

TO: VIGO COUNTY COUNCIL

FROM: VIGO COUNTY COMMISSIONERS

RE: RESPONSES TO QUESTIONS PRESENTED ON JANUARY 10, 2017

DATE: JANUARY 20, 2017

YOUR QUESTIONS ARE IN BOLD AND CAPITALIZED;

1. WHAT ARE THE PROJECTED OPERATING COSTS, INCLUDING PERSONNEL COSTS, FOR THE PROPOSED JAIL FACILITIES AND HOW DO THEY COMPARE TO THE CURRENT OPERATING COSTS?

Attached to this response you will find an appendix and listed the documents marked A in the appendix is an operational cost analysis performed by one of the architectural firms who submitted a proposal in response to the RFP. The analysis does include \$375,000.00 for out of county housing, so you could reduce the operational savings by \$375,000.00. We would say this in response to the questions as well. Operational Costs are primarily driven by the number of Full Time Employees (FTE) that are required to adequately and safely staff the institution. The number of FTE's is dependent upon the type of design you are able to move forward with. The remote pod design that you have seen from DLZ, which touches on one of your later questions, does one very important primary thing: It increases the ratio of inmates that one FTE can monitor. It gives the FTE good line of sight for direct supervision and with the increase in security camera technology, it allows good remote monitoring as well. The other operational costs are primarily dependent on inmate population (i.e. food, supplies, medical costs for inmates) so if your inmate population increases it is hard to logically predict your operational costs will go down. You are essentially asking us as Commissioners to predict the future, which we cannot do, what we can say is that we are committed to utilizing a design that minimizes the costs you can control (number of FTE's, more efficient mechanical, electrical, plumbing) and trying to establish a facility that has the amenities (i.e. classroom space, programming for substance abuse and mental health, and continued assessment for alternative sentencing options) to reduce the average length of stay for inmates.

2. WHAT ARE THE POTENTIAL LOCATIONS OF THE PROPOSED FACILITIES AND COSTS ASSOCIATED WITH EACH OPTION? PLEASE INCLUDE THE COST OF RUNNING UTILITIES TO EACH LOCATION.

Attached and labeled B in the appendix you will find a statement issued Tuesday, January 17, 2017, detailing the proposed sites. The utility information has been provided to the Council for the industrial park and international paper. The Commissioners are awaiting documentation regarding the viability of 13th and Hulman and North 1st Street and will plan on updating the Council as new information becomes available.

3. WHAT ARE YOU PROPOSING TO DO WITH THE CURRENT BUILDING? WHAT ARE THE ANTICIPATED IMMEDIATE AND LONG TERM OPERATING COSTS ASSOCIATED WITH EACH PROPOSAL?

There is no doubt Vigo County needs secure storage, the 5th floor of the courthouse is stressed and I am sure some council members remember the issue in Judge Newton's jury room, which had to be rectified. The Commissioners are totally on board with the idea of scanning documents to reduce the necessity of new storage, but some of the documents we are talking about are subject to retention by statute. The 13th street property the County is utilizing now for off-site storage is not a desirable building and had structural integrity issues last year, which had to be corrected with additional beam support designed by Michael Waldbieser and installed by Garmong and cost approximately \$25,000.00.

The immediate plans for the current jail building include:

- Moving 911 central dispatch staff and technology from the basement to the main floor;
- Utilizing building for storage.

Beyond that there are no immediate plans. The annex is stressed with the growth of CASA, more CHINS (Children in Need of Services) cases means more volunteers and staff, so the potential for renovation down the line is there. However, the Commissioners are mindful of the proposed new debt associated with the new security facility and understand that potential renovation of the current jail will not be possible in the short term with the budget constraints created by the new debt.

There will still be operating costs associated with the current jail, as we said 911 would still be in the building, but the average operating cost of a building is unobtainable when all you have is the history of how the building has operated with approximately 260 people living in it 24/7/365.25. It is safe to say the paper storage will not need as much water, light, or heat as a human being does. Furthermore, the Commissioners will assess whether there might be any potential scrap value of the steel and other material utilized in the construction of the current jail to provide some revenue from this situation, however unlikely that may be.

4. WHERE WILL THE 911 DISPATCH OFFICES BE LOCATED AND COSTS ASSOCIATED WITH THE LOCATION?

See answer to Question 3, the operating costs would not change from what the Sheriff's administrative office space utilizes now. It is possible some minor renovation with the County Maintenance Staff could occur to make the office space more user friendly for 911.

5. ARE THERE ANY AREAS IN THE CURRENT PROPOSAL THAT ARE NOT NECESSARY TO THE OPERATION OF THE SHERIFF/JAIL DEPARTMENTS THAT CAN BE ELIMINATED TO REDUCE COSTS?

We sat in several of the building programs and listened to the discussions and I believe the proposal has what a functional efficient sheriff's office/security complex should have. You want to be able to conduct clean investigations and convict the people who the prosecutor thinks may have committed a serious crime, so the value of evidence storage and chain of custody procedures cannot be overstated. That requires locked doors and areas to process evidence and a separate spacious area to store it as some investigations/trials can last years. However, the Commissioners, and Sheriff, are conscious of the costs associated with new construction and are willing to make those decisions on the final design as it progresses. Additionally, any council members, within the constraints of the open door law, who wanted to be a part of those discussions would be welcome.

6. IS THERE CURRENTLY A PLAN IN PLACE TO ADDRESS COST OVERRUNS ON THE PROJECT?

The Commissioners employed Garmong for their professional services to oversee construction and part of their scope of work includes cost estimating and minimizing change orders. See the documents labeled C in the appendix for what Garmong called their “play book” for reducing cost overruns.

7. PLEASE EXPLAIN THE MEDICAL WING THAT IS IN THE CURRENT PROPOSAL?

That is a very broad question and because this question has subparts I will try to answer the subparts throughout this response:

Having a medical unit can, in our opinion, be classified as a “best practice.” The largest unknown liability associated with inmates is medical, which by statute is solely the responsibility of the county at the established rate (Medicaid). Currently, the contracted medical provider is Quality Correctional Care (“QCC”), which provides this same service for approximately 40 jails across Indiana. QCC employs all medical providers on a 24 hour a day basis and passes through their costs to Vigo County. In addition, QCC qualifies every individual who is booked into the jail on Medicaid to ensure the medical billing is subject to reimbursement and if the inmate is taken off site, the sheriff pays what he is supposed to pay and nothing more. Personally, I have heard nothing but praise for the job QCC has done for Vigo County.

The medical unit will minimize the cost of inmate medical costs by not having to take people off site. Furthermore, it gives the Sheriff another classification tool, if you have an elderly person arrested for harming a child, that person is tough for the Sheriff to properly classify currently, but with medical beds, you could put that person in one of those cells and isolate him from harm while at the same time, possibly reducing the medical costs that person might incur, because you are able to treat on site. This unit will not be able to support any major operation, so those potential bills of several hundred thousand dollars are out there, but now you have QCC ensuring the medical provider is not billing at an

excess rate for the services rendered. If further clarification is needed, I am sure QCC could come in for a meeting with the Council. Local Hospitals will not be involved in the development of the medical unit. The projected cost is impossible to quantify except by removing the square footage from the building and multiplying by \$301 per square foot removed, but then you have to plan on taking every individual to an outside provider whose costs Vigo County will bear.

I hope the paragraphs listed above explain the benefit the Architect, Sheriff, Commissioners, and Construction Manager see in a medical unit.

8. ARE THERE ANY GRANTS AVAILABLE THROUGH THE STATE OR FEDERAL GOVERNMENT FOR THE CONSTRUCTION OF A JAIL?

The short answer to your questions is no. There are grants out there through the IDOC, which Bill Watson is very in tune with and applies for everything Community Corrections can through the Community Corrections Advisory Board, to provide programming to try and keep people out of jail, but grants for the hard construction costs are something we have been unable to find.

9. WHAT IS THE COST ESTIMATE FOR THE RENOVATION OF THE CURRENT JAIL?

This question is hard to answer, but in talking with the professional constructors, I will try to outline what they have told me. The first point I was told is any renovation of an occupied building is complicated, but the renovation of a currently occupied jail is magnified. You would be talking about ripping the mechanical, electrical, and plumbing systems out of a building that still has people living in it, unless you are talking about closing the jail during renovation, which would tack some costs on (average population call it 300 which is low, multiply that by \$35.00 per day = \$10,500.00 per day/\$315,000 per month/\$3.78 million per year). Furthermore, you would be trying to fit new mechanical systems into confined spaces. One of the primary complaints I hear from Building Maintenance is the lack of pipe chase for easy access to the mechanical systems of our current jail, this is because the current jail was converted from an office building into a jail and the necessities and stress of an office building vs. a jail

are not logically comparable. Furthermore, the security of having inmates in and around the contractor/subs is troubling, having tools in and around the inmates is troubling and if the building has to be shut down for some aspect of the job, then you have to put everyone someplace else while the building is shut down, which as shown earlier is expensive. There were never any real hard construction costs put to this option because the only way to add beds to the site is to go up and slightly back out into the staff parking lot, which involves ripping the mechanical systems on the roof of the current jail off, which is concerning because people still live there. The Construction Manager estimated the time of construction would increase drastically (which increases cost) with a renovation and with the logistical issues of working in an occupied building the level of oversight (i.e. security for workers) would create additional costs.

