

PUBLIC SAFETY COORDINATING COUNCIL

MINUTES

TUESDAY,
March 26, 2019

11:30

JUSTICE BUILDING -
JURY ASSEMBLY ROOM, 2ND FLOOR

MEETING CALLED BY	Eric Guyer
ATTENDEES	Joshua Aldrich, Lee Ayers, Dave Carter, Joe Charter, Marie Curren, Rick Dyer, Doug Engle, Bill Froehlich, Eric Guyer, John Hamilton, Beth Heckert, Danny Jordan, Jennifer Lind, Lorenzo Mejia, Robert Mountain, Jennifer Mylenek, Mark Orndoff, Mark Reagles, Nathan Sickler, Randy Sparacino, Rita Sullivan

- Eric Guyer opened the meeting at 11:34
- Opening Remarks: Eric Guyer welcomed everyone to the March PSCC meeting.

Agenda Topics

MINUTE ADOPTION – JANUARY

ERIC GUYER, CHAIR

DISCUSSION	
No suggested revisions were identified for the January minutes, Danny Jordan provided a motion to adopt, seconded by Judge Mejia. A vote was requested, all were in favor, and none were opposed. The January minutes were officially adopted.	

JRI AMENDMENT APPROVAL

ERIC GUYER, CHAIR

DISCUSSION	
<p>The Criminal Justice Commission (CJC) has asked each county to have their JRI grant proposals approved by their Local Public Safety Coordinating Councils (LPSCC) before submission. They also require budget amendments, for current JRI grants, be approved by the LPSCC prior to submission. For instance, if there are unspent funds, in a current program within the grant, the County should explain how they would like to reallocate those funds within existing programs or in a new program. Currently, \$30,000 is unspent due to vacancies. The County would like to reallocate those funds to an 8 bed (4 for males & 4 for females), Medically Assisted Treatment program within the jail, for supervised offenders who present with an opiate use disorder. The program participants will primarily be identified through the probation officer who will have the ability to control sanction length, which allows the offender enough time for the medication to start working. The participants will also be engaged with somebody from the community upon release to continue their treatment. I will be able to present more in depth as the program develops, but in order to get this before the CJC's April meeting we need to make sure everybody has a chance to hear about it and present objections.</p> <p>Randy Sparacino provided a motion to approve, seconded by Beth Heckert. A vote was requested, all were in favor, and none were opposed. The JRI amendment was approved.</p>	

JAIL UPDATE

DISCUSSION	
<p><i>Sheriff Nate Sickler – Jackson County Sheriff's Office</i></p> <p>Overcrowding at the jail has been an issue since 1985 when the jail was sued for overcrowding. The National Institute of Corrections (NIC) has visited the jail on two occasions: 2006 and 2017. In 2006 the NIC recommended a facility that would house 600-650 beds. In 2017 the NIC did not provide a recommendation, but they did state the current jail facility does not meet the needs of the community. Sheriff Sickler believes a policy change prevented the NIC from providing a recommendation on the number of beds a facility would need. For the past several years the Grand Jury Reports have had common themes including; the jail is not meeting the needs of the community; there needs to be a bigger facility; and the treatment options need to be expanded within the facility. These reports are available on the DA's webpage. The jail opened in 1981, with 160-170 beds. It has expanded over the years, but it quite evident, population growth and the criminal justice need are exceeding what the jail is capable of providing. The jail was built with an antiquated linear design which is labor intensive and inefficient.</p> <p>A senior capstone project that is being completed by a student at SOU has determined that:</p> <p>The Average Annual Cost of Crime (2013-2017):</p> <ul style="list-style-type: none"> • Oregon: \$1.37 billion • Jackson County: \$171.2 million <p>The Average Annual Per Capita Cost of Crime (2013-2017):</p> <ul style="list-style-type: none"> • Oregon: \$618 • Jackson County: \$806 	

These figures account for costs associated with the crimes of murder, rape, robbery, serious assault, burglary, larceny, and motor vehicle theft (Part I crimes). The data from the UCR does not take into account a lot of the crimes that our law enforcement is dealing with on a daily basis such as: trespassing, vagrancy, vandalism, DUII, drug crimes, etc. So it is important to note that the cost of crime in Jackson County is actually significantly higher.

