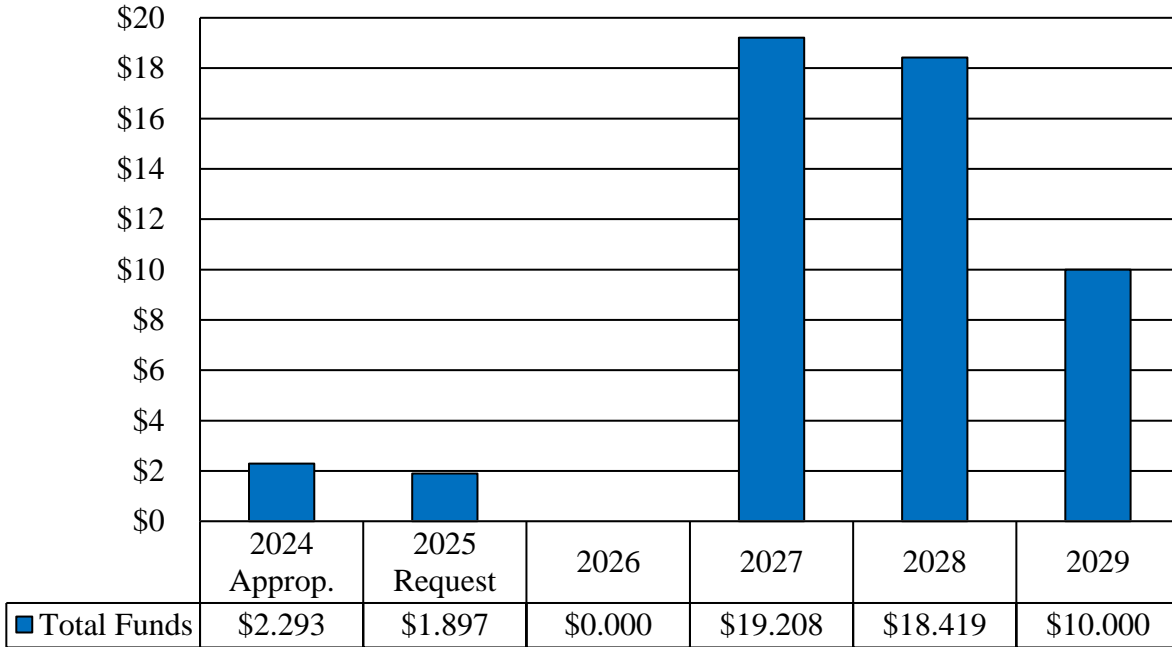


ZB02
Local Jails and Detention Centers
 Department of Public Safety and Correctional Services – Capital

Capital Budget Summary

Grant and Loan *Capital Improvement Program*
 (\$ in Millions)



Note: All funds are sourced from general obligation bonds. Fiscal 2024 is adjusted to reflect the proposed deauthorization of \$10.870 million in funds for the canceled Queen Anne’s County Detention Center Addition and Renovations project.

Key Observations

- ***Only One Project Programmed for State Support in the 2024 Capital Improvement Program (CIP):*** After the cancellation of local government support for the planned renovation and addition of the Queen Anne’s County Detention Center, the fiscal 2025 budget and the five-year CIP only includes State support for the Montgomery County Criminal Justice Center project.
- ***Population Statistics:*** Local jail populations increased in fiscal 2023, similar to what has been seen at the State level in Maryland and other jurisdictions.

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GO Bond Recommended Actions

1. Approve proposed general obligation bond authorizations.
2. Adopt committee narrative requesting annual local jail population statistics.

Adopt the following narrative:

Local Jail Population Report: The budget committees request that fiscal 2024 local jail average daily population (ADP) data be provided by the Department of Public Safety and Correctional Services (DPSCS). In addition to the Annual Summary of Maryland Local Jail Statistics, which shows ADP data by county, DPSCS should provide the following for each local jail or detention center:

- operational capacity at the end of each month, making note of specialized population beds that cannot be used by general population inmates;
- the ADP for each month, separated by male and female offenders;
- the number of days each facility exceeded operational capacity each month; and
- the peak inmate population at each facility per month.

