

Members of the Jail Population Review Committee
Summary of Past Findings and Recommendations
Submitted in Preparation for our 2006 Meeting

February 8, 2006

In preparation for our upcoming meeting I have summarized the now numerous past findings and recommendations of our committee as well as the NIC, the Ad Hoc Jail Committee and the recommendations of the DeKalb County Board. I am also transmitting, for your convenience, a summary of the findings and recommendations of Mark Goldman Associates/Durant presented to the County Board in 2003.

An agenda will be provided to you prior to the meeting. If you have agenda items please let me know. As always, items not on the agenda will be entertained along with those that are. We will review these past recommendations to assess what has and is being done to hold down the jail population. We will discuss any items currently being done that need improvement (or discontinuation). We will receive recommendations on anything new that you feel might be done that will positively impact the population. And finally, we will issue recommendations to the DeKalb County Board through its Law and Justice and Finance Committees on what steps we think should be taken in the future.

Recommendations from the National Institute of Corrections 1990 visit:

- 1.** Form a Jail Population Review Committee – recommend ways to reduce the average length of stay (ALOS) in the jail.
- 2.** Review/streamline pre-trial release program.
- 3.** Investigate expansion of the use of “Notice to Appear” (NTA).
- 4.** Third party release for pre-trial detainees.
- 5.** Investigate Electronic Home Monitoring (EHM) for both pre-trial and sentenced prisoners.
- 6.** Investigate weekend bond hearings.
- 7.** Spread part-time sentences to weekdays to relieve weekend overcrowding.
- 8.** Explore locating weekend/work release detainees to an outside facility.
- 9.** Utilize coping skills/career counseling classes.
- 10.** Utilize PONI program to plan new jail.

Recommendations for the National Institute of Corrections 1996 visit:

- 1.** Hire seven additional staff members.
- 2.** Remodel the communications center. Provide increased booking space.
- 3.** Improve the jail control room/replace jail control equipment.
- 4.** Begin planning for additional beds.
- 5.** Remodel the control rooms – improve sight lines.
- 6.** Improve cell design layout to maximize officer’s ability to control inmate behavior.
- 7.** Improve supervision of living units-get officers into the units more often-remove sight barriers.
- 8.** Implement “out of custody” work program.
- 9.** Move people through the system.

- 10.** Consider forming a “pre-trial services unit” to screen the jail population and provide improved information to the courts.

Recommendations from the Jail Population Review Committee 2001:

- 1.** Add a fifth Judge and Courtroom.
- 2.** Add staff to the States Attorney’s office.
- 3.** Add staff to the Public Defenders office.
- 4.** Add EHM staff to the Sheriff’s office.
- 5.** Periodic review of bonds for those in jail but unable to afford posting bond.
- 6.** Periodic review of sentenced prisoners behavior – consider early release where behavior warrants it.
- 7.** Expand EHM for pre-trial detainees.
- 8.** Establish a very minimum-security jail alternative for those not truly in need of secure detention.

Recommendations of the Jail Population Review Committee 2002:

- 1.** Consider delivering career counseling/coping skills classes in a “Day Center” setting during the hours of 8 am to 5 pm.
- 2.** Further expand the EHM program to include pre-trial and sentenced inmates.
- 3.** Consider establishment of “pre-trial services unit” as in Winnebago and Kane Counties.
- 4.** Fifth Judge will have little or no impact on jail population, as she will be needed in traffic and domestic courts.
- 5.** Expand existing jail to add maximum-security beds and minimum-security (POD style) beds as well.
- 6.** Add segregation areas to existing facility to isolate inmates with communicable diseases as well as those with disciplinary problems.
- 7.** Add additional meeting space to existing facility to provide for attorney/client conference space.
- 8.** Consider “overbuilding” new jail and renting extra space to other jurisdictions.
- 9.** Explore placing our prisoners in other counties.
- 10.** Go to County Board for “overflow funds” to rent space elsewhere if needed.

Recommendations of the Ad Hoc Jail Committee August 2003:

- 1.** Implement recommended alternatives to incarceration to reduce bed needs. (Recommendations of MGA/Durrant Jail consultants).
- 2.** Build more beds.
- 3.** Expand the existing Public Safety Building to reduce the number of additional beds to be built, minimize costs and keep the criminal justice system in one location.
- 4.** Explore funding options.

