHEREAS, the overcrowding at the jail has also thwarted attempts to implement jail internal programs and diversion programs, including the creation of a probation residential center and the alternative treatment of individuals with mental illness; and

WHEREAS, County Administration, along with the County Sheriff and the Criminal Justice Collaborative Council ("CJCC") have been studying the jail overcrowding problem; and

WHEREAS, as a result of this collaboration, the County Administrator, with the CJCC's unanimous support, has released "Draft Recommendations on Public Safety" which proposes that the following steps be taken to address the chronic jail overcrowding problem: (1) increase jail capacity to 532 inmates by 2014; (2) construct the 14-A District Court at the jail; (3) provide the judiciary with alternative sentencing options by constructing a probation residential center at the jail; (4) develop strategies to provide mental health programs within the jail and divert mentally ill individuals from the jail; and (5) retain the CJCC to continue its efforts to find recommended ways to improve the criminal justice system; and

WHEREAS, the "Draft Recommendations" proposes that these recommended strategies be financed by a millage increase of 0.75 of a mill for twenty years beginning with the December 1, 2005 tax levy with the ballot proposal for this millage to be placed before the Washtenaw County electors on February 22, 2005.

NOW THEREFORE, BE IT RESOLVED by the Washtenaw County Board of Commissioners, State of Michigan, as follows:

1. The County Administrator's "Draft Recommendations on Public Safety" is adopted.
2. There shall be submitted to the electors of the County of Washtenaw at the Election to be held

on February 22, 2005 from 7:00 a.m. to 8:00 p.m. prevailing time, the following proposition:

“Shall the limitation on the amount of taxes which may be imposed each year for all purposes on real and tangible personal property in Washtenaw County, Michigan be increased as provided in Section 6, Article IX of the Michigan Constitution and the Board of Commissioners of the County be authorized to levy a tax not to exceed three quarters of one mill (\$0.75 per \$1,000 of state equalized valuation) on the taxable value of such property for a period of twenty years, beginning with the December 1, 2005 tax levy, (which will generate estimate revenues of \$9,600,000.00 in the first year) to enhance public safety by acquiring, constructing and renovating an upgrade and addition to the Washtenaw County jail, the 14-A District Court and Probation Residential Facility, and operating the jail and jail diversion programs designed to provide alternative rehabilitation for appropriate individuals?”

3. The election shall be held in accordance with Chapter XXVII, the General Election laws of the State of Michigan.
4. The Washtenaw County Clerk is instructed to carry out all appropriate statutory duties stated in this Resolution and the General Election laws of the State of Michigan so that the question of adoption may be submitted to the voters on February 22, 2005.
5. The Washtenaw County Board of Commissioners certifies to the County Clerk the following question as the appropriate ballot wording for the February 22, 2005 Election for the above-referenced proposition:

PROPOSITION TO INCREASE THE TAX LIMITATION TO ENHANCE PUBLIC SAFETY BY PROVIDING FUNDING TO RENOVATE THE JAIL AND INCREASE JAIL CAPACITY, CONSTRUCT A DISTRICT COURT AND RESIDENTIAL PROBATION CENTER AT THE JAIL AND PAY FOR OPERATIONAL COSTS RELATED TO THE JAIL AND JAIL DIVERSION PROGRAMS.

“Shall the limitation on the amount of taxes which may be imposed each year for all purposes on real and tangible personal property in Washtenaw County, Michigan be increased as provided in Section 6, Article IX of the Michigan Constitution and the Board of Commissioners of the County be authorized to levy a tax not to exceed three quarters of one mill (\$0.75 per \$1,000 of state equalized valuation) on the taxable value of such property for a period of twenty years, beginning with the December 1, 2005 tax levy, (which will generate estimate revenues of \$9,600,000.00 in the first year) to enhance public safety by acquiring, constructing and renovating an upgrade and addition to the Washtenaw County jail, the 14-A District Court and Probation Residential Facility, and operating the jail and jail diversion programs designed to provide alternative rehabilitation for appropriate individuals?”

YES

NO

6. Each city and township clerk shall give appropriate notice of the submission of the Proposition as provided by law, which notice shall contain the statement of the Washtenaw County Treasurer as to previously voted tax limitation increases affecting property within Washtenaw County.

h: general/jail