

## **Public Safety Complex for Questions & Answers**

**There is no perfect solution. The County has reached the point where we have conducted studies, looked at alternatives available in NYS at this time, which has resulted in time passing and our situation and expenses increasing. Cortland County is not unique as this is happening to counties surrounding us as well. Submitted questions have been answered below.**

Will the company that donated the land on RT 13 be participating in the RFP / Bid process for the construction of the new public safety facility? Are they eligible to do so? ? Is it DMK Development Group? Here is their website: <http://www.dmkdevelopment.com> is this the correct firm? Let me be direct....does the company that donated the land, or any of its subsidiaries, or any other companies the owners have a stake in, have any opportunity to win business, of any kind, from the proposed public safety building project?

**No.**

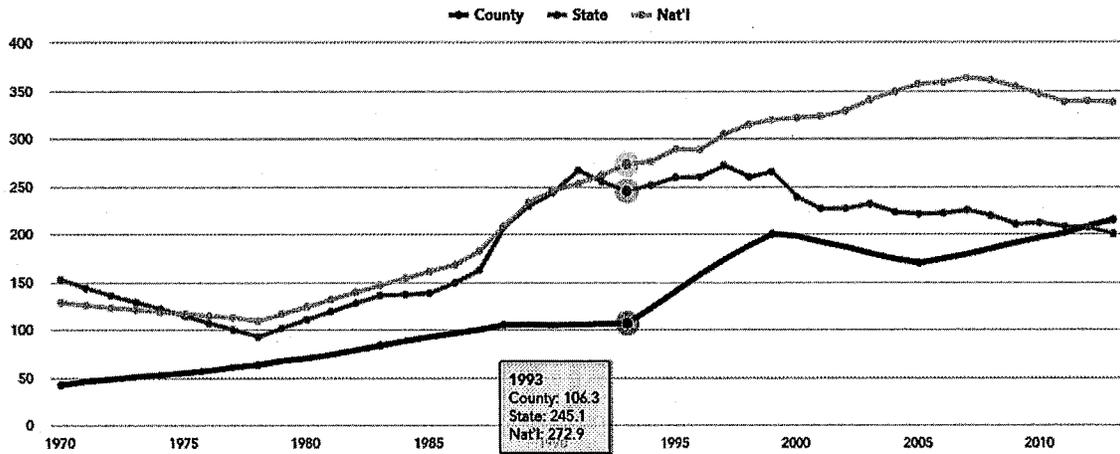
Below is a link from an article in the NY Times today, (opinion/a modern system of debtor prisons) regarding the incarceration of people because they can't pay fines. I surely hope we don't do that here in Cortland County, although I do think it may be the case with people not being able to make bail--low income people getting stuck in jail at a far greater rate because they can't make bail whereas higher income people don't have that issue. I think it important that we look at a process to change that issue before committing to a significantly increased jail size.

**March 30<sup>th</sup>, 2016 Stats and the 2015 Annual Sheriff report are loaded on the county website under the Public Safety Complex link.**

Are any of these funds coming to our county? **National Reentry Week: An Essential Part of Our Mission.** By Loretta Lynch Huffington Post March 21, 2016. **The County Mental Health for has applied for Department of Justice Grants. Normally, these grants are awarded to about a select few communities throughout the USA. Our experience is that we do not have individuals included (such as 4,000 inmates released per year) to be competitive in the applications. We do not have the space or staffing in our current facility to offer such programs. The Mental Health Department does continue to apply for such grants. The data on treatment facilities show that it brings in individuals from outside of the community who have a tendency to remain after treatment.**

If the proposed cost of the new complex is 38 million dollars and the life of a jail is approximately 25 years, continuing the boarding out of inmates over that time would cost 10 million, if we double that cost it's 20 million, if we triple the cost it's 30 million dollars. Why build a new jail if it is cheaper to board out the overflow? **If there were not regulations by NYS, this would be a viable solution, however that is not the reality of what NYS will allow. The facility is being designed for**

