

The Jail and Justice System Assessment

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Consultants

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REQUEST FOR TECHNICAL ASSISTANCE

Sheriff James McBride submitted a request for a Jail and Justice System Assessment (JJSA) to the National Institute of Corrections Jail Center. Ms. Fran Zandi, Correctional Program Specialist, responded to the request arranging for the JJSA to be delivered January 7 - January 9, 2008. Mr. Gary Waller and Mr. Kevin Warwick were selected to conduct the JJSA.

Meetings with the County Officials were to be held January 7-9, - 2008 to assess the jail, its operations, conduct a review of local criminal justice system practices and gather additional information on the current situation in Otsego County. The community meeting was to be held on January 9, 2008. Corrections Administrator Brian Webber prepared in advance for the on-site technical assistance visit and worked to insure that all the key stakeholders were prepared for the meeting. He agreed to provide meeting space for Monday and Tuesday and a large group space for the community meeting on Wednesday.

The purpose of the technical assistance provided to Otsego County was the following:

1. To assist Otsego County in evaluating the practicality of adopting various intermediate sanctions options for the users of the criminal justice system;
2. To assist Otsego County with the evaluation of jail programs and its impact on the facility;
3. To assist Otsego County in reviewing various options for jail planning;
4. To assist Otsego County in exploring a range of sanctions as a part of the decision making process related to a potential reduction in jail crowding;
5. To assist Otsego County as it considers adding, deleting or changing some components of the criminal justice system;
6. To assist Otsego County in evaluating the use of various pre-trial release options and other release mechanisms for low risk offenders;
7. To assist Otsego County in reviewing and developing jail programs; and
8. To assist in providing the next steps for community reentry programs in Otsego County.

THIS TECHNICAL REPORT REFLECTS:

- The consultants' findings regarding the existing jail facilities and operations;
- The consultants' assessment of local criminal justice system practices and use of alternatives;
- The consultants' review of planning efforts, which have been made to date;
- The content of the community meeting and a chronology of each of the meetings held during the technical assistance event in Otsego County;
- The recommendations of the consultants regarding the planning process and the steps that should occur to develop a long range plan to meet the County's correctional needs;
- Short-term and long-term recommendations regarding the planning of a new facility;
- An assessment of the jail's physical plant against professional standards and accepted management practices; and
- Recommended jail operational changes, consideration of facility modifications, or new jail construction.

Special thanks go to Corrections Administrator Brian Webber for his coordination and planning efforts for the JJSA as well as the direction and support provided to the consulting team.

THE NATIONAL INSTITUTE OF CORRECTIONS

The National Institute of Corrections (NIC) Jails Division was established in June 1977 in Boulder, Colorado, to serve as an identifiable source of assistance to the more than 3,000 jails throughout the country.

The Jails Division assists agencies with planning, managing and operating jails and gives them the tools needed to address the issues confronting them and make positive changes. The decision to change and the responsibility for implementing it rests solely with the client agency; the Jails Division provides information and training to facilitate decision-making and teaches strategies for implementing changes.

A jail is a locally administered confinement facility that holds people either awaiting adjudication or committed after adjudication, usually for sentences of a year or less. Although this definition fits all jails, it does not illustrate the diversity, complexity and uniqueness of these local institutions.

- ❑ **Size.** Jails range in size from one-cell facilities with average daily populations of less than 1 person to large urban complexes with average daily populations of more than 21,000.
- ❑ **Purpose of the Jail in the Local Criminal Justice System.** Opinions differ among local jurisdictions as to the primary purpose of the jail; rehabilitation, reintegration, retribution or restraint. What each jurisdiction perceives as the primary purpose determines the operations of the jail and the programs and services it provides.
- ❑ **Inmate Populations.** The profile of the inmate population is also taken into consideration when planning jail operations, programs and services. Profiles of inmate populations vary from jurisdiction to jurisdiction. Some jails hold only pretrial misdemeanor or felony defendants, others hold both, and still others hold primarily inmates sentenced to County jail time.

Jail and Justice System Assessment Purpose and Goals

Jurisdictions frequently request the Jail and Justice System Assessment (JJSA) because the jail is “crowded,” and, as such, under some scrutiny. The jail assumes the victim stance—nothing can be done about the problem. In some ways this is correct. The jail is unable to fully control the flow in and out of the jail, yet it possesses a wealth of information about how the rest of the system is operating. Changes in policy and practice in an individual justice system component can also cause changes in the inmate population. The jail is usually unaware that the data they have will reflect those changes. In the meantime, the rest of the criminal justice system is sure it is doing the best job it can, and often feels taxed to the limit. However, each component is working in a vacuum—unaware of what the rest of the system is doing.

The JJSA will demonstrate to the stakeholders that they have a common purpose and can benefit from working and thinking strategically. The jail will reap the benefit of managing its population; the other components will reap the benefit of sharing information and minimizing redundancy; and all will be working smarter, not just harder.

Even though some jurisdictions are fairly sophisticated and have an increasing number of sanctions (with the jail as one), they may still request a JJSA. The JJSA will help to assess how well the system is handling the demands it faces; determine if the existing services and programs are meeting their needs and are consistent with public safety (the community’s) concerns; and make sure those programs are having the desired impact on the system, and more specifically, the jail population.

TARGET JURISDICTIONS

Jurisdictions that could benefit from a JJSA include any that are seriously planning a new jail; constructing a new facility or renovating an existing one; or considering adding, deleting or changing some component of their criminal justice system. Other reasons for requesting a JJSA are to:

- Assess how well the local criminal justice system is handling the demands it faces;
- Determine whether existing services and programs are meeting the needs of the criminal justice system;
- Assess existing services and programs for consistency with public safety concerns; and
- Validate the impact of existing programs to the correctional system.

NIC JAILS DIVISION FINDINGS

The premise on which the Jails Division operates is that criminal justice systems are more successful when their various components work together. The jail is but one part of a criminal justice system. Successful solutions to the problems of the system, including the jail, are those that work best for the community and that have been reached by the community. Size, design, method of construction, level of jail services and programs and style of inmate management are all questions that are best explored and answered at the local level.

Many jurisdictions have no options between incarceration and probation. However, jurisdictions are increasingly implementing intermediate sanctions programs that satisfy punitive needs and also meet the concerns of public safety without overburdening the community's resources.

Criminal statutes specify punishments for convicted offenders that vary in severity. To implement the punishments, judges are provided with an array of options, including intermediate sanctions. Based on which punishment is the most appropriate, offenders may be sentenced to jail, placed in jail, on probation or in one of a variety of intermediate sanctions programs. Those intermediate sanctions that do not involve incarceration must be consistent with the goals of the local criminal justice system and with public safety concerns. Local control, which ranges from almost total freedom (probation) to total restriction (jail), is a key factor.

While some intermediate sanctions have been devised in part as a means of easing the local jail's crowding problems, their success has often been only random. Programs that simply divert people from jail to alleviate crowding can actually have the opposite effect. Inappropriately placed offenders who fail are often sent back to jail for longer time periods, thereby aggravating the crowding problem.

