

**BOARD OF COMMISSIONERS**  
**SARPY COUNTY, NEBRASKA**

**RESOLUTION ACCEPTING SARPY COUNTY JAIL NEEDS ASSESSMENT**

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the County Board; and,

WHEREAS, Sarpy County entered into an agreement with MJ Martin, Inc. on April 19, 2016 (Resolution 2016-135) to develop a jail needs assessment; and,

WHEREAS, on September 14, 2016 MJ Martin, Inc. presented the jail needs assessment to the Board; and,

WHEREAS, the final report has been completed.

NOW, THEREFORE, BE IT RESOLVED by the Sarpy County Board of Commissioners that this Board hereby accepts the Final Report of the Jail Needs Assessment.

The above resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the \_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

\_\_\_\_\_  
Sarpy County Board Chairman

\_\_\_\_\_  
Sarpy County Clerk

# Sarpy County Purchasing Department

SARPY COUNTY COURTHOUSE  
1210 GOLDEN GATE DRIVE, SUITE 1220  
PAPILLION, NE 68046



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Beth Garber, Purchasing/Contract Administrator  
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## MEMO

To: Sarpy County Board of Commissioners

From: Beth Garber

Re: Accept Jail Needs Assessment

On April 19, 2016, the County Board signed an agreement with MJ Martin, Inc. for the preparation of a Jail Needs Assessment. The assessment was presented to the Board during the September 14, 2016 Board Retreat. The resolution attached recommends approval of the Jail Needs Assessment as presented by MJ Martin, Inc.

Please feel free to contact me or Mike Jones with any questions.

September 23, 2016

  
Beth Garber

cc: Deb Houghtaling  
Mark Wayne  
Scott Bovick  
Brian Hanson  
Mike Jones  
Capt. Shukis  
Lt. Richards

SEPTEMBER 6, 2016



## SARPY COUNTY JAIL NEEDS ASSESSMENT

**MJ Martin, Inc.**  
Lincoln, NE



In association with:  
**Carlson West Povondra Architects**  
Omaha, NE



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## SECTION 1. INTRODUCTION

### INTRODUCTION

In April, 2016, the Sarpy County Board contracted with MJ Martin, Inc. to conduct a jail needs assessment and feasibility study. The intent of the study was to develop proposed solution options for addressing current and future detention capacity requirements with a particular focus on the housing and management of the special management population in the Sarpy County Jail.

The number of inmates in County custody has outgrown the capacity of the existing Sarpy County Jail. The County currently boards out an average of 40-60 inmates in other county jail facilities and with the State Department of Correctional Services. Aside from capacity issues, the ability to identify and appropriately house inmates in the current facility based on risk and need is a particular concern. As the County has implemented alternatives, many lower risk inmates are no longer held in the facility. The remaining population is largely comprised of individuals who present challenging security and behavioral problems and/or have special needs which require specialized housing and professional services.

The Sarpy County Jail is in need of housing options to handle this increasing jail population and greater flexibility in managing a growing number of special management inmates. Construction of a special management housing unit within or connected to the Sarpy County Jail is an option being considered. Potential expansion of the existing facility to meet overall future capacity needs is also under consideration along with non-construction options. Prior to moving forward with a potential capital construction project, the County recognizes that a needs assessment and feasibility study is necessary to have sufficient information available to make sound, informed decisions as to what is actually needed and how best to proceed.

### PROJECT APPROACH

MJM proposed to conduct a needs assessment and feasibility study to address the issues outlined above. The goals of the study were to:

- Project future bedspace needs for the Sarpy County Jail with a particular focus on determining bed capacity requirements for inmates requiring special management housing.
- Provide an assessment of the jail's classification process and outline a plan for development and implementation of an objective, behavioral-based classification process.
- Develop a plan for the housing, supervision, and care of special management inmates within the Sarpy County Jail, including definition of basic operating principles, space requirements, and preliminary design concept(s).

MJ Martin, Inc.

- Provide a cost analysis for overall project development and future staffing costs associated with special management housing.

Mark Martin, President of MJ Martin, Inc. led the study. Al Povondra, Principal of Carlson West Povondra Architects, participated under his current contract with the County in key tasks relating to development of potential design solutions and cost estimates.

The study process included collection and analysis of key data, on-site assessment of facilities, interviews with key officials, meetings with the jail executive management team, interim reviews and presentations, and development of options to address identified concerns. This report documents the results of that assessment process. The content of the report includes:

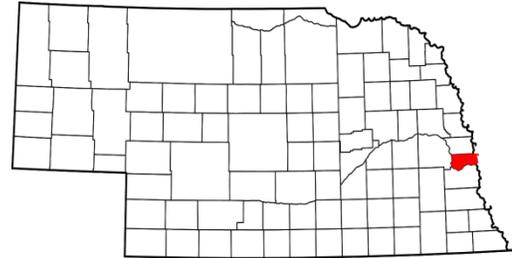
- County profile, including population characteristics and trends
- Criminal justice system profile, including arrest and adjudication trends
- Inmate profile and jail population analysis
- Facility housing plan and inmate classification process
- Jail staffing
- Forecast of jail bed space needs
- Operational concepts and space needs for special management housing.
- Preliminary assessment of space needs and site space requirements
- Options, cost analysis and recommendations

## SECTION 2. SARPY COUNTY PROFILE

This section profiles Sarpy County's general population characteristics, history and future trends. It also summarizes economic and employment indicators that typically impact demand for government services, including detention. Primary sources of information presented in this section include the U.S. Census Bureau, Nebraska Department of Economic Development, and the Nebraska Department of Labor.

### LOCATION

Sarpy County is located in the eastern Nebraska on the state border with Iowa. It is bordered by the following Nebraska counties: Douglas County (north), Cass County (south) and Saunders County (west). The County has 248 square miles in land area, recognized as the county with the smallest land area in the State. The County has a population density of about than 665 people per square mile.

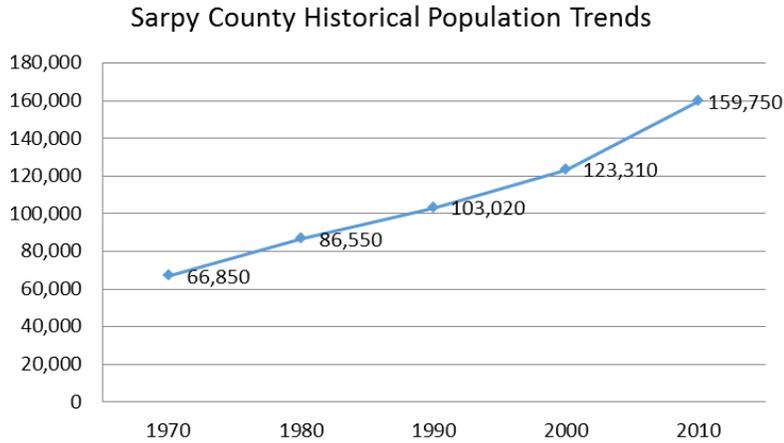


### POPULATION PROFILE

Sarpy County's population was 158,840 according to the 2010 Census. The estimated county population in 2015 was 175,692, an *increase* of about 10.6%. There are five cities and several unincorporated communities in Sarpy County. Bellevue, the largest city in the county, had an estimated population of 55,510 in 2015. Papillion, the second largest city and the county seat, had an estimated population of 23,270 in 2015. The other three cities and their 2015 estimated populations are La Vista (16,921), Gretna (5,046), and Springfield (1584).

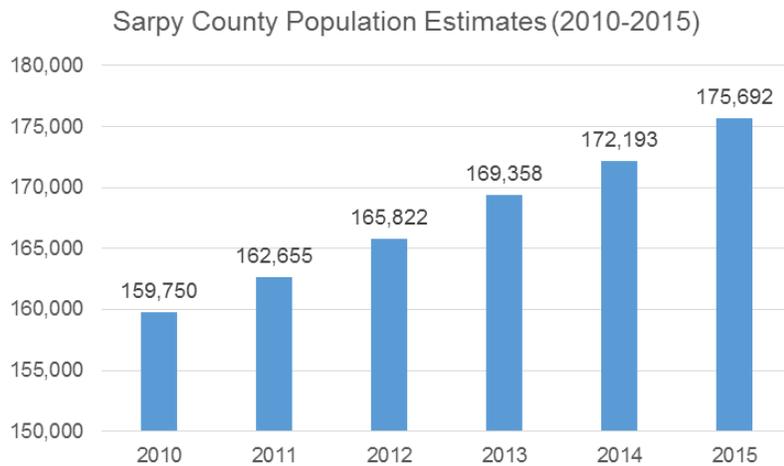
### HISTORICAL TRENDS – 1970 TO 2010

The population in Sarpy County has been increasing at a stable pace over the past 40 years. Since 1970, Sarpy County's population has increased from 66,850 residents to 159,750 residents according to the 2000 U.S Census. The decade experiencing the most growth was between 2000 and 2010 when the population increased 29.6%. The average annual increase for each of the decades ranged between 1.9% and almost 3%, indicating sustained growth over the time period.



#### POPULATION ESTIMATES – 2010 TO 2015

Sarpy County’s population has continued to grow since 2010, with the U.S Census Bureau estimating an increase of 15,942 residents from 159,750 in 2010 to 175,692 in 2015. The chart below shows the Sarpy County population estimates from 2010 – 2015.

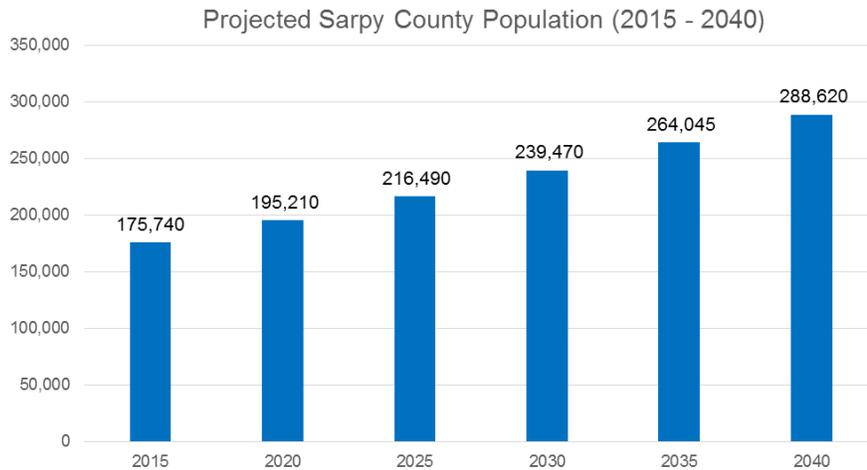


#### POPULATION PROJECTIONS

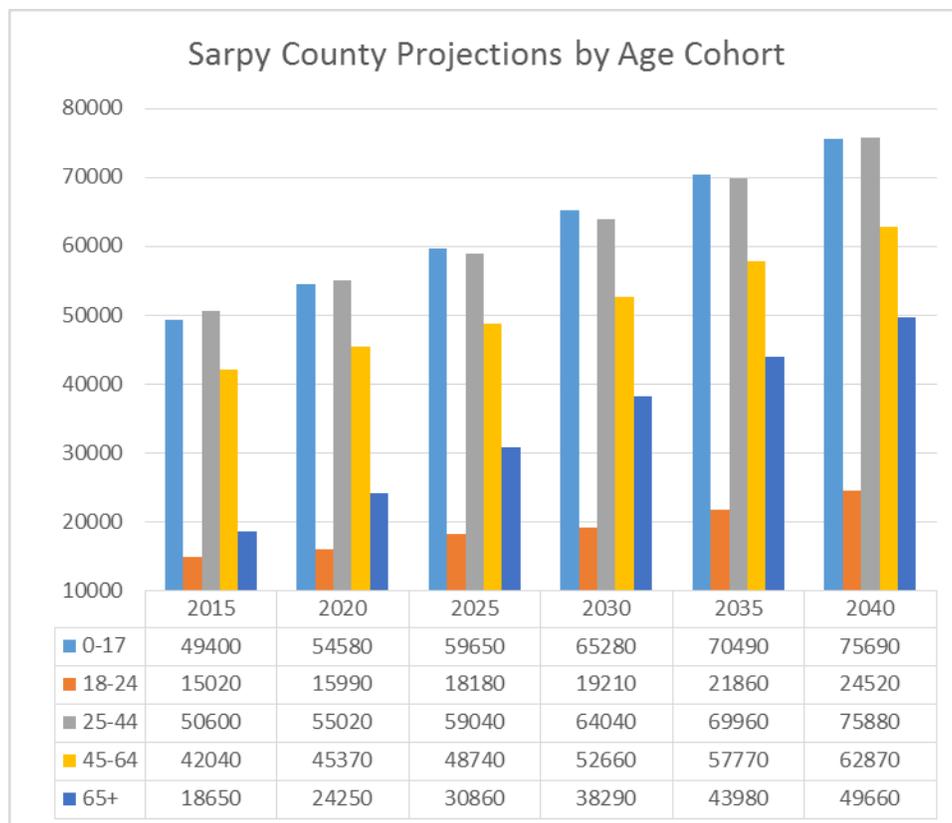
According to projection data provided by the Nebraska Department of Economic Development<sup>1</sup>, the County population is expected to continue to increase over the next 25 years with a growth of about 64.2% or about 2.6% per year.

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<sup>1</sup> Source: NE Department of Economic Development, *2016 State Profile Report*, Woods & Poole Economics, Inc.

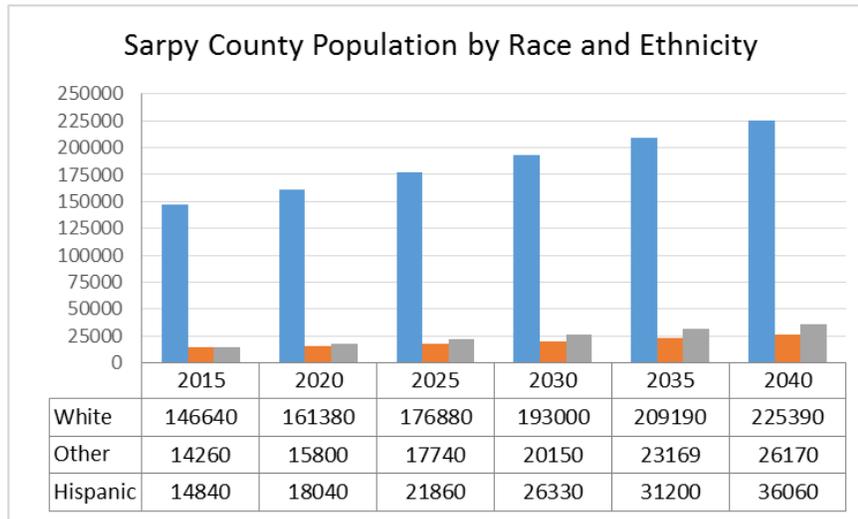


A breakdown of the projected population by age cohort shows increases in all age groups. The greatest growth is expected in the 65+ age group which is projected to increase an average of 6.7% annually. The 18-24 year old age group, the prime at-risk age group, is projected to increase an average of 2.5% annual over the next 25 years.



The chart below shows a breakdown of projections by race and ethnicity. The County population is predominantly White, representing about 83.4% of the total population in 2015. The population is projected to become slightly more diverse by 2040 with Whites representing

about 78.3% of the total population. With regard to ethnicity, the Hispanic population is projected to grow from 8.4% of the total population in 2015 to 12.5% in 2040.



POPULATION CHARACTERISTICS

The population of Sarpy County is predominately White (87.4% in 2010). 7.3% of the population in the 2010 Census identified as Hispanic. The unemployment rate in 2014 for the County at 5.1% was below the state average of 5.4% for the year. The median age of Sarpy County residents in the 2010 Census was 32.9 years compared with 36.2 statewide. Good sized proportion of the population in the 45-64 year old age group suggests a significant growth in the retirement age group in the coming years.

The poverty rate (2014) was lower and per capita income (2014) higher than the corresponding figures statewide. The median household income for Sarpy County was considerably higher than the state as a whole (\$70,121 vs. \$52,400).

Selected county population characteristics compared with the state are presented in the table below:

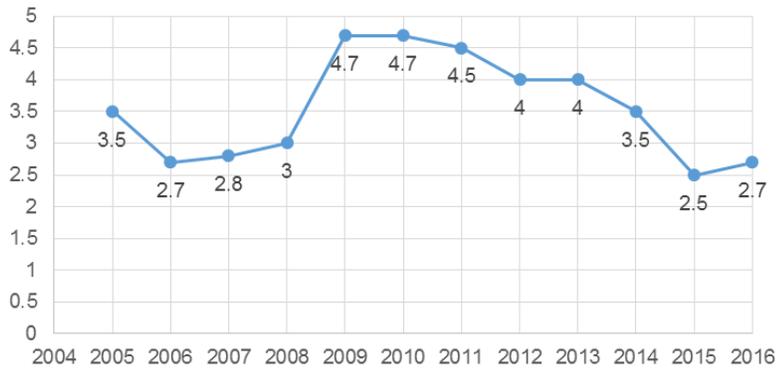
Sarpy County Population Characteristics				
	Sarpy County		Nebraska	
	Number	Percent	Number	Percent
<b>Gender (2010)</b>				
Male	78,886	49.7%	906,296	49.6%
Female	79,954	50.3%	920,045	50.4%
<b>Age (2010)</b>				
Under 15	38,625	24.3%	383,542	21.0%
15-24	21,139	13.4%	258,206	14.2%
25-44	47,300	29.7%	466,014	24.5%
45-64	38,232	24.1%	376,412	20.5%
65 and Over	13,544	8.5%	246,677	13.5%
<b>Median Age</b>	<b>32.9</b>		<b>36.2</b>	

<b>Sarpy County Population Characteristics</b>				
	<b>Sarpy County</b>		<b>Nebraska</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Race (2010)</b>				
White	138,879	87.4%	1,572,838	86.1%
American Indian	733	.5%	18,427	1.0%
Black	6,321	4.0%	82,885	4.5%
Asian/Pacific Islander	3,521	2.02%	33,572	1.9%
Two+ Races	4,960	3.1%	39,510	2.2%
Other Race	4,426	2.8%		
<b>Ethnicity (2000)</b>				
Hispanic	11,569	7.3%	167,405	9.2%
<b>Employment (2014)</b>				
Employed	86,401		957,508	
Unemployed	4,659		54,785	
<b>Unemployment Rate (2014)</b>		3.5%		5.4%
<b>Economic Condition (2014)</b>				
Median Household Income	\$70,121			\$52,400
Per Capita Income	\$30,539			\$27,339
Poverty Rate		10.1%		12.9%
<b>Educational Attainment (2014) (age 25+)</b>				
No HS Diploma		4.8%		9.4%
HS Diploma		22.8%		27.8%
Some College		26.1%		24.0%
Associate's Degree		9.6%		9.7%
Bachelor's Degree or Higher		36.6%		29.0%

## ECONOMIC TRENDS

The current economic landscape for Sarpy County looks positive with unemployment rates declining since 2010 from a high of 4.7% to a low of 2.5% in May of 2015. The current unemployment rate is up slightly at 2.7%. The chart below provides a historical review of the unemployment rates for Sarpy County since 2005.

Sarpy County Unemployment Rate Trends  
(May 2005 - May 2015)



## CONCLUSIONS

Sarpy County is projected to continue growing for the next 20 to 30 years. Growth is expected to be at a pace of approximately 2.6% a year. Although all age groups are expected to grow, the 65+ age group is expected to experience the greatest growth at 6.7% per year. The population is expected to grow slightly more diverse in the coming years with increases in minority and Hispanic residents, however the County will likely remain predominantly White.

Although Sarpy County experienced a spike in unemployment during the 2008 Recession, the rate has declined since 2010 and remains at a level on par with the rest of the State of Nebraska and well below the National unemployment rate. Although the relationship between unemployment and jail populations is not highly correlated, poverty and economic stress may play a role in certain types of behavior which can impact the jail (e.g. liquor and drug-related offenses, DUI, property crime, domestic violence, etc.)

## SECTION 3. CRIMINAL JUSTICE SYSTEM PROFILE

The data and analysis that follows include arrest trends, crime trends, and trends in court filings. This data is helpful in understanding the overall criminal justice system workload and trends.

Information in this section is based upon crime data provided by the Nebraska Crime Commission and the Nebraska State Court Administrator.

### ARREST AND CRIME TRENDS

Crime and arrest rates are two indicators that are used in determining jail capacity needs. They can be somewhat misleading however. Not all crimes result in arrests and not all arrestees are incarcerated. In addition, local jails are used for a wide variety of other criminal justice-related purposes (e.g. probation/parole violations). Accurate crime data is dependent on two primary functions: a person reporting the crime and the police accurately classifying and submitting the crime into the Crime Commission's NIBRS database. Fortunately, the law enforcement agencies in Sarpy County all report crime and arrest data to the Crime Commission.

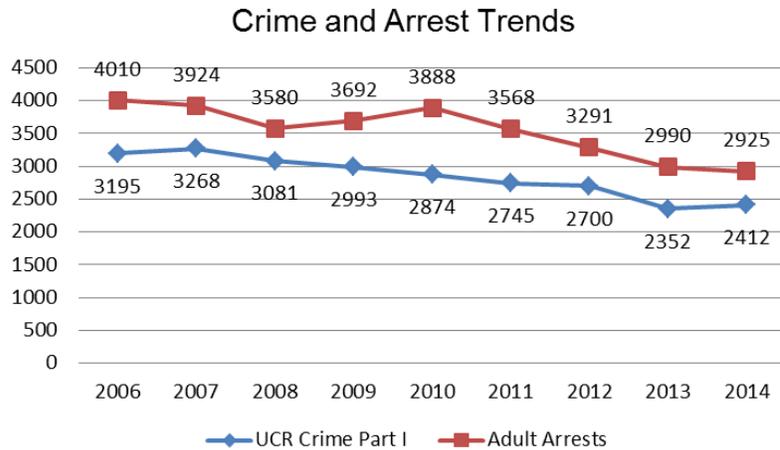
Arrest and crime trends for Sarpy County are presented in the narrative and tables below. Crime data presented here includes offenses reported by the Sarpy County Sheriff's Office, Bellevue Police Department, Papillion Police Department, La Vista Police Department, and the State Patrol.

#### SARPY COUNTY CRIME AND ARREST TRENDS

The table and chart below shows the crime and arrest trends and rates from 2006-2014. The crime rate for Part I offenses dropped from 22.4 per 1000 to 14 or 37.5% over the ten year period. This continued the decline noted in the January, 2014 Chinn Planning Master Plan study.