Ryan DeSautel – Jackson County Facility Maintenance Program Manager

Jackson County contracted with DLR to analyze the property including the following aspects: zoning- heavy industrial, access – multiple ingress and egress, grading and drainage, water, sanitary sewer, natural gas, power, data/communications, and local climate. DLR concluded that the site was suitable for the proposed jail based on the predetermined aspects. Further property analysis by Jackson County were conducted:

Environmental Phase 1 Site assessment:

- Focus is soil and groundwater contamination from neighbors or previous use.
- This assessment revealed no evidence of EPA or environmental concerns.

Civil Engineer assessment:

- Reviewed the civil planning options and found significant utilities available close or at the site.
- They didn't see any challenges utilizing the existing three access points to enter the property.

Soil Analysis:

- They looked at soil composition and the feasibility to develop this property. The site soil development is feasible according to the report.

Environmental Consultant:

- Primary focus was to review possible wetlands or other protected waterways.
- Report indicates some areas of possible wetlands but with the size of the property should be easily mitigated and managed. During site development these areas will be addressed.

Ryan wanted to clarify that the reason for conducting these additional property analysis was to ensure that the price analysis done by DLR would be very accurate.

Sheriff Nate Sickler – Jackson County Sheriff's Office

The proposed jail site will have two access points off of Highway 62 and Vilas Rd. This should make for quick trips to the jail and not add a lot of time to the municipalities that use the jail services outside of Medford.

DLR conducted meetings with County and Jail Staff for needs at county level and current issues

- Conducted meeting with PSCC for needs within new facility
- Conducted smaller more focused meetings with law enforcement, social services, and criminal justice partners
- Jail Staff, Mental Health and Addiction Services toured two other jails designed by DLR
- Reviewed initial plan with DLR they proposed after receiving input
- Initial figures were approximately 200 million dollars (estimated complete project costs)
- Second version costs are about 166 million dollars (estimated complete project costs). This includes the cost of the property.
- Property and design will allow for future expansion.

The facility will be 241,842 square feet and is three times the size of the current jail. It will provide on average 340 square feet per inmate while supplying inmate program areas and staff areas that support the County's mission of reducing recidivism. It should be noted that the 340 sq. ft. per inmate is not living/cell space; the number takes into account all of the administrative areas of the entire facility and allocate it to the anticipated population.

DLR conducted a population analysis for Jackson County and estimated the increase of population over the next 20 years. The report relied on historical datasets created by the U.S. Census Bureau and the Coordinated Population Forecast Report created by Portland State, Population Research Center. From 2018 to 2038 there will be a total increase of 49,450 people into the County at an average of 12,246 a year and 2038 the projected population of Jackson County will be 270,106. Sheriff Sickler believes that the 800 bed facility will target this population growth appropriately.

The inmate housing for the new facility will have two housing units. The current POD (wheel) design will accommodate 154 (single cells) to 448 (dorms) beds depending on configuration. The jail will utilize both single cells and dormitories in each housing unit. Best practice is to strive for 15 to 20 percent under max capacity due to classification, reduction of conflict and better supervision. Goal will be to strive for 400 beds per wheel (800 total beds) and cap the operation at 700. This allows inmates to be moved within the facility based on classifications, behavioral issues, and other needs. This model will allow the jail to conduct treatment for addiction and mental health issues. The new design will allow the jail staff to classify the inmates better and put them in a unit that best suits their needs.

Lt. Aldrich explained that all of the observation of the inmates will be done in the center hub that provides a 360 degree view through glass windows. One deputy will watch the inmates from the hub while two other deputies will roam the housing units doing security checks. Lt. Aldrich added that all of the necessary support stuff is out in the dayroom space; clients can meet with their attorney, get their medication, and eat their meals, so each inmate will stay within their assigned housing unit in each POD. Each POD will also have an outdoor recreation area, unlike the current jail, they will not have to be escorted to the recreation area but instead a door will just need to be opened.

Judge Mejia asked if they were going to be depending on line of sight or short circuit TV.