50 years and it is estimated that the Bond will be issued for \$32-35 million dollars. Our current facility cannot sustain at the capacity currently housed. There are more expenses involved that just boarding out. Additional ongoing costs are transport of inmates, repair of failing infrastructure, NYS Commission of Correction mandates for staffing and inmate regulations, expense of District Attorney, Public Defender and/or Conflict Defender, Probation to travel from Cortland to where inmates are housed, county space needs, long term employee expenses related to health insurance and retirement. You may wish to look at [trends.vera.org](http://trends.vera.org) and click on Cortland County. Since 1970, Cortland has experienced a 408% increase in jail incarceration.



What percentage of the overtime claimed is the result of summer vacations occurring at the same time? What percentage is related to language in their current contract? If there is to be a true savings related to overtime, will we see a corresponding reduction in the sheriff's annual budget? If not, wouldn't that result in a huge increase in the sheriff's budget? By moving a large annual budget item off the daily expenses is the legislature looking for a way to expand spending by bonding and using the corresponding "savings" to increase spending and the size of government?

**This is difficult to answer as we are not sure what the claim was that is referred to. Union contract language is not exclusive to the jail. In a new facility, the amount of overtime spent on transport will reduce. We cannot plan for medical emergencies or court directives. The bond will be directly for the RFP of the contractor bids, not daily operational expenses.**

If the jail portion of the current proposed complex allows for boarding in inmates from other counties or the federal government, what is the percentage of overtime costs compared to income from accepting boarders? Since our disability coverage for the corrections officers covers their disability if injured on duty, would that cost exceed the income from accepting boarders?

**Boarding in does not create overtime. The County is not required by law to carry disability insurance. We carry Worker's Compensation insurance, as every employee is required to do. The liability for Worker's Compensation exists with all employees throughout the County.**

What percentage of our jail population includes non-violent drug offenders? What is the percentage of other inmates can drugs be attributed to their crime? What other non-violent offenses would decrease the number of inmates? What impact would that have on the number of boarders available?

**Based on the definition of non-violent drug offenders by NYS, we house a minimal amount of non violent offenders. These cases are normally processed through Probation and ATI. The jail population is not controlled by the Sheriff's office but by the Judicial system. The jail only serves as housing to carry out those directives. Crimes such as burglary, assault and domestic violence are often linked to drugs and many crimes are committed simultaneously.**

NYS is the only state that prosecutes 18 year olds as adults. The governor and state legislature want to change the current laws. Recently our DA had a forum to discuss the age of criminality. What percentage of our inmates are 18 years old? Given the current political climate on these issues, should the number of cells requested be reduced with the ability to add on later if the need increases?

**No. These statements are inaccurate as NYS is not the only state and the state legislature does not agree with the Governor to date. It is not intention to design separate housing units, but flex units which will cover future legislation changes. Traditionally, we do not get that age population in the jail. If the law changes, the county will experience an increase in expense as the burden of 16-18 year olds will shift to the County Attorney's office and Probation.**

Does the 38 million dollar figure include the cost of rehabbing the existing public safety building for other use? What is that estimated cost? What would be the true cost of that rehab for taxpayers? Does that cost include: asbestos abatement, cost of destruction and construction, the need for additional parking requiring the purchase of nearby properties that are all income producing properties removing them from the tax rolls?

**No. The cost cannot be determined until we go to the next Phase. There has been no discussion to abolish the current structure.**

Why move our current emergency communications center and emergency services department to a new location? Couldn't you reduce the cost of the project to taxpayers by leaving them in their current locations and provide the same service to residents?

**For continuity of operations and consolidation of very expensive IT equipment. The consolidation will open doors to grant money. Cortland**

**County has been very successful in recent grant ventures with the Federal Government.**

What would be the cost of just building a new jail? How does that compare to the cost of a complete complex?

**This cannot be answered without completing Phase II.**

What impact does that have on our constitutional debt limit and the county credit rating?