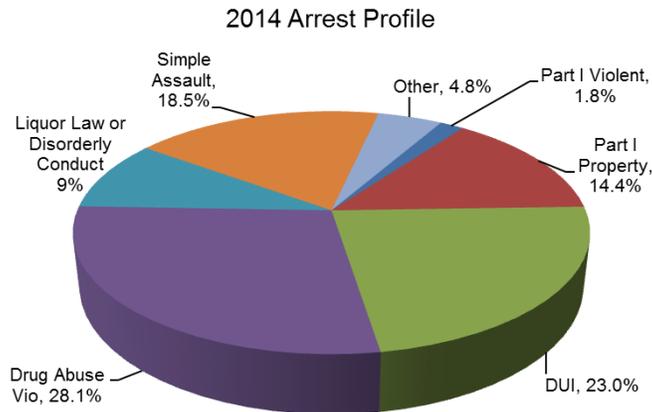
The adult arrest rate also declined over the ten year period from 28.2 per 1000 in 2006 to 17 in 2014, a decline of 39.7%.

Sarpy County Crime and Arrest Trends									
	2006	2007	2008	2009	2010	2011	2012	2013	2014
County Pop	142412	146249	150398	153504	158840	162655	165822	169358	172193
UCR Part 1	3195	3268	3081	2993	2874	2745	2700	2352	2412
<i>Crime Rate</i>	22.4	22.3	20.5	19.5	18.1	16.9	16.3	13.9	14.0
Adult Arrests	4010	3924	3580	3692	3888	3568	3291	2990	2925
<i>Arrest Rate</i>	28.2	26.8	23.8	24.1	24.5	21.9	19.8	17.7	17.0



### ARREST PROFILE

The table below presents major categories for which adults were arrested in 2015 in Sarpy County. DUI, Drug Abuse Violations, and Liquor Law/Disorderly Conduct arrests accounted for over 60% of all arrests for the year.



### COURTS

#### COUNTY COURT

County Courts handle all minor criminal cases, traffic violations, civil cases involving less than \$52,000, guardianship, adoption, small claims and juvenile cases. The District Courts have concurrent jurisdiction in misdemeanor cases, but nearly all misdemeanor cases are tried in the county courts. Preliminary hearings are used in County Court to determine whether there is enough evidence to establish probable cause in a felony case. If it appears the crime charged has been committed and there is probable cause to believe that the person charged with

committing the crime is responsible, the defendant will be bound over to stand trial in District Court.<sup>2</sup> The Sarpy County Court is part of the Second Judicial District.

#### DISTRICT COURT

The District Court primarily hears all felony criminal cases, equity cases, and civil cases involving more than \$52,000. District Courts also function as appellate courts in deciding appeals from certain County Court case types and various administrative agencies. The Sarpy County District Court is also part of the Twelfth Judicial District.

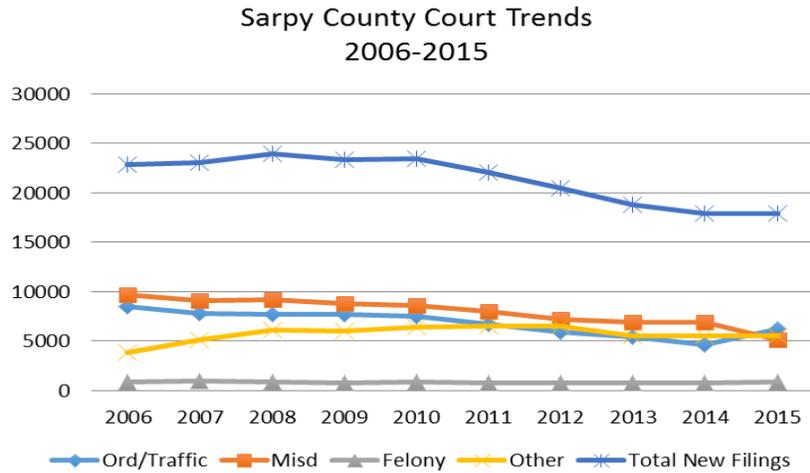
#### COURT ACTIVITY DATA

##### COUNTY COURT FILINGS

County Court and District Court case filings for a 10 year period covering 2006 through 2015 were reviewed. The County Court caseload consists primarily of traffic, misdemeanor, and civil filings. In the ten year period, filings for misdemeanor/non-traffic filings have declined at an average annual rate of 6.41% from 9,643 in 2006 to 5,147 in 2015. Felony filings increased slightly at an annual average rate of .79%. These are the types of cases which are likely to impact jail use.

Sarpy County Court Trends (Filings)					
	Ord/Traffic	Misd	Felony	Other	Total
2006	8470	9643	866	3893	22872
2007	7768	9109	999	5158	23034
2008	7692	9204	907	6139	23942
2009	7730	8810	827	6002	23369
2010	7539	8581	855	6437	23412
2011	6734	8015	771	6560	22080
2012	5963	7254	785	6476	20478
2013	5465	6959	828	5484	18736
2014	4668	6926	790	5491	17875
2015	6248	5147	897	5572	17864

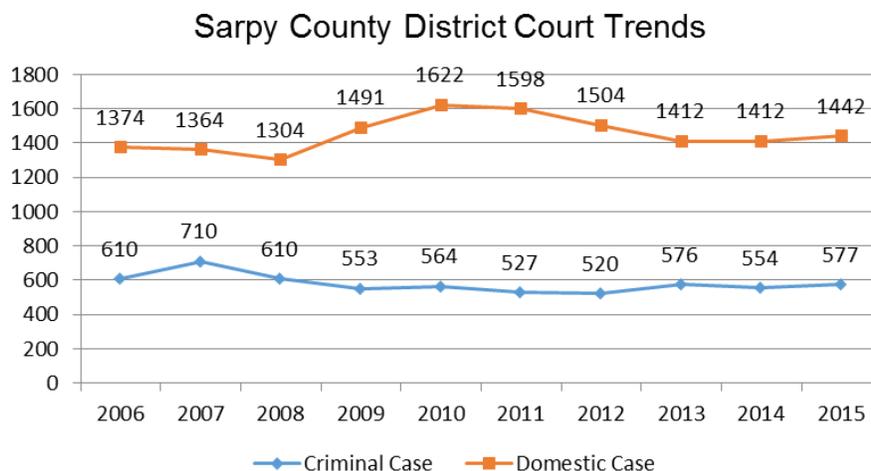
<sup>2</sup> Source: Information about the county and district courts is taken from the [Citizens Guide to Nebraska Court](#), found at [www.court.nol.org](http://www.court.nol.org).



#### DISTRICT COURT FILINGS

A significant part of the workload of the District Court involves civil and domestic relations cases. With regard to criminal offenses, the District Court hears primarily felony cases. Over the ten year period from 2006 through 2015, the District Court averaged around 580 felony criminal case filings annually with very little variance from year to year. Over the time period criminal filings declined .2% annually. These are the types of cases that likely result in extended pre-trial incarceration in the county jail or in other facilities (at a cost to the County) if the jail is unable to house offenders due to their classification.

Sarpy County District Court Trends		
	Criminal	Domestic
2006	610	1374
2007	710	1364
2008	610	1304
2009	553	1491
2010	564	1622
2011	527	1598
2012	520	1504
2013	576	1412
2014	554	1412
2015	577	1442



## CONCLUSIONS

The trend in serious crimes has been decreasing over the past ten years. The crime rate for Part I Index Crimes declined from 22.4 per 1,000 to 14 per 1,000 or 37.5% over the ten year period. Rates for adult arrests have also experienced a similar decline. Although there is a decrease in serious offenses, the jail population has increased within the last 18 months. This suggests that the jail population is not directly related to the overall index crime rate.

Filings for Misdemeanor/Non-traffic related offenses in County Court have also declined over the ten year period at an average of 6.4% per year. Filings in County Court for felony offenses, however, increased slightly at an average rate of .79% per year. Criminal case filings in District Court have remained relatively stable over the past ten years. More recently felony cases filed in District Court have increased.



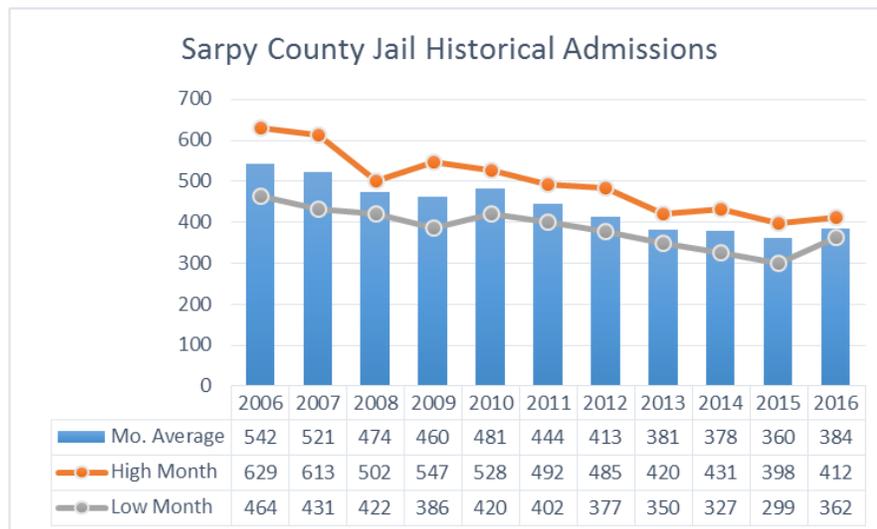
## SECTION 4. INMATE PROFILE AND JAIL POPULATION ANALYSIS

This section reviews the trends in detention use by Sarpy County and profiles the characteristics of the Sarpy County Jail population. Historical admission and length of stay data over a ten year period from 2006 – 2015 were studied. An inmate profile was developed from 2015 admission data. Information in this section is based upon data provided by the Sarpy County Sheriff’s Office and prior needs assessment study reports prepared by Chinn Planning for Sarpy County.

### TRENDS IN DETENTION USE

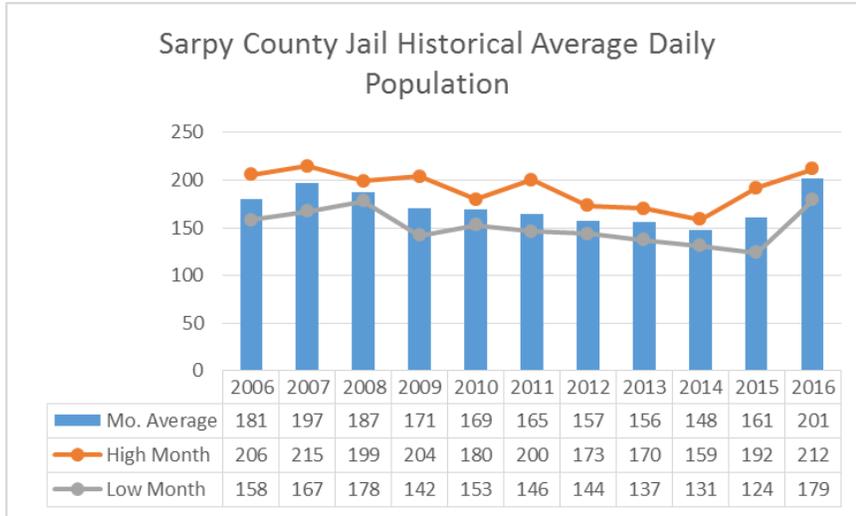
#### HISTORICAL TRENDS IN JAIL ADMISSIONS

Jail admissions **declined** an average of 4.36% per year between 2006 and 2015 from a high of 6,506 in 2006 to 4,314 in 2015. The Pre-trial Services Program, established in 2007, has contributed to a reduction in jail admissions since its initiation. There has been an uptick in the average monthly admissions in the first four months of 2016.

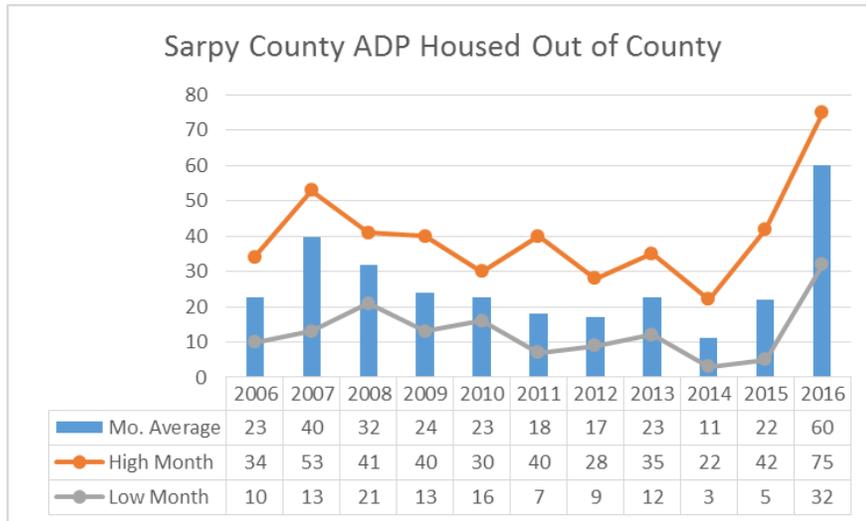


#### HISTORICAL TRENDS IN AVERAGE DAILY POPULATION

The table below shows the average daily population (ADP) of the Sarpy County jail for the years 2006 through 2015. This includes all inmates housed in the Sarpy County Jail as well as those housed in other facilities. The average daily population over the period ranged from a high of 197 in 2007 to 148 in 2014. The ADP **decreased** at an average annual rate of 1.13% over the ten year time period. The numbers in the table includes inmates housed in other neighboring county jails due to lack of sufficient bed space to accommodate the need in the Sarpy County Jail. They also include work release inmates housed in the Douglas County Corrections Center and inmates with special needs housed at the state Department of Corrections. The ADP did increase in 2015 to 161 and has continued in the first months of 2016 with an average of 201 inmates.

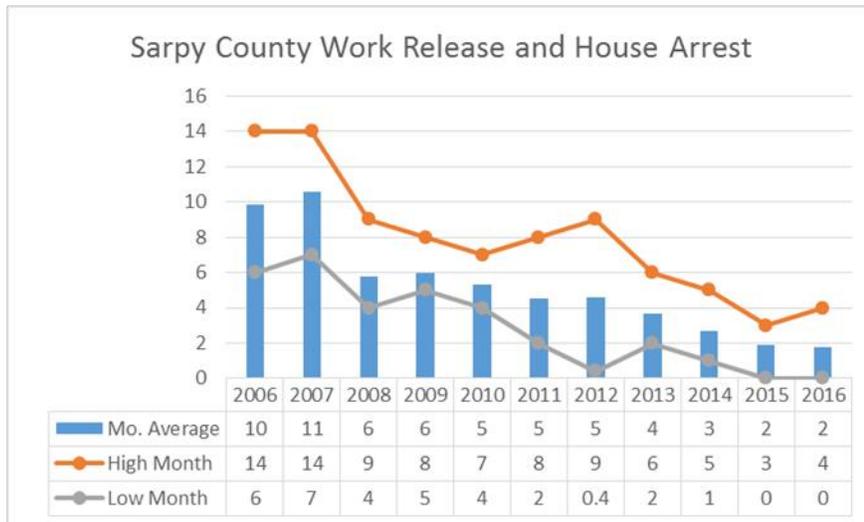


The number of inmates in Sarpy County custody has consistently exceeded the 148-bed capacity of the jail since the 1990's, necessitating the housing of inmates in out-of-county facilities. The table below shows the monthly average number of inmates housed out-of-county between 2006 and the first few months of 2016. The average number of inmates housed out-of-county ranged from a high of 40 in 2007 to a low of 11 in 2015. The number currently housed out-of-county has **increased** dramatically with an average of 60 inmates and a high of 75 in one month in 2016. Of note is the wide variation between the low and high months within each of the years, making it difficult to plan for and coordinate use of bed space in other facilities.



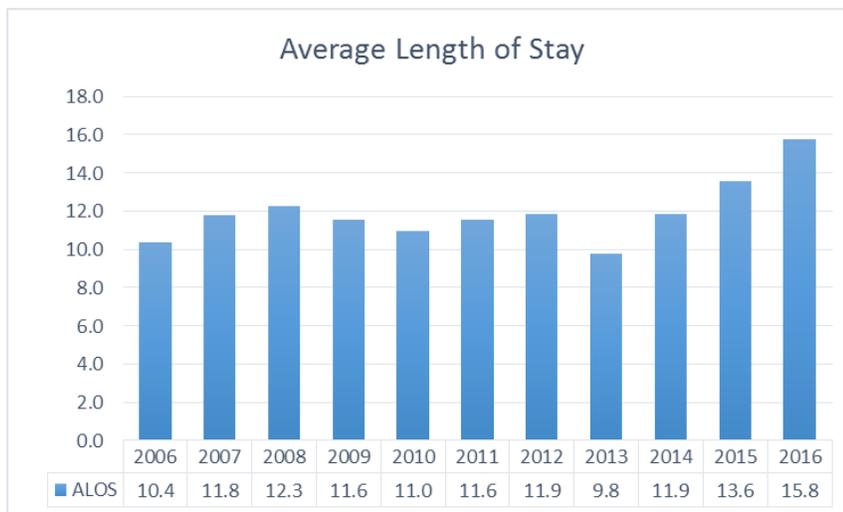
The table below shows the average number of inmates on work release or house arrest between 2006 and 2015. Sarpy County closed its work release facility 2007 and now houses those inmates with Douglas County Corrections. The Sheriff's Office continues to operate the house arrest program. It should be noted that placement of inmates in either of these options is by order of the Court. Although the Sheriff's Office may make recommendations to the Court regarding placement of inmates in these programs, the decision ultimately lies with the Court.

Utilization of these programs has steadily **declined** over the time period, particularly after the closure of the Sarpy County work release facility. The number assigned to these options ranged from an average high of 11 in 2007 to a current average of 2.

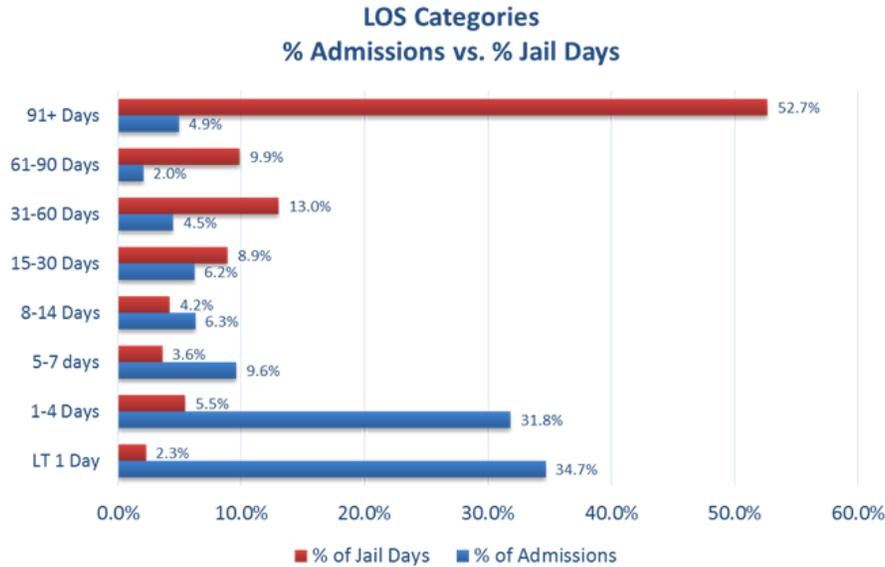


**HISTORICAL TRENDS IN AVERAGE LENGTH OF STAY**

The average length of stay over the period ranged from a low of 9.8 days in 2013 to a high of 13.6 in 2015. The average length of stay so far **in 2016 is significantly higher** than prior years at 15.8 days. The average length of stay increased at an average annual rate of 3.66% between 2006 and 2015.



A breakdown of length of stay categories by percent of admissions and percent of jail days as shown in in the following table provides a more three dimensional perspective of jail use. The following table compares the percent of jail days with the percent of admissions for various length of stay categories for 2015.



A substantial portion of those admitted to jail are released in a very short time. As shown here, almost 35% of individuals admitted to jail are released in one day or less. Yet this subgroup accounts for only 2.3% of the total jail days. An additional 27.3% of individuals admitted to jail are released in 1 to 4 days. This subgroup accounts for only 5.5% of the total jail days. This information is very helpful in planning for temporary holding and short term housing for this “revolving door” portion of the inmate population.

At the other end of the spectrum, inmates held over 91 days accounted for just 4.9% of admissions, but 52.7% of the total jail days. This subgroup represents the bulk of the jail’s long term custody population. Housing and service needs and requirements for this group are quite different than for those only housed for a short period.

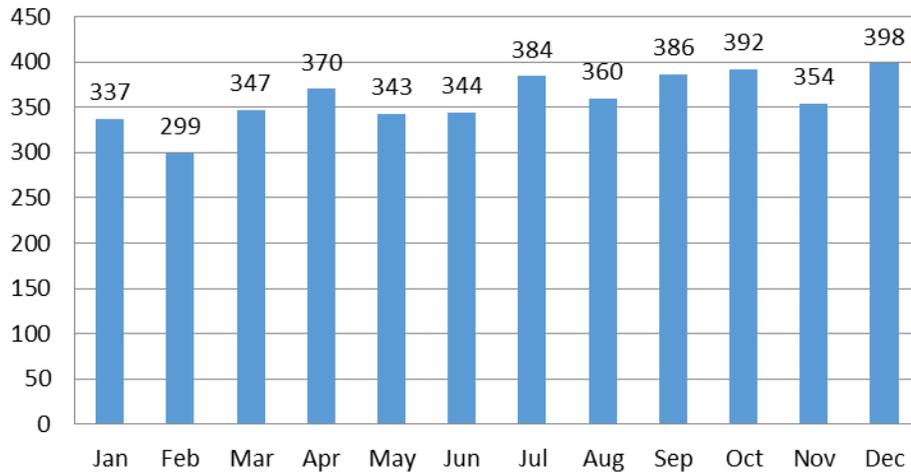
#### ADMISSIONS/BOOKING DATA

The following sections present admissions and booking data for Sarpy County inmates for 2015.

#### MONTH OF ADMISSION

The peak months for admissions in 2015 were July, October, and December. These three months accounted for 27.2% of all admissions for the year. The fewest number of admissions were recorded in February (299). The fall and early winter months were the busiest time for admissions.