GOALS OF THE JJSA

The JJSA is conducted in response to a jurisdiction's request for technical assistance. A team of consultants spends three days in the jurisdiction. The JJSA provides an opportunity for the jurisdiction to acquire the tools that will help it to gain more control over the cost of justice operations and improve the management of the entire criminal justice system. The goals of the team are to:

- Understand the operation and capacity of the local criminal justice system;
- Understand who is in jail, why and determine whether other appropriate pre- and post-trial options exist that are consistent with the goals of the criminal justice system and public safety;
- Identify possible pre- and post-trial options that can be developed with existing resources;
- Develop or expand capacities so that options not currently feasible may be considered;
- Outline the scope of the existing problems, including collecting sufficient data to analyze incarceration issues and developing functional programs;
- Share experiences of other jurisdictions in similar straits;
- Help the community recognize its perception of the values and philosophies of incarceration; and
- Make local officials aware and promote their involvement in JJSA.

CONSULTANTS' ROLE

A team of two consultants, one with primary expertise in jail administration and/or management, the other in community corrections, will conduct the JJSA. The role of the consultants in this process is to facilitate accomplishing the goals of the JJSA: to collect and analyze the most accurate information possible. The consultants will involve key persons from the Otsego County Criminal Justice System, the community and the requesting agency. The consultant team's specific tasks are to:

- Tour the existing jail to assess it against established professional standards and management practices;
- Analyze the role the jail occupies in the framework of sanctions and options provided by the local justice system;
- Evaluate the impact of any existing programs and options on pretrial incarceration;
- Evaluate the impact of existing intermediate sanctions;
- Review the overall functioning of the criminal justice system, its planning and capacity and the relationship of the law enforcement community and the court system to the jail. Available data will be analyzed and interviews will be conducted with key members of the local criminal justice system and local citizens to capture their perceptions of major justice system problems;
- Facilitate an exit interview with key criminal justice decision-makers to examine the roles that incarceration plays in the community. This will include discussions on such topics as legal issues, the purpose of the jail, total system planning and community involvement; and
- Produce a report that assesses the requesting agency's capacity to manage criminal justice issues, provides options or recommendations for improvement, and presents findings and information obtained during the community meeting.

The JJSA process requires considerable local coordination and planning. Once assistance has been requested and approved, the primary consultant on the team selected by the agency representative will initiate and maintain contact with a person designated by the agency to arrange logistics and to schedule and coordinate necessary meetings, tours and interviews. Before the consultants arrive, the contact person will also complete application forms and perform all tasks required of the requesting agency for the on-site visit as outlined in the application. The contact person will:

- Assure that jail staff are prepared for the consultants' visit, are available for interviews and will have various documents available for review;
- Schedule interviews with: 1) coordinators of all non-jail programs used as punishments; 2) selected members of the criminal justice system; and 3) members of the local government and the community;
- Arrange locations for various interviews and meetings, including the community meeting;
- Assure that basic data about the criminal justice system and the County or jurisdiction that has been collected is available; and
- Coordinate the details of the community meeting.

PREPARATION FOR ON-SITE TECHNICAL ASSISTANCE

Several phone calls were made to Brian Webber in order to coordinate times for the on-site technical assistance visit. It was agreed that the dates of January 7-9, - 2008 would work well with all involved and that key stakeholders in Otsego County would be available for meetings during that time period. A sample schedule and other materials were sent in early January to Brian Webber in preparation for the on-site activities.

Brian Webber agreed to provide audiovisual materials, a room for the event, data on the facility, and population management studies completed in recent years.

Otsego County is in the initial stage of evaluating its system and impact on the present issues. The following materials were provided to the consultant team prior to the site visit:

- Data on inmate numbers over the last several years;
- Information on refusals due to lack of space; and
- Information on jail programs.

Via Phone: December 29, 2007

Meeting with Court Administrator

A phone meeting was held with Court Administrator via the phone on 12/29/07 because he was unavailable the week of the on-site visit. The following issues were discussed:

- There is a pre-trial release mechanism where the court magistrate reviews cases and releases them;
- There is no electronic monitoring program at the present time;
- There is a program with limited resources at present;
- If the County could receive funding for EM programs, that would be effective;
- There has not been good communication between the court, community corrections and the jail;
- There is a need for community corrections to review potential cases on a daily basis and provide recommendations to the court;
- There is video arraignment which is used almost daily;
- There is a work camp that will begin soon: it is located at the court complex;
- This is a Sheriff's work camp now; they want to move to 24 hours per day;
- There is a need for additional beds in the County;
- They charge inmates for costs however, most of the money is never collected;
- Programs include community service for credit, and MRT groups to earn time credit;
- When overcrowded, they release sentence and pre-trial offenders and require that they report here or probation on a weekly basis; and
- The electronic monitoring program is available but at the present there are no people.

8:00am

Entrance Interview

The consultant team met with Corrections Administrator Brian Webber and Sheriff McBride. The following issues were discussed:

- The jail was initially built in 1967 with a capacity of 26 beds;
- The Sheriff has been in office since 1998;
- He was also Sheriff in Losco County for 8 years;
- The primary industry is tourism and the service industry has lost many factory jobs;
- He was able to build a jail in Losco County while serving as Sheriff;
- The average daily population has exceeded 36 inmates per day ,the capacity is 34;
- There has been an average of 45 inmates per day with a high of 61 inmates;
- The County population is approaching 28,000;
- The City of Gaylord has about 3,500 people;
- There are nine County Board members;
- They are reluctant to house out-of-county at the present;
- The proposal was for 120 beds for the facility;
- The alternative programs have not been successful due to the lack of jail beds;
- There is some support for an expansion at the existing location;
- They are looking for a good review of the existing system and the proposed plan;
- Heroin, cocaine, alcohol and prescription drugs are major issues here;
- They are building a day reporting center: offenders will live at home and at check into the center on a daily basis;
- There will be services and treatment as well as work release and community service;

- They would like to have it as a residential facility as well: there will be 18 beds with the potential to move to 22 beds;
- Inmates will pay a fee per day for participation in the program: \$15 per day for those working and a user fee for those completing community service;
- There are 10 corrections officers, a food service staff and the Jail Administrator; and
- There is a Communication Corrections Liaison.

Otsego County Jail Observations/Legal Issues

Description of Facility

The Otsego County Jail is located at Gaylord, Michigan. The facility opened after construction in 1967 with remodeling in the late 1980's. The number of total beds was initially twenty-six (26), but in the late 1980's expanded to thirty-four (34) with the addition of eight (8) dormitory-style beds. There are five (5) four (4) bed cells, none of which have day rooms, one maximum security unit with two (2) one (1) bed cells, one two (2) bed holding cell and a two (2) bed dorm room for trustees. Multi-bunking is throughout this jail.