**That depends on when the bond is issued and what debt is on our books at that time. These bonds will be issued as Tax Exempt bonds which are recognized as such on the Constitutional Tax Limit calculation.**

What impact by comparison would these two proposals have on staffing requirements?

**Based on comparable facilities, it is anticipated that the staffing requirements would be 54 officers to 50 inmates versus our current requirement of 53 officers to 93 inmates.**

What steps is the legislature considering in reducing the need for jail cells?

**We meet monthly with our Criminal Justice Committee and Community Services committee to address issues such as this. The County's options are minimal due to mandates, limited funding and competing resources.**

If the War on Drugs was called off and people currently incarcerated in Cortland County received drug addiction treatment and other alternative methods to incarceration, what percentage of inmates would no longer be in jail? How many would still be incarcerated?

**All of them. Legalization of drugs would not stop the crime factor due to their compromised capacity from the use of and their inability to pay for their addictions. We believe, based on the Colorado experiment, it has a tendency to increase addictions and the expense for offsetting social programs. You may wish to refer to this site: [www.cnbc.com/id](http://www.cnbc.com/id) - "Legalizing Marijuana Not Worth the Costs" which discusses increase in tax revenue is transferred to social program expenses.**

The sheriff of Gloucester, Massachusetts has declared the **War on Drugs** a total failure in the wake of the exploding problem of methamphetamine, heroin and fentanyl addiction. To combat the problem the sheriff has instituted drug amnesty days with direct referral into drug detox and rehab programs with a great deal of success in reducing drug arrests, recidivism and the need for jail services. Would the sheriff of Cortland County support such a program in Cortland County to reduce the size and cost of the proposed jail?

**In the report from the Gloucester, MA Police Chief, most people came in from other states, as far as California, for rehab services so you are importing addicts into the community. MA is shipping rehab patients to Florida who**

eventually return to MA. Due to the insurance reimbursement method in NYS, we would have to register them in our Medicaid program first, which will increase social service expenses. Local rehabs don't exist here currently and Medicaid will not reimburse for services out of state.

City of Cortland Police Chief and Cortland County Mental Health Director went to a presentation that the Gloucester Police Chief gave in Binghamton last fall. The City Chief Police has continued to express some interest but does not currently have the resources to implement. There is no similar treatment program currently available locally. Binghamton did implement the process and while they have been connecting quite a few people to treatment, all of those people have been sent out of state to detox/rehab facilities in Florida and Texas. The conference has been in communication with OASAS about the practice, and the state has said that they have no oversight over the treatment people are choosing. The results were mixed according to the Broome County Commissioner in terms of how people were being connected back to services in NY at discharge. OASAS mentioned that they have gotten some complaints from patients regarding the out of pocket expenses some have incurred. The process is still fairly new (I think since the beginning of the year) so we will learn more as we get additional data. Massachusetts has a different reimbursement program than NYS. NYS does not provide the same level of funding for detox and rehab programs. A facility would have to be built for this type of use as one is currently not available as a county asset.

Would it be a better end game to pursue a smaller jail and use the savings to work with existing services in Cortland and applying for grant money from the state as the north country is currently doing, to create a complete drug detox, treatment and rehab center for Cortland County?

**No. Cortland County tried that and that is why we are talking about this now. Grant money for building a Public Safety Complex or a Drug Detox/Rehab/Treatment center is not that easily obtained from NYS or the Federal Government. The County always apply for grant money, but the normal time frame, if the funds are approved and released, is roughly 18 months to two years from date of application.**

I also am concerned about more traffic on Bennie Road. It will increase vehicles traveling on the road at high rates of speed with sirens. This road has seen more than double the traffic it had 10 years ago. It is posted for 30 mph and 45mph and that is not consistent with sheriff's calls.

**Traffic in Cortlandville, has and will, increase due to the commercial growth in that area. We do not see Sheriff traffic increasing on Bennie Road as we do not view that as a shortcut.**

I think we should be concerned when we have a goal to house prisoners from other counties. The surrounding counties have already increased the size and capacity of their jails. They will not need our housing, but if they did, would we want what

comes with that? They bring families on welfare while their significant others are in our cells. Do we need that? I think our system is already taxed here.