### Admissions by Month - 2015



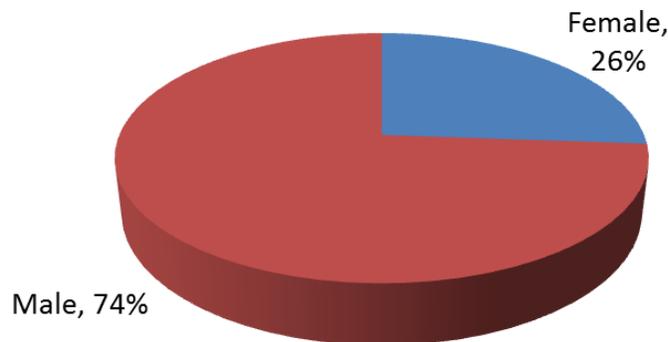
### INMATE PROFILE

The following charts present a profile of inmate population characteristics based upon the 2015 admissions data provided by the Sarpy County Sheriff's Office.

#### GENDER BREAKDOWN

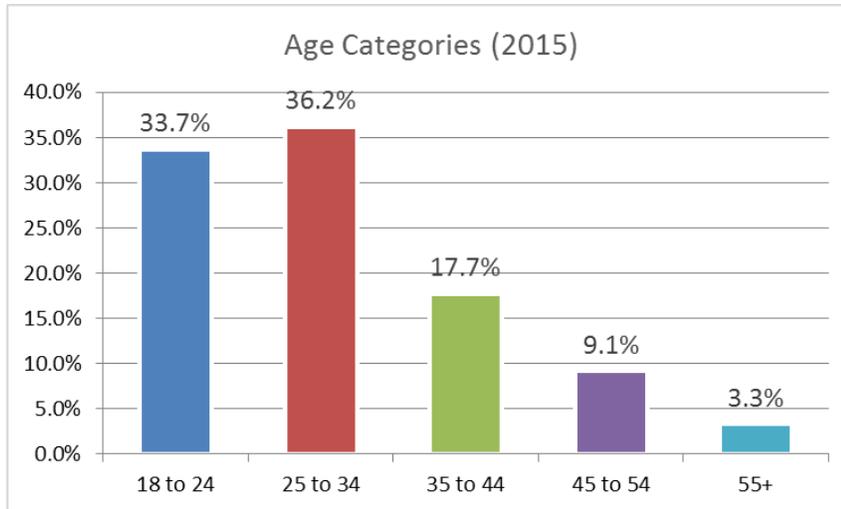
Females represented 26.1% of admissions in 2015 and accounted for 26.7% of the average daily inmate population for the year. This compares with 14% of females in jails nationally.

### Gender (2015)



#### AGE BREAKDOWN

The following table presents a breakdown of the 2015 jail admissions by age categories. Almost 70% of inmates admitted to the Sarpy County Jail were in the 18-24 or 25-34 age groups – the ages considered to be at the highest risk for criminal behavior. The average age of inmates reviewed in the snapshot profile was about 31.1 years.



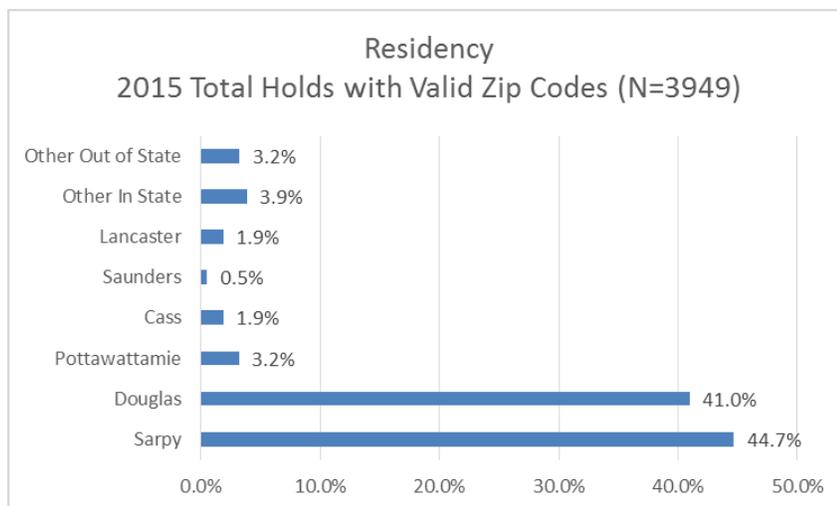
RACE

A breakdown of 2015 jail admissions by race is presented below. The percentage of White inmates was 81.4% compared to 87.4% of Whites in the county general population. Blacks were overrepresented in the jail admissions, accounting for 17.8% of admissions compared to 4% in the general population.

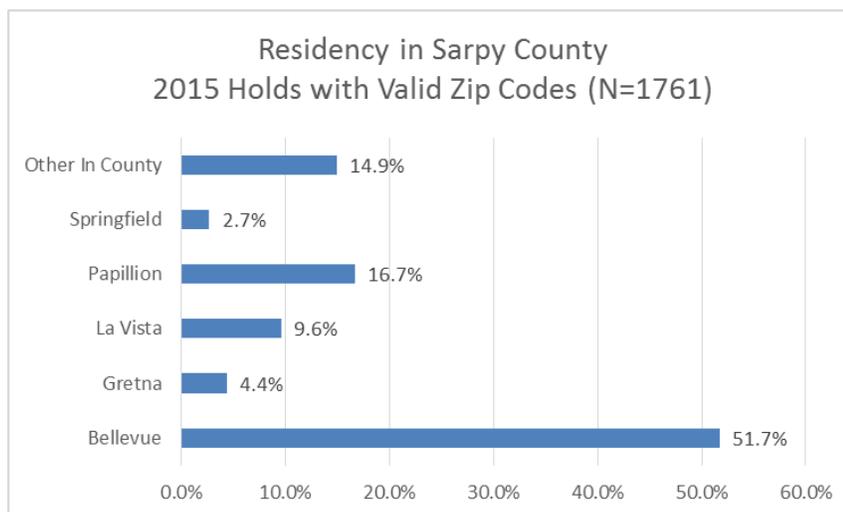
Race	
Asian	0.4%
Black	17.8%
American Indian	0.2%
Unk/NA	0.2%
White	81.4%

RESIDENCY

Of the total holds in 2015 with valid zip codes, **44.7% listed Sarpy County residences.** 55.3% listed out-of-county residences. Douglas County accounted for the large majority of the out-of-county residences with 41%. 3.2% listed out-of-state residences. See chart below.



Of those holds with valid zip codes that listed Sarpy County as their residence, 51.7% resided in Bellevue, 16.7% resided in Papillion, and 9.6% in La Vista.

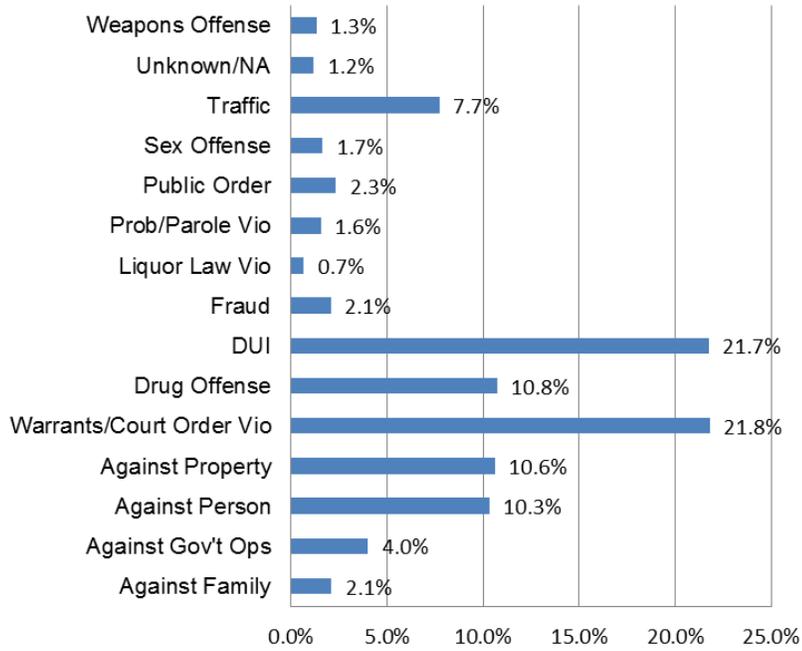


#### OFFENSE CATEGORY

Inmates booked into jail often have multiple charges pending against them. The table below provides a breakdown of *the first charge listed* of inmates admitted in 2015 broken down by offense category. The first charge listed is assumed to be the most serious, but that is not necessarily always the case

Almost 22% of charges were for drug or liquor law offenses or Driving Under the Influence of alcohol or drugs (DUI). An additional 21.8% were admitted on warrants or court order violations.

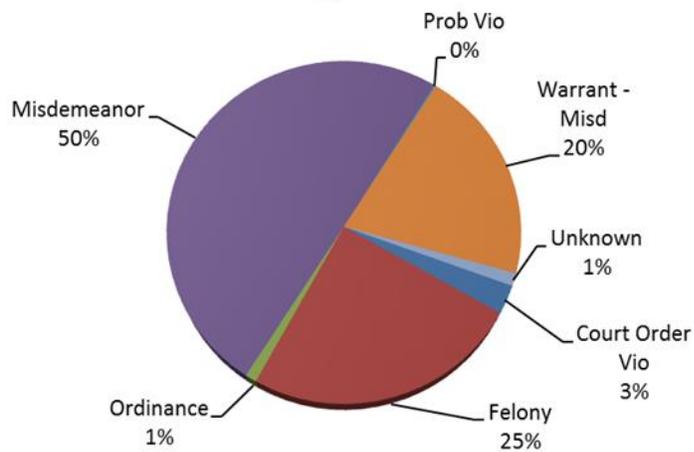
### Offense Categories (2015)



### OFFENSE LEVEL

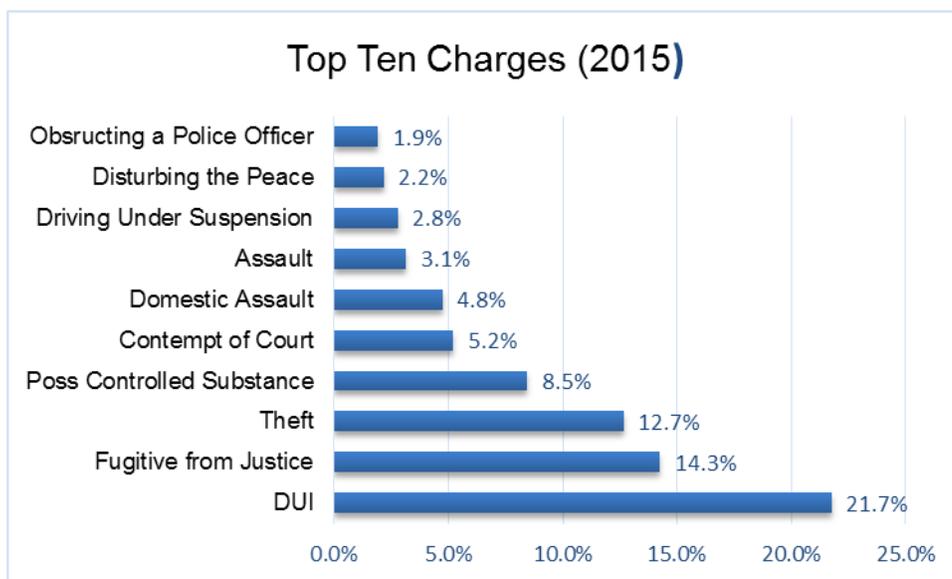
Fifty percent of the admissions were for misdemeanor offenses. An additional 25% were admitted for felony offenses.

### Charge Level



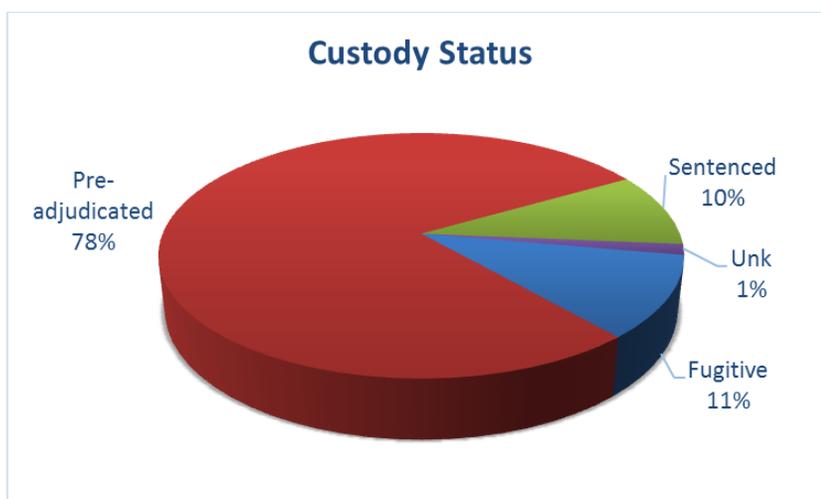
TOP TEN OFFENSES

DUI was the most frequent first charge listed in 2015 (21.7%), followed by Fugitive from Justice (14.3%), and Theft (12.7%).



CUSTODY STATUS

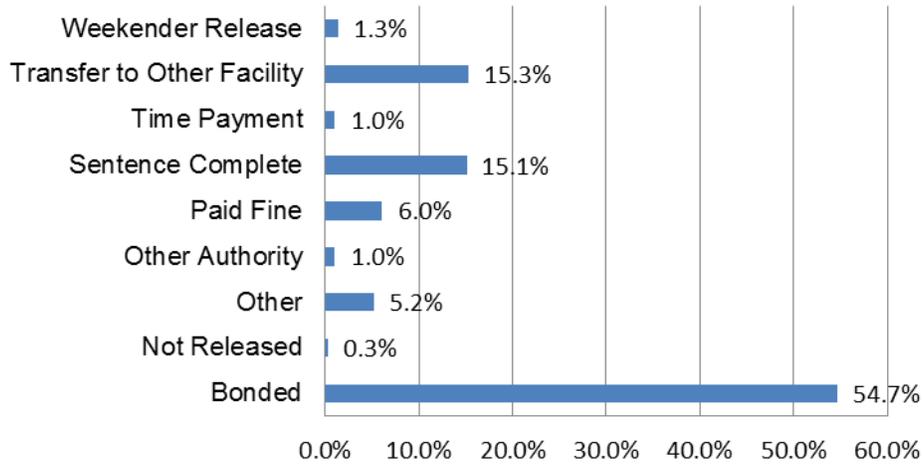
Seventy-eight percent of inmates were pre-adjudicated, that is they were being held pending adjudication and disposition. Ten percent were listed as being sentenced inmates and an additional 11% were listed as being held as a fugitive (pursuant to a warrant).



RELEASE REASON

According to the 2015 inmate data provided, almost 55% of inmates were released on Bond. 15.3% were released for transfer to another facility. These are likely inmates being boarded in other facilities due to lack of sufficient capacity in the Sarpy County Jail.

### Release Reason

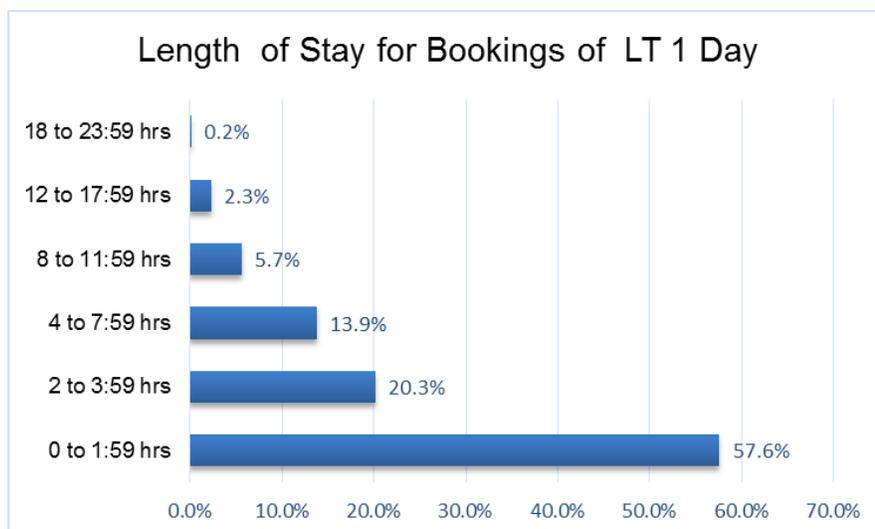


### RATE OF RELEASE

The following table shows the rate of release for male and female inmates and the population as a whole from the 2015 Sarpy County inmate data. 38.9% of female inmates and 33.3% of male inmates were released in less than one day. 34.7% of all inmates were released within 24 hours. Over 66% are released within four days. This represents the front end “revolving door” inmates who are processed in and out of the jail in a relatively short period of time. The rate of release is an important consideration in determining the configuration of the intake and release area, the number/type of temporary holding cells, and the capacity of intake/orientation housing.

Rate of Release by Gender			
	Male	Female	Cumulative
LE 1 Day	33.3%	38.7%	34.7%
2-4 Days	32.2%	30.9%	66.5%
5-7 days	9.3%	10.4%	76.1%
8-14 Days	6.1%	6.6%	82.4%
15-30 Days	6.4%	5.4%	88.5%
31-60 Days	4.6%	4.1%	93.0%
61-90 Days	2.3%	1.3%	95.1%
91+ Days	5.8%	2.5%	100.0%

Of those inmates released within 24 hours, the average length of time held was just short of 3 hours. 57.6% of these inmates were released within 2 hours.



## CONCLUSIONS

The inmate profile and jail population characteristics are summarized below:

- The Sarpy County Jail averaged approximately **5,344** admissions per year from 2006 through 2015 ranging from a low of 4,314 in 2015 to a high of 6,507 in 2006. Admissions declined an average of 4.36% per year over the ten year period.
- The Sarpy County Jail population averaged 169.2 inmates over the period from 2006 through 2015. The ADP declined an average of 1.13% over the decade. Current short term trends indicate an increasing population with increases in ADP in 2015 and continuing in 2016.
- The average length of stay over the period was **11.6 days**, ranging from a low of 9.8 days in 2013 to a high of 13.6 days in 2015. Length of stay has been **increasing at an average annual rate of 3.66%**.
- **74%** were male and **26%** female in 2015.
- The average age was about 31.1 years in 2015.
- Over **55%** of inmates admitted in 2015 listed out of county residences. **41%** listed Douglas County residences.
- **66.5%** of inmates were released within four days. The average daily population of this group was **13.3** in 2015.
- **4.9%** of those admitted were held over 91 days; they accounted for **52.7%** of the total jail days.



## SECTION 5. FACILITY HOUSING AND CLASSIFICATION

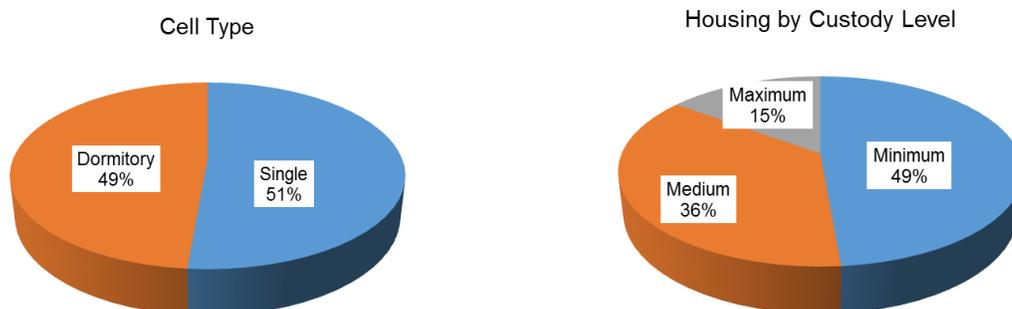
This section describes the current housing configuration, classification process, and housing plan.

### HOUSING BREAKDOWN

The Sarpy County Jail has thirteen potential separate housing designations within ten dayrooms and 3-subdayrooms. The breakdown is presented in the table below:

Classification/Housing Breakdown – Sarpy County Jail				
Unit Designation	Housing Classification	Cell Type	# of Cells	Unit Capacity
D3	Male Trustee Housing	Dormitory		12
D2	Minimum Security	Dormitory		48
D1	Minimum Security	Dormitory		12
F1	Female Medium Security	Single	10	10
F1-Subdayroom	Female Max/Special Mgmt	Single	2	2
J1	Female Trustee	Single	4	4
J2	Female Medium Security	Single	6	6
Max 1	Male Maximum Security	Single	8	8
Max 1 - Subdayroom	Male Max/Admin Seg-Behavior Mgmt	Single	2	2
Max 2	Male Maximum Security	Single	8	8
Max 2 - Subdayroom	Male Max/Ad Seg-Medical	Single	2	2
L1	Medium Security	Single	12	12
L2	Medium Security	Single	22	22
			<b>Total</b>	<b>148</b>

The charts below show the breakdown of housing by cell type and custody level. Almost half of the inmate housing is in dormitories.



The facility lacks separate housing for inmates with special needs or those requiring restrictive housing due to behavior. The jail also lacks sufficient type of housing generally considered appropriate for medium security inmates.

The table below provides a breakdown of temporary housing in the booking and release area. The current facility lacks sufficient holding space to keep inmates in the booking area for any length of time. The lack of holding space is compounded by the need to utilize the existing holding space as special management housing.

Booking and Release Housing – Sarpy County Jail				
Unit Designation	Housing Classification	Cell Type	# of Cells	Size
Multi Holding	Temporary Holding	Group	1	150 sf
Detox	Detox	Group	1	100 sf
S1	Special Watch	Single	1	60 sf
S2	Special Watch	Single	1	50 sf
H1, H2, H3	Temporary Holding	Single	3	50 sf
Holding Cell	Female Temp Holding	Group	1	90 sf

## INMATE CLASSIFICATION

Officials operating a detention facility are charged with a “duty to protect” those who are incarcerated in the facility. Detainee classification is a key element to fulfilling this duty, with the ultimate goal of identifying risks posed by individual inmates, separating and supervising them within the facility to ensure the safety of inmates, personnel and the public.

Jail classification practices have evolved from simply separating male from female, or by judicial status, to a process that attempts to house inmates with similar risks together. When jails become crowded, the separation of prey from predator, and other key separations, becomes increasingly difficult. Jail officials must classify inmates and determine their level of risk, even if they do not have adequate facilities to follow through with needed separations. Other options, such as boarding inmates out in other facilities to maintain appropriate classification separations may be necessary.

To more consistently and reliably assess risk, professional standards call for jails to adopt behavioral-based objective jail classification processes. Objective jail classification is accomplished by collecting and evaluating objective information to determine levels of risk and need of inmates booking into jail. Two models of objective jail classification in use across the country have evolved: an *additive point* system and a *decision-tree* model. The additive point system “scores” detainees on validated risk criteria. Detainees are assigned a classification level based upon their score. The decision tree model uses a matrix chart that, depending upon the responses to a series of risk-related questions, leads to an indicated custody level. Both models have provisions for overrides and conditions to ensure they are used appropriately. An inmate’s classification usually changes over the time he or she is incarcerated. Therefore, classification is initially established upon admission, but then later periodically reviewed.

