



Justice Concepts Incorporated

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AVOIDING THE EXPENSE OF CONSTRUCTING UNNECESSARY JAIL CAPACITY

by Allen R. Beck, Ph.D.

CONTROLLING THE COST OF ADDING BEDS

Adding jail capacity is a costly undertaking. The construction cost of new jail beds ranges from about \$38,800 to \$74,000 apiece with a national average in 1997 of about \$73,339.⁽¹⁾ For a new jail of 100 beds the cost would be about \$7,339,000. Expensive as this may sound, construction is not the most costly aspect of adding new capacity. That distinction goes to operating costs. Based on a national average of about \$54.53 per day per inmate, a 100-bed jail would cost about \$1,990,345 per year to operate.⁽²⁾ With a life cycle of 30 years, the overall operating cost of that jail would be \$59,710,350. Cumulatively, the construction and overall operational cost of each bed would amount to about \$670,443! Such cost per bed should drive the point home--The decision to build a jail should involve a penetrating examination of how many beds are required.

The number of beds to build will depend on the approach taken to inmate population growth management. A pivotal aspect of this approach is whether the local jurisdiction decides to take an active or passive role in addressing criminal justice system operations. A passive role is the most costly. This role accepts arguments that the system does not need improvement and that the number of inmates housed in jail cannot be altered. In contrast, the active role recognizes that improvement is possible in all aspects of government, which in this instance happens to be the criminal justice system. There is always the possibility that significant improvement might be made in controlling growth of the inmate population.

An active approach to managing inmate population growth usually results in lowering the projected number of new beds. Such an approach is reflected in the programs and seminars of the National Institute of Corrections, NIC. Other organizations, such as the Institute for Court Management, promote improvements that will affect the size of jail populations. Criminal justice research often points out that major improvements in inmate population growth management do not usually occur unless sparked by a crisis or by infusion of concerned leadership. Experience of this writer in conducting studies in more than 35 criminal justice systems indicates that a wide range of improvements can usually be identified. Generally the savings in projected bed space will total about 10% to 30%. In Maryland, for example, a statewide study of counties disclosed that a savings of more than 30% could be realized in some counties.

ANSWERING FOUR QUESTIONS ABOUT SPACE REQUIREMENTS

The ability to reduce the projected number of beds depends on the knowledge and skills of those who determine what should be built. To establish future capacity requirements the following four questions should be addressed:

1. What is causing jail growth?
2. What are the options that can control jail growth?
3. What specific steps will be required to implement the options?
4. What are the likely outcomes, in terms of bed space savings, of applying the options?

Quite clearly, persons skilled in criminal justice system analysis are best suited to answer these four questions. Unfortunately many jurisdictions are not aware of how they can frame the request for information. Requests for proposals, RFPs, frequently cover both structural assessment of an existing jail and a forecast of new bed space. Sometimes a requirement for a criminal justice system analysis is included. The difficulty of combining these separate informational requirements within the same RFP is that it sets up architects to take the lead. From a marketing perspective, many architects see non-architectural tasks as a "loss leader." They bid low, thereby winning the contract and securing an advantage for the next RFP which involves designing the jail. Typically in low bids, there is insufficient money to perform an adequate analysis that would answer the four questions.

In the world of architecture, design fees are based on a percentage of construction cost. For this reason some architects try to deflect attention from studies that might reduce the jail population. Characteristic of this maneuver is the ploy of currying favor of the prosecutor or sheriff, whichever is taking a stand on a specific number of jail beds. The prosecutor or sheriff is also praised on the grounds that he or she is the expert and therefore knows what is needed. The unfortunate aspect of this ploy is that such bed space estimates are usually speculative rather than the result of an unbiased examination of factors driving jail growth. Not surprisingly, prosecutors and sheriffs are sometimes part of the problem due to inefficient practices in their offices which inflate the jail population. Thus, an unscrupulous architect may go past the ethical boundaries of good salesmanship to ensure that construction costs are not reduced.

DEVELOPING AN EFFECTIVE RFP

An effective analysis of the four questions calls for neutrality. This neutrality may carry some disadvantage for the criminal justice system analyst when pursuing contracts. For this reason, decision makers must develop an RFP which will ensure that the four questions are answered. They must either issue a separate RFP for the study of the criminal justice system or, if issuing only one RFP, must ensure that the criminal justice analyst and architect team is (1) not underbidding and (2) committed to a thorough examination of criminal justice system options that could reduce bed space requirements.

One way to evaluate proposals to check for underbidding is to use this rule of thumb: For a medium sized jail, the amount allocated for a population growth management study should equate to about the cost of constructing one jail bed, i.e., about \$40,000. In light of a possible savings of 10% to 30% in jail bed requirements, this cost seems reasonable. For smaller criminal justice systems the cost could be lower and in larger systems the cost could be several times higher, depending on complexity of the criminal justice system.