Information Request	Author	Due Date
Local jail population report	DPSCS	September 15, 2024

Updates

- ***Frederick County Adult Detention Center Phase IV Medical Addition Project Completed Funding:*** The State provided \$1.0 million of supplemental funding in fiscal 2024 to assist Frederick County with project costs that exceeded the budget. The project is nearing completion, and an accounting of the final total State grant should be forthcoming to determine if a portion of the supplemental funding can be returned to the State.
- ***Queen Anne’s County Detention Center Addition and Renovations Project Deauthorized:*** As introduced, the capital budget bill includes three amendments deauthorizing the entire \$16.2 million of prior State authorizations for the Queen Anne’s County Detention Center Addition and Renovations project, after the county notified the State that it no longer supported the project. The county intends to work with Caroline and Kent counties to develop a regional detention center with cost saving efficiencies for construction and operations due to the various renovation needs of all three facilities.

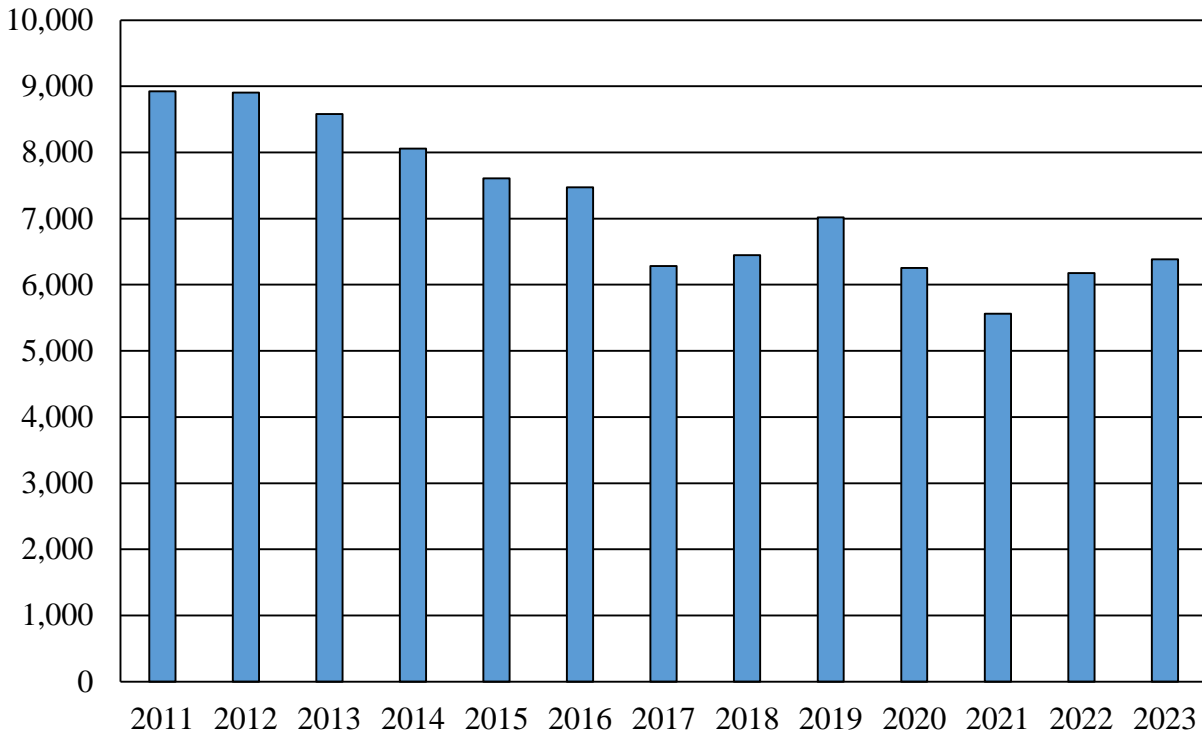
- ***Previously Completed Project Funding Deauthorized:*** The capital budget bill includes amendments to deauthorize unexpended State authorizations for two completed projects. The Montgomery County Pre-Release Center project (\$463,523) was completed successfully and did not require the entire authorization. The Calvert County Detention Center Site and Security Improvements project was canceled, and the fiscal 2020 authorization of \$249,000 is no longer needed.