Additionally, we believe Vigo County needs to break the cycle and get away from the major problem which has created this situation, overcrowding. The number of beds cannot be meaningfully increased at the current site except by going up, which adds operation expenses. The only parking lot the County owns on the courthouse campus is extremely small and with setback requirements, no meaningful addition can take place on site. Furthermore, let's say you were able to renovate and add 125 beds, bringing your total to approximately 400 beds, then what if in 20 years Vigo County is averaging approximated 450 inmates per day, then the money you dumped into the renovation of the current facility turned out to be short sided because you don't have any way to economically add more beds.

The final point I would make, which was confirmed by both the Architect and Construction Manager, is if you are talking about a similar sized building when you are done, either after renovation or new construction, new construction is cheaper. To say it simpler, it would be more expensive to renovate the current facility and get a 534 bed jail than it is to build a new 534 bed jail. Additionally, during the course of the remodel of the current facility in 2001, an assessment of adding additional

levels was undertaken and it was determined the pillars of the current jail could not support additional levels, so the scale of a remodel can be more accurately described as a tear down and rebuild.

I know we have been through this a lot, but I do not think the logic the Commissioners are employing is hard to track. What they are trying to do is get an updated secure building that can utilize the new technology in the criminal justice industry to try to minimize the costs of operating the building (FTE's, water consumption per inmate, electrical, medical). Furthermore, they are trying to ensure that if the local population jail increases then the Commissioners and Councilmembers and Attorneys who come after us will not have to make these difficult decisions because the planning was already in place to deal with that contingency. Obviously, everyone hopes our community crime rate goes down and the size of the new security complex does not have to be increased, but hoping for the best and planning for the worst is sound logic in our opinion.

10. WHAT IS THE BENEFIT OF THE PROPOSED SINGLE LEVEL FACILITY VERSUS A MULTI-LEVEL FACILITY?

Single level facilities are cheaper to build, they are cheaper to operate, they are more accessible, they are safer and more staff friendly. I would also point to some of the earlier answers and documentation to verify this point.

11. WHAT ARE THE BENEFITS OF A POD SYSTEM WITH A CENTRAL CONTROL STATION?

The benefits of a pod based design is very simple. You can increase the number of inmates one FTE can safely monitor because you have good line of sight supervision and good remote supervision.

12. WOULD THE ONSITE MEDICAL WING BE USED FOR INDIVIDUALS AFTER THEY HAVE BEEN BOOKED INTO JAIL? WHO BEARS THE COST OF TREATMENT?

Once a person is booked into the jail, then their medical costs become the responsibility of the Sheriff, unless they have their own insurance, which is extremely rare. The onsite medical unit would only be utilized by inmates who have been properly booked into the jail. If a person is arrested, taken to

a hospital before being brought to jail, then subsequently booked into the jail, our position is the individual who received the treatment is responsible and the costs of care and this is the primary point of contention in our litigation with Regional Hospital.

13. IS IT POSSIBLE TO BUILD THE JAIL AT THE CURRENT LOCATION? IF NO, PLEASE PROVIDE AN EXPLANATION.

See answer to question 9.

14. HAS THE OPTION OF INCLUDING COURTROOMS IN THE NEW FACILITIES BEEN CONSIDERED?

It has been considered, but the hope is to locate the security facility close enough to the Courthouse that getting individuals to and from their hearings is not a logistical headache and do away with the necessity of keeping any portion of the current jail open for secure inmate housing during the course of a day. There are several spaces in the current design, staff training room comes to mind, that could have additional technology added to them to where they could double as a hearing room should some issue arise.

15. WHAT ARE WE DOING TO CUT COSTS WITHIN COUNTY GOVERNMENT TO ENSURE THAT ALL NEEDS ARE BEING MET WHILE BEING ABLE TO FUND THE JAIL? ARE THE COMMISSIONERS WILLING TO REDUCE THEIR ANNUAL BUDGETS TO OFFSET THE COSTS TO THE TAXPAYERS?

As has been stated, the Commissioners remain committed to finding a way to fund this project in a responsible manner. This question can be easily turned around, do you think the residents of Vigo County are ready to stop snow treatment in the winter, to stop buying the equipment and material to fix the roads they drive on each day, to stop providing the same basic services every person/employee has come to expect. Anyone would be very curious to know where the Council thinks there is a great deal of fluff built into the budget that you, as a council, annually approve. The Commissioners sat in on the vast majority of the budget meetings for the 2017 budget and during the course of those meetings it seemed like a lot of squeezing took place and still the budget was \$3.5 million dollars more than the revenue the County is expected to bring in. Now maybe every dollar of every appropriation will not be spent over

the course of the year, but the idea that the Commissioners could offset this new debt within their own budget is illogical. With that being said, the Commissioners remain committed to helping the council identify cost saving measures that will provide some relief, but these things some call progress (Hulman Center, we would argue the new security complex is progress, and asset management plan for roads) cost money. The idea that there is approximately \$5,000,000.00 dollars that could easily be cut out of the budget would beg the question, what has the annual budget committee been doing?

The short answer to your question is no, the Commissioners are committed to continuing to perform preventative maintenance on both the roads and the buildings to try and extend the useful life of the systems in place. The Commissioners do not feel there is any expendable line item within their budget that does not ultimately provide a meaningful benefit to the constituents we are committed to serving. Sure, you could lay off the building maintenance department and go back to outsourcing everything, but does that save money? We do not believe it does, whatever department you talk about within the annex relies on another department for the completion of their offices' responsibilities, if one aspect of the budget process or tax billing does not get complete then the whole system fails.

16. HOW WERE DLZ AND GARMONG SELECTED? WHAT ARE THEIR SPECIFIC ROLES, CONTRACT AMOUNTS, AND HOW ARE THEY FUNDED?

You will be receiving a request for an additional appropriation accompanied by a reimbursement resolution for \$5,000,000.00 out of EDIT. The plan is for these funds to be refunded to EDIT during the course of the financing, but the \$5,000,000.00 will be utilized to begin site preparation once a site is selected and deal with preliminary billing. This additional appropriation is where the funds would initially be paid out of and after financing, the final bills would be paid out of the project fund. One of the reasons the Commissioners and I are so intent on getting this done quickly is so ultimate decision making authority on project details remain with local government. This is unquestionably a public works project and the lowest and best bidder will be selected for each phase of the project, but the

Commissioners are committed to spending local taxpayer dollars locally, when they can. Garmong was selected after receiving a statement of qualifications detailing their company credentials, after meeting with the principals, and after they agreed to offer their expertise during the preliminary stages of design for a reduced fee, if they were allowed to perform the construction management services for 3.5% of the probably construction costs. DLZ was selected after a Request For Proposal was sent out to select architectural firms in Indiana and their fee is 4.5% of the probably construction costs with a cap of \$2,000,000.00 dollars for all phases of design. Both of these contracts have provisions for termination for cause and provisions protecting the County should the project not move forward.

DLZ is the Architect who designs a building and Garmong is the Construction Manager who is responsible for building it on budget.

17. A SELLING POINT AT THE MEETINGS IS THAT OTHER COUNTIES COULD SEND INMATES TO VIGO WHICH WOULD OFFSET THE COSTS. HOW IS THAT POSSIBLE IS WE ARE HOUSING OUR INMATES AT THEIR JAILS BECAUSE THEY HAVE THE SPACE AVIALABLE?

It is possible because the Vigo County Security Complex may be closer to another community that is taking their overcrowded jail inmates somewhere further away. Example, Marion County is taking inmates to Elkhart County currently, if Vigo County were closer than Elkhart County and capable of accepting inmates, Marion County may bring their inmates here. Every county in Indiana has a jail, some of those are full and some are not. We would like to move from the full column to the not full column, not because we may be able to accept new inmates, rather because it reduces the necessity of Vigo County tax dollars being passed through to other communities. I would not call the housing of other communities' prisoners a "selling point" but in effect, it provides the potential for some revenue to help offset costs.

I am attaching to the appendix and labeled as D an article published in the Indianapolis Star from July of 2016, which discusses this issue further. In addition, I would say Vigo County is ahead of the

curve with alternative sentencing with Adult Mental Health Court, Veterans Court, and the possibility of Drug Court coming back.