Jails that adopt objective jail classification usually report two significant results:

- A significant reduction in serious incidences within the jail after full implementation

- A more effective use of housing resources with inmates assigned more reliably and consistently to the types of housing appropriate for their risk classification.

#### SARPY COUNTY JAIL CLASSIFICATION PROCESS

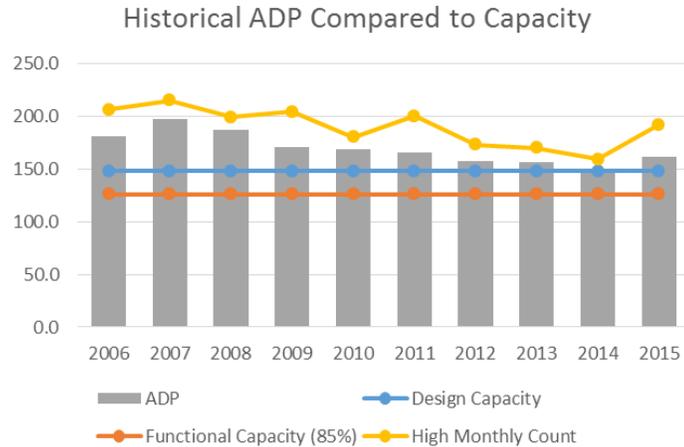
As part of the needs assessment study, MJM was asked to conduct a review of the Sarpy County Jail's inmate classification process. The jail leadership expressed interest in moving toward adopting a behavioral-based objective jail classification process to more effectively managing inmate behavior. A secondary purpose of this review was to assess the risk and needs of a representative sample of the jail population using an objective classification instrument to establish a breakdown of the inmate population by custody level that could be factored into population forecast models. The results of the classification study, along with recommendations for implementing a behavioral-based objective classification process, are included in **Appendix A** of this study report.

The current classification process assesses newly admitted inmates primarily for purposes of designating appropriate housing assignment. The Booking Clerk collects basic demographic information in the IMACS intake form which includes some initial screening questions on the back of the form. The questions are very basic and include questions around suicide ideology and health concerns. The booking process also includes use of the "Weighted Scale for Prediction of Sexual Predators/Victimization" (WSPSV) form that appears to identify potential high risk sexual predators or potential victims. The Booking Clerk obtains information that can be obtained from available records while the Intake Deputy or Sergeant completes those questions or observations that require direct contact with the inmate. The inmate is then assigned to a specific housing area based upon bed availability. If the Booking Clerk feels there may be unique circumstances or potential problems with a particular housing designation, he or she seeks input from the Intake Sergeant. In addition, the Intake Sergeant may intervene on his/her own if deemed appropriate. As such, the process is simply a housing designation and not a comprehensive objective classification process.

Since the number of inmates in custody consistently exceeds the rated capacity of the jail, bed availability often becomes a primary driver in designating housing assignment. This approach can result in the mis-housing of inmates. There are considerable safety and security concerns associated with assignment of inmates to housing not appropriate to their risk and needs.

The functional capacity of a jail is typically considered to be about 80-85% of the design capacity. Functional capacity is defined as the optimum number of inmates a jail can efficiently manage and classify. With this in mind, the 148-bed Sarpy County Jail has a functional capacity of about 126. In other words, when the jail population gets to that level, it is **full**. As the population exceeds that level, there is an increasing probability that compromises in housing assignment based upon classification are occurring.

The chart below shows the historic average daily population and high monthly population compared to the jail's design and functional capacity. While the County has addressed this to an extent though the housing of inmates in other facilities, the jail is still "crowded" based upon its functional capacity. Given the need to properly classify inmates and manage the "peaks" in the jail population, the **current bed** need based on the 2015 average daily population of 161 is **193 beds**. It has been higher yet in 2016 with the number in custody (both in the Sarpy County Jail and boarded elsewhere) regularly exceeding 200 inmates.



The classification review included a pilot study using an objective classification screening instrument. The Decision Tree model was selected for its ease of use, particularly in a pilot-test mode. The Decision Tree matrix, developed and copyrighted<sup>3</sup> by the Northpointe Institute, defines three basic levels of classification: Maximum, Medium, and Minimum. The matrix further defines the three basic levels into nine levels of risk which are summarized below:

**Maximum**

- 1. High
- 2. Close Custody

**Medium**

- 3. Assaultive/Escape Risk
- 4. Medium
- 5. Medium – Pre-sentenced

**Minimum**

- 6. Minimum – Pre-sentenced
- 7. Minimum
- 8. Low
- 9. Very Low

In conducting the pilot test, a “point-in-time” method was selected. The entire inmate population on a particular day was “classified” using the Decision Tree Instrument. The results obtained while using the Decision Tree Instrument were compared with the results already obtained as a result of the agency’s routine process. This provided information about the various risks and needs of the inmate population housed in the facility at the time. The table below shows the percentage breakdown of the population by custody level based on the results of using the Decision Tree instrument, the custody level indicated by the “classifier” taking into account housing designation, and the custody level indicated by the original housing designation made at booking.

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<sup>3</sup> The original decision tree matrix was developed using federal grant dollars so, in its original paper form, is public domain. As such, jails are free to use it as long as it is not modified from its original form.

The results suggests a high percentage of male inmates are “underclassified” to minimum security compared to the classification suggested using the objective classification instrument. This “underclassification” increases the potential of incidents in the jail resulting from the mixing of the classification levels. With regard to female inmates, the objective classification suggests a higher percentage of female inmates should be classified as Minimum compared to current designation. This “overclassification” which, for females has to do largely with lack of other housing options, also increases the potential risks for those Minimum security inmates housed with those classified as Medium or Maximum. The type and availability of housing in the existing facility appear to be a significant factor in both cases. **The study would indicate a need for more medium security beds for males and more minimum security beds for females.** It also suggests a need for designated special management housing for inmates that are currently housed in inmate holding cells or maximum security housing.

<b>Classification Pilot Comparison</b>			
<i>Custody Level</i>	<i>Decision Tree</i>	<i>Decision Tree Based Designation</i>	<i>Booking Designation</i>
<b>Male</b>			
Maximum	9%	13%	13%
Medium	52%	37%	18%
Minimum	39%	45%	63%
Spec Mgmt		6%	6%
<b>Total</b>	100%	100%	100%
<b>Female</b>			
Maximum	3%	0%	0%
Medium	50%	70%	83%
Minimum	47%	27%	13%
Spec Mgmt	0%	3%	3%
<b>Total</b>	100%	100%	100%

The following table entitled, “Decision Tree Classification”, shows the breakdown of the numbers of inmates in the pilot study into the nine levels of risk defined by the Decision Tree. A substantial number of inmates (53) scored as a “3”, indicating a higher risk for assaultive behavior. These, along with other inmates scoring in the Medium custody range, are not likely good candidates to be housed in dormitory settings, particularly if direct supervision is not available.

The table entitled, “Housing Designation at Booking”, shows how the inmates were actually housed based upon the current subjective classification practices. The risk levels from the Decision Tree are included with the housing unit designation most closely associated with their corresponding risk level. This table highlights the disproportionate number of inmates who were assigned to minimum security housing who may have been appropriate for more secure settings (e.g. single or double occupancy housing).

Decision Tree Classification			
		Female	Male
Max	1 - High		2
	2 - Close Custody	1	13
Med	3- Assaultive/Esc	4	53
	4- Medium	7	24
	5-Medium Pre-sentence	4	14
Min	6-Minimum Pre-sentence	6	45
	7-Minimum	3	3
	8-Low	3	7
	9-Very Low	2	14
Spec Mgmt	Safety		
	Lockdown		
<b>TOTAL</b>		<b>30</b>	<b>175</b>

Housing Designation at Booking			
		Female	Male
Max	1-2 Maximum Male		22
Med	Med-Max Female (F1)	25	
	3-4 Medium Male (L1)		18
	5-6 Medium Male (L2)		14
Min	6-7 Minimum Male (D2)		80
	8-9 Minimum Male (D1)		27
	Inmate Worker (D3)		3
	Female Minimum (J1)(J2)	4	
Spec Mgmt	Safety	1	3
	Segregation (H-1, H2, H3)		8
<b>TOTAL</b>		<b>30</b>	<b>175</b>

Proper classification is both a time consuming and staff intensive undertaking. Each instrument takes approximately 30 to 45 minutes to complete on an individual inmate. It is generally accepted that one classification officer is required per 125 inmates. Consequently, a facility the size of Sarpy County may require at least 1.5 FTE classification staff.

### CONCLUSIONS

Housing inmates by subjective assessment and bed availability does not adequately separate by level of risk within the facility; therefore, Sarpy County should implement an objective jail classification system using a validated classification instrument. The housing plan should be modified to correspond with the classification levels indicated by the Decision Tree or other method of objective classification that may be selected. Any expansion should take into account the breakdown of the projected jail population based upon objective classification.

## SECTION 6. JAIL STAFFING

Staffing needs and practices respond to the facilities, technology and operations that comprise the jail setting. Staffing is often the primary response to challenges and deficiencies in facilities and technology.

Several characteristics of the Sarpy County Jail setting pose challenges to efficient and effective staffing. These include:

- Pervasive crowding, which often exceeds the design capacity and most certainly the functional capacity of the jail.
- Indirect, podular design that provides limited sight lines and poorly placed staff work posts.
- High levels of inmate idleness.
- Physical plant systems that are deteriorating and in need of timely maintenance and repair.

The inmate population is also changing in ways that present new demands for jail staffing:

- More inmates with mental health needs and problems.
- More inmates with medical needs.
- Longer-term inmate population for which facilities were not designed.
- Increasing female population with more diverse needs for classification and separation.
- Higher proportion of inmates charged with serious offenses.

These characteristics of the jail population and setting pose unique and changing demands for employees needed to operate the jails, and needed corresponding skills and abilities.

### COVERAGE PLAN

A coverage plan is comprised of four components:

1. Relieved posts and positions
2. Non-relieved posts and positions
3. The shift schedule and amount of coverage required on each shift
4. The availability of staff to work (NAWH).

In the Sarpy County Jail, the housing deputies, shift sergeants, booking deputies, and booking clerks are all relieved positions. These are posts for which the NAWH availability factor must be applied to determine the total number of FTE's required to provide the coverage required.

### CURRENT STAFFING

The jail system primarily operates on two 12-hour shifts with "A" and "B" shifts working 0600 – 1800 and "C" and "D" shifts working 1800 – 0600. The jail currently has a total of thirty-nine (39) authorized sworn personnel and twelve (12) non-sworn personnel for a total of 52. Food services and health care services are contracted. There are currently ten full and part time nurses assigned to the jail who work varies shifts.

NET ANNUAL WORK HOURS

“Net Annual Work Hours” is a term and technique developed by the National Institute of Corrections. It is similar to a “Shift Relief Factor” (SRF) but has proven more accurate and flexible in its application. NAWH provides accurate calculations of the *actual* hours per year each classification of employee is available to work in the jail.

Sarpy County jail employees who work the 12 hour schedules are paid for 2,190 hours each year (84 hours per 2-week pay period or an average of 42 hours per week times 52.14 weeks in the year.) This is the “gross” number of hours that each employee is paid for regular hours. According to the most recent data provided by jail officials, the average jail deputy is only available to work in the jail for 1,653 hours annually. This is the “net” hours that each employee may be deployed. See the NAWH calculations based on 2015 leave usage for each of the affected job classes in the table below:

Net Annual Work Hours			
<i>Leave</i>	<i>Sgt.</i>	<i>Deputy</i>	<i>Booking Clerk</i>
CW - Court Within Shift		0.375	
C_ - Comp Sworn - C_	105.3	52.3	
CC - Comp Civilian CC			72.00
FH - Floating Holiday	25.3	25.8	22.3
FL - Funeral Leave	12.0	24	26.0
FO - FOP Leave	12.0		
FX - Flex Time *	43.6	21.1	16.0
HT - Holiday Time Off	20.7	16.1	12.0
IJ - Injured On Duty		19.8	
IL - Limited Duty IOD		5.0	
LG - Leave Using ETO	47.8	31.1	33.1
LN - Leave Not Paid	16	69.0	144.0
ML - Military Leave		57.0	
N4 - NonSworn Sick 4:1 - N4			74.5
NS -NonSworn Sick -NS			22.2
S2 - Sick Sworn 2:1 - S2	109.4	6.0	
S4 - Sick Sworn 4:1 - S4		78.5	
TR - Train Onduty/ Own Time Credit	46.4	18.9	
VA - Vacation Sworn - VA	179.1	112.1	
VN - Vacation NonSworn - VN			128.7
<b>Total Ave. Leave by Job Class</b>	<b>617.7</b>	<b>536.9</b>	<b>550.9</b>
Total Contracted Hours	2190	2190	2190
Average Annual Leave Usage	617.7	536.9	550.9
<b>Net Annual Work Hours</b>	<b>1572.3</b>	<b>1653.1</b>	<b>1639.1</b>

There are several keys to calculating accurate NAWH figures each year:

- Collect data on *all* activities and circumstances that take employees away from jail deployment
- Calculate NAWH for each classification of employee
- Divide total annual hours away from jail by the correct number of FTE (not the number of individuals who worked in the year, but the number of calendar days they were on the payroll)

#### SARPY COUNTY JAIL STAFF COVERAGE PLAN

The staff coverage plan presented below is based on the current allocation and deployment of staff in the Jail Division. The NAWH availability factor for the three job classes of relieved posts/positions was used to calculate the total number of FTE's required to provide the coverage indicated.

<b>Sarpy County Jail Staff Coverage Plan</b>										
Post/Position	Job Class	Days	Nights	Days per Week	Hours per Week	Hours of Coverage per Year	Relief Needed	NAWH	Total FTEs	Rounded FTEs
<b>ADMINISTRATION</b>										
Captain	Cap	8		5	40	2086	No		1.00	1
Lieutenant	Lt	8		5	40	2086	No		1.00	1
Accounting Clerk	Civ	10		4	40	2086	No		1.00	1
Reception	Civ	8		5	40	2086	No		1.00	1
Admin. Support	Civ	10		4	40	2086	No		1.00	1
<b>Subtotal</b>		<b>44</b>	<b>0</b>		<b>200</b>				<b>5.00</b>	<b>5</b>
<b>PROGRAM STAFF</b>										
Classification Deputy	Dep	10		4	40	2086	No		1.00	1
House Arrest/WR	Dep	8		5	40	2086	No		1.00	1
PREA Coordinator	Dep	8		5	40	2086	No		1.00	1
Sex Offender Support	Civ	10		4	40	2086	No		1.00	1
<b>Subtotal</b>		<b>36</b>	<b>0</b>		<b>160</b>				<b>4.00</b>	<b>4</b>
<b>SUPPORT STAFF</b>										
Medical - Contracted										
Food Service - Contracted										
<b>Subtotal</b>										
<b>SECURITY/CUSTODY</b>										
Housing Sergeant	Sgt	12	12	7	168	8760	Yes	1572	5.57	6
Admin Sergeant	Sgt	12	12	7	168	8760	Yes	1572	5.57	6
Master Control	Dep	12	12	7	168	8760	Yes	1653	5.30	5
Housing Deputy	Dep	12	12	7	168	8760	Yes	1653	5.30	5
Escort Deputy	Dep	12	12	7	168	8760	Yes	1653	5.30	5
Booking Deputy	Dep	12	12	7	168	8760	Yes	1653	5.30	5
Booking Clerk	Dep	24	24	7	168	17519	Yes	1639	10.69	11
<b>Subtotal</b>		<b>84</b>	<b>84</b>		<b>1176</b>				<b>43.03</b>	<b>43</b>
<b>TOTAL STAFF</b>		<b>164</b>	<b>84</b>							<b>52</b>

## CONCLUSIONS

The NAWH calculation and Coverage Plan indicate that the jail has sufficient staff to provide the current level of coverage. Current staffing levels, however, limit the amount of time deputies may actually spend providing “active” supervision of inmates. Housing unit conditions and the practice of changing inmate housing assignments in response to misbehavior indicate a need for increased officer presence in inmate housing areas.

Several suggested improvements in current practices are offered:

1. Conduct a full staffing analysis using the NIC methodology to explore a variety of improvements in jail operations, deployment, employee contracts and scheduling.
2. Adopt the NAWH methodology and update figures each year to provide accurate information to the budgeting process.

## SECTION 7. INMATE POPULATION FORECASTS

The number of inmates in a jail facility is determined by the number of admissions and the length of time offenders stay in the facility. Many factors influence admissions and length of stay, including the criminal code and other laws, criminal justice system policies, economics, and the social environment in which the facility operates. With this in mind, the estimates of future capacity requirements must be considered as just that – estimates which are based upon a certain set of assumptions. A baseline forecast identifies what the projected population is likely to be if past and current trends continue into the future. Alternate forecasts can be developed using scenarios with different assumptions where potential changes in trends can be quantified. Accordingly, forecasts based upon a number of different scenarios can show the impact of various changes on the inmate population. The challenge is to identify the scenario which represents the “best fit” scenario for the jurisdiction.

The table below includes a number of factors that may be indicators of future growth or decline in the inmate population. The table calculates the annual rate of change for each of the factors over the past decade.

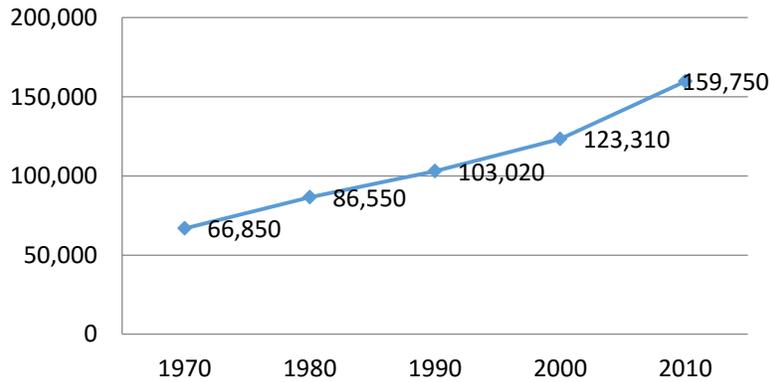
Sarpy County Historical Trends and Annual Rate of Change of Factors									
Year	Combined County Population	Arrests	Co. Court Misc/Ord Felony	Dist Court Crim	Jail Admissions	Jail Days	Average Daily Jail Population	Average Length of Stay in Jail	Incarceration Rate per 100,000
2006	142,412	5520	18979	610	6506	66,065	181.0	10.4	127.1
2007	146,249	5549	17876	710	6255	71,905	197.0	11.8	134.7
2008	150,398	5251	17803	610	5690	68,255	187.0	12.3	124.3
2009	153,504	5183	17367	553	5521	62,415	171.0	11.6	111.4
2010	159,750	5311	16975	564	5766	61,685	169.0	11.0	105.8
2011	162,655	4794	15520	527	5327	60,225	165.0	11.6	101.4
2012	165,822	4570	14002	520	4961	57,305	157.0	11.9	94.7
2013	169,358	4069	13252	576	4571	56,940	156.0	9.8	92.1
2014	172,193	4061	12384	554	4532	54,020	148.0	11.9	86.0
2015	175,692		12292	577	4314	58,835	161.0	13.6	91.6
Ave. Annual % of Change	2.36%	-3.65%	-5.15%	-0.75%	-4.38%	-1.11%	-1.13%	3.66%	-3.41%

### POPULATION TRENDS

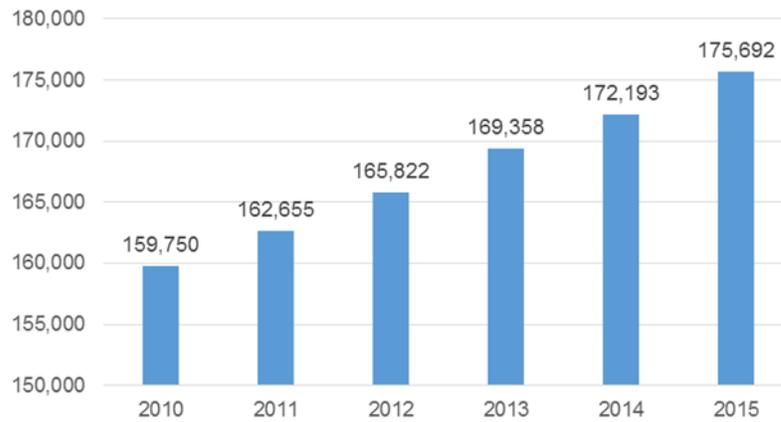
The population of Sarpy County increased in each of the decades from 1970 through 2010. For the past ten years, from 2006 to 2015, the population has grown at an average annual rate of 2.36%. Going forward, the population is expected to grow at an annual rate of 2.6%. The economic outlook suggests the level of business activity and growth will continue to be robust. Unemployment rates are down and there has been positive job growth. All age groups are expected to increase, particularly the over 65 age group. The projected growth in the 18-24 year old age group is about 2.5%. This younger age cohort is the age group at greatest risk of involvement in the justice system now and into the future. Population trends may be significant if there are significant increase or decreases in the projected population. The assumption is that

crime will increase or decrease in relation to the overall population change. Population trends, along with jail population trends are used to establish incarceration rates which can be used as one method to forecast future bed space needs.