Local Jail Population Statistics

Sections 11-104 and 11-105 of the Correctional Services Article require the State to fund 50% of the eligible capital costs to design, construct, and capital equip the construction of new or expansion of existing local detention centers. If a county can demonstrate that additional bed, programming, and support space are necessary to accommodate offenders serving between 6- and 12-month sentences, then the State provides 100% of funding for that portion of the project. The Department of Public Safety and Correctional Services (DPSCS) processes the local applications for State funding and determines the portion of the project cost eligible for State participation. State funds may only be used for costs directly related to incarceration. Ineligible costs include, but are not limited to, air conditioning, single cells, maintenance work on current facilities, utility connections, and space not directly attributable to detention functions, such as office space. The amounts recommended are based on the most recent information provided to the State by the counties. These facility improvements are funded to the extent that they conform to standards established by DPSCS, the Department of Budget and Management, and the Department of General Services.

Exhibit 1 shows Maryland local jail and detention centers' average daily population (ADP) from fiscal 2011 to 2023. There was a preexisting trend of decline until fiscal 2018, which began a short trend of increases that was stopped by the pandemic in fiscal 2020. The incarcerated population began growing again after the pandemic ended, and the locally detained ADP increased by 205 (3%) from fiscal 2022 to 2023 and is slightly higher than fiscal 2020 levels and 634 (9%) lower than the recent peak fiscal 2019 ADP. The localities with the highest increases were Montgomery County (91 individuals, or 12%), Prince George's County (71 individuals, or 8%), and Baltimore County (68 individuals, or 7%). Excluding these three counties, the data shows a total net decrease of 25 individuals, or 1%, of ADP across all other counties from fiscal 2022 to 2023.

Exhibit 1
Detainees in Local Jails and Detention Centers
Fiscal 2011-2023



Source: Department of Public Safety and Correctional Services

Exhibit 2 shows that 13 of 23 counties saw population increases from fiscal 2022 to 2023, continuing the trend from fiscal 2021 to 2022 caused by the reopening of courts and reductions in processing backlogs. On the other hand, 9 of 23 counties had decreases, led by Cecil and Wicomico counties. Queen Anne’s and Kent counties also saw significant decreases as a share of their total population. Regarding overall offender capacity, Talbot County continues to operate above historical levels but within facility capacity. The Carroll and Cecil counties detention centers have been operating above capacity for several years, but Cecil County had the largest reduction in population of all counties in fiscal 2023 and is no longer operating above capacity. Carroll County had another year of increase and is currently at a recent historical peak.

Exhibit 2
Local Jails Average Daily Population by Jurisdiction
Fiscal 2018-2023

<u>County</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>Change</u> <u>2022-2023</u>	<u>% Change</u> <u>2022-2023</u>	<u>Total</u> <u>Operating</u> <u>Capacity</u> <u>Q4 2023</u>
Allegany	116	151	169	144	187	178	-9	-5%	297
Anne Arundel	668	739	571	474	517	494	-23	-4%	1,182
Baltimore County	997	1,148	1,033	869	966	1,034	68	7%	1,513
Calvert	149	149	116	111	104	89	-15	-14%	228
Caroline	53	52	58	66	56	59	3	5%	134
Carroll	171	182	184	176	191	214	23	12%	185
Cecil	212	238	262	252	248	183	-65	-26%	353
Charles	296	257	198	136	148	151	3	2%	590
Dorchester	103	145	129	101	135	116	-19	-14%	281
Frederick	286	294	273	232	260	296	36	14%	468
Garrett	47	63	60	41	58	57	-1	-2%	85
Harford	331	357	335	246	269	303	34	13%	820
Howard	295	302	253	201	231	231	0	0%	477
Kent	43	58	55	39	49	36	-13	-27%	81
Montgomery	724	828	759	645	733	824	91	12%	1,439
Prince George's	861	818	696	731	883	954	71	8%	1,525
Queen Anne's	90	100	66	78	80	60	-20	-25%	152
Saint Mary's	186	208	205	164	196	215	19	10%	321
Somerset	59	66	45	37	43	44	1	2%	120
Talbot	58	72	73	99	89	101	12	13%	153
Washington	248	317	300	304	316	345	29	9%	495
Wicomico	298	319	291	273	294	265	-29	-10%	560
Worcester	157	154	123	144	125	134	9	7%	500
Total	6,448	7,017	6,254	5,563	6,178	6,383	205	3%	11,959