- The supervision method is intermittent, with cell checks at least every thirty (30) minutes and probably closer to every ten (10) minutes;
- Expenditures paid to other counties to hold inmates are zero to date;
- On the day of our visit there were thirty-six (36) inmates and some cells had excess inmates sleeping on mattresses on the floor;
- Six (6) women occupied one of the cells;
- Juveniles have not been held here for six (6) months;
- The jail has not classified any inmates to work release in the last six (6) months due to overcrowding and contraband being brought in by work-release inmates;
- The Sheriff's Office staffing is now at 1970's levels due to budget cuts;
- Most Michigan counties are suffering due to a recession resulting from auto industry cuts; and
- This County has lost four manufacturing employers.

Staffing

- There is one full time jail administrator appointed by the Sheriff whose schedule is Monday-Friday, 8:00 a.m. – 4:00 p.m.;
 - He is on call 24/7 including vacations;
- The jail programs are coordinated by a liaison from the Northeast Michigan Council of Government Community Corrections;

- There are ten (10) correctional officers who work twelve (12) hour shifts, with two (2) days on two (2) days off, followed by two (2) days on and three (3) days off schedule;
- Typically there are two (2) on each shift with three (3) on more infrequently. Currently there is no part time staff; and
- Staffing at this facility is marginal;
 - Staffing should be increased to three (3) during peak activity at this jail which is usually between 8:00 a.m. – 5:00 p.m. Monday-Friday due to Court and other prisoner movement issues.

Inmate Issues

- Inmate lock down hours are virtually 24/7 due to the design of the jail as there are no day room areas in the housing units;
- Inmate security classification/segregation other than by gender is non-existent due to overcrowding and the jail design;
- Access to telephone/mail is available to all inmates including the indigent;
- Inmate access to Courts/legal counsel is provided but difficult for counsel as the non-contact booth is the only point available within the security perimeter of the jail or the Sheriff's conference room located outside the jail;
- Inmate recreation in the interior is non-existent;
- An exterior area is available but utilized only during warm weather and its use is impacted by short staff and overcrowding;
- The canteen service (commissary) is provided by a vendor, Swanson, and delivered by the staff once a week. Items available include hygiene items, phone cards, coffee, candy and snacks;
- Inmate visiting is non-contact in one booth and not handicap accessible;
- The visiting space is inadequate;
- Visiting hours are Friday, Saturday and Sunday all day until 9:30 p.m.;

- An inmate medical program is not provided on a scheduled basis in the facility. Essentially it is on an emergency basis by bringing the inmate to the Otsego Memorial Hospital Clinic in Gaylord;
- There is no specific physician who sees inmates;
- There is no nursing program in the jail;
- An effort needs to be made immediately to provide for a nurse to visit the jail on a scheduled basis;
- Dental care is provided on an emergency basis at the Otsego County Health Department Clinic;
- The frequency of dental care is on an emergency basis outside of the jail and is adequate;
- Mental health care is provided by a liaison one time each week by the County Community Mental Health Center;
- The jail reports 20% of the inmates are receiving antidepressant medication;
- There is no medical space in the facility, but locked medication storage is provided;
- All inmates are billed for any medical care together with a \$35 a day pay to stay, most go unpaid;
- A detox facility is not available in the city or county;
- Essentially the only detox facility is the jail, which is both dangerous and inappropriate but is currently the only option;
- The emergency hospital is the Otsego Memorial Hospital in Gaylord;
- The mental health facility is the Petoskey Hospital, which is forty-five (45) miles from Gaylord; and
- A tobacco free policy has been in effect at the jail since 1993.

The Facility

- The building houses the jail and Sheriff's office;
- The garage sallyport has space for only one vehicle and a door entrance into a jail hallway;

- Public access is provided to both the jail and Sheriff's office;
- No disability access is provided to this facility;
- Intake/booking is actually in a hallway adjacent to the entry from the sallyport. It is crowded and narrow. It provides both digital mug shots and live scan fingerprints;
- There is one holding cell that does not have clear lines of sight from the control room. It is used for a number of functions including detox, suicide watch, administrative segregation for vulnerable inmates and the mentally ill;
- Inmate property storage is small with little air circulation. It also functions as the jail video arraignment point;
- Inmate uniforms and changeover is a small area adjacent to inmate storage;
- The laundry consists of two household appliances. The frequency of uniform changes is every other day. The bedding is changed when requested. Two (2) inmate workers perform the laundry duties;
- Central Control is located in the old dispatch area. The security system is antiquated and manual. There is one exterior surveillance camera in the hallway outside of the jail. There are thirteen (13) interior cameras inside the facility, mainly to protect the staff;
- The reception is very poor quality and none provide complete coverage of inmate areas;
- Monitors are in the control area and are recorded digitally and kept 35-40 days. It is difficult to locate and identify specific incidences;
- The food service area is small and the equipment worn and antiquated. The area is clean and the meals provided are very good. Hot meals are provided at least twice a day at lunch and supper with one hot breakfast each week. The cold meal is breakfast six (6) days each week. There is one cook who is a county employee;

- The custodial/facility maintenance is provided by Court House staff however maintenance is often done by the jail cook. The custodial staff are Court House workers augmented by inmate workers; and
- Storage space in this facility is minimal and crowded.

Condition of the Facility

- The general condition of the facility is worn and aging;
- It is hard to maintain due to overcrowding and the inability to move inmates out of their cells; and
- A multipurpose room is actually nonexistent.

Legal Issues and Jails

Hands-Off Era

Prior to the 1960s, the Courts deferred to correctional administrators:

- Separation of Powers;
 - The Office of Sheriff is part of the Executive Branch of Government;
- Lack of Judicial Expertise;
 - No body of case law dealing with jails or prisons existed;
- An unwillingness to undermine corrections;
- A belief that incarceration means loss of rights; and
 - One early judicial opinion declared “inmates are slaves of the state.”

Hands-On Era/60s and 70s

With prison rights (Attica) and abhorrent conditions the Courts (Federal and State) began intervention:

1 st Amendment	Freedom of religion, correspondence, publications, visiting
4 th Amendment	Search issues
8 th Amendment	Cruel and unusual punishment
14 th Amendment	Equal protection and due process

Hands Back Era/90s

With frivolous lawsuits and the overall improvement of conditions, the Courts have begun to defer once again to corrections:

- Proof of constitutional violations are a higher standard-“deliberate indifference;”
 - To establish “deliberate indifference” an official must know a condition exists and ignores or fails to correct it; and
- Rights are delineated-access to law intern as opposed to law library as an example.

Implications

- Will you be successfully sued? It all depends; and
- Efforts to improve conditions can be interpreted as acting in good faith;
 - Otsego County's previous study, the 2006 referendum and the current NIC study are examples of acting in a good faith but they must continue to move forward.

Bill of Rights Issues

First Amendment

Religion

- The jail currently provides access to clergy and a weekly service.

Correspondence

- Mail access and censoring;
- Postage;
- Legal correspondence; and
 - All inmates have access to all listed above.

Publications

- Sexual oriented;
- Religious but racist; and
 - Inmate access to reading materials is limited and could be increased by establishing a relationship with the local library.