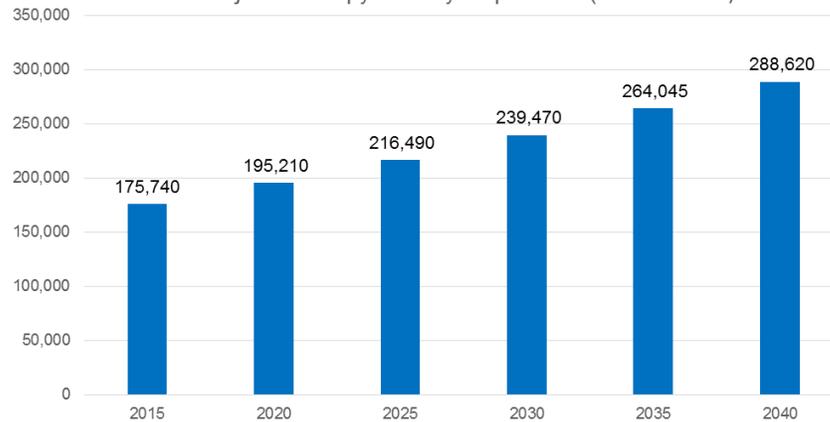
Sarpy County Historical Population Trends



Sarpy County Population Estimates (2010-2015)

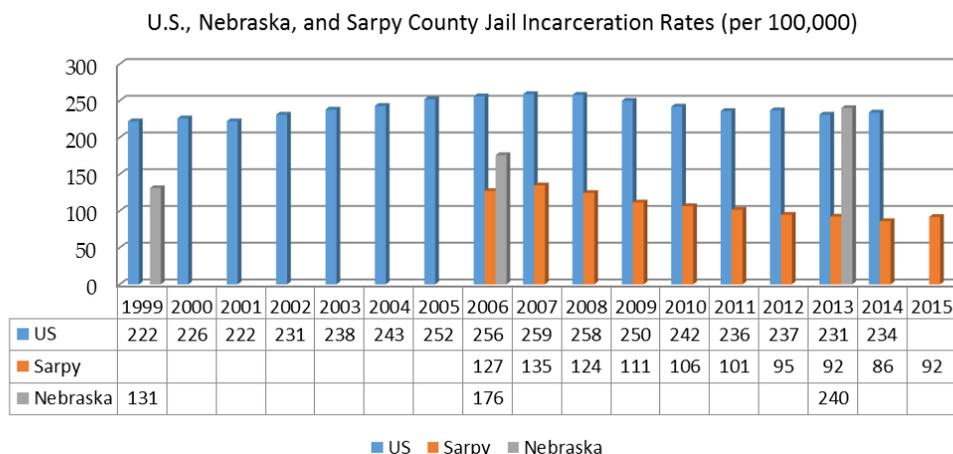


Projected Sarpy County Population (2015 - 2040)



### INCARCERATION RATE

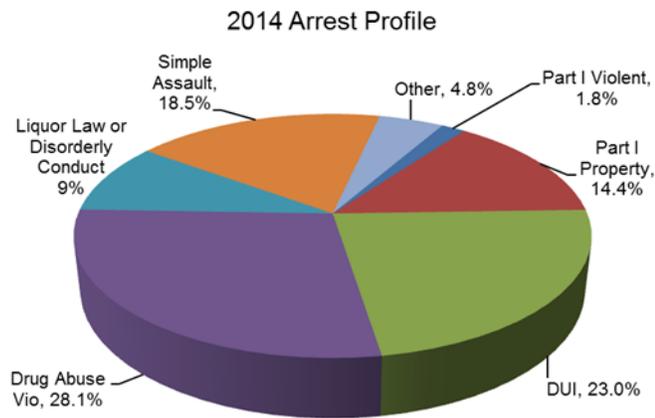
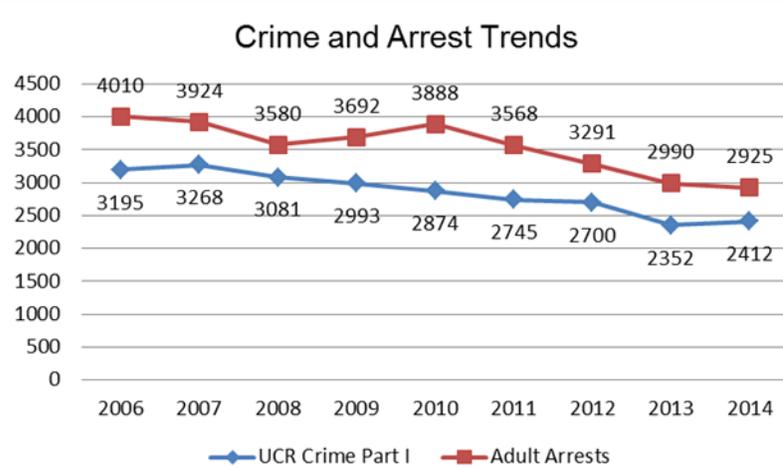
Incarceration rates are calculated by dividing the jail’s average daily population by the jurisdiction’s general population and multiplying the result by 100,000 to create a rate of incarceration per 100,000 citizens. The incarceration rate for Sarpy County in 2015 was **92**. By comparison, the 2014 (latest available) incarceration rate for local jails nationally was **234**. The incarceration rate nationally increased an average of **4%** per year between 1995 and 2007, but has declined each year since. According to the U.S. Bureau of Justice Statistics, the incarceration rate for jails in Nebraska in 2013 (most recent data available) was **240**. The incarceration rate for Sarpy County is substantially lower than the National and State rates. The incarceration rate declined over the past ten years by an average annual rate of 3.41%. In 2015 and so far in 2016, the rate appears to be trending up.



Incarceration rates can be used to make projections of jail bed needs. In Sarpy County, the county population appears to be poised for growth in the coming years. In using this method, it is important to consider trends. For example, in the early 2000’s many indicators, including incarceration rates were trending up. The forecast models used in the 2004 study reflected this upward trend, indicating a substantial increase in future bed need. In recent years, these same indicators were trending down and, if used for forecasting bed need, would indicate fewer beds will be needed in the future. Current bed utilization suggests a possible reversal of those downward trends. The key is to consider several projection scenarios looking at short and long term trends and finding the likely “best fit” for the future.

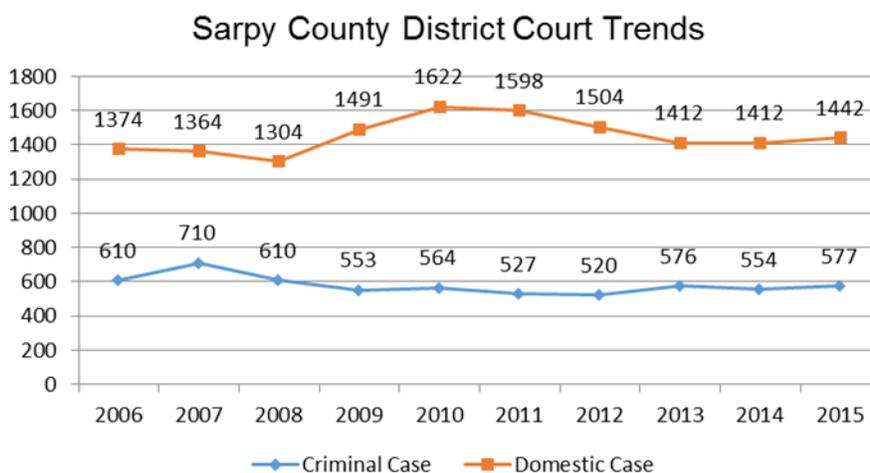
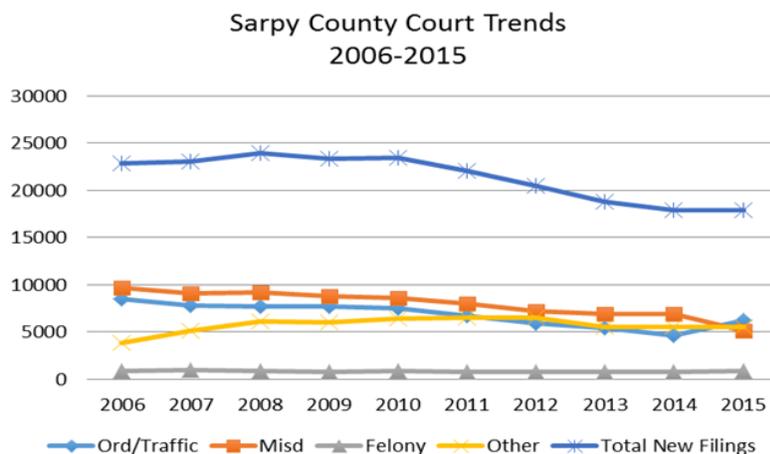
### ARRESTS

Rates of arrest are often poorly correlated with jail bed use. Reported crimes for the more serious Part I Index Crimes and arrests in Sarpy County have been trending down since 2010, although arrests upticked in 2014. Of particular value is looking at the arrest profile. Over 60% of arrests in 2014 were for DUI, liquor law violations, drug violations, or disorderly conduct. These are all types of offenses which likely result in incarceration and likely involve individuals who come to jail in various states of intoxication and agitation.



#### COURT WORKLOAD

County and District Court filings over the past ten years are listed in the tables. The data show a significant decline in misdemeanor/non-traffic filings in County Court at a rate of -6.41% per year. Felony filings, however, in both courts have remained relatively stable over the past ten years.

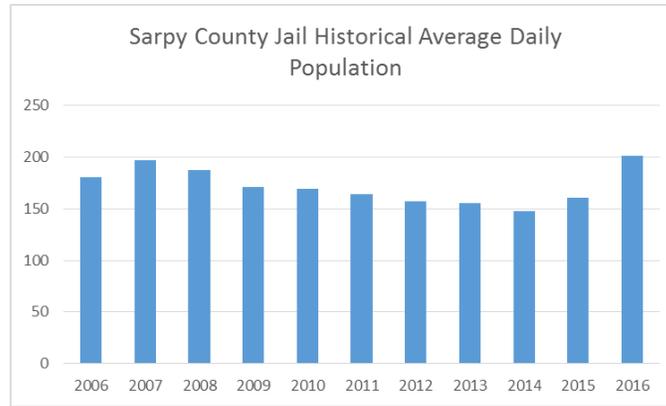


#### JAIL DATA

The jail population is driven by two factors: the number of admissions and the length of stay. Sarpy County’s jail population over the past decade has been more heavily influenced by the length of stay than in the number of admissions. Admissions have declined at an annual rate of change of just 4.38%. The annual rate of change for average length of stay, on the other hand, has increased at an annual rate of 3.66%. Most of that increase in length of stay has occurred over the past several years.

#### PRELIMINARY BED NEED FORECASTS

The table below shows the average daily population and length of stay trends over the past 10 years with 2016 adjusted through March. Below the table are three forecast models using long term, short-term, and recent incarceration rates.



Forecast Scenario 1: Long Term Trends			
Incarceration Rate (1.07) annual ave. 2006-2015			
Year	ADP	Peak	Adj ADP
2015	188	1.2	226
2020	209	1.2	251
2025	232	1.2	278
2030	256	1.2	307
2035	283	1.2	339
2040	309	1.2	371

Forecast Scenario 2: Short Term Trends			
Incarceration Rate (.954) annual ave. 2010-2015			
Year	ADP	Peak	Adj ADP
2015	168	1.2	201
2020	186	1.2	223
2025	207	1.2	248
2030	228	1.2	274
2035	252	1.2	302
2040	275	1.2	330

Forecast Scenario 3: Current Trends			
Incarceration Rate (1.01) Apr 2015 - Mar 2016			
Year	ADP	Peak	Adj ADP
2015	177	1.2	213
2020	197	1.2	237
2025	219	1.2	262
2030	242	1.2	290
2035	267	1.2	320
2040	292	1.2	350

#### LONG TERM TRENDS

This model uses the long term trend in incarceration rate (2006-2015) with an average annual rate of 1.07 inmates per 1,000 in county general population. A 20% peaking/classification factor<sup>4</sup> has been applied to provide an adjusted projection of bed needs. This model would indicate a need for about **370 beds** to accommodate Sarpy County over the next 20 years.

#### SHORT TERM TRENDS

This model uses the short-term trend in incarceration rate (2010-2015) with an average annual rate of .954 inmates per 1,000 in county general population. A 20% peaking/classification factor has been applied to provide an adjusted projection of bed needs. This model would indicate a need for about **330 beds** to accommodate Sarpy County over the next 20 years.

#### CURRENT TREND

This model uses the current trend in incarceration rate (April 2015 – March 2016) with an average annual rate of 1.01 inmates per 1,000 in county general population. A 20% peaking/classification factor has been applied to provide an adjusted projection of bed needs. This model would indicate a need for about **350 beds** to accommodate Sarpy County over the next 20 years.

<sup>4</sup> Population projections must account for the peak day populations the county jail must house periodically. The peak factor helps accommodate weekend fluctuations in the average daily population and or special events in the County. In addition to peaks in the jail population, the need to provide for appropriate classification of inmates is also a factor in determining future bed space needs.

## PRELIMINARY CONCLUSIONS

A future bed need forecast in the **range of 350 to 370 beds** by the year 2040 as indicated by Forecast Models 1 and 3 appear reasonable at this stage of analysis for the following reasons:

- The downward trend in arrests, admissions, and court activity are not likely to continue. Looking back, longer term trends appear to be somewhat cyclic. The more recent declines were preceded by increases in each of these indicators (The Chinn Study in 2004 recommended 350 beds by the year 2020.). More recent data indicates a return to an upward trend is likely.
- Short-term trends (2006-2015) likely reflected a reduction in jail use due to increased use of diversion and the implementation of the pre-trial services program in 2006. The impact of these alternatives are now factored in to the recent upward trends in ADP and ALOS.
- The number of female inmates will likely to continue to increase. Nationally females average about 14% of the jail population and have increased about every year over the past decade.
- The growth in the County population over the coming years will no doubt have an impact on crime and incarceration levels. Proximity to the highly populated Omaha area will continue to be a factor as criminal activity is not bound by city or county borders. 41% inmates admitted in 2015 were residents of Douglas County according to the zip code information provided.
- The jail population, following national trends, will likely have more serious medical and mental health needs, addiction issues, and a greater propensity for violent behavior.

The population forecasts take into account the overall future incarceration needs of Sarpy County including those currently boarded in neighboring county facilities as well as those housed in the Sarpy County Jail. They reflect the amount of overall bed space needed to house future populations, but do not include the need for temporary housing within the jail for intake holding, pre-classification housing, or separate housing of special needs inmates.

The forecasts also do not take into account any policy changes which may occur, the expansion of alternatives to incarceration, or arrangements with other jurisdictions for long term housing of some segments of the jail population. Some examples include:

- A reduction in time in the adjudication of in-custody cases through a study of the court policies, practices and workload.
- Expansion of community services and spaces available for mental health, alcohol, drug, and dual diagnosis.
- Increased use of citation and summons by arresting agencies in lieu of arrest (There were a significant number of inmates admitted to jail as “fugitives” and a good number of inmates held in jail for less than two hours who might be candidates for alternative means of identification and processing.).
- Increased use of house arrest.

- Development of a cooperative agreement with neighboring counties to house special needs inmates.
- Monitoring of pre-sentence investigation time frames and responding to increases by changing policies, adding resources, or through other appropriate responses.

Appendix B provides a narrative description of various policy and program options which may be considered at each of the decision points in the case flow process. A comprehensive study looking at system issues may be of value for the County but is beyond the scope of this study.

### BREAKDOWN OF BEDSPACE NEEDS BY CLASSIFICATION

The existing jail has a capacity of 148 general population beds that are either Maximum security single occupancy cells (51%) or Minimum security dormitories (49%).

The classification pilot study using the objective classification tool suggested a need for a breakdown of housing capacity that approximates the following distribution of beds at the three primary custody levels:

Suggested Bedspace Classification Based Upon Pilot Study	
Custody Level	%
Maximum (Single)	10%
Medium (Single/Double)	50%
Minimum (Dormitory)	40%

This is fairly consistent with the average distribution of classification of inmates by jurisdictions using the objective Decision Tree instrument. The table below shows the number of beds required for each classification level in 2040 based upon the three forecast models.

Bed Capacity Breakdown by Classification				
	2040 Forecast	Maximum (10%)	Medium (50%)	Minimum (40%)
Forecast 2	330	33	165	132
Forecast 1	350	35	175	140
Forecast 3	370	37	185	148

As indicated above, this does not include temporary housing for pre-class and special needs inmates. Given the increasing medical and mental health needs of inmates, it is reasonable to include an additional 10% of the forecasted capacity for medical, mental health, administrative segregation, etc. housing.

Options for addressing short term and long term bed capacity needs are presented in Section 9.

## SECTION 8. OPERATIONAL CONCEPTS AND SPACE NEEDS FOR SPECIAL MANAGEMENT HOUSING

This section describes the operational preferences and concepts for a special management housing component for the Sarpy County Jail.

### SCOPE

Special management housing includes the following:

#### BEHAVIOR MANAGEMENT

Housing for all inmates segregated from the general population for purposes of administrative segregation, protective custody, or disciplinary confinement.

#### MEDICAL AND MENTAL HEALTH

Housing all inmates with non-acute medical or non-acute mental health needs that cannot be managed in the general population. Also includes special observation cells and one or more medical isolation (negative air pressure cells). Inmates requiring care that exceeds that which can be provided in the non-acute medical or mental health housing will be referred to specialists or transported to area hospitals.

Housing will need to be designed to accommodate the separate management of male and female inmates either through separate housing units within the pods or “swing housing” that may be designated for either male or female use as needed.

### DEFINITIONS

#### ADMINISTRATIVE SEGREGATION

Housing separate from the general population for inmates whose continued presence of the inmate in the general population would pose a serious threat to life, property, self, staff, or other inmates or to the security or orderly running of the institution.

#### PROTECTIVE CUSTODY HOUSING

Housing separate from the general population for inmates requesting or requiring protection from other inmates for reasons of health or safety.

#### DISCIPLINARY CONFINEMENT HOUSING

Housing separate from the general population in which inmates committing serious violations of conduct regulations are confined by the disciplinary committee or other authorized group for short periods of time to individual cells separated from the general population. Placement in detention only may occur after finding of a rule violation at an impartial hearing and when there is not an adequate alternative disposition to regulate the inmate’s behavior.

#### NON-ACUTE MEDICAL

Housing for inmates who do not require hospitalization but have an illness or a diagnosis that requires daily monitoring, medication and therapy or skilled nursing intervention that cannot be managed in the general population.

#### NON-ACUTE MENTAL HEALTH HOUSING

Housing for inmates who have an active Axis I diagnosis but are stable on medications with or without participation of any other form of treatment; have an active referral with Psychiatry and requires ongoing psychiatric monitoring whether or not on medications; are not acutely psychotic; are not acutely a danger to self or others; and his/her diagnosis or mental disability precludes functioning in general population.

#### SPECIAL OBSERVATION CELLS

Housing for inmates who may be suicidal or extremely agitated, threatening, or assaultive.

#### MEDICAL ISOLATION CELLS

Housing for inmates with tuberculosis or infectious diseases (negative air pressure cells) that require isolation to prevent spread of infection to other inmates or staff.

#### OPERATIONAL GOALS

Operational goals for special management housing include the following:

- Provide separate housing and management of inmates whose behavior threatens or disrupts facility safety, security, and order.
- Provide separate and safe housing for inmates who are vulnerable or otherwise require protection from other inmates in the facility.
- House inmates separate from the general population who ongoing nursing and health care monitoring for non-acute medical or mental health conditions.
- Minimize the potential for the introduction and spreading of highly contagious diseases within the facility and to the community upon release.
- Provide special temporary housing of inmates who are suicidal or otherwise require close observation to prevent self-harm or harm to others.
- Provide living conditions and operations that approximate that available to the general population to the extent possible.

#### HOUSING OVERVIEW

Special management housing should consist of two pods – one for male Behavior Management and Medical/Mental Health housing and one for female Behavior Management and Medical/Mental Health housing. The Behavior Management housing unit includes Administrative Segregation, Disciplinary Confinement and Protective Custody housing and the Medical/Mental Health unit includes housing for inmates with non-acute medical or mental health needs. The Medical/Mental Health housing also includes cells for medical isolation and special observation. The housing units in the pods should be clustered around raised open counter housing control staff posts. The housing control post should be strategically located to provide deputies with a view into the surrounding housing units and activity areas. While there should be a barrier wall separating the male and female pods, connectivity between the housing control posts in the two pods is desirable to permit ease of circulation by custody and health care staff between the two pods.

#### BEHAVIOR MANAGEMENT HOUSING -- DESIGN AND OPERATIONAL PREFERENCES

The Behavior Management housing will include the following housing units:

- Male Administrative Segregation/Disciplinary Confinement
- Female Administrative Segregation/Disciplinary Confinement
- Protective Custody (possibly designed as a swing unit to handle overflow from other Behavior Management housing when not being used for Protective Custody)

*Administrative Segregation/Disciplinary Detention Housing Units* should have the following design and operational characteristics:

- High security with durable, cleanable, and vandal-resistant materials, furnishings, equipment, and hardware;
- Preference is for housing all on one level with no stairs or mezzanine;
- Single occupancy cells sized to meet standards for extended restrictive housing;
- Each housing unit includes at least one cell meeting ADA requirements;
- Cell doors should have a food pass through and restraint port;
- Cell fronts with door windows and sidelights to allow observation of key parts of the cell, including at least a partial view of the bunk area and open cell area;
- Adjacent dayroom equipped with tables and seating to meet the full capacity of the unit and a shower;
- Phone jacks and data ports near cell entrances for possible use with mobile telephone and video visiting units;
- All shower and toilet areas will provide inmate privacy while facilitating adequate view from the Housing Control Post;
- Access to natural light. Borrowed light from skylights or clerestory windows in the dayrooms is acceptable;
- All Housing Control Post controls are redundant at Master Control to allow remote control of doors when the housing unit officer is managing inmate activities in housing units;
- The Housing Control Workstations are designed to allow full view of housing unit dayrooms, cells/sleeping areas, and housing unit ingress/egress;
- Space that can accommodate food and drink preparation setup once the carts arrive at the units for meal distribution are provided;
- Regardless of the security status of the particular classification, the perimeter design of Housing Pods/Units are uniformly secure;
- Security electrical and water shut-offs are provided to facilitate repair and to help respond to misuse of equipment;
- Access to the dayroom from the security corridor through an interlocked security vestibule. Note: Recommended but not required by Nebraska Jail Standards.

Inmates in the Administrative Segregation/Disciplinary Confinement unit will typically be locked in their cells for up to 22 hours per day. They will receive their meals in their cells. During their time out, inmates will have access to the dayroom during which time they will shower, use the telephone, exercise, receive visits, and engage in other passive recreation. Depending upon the composition of inmates in the unit, inmates may receive their out-of-cell time individually or in small groups.

A step-down program may be offered to inmates in confinement which permits additional out of cell time based upon their behavior.

The Protective Custody Housing Unit should have similar design and operational characteristics as the Administrative Segregation/Disciplinary Housing with the following differences:

- Double occupancy cells sized to meet standards for general population housing.
- Interlocked security vestibule is not needed.

As a rule, the *Protective Custody Housing Unit* should be operated fundamentally the same as general population housing. Occupants should have access to the dayroom during non-lockdown nighttime hours to the extent possible. Depending upon the composition of inmates in Protective Custody, dayroom access may need to be scheduled to keep individuals separate who may present a risk of harm to others in the Unit.