Commitment to thorough examination of options can be evaluated by crafting an RFP that requires bidders to respond to clearly stated expectations and to provide a work plan and detailed budget. An example of how expectations might be specified is shown in Exhibit 1.

Exhibit 1. RFP Items Used to Specify Requirements of a Criminal Justice System Study

- Track the criminal justice population through the criminal justice system from arrest to release to study the characteristics of those released at each decision point and the speed with which they are processed.
- Review policies, operations, and resources of key criminal justice agencies with respect to their impact on the jail population. These agencies should include:
 - Law enforcement
 - Prosecution
 - Defense
 - Courts
 - Jail administration
 - Probation services
 - Management data systems
- Assess efficiency of criminal case processing and its impact on jail capacity requirements.
- Profile the jail population for demographics with breakdowns of charges, adjudication status, and security level.
- Determine the characteristics of the jail population as it relates to supervision and treatment needs.
- Assess the adequacy of the existing continuum of care/supervision for offenders which includes alternatives-to-incarceration, alcohol and drug treatment, mental health, and other programs which divert offenders from jail.
- Examine all pre- and post-trial options to determine if they 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 and estimate their impact on the jail population.
- Identify those options that can be developed with new resources, specify the key planning steps for each, and estimate their impact on the jail population.
- Forecast jail population growth and indicate how the various options might effect future jail space requirements.

This list of specifications is thorough and explicit. Included in the items is the jail population forecast, options for supervision and treatment, and recommended criminal justice system improvements. This is a comprehensive informational package that will support decision making about how to manage jail population growth and, thereby, avoid the expense of constructing unnecessary jail capacity.

ABOUT THE AUTHOR: Allen Beck has been involved in the study and planning of jails in more than thirty-five counties. A frequent request to which he has responded is: "How can the demand for new jail capacity be controlled in a positive and cost-effective manner?" Some of the information in this article also comes from having watched elected officials, criminal justice agency directors, architects, and planners grapple with building new jails on very limited budgets.

FOOTNOTES

1. Camp, Camille G. & Camp, George M. "Average Cost Per Bed for Jail System Construction and Renovation, 1990-1997." *The Corrections Yearbook*. Middletown, CT: Criminal Justice Institute, Inc., 1998, p. 243. Please note that the cost figures have been rounded in this example of average jail bed costs provided by Camp and Camp. The estimate of "average jail bed cost" varies depending on the source of the information. See the article, "Misleading Jail Bed Costs," also by Allen Beck.

2. Camp, Camille G. & Camp, George M. "Average Cost Per Day Per Prisoner in Jail Systems, 1985-1997." *The Corrections Yearbook*. Middletown, CT: Criminal Justice Institute, Inc., 1998, p. 249. Please note that only the average cost per day was provided by Camp and Camp. The calculation of the annual cost is the author's.

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Author of this Article: Allen R. Beck, 417 W. 87th Place, Kansas City, MO, 64114, Phone: 816-361-1711

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RESOLUTION NO. 297--SEPTEMBER 10, 1987**AUTHORIZING THE CHAIRMAN OF THE ULSTER COUNTY LEGISLATURE TO ENTER INTO AGREEMENT WITH DRUG WORLD PHARMACIES - RESIDENTIAL HEALTH CARE FACILITIES**

The Infirmity Committee (Chairman LaBarge and Legislators Alfonso, Ick, Greco, Pagano, Maselli and Dwyer) offers the following:

WHEREAS, the Director of the Residential Health Care Facilities has requested approval of an agreement with Drug World Pharmacies to provide pharmaceutical services to the Residential Health Care Facilities for the period September 1, 1987 thru August 31, 1988,

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized to enter into an agreement with Drug World Pharmacies to provide pharmaceutical services to the Residential Health Care Facilities for the period September 1, 1987 thru August 31, 1988 in the form as filed with Clerk of the Legislature or as modified with the approval of the County Attorney,

And moves its adoption.

Adopted by the following vote:

Ayes: 30; Noes: 0.

Absent: Legislators Baumgarten, Dunn and Finch.

FINANCIAL IMPACT: \$38,000.00 - 100% State.

RESOLUTION NO. 298--SEPTEMBER 10, 1987**ESTABLISHING POLICY FOR FUTURE CAPITAL PROJECTS**

The Ways and Means Committee (Chairman Alfonso and Legislators G. Benjamin, Sinagra, Tipp, Titus, Dwyer and Finch) and the Public Works Committee (Chairman Pagano and Legislators Busiek, Fall, Geary, McAfee, Sinagra, Tipp, Barthel and Maselli) offers the following:

WHEREAS, the attached policy for future Capital Projects has been submitted for consideration, and

WHEREAS, the Ways and Means Committee has met and reviewed said policy with a majority of the members voting approval, and

WHEREAS, the Public Works Committee has met and reviewed said policy with a majority of the members voting approval,

RESOLVED, that the attached policy for future Capital Projects is hereby adopted,

And moves its adoption

Adopted by the following vote:

Ayes: 29; Noes: 1.