Visiting

- Reasonable access to non-contact;
- Video visiting;
- Contact or conjugal are not required; and
 - Inmates currently have access to non-contact visits three days a week, but are limited to one visiting booth and it is not handicap accessible.

Fourth Amendment

Searches

- Reasonable;
- Strip searches/reasonable suspicion;
 - After contact visits or trips outside;
 - Due to recent decisions these searches are severely limited at this jail;
- Cross gender;

- Casual, incidental observation;
- Pat searches;
- Urine testing allowed;
- Cell searches;
 - No right to privacy;
 - K-9 searches for drugs should be conducted often at this jail;
- Body cavity searches;
 - More demanding probable cause;
 - Medical staff better choice;
 - How search is conducted is important; and
 - Search of staff/visitors.

Sixth Amendment

Legal representation/Miranda applies; access to counsel; access to Courts, access to legal references

- Otsego County provides all of these rights, but visits with counsel are difficult due to design of the jail.

Access to law library

- Requires only access to counsel or law books upon request.

Eighth Amendment

Prohibits cruel and unusual punishment

- Wanton and unnecessary infliction of pain;
- Violates the standards of decency of a maturing society;
- The rights of a sentenced population;
- “Deliberate Indifference” to serious medical, safety and sanitation needs of inmates; and
- Otsego County has had serious medical issues in the past and the jail has been and continues to be seriously overcrowded.

Conditions of confinement

- In addition to severe overcrowding, air circulation is extremely poor.

Overcrowding

- Has existed for over two years.

Use of force

- Design and supervision issues; and
 - There are no clear lines of sight into any of the cells.

Staffing and training

- Staffing is currently marginal but training is adequate.

Exercise and out of cell time

- Almost nonexistent due to staffing, overcrowding and the design of the jail.

Enforced idleness

- Is an issue in this jail.

Inmate classification and predatory inmates

- Very difficult due to overcrowding and design of the facility; both sexual and physical assaults have been reported in this jail and involving both genders.

Fourteenth Amendment

- Due process;
- All the same issues covered by 8th Amendment that apply to sentenced inmates, the 14th amendment protects the rights of pretrial detainees;
- State created interests/application of State requirements;
- Access to the Courts;
- Equal protection/the same treatment for all cultures and groups
- Parity;
- Work release for both sexes;
 - Including the planned day reporting
- Visiting;
- Access to programs and exercise; and

- Inmate disciplinary process.

Major Areas of Judicial Intervention

Staffing

- Currently marginal; and
- A part time officer should be assigned during peak activities.

Access to Courts/Counsel

- Meetings with attorneys are limited to non-contact booth or outside security perimeter of the jail.

Mail/telephone

- Provided for all inmates.

Library/law library

- Reading materials;
 - Limited; ways to increase should be considered including working with the local library.

Religion

- Provided.

Visitation

- Provided, but limited by design.

Medical care/enforced idleness/recreation

- There have been medical issues in the past; and
- Recreation is nearly nonexistent.

Food service

- Though the physical plant is small and antiquated, the meals provided are good; and
- 48,000 meals were served in 2007.

Educational/vocational opportunities

- Provided but restricted by jail design.

Behavior modification

- Provided but restricted by jail design.

Classification/segregation

- Nearly nonexistent except by gender due to overcrowding and design limitations.

Discipline/due process/grievance procedures

- Provided.

Smoking/tobacco policy

- Tobacco free since 1993.

Future Facility Options

- We recommend the planned day reporting and minimum-security facility for men at the former regional treatment site move forward. Between 18 and 22 men could be housed there while meeting their program and treatment needs.
- We recommend a like facility be planned for women in the building that previously housed the District Attorneys Office and offer the same programs and treatment for women.
- We do not believe an expansion at the current site would offer Otsego County the best solution and would probably be more expensive per bed. It offers no future expansion.
- We recommend Otsego County begin to plan an approximately 80-bed facility, utilizing a 60-bed direct supervision pod and the balance using indirect supervision to meet higher security needs. This facility should be sited in conjunction with the proposed day reporting facilities. The facility should be planned with program, food service, administrative, storage and mechanical systems to support an additional 60-bed pod in the future.

1:00pm Meeting with Key Stakeholder

A meeting with key representatives was held in the Multi-purpose room at the Alpine Center. The following were in attendance:

Judge Patricia Morse	Chief Judge Otsego Courts
Brian Webber	Jail Administrator
Kyle Legal	Otsego County Prosecutor
Regina Theriault	Probation/Magistrate
Mike Trumbell	Michigan DOC Probation/Parole
Mane Frick	Case Manager Community Corrections
Holly Furgeson	CJ Mental Health Consultant
Joe Fitzgerald	Chief Gaylord City Police
Lt. Davis	Michigan State Police Post Commander
Kyle Davis	Prosecutor
John Burt	County Administrator

The following issues were discussed:

- There is limited ability to enforce probation/parole orders due to the lack of capacity at the jail;
- Probation and Parole utilize treatment and other progressive sanctions;
- Often victims get upset because inmates are released;
- Sentencing and bonds are impacted due to lack of beds;
- There is no good place to run groups in the jail;
- Some movement into treatment happens to alleviate jail overcrowding issues;
- The MRT Program is a cognitive-based program at the jail;
- The GED program is offered but there is only one computer at the jail;
- Some inmates are provided temporary release to attend some community programs;
- Electronic monitoring is seldomly used, there are limited resources and it is a self pay program;

- The transition is closing - it was a relief valve to transition inmates back to the community;
- The Chief Judge can release inmates who can be safely released and meet certain conditions;
- There is no work release program at the jail;
- There is no good location in the jail for suicide watch;
- The closest detoxification center is 40 miles away;
- The lack of a jail that meets the needs of staff and inmates can create morale issues for staff;
- There is limited booking space in the jail for police and other staff;
- There is limited ability to lock people up with minor warrants;
- Police officers cannot always do their job due to lack of jail beds, it is a system integrity issue;
- It is more difficult to complete investigations;
- The County should continue to collect data that demonstrates the need for a new facility;
- There is a need to develop the work camp that would provide for a 24 hour operation; and
- There was a discussion of getting approval for jail bonds for a new facility.

9:00am

Tour and discussion of day reporting and work camp

A meeting and tour of the Day Reporting Center was completed. Jail Administrator Brian Webber, Community Corrections Case Manager Marie Frich, and Magistrate/Probation Officer Regina Theriault were in attendance and the following was discussed:

- The consultant team toured the day reporting center site which is presently a residential building operated by Goodwill Industries;
- The County plans on starting a day reporting center and has discussed the potential of a residential program in the facility;
- A residential program could be operated there and could be expanded from 18 to 24 beds at the building;
- The County has three times the recidivism rates as the surrounding counties;
- There is a building that was being used by the District Attorney's Office that could be used for a women's facility;
- There is a plan to hire five part time staff to begin the day reporting part of the project; and
- This would provide some relief for the number of inmates presently being housed at the county jail.