18. PLEASE EXPLAIN THE PROJECT COST INCREASES WITHIN THE LAST YEAR. THE NUMBERS HAVE INCREASED FROM \$40 MILLION TO OVER \$50 MILLION TO NOW \$66-68 MILLION?

The short answer to the question is the initial cost estimates were what it would cost to build a 528 bed facility and nothing else, no medical unit, no sheriff and administrative staff office and no other necessary amenities. Additionally, those initial estimates were conceptual and the most recent estimate is based on schematic design.

I am attached in the Appendix and marked as E an e-mail I wrote in October of 2016. Much of what I have heard about this project relates back to the Courthouse and I will agree trying to find the money to close that project out was not fun, but the problem was not the construction, the problem is the true cost was never clearly communicated to the Commissioners and the Council. When the estimate for the Courthouse came in, it was not based on any independent verified analysis, it was based on an average cost per square foot to renovate and multiplied by the square footage in the courthouse and everyone assumed that you should be able to do everything you want, only spending that amount of money. It turned out there were contingencies which had not been accounted for, which there often are in construction, and with each of those contingencies, the cost of the project went up. As each new cost estimate has come in on this project the Council has been made aware of it, so the argument the potential costs are not being communicated fails. Furthermore, Garmong by their own business practices, are delivering conservative figures. The true cost of the building will not be available until the bids are received and tallied up, that is when you will know what the building will cost. The more design progresses, the better the estimates will get, but even those are estimates and the real cost of hard construction will not be available until you know what the lowest responsible bid is. Furthermore, the \$66-68 million dollar figure anticipates 25% of the hard construction costs will be paid

in soft costs, this again is an estimate, but based on historical figures. I am including the cost estimating information that was provided in the December meeting in the appendix labeled as E.

19. WILL THE PROPOSED SITE ALLOW FOR GROWTH IN THE FUTURE?

Hopefully yes, the two real viable sites right now are North 1st Street and the International Paper property and one of the criteria for the site selection is the availability for future growth.

20. SHOULD THE OPTION OF A “CORRECTIONAL CAMPUS” TO INCLUDE THE JAIL, VCSD, THPD, EMA, JUVENILE CENTER, WORK RELEASE, ETC. BE CONSIDERED?

The Community Corrections building and juvenile detention facility are both serving their purpose now, the lease on Community Corrections was just paid off a couple years ago and the Juvenile Center still has debt pending. To do away with both and create new construction would inflate what I perceive to already be a difficult number for the council to accept. Having EMA out by the airport and close to the National Guard base is a good thing in our opinion. Furthermore, this idea would cost a lot more money than what is being proposed with a new Security Complex/Sheriff’s Office. The City of Terre Haute has been asked about a joint collaboration and the Mayor said he is committed to their original plan of a new police station on Wabash Avenue.

One additional point we would like to make. Some have said that the original DLZ study completed in 2015 and submitted to the Council for the first time in October of 2015, does not do a criminal justice system analysis for Vigo County. Based on that, I am submitting with this response portions of the original study marked as F in the appendix, which provides every piece of information you would expect a criminal justice analysis to contain. DLZ talked with the Judges, Prosecutor, Community Corrections, and Probation, among others. DLZ provided historical inmate counts, historical length of stay information, and further data related to why people are taken to jail in Vigo County. There are five people in Vigo County (the Superior Court Judges of Div. 1, Div. 3, Div. 4, Div. 5 and Div. 6)

who decide who should initially stay in jail. The report details they meet often to discuss how many people each of their respective courts have in jail, there is a bond schedule to provide guidance on who should be released on their own recognizance. To argue that the original study did not assess the criminal justice system in Vigo County is failing to see the forest for the trees, every piece of information you need is there. Some want to know why a person might ever be in the jail for 2 or 3 years and here is our response:

Most likely this person is charged with murder or some other terrible crime and their attorney and the Prosecutor are making sure that every witness has been deposed and every piece of evidence has been reviewed. This process takes time because it is not the only thing either side is responsible for doing and the Courts recognize that. Furthermore, a single individual charged with a crime can take their own steps to delay their proceedings and try to lengthen their time in the jail (closer to family and friends). Some inmates perceive that their best offer in terms of a plea agreement is going to come the day before their trial is set to start, so they believe they have an incentive to delay. Whether that hope of a lesser offer comes true rests with the discretion of the Prosecutor and Court, so to say that there is an easy solution to this problem is insincere in our opinion. You have to deal with the perception that offers are going to get better as the case gets older, which is extremely difficult because that often times that is the case in real life. A lot of the potential witnesses for these trials are people who have their own problems and they move or lose interest in helping the State and with that loss of eyewitness testimony or corroborating evidence, the Prosecutors case gets weaker and there is more of an incentive to get some sort of conviction, so the offer gets better. Our point is this, it is not just about telling the prosecutor, public defenders, or courts to do their jobs better. There are independent liberty interests and due process rights that must be maintained or the potential conviction will not stand up on appeal. This is a difficult problem and the Commissioners are doing everything they can to try and help

the problem through their constitutional role as executive for Vigo County. Thank you for your time and we hope you find the information contained within these response useful.

APPENDIX

VIGO COUNTY - STAFFING ANALYSIS

Jail Facility							
Position	Ref. Number	Days	Evenings	Nights	Total Positions	Relief Factor	Total Staff
Administration							
Jail Commander		1.00	0.00	0.00	1.00	1.00	1.00
Matron		1.00	0.00	0.00	1.00	1.00	1.00
Subtotal		2.00	0.00	0.00	2.00		2.00
Security							
Central Control / Housing Pod 1		1.00	1.00	1.00	3.00	1.67	5.00
Central Control / Housing Pod 2		1.00	1.00	1.00	3.00	1.67	5.00
Intake/Processing		2.00	2.00	1.00	5.00	1.67	8.33
Floor Rovers		4.00	4.00	3.00	11.00	1.67	18.33
Transport Staff		2.00	1.00	0.00	3.00	1.00	3.00
Subtotal		10.00	9.00	6.00	25.00		39.65
Support Services							
Cooks (Contract)		0.00	0.00	0.00	0.00	0.00	0.00
Maintenance (County Staff)		0.00	0.00	0.00	0.00	0.00	0.00
Subtotal		0.00	0.00	0.00	0.00		0.00
Program Services							
Program Director (Contract)		0.00	0.00	0.00	0.00	0.00	0.00
Nurse (Contract)		0.00	0.00	0.00	0.00	0.00	0.00
Physician (Contract)		0.00	0.00	0.00	0.00	0.00	0.00
Subtotal		0.00	0.00	0.00	0.00		0.00
Summary							
Administration		2.00	0.00	0.00	2.00		2.00
Security		10.00	9.00	6.00	25.00		39.65
Support Services		0.00	0.00	0.00	0.00		0.00
Program Services		0.00	0.00	0.00	0.00		0.00

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TOTAL			12.00	9.00	6.00	27.00		41.65
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VIGO COUNTY - STAFFING COST PROJECTIONS

Jail Facility

Staff Position	Number of Staff		Salary	Total Salaries		Remarks
	Existing	Planned		Existing	Planned	
Jail Commander	1.00	1.00	\$44,215.30	\$44,215.30	\$44,215.30	
Matron	1.00	1.00	\$44,215.30	\$44,215.30	\$44,215.30	
Jailers	45.00	40.00	\$44,215.30	\$1,989,688.41	\$1,768,611.92	
Cook	0.00	0.00	N/A	N/A	N/A	Contract
Maintenance	0.00	0.00	N/A	N/A	N/A	County
Nurse	0.00	0.00	N/A	N/A	N/A	Contract
Physician	0.00	0.00	N/A	N/A	N/A	Contract
Overtime				\$0.00	\$0.00	
Holiday Pay				\$0.00	\$0.00	
Subtotal				\$2,078,119.01	\$1,857,042.52	
Benefits				\$0.00	\$0.00	
Total Staffing Cost				\$2,078,119.01	\$1,857,042.52	

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VIGO COUNTY - OPERATING COST ANALYSIS

Jail Facility

Item	Cost	
	Existing	Planned
Personal Services		
Salaries, Wages and Benefits	\$2,078,119.01	\$1,857,042.52
Supplies		
Institutional Supplies	\$99,500.00	\$150,000.00
Inmate Bedding	\$0.00	\$0.00
Inmate Clothing	\$0.00	\$0.00
Cleaning Supplies	\$0.00	\$0.00
Professional Services/Other Supplies		
Kitchen Supplies	\$0.00	\$0.00
Foods	\$365,000.00	\$0.00
Uniforms & Accessories	\$0.00	\$0.00
Film / Processing	\$0.00	\$0.00
Inmate Medical / Dental	\$0.00	\$0.00
Inst. & Medical	\$0.00	\$0.00
Hardware Tools	\$0.00	\$0.00
Out of County Housing Expense	\$375,000.00	\$0.00
Operating Expense Subtotal	\$2,917,619.01	\$2,007,042.52
Utilities and Maintenance/Repairs		
Maintenance Contracts	\$0.00	\$0.00
Generator Fuel	\$0.00	\$0.00
Vehicle Fuel	\$0.00	\$0.00
Sewer	\$0.00	\$0.00