Ayes: Noes: Legislator V. Benjamin

Absent: Legislators Baumgarten, Dunn and Finch.

Legislator V. Benjamin, seconded by Legislator Chasin, motion to amend Resolution Number 298 as follows: At the end of PARAGRAPH Number 4, ADD The Chairman of the committee overseeing the Department in which the Capital Project takes place will also serve on the Special Legislative Committee during the term of the Capital Project. Motion was Defeated by the following vote: Ayes: 15; Noes: 15 (Legislators Contini, Every, LaBarge, Nace, Pecora, Sfregola, Umhey, Dwyer, Barthel, V. Benjamin, Cahill, Chasin, Maselli and Provenzano) (Legislators Baumgarten, Dunn and Finch - absent).

FINANCIAL IMPACT: None.

ESTABLISHING POLICY FOR FUTURE CAPITAL PROJECTS

1. The bonding process for major Capital Projects will begin only after final bids are obtained.
2. A Capital Projects Committee consisting of the County Administrator, Commissioner of Public Works, Deputy Commissioner of Public Works for Building and Grounds, County Attorney, County Planner, County Treasurer and County Codes Enforcement Officer, will be established to develop a format for Capital Projects requests, subject to Legislative approval, to be followed by departments in the future.
3. No major Capital Project will be undertaken without the completion of a formal Capital Project request by the department or departments involved. Such a request will document the need for the Project, the sources of funding and a financial plan, Project location, a construction schedule and the anticipated impact of the Project on the County's future operating budget.
4. A special Legislative Committee, to be comprised of the Chairman, the Majority Leader, the Minority Leader, the Chairman of Ways and Means, the Chairman of Public Works, one member of the Majority, and one other minority member will be appointed to oversee any major Capital Project and will be responsible for liaison with and information to members of committees and the general membership of the Legislature.
5. Meetings of the special Legislative Committee for each project will be open in the manner of standing Legislative Committees. Minutes and a comprehensive file of documents relating to the project from its inception will be kept.
6. Selection of architects for County projects will be on a competitive basis, after the public solicitation of project proposals. Screening of proposals will be by the special Legislative Committee for major projects and the Public Works Committee for other projects.
7. All architects' fees will be negotiated.
8. Realistic contingencies of between 5% and 10% will be included in the planning for any major Capital Project.
9. Provision will be made in the 1988 County Budget for assistance in taking the minutes of committee meetings. Guidelines will be established for minutes to develop uniformity among committees.

ULSTER COUNTY SHERIFF'S DEPARTMENT

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SHERIFF

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January 15, 1993

*** PRESS RELEASE * * PRESS RELEASE * * PRESS RELEASE ***

Since July of 1988 the Ulster County Jail has suffered overcrowding which reached an all-time high of 212 in 1989. This figure represents 58 people above capacity. Since that time this department has requested and received from the New York State Commission of Corrections approximately 5 variances with 9 extensions. In the second half of 1992 we experienced extreme overcrowding and were forced to board people out at an expense to the taxpayers in excess of \$174,000. Were it not for the variance that we have now to house 19 people, this figure would have been much higher. The overall intent of the variance requests was a temporary suspension of Correction law while the County established a permanent solution to the overcrowding problem. The County, without addressing established procedures for handling overcrowding, opted to expand the Alternatives to Incarceration and then boasted that we would never, ever have to build jails again. Certainly this is a popular stance to take in difficult times. but in this case all it did was stall the inevitable.

Today the Alternatives to Incarceration program is doing what it was meant to do and that is reduce the jail population to its lowest denominator. We at the Ulster County Sheriff's Department supported that program and at the same time urged the County to look at expansion or renovation of the Ulster County Jail. We did this because from a realistic point of view we knew that the jail would eventually suffer overcrowding again, and when we exceeded our design capacity this department communicated with County Legislators in efforts to address the problem. They refused to cooperate, probably because our problem has been attributed to "seasonal" overcrowding. We are now into January 1993 and we are still experiencing this phenomenon. The County solicited the National Institute of Corrections to evaluate their programs, which was reported to them in September of 1992 and was called "The Sentencing Project Report". Once again Legislative Chairman Gerald Benjamin convened a press conference where he again boasted that all is well at the Ulster County Jail, and Alternatives to Incarceration are the cure-all to the overcrowding condition suffered locally and statewide. (Newspaper

articles are attached to refresh your memory concerning the statements made). It was interesting to note that in that report the consultant, Roger Lauen, did not address all the issues in establishing his conclusion and recommendations, and there was no effort to evaluate the options relative to jail use. This didn't surprise me because in this same report he stated that we were eighty miles from Albany when in fact we are fifty miles from Albany, and the Woodstock Festival was held in Woodstock when in fact it was held in Sullivan County. I bring this up not to ridicule, but more to show that this individual did not pay too much attention to detail and therefore one can conclude that his report also may have suffered the same deficiencies.