Lt. Aldrich answered that depending on the classification levels many of the higher risk units have cameras in the cells.

Sheriff Sickler added that there are two models of supervision: direct and indirect. Direct supervision will have deputies stationed within the housing unit. Indirect supervision is what is currently done in the jail. Since direct supervision is a lot more labor intensive and will drive the cost up it was decided that indirect supervision will be the best approach for the new facility. Indirect supervision will require more cameras and deputies will conduct physical checks on the inmates every hour.

The current staffing model has an FTE allocation of 79.5. The proposed staffing model is 105 FTE's, which would add 25.5 full-time positions, while still doubling the amount of inmates. This should allow for efficient operations due to facility design and supervision model. It will provide allowances for better classification and more resources for transport, which will be needed with the population being housed. Hiring will take place strategically over the first 4 years of the district, allowing an increase in inmate population once the jail opens.

Currently the proposed district rate will be \$0.8353 per \$1000 of assessed value. When the initial survey was done in March 2018, the proposed district rate was at \$1.09 and it was viewed as a bit extreme. The Board of Commissioners asked the County Administrator's office and the Sherriff's office to work and try to find a more reasonable number. After a year of doing the feasibility study with DLR the \$0.8353 is the lowest it can be done. The County will contribute a total of \$66 million from reserve funds to fund the project (over \$6 million from reserves already spent on land). It will require a 20-year, \$100 million bond, backed by a service district, which will also support the operational costs. The County will commit to continue contributing general funds in addition to the funds generated by the district.

Randy Sparacino asked does if the bonding projection includes the increase of population or is it based off the current population.

Sheriff Sickler stated that it includes the 3.5% increase of growth in the tax base. The bottom line is, at the end of 20 years the County will be, with all of the estimated figures, minus \$8,500, with all of the tabulations there will be a surplus of \$800,000. At the end of the day that will likely be consumed pretty rapidly with operation costs as they go up. This will not take place at the current general fund allocation by the County; the County will still commit to providing the general fund/current budget allocation to the jail services plus the increased 3 percent every year moving forward. This will not replace the current budget, this is in addition to what the County is already providing out of the general fund. The Sheriff said, "This will not make us any money and the only services that will be increased are in the jail operations."

Doug Engle wanted to know if the 0.83 cents were for everything; the construction and the operation.

Sheriff Sickler explained the operational costs at 20 years will pretty much consume that entire 0.83 cents. The first few years when the jail is not open will have a positive cash flow, and it will be used to sustain operations. He said it's in year 5, 6, or 7 where the operating costs exceed and the actual number we have saved will pay for those operations for 20 years.

Danny Jordan clarified that the district will issue the bonds and there will not be a separate vote for the bonds. The bonds will be funded within that \$0.8353 per \$1000, along with the additional operating costs. In the first year; you can only project the first year, because until you certify the tax roll you do not know how many cents you need in the subsequent years to assess. But in the first years, to pay the bond based on the current rate, which may change when we go off to market, it's about 0.35 cents of that 0.83 cents to fund the charge of the bond. Now each year that should go down from 0.35 cents to 0.33 cents to 0.28 cents; that increment that we are not using to pay off the bond goes to increased operating costs. In the County, which is probably the same in the schools and our cities, our costs to deliver services goes up higher than the rate of increment of tax we get. So we are limited to 3 percent growth in our tax base annually but our costs go up about 7.5 percent, and this is the same with most cities and is not unique to our county. Every single tax base at some point will be under funded in terms of the service; we tried to stretch this out as far as we could, so we are not at the point of having to cut service 10 years into it. We do not want to have a 700 bed jail and only be able to run 400 beds.

What this does in the first year is 0.35 cents goes towards the bond then each year that amount goes down it feeds into the operations. The jail will not be open for roughly the first four years. We have to take that full increment of tax and reserve it because we are actually under collecting in several of the years of the bond. In the beginning of the bond we have to reserve money upfront to be able to pay the bond debt. This was done on purpose because we don't want cities and the public to think that we are hoarding cash away; we made it as close to a breakeven as we could and we are within \$8,000 at 20 years. That little extra increment at year 20, which we won't pay in bond in year 2021, will go towards operations and it is about \$800,000. This may seem like a lot of money but, this year for example, we increased the Sheriff's budget \$1,000,000 with \$600,000 of that going to staffing cost increases. \$800,000 as a surplus is not going to last us very long. Remember that these are 20 year

projections and by the end of the 20 years that full 0.83 cents will be spent on operations because over a 20 year period, they go up that much.