#### MEDICAL MENTAL HEALTH -- DESIGN AND OPERATIONAL PREFERENCES

The Medical/Mental Health housing will include the following housing units:

- Male Non-Acute Medical/Mental Health
- Female Non-Acute Medical/Mental

The Medical/Mental Health Housing Units should have the following design and operational characteristics:

- Each housing unit has at least one Medical Isolation cell. Medical Isolation Cells should be equipped with a shower;
- Includes at least one cell meeting ADA requirements; May be medical Isolation cell;
- Each housing units includes one or more Special Observation cells located in close proximity to staff and directly observable from the Officer Work Station;
- Cell fronts have door windows and sidelights to allow observation of key parts of the cell, including at least a partial view of the bunk area and open cell area. Full glazing of Special Observation cells is preferable;
- Preference is for housing all on one level with no stairs or mezzanine;
- All cells have secured doors and locks able to be remotely unlocked from the Housing Control Post (with override from Master Control) for emergency egress purposes;
- All dayrooms have enough table and chair capacity to meet the full capacity of the unit;
- All housing units have access to natural light. Borrowed light from skylights or clerestory windows in the dayrooms is acceptable.
- All shower and toilet areas provide inmate privacy while facilitating adequate view from the Housing Control Post;
- All Housing Control Post controls are redundant at Master Control to allow remote control of doors when the housing unit officer is managing inmate activities in housing units;
- The Housing Control Workstations are designed to allow full view of housing unit dayrooms, cells/sleeping areas, and housing unit ingress/egress;
- Space that can accommodate food and drink preparation setup once the carts arrive at the units for meal distribution are provided;
- Regardless of the security status of the particular classification, the perimeter design of Housing Pods/Units are uniformly secure;
- Electrical outlets to power medical equipment are provided in the Medical Isolation cells and either in or immediately outside the cells doors;

- Security electrical and water shut-offs are provided to facilitate repair and to help respond to misuse of equipment;

The Medical/Mental Health Units will include several types of cells including Medical Isolation, Special Observation, and general population-type housing. Inmates in Medical Isolation and Special Observation will receive meals in their cells. Other inmates may receive meals in their cells or in the dayroom, depending upon the composition of inmates in the housing unit at any given time. Except for inmates in Medical Isolation or Special Watch cells, inmates are generally not locked down except at night and other designated daytime hours.

#### HOUSING BREAKDOWN BY SPECIAL MANAGEMENT CLASSIFICATIONS

The table below provides a breakdown of the housing units, cell type, and cell capacity in the special management housing:

Admin. Segregation/ Disciplinary/Protective Custody	Number of Cells	Capacity	Housing Units/Cell Type
<b>Male</b>	12	12	<b>12-bed housing unit</b> with dayroom; with 12 single occupancy cells
<b>Female</b>	4	4	<b>4-bed housing unit</b> with dayroom; with 4 single occupancy cells
<b>Protective Custody (swing housing)</b>	4	8	<b>8-bed housing unit</b> with dayroom; with 4 double occupancy cells
<b>Medical/Mental Health Housing</b>			
<b>Male</b>	10	16	<b>16-bed housing unit</b> with dayroom; with <ul style="list-style-type: none"> <li>• <b>6 double occupancy</b> cells</li> <li>• <b>1 single occupancy medical isolation</b> cell with shower (negative air pressure)</li> <li>• <b>3 single occupancy special observation</b> cells</li> </ul>
<b>Female</b>	5	8	<b>8-bed housing unit</b> with dayroom; with <ul style="list-style-type: none"> <li>• <b>3 double occupancy</b> cells</li> <li>• <b>1 single occupancy medical isolation</b> cell with shower (negative air pressure)</li> <li>• <b>1 single occupancy special observation</b> cell</li> </ul>

The table below describe how each of the types of cells in special management housing should be equipped:

Cell Type	Equipment
<b>Single occupancy</b>	Toilet and sink with drinking fountain, mirror, table, seating, storage shelf, and a fixed bed/bunk. Modesty screening around toilet.
<b>Double occupancy</b>	Toilet and sink with drinking fountain (high security in Ad Seg/Disciplinary housing); mirror, table and seating for two, 2 storage shelves or compartments, 2 collapsible clothes hooks, and two fixed bed/bunks-preferably not stacked. Modesty screening around toilet.
<b>Medical Isolation</b>	Toilet and sink with drinking fountain, mirror, table, seating, storage shelf, and a fixed bed/bunk. Modesty screening around toilet and shower areas
<b>Special Observation</b>	High security toilet and sink with drinking fountain, flushable floor drain, fixed bunk. Suicide resistant fixtures and equipment.

#### ACTIVITIES IN/ADJACENT TO THE HOUSING PODS

The following activities will occur in or immediately adjacent to the dayroom of housing units:

- Personal hygiene
- Meal service and dining
- Passive recreation, including table games, reading and television
- Active exercise
- Telephone
- Education/inmate programming
- Group counseling
- Group activities
- De-escalation
- Storage of cleaning equipment and supplies
- Storage of other inmate items used in the housing units
- Access to medical triage, interviews with professionals for individual counseling
- Video visitation

Other essential spaces in the special management area that should be adjacent and accessible from the housing units:

- Housing Officer workstation
- Nurse’s office/workstation
- Medical exam triage room
- Storage for medical supplies and equipment used in Medial/Mental Health Housing Unit
- At least two interview/individual counseling rooms
- Janitor’s closet with mop sink and storage for cleaning supplies and equipment
- Storage for other supplies and equipment used in housing units
- Multi-purpose room for group activities and exercise.

## PRELIMINARY SPACE PROGRAM

A preliminary space program for the Special management component is presented in the table below.

<b>Special Management Housing</b>					
<b>Space Title</b>	<b>Units</b>	<b>NSF</b>	<b>Total</b>	<b>Comments</b>	
<b>Male Administrative Segregation/Disciplinary Housing</b>					
Cells - single occupancy	12	70	840	single occupancy gross area - allows for 10>hours/day occupancy	
Dayroom	12	35	420	35 sf/occ. required	
Dayroom storage	1	50	50	located off dayroom	
Dayroom toilet	1	75	75	1:8 req'd	
Dayroom showers	1	60	60	1:12 req'd	
		<b>Subtotal</b>	<b>1,445</b>		
<b>Female Administrative Segregation/Disciplinary</b>					
Cells - single occupancy	4	70	280	single occupancy gross area - allows for 10>hours/day occupancy	
Dayroom	4	35	140	35 sf/occ. required	
Dayroom storage	1	50	50	located off dayroom	
Dayroom toilet	1	75	75	1:8 req'd	
Dayroom showers	1	60	60	1:8 req'd	
		<b>Subtotal</b>	<b>605</b>		
<b>Protective Custody--Special Flex Housing</b>					
Cells - double occupancy	4	90	360	double occupancy gross area	
Dayroom	8	35	280	35 sf/occ. required, 100 sf min. dayroom size	
Dayroom storage	1	50	50	located off dayroom	
Dayroom resident toilet	1	75	75	1:8 req'd	
Dayroom showers	1	60	60	1:8 req'd	
		<b>Subtotal</b>	<b>825</b>		
<b>Male Medical/Mental Health Housing</b>					
Cells - double occupancy	6	90	540	double occupancy gross area	
Medical Isolation Cell	1	90	90	single occupancy	
Special Observation Cells	3	60	180	50 sf required	
Dayroom	16	35	560	35 sf/occ. Required	
Dayroom storage	1	50	50	located off dayroom	
Dayroom toilet	1	75	75	1:8 req'd	
Dayroom showers	2	60	120	1:12 req'd	
		<b>Subtotal</b>	<b>1,615</b>		
<b>Female Medical/Mental Health Housing</b>					
Cells - double occupancy	3	90	270	double occupancy gross area	
Medical Isolation Cell	1	90	90	single occupancy	
Special Observation Cells	1	60	60	50 sf required	
Dayroom	8	35	280	35 sf/occ. required, 100 sf min. dayroom size	
Dayroom storage	1	50	50	located off dayroom	

<b>Special Management Housing</b>					
<b>Space Title</b>		<b>Units</b>	<b>NSF</b>	<b>Total</b>	<b>Comments</b>
Dayroom toilet		1	75	75	1:8 req'd
Dayroom showers		1	60	60	1:8 req'd
			<b>Subtotal</b>	<b>885</b>	
<b>Housing Subtotal</b>				<b>5,375</b>	
<b>Dept. Grossing Factor</b>			50%	<b>2,688</b>	
<b>Housing Total</b>				<b>8,063</b>	
<b>Special Management Support Spaces</b>					
Male housing control		1	120	120	
Female housing control		1	120	120	
Nurse's work station/Office		1	120	120	
Medical exam/Triage room		1	140	140	
Interview/Counseling room		2	100	200	
Janitor's closet/Storage		1	80	80	
Pod supply storage		1	80	80	
Staff restroom		1	60	60	
Multi-purpose Room		1	300	300	
<b>Housing Support Subtotal</b>				<b>1,220</b>	
<b>Support Services Grossing Factor</b>			32%	<b>390</b>	
<b>Housing Total</b>				<b>1,610</b>	
<b>Special Management Component Total</b>				<b>9,673</b>	

## SECTION 9. OPTIONS, COST ANALYSIS, AND RECOMMENDATIONS

This section outlines options to address the short and long term incarceration needs of Sarpy County. The Sarpy County Jail is consistently operating at or above design capacity and well above its functional capacity and has done so for a number of years. In addition the County has boarded an average of 20-25 inmates in other facilities over the past ten years and is currently housing in excess of 60 inmates in other facilities.

Increases in the number of inmates with significant medical and mental health needs and overall higher risk behavior has compounded the crowding issue. The existing jail lacks adequate space to house and appropriately supervise and care for inmates with special needs. Inmates who cannot be housed in the general population are housed in holding and safety cells in the intake and release area or isolated in maximum security housing intended for higher risk inmates. Lack of adequate housing for inmates consistent with their risk and need profile compromises the integrity of the jail's classification process, thereby increasing the likelihood of incidents and associated liability.

Previous studies have explored expansion options for the 148 bed jail and established recommendations for alternatives to incarceration. The focus of this study is to update previous needs assessments and provide options and recommendations for addressing the County's incarceration needs and, more specifically, facility needs and requirements for housing and care of the growing number of special management inmates.

### SHORT TERM RECOMMENDATIONS

- Fully implement a behavior-based objective jail classification process to more consistently and reliably assess the risks and needs of the inmate population. This may require a commitment of staff resources for the classification function.
- Develop a housing plan that provides for the separate housing and management of inmates according to custody level. Housing assignments should then be guided by the classification process and not driven by bedspace availability. This may require additional boarding of inmates in other facilities when bedspace appropriate to their classification is not available. In other words, higher risk inmates should not be reclassified to a lower classification just to "fit" the classification of the housing where bedspace is available.
- Reconsider use of discretionary overrides that result in inmates being placed in maximum custody housing based primarily on their admitting charge. Reserve maximum custody housing for maximum custody inmates.
- Designate and establish housing unit(s) specifically for behavior management (administrative segregation and disciplinary confinement) and operate the units accordingly. This may increase the need to board additional general population inmates in other facilities to create the necessary capacity, but will enhance the ability of the staff to incentivize appropriate behavior and reduce incidents in the jail
- Establish a formal process for classification reviews that are both event-based and time driven. Classification staff should be involved in decisions to move inmates from one

housing unit or another to ensure that inmates are not inadvertently rewarded for poor behavior and staff are not simply “moving” a problem rather than resolving it.

- Establish an agreement with Douglas County Corrections (or other appropriate facility) to house inmates with medical or mental health needs that cannot be met in the facility. Placement of inmates in Inmate holding or safety cells should be time-limited with these individuals transferred as expeditiously as possible to other correctional or mental health facilities that have the capacity to provide appropriate housing and care. Some inmates in special observation status may require one-on-one supervision.
- Assess staffing needs in the jail. Ensure that sufficient staff are available to provide active supervision of inmates and provide a sufficient level of programs and activities to keep inmates productively occupied. The need for effective inmate supervision is even more critical when jails become more crowded and maintaining classification separations becomes more difficult.

### CONSTRUCTION OF SPECIAL MANAGEMENT HOUSING ADDITION

This option entails proceeding with planning and construction of a special management housing component connected to the existing jail. The preliminary program for the special management housing is outlined in Section 8 of this study report. It provides for a 24-bed behavior management pod to house male and female inmates assigned to administrative segregation, protective custody, or disciplinary confinement and a 24-bed medical/mental health pod to house male and female inmates with non-acute medical/mental health needs that cannot be met in general population housing. The medical/mental health pod includes special observation cells and medical isolation cells.

Construction of this special management housing component will require a new custody staff post as well as additional assignment of medical/mental staff.

#### PROJECT COST ESTIMATE FOR NEW SPECIAL MANAGEMENT HOUSING ADDITION – CONCEPT PHASE

A. Sitework		\$ 290,190
B. Building Construction		\$ 3,627,375
C. Support Expenses		
1. Fees, Bidding, Reimbursable Expenses		\$ 352,580
2. Fixtures, Furnishings, and Equipment		\$ 117,525
3. Special Systems		<u>\$ 68,000</u>
	C. Subtotal	\$538,105
D. Project Contingency		<u>\$ 445,570</u>
	TOTAL	\$ 4,901,240

## STAFFING COST ESTIMATE FOR SPECIAL MANAGEMENT HOUSING ADDITION

The table below shows the estimated annual operating costs for the special management housing addition. The classifications of inmates to be housed in this addition are among those inmates presenting the highest risk and need. Inmates in restrictive housing are typically locked down for as much as 22 hours per day and are often released individually into the day room for up to two hours per day for exercise, personal hygiene, and to attend to other personal needs. The special management addition will include several separate housing units for male and female inmates that will be operated as a combination of direct and indirect supervision. To properly staff this housing requires two full-time posts for male and female coverage. To provide full coverage 24/7 for 365 days per year, 10.6 FTE deputy positions are required. The mid-range Deputy salary and a 35% benefit factor are used to estimate custody staff costs. Estimated contractual costs for medical and mental health staffing are also shown.

<b>Total Estimated Annual Personnel Costs Special Management Housing - 48 bed Expansion</b>	
	Total
Annual Personnel Cost - Jail Deputy	
Salary	\$ 611,651
Fringe (35%)	\$ 214,078
<b>Subtotal Personnel Costs</b>	<b>\$ 825,729</b>
Contractual Staff	
Mental Health Counselor (\$30/hour 20 hours per week)	\$ 33,280
MH Nurse Practitioner (\$65/hour 20 hours per week)	\$ 67,600
<b>Subtotal Contractual Costs</b>	<b>\$ 100,880</b>
<b>Total Personnel Cost</b>	<b>\$ 926,609</b>
<b>Notes:</b>	
1. Two posts require 5.3 deputies for 24/7 coverage	
2. Assumes midrange salary for Deputy (\$57,712)	
3. Special Management includes restrictive housing (Ad. Seg., P.C., Disciplinary) as well as Medical/MH	

The total estimated annual personnel costs for the special management addition are estimated to be \$926,609.

## JAIL EXPANSION AND RENOVATION

This option entails construction of an addition to the existing jail to accommodate future bed capacity needs along with renovation of the existing facility to accommodate the expanded capacity. Three capacity forecasts were presented in Section 7. This option is based on Scenario 1 which indicates a future capacity need of approximately 370 beds by the year 2040. It assumes the incarceration rate for the last ten years will continue into the future as the county continues to grow. It does not take into account any modifications to projected capacity which might result in additional policy or program changes. This option further maximizes the use of existing single cell housing for maximum security and behavior management housing for both males and females. Accordingly, newly constructed housing would primarily be medium security with double occupancy cells along with some additional dormitory housing for minimum security. The resulting housing distribution would support a housing plan suggested by the objective jail classification pilot study.

The plan would provide a total of 416 beds, including 372 general population beds, 20 pre-classification beds, and 24 beds for medical/mental health special needs housing. It would include construction of 268 new beds and would allocate approximately 23% of bedspace for females.

A more detailed breakdown of the suggested housing distribution is shown in Appendix C. A space program for this concept, along with a preliminary cost estimate, is presented on the following pages. It should be noted that the space program for existing jail renovations are derived from the earlier Chinn study. If the County decides to move forward with an expansion option, the planning should include a validation of functional and architectural space needs to ensure that the renovations are fully aligned with the overall project.

CONCEPTUAL SPACE PROGRAM

A. New Housing Addition

1. 128 bed medium male housing

a. 2-32 cell (double bunk) housing units

Cells 64 @ 90 s.f.	5,760
Dayroom 128 @ 35 s.f.	4,480
Showers 12 @ 40 s.f.	480
Staff work stations 2 @ 80 s.f.	<u>160</u>
Subtotal	10,880
Gross Factor (.06)	<u>6,530</u>
TOTAL	17,410

2. 32 bed minimum male housing

a. 1-32 bed dormitory housing unit

Dormitory 32 beds @70 s.f.	2,240
Toilet/shower room 1 @ 300 s.f.	300
Janitor closet 1@ 30 s.f.	30
Staff work station 1 @ 80 s.f.	<u>80</u>
Subtotal	2,650
Gross Factor (0.2)	<u>530</u>
TOTAL	3,180

3. 16 bed medical/MH housing

a. 6-double cells, 1 med. Iso. Cell, 3 observation cells

Double cells 6 @ 90 s.f.	540
Medium iso cell 1 @ 70 s.f.	70
Observation cell 3 @ 70 s.f.	210
Dayroom 16 @ 35 s.f.	560
Showers 2 @ 40 s.f.	80
Janitor's closet 1@ 30 s.f.	30
Staff work station 1 @ 80 s.f.	<u>80</u>
Subtotal	1,570
Gross Factor (0.6)	<u>945</u>
TOTAL	2,515

4.	12 bed intake/pre-classification male housing		
	a. 4 – double cells, 4 single cells		
	Double cells 4 @ 90 s.f.		360
	Single cells 4 @ 70 s.f.		280
	Dayroom 12 @ 35 s.f.		420
	Shower 1 @ 40 s.f.		40
	Staff work station 1 @ 80 s.f.		80
		Subtotal	<u>1,180</u>
		Gross Factor (0.6)	<u>710</u>
		TOTAL	1,890
5.	32 bed medium female housing		
	a. 16 - double cells		
	Double cells 16 @ 90 s.f.		1,440
	Dormitory 32 @ 70 s.f.		1,120
	Showers 3 @ 40 s.f.		120
	Staff work station 1 @ 80 s.f.		80
		Subtotal	<u>2,760</u>
		Gross Factor (0.6)	<u>1,655</u>
		TOTAL	4,415
6.	32 bed minimum female housing		
	a. 1 – 32 bed dormitory		
	Dormitory 32 @ 70 s.f.		2,240
	Toilet/shower room 1 @ 300 s.f.		300
	Janitor's closet 1 @ 30 s.f.		30
	Staff work station 1 @ 80 s.f.		80
		Subtotal	<u>2,650</u>
		Gross Factor (0.2)	<u>530</u>
		TOTAL	3,180
7.	8 bed medical/MH female housing		
	a. 3-double cells, 1 med. Iso cell, 1 observation cell		
	Double cells 3 @ 90 s.f.		270
	Med. Iso. Cell 1 @ 70 s.f.		70
	Observation cell 1 @ 70 s.f.		70
	Dayroom 8 @ 35 s.f.		280
	Showers 1 @ 40 s.f.		40
	Janitor's closet 1 @ 30 s.f.		30
	Staff work station 1 @ 80 s.f.		80
		Subtotal	<u>840</u>
		Gross Factor (0.6)	<u>505</u>
		TOTAL	1,345

8. 8 bed intake/pre-classification female housing		
a. 3 double cells, 2 single cells		
Double cells 3 @ 90 s.f.		270
Single cells 2 @ 70 s.f.		140
Dayroom 8 @ 35 s.f.		280
Shower 1 @ 40 s.f.		40
Staff Work station 1 @ 80 s.f.		80
	Subtotal	810
	Gross Factor (0.6)	485
	TOTAL	1,295
9. Inmate programs		
a. Multi-purpose rooms 4 @ 175 s.f.		700
b. Indoor recreation/large multi-purpose		1,800
c. Visitation (video only in dayrooms)		-----
	Subtotal	2,500
10. Inmate services		
a. Kitchen (combined)		7,200
b. Laundry/storage (combined)		600
c. Medical (existing expanded)		-----
d. Intake/booking (existing expanded)		-----
	Subtotal	7,800
11. Facility support		
a. Maintenance		275
b. Receiving/loading dock		220
c. Storage		400
d. Trash/recycle		175
	Subtotal	1,070
	New Addition Subtotal	46,660
	Building gross (0.32)	14,915
	<u>NEW ADDITION TOTAL</u>	<u>61,515</u>
B. Existing Jail Renovations		
1. Medical services expansion into Jail Admin		1,600
2. Intake/booking expansion into food service//laundry		2,200
3. Public reception/Jal Admin into Public Defender		6,100
	<u>Total</u>	<u>9,900</u>

PROJECT COST ESTIMATE FOR JAIL EXPANSION (268 NEW BEDS) – CONCEPT PHASE

A. Sitework	\$ 1,635,440
B. Building Construction	
1. New housing addition (61,515 s.f.)	\$19,377,225
2. Existing jail renovations (9,900 s.f.)	1,336,500
C. Support Expenses	
1. Fees, Bidding, Reimbursable Expenses	\$ 1,974,020
2. Fixtures, Furnishings, and Equipment	\$ 658,000
3. Special Systems	\$ 410,000
4. Food service and laundry equipment	<u>\$ 700,000</u>
D. Project Contingency	<u>\$ 2,609,120</u>
TOTAL	\$ 28,700,305

NOTE: All costs above are in 2016 dollars

STAFFING COST ESTIMATE FOR JAIL EXPANSION OPTION

The table below shows the new estimated annual personnel costs for the jail expansion. New housing unit design is assumed to be a combination of direct and indirect supervision. To properly staff this new housing requires 7 additional full-time posts for male and female coverage. To provide full coverage 24/7 for 365 days per years, 37.1 FTE deputy positions are required. An additional classification deputy and a Program Coordinator position are also included in new staffing, bringing the total new FTE to 39.1. The mid-range Deputy salary and a 35% benefit factor are used to estimate custody staff costs. The midrange salary for the Juvenile Services Coordinator is used for the Program Coordinator position since that job classification for the jail does not currently exist.

<b>Total New Estimated Annual Personnel Costs Jail Expansion - 268 new beds</b>	
Annual Personnel Cost - Jail Deputy (37.1 FTE)	
Salary	\$ 2,141,115
Fringe (35%)	\$ 749,390
<b>Subtotal Sown Personnel Costs</b>	<b>\$ 2,890,506</b>
Annual Personnel Costs - Non-sown Staff	
Classification Deputy	\$ 57,712
Program Coordinator	\$ 61,135
Fringe (35%)	\$ 41,596
<b>Subtotal Non-sworn Personnel Costs</b>	<b>\$ 160,443</b>
<b>Total Personnel Cost</b>	<b>\$ 3,050,949</b>
<b>Notes:</b>	
1. Seven new custody posts require 5.3 deputies for 24/7 coverage	
2. 1 additional Classification Deputy	
3. Assumes midrange salary for Deputy (\$57,712)	
4. Program Coordinator salary based on comparable Juv. Svs. Coord.	