A few months ago we submitted a report to the County concerning a renovation of the existing jail in order to comply with Commission of Corrections directives to resolve the overcrowding problem. This too fell on deaf ears. This department formed a committee to study jail overcrowding, and in order to have proper representation, reached out to Chairman Benjamin who refused to take part in this study. In spite of that we convened a committee with the available resources with a direction towards doing something to address this escalating problem. On January 5, 1993 the Jail Overcrowding Committee proposed, after extensive study, that the County immediately move to implement one of three proposals to address jail overcrowding. The first proposal was to renovate; the second proposal was to construct two stories above the laundry area; and the third proposal is to contract with neighboring jails to accept our inmates above capacity for a fee. (The committee report is attached for your perusal.)

On January 8, 1993 we received a report from Stuart Readio, Consultant from the National Institute of Corrections. This technical assistance was provided by a grant funded by the National Institute of Corrections, Jail Division. The same agency I might add that Chairman Benjamin used with another consultant at another date mentioned earlier in this press release. The reason why our department requested this assistance was that it was hard to digest the results of the report issued by Consultant Roger Lauen. This report is attached for your perusal, and highlights a number of things.

1. That the County's option to look at Alternatives to Incarceration without first looking at ways to solve the overcrowding problem was unusual.
2. That the population in our jail due to the Alternative program has sharply decreased from 1990/1991 when the program was first introduced, but has now risen again to a point in 1991/1992 equal to that condition that existed when we were first overcrowded.

3. That the study done by the county failed to consider inmate's length of stay.
4. That the sentencing project requested by the county; done by the National Institute of Corrections, failed to assess the effectiveness of the Alternatives program because of "a paucity of resources available".
5. That the Ulster County jail is a maximum security, multi-story linear jail built in the 1970's. The jail is antiquated and does not address the many requirements and programs needed to properly assist the Alternatives program and the rehabilitation of inmates.
6. The report urges the building of a new jail and then concludes with a strong suggestion that the County establish a public safety committee, which unlike what the county has at this time, should not be overrepresented by the various groups involved. It further urges that the Chairman to that committee be elected, not appointed.

In analyzing this report it is clear to this department that the County of Ulster has created a condition that has escalated with time to a point where the citizens of this county will be subjected to spending large sums of money unnecessarily. The efforts of this Sheriff and his Warden have always been, and will continue to be to resolve this unacceptable condition in the most efficient, least expensive manner. The establishment of a jail committee, the request for technical assistance from the National Institute of Corrections, as well as the latest proposal concerning renovation as a temporary solution to the problem clearly shows what our direction is. The County over the years has pumped money into a number of programs, some good - some bad, and has created a condition where by their non-action, I was forced to board inmates out at great expense to the taxpayers, and has further exacerbated this situation by bulldozing a dormitory that could have housed the inmates over and above our capacity.

The purpose of this press conference is intended to make a further appeal to County Government to roll up its sleeves and get busy with resolving the problem.

Stars for no bars

County alternative sentencing program wins high praise

A consulting agency working with the federal Justice Department has issued a report on alternatives to incarceration in the Ulster County jails that shows the number of inmates in the county jail is on the decline, and encourages expanding the county's alternate sentencing programs instead of building new cells.

At a press conference Wednesday, county legislature chairman Gerry Benjamin introduced the report, which praises the efforts the county has made since 1989 in implementing alternative programs. "The report confirms that the county has been extremely energetic and responsive" in its alternates to incarceration, Benjamin said.

and the legislature have been at odds over a possible expansion of the county jail, which LaPaglia has advocated and the legislature has been reluctant to undertake because of the expense. New jail cells can cost \$100,000 each.

Instead, the legislature has sought to mitigate jail overcrowding by variances, which permit jails to hold more inmates than their original design authorized, and alternative programs. LaPaglia has resisted the use of variances, which require him to turn an indoor recreation room into a prisoner dorm. He also has said variances do not address the larger issue of chronic overcrowding in the jail.

LaPaglia was on vacation and could not be reached to comment on the report. Benjamin has insisted the overcrowding in the jail is seasonal rather than chronic, and said with more emphasis on alternate programs the overcrowding could be alleviated entirely.

One of the more interesting aspects of the report, prepared by Roger Lauen, Marc Mauer and Malcom C. Young, a private consulting firm,

is its documentation of the ratio of black and white prisoners. Although blacks account for under five percent of the county's population, they account for 25 percent of its inmates. Benjamin said African-Americans are represented in the sheriff's department but he didn't know how many are on the force.

Blacks are also underrepresented in the alternate programs, which Benjamin said is because whites tend to be arrested on alcohol-related crimes and are more apt to be treated alternately, while blacks are arrested on drug charges. Benjamin promised to investigate whether any bias existed in the system, although he said as far as he could see there was none. He also said he would investigate changing state law on mandatory drug sentencing in some instances.