The question was asked, "what happens after 20 years?"

Danny Jordan explained, there is a little bit of room but what happens is just like what happens to all local governments; you start to figure out how you are going to cut or balance your budget. The 0.83 cents is always there and is the permanent rate. The 20 year pays the bond and the district continues in perpetuity. With a service district, in this case the Board of Commissioners is the governing body, cities have to opt in to participate in the service district so the Sheriff and one of the Commissioners will be coming around to each of your city councils to see if they want to participate in this. If one city drops out it starts the whole process over, so if not all cities agree to participate it changes all of the rate information that is being provided because it is based on all cities within the County participating. If one city does not opt in, we will have to start all over, creating the district, boundaries of the district, rates, and resolutions that cities will have to pass. You only get one chance to set a permanent rate limit and you can't change it, this permanent rate limit, is projecting out about 22 or 23 years and has sustainable funding. This could change if there is a big influx of development that increased the tax rate or if there is a downfall in the economy that will decrease the tax rate. The bonds are backed by the full faith and credit of the service district so the bonds get paid first before anything else. If something happens and we start losing revenue the bonds will get paid, which means that staff will get cut or the jail downsized. Voters will need to approve the service district and permanent rate limit. Technically the County can create a service district without the vote of the people, but if one person objects then it has to have a vote. The process is that we have to get resolutions from all of the cities after we draft the boundaries, provide what the permanent rate loan will be, and done a feasibility study which has been completed by DLR. Once those come back there are two public hearings; a primary public hearing that the Board hears and a final public hearing before they actually refer it. So the Board does not technically decide to refer this until we get months down the road.

Bill Froehlich wanted to know what happens if Eagle Point or Ashland decides that they do not want to participate.

Danny stated that in his opinion, if any city decides they do not want to participate this will not happen in November. If a city decides that they are not going to participate but we still need the same amount of funds it changes that permanent rate limit spread out over the other people that do want to participate.

Jennifer Lind had a question about the reserves and asked how they are accommodating the hit to the reserves and what it means to the County as a whole.

Danny Jordan clarified that this is just a general fund reserve and the County is about 110 percent reserved against our annual operating cost right now because they have been saving money for a project like this and or to buy down PERS. So those are two options to use a big reserve for. We will spend down to about 15 percent of our reserve, but remember that this project will not be done for five years so there will be another seven years of building the reserve. If you talk to external auditors they say it is a good standard to have 15 percent reserved.

Sheriff Sickler added that one thing to remember is the library levies or bond will come off in 2020 and that will free up 0.12 cents, so the actual hit to the taxpayer will be 0.71 cents and not 0.83 cents.

Sheriff Sickler then discussed construction schedule. The DLR Group projected the proposed new jail's construction schedule of Phase 1 based on starting design after a possible local election in November 2019. It will then take approximately 12 to 18 months for design of the facility to allow for contingency and periods of owner review. Construction could begin immediately after receiving the site permit, and would take approximately 24 months to complete and the proposed open date would be 2023.

Ryan explained the project could be procured with a Construction Manager/General Contractor (CM/GC) construction delivery method, but it is up to the Board to decide. CM/GC is an alternative approach to the traditional design-bid-build process. In the design-bid-build approach, owners aim to have a complete project design finished before general contractors begin bidding. When determining which architect and general contractor to design and build the facility they will be selected based on their qualifications, interviews, a scoring system, and panels. Under the CM/GC approach, the owner engages the services of a CM/GC during the early design stages which provides efficiency of design and constant cost analysis to ensure the design will align with available budget. Because the contractor is involved during the entire planning and construction process, these projects often see better budget control, fewer change orders, and time-saving outcomes.