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Utility Heat	\$0.00	\$0.00	
Utility Electric	\$0.00	\$0.00	
Utility Water	\$0.00	\$0.00	
New Utility Costs	\$0.00	\$0.00	
Repair of Equipment	\$0.00	\$0.00	
Operating Expense Subtotal	\$0.00	\$0.00	
Total Operating Expense	\$2,917,619.01	\$2,007,042.52	(\$910,576.49)

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Good Morning, thank you all for being here. We are aware why the majority of you are here this morning and based on that we wanted to make a public statement regarding the issue of the location of the new Vigo county detention facility so everyone can be fully informed on the issues we are facing as your county commissioners. Currently we are approximately 15% into the schematic design stage of this new detention facility and the idea that final decisions have been made is incorrect. What is correct is the time for this decision upon us now and we will continue to engage in trying to find a location that solves the issues we as Commissioners have to address surrounding the new detention center, as well as public concerns. The site is one aspect of the issue and it is all the more important because the site determines what sort of building can be built, how much that building is going to cost and how much it is going to cost to operate. In this instance we are trying to locate a site that meets the needs of the Sheriff, Courts, Prosecutor, Public Defenders and the public at large.

I know that some in the public have been shocked at the projected cost of the new detention facility. However, it is undisputable that the operating cost of the building over its useful life will exceed the initial cost of construction by several hundred percent. Therefore, in looking at this issue and trying to bring down the potential operating costs, there has been considerable attention paid to how many correctional officers will be necessary to safely staff a new detention facility. The architects and construction managers have unequivocally stated that the cost of construction and the operational cost of this type of building go up as the building adds levels, so particular attention has been paid to sites which have sufficient land to accommodate a single level building. Several have suggested "why not build the jail where it currently is" and the reason is there is not enough real estate available and to do the sort of project that will hopefully lower the operational cost and the prospect of having to add additional beds in the future would be nonexistent on the current courthouse campus. Several have suggested "why not build the jail in the industrial park where there is land the county already owns" and the

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reason for that is objection from those existing commercial industries in the industrial park, who we are committed to supporting, and the logistical and operational cost of getting those charged with a crime to and from the courthouse as they need to be for the disposition of their particular criminal case.

Thus far, we have considered the following sites:

- Industrial park, which was withdrawn from consideration for the reasons outlined earlier;
- Property owned by ISU on North 1st Street, which is still being assessed for constructability;
- Property owned by the City of Terre Haute at 13th and Hulman, which is still being assessed for constructability;
- Property adjacent to the Federal Penitentiary on Lombardi Drive, which was withdrawn from consideration because of the cost of acquisition and other conditions of sale;
- Property surrounding the Terre Haute International Airport, which was withdrawn from consideration because of the cost of acquisition and the potential commercial development related to aerospace and other aviation related business;
- Property owned by ISU at 13th and Chestnut, which was withdrawn from consideration because not all the property is under common ownership and the property would be directly adjacent to ISU's campus and near a number of residences;

B-2

- The Property located on the old driving range adjacent to the Terre Haute Wastewater Utility, the projected cost to acquire this property is 1.9 million dollars and access issues would have to be addressed;

Several of these sites have been addressed and discussed at the public meetings we have had at Terre Haute South and Terre Haute City Hall over the past year regarding the issues surrounding the Vigo County Jail. None of those meetings have had the same sort of attendance we have here, but the issues have been put forth for public consumption prior to today.

Here are the facts: Currently Vigo County has two lawsuits pending regarding the conditions at the Vigo County Jail and your Sheriff, to deal with this issue, has been transporting inmates who have been charged with a crime committed in Vigo County are being transported to other Jails throughout the state of Indiana at a considerable cost to all of us as taxpayers. That path is not sustainable, neither from a fiscal standpoint or an operational standpoint and the best estimate indicates the number of beds needed for a detention facility in Vigo County in 20 years is nearly 100% more beds than we have in the Vigo county jail now (268 vs. 534). Nobody here takes the task of spending taxpayer dollars lightly and especially when the project being considered is a jail. However, a safe and secure detention facility is potentially the most basic function we are tasked with as Commissioners. Some of the people confined to the jail are there for allegedly doing harmful things to another individual or allegedly burglarizing a home. Can you imagine if instead of detaining that person, they were told, no room for you here and they went out and did something similar to you or a person you care about. Nobody wants to think about that and we as your elected Commissioners are committed to not putting anyone in that predicament. We are committed to building a new facility that will allow our successors to add bed space in a cost effective manner, to allowing this Sheriff and his successors the tools they need to operate a

B-3

safe and secure facility and to hopefully provide those individuals charged with a crime the viable option of using the facilities in the jail to returning to being a productive member of society. Nobody talks about this issue, but the numbers tell those who are looking that our local jails are becoming the new mental health facility and substance abuse facility in our state and not having the sort of facility which allows a Sheriff to get help to the people who need it is not doing anyone any good. The Sheriff not only needs to be able to identify those people with mental health needs or substance abuse needs, but he and those who come after him will need the type of facility where you can classify those individuals and get them the type of help that will get them out of the jail, and off the taxpayers dime.

Furthermore, the idea that the location of a detention facility creates a security concern lacks credibility. The current Vigo County Jail sits across Third Street from several thousand ISU students and in the 35 years of its operation has not had a single escape. We realize that does not guarantee something will not happen in the future, but the idea that detention facilities in and of themselves are a danger to the general public lacks a solid foundation in fact. The building is staffed by correctional officers, houses the sheriff's office and deputies and one of the biggest contingent of visitors are police officers. The architects designing this facility and the construction manager who will assist in the construction have the safety and security of the inmates and staff as one of their core concerns.

The site that many of you are here to speak about is located next to an operational scrap yard and property owned by the sanitary district of the city of Terre Haute. Several tracts of land between international paper and Fairbanks Park are abandoned industrial sites and those which are active are primarily industrial and commercial. The idea that this property, in its current state, is a destination site for potential development is optimistic. The international paper site has been on the market for some time and only by an appropriation of the County Council out of

B-4

the economic development fund was it acquired by the County department of redevelopment. We were totally aware of the aquatic center across the street and were aware that the parking lot at the aquatic center cannot support school bus parking and we were, and still are, willing to work towards a solution with the needs of the school corporation in mind.

As we said earlier, no final decisions have been made and we remain committed to listening, but the time for making a final decision is not far off and the concerns regarding the proximity of the new facility to the courthouse campus, the ability of future expansion on site, and establishing a site which can minimize the annual operating costs are all paramount. The International Paper property fits several of these criteria and will remain in consideration, but we remain willing to listen to all viable options that fit the criteria of having relatively similar costs of acquisition and preparation, where the costs of relocating utilities is minimized, and where sufficient acreage exists to provide for the needs of the new detention facility and potential expansion. Obviously, we as Commissioners hope the need of a bigger detention facility does not become a reality, but failure to plan for such a possibility is not looking out for the long term interests of our community, which is what we are tasked with as Commissioners.