**This information is not accurate. The majority of the local jails are full. We are building the facility for future needs, but the responsible thing to do would be to generate revenue to offset debt by housing in while that option is available. While NYS Prison's do encourage families to move due to longer sentences, that is not the case of County jails.**

Perhaps we should consider that the courts are in the city, and the housing for prisoners should be close, for time, and for transport. What about the property on Salisbury Street? What about Buckbee Mears property?

**There are 16 courts throughout Cortland County, with Cortlandville being the number one court. All potential properties in the County were considered, especially those near the current facility. The Buckbee Mears property was not an option due to NYS Commission of Corrections regulations about utilizing property with potential environmental concerns. The Salisbury Street property did not provide enough acreage. Further information on site selection may be obtained from the County Website [www.cortland-co.org](http://www.cortland-co.org) under the Public Safety Complex heading.**

What about the soccer/lacrosse fields that will be nearly across from the jail when that all comes to fruition? Do we want our kids there?

**The location of the facility on the DMK property will be down the road quite a ways. The location will provide a safer environment as there will be officers in the area throughout the day and night.**

Before any more money is spent, please provide a spreadsheet of personnel allocation: How is it possible to get by with hiring only one more FT Corrections Officer for a much larger facility? An accountability map will include the following/per shift: # Officers needed for movement of detainees/prisoners to the following: Activities, visitation, booking, phone, Transport from/to jail, misc other, officers needed to accompany civilian staff, counsel, families, etc.

**No hired officer only performs one function. Staffing requirements are established by the NYS Commission of Corrections not at the discretion of the County.**

# civilian staff: Cooks - 1, janitorial staff; electrician/plumbing; snow removal - **Utilizes Buildings & Grounds Staff; program staff - contracted; clergy - donated services.**

I'd like to ask when we will be holding a public forum provided by an impartial organization such as the League of Women Voters on the jail.

**A public forum was held on Monday, March 28<sup>th</sup>. The next public forum will be held Thursday, March 31<sup>st</sup> at the Cortland County Board Chambers.**

A large number of our inmates are persons who are innocent until proven guilty, awaiting arraignment. They are not simply given an appearance ticket due to prior

convictions. Why wouldn't ankle bracelets be a cheaper solution for this category of arrestee, rather than the far more expensive jail lodging? (and if this class of inmates were eliminated, would there really be a need for a jail?)

**Not true, we do not house people awaiting arraignment.**

A simple internet search shows that there was a national trend not long ago to build big new jails with the hope of serving communities and making money...only to have them sit very empty at a whopping monetary loss to the communities that built them. While the trend was build, build, build, it now has stopped. We appear to be lagging behind the times, so my question is: what is the situation nationally? And why do we think we would be any different from other communities who have fallen prey to what sounded like a good idea but proved to be a financial disaster?

**There is confusion between NYS County Jails and NYS State Prisons. NYS is "reforming" their policies allowing low-level offenses out. As a result, they are returning to their home of origin and when they recommit a crime, they are placed at the County Jail level instead of a NYS prison. The County considers this action to be another unfunded mandate by NYS.**

I heard a very fascinating solution proposed by another attorney yesterday, and my final question is how will alternatives be considered (how can this person's alternative be discussed)?

**This has been mentioned to us twice, is this a secret? We would be interested in this suggestion. Alternatives are considered daily to minimize the county costs that we can control.**

Could you please provide community members with a one-week recent daily log of prisoners, listing by offense charged or sentenced numbers of locally held detainees, detainees held by others, and sentenced prisoners, broken down by sentence length?

**This information is available at <http://www.appriss.com/mobilepatrol.html>**

What are your proposed financial arrangements and costs for jail design, planning and construction?

**We propose to pay cash out of fund balance for Phase II - the design phase. We will not bond until we reach the Construction Phase III.**

How many beds are you planning to have occupied by federal prisoners?