Source: Department of Public Safety and Correctional Services

The 2023 Joint Chairmen’s Report (JCR) requested quarterly population reports and an annual summary of local jail statistics by September 15, 2023. The required data was submitted on time. DLS recommends adding this language again in the 2024 JCR.

Budget Overview of Grant and Loan Programs

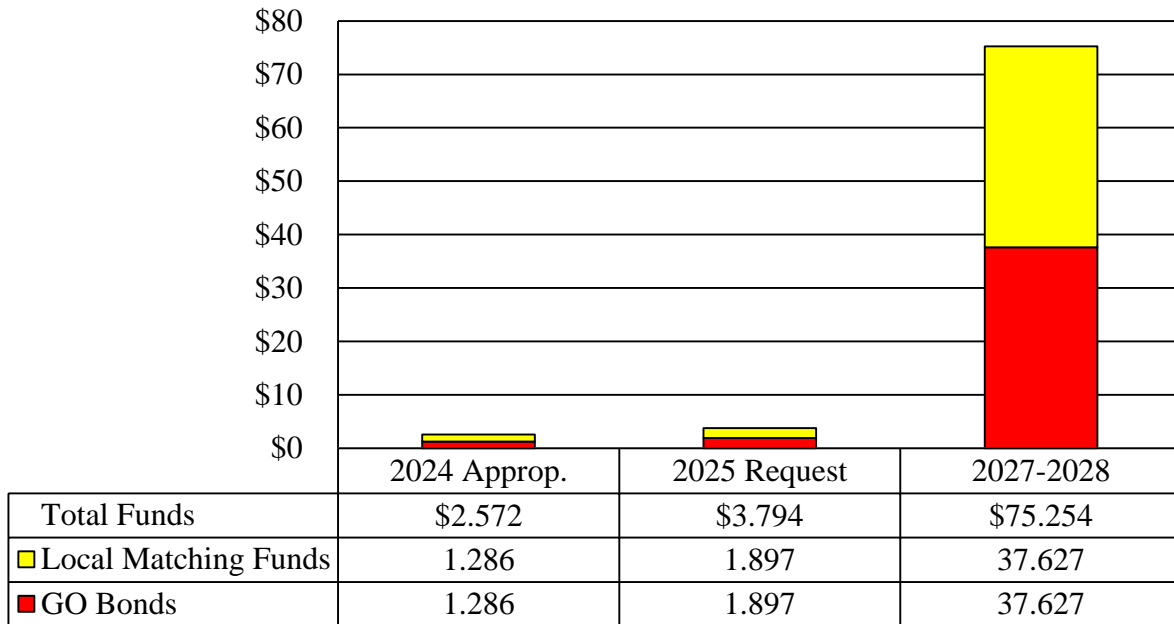
The fiscal 2025 capital budget includes \$1.9 million for the Montgomery County Criminal Justice Complex. This is the only project funded through the Local Jails and Detention Center program in fiscal 2025. Furthermore, the future State commitment to this project accounts for the entirety of what is programmed in the 2024 CIP for this grant program following the cancellation of the Queen Anne’s County project.