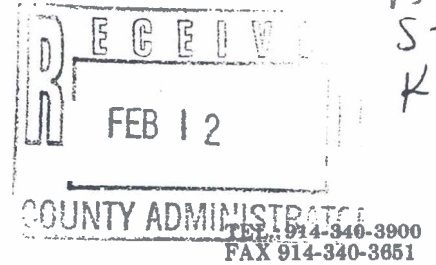
Young, called at his Washington office, confirmed Ulster County is in the forefront of alternate incarceration.

The report was prepared at no cost to the county under the auspices of the National Institute of Corrections, an arm of the Justice Department. ++

Kenneth Wapner

COUNTY OF ULSTER

P.O. BOX 1800
KINGSTON, NEW YORK 12402-1800



ULSTER COUNTY LEGISLATURE

DANIEL L. ALFONSO, *Chairman*
WARD TODD, *Majority Leader*
FRANK DART, *Minority Leader*
RANDALL V. ROTH, *Clerk*

MEMORANDUM:

TO: Legislator Fawn Tantillo
FROM: Chairman Daniel L. Alfonso
RE: Jail Study Committee
DATE: February 12, 1998

In order to clear up any misunderstandings and/or misconceptions concerning the Jail Study Committee, I would like to outline the following:

- 1) Your Jail Study Committee is responsible to make recommendations to me as Chairman, hopefully within the next 60 to 90 days.
- 2) Your committee's recommendation should be whatever the committee feels is the best direction Ulster County should take to solve this problem. Any other legislator or individual who has information pertaining to anything should give it to you.
- 3) As an example of the above, people have talked to about two items:
 - a) If we are going to build a new jail, what about a small chapel? and
 - b) Why not have a small court room in the building to cut down on transportation charges.
- 4) After your recommendations are given to me, they will be turned over to the Criminal Justice Committee which will then proceed to whatever avenue they feel will best solve the problem.

I hope this clears up any misunderstandings, but if there are still any open items which need clarification, let me know.

DLA:mb

**cc: Ward Todd, Majority Leader
Frank Dart, Minority Leader
John Naccarato, Criminal Justice Chair
Michael LaPaglia, Sheriff
William Darwak, County Administrator
Randall V. Roth, Legislative Clerk**

NAME OF COMMITTEE: Jail Study

DATE: February 23, 1998

TIME: 5:00 PM

PLACE: 6th Floor Chambers, UCOB

MEMBERS PRESENT: Legislators Tantillo (Chair), Minority Leader Dart, Legislators Provenzano, Feldmann, Hunt, Sgt. Acevedo, Fred Fister, Department Heads Cappillino, and members Dener, Greaves, Fleigel

MEMBERS ABSENT: Legislator Felicello, Departments Head Brown and Sudlow, member Fleigel

OTHERS PRESENT: Legislator Nacarrato, Commissioner of Bldgs. & Grounds Harvey Sleight, Mark Phelan, Robert Mitchell (Freeman), Sandy Frinton (Record)

Buildings and Grounds Commissioner Harvey Sleight was invited to this meeting to explain some of the problems of the current Ulster County Jail Facility. He stated: The present facility is 27 years old with antiquated designs. The working parts are falling apart. Masonry is coming apart. Doors are operated by cables which need to be replaced. If one snaps, the door will stay shut. If there was an emergency, the door would have to be burned (with a torch) to get open. Eight cables have been replaced. The kitchen area is too small. The kitchen supports the inmates, corrections staff and also CCP residents. It is "woefully inadequate." Every square foot has been renovated to accommodate violations. The rec area was converted to a dormitory. A few female beds were picked up but then isolation cells were also needed. We are playing "band-aid" doing daily repairs. The costs to replace a security door cost several thousand dollars. The control room panel alone cost \$26,000 to replace. Grounds and parking are inadequate. The present design was to have two more stories but would only pick up 60 more beds and would not solve any problems. Some Golden Hill problems are: solid rock. Would have to drill or dynamite. Special roads would need to be built. The City storm system could not handle additional run off. The fire pump system did not have enough water supply pressure. The water system tank would need to be increased. Sleight suggested that if a new facility be built, that the design be able to accept additions. (Example - the Saratoga facility - a wing available at any time but not completed used as storage space at present time) Mark Phelan stated that over 3.4 million dollars have been spent over the last 15 years for renovations and alterations. He stated it would take a minimum of one and half years to renovate. Would need to start from bottom - meaning clearing out two tiers. However, you would have to shut down utilities for the entire facility. That would wipe out the whole facility. Then you have board out costs during the renovation time. Sgt. Acevedo stated previous NIC studies indicated the "core" of the UC Jail can not take any more building stress. It would collapse.

Sleight stated that in order to do a determination, he felt additional information was needed to get a definitive answer on size and location of sites in Ulster County that meet criteria needs. This is what the RFP could do. He stated that there were ideas of what to do with the old facility.