The total new estimated cost for staffing the jail expansion is \$3,050,490 in 2016 dollars. This estimate is very preliminary based on the initial concept. Staffing requirements and costs are subject to revision during the course of planning and design of a jail expansion project.

#### ESTIMATED FUTURE COSTS OF BOARDING INMATES IN OTHER FACILITIES

The Sarpy County fiscal office estimated the future costs of continuing to board inmates in other facilities using data from this study along with some assumptions about future boarding and transportation cost increases. This analysis should be viewed as conservative as there are a number of unknowns which could likely increase costs.

The fiscal office calculated the projected annual inmate transportation costs based upon the current wage and benefit costs of transportation deputies, number of trips per month, total transport hours, and total transport miles and costs using the IRS mileage rate. The first three months of 2016 were used as a base.

The average cost for transportation of outsourced inmates was calculated to be \$2,766. See Appendix D for a table showing how these costs were calculated.

This estimate should be considered conservative for the following reasons:

- The estimate is based upon utilizing jail beds in relatively close proximity. If nearby beds are unavailable, transport costs will increase with the distance required to travel.
- The IRS mileage rate very likely understates the actual mileage rate for law enforcement vehicles. The cost of purchasing, equipping, and operating a law enforcement vehicle is generally higher than the cost of purchasing and operating a vehicle not used for law enforcement purposes.

The fiscal officer then estimated the overall future costs of boarding inmates, factoring in both the boarding and transportation costs. The analysis provided an annual estimate from the current year 2016 through 2025. The estimate assumed a continuation of the current incarceration rate of 101 inmates per 100,000 in county population. The projected number of inmates outsourced was based on the total projected ADP minus the jail's functional capacity of 127. A base cost per day of \$60 with a 2.5% annual inflation factor was used to estimate future boarding costs. The analysis indicates a current annual cost of approximately **\$1.33 million** in 2016, increasing to an estimated **\$2.9 million** by the year 2025. The table on the following page shows the estimated annual outsourcing costs by year through the year 2025.

Sarpy County Projected Outsourcing Costs						
	Prisoners Outsourced (2)	Cost per Day (3)	Annual Cost per Prisoner Outsourced (4)	Transportation Cost per Prisoner Outsourced (5)	Total Projected Transportation Costs (6)	Total Annual Outsourced Prisoner Cost (7)
2016	54	\$60	\$1,182,600	\$2,766	\$149,364	\$1,331,964
2017	58	\$62	\$1,301,955	\$2,835	\$164,439	\$1,466,394
2018	62	\$63	\$1,426,539	\$2,906	\$180,174	\$1,606,712
2019	67	\$65	\$1,580,122	\$2,979	\$199,572	\$1,779,693
2020	71	\$66	\$1,716,319	\$3,053	\$216,773	\$1,933,092
2021	75	\$68	\$1,858,338	\$3,129	\$234,711	\$2,093,049
2022	80	\$70	\$2,031,783	\$3,208	\$256,617	\$2,288,400
2023	84	\$71	\$2,186,706	\$3,288	\$276,184	\$2,462,890
2024	89	\$73	\$2,374,789	\$3,370	\$299,939	\$2,674,728
2025	94	\$75	\$2,570,909	\$3,454	\$324,709	\$2,895,619

(1) 80% of current jail capacity of 148  
(2) ADP minus functional capacity  
(3) Base cost of \$60/day + annual inflation increase of 2.5%  
(4) Prisoners Outsourced x cost per day x 365  
(5) Projected average per prisoner transportation costs + annual inflation increase of 2.5%  
(6) Prisoners outsourced x average transportation cost per prisoner  
(7) Annual outsourced boarding costs + total annual transportation costs

As with the estimated transportation costs, the overall boarding cost estimates should also be viewed as conservative. These estimates assume:

- Willingness of other jails to board Sarpy County inmates who may have particular behavioral, medical, or mental health issues;
- The annual increase in ADP will be sustained at the 2.2% annual growth estimate. Current indications are that it could be higher;
- Cost per day for boarding inmates will increase at a 2.5% rate annual. Rates may increase at a faster rate if jail beds become scarce;
- Transportation costs may be higher if jail beds are not available in reasonable proximity to the County.

The boarding costs also do not take into account medical costs which the county must pay beyond the daily per diem rate. Some jails do not provide the same level of inhouse medical care that is available in the Sarpy County facility. This could result in higher costs of care for

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inmates in facilities where routine medical care is provided through visits to the local medical clinics or hospital.

## APPENDIX A. CLASSIFICATION STUDY



# JAIL INMATE CLASSIFICATION PROCESS REVIEW

## INTRODUCTION

As part of the needs assessment study, MJM was asked to conduct a review of the Sarpy County Jail's inmate classification process. The jail leadership expressed interest in moving toward adopting a behavioral-based objective jail classification process as a tool in more effectively managing inmate behavior. A secondary purpose of this review was to assess the risk and needs of a representative sample of the jail population using an objective classification instrument to establish a breakdown of the inmate population by custody level that could be factored into population forecast models.

MJM enlisted the assistance of Richard Kaledas, a nationally recognized jail classification and inmate behavior management consultant, to participate in this review. In conducting this review, MJM assessed the effectiveness of the current process, shared examples of contemporary jail classification methodologies (i.e. decision tree and point additive models) with jail staff, and worked with jail staff to develop a plan to establish and implement an objective, behavioral-based classification process. The results of the review and recommendations for planning and implementing an objective jail classification process are outlined below.

## OVERVIEW OF OBJECTIVE JAIL CLASSIFICATION

The importance of an effective objective jail classification system can be easily overlooked by agencies struggling with overcrowding, physical plant limitations, and inmate misbehavior. Many times, agencies continue to operate in the way they have historically operated. Such agencies rely on subjective decisions by staff to place inmates in an appropriate area that promote safety, security, and an overall orderly facility. Often, those decisions are made based on what beds are available in the facility as opposed to the potential risks and needs of a particular inmate. This typically occurs because agencies are not familiar with the process of jail classification and do not fully realize the role it plays, and the corresponding benefits, in a comprehensive inmate management plan.

An objective classification system provides for an assessment of an inmate's risks and needs using objective criteria that have demonstrated a high degree of statistical validity and predictive values. It is important to remember that county jails are the central repository for all arrests within a community. As such, it receives all levels of offenders, including those with a high propensity for violence as well as non-violent offenders. Offenders also arrive with a variety of medical and mental health needs that will need to be responded to.

Further, an objective classification system helps identify potential risks and needs and provides staff with the necessary information to make decisions around housing assignments, program needs, medical needs, etc. Such decisions are based on a system with a high predictive value that promotes equity of treatment, and yet is easily understood by staff and inmates. Without such a system, the individual risk and needs of inmates are not effectively identified or addressed.

Regarding the importance of objective jail classification, Morris L. Thigpen, Director (Retired) of the National Institute of Corrections (NIC) framed it very well. In the FOREWORD of the document *Objective Jail Classification Systems: A Guide for Jail Administrators*, he writes:

A properly implemented objective jail classification system can be expected to identify the level of risk presented by newly admitted inmates, based on the use of valid and reliable information. Appropriate housing and program assignments can then be made based on the inmate's potential risk to staff, other inmates, and himself. Jails experiencing crowding especially need objective classification, as it will enable the identification and separation of predators and potential victims and allow for appropriate staffing when crowded conditions require the mixing of inmates. An objective jail classification system can also provide jail administrators and staff with invaluable data to better carry out their daily responsibilities and project future needs.

The importance of objective classification continues to be a focus in an overall inmate behavior management strategy. NIC has identified six critical elements necessary as part of its Inmate Behavior Management Program. Each of the elements is necessary in order to support the ability to manage inmates. The program recognizes that both the level of risk and need affect how inmates may behave and how to respond to that behavior. As such, the ability to accurately assess both risk and need, coupled with making appropriate decisions based upon those assessments, is addressed within the elements.

## PILOT TEST

The agency does not currently utilize a commonly recognized classification instrument. As a result, it became necessary to conduct a pilot test of a classification instrument during the needs assessment process. The requirement for the pilot test was two-fold. First, the pilot would expose the agency to the use of an objective classification instrument. Secondly, it would provide additional clarity to the inmate population data, including the custody level resulting from the use of a recognized instrument.

For the pilot test, the Decision Tree Instrument, in its paper form, was provided to classification staff designated by the agency. A set of basic instructions for the instrument were provided as well. The Decision Tree Instrument has long been recognized as a valid and reliable instrument for use in the jail setting. It is one of the two systems that was developed in conjunction with NIC and continues to be utilized in select NIC training programs.

Based upon the specific needs of the pilot test, a "point-in-time" method was selected. In this method, the entire inmate population at a "given point in time" were "classified" using the Decision Tree Instrument.

The results obtained while using the Decision Tree Instrument were compared with the results already obtained as a result of the agency's routine process. Doing so resulted in the following outcomes:

- Exposed classification staff to a particular instrument. Such exposure is helpful in allowing an opportunity to utilize the instrument and assess future use based upon the following criteria:
  - ease of use
  - ease of explaining instrument
  - preciseness of definition of custody level
  - consistency (reliability of instrument) of results
- Comparison of results from the instrument with the designation already assigned as a result of the current process (face validity).
- Comparison of the results from the instrument with the current housing plan, thereby testing the housing plan as well.

The pilot test was also critical in providing information about the various risks and needs of the inmate population housed in the facility at the time. When examining the inmate population, it is critical to accurately know who is housed. This provides valuable information regarding both the number of beds and the type of beds needed. Agencies must recognize that in order to effectively manage the inmate population the classification process must be supported by an appropriate and flexible housing plan. The housing plan must be able to accommodate the need to sort and house separately the various groups of inmates present. Failure to do so inhibits the ability to effectively manage the inmates. An effective needs assessment requires accurate data regarding the various risks and needs of the inmate population. Failure to have accurate data could result in projections that will fail to adequately meet what is truly needed, both in number and types of beds.

## CLASSIFICATION SYSTEM ASSESSMENT

MJM assessed the classification functions of this facility to the normally accepted indicators of a fully implemented objective jail classification system as published in the National Institute of Corrections (NIC) publication entitled *Objective Jail Classification Systems: A Guide for Jail Administrators*. A copy of this *Guide* was provided to Kathe Erhart for review. These indicators, along with a brief description of the organization's compliance to them, appear below. MJM also utilized some information contained in NIC's "Inmate Behavior Management" program (IBMP) that was relevant to the assessment process. A copy of the document "Inmate Behavior Management: The Key to A Safe and Secure Jail" was provided to Kathe Erhart for review as well.

The assessment included a review of the information provided by the agency, including policies, population information, results of a pilot test conducted utilizing a binary decision tree classification instrument, and some on-site observations. In addition, forms, documents, and verbal information were obtained during a meeting with key staff on Wednesday, June 22, 2016. Those attending included Capt. Dan Shukis and Lt. Brian Richards. Also present were staff most familiar with the current process; Kathe Erhart, Jo Martin, and Larry Sellers.

**1. Are objective classification instruments utilized that use reliable and valid criteria?  
Does the current process support proper use of the instruments?**

- a) **Acceptance of Custody:** As outlined in IBMP, assessment of the inmate's risk and needs begins with the decision to accept the inmate into the facility. The agency utilizes their "Jail Intake Assessment" form to assess inmate need and make a determination regarding acceptance of the inmate. The form is identified in Standard Operating Procedure (SOP J-3600).
- b) **Initial Screening:** The agency utilizes their "IMACS Intake Form" as part of the intake screening process. The form is completed by the intake deputy. Aside from basic demographic information, some initial screening questions are included on the back of the form. The questions are very basic and include questions around suicide ideology and health concerns. According to SOP J-3610, the booking clerk reviews the form to verify it is complete. If any information is missing, the form is returned to the intake deputy for follow up.

***Recommendations:*** Consider adding additional screening questions to the current form. It is important that a screening instrument be both valid and reliable in assessing inmate needs. Although the current form asks basic questions, there are additional questions that should be asked, and observations made, in order to assess need. The NIC Information Center may be able to supply additional examples of screening instruments. Screening instruments should be reviewed and approved by the agency medical director along with any other regulatory agency, i.e. state standards inspection unit.

*The agency might also consider the GAINS "Brief Mental Health" Screening Instrument as part of the initial screening process. The instrument was developed and tested in jail settings and may provide an additional tool in evaluating inmate need.*

- c) **Initial/Primary Classification.** The agency is not presently using either of the primary classification instruments typically identified by NIC to assign a custody status; the point additive or the decision tree instruments. The decision tree was utilized during the pilot test and it seemed well received by the staff using it. Based upon feedback obtained during our assessment meeting, the instrument seemed easy to use and demonstrated a high level of congruence with designations staff would use based upon their current system.

The agency does use their "Weighted Scale for Prediction of Sexual Predators/Victimization" (WSPSV) form that was apparently adopted in December 2014. Although the current WSPSV form seems to identify potential indicators for violence, its design reflects identification of high risk sexual predators or potential victims. Certainly such an instrument is of value in a correctional facility, but is not specifically designed for assignment of a custody status. Completion of the form is accomplished by a combined effort of the booking clerks and either the intake deputy or sergeant assigned to intake. The booking clerk obtains specific information that can be obtained from available records while the intake deputy or sergeant completes those questions or observations that require direct contact with the inmate.

Once the form is completed, the booking clerk reviews available bed space along with results from information gleaned from the WSPSV. The inmate is then assigned to a specific housing area based upon bed availability. If the booking clerk feels there may be unique circumstances or potential problems with a particular housing designation, they seek input from the intake sergeant. In addition, the intake sergeant may intervene on his/her own if deemed appropriate. As such, the process is simply a housing designation and not a comprehensive objective classification process.

The current facility lacks sufficient holding space to keep inmates in the intake area for any length of time. The lack of holding space is compounded by the need to utilize the existing holding space as special management housing based upon necessity. As such, inmates must be moved to a housing area within a relatively short period of time. This requires an initial/primary classification (currently the WSPSV) be performed on all of those inmates. Initial analysis of data provided by the agency indicates almost 35% are then released within the first 24 hours, with a substantial amount released within the first few hours. The number released increases to 66% within the first four days. Not only does such a process promote additional demands on staff to complete the assessment, inmates are moved to housing units with only indirect supervision by staff and without the benefit of an objective classification process.

***Recommendations:*** *Every effort should be made to adopt a valid and reliable classification instrument that is recognized for use in jails; either the point additive or decision tree instrument.*

*As it is presently configured, classification is over-weighted by the availability of a bed, causing housing designation to be driven almost entirely by bed space to the minimization of other valid risk factors. Although the agency currently utilizes the WSPSV form, relying on just one risk factor to make custody assignments and housing placement decisions increases the risk of mis-housing. Adoption of an instrument alone is not sufficient, but is considered essential, in an overall objective classification system.*

*Additionally, the agency should explore potential options for pre-classification housing. Although this would require further detailed analysis of admission and release statistics and physical plant limitations, the potential benefit would make the exercise worthwhile. The goal would be to provide adequate space to temporarily hold inmates for a relatively short period of time under enhanced staff supervision. Those inmates that would be released within a short period of time benefit from the enhanced supervision, but not to require a full initial/primary classification. Those inmates that will be staying longer in the facility benefit from enhanced staff supervision and a full objective assessment of risk and need prior to moving to a more permanent housing assignment.*

- d) **Reclassification**. The agency does not presently use a separate reclassification instrument or formal process. Inmates may be reassigned to a different housing designation based upon behavior, agency need, or inmate requests. Both the facility operations and inmates are not benefiting from a formalized reclassification process that acknowledges changes in circumstances and behaviors, either positive or negative.

**2) Are inmates being reclassified in a timely and objective fashion?**

Inmates are not afforded a specific scheduled review with a reclassification instrument or interview. Based upon their current operations, SOP J-3640 indicates cell reassignment is considered reclassification. Section C indicates “Inmates may be re-classified and moved to another housing unit due to disciplinary sanction, administrative segregation, and a written request from the inmate, entry into work release or the trustee program or to maintain order in a housing unit.” Section C-Subsection 1 goes on to state “reassignment may only be done with the permission of a shift supervisor or command officer.” Section H indicates “The Classification Deputy shall periodically review each inmate’s custody status, housing assignment, or assignments to any programs or activities.” The SOP does not provide clear direction on what is to be done, how it is to occur, or when it is to occur.

**Recommendation:** *Develop a process of reclassification as part of the overall classification process. The agency should consider the advantages of beginning scheduled, formal reclassifications using a reclassification instrument similar in design to the one used for the initial classification. The process should include requirements for both time driven and event driven reviews. This will require adopting a reclassification instrument along with a data dictionary and clear policy that outlines the process. Consideration must also be given to acknowledging positive changes in circumstances and behaviors. Recognizing positive inmate behaviors promotes such behavior and supports managing inmates at the least restrictive custody level.*

**3) Are meaningful classification interviews being done in conjunction with the instruments?**

Currently, while using the WSPSV form, certain questions and observations require contact with the intake deputy or sergeant completing the form. Certainly such contact is beneficial in identifying or verifying potential inmate risk or needs, and should continue. However, based upon the lack of a validated and reliable objective classification interview, the agency is not receiving the full benefit of such an interview.

**Recommendation:** *Interviews have long been recognized as an integral part of an objective jail classification system. The agency will need to provide for meaningful interviews by trained staff as a necessary component in promoting accuracy of the overall classification process. This will provide several advantages to the classification process, including the possibility of presenting a better area for conducting classification interviews. In considering this, bear in mind the following defining principles of a classification interview.*

- *Classification interviews should be conducted in a private, organized, sit down, face to face manner. The setting should be such that the inmates consider it to be an important, serious interview being conducted by a concerned official of the facility.*
- *Classification interviews should take place after the classification deputy doing the interview has assembled the inmate’s current and prior records and has become familiar with them.*
- *During the interview the classification deputy should attempt to clarify any ambiguities or deficiencies in the inmate’s file or prior record. For instance, are any*

*keep separate orders still valid? Do the reasons for a past suicide precaution still exist? Does the inmate know what happened on some charges you don't have dispositions for?*

- *The classification deputy should practice active listening skills. The inmate should not think that the deputy is paying no attention to the inmate's problems.*
- *The classification interview is a good place to orient the inmate to the fact that his or her future behavior is important and will impact their living conditions.*
- *The person conducting the interview should be a highly trained, experienced, people oriented person. They should know the agency policy and procedures, the court system, the extradition process, the state prison system, the local probation practices, and any other areas of inmates' concerns.*

*The advantages to conducting classification interviews are as follows.*

- *It allows one to obtain additional and accurate information about such important issues as keep separates, co-defendants, security threat groups, mental illness, program needs, unresolved inmates issues, and other critical jail management information.*
- *It provides a formal occasion for evaluating each inmate for possible override.*
- *It allows the classification staff to make an informed judgment concerning a housing placement.*
- *It allows inmates an opportunity to resolve their issues and concerns without resorting to the grievance or inmate request system.*
- *It provides for early identification of inmates who may require placement in protective custody, or some other placement in non-general population.*

#### **4. Does a Data Dictionary exist in support of the instruments?**

A data dictionary promotes reliability of a classification instrument by helping interpret specific decision points for the user. The agency does not have a document established for the WSPSV form.

***Recommendation:*** *Absent a guiding document, the agency risks a lack of standardization in reaching conclusions, which will be compounded with the adoption of an objective classification instrument. The agency will need to develop a data dictionary, specific to an instrument, which provides direction around the conative meanings associated with typical decision points found in the instrument. For example, by clearly defining what is included in assaultive crimes, what constitutes institutional behavior problems, etc., users will be better positioned to answer the questions in a consistent manner.*

#### **5. Does a well written Policy exist in support of the process?**

SOP J-3640 speaks directly to the agency classification process. Based upon the information obtained during the assessment, it appears the SOP is generally followed. The SOP also lays out the agency housing plan. The potential shortcoming of the SOP is in the policy statement; "Inmates incarcerated in the Sarpy County Jail shall be housed in

accordance with an established classification system for reasons of safety, security, fairness, and consistency.” As the current process does not use a valid and reliable instrument dedicated solely to the designation of a custody level, the system itself needs to be evaluated and changes implemented.

**Recommendation:** *Review and revise all appropriate SOP's if the agency moves toward implementing an objective classification system.*

## 6. Is there an appropriate use of overrides?

Currently the agency does not have a formal process of overrides although changes in housing designations do occur. Generally overrides fall within two different categories:

- a) **Policy/Non-Discretionary Overrides:** One notable practice is the “informal policy” of overriding anyone charged with certain sex crimes to a maximum custody status. It appears the intent of the practice is to provide protective custody for those inmates. While protection of inmates is critical, this may artificially inflate their custody level. As a result, it violates a commonly accepted goal of objective classification; housing inmates at the least restrictive custody level. This creates a potential for victimization if a predator is also housed there. It may also create an overuse of maximum custody beds that may be better utilized for those inmates designated as maximum custody through an objective classification system.
- b) **Discretionary Overrides:** As mentioned earlier, the intake sergeant may disagree with the housing designation of the booking clerk or otherwise change the housing designation based upon bed availability.

**Recommendations:** *Overrides are an important part of the overall classification process, but they must be designed to supplement, not supplant, the instrument. As such, overrides must be monitored to verify compliance with the desired outcomes. The agency presently has no efficient way to track overrides, and indications are that very few meaningful overrides are being done at the time of initial classification. Should the agency begin using a valid classification instrument, staff will still be expected to depart from the instrument's conclusion in about 5-10% of the cases and assign a custody status based on factors not specifically scored by the instrument. The reasons for each override should be carefully documented and approved by a supervisor.*

## 7. Are there sufficient resources dedicated to the classification function?

- a) **A sufficient number of trained and dedicated staff.** It does not appear the agency has sufficient staff assigned to classification duties. They currently have 1.5 staff assigned to “classification” duties; Larry Sellers and Jo Martin. Although it is always recommended a formal work study be conducted to determine sufficient staffing, there is a general rule of thumb that identifies one staff person per 125 inmates in general population. This general rule is predicated on the person being designated solely to classification duties. Based upon information received during our assessment meeting, supported by the essential duties and responsibilities outlined in SOP J-6310, “Classification Deputy”, many of the current duties are beyond classification

duties. Several of the duties are more akin to a jail population manager position than a classification officer position. In addition, the Classification Deputy is also directly involved in the major violations sanction hearing process (SOP J-3910).