1:00pm Meeting with County Commissioners and Staff

A meeting was held with the County Commissioners and staff and the following were in attendance:

Mike Hyde	County Commissioner
Ken Glasser	County Commissioner
Douglas Johnson	County Commissioner
Rachel Frisch	Finance Director
Erma Backenstose	County Commissioner
John Burt	County Administrator
Brian Webber	Jail Administrator
James McBride	Sheriff

The following issues were discussed with the County staff:

- There is a need for both jail beds and alternative programs;
- The present facility provides challenges for the County at the present time;
- We would like to make sure that the process includes citizen support and utilizes all the alternatives possible;
- There is a limited amount of funding in the County for a new facility;
- We want to listen to what the citizens want to do;
- We need to provide a clear message to the citizens of the County;
- We need a new facility although we may want to consider fewer beds;
- There needs to be regular communication between CJ system members;
- The County has worked to provide better information to the public;
- Financial information is available on line through the County web site;
- There is a need for 120 beds however, it might be a better strategy to look for 80 beds;
- There was not a plan for utilization for the existing space;
- There is a limited amount of parking downtown for the public;
- There should be a clear message provided to the media prior to implementing the plan; and

- There was a discussion about the recommendation as well as implementation of the day reporting center.

The on-site community meeting planned for Wednesday, January 9, 2008 was well coordinated and had most key stakeholders in attendance. There were 20 people in attendance including Criminal Justice Officials, County Officials and interested local citizens. The consultant team spoke to over 35 local criminal justice officials including the Sheriff and many of his staff. The attendance sheet is attached to this document. The consultant team spoke to many staff and several inmates on the jail tour. The consultant team went over recommendations as well as a review of the existing facilities and a review of intermediate sanction options.

THE JAIL AND JUSTICE SYSTEM ASSESSMENT

The National Institute of Corrections is attached to the Bureau of Jails in the United States Department of Justice. Established in the early 1970's as a result of concern generated by unrest in a variety of correctional settings, it was initially funded through the Law Enforcement Assistance Administration (LEAA). In 1977, the National Institute of Corrections received its first appropriation.

The purpose of the Institute is to provide training, technical assistance and information to state and local correctional agencies and to sponsor research, evaluation and policy and program development. The NIC is a very small agency by federal standards with offices in Washington, D.C. with staff members who operate the Jails Division exclusively with the problems and concerns of local corrections. Since its staff is small, the National Institute of Corrections contracts with a variety of service and technical assistance providers to provide technical assistance to local jurisdictions.

Participant Expectations

The participants were asked to introduce themselves and explain what expectations they had for the Community Meeting. The expectations were listed on a chart and discussed with meeting participants as presented.

Legal Issues in Corrections

The consultants presented a detailed overview of current legal issues as they relate to unconstitutional jails and the planning of new jail facilities and civil liabilities. The purpose of the presentation was to make officials aware of the potential constitutional problems of a jail and the potential legal liability of County Chief Deputies, Architects, or Jail Administrators from Jailer lawsuits resulting from those problems.

What are Jails For?

In order to clarify the values surrounding incarceration in a jurisdiction, government decision-makers and community leaders must consider a very basic question, "What are Jails for?" The focus should be on why the community has a Jail and the real purpose it serves.

The consultants emphasized that providing a realistic view of the type of offenders typically held in jails illustrates the potential costs of incarcerating individuals who do not meet the criteria established in the agency's mission statement.

The consultants also emphasized the importance of collecting information regarding the actual use of the jail as well as the types and numbers of offenders using the facility. The presentation was designed to assist the participants in understanding what data needs to be collected why it should be collected and how to supplement information on inmate population profiles.

Emphasis was given to the importance of looking at local information before making major policy decisions. At present, there is a limited computerized data collection system in any government office in Otsego County.

Structural Limitations

The consultants discussed the reality that even a well-designed facility is only one aspect of all the elements needed for an effective approach to corrections. A well-designed facility *will not*:

- Implement organizational philosophy;
- Provide for all the physical, psychological and emotional needs of the inmate population;
- Implement effective jail services and programs;
- Provide greater security to the community;
- Improve employee morale;
- Reduce staffing requirements and operating costs;
- Resolve inter-criminal justice system problems, such as overcrowding;
- Make the jail constitutional and reduce inmate suits.

The major reason why even a well-designed facility will not accomplish these items on its own includes the fact that *people* are needed to accomplish these purposes and that *people* (and systems) resist change. However, a well-designed facility *will* accomplish the following:

- Reflect organizational philosophy;
- Provide a physical living environment for inmates which meets professional standards;
- Provide adequate space for services;
- Provide a physical environment conducive to effective staff-inmate interaction;
- Allow the effective utilization of staff resources;
- Serve as a catalyst for community involvement in the jail.

Total Systems Planning

The consultants discussed a systematic planning model, The Total Systems Model, which was developed by the now defunct National Clearinghouse on Criminal Justice Planning and Architecture as a process by which change could take place in the Criminal Justice System. Because of the interaction between the parts of the system, it is essential that the courts, law enforcement and corrections participate in the planning of a new jail facility or other major change in the local criminal justice system.

The Total Systems Planning Model consists of six phases or steps:

- | | |
|----------------------------|---------------------------------|
| 1. Identify Planning Tasks | 4. Develop Policy |
| 2. Gather Information | 5. Translate Policy to Programs |
| 3. Analyze Information | 6. Implement Programs |

Factors Which Influence Jail Populations

An overview was provided as to the factors that lead to jail over crowding as well as policy changes and programs which can assist communities in better managing their jail populations. Information provided on this topic is discussed primarily in the document from the National Institute of Justice, *A Second Look at Alleviating Jail Crowding - A System Perspective.*

UNDERSTANDING JAIL CROWDING

Preventing and/or managing crowding requires a basic understanding of the jail population dynamics that determine how many people are in a jail. This understanding comes from examining a basic formula:

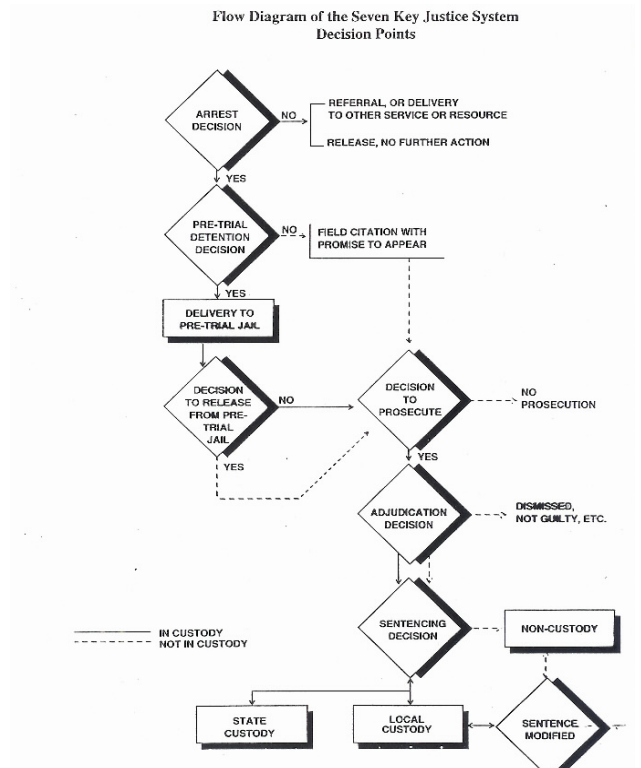
THE JAIL POPULATION ANALYSIS FORMULA:

The admission rate and inmate length of stay determines the number of people in jail. This can be expressed as (number of admissions x average length of stay = number of jail bed days required) divided by 365 days per year = average daily jail population.