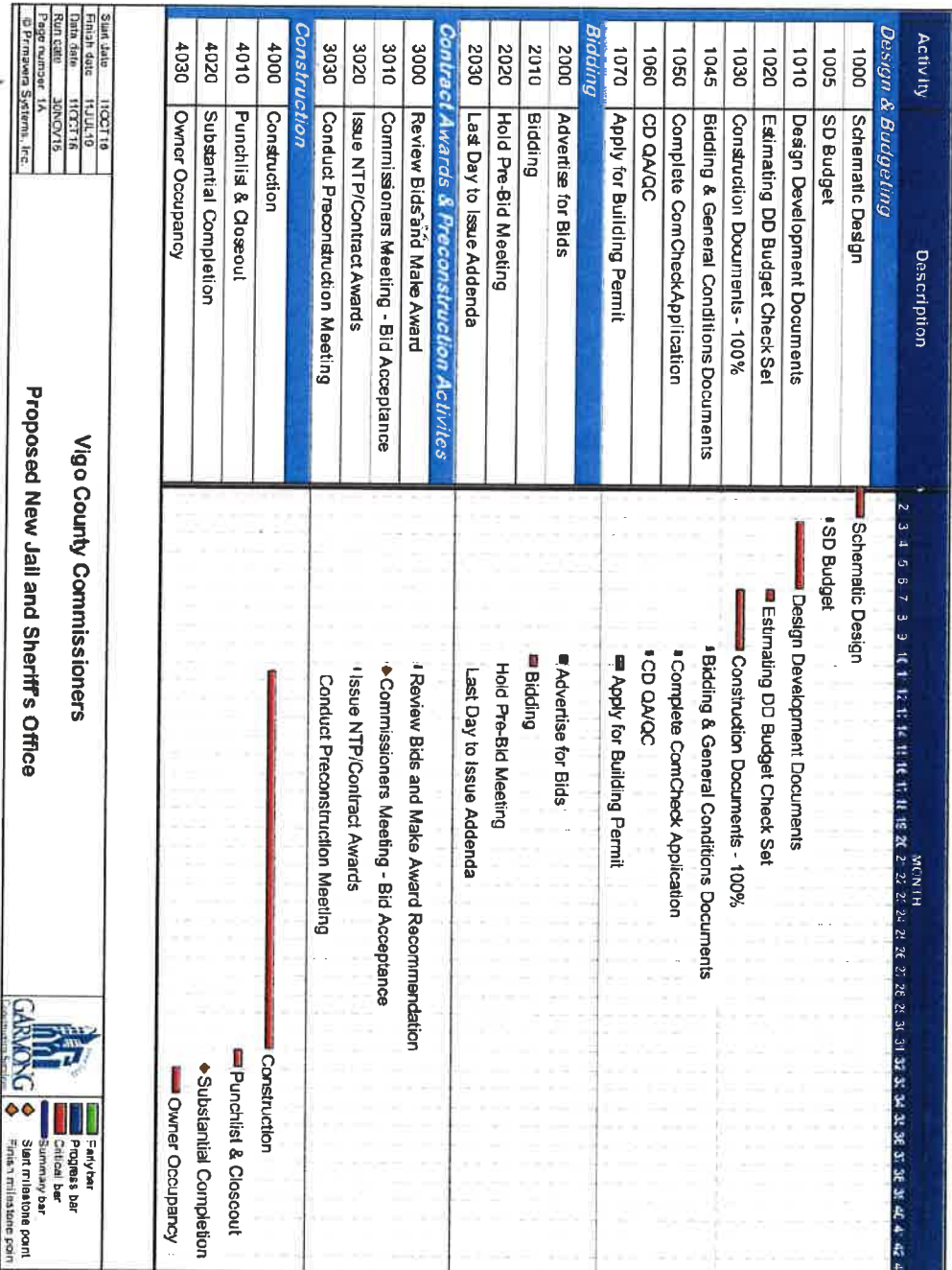
One final thing we wanted to say, we have been involved with Riverscape since its inception, Vigo County as a whole has supported Riverscape financially and with resources. The Vigo County Parks Department has maintained much of the progress Riverscape has achieved on the west side of the river through all those involved. We do not take this decision lightly and the idea that we would purposefully do something to harm the vision of Riverscape is not factual. We have to find a location which will allow you to build a facility that is efficient and cost effective and that is what we are committed to doing. Thank you for your time this morning.

- Open up for approximately 10 min of comments;

B-5

1. Design Development and Contract Documents – 7 months
 2. Bidding and Contract Award – 2 months
 3. Construction – 20 months
 4. Owner Occupancy – 1 month
- Total Project Duration – 30 months

Total Project Duration – 30 months



12

PROJECT PLAN

- Pre-Construction Phase
 - Prepare budget estimates throughout design, at appropriate intervals of design process
 - Present Value Engineering to reduce potential costs
 - Continually review project constructability for assembly efficiencies and completeness
 - Evaluate material selections for local craft expertise and availability
 - Assign Bid Packages to entice interest and competition
 - Conduct pre-award conferences for evaluation of bid scope and cost
- Construction Phase
 - Provide full time site supervision
 - Conduct Owner, Contractor, and Architect coordination and progress meetings for review of schedule and issues
 - Maintain project master schedule
 - Provide quality assurance and control
 - Analyze and validate Change Proposal costs
 - Track complete project budget
- Post-Construction Phase
 - Oversee equipment commissioning
 - Conduct warranty walk-through

C-2



Can Indiana trade overcrowded jails for treatment reform?

Madeline Buckley and Kristine Guerra, *IndyStar* 5:02 a.m. ET July 10, 2016

Indiana's sweeping criminal justice reform is 2 years old. Is it working?



(Photo: Mykal McEldowney / *IndyStar*)

Two years ago, Ashley Sorrel wore a hospital gown inside the Marion County Jail, with twigs and dirt snarled in her hair and 92 stitches stretched across her body.

Hours before, Sorrel, now 29, led Indianapolis Metropolitan Police Department officers on a high-speed chase after she was caught stealing FedEx packages from residential porches to pay for her drug habit. Sorrel crashed, and her car caught fire. She tried to run, but police canines chased her down, and an officer deployed his Taser.

This was close to rock bottom. But it wasn't her final criminal charge.

Sorrel quickly racked up another theft charge after she was released from jail, again to pay for drugs. A judge sentenced her to a year of home detention. Knowing she couldn't stay clean during the sentence, Sorrel applied for a recovery program. She said the last time she got high was July 2014.

Sorrel represents the type of offender that Indiana's new criminal justice reform seeks to help. The sweeping changes, passed in 2014, aim to make punishments more proportional to the crime by keeping nonviolent offenders out of prison. Instead, treatment programs would help defendants recover from mental health and substance abuse problems while serving their sentences in local communities.

The goal is to turn Indiana from a state that simply incarcerates to one that also rehabilitates. But is it working?

Buy Photo



(Photo: Madeline Buckley / *IndyStar*)

Sorrel and other recovering addicts, along with those who treat them, say the treatment process is often at odds with the legal system. The system is so bureaucratic and tangled, they told *IndyStar*, that the average person can't navigate from addiction to recovery.

So far, treatment programs remain underutilized in many counties. And too many inmates simply trade an Indiana Department of Correction prison cell for one in a county jail, where it is more expensive to house offenders — potentially costing the state hundreds of thousands of dollars.

Yet lawmakers, state officials and experts are urging Hoosiers to give the reform time to work.

Some of the reform's goals — such as not sending nonviolent offenders to prison — have been achieved, said Andrew Falk, senior fellow of the Sagamore Institute (<http://www.sagamoreinstitute.org/>) in Indianapolis, who is studying the effects of the sentencing reforms.

"But the goals that most Indiana citizens and legislators care the most about — crime rates, rehabilitation of ex-offenders and our prison population — are harder to measure in the short term," Falk said, adding that it will take several years before the public sees any tangible impact of the reform.

The kind of change that Indiana has set out to achieve is also seen on the national level, as lawmakers try to pass legislation that would reduce sentences for nonviolent federal drug offenses. Change of this magnitude not only takes time to materialize; it's also expensive. In Indiana, the price tag has reached millions, and that's just the beginning.

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SOURCE=BEAGILJANUARY&UTM_MEDIUM=OVERLAY&UTM_SOURCE=BOUNCE
EXCHANGE&UTM_CAMPAIGN=JANUARY&UTM_CONTENT=AGILITYZONE)

And as with any kind of change, let alone a massive one, there are growing pains. That includes an overcrowding problem that has put Marion County Jail, the state's largest jail, in "crisis mode." ([/story/news/crime/2016/05/09/overcrowding-puts-marion-county-jail-crisis-mode/84135556/](http://story/news/crime/2016/05/09/overcrowding-puts-marion-county-jail-crisis-mode/84135556/))

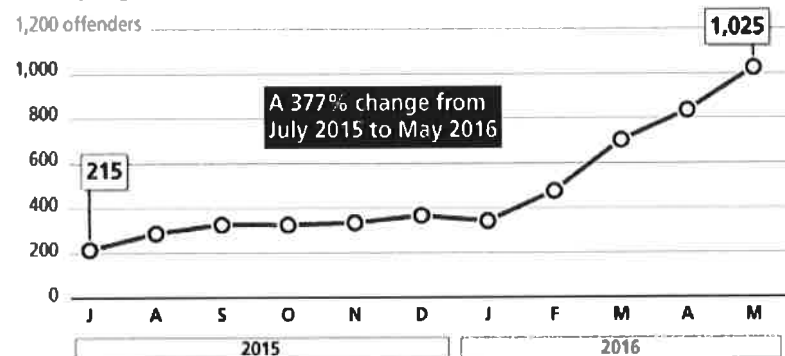
Not a new problem

Efforts to reform Indiana's sentencing laws began in 2009, when incarceration rates were so high that the state nearly needed a new prison. Five years later, the legislature passed House Enrolled Act 1006, which requires low-level and nonviolent offenders to serve their sentences in local communities.