Chief Sparacino added that CM/GC is what was used to build the new police department and it worked out fantastic. It does save money and it is more efficient. There will be a lot of meetings for whoever is assigned the liaison to the group. Chief Sparacino had meetings almost daily at the beginning during the design phases, and during the construction project we would meet multiple times a week just to make sure that we were on task.

Sheriff Sickler described how it has been a collaborative effort with the planning and processing of the new facility. Aja Stoner from the Addictions Recovery Center and Stacy Brubaker from Jackson County Mental Health went on a tour of Skagit County jail. We were able to look at their facilities, programs that have in place, and have conversations with the individuals that provided those services within the jail. Some people my question the cost analysis and wonder why it is going to cost so much if there are only going to be hiring 25 more staff. A big part of that is going to be medical cost for the inmates. The County is

currently estimating for the fiscal year spending \$700,000 for 300 inmates. In comparison the Skagit County jail has 400 beds and their medical contracts is 2.5 million, and Washington County jail has 600 inmates and their contract is 5.8 million for medical services. So depending on how elaborate you want to get with your treatment programs and mental health which are certainly significant parts of what we want to do, those costs are going to go up a lot. Right now we use the hospital by default, but we would be able to provide more services in-house instead of having to rely solely on the hospital. With a proposed 800 bed facility we do not need to be bogging down the hospital with inmates when we could have a facility that provides services in-house. The other thing that we looked at was incrementally opening the jail to relieve some burden and the way the housing units are designed by only opening one POD we would be facing the same capacity issues we currently have. We have a lot of information from the jails that were toured about what they would or would not do when building a facility.

Lt. Aldrich clarified that the most expensive building costs are the inmate housing units due it being secured space at an estimated cost of \$600 per square foot. DLR looked at lower price per square foot building method for the administrative building and warehouse because they do not need to be as secure. The only portion of the administrative building that will need to be built as a secure space is the courtroom since that would be the only place that inmates will be allowed.

Bill Froehlich wanted to know what the backup plan would be if the public does not approve the new jail?

Sheriff Aldrich explained that without operating revenues there is no more money to operate any more facilities. Adding on to the current jail or building a smaller facility offsite and running two facilities would be extremely cost prohibitive. I cannot tell you what plan B will be other than to continue using some of the same programs that we have been and to keep whittling away at our issues and hopefully continue to have good progress.

Danny Jordan added that he has worked in three different counties in Oregon where they tried passing jail bonds. Umatilla County tried three times before a jail bond passed and took 10 years. It is not typical that this type of project passes on the first try. The reason that it is not typical is because people have the arguments and suggestions about why a new jail would not be needed. Usually the first campaign becomes an education campaign with the hope of passing it. Clatsop County took 20 years and four tries before the jail bond passed. Danny does not believe it is highly likely that it will pass on the first time and he is hopeful that it will and he believes they have done what they can to get the cost to the best place it can be. The problem with going out the next time is instead of it being \$0.835 cents it is going to be \$0.90 cents and then \$0.95 cents. Plan B is not necessarily to give up if Plan A fails.

Bill Froehlich asked about happened in Umatilla when the whole facility was built but they did not fund the personnel to run it.

Danny Jordan recalled the Umatilla County Commissioners passed the bond to build the jail, however, they did not pass any additional funding for operations as they knew it would not run at full capacity immediately. This is not abnormal, typically you do not want to build a jail that is at full capacity the day you open it. Over time it became a problem in Umatilla when they needed more jail space and the Sheriff's requests for additional funding for operational costs were denied.

Danny wanted to add that people are pounding away at the County and agencies for not providing enough mental health and A&D treatment and people are being stacked in the jail like cord wood. The truth is there are some discrepancies in these numbers, DLR projected the average length of stay in our jail is four days and the Sheriff says it is six to eight days. Also, just remember that a day constitutes one minute of a day so if you come in at 11:59pm and leave at 12:01am that is two days in jail served in three minutes. So when someone has four days they likely have two days and when someone has eight days they likely have six days. When people say you need to provide more treatment, we can't if we can't hold someone long enough to do an evaluation and provide treatment; it does not matter that we don't have the space, we can't do an evaluation. By doubling the jail two and half times, maybe we go from four to eight days to eight to twelve day. We are not going to just lock people away for good in this big of a jail.