Changes to either portion of this equation (number of admissions or length of stay) will change the number of people in jail on any given day.

The length of inmate stay is a very important but under-appreciated, and perhaps, less understood determinant of the number of people in any jail. Many jail administrators can quickly produce detailed information about their number of admissions, often with additional detail about arresting agency, charges, and so forth. Yet, it is much harder to find jail administrators who can produce length of stay information for these same classes of jailers.

The seven-decision point flow diagram (right) may be helpful in conceptualizing these data elements (table1). The key data elements monitor and reflect any changes in policy and practice by the justice system officials and their staff.



It is precisely in these times of crisis that the Jail Administrator is expected to answer what lay people believed are pretty simple questions:

- Who is in jail?
- Why has the jail population been increasing?
- Why is the jail crowded?
- What can be done about this crowding?
- How much will these changes cost?

Typically, the people responsible for answering these questions do not do a very good job. This is because they simply do not have sufficient information to do so. This difficulty in answering even simple questions can undermine public confidence in the ability of the jail administrator to understand and manage the situation.

Usually, it's not that the jail administrator isn't trying. The interaction of these variables can be complicated. These are not easy interactions to understand. Many computerized jail information systems seem unable to create the kinds of reports that are needed. And, if done manually, it takes time to pull the booking jackets, collect the data by hand, analyze it, and prepare a report. Even then, the report may not contain information sufficient to answer some of the questions that will be asked. For example, it may not contain information that will confirm or discredit some of the hypotheses (guesses) others will set forth to explain changes in jail population levels. Thus, the analysts must return to the data, do additional analysis, and repeat the process.

By the time a written report can be presented, additional changes in admission and release rates may be taking place. The situation keeps changing. Analysts are always shooting at a moving target. It is difficult to create a clear picture of the situation. Rather, the process seems to go in circles. There is erosion in confidence in the department's ability to analyze the situation. As a consequence, there is little enthusiasm for proposed courses of action because

too many people are unsure that these are the appropriate remedies. The result is inaction.

Table 1: Jail Population Analysis System Data Elements

Essential Data Elements	Description
Person identifier	Number unique to the person
Booking event number	Number to identify the jail admission
Sex	Identify gender
Booking date	Date inmate was admitted to the jail
Booking time	Military time inmate was admitted
Release date	Date inmate was released from jail
Release time	Military time inmate was released
Release type	Bail, ROR, acquittal, escape, etc.
Other critical data elements	
Arresting agency	Agency making arrest (not transport)
Sentence status	Sentenced all charges; partial; none
Offense level	Felony, Misdemeanor, Infraction, etc.
Court jurisdiction	Court of jurisdiction

These data should be collected on every person in the jail at a specific date and time, and thereafter for anyone who enters or leaves the jail. The data for each inmate would appear as a row on a spreadsheet or in a database. Conceptually, it is like creating a checkbook where the checkbook balance represents the daily population count, deposits represent admissions and checks written represent releases -- It's a crude equivalent of a "Quicken" for Corrections.

Modeling Jail Population Management Options

Once the basic jail population analysis capability is established it can be used to begin modeling the results of hypothetical or actual changes in admissions or lengths of stay. Hypothetical changes may be labeled “defensive,” as in the case of a crowded jail that seeks to find ways to reduce the size of the inmate population. But other changes may be labeled “proactive.” For example, officials may seek to make more effective use of jail bed space by deliberately changing the composition of the jail population so as to keep some people longer and move lesser offenders to other corrections options in the community.

Conclusion

The key to preventing crowding and to managing the jail population is to continuously collect, monitor and analyze admission and length of stay information, then share the results with other justice officials and officials in leadership positions in general government. Their cooperation will be essential. They, collectively, control the policies and practices that determine jail admissions and length of stay. As noted earlier, with only a few minor exceptions, these levers and mechanisms lie outside the control of the jail administrator.

For this reason the jail administrator has a stake in forming a justice system wide Criminal Justice CoordiCounty Council (CJCC), or in strengthening an existing CJCC that is not operating well. This is a forum where the Jail administrator can change the perception that potential crowding is a “jail problem.” The data and ensuing dialogue will allow the Jail administrator to portray potential or actual jail crowding as a justice system dysfunction. That change in perception makes it “our problem” instead of “the Jail administrator’s problem.”

These officials have a big stake in making sure the jail bed resource is best used to maximize public protection. When they are presented with clear and convincing, empirical evidence, they will do what they can to modify their policies and practices. The Jail administrator can exert a great deal of influence on the decision making of these other agencies. But they can only do so if they have the facts, if they can competently answer questions about how the jail population is changing, and if they can clearly demonstrate how changes in admission rates or lengths of stay can improve the administration of justice.

Pre-Trial Services

Discussed were Pre-trial service programs, which in many jurisdictions provide information to help the judicial officer make informed release/detention decisions. Program staff member's interview arrests, contact references, conduct criminal history checks and summarize the information for the court. Many programs also offer release recommendations and services to supervise conditions of release imposed by the court and divert the defendant from the criminal justice system.

(Pretrial Services Program, Bureau of Justice Assistance, Program Brief and Pretrial Services and Practices in the 1990's: Final Report, Bureau of Justice Assistance, 1991, is include with this report in the appendix section).

Intermediate Sanctions Options

A discussion was led relating to the term "intermediate sanctions" which is used to refer to both specific sanctioning options or programs and to the overall concept of a graduated range of sentencing choices guided by an articulated policy framework. Creating intermediate sanctions in a jurisdiction requires the development of both a range of sanctioning options and a coherent policy to guide their use. Sanctions that are devised and implemented without the participation of the decision-makers that will use them are likely to be a disappointment.

Developing a range of sanctions typically means rationalizing the use of all correctional resources within a jurisdiction. If a jurisdiction seeks to create specific responses to specific offender behavior, then it must also define the best use of its existing options. The intermediate sanction system should provide a judge with a menu of options, which allows for public safety and cost-effective utilization of resources within the system.