Hunt will get population management.

Legislator Dart asked Mr. Sleight, "in your expert opinion do you feel it is cost effective to renovate?" Sleight replied he did not think it is cost effective and would not like to see renovation as an alternative.

Provenzano asked if the City of Kingston would have to give permission if renovations were made on present facility. Sleight replied that in order to get things done you need to negotiate with the City of Kingston and pay for expenses.

Member Greaves feels we need to first find out the cost of renovation before recommending to build a new jail. Commissioner Sleight agreed an engineer should be hired to see get the cost of renovations and the feasibility of adjacent buildings.

Tantillo made a motion to complete the RFP to hire an engineer to do a feasibility study and cost analysis of renovation of existing facility and/or the suitability to build a separate facility (ie campus style) adjacent to the present facility on Golden Hill property, seconded by Dan Greaves. Legislators Dart and Provenzano said they were against hiring an engineer.

A vote on that motion (to hire an engineering consultant) was split (5 yes) Tantillo, Fleigel, Greaves, Hunt, Cappillino- (5 no) Dart, Provenzano, Feldmann, Dener, Acevedo.

Dart made the motion to recommend, to the full Legislature, a new jail be built at an alternative site and rule out any jail construction at the Golden Hill site, seconded by Provenzano.

Tantillo asked Dart if he was going on record of being in favor of building a new facility without giving any consideration to the present Golden Hill site or any other site on Golden Hill. Dart replied yes.

A vote on this motion (not to build on current site) was split (5 yes) Dart, Provenzano, Feldmann, Dener, Acevedo - (5 no) Tantillo, Fleigel, Greaves, Hunt, Cappillino.

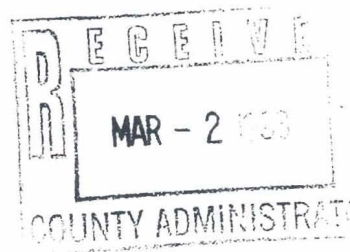
A motion to adjourn was made by Dener and seconded by Feldmann.

Meeting adjourned 6:30 PM

****Dart requested copies of all minutes from inception of committee.**

Ulster County Legislature

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A - am
S - slip
K -

LEGISLATOR

March 2, 1998

Daniel L. Alfonso, Chairman
Ulster County Legislature
244 Fair Street
Kingston, New York 12401

Dear Chairman Alfonso:

The Ulster County Jail Study Committee ~~hit a snag on Monday, February 23rd.~~ What appears to be the next step to many of us was not supported by a ~~majority~~ of the committee.

First, I must point out the magnitude of the task before the Jail Committee. You recently stated "This is going to be our biggest project this year." This is a gross understatement, it will be the biggest capital project that this county has ever undertaken.

We have seen other counties take on projects of this significance without the proper research up front, and the results have been disastrous. I promised the taxpayers that we would explore every option to ensure that their tax dollars were spent wisely. I intend to keep that promise.

~~It appears to me that there was confusion about my motion to hire a consulting engineer to evaluate Golden Hill, and the existing jail.~~ It was not limited to only evaluating the existing jail for renovations. We need to know if we can feasibly use the Golden Hill site to build additional jail space that could be used independently or in conjunction with the existing jail.

I asked Harvey Sleight, Commissioner of Buildings and Grounds, and his Project Manager, Mark Phalen to attend, and give us their best evaluation of the Golden Hill site, and the existing Jail. There are many problems with that site, including bedrock, sewer, and water limitations, to name a few. The Jail itself is showing signs of age and has physical limitations that will make simple renovation difficult. It is unlikely that any long term solution could be done with that building alone.

Commissioner Sleight suggested that we hire a consulting engineer to evaluate the site and the building. This seems like a reasonable next step for several reasons:

Page 2
Daniel Alfonso
March 2, 1998

1. Whatever site we consider will require a thorough evaluation. Any site will have assets and limitations to overcome: water, sewer, neighborhood concerns, wetlands or bedrock. Golden Hill is a logical place for us to begin.

2. If we determine that we cannot use the Golden Hill property, and must build a new jail complex elsewhere, we will need to be able to explain to the taxpayers why we are not going to use the 70+ acres we already own on Golden Hill.

3. The money we pay for this evaluation will not be wasted. The County owns this site. This evaluation will be a useful tool in any future planning for use of this property.

4. If we determine that we need to build a new jail elsewhere, this engineering evaluation will help us determine what uses will be suitable for the old jail.

The same legislators that voted against hiring a consulting engineer on Monday, introduced and supported a resolution asking us to hire a consultant a few months ago. It failed at that time because they had no idea of what they wanted this consultant to do. I said then that their resolution was premature. We would probably require a consultant in the future.

We have now reached that point. It is time to pull together all the hard work and research this Jail Study Committee has been doing. We still have a few questions to answer, but we need input from an engineering consultant about the Golden Hill property before we can make any final recommendations.

