

Executive Summary

Background Information

Hamilton County has been challenged to address correctional capacity problems since the mid-1980's when population levels began to rise in the Justice Center and court orders reduced or eliminated capacity in the Work House and the Hamilton County Jail. Since that time, Hamilton County has searched for a long-term solution to its correctional needs, focusing on both facilities and alternatives to incarceration. This master planning effort found no less than seven prior alternative planning efforts and two full-blown facility planning projects.

The alternative planning efforts recommended a broad spectrum of procedural changes to increase the efficiency of the criminal justice system; these alternatives have been implemented and expanded to the extent that Hamilton County now has one of the most complete array of alternatives to incarceration that the consultant has seen in more than 20 years of practice.

Unfortunately, the facility planning efforts did not fare so well.

- In 1986, a consulting group recommended the construction of a 1,414 bed addition to HCJC. A second planning effort the same year recommended 500 - 700 beds immediately, and 800 additional beds during the next two decades. This did not occur.
- In 1991, the County responded by looking for a temporary solution to house minimum security inmates. The County's submittal to the Bureau of Adult Detention stated, "due to the temporary nature of the facility, all building components will be designed to be functional in the most economical means possible." This planning effort resulted in Queensgate, which will be discussed in greater detail. A 1994 internal County Administration memo anticipated that Queensgate would be phased out by 1999. This did not occur.
- In 1991, the County designed and bid a 1,500 bed facility. The County's submittal to the Bureau of Adult Detention concluded, "When the new 1,500 bed minimum security facility opens, Hamilton County will have the capacity to house at least 2,400 inmates..." This did not occur.

It is clear that the County has participated in a number of correctional planning initiatives - all of which have had to grapple with the same issues:

- The cost of building and operating correctional facilities is significant; the time required to plan, design, and build facilities is also significant. By the time that a situation approaches the threshold of becoming an emergency, the time required to develop a facility solution is past.
- The relationship of facilities and programmatic alternatives is not straightforward. In spite of the best intentions, it is often possible to implement alternatives for a population that is unlikely to remain in jail on a long-term basis; in the absence of these alternatives, the jail would be even fuller. Ultimately, alternatives will fail if there is no facility sanction for non-compliance.
- There is a strong tendency to look toward immediate solutions to criminal justice issues. This occurs in all jurisdictions for multiple reasons ranging from the emergent nature of the catalyst for the planning effort to the length of facility planning cycles in relation to the political process.

These actions (and inactions) are the foundation of the crisis that Hamilton County now faces. For additional information about prior projects, see Section 1.

Current Facilities

Hamilton County operates four correctional facilities, which today accommodate a total of 2,272 inmates; capacity has been fixed since 1999. For additional information about these facilities, see Section 8.

Hamilton County Justice Center (HCJC)

HCJC is the only facility owned by the County; it opened in 1985 with a rated capacity of 848 as the primary detention facility. This facility now has a fixed, court-mandated capacity limit of 1,240 inmates, based on double occupancy. This facility is the operational hub of the correctional system, providing food service, laundry, health care and other basic services to all four facilities. HCJC was not designed to support the inmate population level it now must support and strain on both facilities and operations is evident. HCJC has operated at approximately 95% of capacity since 1999, far above the 85% suggested by correctional standards and practice. The population it is designed to hold (medium and maximum security inmates) is growing. The distinguishing characteristic between medium and minimum security inmates is a history of violent behavior, which medium security inmates have, but minimum inmates don't. The distinguishing characteristic between medium and maximum inmates is the frequency, intensity, and recency of the violent behavior.

Queensgate Correctional Facility

Queensgate, owned by the Prison Realty Trust Division of Corrections Corporation of America, opened in 1992 as a three year solution to a critical lack of bed space. Many design elements did not meet the correctional standards of the day, and the Bureau of Adult Detention granted variances because of the anticipated short life of the facility. The facility is the former Kruse warehouse, which was constructed in about 1900. The facility was specifically designed to accommodate 822 minimum security inmates, but today, about half of its inmate populations are in the medium and maximum security classifications. In the last five years, this facility has operated at just over 70% of capacity. This is frustrating for a system which needs bed space, but is a direct result of the types of inmates coming into the system today.