Recommendations of the DeKalb County Board – October 15, 2003.

- 1.** Implement Court date reminder system.
- 2.** Implement EHM for pre-sentenced individuals.
- 3.** Utilize Graduated sentences.
- 4.** Implement Mental Health and Substance Abuse Jail diversion program.
- 5.** Pre-trial release program – formalized.
- 6.** Weekend Bond Court – codified.
- 7.** Work Release: Expanded.
- 8.** Drug Court Exploration.
- 9.** Add to the existing jail. Authorized first phase reconfiguring/remodeling the existing jail and adding 75 beds for a total of 132.
- 10.** Directed staff recommend a method of financing the \$16,000,000. capital cost of the project and present that recommendation to the Finance Committee.

Finally, following staff and committee review of the only two options available (property tax increase or public safety sales tax) the County Board placed a referenda question on the ballot for ½ cent on October 15, 2003. It failed by 736 votes in March 2004.



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Chairman Tobias
Members of the DeKalb County Board
RE: The DeKalb County Jail

July 10, 2006

Despite the best efforts of a highly skilled and thoroughly motivated criminal justice staff the DeKalb County jail is still full.

As a board you have a legal obligation to provide secure detention for those who pose a threat to this community. Currently you are meeting that obligation by transporting prisoners to other communities and renting secure detention space from other counties.

Many would argue that you also have a moral obligation to provide alternatives to secure detention for those who do not pose a threat to the community but are in need of rehabilitation.

Neither of these obligations is cheap. You also have statutory limits on your authority to raise the funds necessary to meet these obligations. You also have many other obligations outside of the criminal justice arena that are also worthy of both your attention and resources.

Enough table setting, lets digest some facts:

- The current jail opened more than 25 years ago and was billed at the time as a twenty-year solution. Shortly after opening it was double bunked to gain its 89-bed total capacity.
- Today there are 101 DeKalb County prisoners – 13 reside in other jails. While the daily population fluctuates – the long-term trend has continued to be up. When exports reach 44, costs will exceed \$1.0 million per year.
- We are in year two of a four-year program to rehabilitate the existing jail. This program will cost in excess of \$1.0 million. This facility is under constant pressure due to the 24/7 service levels and the fact that it is at or above capacity most of the time.
- Studies have projected that our bed need will total 235 by 2025.
- The County has been actively studying this problem for 16 years now.
- The cost of building and operating a 235-bed jail is outside of the current taxation authority of this board.
- All previous research has resulted in two conclusions. One, demand for secure detention and alternatives to secure detention will increase in the future. Two, it will require additional authority from the citizens of DeKalb County to finance these services.

DeKalb County

- The only two possibilities are either referendum approval of a property tax increase (cost to the owner of a \$200,000 home estimated to be \$160 per year) or referendum approval of a ½ cent Public Safety Sales Tax.

The Public Safety Sales Tax has been recommended consistently as the better alternative. It is paid by a larger base of taxpayers and thus has a lower per capita impact (estimated to be approximately \$36 per person per year).

A brief chronology of the mileposts that you and your predecessors have passed on your way here might be helpful at this point:

- 1990 the National Institute of Corrections visited and made a series of recommendations including the formation of a Jail Population Review committee and that we begin the “planning of a new jail”.
- 1996 the National Institute of Corrections again visited our facility and again encouraged us “begin planning for additional beds”. Most of the NIC recommendations for improvements in facilities and staffing have been implemented including the formation of a Jail Population Review Committee.
- 2001 the Jail Population Review committee made a series of recommendations including adding staff in a number of departments and enhancing the electronic home monitoring program. The County Board implemented these recommendations designed to “streamline” the criminal justice system. Among the recommendations not implemented was the establishment of a minimum-security alternative to alleviate overcrowding in the jail. Lack of funds was the reason.
- 2002 the County Board appointed an Ad Hoc Jail Study Committee representing a broad cross-section of the community. The committee solicited credentials from qualified architects and corrections consultants and interviewed and hired the team of Durrant/Goldman to formally study the situation.
- 2003 from January to July the consultants compiled data, interviewed principals and formulated recommendations to the Ad Hoc Committee. On July 10, 2003 the Ad Hoc Committee forwarded a series of recommendations to the County Board including the funding of a series of alternatives to secure detention and the expansion of the current number of beds in the existing jail.
- 2003 in October, pursuant to a recommendation by the Law and Justice Committee, the DeKalb County Board recommended financing the alternatives and funding phase I to add 75 new beds to the existing jail. They also directed staff to research financing methods. Finding ultimately that the Public Safety Sales Tax was preferred over a property tax increase, the County Board placed the question before the voters.