Again, this will be the largest capital project Ulster County has ever undertaken. It is vital that we put in the effort and money up front to be sure we are making the right decision. I believe evaluating the Golden Hill property is an important step in arriving at a responsible and accountable decision.

Sincerely yours,



Fawn A. Tantillo

FT/bap

cc: Jail Committee
J. Naccarato

COMMITTEE REPORT

NAME OF COMMITTEE: Jail Study

DATE: March 16, 1998

TIME: 5:00 PM

PLACE: 6th Floor Chambers, UCOB

MEMBERS PRESENT: Legislators Tantillo (Chair), Minority Leader Dart, Sinagra, Hunt, Provenzano, Feldmann, Department Head Sudlow, and members Dener, Greaves, Fister

MEMBERS ABSENT: Legislators Felicello, Sgt. Acevedo, Department Heads, Cappillino, Brown, member Fleigel

OTHERS PRESENT: Ward Todd (Majority Leader), Robert Mitchell (Freeman), Sandy Frinton (Record), Legislator Nacarrato, Dennis Doyle, CRSS representatives, Jeff Mertens, Seppo Siimes, Stephen Donahue

Dennis Doyle from the Planning Department displayed a map of 72 acres of County owned property on Golden Hill indicating existing buildings and vacant available sites.

A motion for a RFP be completed to look at all aspects of potential jail solutions, including size (400-450 beds-not to be binding) was made by Legislature Sinagra and seconded by Majority Leader Dart. Fister abstained from voting, informing the committee that the Sheriff had called consultant from the NIC.

Dart withdraw his second to the motion Sinagra made in order to see what the presentation was about. Hunt then seconded the motion by Sinagra. A vote was taken - Sudlow, Dener, Sinagra, Tantillo, Hunt all voted yes, Provenzano, Dart, Feldmann voted no, Fister abstained.

Discussions: Provenzano felt it was irresponsible to go ahead without knowing what the Sheriff was doing. Todd commented the need to find an expert and to be general in the RFP. Tantillo stated the need for a grocery list of possibilities from CRSS.

Sinagra then withdrew the motion until after the presentation. End of discussion.

Representatives from CRSS Constructors gave a presentation on what a Construction Management Team can do for the County of Ulster.

After the presentation, a motion was made that a recommendation for an RFP request for Project Planning and a feasibility study, including a life cycle cost, that will consider all aspects of potential jail solutions for Ulster County was made by Sinagra and seconded by Hunt, all but one in favor, one abstained (Fister).

Meeting adjourned 6:15 PM

Ulster County Legislature

P.O. Box 1800
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REG. FILE
MAR 27 1998
COUNTY ADMINISTRATOR
A - Col
S - Gill
K -



Tel: 914-340-3900
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MEMORANDUM

FOR

TO: Daniel L. Alfonso
FROM: Fawn Tantillo, Chairman, Jail Study Committee *HT*
DATE: March 24, 1998

You asked me to give you whatever recommendations were ready by April 1st.

The Jail Study Committee agreed on the following recommendations:

- The Administrative Offices of the Sheriff should be included in any future jail construction.
- The County should be looking at building a facility to house 400-450 inmates.
- The County should put out a Request for Proposal for project planning and a feasibility study, to include lifecycle cost, that will consider all aspects of potential jail solution for Ulster County.

The company we hire from this RFP should be able to provide a variety of services, including site evaluation, public education and public relations.

I have attached a more detailed report of the Committee's work to date.

FT:pam
Attachments

Ulster County Legislature

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MEMORANDUM

TO: Daniel L. Alfonso

FROM: Fawn A. Tantillo, Chairman, Jail Study Committee

DATE: March 24, 1998

As you know, this Committee was formed in April 1997 and you gave us 8 charges on April 29, 1997 (see Exhibit A). You later asked us to wrap up things without answering these charges. I feel we went a long way in gathering the information necessary to plan the jail's future.

We had a formal committee meeting approximately once a month with additional subcommittee meetings and "field trips" as necessary.

We began by having a subcommittee meet with New York State officials including Senator Charles Cook, Senator William Larkin, Assemblyman John Bonacic, Assemblyman John Guerin, Assemblyman Thomas Kirwan, Commissioner Alan J. Croce and Assistant Director Robert Corliss of the NYS Commission of Corrections. This committee addressed a wide variety of concerns about the State's future plans and how they might impact County Corrections including a rumor that New York State may require counties to hold prisoners sentenced to more than one year and the possibility of financial aid.

The Committee toured the Ulster County Jail so we could see first hand the problems and assets of the current jail. We also toured the Saratoga, Rensselaer and Columbia County Jails. These jails utilize different supervision techniques including direct supervision and/or podular remote supervision. The Committee examined the benefits and detriments of each of these designs and supervision techniques and their impact on staffing costs, safety, maintenance, inmate programs, etc.