The financial arrangements regarding this facility have not been particularly advantageous to the County. Since 1992, the County has paid in excess of \$27 million dollars to lease the facility, in addition to the costs of operating it, paying property taxes on it, and repairing any damage attributable to inmate or staff damage. Maintenance issues are significant in this facility:

- The materials selected were not correctional grade.
- The security system is inadequate for the level of inmates now held; the magnetic locking system used is not in current use in full-service jails and has severe limitations particularly in the event of a mass evacuation. Other security systems such as intercoms and cameras are almost totally lacking.

In the opinion of the consultant, this facility clearly requires immediate replacement.

Reading Road Facility

This facility, which is owned by Talbert House, opened in 1991 with a capacity of 100 male offenders and was renovated in 1999 to accommodate an additional 50 male inmates. The facility population now includes 100 minimum security female and 50 male inmates in drug and alcohol treatment. Talbert House provides programming staff while the Sheriff's Office provides security staff. This facility

was constructed in 1930 as an auto dealership. The nature of this facility limits the security level of inmates who can be held here. As a result, this facility often operates below 80% of capacity. The programs housed in this facility could serve a larger population, if it were more secure.

Turning Point Facility

This non-secure facility is also owned by Talbert House. This facility was originally constructed in about 1930 and was used as a religious retreat housing until the early 1970's when it was occupied by the State Department of Corrections; the facility was re-opened in 1988 with a capacity of 60 inmates. The facility is specifically intended for multiple DUI offenders. Talbert House provides programming staff while the Sheriff's Office provides security staff. Like Reading Road, this facility is underutilized with an occupancy rate of less than 66%; the number of persons eligible for this program has decreased. Similar to Reading Road, this program could be accommodated more efficiently if it were operated within a larger, secure facility.

The Current Situation

During the last year, a number of issues have emerged to raise the issue regarding the need for additional jail capacity as well as the replacement of a number of current beds because of age or inconsistency with the population now incarcerated.

Although Hamilton County population has been declining since 1970, its jail population has grown significantly during that period. Future models for County growth include both stabilization and future growth models. In the opinion of the consultant, there are many factors which suggest that the relationship of crime and county population is not direct. Legislation, public policy and the demographics of who stays and who leaves the region are more significant determinants of jail capacity needs than raw measures of county residency. For additional information about the impact of population and economic trends, see Section 2.

Although index crime rates decreased in the City of Cincinnati until 1999, since that time, they have increased. The changes are most notable in violent crimes. These issues have come to the fore during this year. For additional information about crime patterns, see Section 3.

Average daily population in the Hamilton County Jail system has increased 13% since 2001 in spite of the prevalence of a variety of alternatives to incarceration. Much of the increase in average daily population is a direct result of increased lengths of stay rather than increased admissions. This, in turn, relates to the type of inmates now being held. In 2004, the system had its highest average daily population (ADP) in the County's history (2,049), and year to date ADP for 2005 has exceeded that by approximately 50 inmates per day. For additional information about jail trends, see Section 4.

Based on a review of all charges brought into Court, there are clear shifts in arrest practices which began in 2001 and have continued through the present. For additional information about court trends, see Section 5.

- There are marked decreases in arrests for minor offenses, particularly traffic offenses, such as driving under suspension. This has resulted in a significant decrease in the proportion of minimum security inmates currently in the system. If arrest and traffic enforcement practices revert to levels which were seen prior to 2001, a significant increase in the number of people in the system should be expected.

- There are significant increases in the number of cases which involve violence, weapons and drugs. These individuals help to create a more dangerous and difficult population to manage in the system.

Hamilton County has a wide array of alternatives to incarceration. Most of these have been in place for 10 - 20 years. Without these alternatives, particularly the options available to manage the pretrial population, the County's jail population would be far higher. On the other hand, there are indications that those alternatives which target low risk offenders have had fewer referrals since 1999. There are clear indications that the more violent offender, with or without weapons involvement, is less likely to be a candidate for a variety of the alternatives which are available. For additional information about alternatives, see Section 6.

There is considerable evidence that inmates who were in custody in 2004 are quite different from the in-custody population of 1999. Inmates held in 2004 have more serious offenses and have had more contacts with the justice system. The proportion of inmates who can be released prior to court, through pretrial services, has decreased, while the proportion of medium and maximum security inmates have increased. Most remarkable is the volume of charges per person, which has increased from 2.12 in 1999 to 2.33 in 2004, accompanied by an increase in the number of court appearances made by inmates while in custody. All of this speaks to a higher security level inmate with cases which are more difficult to resolve and who, for a variety of reasons, is not a good candidate for release to the community.