While there's general consensus that HEA 1006 is contributing to an increase in jail populations, some say overcrowding is not a new problem caused by the reform. Almost a third of Indiana county jails had capacity issues before the reform took effect, Falk said.

OFFENDERS BY THE NUMBERS

Sentenced to jail through HEA 1006, Indiana's sweeping sentencing reform passed in 2014.



Source: Indiana Department of Correction

Michael Campbell/IndyStar

0-2

The problem has existed in Marion County (<http://www.indy.gov/egov/county/mcsd/Pages/home.aspx>) since at least 2006. Now, the county is shipping more than 100 inmates to Elkhart County at the cost of \$40 per inmate each day.

Marion County isn't the only jail facing overcrowding. At the [Johnson County Jail](http://www.johnsoncountysheriff.com/departments/jail.asp) (<http://www.johnsoncountysheriff.com/departments/jail.asp>), inmates sleep on mattresses propped up off the ground by a hard piece of plastic. In Hamilton County, [more than 330 inmates](http://www.hamiltoncountysheriff.com/newsroom/2016/07/06/hamilton-county-targets-119m-jail-expansion/86601396/) ([/story/news/local/hamilton-county/2016/07/06/hamilton-county-targets-119m-jail-expansion/86601396/](http://www.hamiltoncountysheriff.com/newsroom/2016/07/06/hamilton-county-targets-119m-jail-expansion/86601396/)) are crowded into the 296-capacity jail, which has spurred the county sheriff to call for an \$11.9 million overhaul of the jail.

The jails in [Hancock](http://sheriffweb.hancockcoingov.org/ShfWeb2.nsf/xJail.xsp) (<http://sheriffweb.hancockcoingov.org/ShfWeb2.nsf/xJail.xsp>) and [Shelby](http://www.co.shelby.in.us/Sheriff.aspx) (<http://www.co.shelby.in.us/Sheriff.aspx>) counties hovered near their capacity in the spring.

The overall picture isn't as alarming statewide, but there's still a noticeable influx in daily population, said Stephen Luce, executive director of the [Indiana Sheriffs' Association](http://www.indianasheriffs.org/) (<http://www.indianasheriffs.org/>). Counties that normally didn't see a rise in population now do, Luce said.

Fixing the problem of overcrowding will require more than HEA 1006.

After all, well over half of inmates in county jails across the state are awaiting trial, not low-level felons sentenced under the new law, Luce said. Addressing that problem is an entirely different, but related, battle against mass incarceration — one that would require prosecutors, public defenders and judges to answer a key question about people accused of a crime: Are they all violent and a danger to the public?

But regardless of why inmates are behind bars — whether they are awaiting trial or have been sentenced — overcrowding likely will remain a problem until programs and services created through the sentencing reform see some success in reducing recidivism.

The pressure will be on local communities to come up with their own ways to deal with inmates with mental health or substance abuse problems.

Buy Photo



(Photo: Mykal McEldowney / IndyStar)

Creative alternatives to incarceration

For the sweeping sentencing reform to work statewide, it must translate to local reform in all of Indiana's 92 counties.

That's a bit difficult in Indiana, which, unlike many other states, has a "decentralized system," said David Powell, executive director of the Indiana Prosecuting Attorneys Council and a member of a committee that studies incarceration alternatives and funding for counties.

For instance, while probation officers in some states, such as Wisconsin, are all state employees who receive the same level of training, each Indiana county has its own probation system.

"The good is you have tremendous creativity. You have pockets of excellence," Powell said. "And then you have pockets of not so good."

Only about half of Indiana's counties have established, or are planning to add, special courts that address problems such as mental health and drug addiction, according to a directory of courts updated in May.

Grant County was an early adopter of alternative courts, establishing its first drug court in 2005. It also was one of seven jurisdictions selected in 2010 to be part of a national criminal justice initiative that worked to develop programs to reduce the chance that an individual would re-offend while facing criminal charges.

The initiative, called Evidence-Based Decision Making (<http://ebdm.reclaimhosting.com/phase-iii-jurisdictions/>) and spearheaded by the National Institute of Corrections (<http://nicic.gov/>), has helped Grant County stay ahead of the curve when handling the influx of offenders resulting from the sentencing reform law, Grant Circuit Judge Mark Spitzer said. After the county established its drug court, it created a veterans court, an adult re-entry court and a family dependency drug court.

Grant County has used local resources, such as mental health treatment centers, and state grant funding as well as resources such as the Healthy Indiana Plan (HIP 2.0), which gives offenders access to health insurance to help pay for the treatment they need.

"The first thing you need to do as a county is sit down and really take an inventory of services to see what is available as alternatives to incarceration," said Spitzer, speaking about ways to prevent overcrowding.



(Photo: Joe Vitti / IndyStar 2014 file photo)

Other counties are looking for creative ways to combine state and local resources to treat offenders. In Union County, one of the most sparsely populated counties in the state, a group of community members established a pilot program to help treat drug addicts. The Union County Health Department oversees the program, which treats addicts with a medical device called a Bridge.

Jeff Mathews, co-director of the program, said the device looks like a hearing aid. It sits behind the ear and sends electrical feedback ([/story/money/2016/06/22/device-behind-ear-could-ease-pain-drug-withdrawal/86044748/](http://story.money/2016/06/22/device-behind-ear-could-ease-pain-drug-withdrawal/86044748/)) to the brain that is meant to ease withdrawal symptoms. Paired with counseling, the idea is to help addicts through the worst period of withdrawal to reduce the risk they will re-offend during that vulnerable time. The program works with judges and prosecutors, who determine which offenders should be ordered to undergo this treatment.

"When they successfully complete this, and if they continue to stay clean, charges are either reduced or dropped," Mathews said.



(Photo: Provided by Innovative Health Solutions)

The county patches together funding through grants, donations, HIP 2.0 and local funds, but Mathews said he is working with the state to try to secure long-term funding for the program.

In Boone County, authorities received a state grant to establish a program in which some offenders with an opiate addiction would receive counseling and a shot of Vivitrol, a drug used to block the effects of opiates.

"If we start helping these people solve the addiction, we are not going to get them back in my facility," Boone County Sheriff Mike Nielsen said.

On the other end of the spectrum are counties such as Elkhart County, one of the 45 counties that has no problem-solving courts in the planning stages. The county in 2008 moved into a new, 1,002-bed corrections facility, which is now accommodating the Marion County overflow. The new jail cost about \$93 million, according to the Elkhart County auditor's office.

The jail generally holds about 600 of its own inmates, said Elkhart County Commissioner Mike Yoder, leaving space for inmates from counties with overcrowding problems. Yoder said the county expects to bring in \$2 million to \$3 million through housing inmates from Marion and other counties.

Capt. Jim Bradberry, spokesman for the Elkhart County Sheriff's Office, declined to discuss the jail with IndyStar.

Marion County fits somewhere in the middle. The county received nearly \$7.5 million in additional funding for community corrections and special courts for 2016 and 2017, according to the Indiana Department of Correction, but it's too early to see results.

Paying for everything

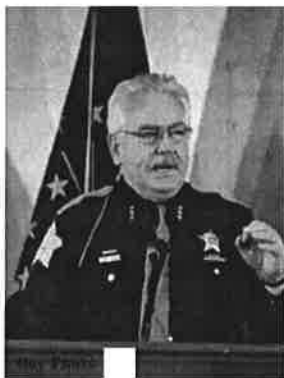
To achieve the rehabilitation goals that lawmakers had in mind, the reform must save money. So far, the results have been mixed.

First, the good news: Over the past year, the prison population has shrunk by 4 percent, or about 1,100 inmates, allowing the Department of Correction to close the Henryville Correctional Facility in Southern Indiana. Officials said this could save the state \$2.25 million in 2017.

The bad news, however, is that a DOC report generated in March notes that the reform could cost the state about \$400,000 a year. That's because the DOC must pay counties \$35 per day for each low-level inmate who serves a sentence in jail rather than prison, whereas it costs only \$10 a day to house them in prison, according to the report.

And with 60 percent of low-level inmates being sentenced to jail, rather than a diversion program or community corrections, the costs are cutting into any potential savings accrued by the state. So it's not yet clear whether local communities will receive money as a result of the prison closing to help fund their own treatment programs and special courts.

The DOC will conduct a cost analysis next March. Officials will then determine whether there's money left to give to counties.



(Photo: Kelly Wilkinson / IndyStar
2014 file photo)

In Marion County, Sheriff John Layton is pitching an expanded community corrections program as part of the solution. It costs only about \$12 per inmate per day to serve a sentence or await trial on electronic monitoring, Layton said — significantly cheaper than housing them in jail, which he said costs the county \$50 per inmate per day.