In regards to medical costs, many of the people that come to the jail are sick. Right now we do not have a lot of jail cost because we are booking and releasing them because they are sick, so when we are holding them they are still going to be sick and need help and will drive up the costs. All of those physical, social, and mental elements exist now when they come to jail and nothing is changing, it is just that now they do not come in and get access to services because we can't hold them long enough and we don't have treatment services. The other thing is people who are not sentenced can't be required to do treatment. We need the courts help and backing to put someone in jail to hold them long enough to get engaged in treatment (mental health, A&D, etc.)

Jennifer Lind added that part of the discussion with the state Medicaid program is services are turned off for people who really need it when they are incarcerated. There have been discussions on that level about how might they ask the federal government for waivers to incorporate this population a little better.

Bill Froehlich inquired about the 24 percent increase to run the new jail what the cost block was.

Sheriff Sickler said they took what it costs the county to have a tier 5 employee and took however many employees they needed at that pay rate and estimated the costs at this time and estimated the increase in pay raises and cost of PERS and went out 50 years just to see it.

Bill Froehlich wanted to know about what the figure was.

Danny Jordan explained that in the first year \$0.835 cents we'll assess it will take \$0.35 cents to go into the bond and the remainder will go into the operating costs; this is not just staff it also includes medical and everything else.

Sheriff added that you are looking at approximately \$4,000,000 for that amount of staff for a year.

Joe Charter asked for a \$500,000 home if you'd be paying \$400 something per year.

Danny Jordan replied that at \$200,000 it is \$176.

Joe Charter responded that that might be the calculus because is it worth a couple hundred buck a year to open up that possibility.

Sheriff Sickler stated that for the average home owner you can really look at this as \$0.60 will pay for a new jail.

Danny Jordan added the Board had the discussion today that there is a significant financial consequence here. This cost to have this type of service and there are people who struggle to see a two or three dollar increase in their utility bills. We are cognizant this can put people in a hard place, and it is one of the reasons why his goal was to get it down as low as it can be per \$1,000. This is a \$166 million dollar project and \$66 million will be coming out of the general fund reserves and we are not asking tax payers to pick that up. This is a huge benefit to our taxpayers and he does not think that you could go anywhere in the state and find where people are funding \$66 million of a \$166 million dollar project. Otherwise we'd be asking for the full amount and I hope that people realize that we've been very frugal and conservative with spending. We funded all of our capital projects since the libraries 20 years ago by cash, we have not asked tax payers for any new GO bonds. We have paid off other GO bonds early, like the Juvenile Detention facility seven years early. This is the first time we have had to come and ask taxpayers to help fund construction on something. It potentially will cause some hardship for some people.

Sheriff Sickler clarified that the voters are going to be the ones that decide if this is the direction they want to go. If they decide this is not the direction they want to go then we will just continue to move forward and do our best with what we have and come up with how we might approach this the next year or following year.

Ryan added that it did not just start this way. We did not ask DLR to design us an idea of what a jail would look like. It started off much more expensive and much more elaborate. The ideas of breakout buildings and saving costs was decided by a panel to save money and make it more palatable for everybody. We did not just take what DLR gave us and say this is what we have to do, we ran all of our ideas by them and found out what was feasible, what other jail ideas worked for break out building, cost savings, and things like that to get this down to \$166 million. And with escalation at 5.17 percent a year, every year you sit on this adds \$8 million dollars. DLR warned us about this because they have some jails that they have been involved in recently that have run out of money because they kept on delaying construction and the escalations ate them up. Our escalations are built in the estimate right now but they would have to be recalculated eventually.

Sheriff Sickler thanked everybody and told them that this information is posted on their website. If you have any questions you can refer them to his office. If your city council or any other body within your jurisdiction needs a presentation give Sheriff Sickler a call.

ANNOUNCEMENTS/OTHER BUSINESS

ERIC GUYER, CHAIR

DISCUSSION

There were no announcements.

Next Scheduled PSCC Meeting: April 23, 2019

Meeting Adjourned: 12:45 pm