There is also clear evidence of the prevalence of a larger proportion of special needs inmates. Overall, about 25% of inmates held in the system have special medical and/or mental health needs. There is an increased proportion of mentally ill offenders, with an increased from 11% in 1999 to 20% in 2004.

For the last fifteen years, the corrections system has worked to manage its jail population. In addition to assessment of all inmates for the potential use of alternatives, the Pretrial Services Department has worked with the jail to develop and implement three types of population management measures:

- Process only admission, which occurs when capacity is limited and the individual meets specific criteria. In this intervention, the individual is booked, primarily for identification purposes, and released immediately. This is similar to a citation release used by many police departments
- Early release, which occurs when capacity limits are approached, the individual meets specific criteria and is at or near the end of a sentence; this method can be used by the Sheriff's Office without court action.
- Mitigation, which occurs when capacity limits are approached, the individual meets specific criteria and is within five days of sentence completion; this method is managed by the Court.

It is worth noting that these population management measures are used with females more commonly than males, because of the significant limitations in capacity for females, resulting in an artificially small female average daily population. It is also important to note that these mechanisms will need to be used, in increasing proportions, until additional capacity is available. For more information about the nature of the inmate population, see Section 7.

Future Capacity Recommendations

Population forecasting is not an exact science; it identifies future needs based on a series of assumptions. This analysis has taken the approach that:

- Hamilton County population is likely to decrease during the next 15 years; how significant the decrease is and the point at which growth may again occur is linked to development efforts both within the City of Cincinnati and the western portion of the County.
- The rate at which jail is used will continue to increase as it has during the recent past when the implementation of alternatives moderated the rate of increase.
- The trends in female inmate population have been capacity limited. As a result, the space required for female offenders should be adjusted upward to eliminate the impact of early releases with this population.

This scenario results in a needed system capacity of 3,036 beds, with the goal of reaching 2020 with this count and potentially making this capacity last for a longer period if evidence-based programs being piloted today impact recidivism as anticipated. The capacity includes current, replacement and expansion beds.

- HCJC will be maintained as a primarily pretrial facility, serving maximum and some medium security inmates, at its current capacity (1,240 current beds), although it is likely that the Bureau of Adult Detention would suggest that this facility be returned to its single occupancy capacity (848). Only males will be held in this facility.
- Queensgate, Reading Road and Turning Point will be replaced in a new secure facility (1,032 beds of which 932 are male and 100 are female replacement beds), and
- The new secure facility will include the 1,032 replacement beds and 785 new beds, resulting in a total of 1,817 beds (replacement and new), serving primarily medium and minimum security inmates. This facility will also provide new housing designed for inmates with medical and mental health needs, and all female offenders will be housed in this facility. This will be a program intensive facility.

Although it is clear that Hamilton County needs to plan for no less than 25 years, it makes considerable sense to construct the beds required for a shorter period (15 years). There are several reasons for this approach:

- Implementation of a number of in-facility, evidence-based programs, which are linked to existing community alternatives and programs, has the potential to reduce recidivism. The success of these programs should decrease future need for jail space.
- Just as the type of inmate held today has changed from those held fifteen years ago, it is reasonable to assume that inmates could change again in the future.

It is equally clear that Hamilton County can not continue on its current path without a significant impact on public safety. Correctional facilities exist for two primary reasons. As pretrial facilities, they offer a place which can guarantee to the Courts that inmates will be available during the court process. As sentenced facilities, they are a means of holding people accountable for their behavior in the community. When these missions are compromised, both the justice system and the community feel the impact of the belief that some types of criminal behavior can occur with little or no consequence.

At the same time, correctional facilities have a tremendous opportunity to impact the quality of life in a jurisdiction. With the relatively small percentage of inmates who go into the state prison system (about 7% of those booked at the jail) and who are returned to other communities, everyone who is admitted to the jail is released back into the community. Based on incarceration alone, 70% re-offend; with evidence-based programs, that proportion can be reduced to 40%, decreasing victimization and making the community safer.