In the fall, Marion County received \$1.1 million to expand its electronic monitoring program, hiring 11 new case managers to allow more inmates to fulfill pretrial or post-trial orders at home. Still, the program could expand even more, potentially alleviating the jail's overcrowding issues.

Because electronic monitoring programs aren't limited by space, but rather by the number of case managers, they could always expand with more funding, said John Deiter, executive director of Marion County Community Corrections.

But Marion County faces an even bigger money problem. County leaders for years have considered building a new jail, having conducted countless studies and spent more than \$16 million with still nothing to show for it — never mind the actual cost of building a jail.

The debate [recently regained traction under Mayor Joe Hogsett](http://story/news/politics/2016/05/12/new-marion-county-jail-s-complicated/84281372/) (<http://story/news/politics/2016/05/12/new-marion-county-jail-s-complicated/84281372/>). But with a number of hurdles and unknowns remaining, building a new jail, no matter how badly it might be needed, would be anything but simple.

Statewide, the picture seems more promising.

Lawmakers [have allotted \\$55 million for grant programs for 2016 and 2017](http://gopopai.org/admincontentmanagement/wp-content/uploads/2016/03/Indianas-Justice-Reinvestment-Journey.pdf) (<http://gopopai.org/admincontentmanagement/wp-content/uploads/2016/03/Indianas-Justice-Reinvestment-Journey.pdf>). More than half of that — \$30 million — has been appropriated for Recovery Works, a program that connects people who are or have been charged with or convicted of a felony to providers of mental health and addictions treatment. Providers then submit claims through a voucher system for payment.

The investment helps close what has long been a gap in services for people in the criminal justice system, said Kevin Moore, director of the Family and Social Services Administration's Division of Mental Health and Addiction, which administers the program.

A little more than 2,600 felons have been referred to providers since last November, said Sara Cozad, assistant deputy director of adult services. The majority are low-level felons, although those charged with or convicted of more serious crimes also could qualify for the program.

The rest of the state money, \$25 million, was made available to fund county programs and services.

One reality, however, is that those receiving treatment are not guaranteed to recover.

For one, Powell said, the vast majority of substance abuse programs have about a 10 percent success rate. The best programs — and there's only a handful of those in the state — succeed 40 percent of the time.

D-5

Treating addictions, in reality

Ashley Sorrel recalls the day she first went to Pathway to Recovery to begin treatment. She had just shot what would be her last dose of heroin. She was sinking low in her seat at a meeting, saying little.

An employee at Pathway knew she needed detox, so she helped her enroll at the Salvation Army Harbor Light detoxification program, which was the beginning of her sobriety.

Getting sober was difficult, Sorrel said, but navigating the legal system? Nearly impossible.

When Sorrel went into the detox program, authorities secured a warrant for her arrest because she had technically violated her home detention parameters, even though she was seeking help.

Then there is Danny Camacho, another recovering addict who works at Pathway with Sorrel. He was arrested in 2013 for stealing vodka from a Kroger grocery store.

"It was only because I couldn't get opiates," Camacho said. "I needed something."

On the day of his arrest, Camacho took his last drink. He went to meetings and completed community service ordered as terms of his probation. But a series of clerical errors and a switch in caseworkers, he said, meant that all his progress was erased. It mistakenly appeared to the court that he did not fulfill the terms of his probation.

He spent his two-year anniversary of sobriety in jail.

Now, Camacho and Sorrel work for the recovery center that helped them turn around their lives in the hopes that they can help someone else do the same.

Yet the two believe they kicked their addictions in spite of — not because of — the legal system.

"The system is made for you to fail," said Sandy Jeffers, executive director of Pathway to Recovery.

Even two years into the criminal justice reform, Jeffers said, a major problem remains: Offenders are not being connected to critical services. Often, they are left to fend for themselves and relapse because of frustration with the legal hurdles.

"There is no bridge between incarcerated offenders and service providers at all," Jeffers said. "They walk out of jail with no resources."

But that is what lawmakers and authorities throughout the state hope will change.



(Photo: IndyStar 2011 file photo)

For Indiana to have the kind of criminal justice system that addresses the root cause of crime, there has to be a "shift in paradigm," a change in the way prosecutors, public defenders and judges think about criminal defendants, said Larry Landis, executive director of the Indiana Public Defender Council, during a recent judicial summit in Indianapolis.

No longer should key players in the criminal justice system think about how they can catch people failing, said Landis, who's also a member of a committee that studies incarceration alternatives and funding for counties. Instead, they should think about how to help people find their way out of the criminal justice system — for good.

But funding programs is one thing; seeing results is another.

"I know a lot of folks in politics want to pass a law and immediately have a positive outcome," Powell said. "Well, it doesn't work that way."

D-6

For programs and services to continue and to achieve the long-term goal of reducing recidivism, a steady stream of funding — and likely more of it — will be necessary.

That means the next two years will be "make or break" for the criminal justice reform, the 2014 reform bill's author, Rep. Greg Steuerwald, said during a recent judicial summit at the Indiana University Robert H. McKinney School of Law in Indianapolis.

"We've set up the infrastructure to deal with these nonviolent offenders. We've done a good job of making necessary funding for these addiction and mental health services," Steuerwald said. "But it's just getting started. ... We're just getting to that point where we're actually starting these programs in earnest."

The Republican legislator from Avon said he's confident that state funding will continue.

Indiana Supreme Court Chief Justice Loretta Rush also is optimistic. For the first time, she said, she's starting to see a lot more judges making sure that defendants are connected with mental health and substance abuse treatment programs.

"We want to make sure the right people are in placement for the right period of time, for the right reasons," she said.



(Photo: Kelly Wilkinson / IndyStar
2016 file photo)

"But one branch of government can't do it alone."

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(<https://twitter.com/Mabuckley88>).

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D-7

Wright, Michael

From: Wright, Michael
Sent: Friday, October 07, 2016 4:08 PM
To: Burger, Rick; Miller, Kylissa; Marvel, Jon; Anderson, Brad; Anderson, Judy; Seprodi, Tim; Loudermilk, Cheryl; Ewing, Greg T.; 'eratts@dlz.com'; 'scarnegie@dlz.com'; 'Ralph Wagle'; 'Brian Kooistra'
Cc: 'lawyers@effnerlaw.com'
Subject: Vigo County Jail

E-1

Dear Rick:

I received your voice message and I wanted to get back with you. Last Friday, the Commissioners interviewed three (3) architectural/engineering firms for about an hour each with Garmong as Construction Manager in the room. Earlier this week, the Commissioners made the decision to engage DLZ as the Architect/Engineering firm for the project. DLZ is coming over next Tuesday the 11th at 2:30 p.m. for a kick off meeting, which will be held in the Commissioners conference room. The plan had been for DLZ to come to the full Council meeting that night and re-introduce themselves if nothing else. If you or anyone else would like to attend the meeting before the Council's scheduled meeting, you are all welcome, within the constraints of the Open Door Law.

As to your memo dated August 31, 2016, I will try to provide a general update of the progress thus far and included will be some of my own thoughts on the questions presented.

- A detailed plan for the new jail including size, layout, location (logistical plan if not in proximity of existing jail)

The detailed plan requested above is what will be developed with the Architect over the pre-construction portion of the project. I am not in any position, nor do I believe the Commissioners are, to speak to the size, layout, or any other detailed information with regards to the design. DLZ and Garmong have agreed to make each of their respective teams fully available and final details can be ironed out quickly as long as the decisions from the Owners perspective are being made in a timely manner. The Commissioners are committed to including the Sheriff and his staff in the process to ensure functionality and cooperation in design so there are no questions about: "why does this door swing in instead of out or why isn't there a security feature here when there should be." I do not mean to trivialize any of these issues, but from my seat it is of critical importance that everyone associated with the project (Commissioners – Responsible for the Construction and the MEP (mechanical, electrical, plumbing) operation of the Building; Sheriff – Responsible for all operations and staff/inmate safety inside the Building; Council – Responsible for paying for the Building) work in conjunction with DLZ and Garmong to ensure a successful project.

The location of the building is still up in the air, but at this point I would say there are three (3) potentially viable locations which will be vetted by Garmong and DLZ for constructability issues or other relevant factors. The three sites would be:

- Industrial Park – Already talked to Steve Witt who saw no obvious issues, would have to cut in a fair amount of sewer and other utilities, but at this point I believe all to be within reasonable proximity;
- North 1st Street – ISU has indicated a willingness to discuss approximately 20 acres they own north and west of their baseball stadium. There could be some prior foundations on the site and the topography will have to be evaluated;
- Somewhere near the Hulman Field Airport – this is the site I am least situated to speak on and I have not personally spent time with a plat map studying the ownerhips and any other potential issues, but I have heard the idea mentioned.