Aside from having a sufficient number of staff assigned, they must also be properly trained. Lt. Brian Richards and Kathe Erhart have attended American Jail Association (AJA) classification training in the past and appear to be familiar with the principles of classification. There is a commitment among the leadership to provide additional training to the current deputies assigned to classification, with attendance already scheduled at an additional AJA training program in the near future.

**Recommendations:** *Promote appropriate training for staff assigned to classification duties. It must be noted that intake deputies and sergeants, along with booking clerks, are performing duties associated with the classification process. As such, they should be trained in the process as well should they continue in that role. It is also critically important that policy makers within the agency have a working knowledge of an effective, objective jail classification process. The NIC Information Center has a number of free resources, including on-line training programs. Classification training seminars are periodically offered by AJA as are other vendor based trainings as well.*

- b) Office space, office equipment, and access to information.** Based upon information obtained during the assessment meeting it appears classification staff have appropriate access to these resources.

## **8. Does a housing plan exist that is consistent with the classification system?**

The housing plan is known by all the staff and consists of placing the inmates who are perceived to present the greatest risk to the facility into a maximum custody area, while those presenting less of a threat are placed into indirectly supervised settings; either hard cells or dormitory settings. At present there is not a significant difference in the privileges afforded to the different housing designations. The housing plan is somewhat limited by the lack of designated special management housing.

**Recommendations:** *Although the agency has a well-defined housing plan (SOP J-3640), it should be re-evaluated upon implementation of an objective classification system. Although the pilot test seems to support the current housing plan, it is always important to assess and review the housing plan on a regular basis. Inmate populations can change and it is important the housing plan remains flexible to accommodate the changes. It is prudent to consider the housing plan must support the agency goals of managing the inmate population, and as such, must be adjustable. Housing plans should assist in providing direction so inmates are housed logically, consistently, and with a clear purpose of better inmate management.*

*The agency should consider the benefits that a fully defined housing plan holds for controlling unwanted inmate behavior. Experience has shown that many inmates will modify their own behavior in order to qualify for more desired housing placements, and the agency should think about what a system of defined privileges for each housing unit could do to reduce incidents in this facility. Inmate living conditions and privileges are areas that*

*most line and supervisory security staff people have strong opinions about. It is suggested that you proceed slowly after having involved as many people as possible in the planning process, and then begin by implementing only those changes that have the most common agreement. As the positive effects of these changes become widely known, then a consensus concerning the more controversial changes can be gained. Keep the following principles in mind as you consider your own housing plan.*

- *A formal housing plan exists that defines the custody designation for each housing unit in the facility. This housing plan provides for the placement of minimum, medium and maximum custody inmates, as well as for special classification areas such as medical units, mental health units, disciplinary segregation units, administrative segregation units, and protective custody units.*
- *Ideally, inmates will not be mixed in housing units with inmates of other custody levels. Minimum custody inmates will never be housed with maximum custody inmates.*
- *The structure, supervision, programming and privilege level of the housing units will be suited for the custody levels of the inmates housed there.*
- *Only those inmates who exhibit a willingness and ability to obey the rules of the facility will be allowed to remain in general population.*
- *All inmates remaining in general population, whether minimum, medium or maximum custody, will be afforded privileges and living conditions sufficient to convince the inmates that it is in their own best interest to remain in general population.*
- *All inmates should know what privileges they would lose if they were to be reclassified to a higher custody level. They should also know what privileges they would gain if they were to be reclassified to a lower custody level.*
- *Security staff should be encouraged to document inmate behavior, both positive and negative. An inmate's institutional behavior should be used to determine housing placements, program eligibility, future classifications, and release conditions.*

**9. Is the classification system is fully automated?**

Few of the classification functions are automated at this time. The facility is making plans to use more of the features of its jail management software (JMS) that will make this possible in the future. For a facility of this size, it is possible to utilize paper forms. However, to obtain the full benefit of an effective classification system, it is important to have certain data and information readily available. Without full integration of the classification instrument into an automated system, users may still be able to input key pieces of data into the current JMS that will at least automate the flow of information. Such information is critical for custody staff, classification staff, supervisors, and those assigned audit functions (see 6. below).

**Recommendations:** *If it is not possible to fully automate the classification process, clearly define those pieces of information or data that can be entered into the current JMS for ease*

of access. Although the following list should not be considered all inclusive, consideration should be given to the following:

- a. Number of inmates that are classified each day
- b. Date and time classifications are occurring
- c. Daily population by classification level
- d. Classification level by inmate name
- e. Inmates needing a primary classification
- f. Inmates that are in need of a classification review
  - Changes in legal status or inmate circumstances/behavior
  - Identification of those inmates who are in need of a time-driven reclassification as defined by policy
- g. How many classifications are overridden
  - By whom
  - Reasons for override
  - Overridden up or down
- h. Sufficient information to determine if inmates are being housed correctly according to the housing plan/classification process
- i. Ability to easily determine those inmates that are mis-housed
- j. Access to inmate discipline and behavior information that is both positive and negative
- k. Access to inmate legal status changes/court information

*Information and data is critical to the process. It is important an accurate record of each inmate's behavior in the housing unit exists, and that classification staff have easy access to past records when they are making classification decisions. An important function of inmate classification is the tracking of serious incidents such as suicide attempts, escapes, deaths, rule violations and other indicators of unwanted inmate behavior. This type of tracking will provide an important ongoing validation of the classification system if the statistics indicate that, as a rule, inmates who carry a higher custody level are committing more of the rule violations than inmates with a lower custody level. A careful analysis of this type of information will also provide the agency with valuable information concerning the location and frequency of unwanted inmate behavior within the facility and will allow them to target appropriate resources to manage those risks. A healthy classification system supported by appropriate automation, along with a dynamic housing plan, should also show a downward trend in most of these indicators.*

**10. Are there regular and periodic formal evaluations of the classification system?** There are no specific or formal evaluations being done. There presently is no formal system that provides for ongoing systematic evaluations or audits of the classification process, including assignment of the custody status, accuracy of records, overrides or compliance with the housing plan.

**Recommendations:** *Design a regular audit system that will allow a supervisor to verify each policy driven component of the classification process is actually taking place. Random audits should be conducted to verify the accuracy, detail and completeness of each step of*

*the classification process and every task performed by the caseworkers. In the business world there is a slogan that says, "What gets measured, gets managed." While it may not be possible to measure every classification task, it is possible to regularly check for completeness and accuracy. Written documentation of these audits needs to be produced by the supervisor and kept on file for future accountability.*

## IMPLEMENTATION PLAN

Implementation plans can take on many forms, but should always be realistic and achievable for an agency. Particular operational and policy decisions must be made based upon the current organizational reality and capacity. As such, it may be impossible for someone outside the agency to lay out a precise plan for them that will guarantee success. Rather, the leadership team must be committed to implementation of an objective classification system and thoughtfully plan for its implementation. Most agencies have experience in implementing new processes or projects and there is considerable overlap in implementing a new classification system. There is an abundance of literature on implementation planning and the document, *Objective Jail Classification Systems: A Guide for Jail Administrators* provides some guidance that may prove helpful. There are other documents available as well.

Below are some key points that are specific to implementing an objective classification system. The particular points are somewhat specific to classification and addressing these alone is not sufficient. Rather, agency leaders must consider these points in their overall implementation plan. Overall, it is helpful to think about implementation in three specific stages.

## PLANNING

- 1. Obtain formal training in classification for policy makers.** As support of the policy makers is critical, they must become educated consumers of information. By better understanding the outcomes, and associated processes, they are better positioned to make appropriate decisions.
- 2. Obtain appropriate training for classification staff.** Improperly trained staff not only nullify the benefits of inmate classification, they expose the jail to greater liability brought on by the mistakes they make. All the benefits of inmate classification come from obtaining the type of consistency, compliance and staff "buy in" that result from proper training.
- 3. Adopt a valid classification instrument.** Using a valid instrument is the single most important element to having a functional classification system. All the decisions, judgments, housing or program placements and long range plans that flow from a custody assignment are flawed if the original process is not based on a sound methodology.
- 4. Conduct a pilot test.** This is simply a process of using a classification instrument that has already been validated, and compare the results against your present system. Care should be taken in selecting a truly random and representative sample for the pilot, and the instrument should only be administered by someone familiar with its proper use. A pilot test

will be a valuable experience, as it will allow your staff to be introduced to another type of classification instrument, it will give administrators an idea of how much time is needed to conduct a thorough classification, and it will provide a proportion of custody levels that can be used to make adjustments to the housing plan.

5. **Review the housing plan.** Review the housing plan to verify it meets the needs of the agency and is adaptable based upon changes to the inmate population.
6. **Review all classification related policies.** It is important during the planning stages to review current policies and revise them to support changes in operation that will be necessary.
7. **Review processes that support classification.** It will be helpful to consider the key components of objective classification system with specific recommendation as outlined earlier. Decisions will need to be made specifically around:
  - a. Who will perform the initial/primary classifications?
  - b. What level of training will be required for staff involved in the classification process?
  - c. What level of training will be required for others who may be impacted by the new process i.e. inmates, correction deputies, courts, etc.?
  - d. At what point during an inmate's incarceration will they be performed?
  - e. Where will they be performed?
  - f. Will the process be automated or will key pieces of data be entered into the JMS?
  - g. How will overrides, both discretionary and non-discretionary, be conducted?
  - h. How will the reclassification process, both time driven and event driven, be conducted?
  - i. What system of audits will be developed?

#### IMPLEMENTATION

Once all the appropriate planning has occurred, the agency will need to fully implement the new system. Short-term monitoring is critical to correct any noted deficiencies, demonstrate commitment, and identify any additional changes that need to be made.

#### EVALUATION

Even once the classification system has been fully implemented, the agency must continue to audit the process. As mentioned earlier, continued monitoring of the system will help ensure it is achieving the desired outcomes. Appropriate supervisory staff should regularly audit classification decisions, overrides, housing assignments, timeliness of reclassifications, and other key functions to ensure compliance with the classification process as designed.

#### SUMMARY

Inmate classification is a tool that is part of an overall inmate behavior management plan. It presently is operating at somewhat less than its full potential, and there is a proportional lack of benefit to the agency. It is common for agencies to consider objective jail classification a lofty, yet unattainable, goal in a facility that is often faced with overcrowding and physical plant

limitations. It is important for such agencies to remember they are still responsible for operating a safe and secure facility. As such, agencies in those situations should embrace classification as a tool to better understand the inmate population thereby making better decisions around housing and jail utilization. Use a valid classification instrument, conduct quality interviews, train the staff who do classifications, develop the housing plan fully, maximize the benefits of a reclassification system, measure outcomes in order to gauge success, and properly supervise every step. This being done, an agency may experience the full impact of classification's usefulness as a jail management tool.

## APPENDIX B. ALTERNATIVES TO INCARCERATION



## POLICY AND PROGRAM OPTIONS AT KEY DECISION POINTS IN THE CASE FLOW PROCESS

In developing a comprehensive approach it is helpful to integrate policies, practices and programs within the context of the case flow process for the jurisdiction. Case processing is basically a series of stages or decision points that occur as the case of a person accused of a crime moves from arrest through final disposition. Policies and practices can be modified at each stage to achieve optimal use of adult and juvenile detention and correctional facilities and other alternative programs available to the system. The range of policy, practice and program options appropriate to each key decision point are outlined below<sup>5</sup>:

### DECISION POINT # 1 – DECISION TO ARREST

Following a report or observation of an offense, law enforcement has several options in dealing with the alleged perpetrator. The officer may elect to:

- Warn and release
- Issue a citation
- Divert or refer the alleged perpetrator to other services
- Arrest and transport to jail

The system goals at this point are to stop the offending behavior, report the behavior to the prosecutor for the possible filing of charges, and to assure the alleged perpetrator's appearance in court. Many situations can be resolved informally at this stage by law enforcement officers possessing good problem assessment and resolution skills and discretion to divert alleged perpetrators to alternative services. Policy and practice options that should be in place at this stage include:

- Agency policy authorizing citation in lieu of arrest for specified offenses
- Agency policy authorizing diversion in lieu of arrest for specified offenses
- Court policy authorizing summons in lieu of arrest for persons with active warrants
- Mental health crisis intervention training for law enforcement officers

Alternative programs/strategies to consider for use at this stage of the process include:

- Detoxification facilities/services
- Emergency mental health services

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<sup>5</sup> Taken from NATAP Project Guide, "Alternatives to Incarceration" publication authored by Mark D. Martin for the National Institute of Corrections and Bureau of Justice Assistance.

- Mobile crisis intervention services
- Law enforcement diversion programs

## DECISION POINT # 2 –DECISION TO DETAIN PRE-TRIAL

Once the alleged perpetrator is taken into custody, a decision regarding the need for pre-trial detention is made. This decision is typically based upon the severity of the charges, the alleged offender's level of stability in the community, and his or her behavior at the time of arrest. The availability of resources in the community to mitigate the risk of further offending is also often a factor. The judge may delegate release authority to the jail or other criminal or juvenile justice officials for certain offenses based upon some preset criteria. Some jurisdictions have established pre-trial release programs to conduct pre-trial release screening and supervision. Pre-trial screening programs are able to conduct more in-depth background assessments and often use risk assessment instruments to measure and predict risk of re-offending of offenders who may be released. Pre-trial programs may also screen individuals who may be appropriate for diversion from formal processing.

The goals of the system at this stage are to prevent further offending and to assure availability of the accused for appearance in court. Policy and practice options that improve decision-making and outcomes at this stage include:

- Court delegated release authority
- Court established bail schedule and procedures
- Use of validated risk instruments
- Pre-trial release and diversion screening

Alternative programs/strategies to consider at this stage include:

- Pre-trial services program
- Community supervision
- Electronic monitoring
- Day reporting
- House arrest
- Urinalysis
- Access to mental health and substance abuse services

## DECISION POINT # 3 – DECISION TO PROSECUTE

When a case is presented for prosecution, the prosecutor reviews the arrest report or citation and decides how to proceed. The prosecutor may proceed with the original charge, amend the charge based upon the facts of the case, or decline prosecution. The prosecutor may also elect to defer prosecution while providing the accused the option of participating in a diversion program if such is available.

The prosecutor is the gatekeeper of the system in many jurisdictions. He or she or she decides what cases get filed and at what level of charges. The prosecutor also influences how quickly cases get processed through the system. A number of policy and program options are appropriate at this stage to improve the efficiency of the system and assure appropriate use of program resources. Policy and practice options include:

- Early case screening
- Accelerated calendar for jail/detention cases
- Use of diversion

Alternative programs/strategies to consider at this stage include:

- Diversion programs
- Dispute resolution/mediation programs
- Access to mental health and substance abuse services
- Community service and competency development programs

#### DECISION POINT # 4 – DECISION TO RELEASE FROM PRE-TRIAL DETENTION

If an individual is initially detained upon arrest, he or she has the right to a detention hearing before a judge. The judge may elect to release the accused from detention with or without conditions. The goal of the system at this stage is to provide the level of supervision and structure necessary to prevent further offending and to assure the availability of the accused for court. Information about the alleged crime, the individual's background and home situation, and risk of re-offending are helpful to the judge in making the pre-trial release decision.

Policy and practice options that improve decision-making and outcomes at this stage include:

- Prompt bail settings
- Realistic bail schedules
- Timely bond review hearings
- Range of non-bail release options
  - Release on own recognizance (ROR - unsupervised)
  - ROR - supervised
  - Third party release
  - Conditional release
- Range of bail release options
  - Unsecured bail
  - Deposit bail
  - Property bail
  - Surety bail
  - Full cash bail

- Access to counsel or advocate at initial hearing

Alternative programs/strategies to consider at this stage include:

- Pre-trial release screening programs
- Community supervision
- Electronic monitoring
- Day reporting
- House arrest
- Urinalysis
- Access to treatment and support services as needed

#### DECISION POINT # 5 – DECISION OF GUILT OR INNOCENCE

As the case proceeds, there may be several hearings including a preliminary hearing, arraignment, trial, etc. The goal of the system is to make a determination of guilt or innocence. The timeliness and efficiency of the trial process has a significant impact on use of the jail and other resources. There are a number of policy and program options that serve to reduce the amount of time accused offenders spend in jail awaiting the outcome of their case. Policy and practice options include:

- Effective calendaring of cases
- Docket priority for in-custody cases
- Implementation of case progression standards
- Periodic bond review

Alternative programs/strategies that support efficient functioning of the system at this stage include:

- Expediter program
- Community supervision
- Electronic monitoring
- Day reporting
- House arrest
- Urinalysis
- Access to services

#### DECISION POINT # 6 – SENTENCING DECISION

If the offender has been found guilty at trial or upon adjudication, the court has several options. It may order a pre-sentence investigation, impose a sanction immediately, or defer sentencing pending successful completion of specified conditions. The timeliness and efficiency of the pre-sentence investigation process is a factor at this stage. Time

delays between the finding of guilt and imposition of sentence impact detention usage. Having a range of sentencing options available at this stage provides the court the flexibility to impose sanctions and conditions that may be more effective in addressing the offending behavior.

The goals of the system at this stage are to protect the community, hold the offender accountable, and to prevent future offending through rehabilitative programming. Policy and practice options that may improve decision-making and outcomes at this stage include:

- Timely preparation of pre-sentence investigations (PSIs)
- Enhanced case advocacy at sentencing
- Criteria for use of alternative sanctions
- Use of risk assessment tools to decide level of supervision

Alternative programs/strategies to be considered to provide a range of sanctioning options include:

- Fines/restitution
- Community service
- Day fines
- Community supervision/case management
- Intensive community supervision
- Electronic monitoring
- Day reporting
- Drug testing
- Alternative education programs
- Job training/placement services
- Mediation/Victim reconciliation programs
- Counseling
- Substance abuse treatment
- Family Support Services
- Work programs
- Residential programs (halfway houses, foster and group home care for youth, residential treatment)

## DECISION POINT #7 – SENTENCE MODIFICATION DECISION

After conviction/finding of delinquency, the sentences offenders/delinquents receive may be modified under certain circumstances. For some, good behavior and compliance with the provisions of their sentences can lead to early release or discharge. More often, sentence modifications occur as a result of a violation of a condition of probation or parole. When a probation or parole violation is alleged, the offender/delinquent is often placed into jail/detention pending a hearing on the matter. When limited options are available to

respond to such violations, revocation often results in additional jail time for offenders. Many tribes discover a sizable portion of their jail population to be comprised of probation and parole violators. A number of policy and program options may be considered to manage the use of detention for this population while holding them accountable for their behavior on community supervision. Policy and practice options to consider include the following:

- Use of graduated sanctions in lieu of detention for probation/parole violations
- Time sensitive policies regarding detainers and revocations
- Use of good time
- Use of incentives including early release/discharge for good behavior

Program options include many of those listed in the previous decision point as sanctioning options. The goal is to think strategically in the use of these sanctions in level of intensity and in combinations that allow a “ratcheting up” in response to misbehavior and a “ratcheting down” as offenders demonstrate positive behavior and compliance with conditions of community supervision.

APPENDIX C. JAIL EXPANSION – SUGGESTED HOUSING  
DISTRIBUTION



SUGGESTED HOUSING DISTRIBUTION – 416 BED JAIL EXPANSION AND RENOVATION

Male	280	
Female	92	
Total	372	+ 44 Special Management and Intake/Pre-class = 416 beds
<b>Male</b>		
	<b>Existing</b>	<b>New</b>
Max/Ad Seg/Disc/PC	54 beds (M-1, M-2, L-1, L-2)	
Med		<b>2- 64 bed</b> (32 cells double occupancy) direct supervision housing units
Min	72 beds (D-1, D-2, D-3)	<b>1- 32 bed</b> (dormitory) housing unit
Med/MH		<b>1 unit with 12 beds</b> (6 cells double Occupancy); 1 Med Iso cell; 3 Special Observation cells
Intake/Pre-Class		<b>12 beds</b> (single/double combo) adjacent to female intake/pre-class in close proximity to intake/release area

<b>Female</b>		
	<b>Existing</b>	<b>New</b>
Max/Ad Seg/Disc/PC	22 beds (F-1, J-1, J-2)	
Med		<b>1- 32 bed</b> (16 cells double occupancy) housing unit - hybrid-direct supervision with work station shared with min sec unit
Min		<b>1- 32 bed</b> (dormitory) housing unit - hybrid-direct supervision with work station shared with min sec unit
Med/MH		<b>1 unit with 6 beds</b> (3 cells double occupancy); 1 Med Iso; 1 Special Observation adjacent to Male med/MH housing unit
Intake/Pre-Class		<b>8 beds</b> (single/double combo) adjacent to male intake/pre-class in close proximity to intake/release area

By Custody Level				
	Existing	New	Total	
Max (incl. S/D/PC)	76		76	18.3%
Med		160	160	38.5%
Min	72	64	136	32.7%
Med/MH		24	24	5.8%
Intake/Preclass		20	20	4.8%
	148	268	416	100.0%

By Gender				
	Existing	New	Total	
Male	126	160	286	77%
Female	22	64	86	23%
<i>Temp Housing:</i>				
Med/MH		24	24	
Intake/Pre-Class		20	20	
Total	148	268	416	



## APPENDIX D. PROJECTED PRISONER TRANSPORTATION COSTS



Sarpy County Projected Prisoner Transportation Costs						
		Jan-16	Feb-16	Mar-16	Annual Costs Based on Latest Month	Annual Costs Based on 3 Month Ave.
Prisoners Transported		32	42	54	54	43
Transport Hours		146	225	300	3,600	2,684
Transport Cost per Hour						
Base rate including longevity	\$35.00					
Social Security	\$2.68					
Retirement	\$3.06					
Health Ins.	\$5.52					
Dental Ins.	\$0.15					
Accidental Death	\$0.13					
Life Ins.	\$0.03					
Uniform Allowance	\$0.53					
Overtime	\$0.70					
Total Labor Costs	\$47.80	\$6,978.80	\$10,755.00	\$14,340.00	\$172,080.00	\$128,295.20
Miles Driven		1,030	1,860	1,062	12,744	15,808
Basic IRS Mileage Rate	\$0.54					
Transportation Mileage Cost		\$556.20	\$1,004.40	\$573.48	\$6,881.76	\$8,536.32
Total Transportation Cost		\$7,535.00	\$11,759.40	\$14,913.48	\$178,961.76	\$136,831.52
Prisoners Outsourced/Day		31	55	64	64	50
Annual Transportation Cost/Prisoner					\$2,796.28	\$2,736.63
Average Cost					\$2,766.45	