**We are not planning for any, but will consider the option if beds are available.**

Based on comparative data and federal assurances, if any, how many federal and out-of-county detainees of those you have planned beds for can you conservatively expect to fill on an average day; what daily per diem do you expect to receive; and hence, even assuming that the operating costs of the new jail don't increase by much, how much of the annual bond indebtedness do you expect, on what assumptions, to offset by additional income?

**We are not planning for any, but will consider the option if beds are available. Any revenue received would be applied against debt at next debt payment.**

Finally, you say that the new jail will require only one more staff position than at present. Would you please indicate on the proposed floor plan of the new jail how many jail deputies will be on 24-hour duty in each part of the jail, from supervision, monitoring, phone and booking duty through each pod to transport, activities and visitation?

**We do not have a proposed floor plan. This will be provided as part of Phase II. We are going to attempt to construct the most efficient facility in the state. Based on information received from surrounding facilities, their staff to inmate ratio is at least double Cortland County's due to the way facilities are designed now. A bigger visitation area will allow us to limit visitation days and related staff expenses.**

Who is housed in the Cortland County jail vs other local, regional, or state correctional facilities? - Start with the basics. Many of us do not understand the difference between jail and prison/penitentiary. **Please see following link: <http://sheriff.org/faqs/displayfaq.cfm?id=4f892698-5c5d-40f8-b159-c9a0b6ed66f3>**

What is the breakdown of current jail inmate population by age, gender, race, crime, and length of sentence?

**The 2015 Annual Sheriff's report has now available on the Cortland County Website under the Public Safety Complex link.**

What is the incarceration rate in Cortland County, and how does that compare with other counties and NY State?

**You may wish to look at [trends.vera.org](http://trends.vera.org) and click on Cortland County.**

What are historical (e.g., 10-year) trends in the inmate population?

**You may wish to look at [trends.vera.org](http://trends.vera.org) and click on Cortland County.**

What are the problems that are driving proposals to construct a new facility?

**The downsizing from 100 beds to 50 beds in the jail construction in 1990, which results in growing inmate population, infrastructure and utility costs, safety, staffing.**

What are the current annual costs of the county jail, including any debt and outplacement of inmates?

**The cost of the jail is not just the jail. Other departments have related costs which are in separate budgets. The jail budget alone is on the county website at" <http://wserver/2016%20Adopted%20Budget.pdf> and starts on page 55.**

What is the current cost per taxpayer (e.g., per \$100K assessed home value)?

**The entire 2016 county budget average cost is \$14.51/\$1000.**

Who would be housed in the proposed public safety complex?

**Court ordered inmates, which is outside the control of the Sheriff's office.**

What is the total projected cost of planning and construction? operations (ongoing cost once facility is opened)?

**This will be contingent on the final design approved by the board in Phase II.**

What is the projected cost per taxpayer (e.g., per \$100K assessed home value), including construction costs?

**This will be determined once the RFP value and known and prior to presentation to board for approval of Phase III - Construction.**

What alternative solutions have been considered? What are the costs of alternative solutions, including both any capital costs and day-to-day operational costs?

**Any alternatives such as rehab/treatment/detox will require another structure as the county does not have space currently available. Related day to day costs would be based on what, if any, alternatives are approved and recognized by NYS or the Federal Government.**

What is the estimated cost per taxpayer (e.g., per \$100K assessed home value)?

**This will not be known until Phase II is completed. At this time, with restructuring of county resources and majority support of the board in these changes, it may be possible to have a minimum impact.**

What are the pros and cons for constructing a new facility rather than the alternatives?

**Pros: Low interest rate, competitive construction market, proactive to changes coming down from NYS Commission of Corrections, lower infrastructure costs due to warranties, reduction of expenses from other county departments due to interaction with boarded out inmates, central arraignment and holding area allowing officers to be on the road not with an inmate, easier accessibility for judges and expedited sentencing, reutilization of current facility for other county departments.**

**Cons: Potential increase in taxes and liability if hard decisions are not made and supported by County Legislature.**

Are grants available for any of the options, including the proposed safety complex?