We also gathered information from other county jails in New York and Pennsylvania.

A subcommittee and individual committee members went to Sullivan County to see pre-cast cells. Members of the committee also reviewed a video tape by another pre-cast company that demonstrated the benefits of using pre-cast cells.

Committee member Dan Greaves did an analysis of open space in county jails statewide. The committee discussed the possible impact on the county's plan to board in prisoners to defray costs. I also discussed the possibility of boarding in non-violent state prisoners with COC Asst. Director Robert Corliss.

The committee met with the New York State Dormitory Authority to discuss the services available. They offered assistance with bonding. We were pleased to learn that because of our financial turn around, Ulster County is able to obtain bonding for less than the State of New York. A subcommittee looked into the possibility of state and federal grants and/or partnerships. They found nothing available at that time. However, it now appears that the state may have new financing available in the near future. You will need to follow this closely.

At the recommendation of Sheriff LaPaglia and his representatives, we attempted to obtain the aid of the National Institute of Corrections (NIC). They offer a variety of programs to local governments at no cost. A subcommittee looked into which programs we might qualify for. You and the Sheriff signed a letter of intent for the County to attend their Planning of New Institutions (PONI) Program. Unfortunately, the Sheriff later refused to allow the 4-member committee to attend saying we were not "ready" for the PONI Program. However, he did not recommend any other NIC program. You told me you would attempt to speak to the Sheriff about this and arrange for Ulster County to take part in this program. I do not know where that negotiation stands.

We were surprised to learn that the Sheriff has made his own arrangements to use NIC services. We are disappointed that our committee was not allowed to have the benefit to these services. We are sure they could provide useful information. I have sent the Sheriff a memo and I hope he will at least let us know exactly what services and information he hopes to get from NIC.

Ulster County will also require the cooperation of the Sheriff to conduct a formal "needs assessment" and make population projections. A subcommittee has attempted to gather information from his office but had not received the information at this time. Perhaps NIC will be providing this for the County.

The current overcrowding of the Jail makes it difficult to provide services. A subcommittee contacted agencies that provide services to our inmates, staff and physical plant. We asked what they anticipate they will need in any new construction (Exhibit B).

We were contacted by a number of companies that offer a variety of services. I have attached a list of these companies (Exhibit C). Please include them in any appropriate RFP/RFB. I will forward all future contacts to Arlene Kerans of Purchasing and I recommend we use her office to

insure all of the companies have an equal opportunity to respond.

One of our charges was to find a solution to the Jail problem for the next 25 years. In articles written by NIC, they tell us "No matter how many years were included in the county's projection methodology, within two years of opening nearly all jails were operating at 100 percent of capacity, and within five years of opening nearly all jails were operating at 130 percent of capacity". It seems that no one has found a reliable way to make population predictions. Our recommendation of 400-450 beds is just a starting point. Any long term solution should include a plan to build additional space if and when it is needed.

Other issues that any future committee will need to address include:

- educating the public.
- Understanding the nature of the Ulster County Criminal Justice system.
- Transition issues including training for Jail staff.
- Planning for future (i.e. cells large enough and with enough light to allow double bunking).
- Delivering food services to Community Corrections.
- Use of old jail if a new jail is built.
- Looking at regional solutions to corrections problems.

The formal recommendations of this committee do not fully reflect the hard work and dedication of this committee. Many members have expressed their desire to review the recommended RFP's and have input in project planning.

I wish to give my personal thanks to the members of the committee who devoted so much time and energy into this study. I am always impressed with the professionalism and dedication of our Criminal Justice specialist. I give special thanks to Bob Sudlow and Ed Brown for giving me the time and education necessary to understand these issues and how they impact the entire criminal justice system. Many members of this committee gave much more than their personal time - I cannot include all of their efforts in this report.

I also want to thank Commissioner Harvey Sleight, Marc Phelan and Planner Dennis Doyle for their services.

I hope Ulster County will consider the creation of a new committee, made up of representatives of the District Attorney's Office, Public Defender's Office, Probation, Community Corrections, Alternatives to Incarceration, both local and county judges, the Sheriff and the County

Legislature to monitor future trends in Ulster County Criminal Justice. This committee should evaluate the impact and opportunities available in sentencing options, the ever-changing makeup of our criminal population, and monitor the effectiveness of our incarceration and non-incarceration programs. This would enable us to react to the problems of an individual office or program, and lead to a better understanding how the decisions of one office effect the operation of the others in the system. We could head off problems, have a more efficient and effective program of deterrents and punishments, and even save money.

Such a committee could maintain an on-going "needs assessment" and population projections. This will allow us to anticipate future growth in the jail and other programs. It has proven effective in other areas in dealing with an ever-changing and demanding problem.

Please let me know if I can be of any other service to you and the County.

FT:pam

cc: Jail Committee
Ulster County Legislature
Arlene Kerans, Purchasing Officer