- 2004 the proposition gained the support of only 47% of the electors and failed by 736 votes to be adopted in the March 16, 2004 primary election.

This brings us back to the present. The jail is full and we are exporting prisoners. Some days more, some days less but over the long haul always more. This problem will not go away and absent some change in state or federal law the possible solutions will not change either.

We are recommending that you consider the following at this time:

- Place the Public Safety Sales Tax on the November 7, 2006 ballot at the same one-half cent rate as in 2004 and work for its adoption. Reject the lifting of property tax limitations at this time.
- Add both phases, a total of 235 beds, to the jail now rather than later and rent the excess capacity to other jurisdictions until it is needed for DeKalb County prisoners.
- Continue to pursue all reasonable alternative solutions to secure detention including a fully operational drug court.
- Engage the widest possible cross section of our citizens in this effort.

Sincerely,

A handwritten signature in black ink, appearing to read "Ray Bockman", with a long horizontal flourish extending to the right.

Ray Bockman
County Administrator
DeKalb County

Findings of the Jail Population Review Committee Summary of the March 2006 session

1. We are at the limit of what can be done here given current resources.

Not only are those currently housed in the jail inappropriate for release to the community even with EHM, but also increasingly they are prisoners that would not be accepted by other jails.

2. A small expansion of EHM capacity will be explored – support for this not universal.

The States Attorney feels that we are already at the limit of appropriate candidates for EHM placement.

3. We are exporting Prisoners now and jail population is trending up.

Consultant projections indicate an average of 44 prisoners may need to be exported by 2010 (four years from now) the cost will be in the range of \$1.0 million/yr for these exports and the necessary transportation.

4. Alternatives that remain undone are largely due to lack of staff and/or space.

These suggested alternatives included: Operation of a "Day Center". Location of prisoners to "less secure" spaces. Additional Classes in the jail. Improvement of cell design layout. Removal of sight barriers in the jail. Expansion of Jail to include POD Style beds. Addition of segregation space. Addition of more meeting space.

5. Also out of space are: Sheriff, States Attorney, Circuit Clerk, Public Defender, Court Services and the Judiciary.

All of these offices are forecasting increases in service demands over the coming years. A formal study to predict space needs is underway at this time.

6. Other problems identified included elevator breakdowns in the courthouse and pedestrian concerns crossing SR 23.

What are the next steps? There are three recommendations at this time:

A. Consider Building both jail phases now.

The Jail master plan recommended adding 70 beds to create a total of 127 to meet the projected bed needs to 2015 and providing a “shelled out building” with space for 108 additional beds (235 total) to meet our needs thru 2025. Given the elapsed time we should look at building both phases now. This would also create at least the possibility of recovering some of our capital costs thru a rental program. The facility could be opened in phases to reduce staffing costs. More staff work needs to be done on this prior to a final recommendation.

B. Consider a plan to resolve all criminal justice overcrowding not just the jail.

A formal study, underway now, will help assess the mid and long-term space needs of the remainder of the criminal justice system. At this point we know that all departments are out of space and all are predicting increases in service demands. Additional information and recommendations should be available by June/July of this year.

C. Chairman should consider forming a Referendum Advisory Committee to evaluate a Fall 2006 effort.

Assessing the willingness and ability of the community to support a Public Safety Sales Tax Referendum is a critical component. Building on the work that has already been done by the Ad Hoc Jail Study Committee, the consultants and the County Board is important. An evaluation of whether or not fall of 2006 is the right time to raise the necessary private funds and sponsor a successful referendum should be undertaken soon with a recommendation from the chairman to the county board by June/July.