For a local jurisdiction to create a policy-driven range of intermediate sanctions, the key policy and decision-makers in the jurisdiction must agree to some fundamental changes in the way they do business. In effect, they must make the criminal justice system behave like a system. Several key elements are necessary to achieve that goal:

- The key players in the criminal justice system must agree to regular and frank communication about the sentencing practices, options and outcomes in their jurisdiction;
- Communication and dialogue must be led by the bench and given the resources needed to meet objectives;
- This policy group of key players must educate themselves about their own system;
- The key players in the criminal justice system must assume responsibility for the implementation and outcomes of sentencing decision;
- The policy group must be supported by changes needed in those agencies and offices represented; and
- There must be regular evaluation of the system to determine whether or not offenders are placed in the most appropriate option within the system.

Intermediate sanctions are designed to provide cost-effective ways to punish, incapacitate, deter and rehabilitate offenders, while maintaining public safety and reducing jail crowding.



Work Release

Courts have ordered offenders to work in communities for hundreds of years however; it has only been since the mid-1960's that judges have imposed work assignments as an alternative to jail. More commonly referred to as "Community Service," offenders complete tasks that benefit the community at large. Another form of work in the community is employment programs or job placement depending on the employment status of the offender at the time of adjudication. For those employed at the time of sentencing, continued employment with restrictions affords the opportunity for continued family support and other financial responsibilities. For those offenders who are unemployed at sentencing, a work release program may offer job training, skills preparation and employment readiness prior to entering the work force.

Day Reporting Centers

The development of Day Reporting Centers (DRC) first came to the United States in the early 1980's and was originally patterned after day centers which were showing success in Great Britain. The DRC concept addressed serious jail overcrowding which was spreading throughout urban America as well as offering specialized services designed to reduce recidivism. Day Reporting Centers offer these communities an alternative to incarceration that underscores both strict supervision and high levels of treatment. This dual emphasis is what distinguishes DRC's from other intermediate sanctions. Positioned between probation and incarceration, DRC's can offer the community not only an option prior to incarceration, but also a step down from jail as an offender shows progress. DRC's target jail bound offenders who, without this option, would be incarcerated. Target populations are those that do not pose a substantial risk to the public, but lack basic skills to survive lawfully and are most likely abuse drugs and alcohol. Some have diagnosable mental health issues. Most have education, life skills, parenting and employment deficiencies that need attention if successful community living is to be expected. Most DRCs develop multiple

supervision phases that decrease in intensity as the offender demonstrates compliance and accountability. Reintegration into positive community life is a primary goal. Currently there are over 450 DRC's in the United States offering unique responses to criminal justice needs.

INTERMEDIATE SANCTION OPTIONS

Work Release

Long-standing programs providing transition for inmates back to the community. Programs also provide some treatment services as well.

Pre-Trial Release Programs

Programs designed to monitor offenders while awaiting trial. Supervision may have some use of technology (i.e. – electronic monitoring, voice I.D, etc.).

Intensive Supervision Probation

Provides for a small caseload with additional responsibility:

- Drug Testing
- Treatment Programs
- Electronic Monitoring
- Community Supervision

Day Reporting Centers

One-stop shopping centers to provide services for all populations.

Boot Camps

Highly structured programs designed to make lifestyle changes.

IN JAIL TRANSITIONAL PROGRAMS

Jail Reentry Programs

Cognitive groups for substance abuse, employment preparation, etc.

Work Release

Transitional programs that provide job development and other services.

Day Reporting

Highly intensive outpatient model.

DRUG TESTING

Drug testing is a key element of these types of programs.

REGULAR CHECK-IN TIMES

Offenders check into the center at regularly scheduled intervals. This varies by program.

COMMUNITY SUPERVISION

Offenders must be held accountable while in the community.

DAILY ITINERARY SHEET

Itineraries outline all activities for each DRC participant.

ELECTRONIC MONITORING/CURFEW MONITORING

Insuring offenders are not out in the community late at night reduces the potential for community crimes.

CLEAR ELIGIBILITY CRITERIA

Programs must have clear definitions as to eligibility. This information should be disseminated to all key stakeholders.

A STRONG TREATMENT COMPONENT

Day reporting centers typically offer substance abuse treatment and other skills.

EMPLOYMENT DEVELOPMENT/LIFE SKILLS

DRC programs offer opportunities for offenders to obtain employment and achievement of a high school diploma.

KEY FACTORS

Provisions for Public Safety

Program Targets a Non-Violent Offender Population

Strict Accountability of Offenders

Electronic monitoring

Community supervision model

Stringent Requirements for Offenders

Work

Community Service

Treatment for Offenders

Treatment reduces recidivism and public safety issues

Observations and Themes

- All 34 beds (and more) are occupied;
 - Average inmate population: 45-55;
 - 2,357 outstanding warrants; and
 - 15% felonies, 18% non-support of children, 67% misdemeanor;
- Not up to current codes;
- There are health and safety concerns as a result of overcrowding;
- There are “Blind Spots” even with cameras;
- Does not provide for work release due to overcrowding and contraband;
- The present facility clearly does not meet the needs of Otsego County;
- The type of offender being incarcerated is a far more serious and violent offender than in previous years;
- The County has developed a Jail Utilization Committee and is looking at both intermediate sanction options and jail expansion;
- There are a number alternative sanction options for offenders in Otsego County other than traditional probation;
- The County is opening a day reporting center as an alternative to incarceration program; and
- The County is also looking at a residential program (Sheriff’s Work Program).

Fire and Safety Issues

- Entire reliance on manual locking system (all keyed).

Lack of a Secure Control Center

- Staff must carry keys controlling all facility egresses – this jeopardizes officer safety and complicates emergency evacuation.

Inadequate Intake and Release Area

- There is no space for temporary holding and close observation of arrestees;
- 50% of all jail suicides occur with the first 24-48 hours of confinement;
- The linear design that was the norm in 1967 and is now inefficient and dangerous;

- There is only one cell for detox and holding;
- There is inadequate storage and kitchen and laundry space; and
- The facility lacks proper ventilation & other essentials.

Otsego County Specific Recommendations

- The County should consider a self imposed population CAP of 27 that would be determined by the Correctional Administration, the Courts and key CJ system stakeholders;
- Inmates over the 27 cap should be housed outside of the current facility;
- In addition to per diem paid to other counties, housing outside of this facility would impact the Sheriff's Office functions and those of other law enforcement agencies;
- The County should consider the construction of a new correctional facility to meet the needs for additional bed space;
- They should consider a work release/day reporting center were offenders can step down from the jail and transition; and
- The County should consider using the space previously used by the District Attorney's Office for housing of female inmates.

GENERAL RECOMMENDATIONS

The following is a list of recommendations for Otsego County as they continue to evaluate their needs for a new facility or expansion at their present site:

1. Organize a Criminal Justice Coordinating Committee

A Criminal Justice Coordinating Committee should be established as soon as possible to begin the planning process to evaluate the need for a new combined jail facility in Otsego County. This committee needs to be action orientated and move towards resolution of these issues. This committee should include a cross section of individuals from the service agencies in the community, various parts of the criminal justice system and the community at large in Otsego County. At a minimum, this should include the following representation:

- The Judiciary
- Jail staff/Sheriff
- Local Treatment/Health Providers
- The District Attorney's Office
- Parole/Probation
- Tribal Representatives
- Defense Attorneys/Public Defenders

In addition to those who are selected to the committee, other individuals should be consulted during the planning stages of the new facility including fire and environmental safety officials and those who can provide expertise in the design of any additions to the existing facility. This group should begin the process of taking the next steps in the evaluation of the present facility in Otsego County. This will include subcommittees established for specific purpose for the planning process.