**Yes, currently there are grants available for the Communications Center, Central Booking may have access to NYS Shared Services Funds, Utilities may be eligible for funding from NYSEDA, other NYS grant options may be available from the Regional Economic Development Committee. The County, has always, and will continue pursue all available options.**

I would like to say that when the current jail was built I recall it being said that it could be added on to by building a second story. Since that has changed and the current jail is a mere 26 years old, this time go the extra mile and build one that is oversized and will last long term!

**Thank you, we agree.**

Cortland bought a new jail in 1990. Since 1990, the population in Cortland has DECREASED by 151 residents (according to Google) yet our need for jail cells doubled?

**Yes, this is correct. Drugs and crime have not reduced. Our jail population has steadily increased since the 50 bed facility opened. Population statistics do not take into consideration students or inmates.**

Is it really going to cost \$40,000,000?

**The current estimate to be bonded is \$32 - \$35 million.**

Does our county have a surplus of money\*?

**The County has fund balance. The NYS Comptroller's Office monitors fund balance reserves. The County has been paying down debt and tightening its internal controls.**

Should we expect that our county's economics will improve?

**No. This would require joint efforts between NYS and the County. Regulations within NYS restrict options and desirability.**

Do you expect crime to keep increasing?

**County law enforcement is doing its best to make sure it doesn't but we can't control society.**

What is the root cause of all the incarcerations?

**Crime.**

Are we looking at ways to address the root cause of the problem?

**Every day. If that question had a simple answer, it would have been addressed a long time ago. We do the best we can every day.**

Would you please consider writing an editorial to explain in plain, simple terms what bonding means? Please try this link:

**<http://www.hinckleyallen.com/publications/tax-exempt-borrowing-basics-%E2%80%93-a-quick-reference-guide-to-tax-exempt-bonds/>**

How many home monitoring devices did Cortland County buy? How many do we have in total? Are they all being used by people who would otherwise be in jail?  
**We do not purchase any of the units. We order them as we need them and then pay while they are in use. Once done we send them back. They are used for pre-trial or as a condition of Probation for people who would otherwise be**

**detained pending sentencing or those who would have been serving a jail sentence. Electronic monitoring is not a stand-alone sentence and must be a condition of Probation if the Courts want to utilize it as a sentence.**

**Can you reuse plans from another jail, such as St. Lawrence's County's? SMRT originally priced our competitive fee with the assumption that SMRT could reuse some of the details and design assumptions of the St. Lawrence project. However there are several reasons SMRT cannot simply reuse the documents in whole. For example, the site at St. Lawrence was flat and allowed a spread out plan. In Cortland, the site configuration and topography will drive a more linear configuration of the building. It is unlikely that the St Lawrence building configuration could economically fit on the Cortland Site. The housing configurations and sizes are all different and this accounts for almost half of the built area of a jail. In St. Lawrence, a certain precast company for the housing and the pods were designed around those precast units. They are no longer available and the use of precast cells may not be economical for this project which is requiring a whole other set of details. The standards have changed and we will no longer be housing juveniles in the housing pods. St. Lawrence is designed to house juveniles. So the basic concept of the housing pods will be similar but we cannot use the drawings for the St. Lawrence housing pods as standards and codes have changed. SMRT met recently with Commission staff to review the changes in their requirements regarding the design of the recreation areas for the general population and the special populations. The designs for the recreation units used at St. Lawrence are no longer allowed and the new recreation areas will differ physically significantly. Building codes and life safety codes continue to evolve causing changes in the design and detailing of new buildings. SMRT has designed many jails of this size and has found that no two have ever been operated exactly the same and the design reflects different operational and staffing goals. Portions of the Cortland project may be similar to the St Lawrence project or the range of practice at our SMRT designed facilities. SMRT made that assumption when developing their fee because they are not reinventing the wheel completely on everything they do.**