Montgomery County Criminal Justice Complex

This project will replace the existing Montgomery County Detention Center (MCDC) with a new facility focusing on improving core detention processes, addressing gaps in service, and expanding deflection and diversion programming. A 2014 Master Facilities Confinement Study concluded that replacement would be more cost effective than renovations. The study also concluded that bedspace was sufficient for the county overall, but maintenance needs and specialized space needs required improvement. The two major operational gaps identified by the study were that space was lacking for central processing and detention as well as deflection and diversion of individuals with acute and/or chronic mental health conditions. In the fourth quarter of fiscal 2022, MCDC only had 6 specialty beds available out of 135 total, and many more individuals are in need of mental health, substance abuse, and stabilization areas as MCDC operates as the county’s central processing facility for intakes.

Fiscal 2024 was the first year that this project appeared in the Local Jails and Detention Centers Grant Program. To complete planning, the project is anticipated to need \$1.9 million in State funds in fiscal 2025. The estimated \$81.6 million total project cost would require \$40.8 million in State funds by the project conclusion. **Exhibit 3** displays all anticipated funding needs for this project, which are split evenly between the State and local government.

Exhibit 3
Montgomery County Criminal Justice Complex Funding
Fiscal 2024-2028
(\$ in Millions)



Note: No funding is currently programmed for fiscal 2026.

Source: Department of Budget and Management; Department of Public Safety and Correctional Services; Department of Legislative Services

- Changes:** Funding will be used for planning, which has been extended by one year to allow more time for completion of the preparation and bidding process. While the planning stage has been extended, the construction stage was moved up by seven months to June 2028. The earlier date is due to a revised estimate from the county program managers. The cost for the Montgomery County project has increased by approximately 6% from the previous estimate to the current estimate.
- Concerns:** The Master Facilities Confinement Study was completed in fiscal 2014 and needed to be updated to provide more accurate information in preparation of the capital construction project. **Montgomery County should comment on the progress of updating the Master Facilities Confinement Study and any anticipated impact results may have on project scope, size, and operational needs.**

Frederick County Project Completed

The Frederick County Adult Detention Center Phase IV Medical Addition was authorized \$1.0 million of supplemental funding in fiscal 2024 to assist with project costs that exceeded the budget. The project is nearing completion, and an accounting of the final total State grant should be forthcoming to determine if a portion of the supplemental funding can be returned to the State. DPSCS reported that the project would need \$5.4 million in State funding, which is lower than previously expected. The project funds were used to design and construct a 26-bed medical unit, tripling the preexisting number of examination rooms and expediting medical care in a more confidential environment. **DPSCS should update the committees on the final amount of State funds expended for the project and the most recently available status update for the closeout process.**

Queen Anne’s County Project Deauthorized

The Queen Anne’s County Detention Center Addition and Renovations project received a total of \$16.4 million of State grant funds between fiscal 2020 and 2024 and was programmed to receive an additional \$6.9 million to complete the project. The project has been canceled, and all previously authorized funding is proposed to be deauthorized in the capital budget bill. All previously expended funds for the design stage, which reached the 100% construction document stage, will be paid for from local matching funds. Queen Anne’s County is working with Caroline and Kent counties to plan a regional detention facility for those three counties. The new project is not ready for funding yet but is expected to be included in future CIPs, when more is known.

In previous years, the plans for renovation projects in Kent and Caroline counties were expected to cost the State approximately \$8.6 million and \$4.7 million, respectively. Both projects were intended to renovate the space for compliance with Americans with Disabilities Act and American Correctional Association (ACA) regulatory codes. The Queen Anne’s County project was expected to contain a new housing unit, substantial renovations to existing administrative and programming space, as well as modifications to comply with ACA and Health Insurance Portability and Accountability Act standards. All three projects are now expected to be included in one regional facility to maximize cost savings and efficiencies. There may be additional risk factors included in this approach, as there was indecision at the county level concerning the local funding commitment when it became apparent that the original cost estimate was significantly low for the Queen Anne’s County project.