2. Development of a Data Base/ Management Information System

Currently, Criminal Justice System Data does not flow between agencies very smoothly. The data routinely generated by one agency is used or accessible minimally elsewhere in the system. It is imperative that each agency maintains caseloads and other pertinent information and that someone be

charged with monitoring paper flow. The Otsego County Jail does enter information into a computer system however, they should consider purchasing a software system that would allow them to coordinate their classification system as well as analyze data regarding their inmate population. The present system makes it difficult to evaluate the population being held at the jail to determine eligibility for diversion or community. The Jail Overcrowding Committee must decide what type of information they are interested in obtaining by developing a management information system. It is important to understand that this is not only related to the jail, but the entire system as they follow offender populations from arrest to post incarceration. It is important that any computer systems purchased have the capability of being networked together to provide institution wide access.

3. Public Relations

Otsego County has already begun the public relations phase during the The Justice System and the Jail and Jail and Justice System Assessment. Community members were provided an opportunity to attend the community meeting to review the consultants finding. . The consultants strongly urge that a formal campaign be designed to inform the public of the planning process to deal with overcrowding in Otsego County.

While it might be in vogue to talk very hard line on all criminals, the truth of the matter is that in Otsego County nearly all of the offenders incarcerated are going to be released and will be returning back into the community. The decisions made on how they are handled while in jail will have an effect on how they come back into the community. Would anyone want a traffic offender to end up in jail and be placed in the same cell with a person who has previous convictions for violent crimes simply because he could not post bail? This could happen if the overcrowding situation continues to escalate in Otsego County. Would anyone whose son or daughter committed a minor offense want them to be housed with such a person?

It is important that the citizens decide on a course of action and they should participate in more than a referendum voter status. Therefore, it is important that the reasons for every decision are provided to them by the media, direct mailing and door to door canvassing to hand out information.

4. Criminal Justice System Master Plan

To fully understand and anticipate the impact of change within the Otsego County Criminal Justice System, a coordinated long-range master plan should be developed. The plan would support a commitment to leadership by providing carefully defined goals and objectives to help the criminal justice system successfully face the challenges of the next ten years.

As discussed earlier, the report should include a more comprehensive evaluation of data and the local criminal justice system prior to making a final evaluation as to the number of beds and facility design for a facility in Otsego County. The Otsego County planning process should allow for a plan with a long-term solution for the correctional needs of the County for many years to come.

The Criminal Justice System Master Plan should involve:

- Developing a system-wide philosophy and mission to ensure that all constituents have a shared understanding of what needs to be accomplished and how to accomplish it;
- Summarizing system wide capacity and workload projections;
- Developing a comprehensive, system-wide management and operations plan to include a detailed initiative to improve programs and services; Developing a system-wide capital improvement plan to address crowding conditions and to provide adequate space for all users of the criminal justice system
- A system wide approach to develop a continuum of sanctions that include the jail, probation, parole and other services that provide the most appropriate sanction for the offender.

5. Long-Range Crime Prevention Plan

In support of the Criminal Justice System Master Plan, the County should also develop a long-term strategy for crime prevention. This strategy is not

limited to just the agencies in the Criminal Justice System but, should be a community-wide effort and have representation from all components. Further, the plan should include both adult and juvenile offenders. Without this strategy, the County will always be in a build and fill dilemma. In simple terms, the County will not be able to just build their way out of the crowding problem.

This plan, like the Master Plan, should become a living document that would serve as the basis for a working partnership between all components of the criminal justice system. It is also firmly recommended that a jail construction project not be started until this plan and a Master Plan has been completed. Proceeding without these documents further increases the risk of building additional beds and related support space without fully analyzing all factors that contribute to crowding.

6. Development of Intermediate Sanction Options

The County should consider design and development of a Day Reporting Center for selected inmates. The County should consider consolidation of many or all of these intermediate sanctions that are on-site. At present, there are no intermediate sanctions options available in Otsego County. There are limited numbers of release options for defendants being held while awaiting trial. Pre-trial services programs, electronic monitoring programs and other options can be utilized to make the most effective use of jail beds in Otsego County.

The use of these options should be integrated within the local system. Assessment of offenders for placement with clear eligibility criteria is a critical component of these types of options. Jurisdictions throughout the country utilize intermediate sanctions in a cost-effective manner without compromise to public safety. There are other additional intermediate sanctions programs that can assist Otsego County in using jail beds most effectively for the more serious violent offenders. These options should be considered on a regional basis if possible and there should be a more coordinated effort with the local treatment providers.

SUMMARY

A crowded jail is a symptom of many things that occur within the Criminal Justice System. Through interviewing, the consultants found a spirit of cooperation throughout the system to work together in the planning of various options to deal with their overcrowded jail. However, for many of those interviewed, there was concern as to whether or not a facility that was initially built in 1967 would be able to satisfy the needs of Otsego County in the future.

Most of the staff we met with at the jail felt that the facility that was designed would not be able to serve the long term needs of the County. The staff felt that the overcrowded conditions have contributed to increased problems especially over the last several months.

It appears clear that all of the individuals involved with this project in Otsego County understand there is a need to look at the existing jail space and evaluate the need for expansion. The administration and staff have done a remarkable job in maintaining support and control over a facility that has long since met the needs of the staff or the population.

Booklets Recommended:

County staff members were advised of the National Institute of Corrections web site www.nicic.org where additional information may be ordered, such as the following:

- A Second Look At Alleviating Jail Crowding: A System Perspective, by the Pretrial Resource Center, Grant Number 97-DD-BX-0016, Bureau of Justice Assistance, Office of Justice Programs, U. S. Department of Justice. NCJ-182507, January 2000.
- Guidelines For: Developing A Criminal Justice Coordinating Committee, by Robert C. Cushman, NIC Accession Number 017232, January 2002.
- How to Collect and Analyze Data: A Manual for Sheriffs and Jail Administrators, Second edition, U.S. Department of Justice, National Institute of Corrections-Jail Center.
- Objective Jail Classification Systems: A Guide for Jail Administrators, by James Austin, Ph.D., National Institute of Corrections, U.S. Department of Justice, TA# 97-J2303, February 1998.
- Preventing Jail Crowding: A Practical Guide, Robert C. Cushman, NIC Accession Number 016720, 2nd Edition, May 2002.
- A PowerPoint presentation completed by the consulted team and submitted as an attachment to this report.

Video Tape:

- "Alleviating Jail Crowding: A Systematic Approach", National Institute of Corrections, U.S. Department of Justice, Tapes 1 & 2, February 2000.