Obviously, everyone associated with this endeavor is trying to keep costs down and one easy way to try and do that on the front end is to minimize the cost of procuring a suitable site. The tentative options listed above need to be further evaluated, but at this point, I believe everyone is trying to find an option that does not cost the taxpayers a significant amount of money.

The logistical plan is an issue and personally I am assuming you are going to have to do this off of the current court house campus so in any event, you will be transporting prisoners from some off site location. I do believe it will need to be evaluated and discussed whether to dedicate a portion of the existing jail to maintaining prisoners for short periods of time. Again, this issue will be a major point of emphasis in collaboration with the Architect and Construction Manager. Obviously, the ability to get remote conferencing into the new facility will be paramount so not every hearing will have to have an inmate transported.

E-2

- Total Project Cost

The answer to this question is unobtainable at this point. The figure that I have heard during much of this process is approximately \$85,000.00 "per bed," which can move up or down, I assume, based on several factors. What I can say is the County Officials I have dealt with are conscious of the fiscal situation and are doing everything they can during this process to make sure the costs are minimized as much as they can be. One thing I heard during the course of the interviews with Architects is those cost savings are discovered and put into place primarily on the front end of this pre-construction process, which is why it is important for everyone to be involved up front.

- A project plan to avoid cost overruns

As stated above, everyone associated with this project is conscious of the fiscal situation of the County and is one of the primary reasons Garmong has been employed as Construction Manager. Personally, I have heard the "we don't want another Court House situation" and here would be my response: As someone who came into the Court House renovation fairly late in the game and talked to most everyone involved to deal with the lingering issues of which there were many, nobody ever clearly communicated what the true cost of the project would be. Everyone was always coming back to the original figure that an architect had come up with by taking an estimated price per square foot to renovate and multiplying that by the number of square feet and saying "you should be able to renovate the Court House for this amount." What that logic fails to consider is the multiple contingencies that can place during the Course of a construction project, such as rerouting ventilation, or discovering a false ceiling or an old chimney that nobody knew was there. We dealt with the Court House on an "after the fact" basis and my hope for this project is to deal with these issues "up front." Obviously with new construction the contingencies are not as troubling, but they are still there (discovering old foundations on your potential construction site for example, that is why we have the Architect and Construction Manager already engaged to try and minimize these issues which can come up and cost more money than what was originally planned). This is why when you ask for a projected cost, I answer that it is unobtainable. What I can tell you is that everyone associated with this project is conscious of every dollar saved in the construction is another dollar that can go into the operational expenses which will dwarf the hard construction costs over the life of the building.

I am going to lump your last two (2) questions (Financing Options and Potential Revenue Streams to Finance) into this answer to get this out before I leave here today:

The only thing I would say this – my understanding is the County Council adopted a budget this year that will eat into Vigo County's operating balance to the tune of 3.5 million dollars. I see the early phases of the same thing the city is dealing with now only on the County side. It would seem to me the only method of providing a sustainable answer to the question is an evaluation of whether or not new revenue should be explored. Crowe Horwath was at the CIB board meeting today and indicated they are hard at work analyzing what the new income tax structure looks like for Vigo County, but that information will not be available by the Council meeting next Tuesday. I will provide that information as soon as it becomes available and it may be necessary to try and schedule a special council call to listen

to what their analysis unveils. I have not dealt with the property tax analysis, because of the near impossibility of this being approved by referendum and for the simple fact that it would cost several hundred thousand dollars to put on a special election in a non-election year (which 2017 is) and the potential million dollars of additional costs which would be incurred with a further delay simply by the rising costs of construction.

I am including the others on this e-mail to keep them updated as well. I hope you all have a pleasant weekend and be safe.

Sincerely,

Michael

E-3

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INTERVIEW PROCESS





THE INTERVIEW PROCESS

- Jail has been overcrowded for 20+ years – *last addition of rated beds was full within just a few months*
- Pending ACLU lawsuit
- High count was nearly 330 (268 rated beds)
- Judges meet regularly to control Jail numbers
- Have an ‘unofficial’ bond schedule
- Mixed results with use of video arraignment – *not all Judges use it*
- Intake area is very small

INTERVIEWED

- Six Judges
- Prosecutor
- Sheriff
- Probation
- Community Corrections

JAIL SERVICES

STAFFING REPORT

- Add 22 corrections staff
- Add 3 transport staff
- Add 1 PT mental health staff
- Add 2 recreation staff



THE INTERVIEW PROCESS

- Work Release program works well – could be expanded to help with additional bed needs – *currently about 75 in a 134 bed facility*
- If a new jail, there is a difference in opinions of possible location
- Likely need Hearing Room(s) if built offsite
- Poverty is above State average
- Increased addiction issues in County
- Need more mental health and addiction resources / treatment facilities
- Currently sending some inmates to other counties (+/-30) at \$35 per day (+/- \$375,000)

MUST ADDRESS

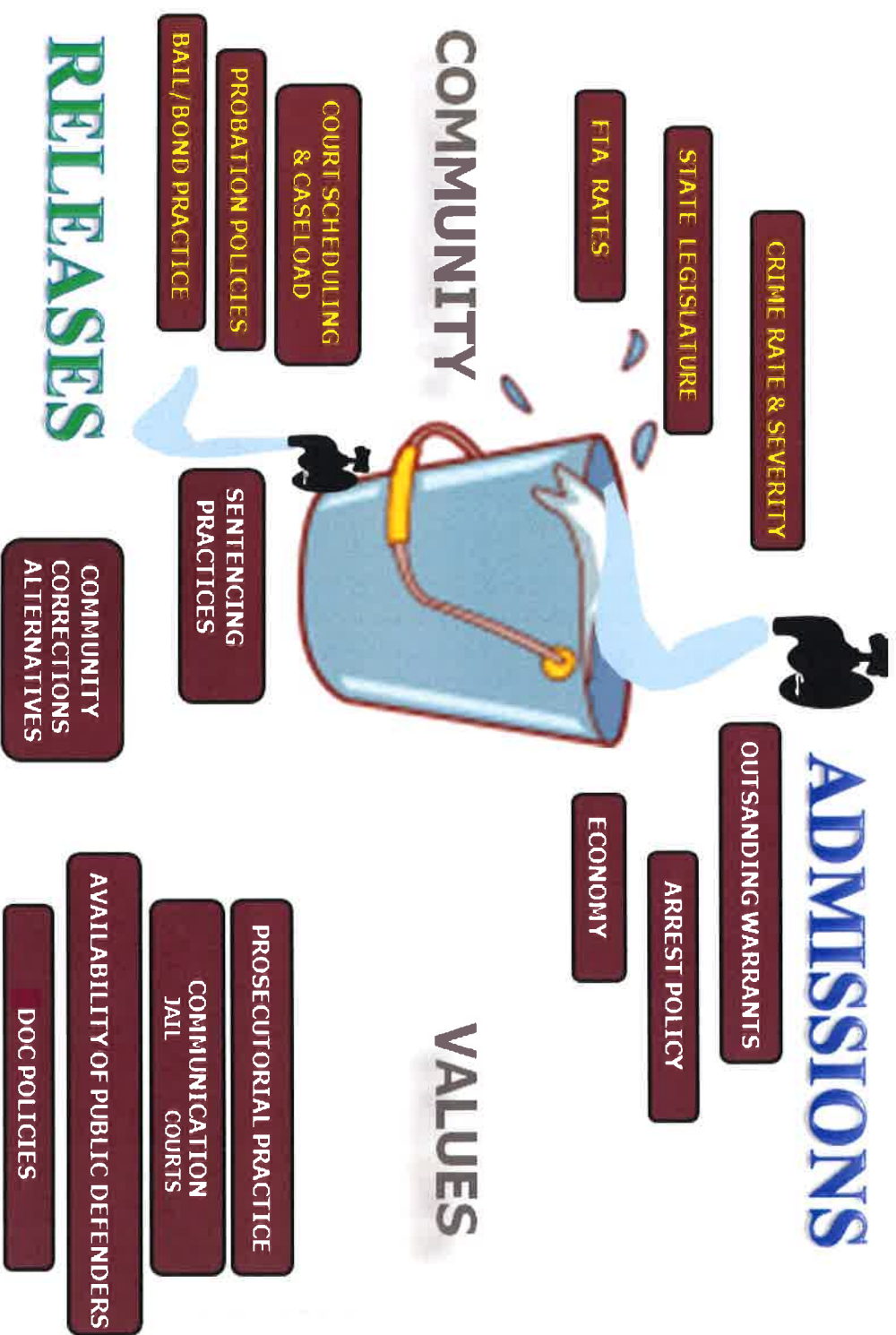
- Mental Health
- Addictions
- Pushing inmates thru the system as quickly as lawfully possible
- Alternative sentencing

Design a facility that meets the needs of Vigo County for the next 20+ years

JAIL PROJECTIONS

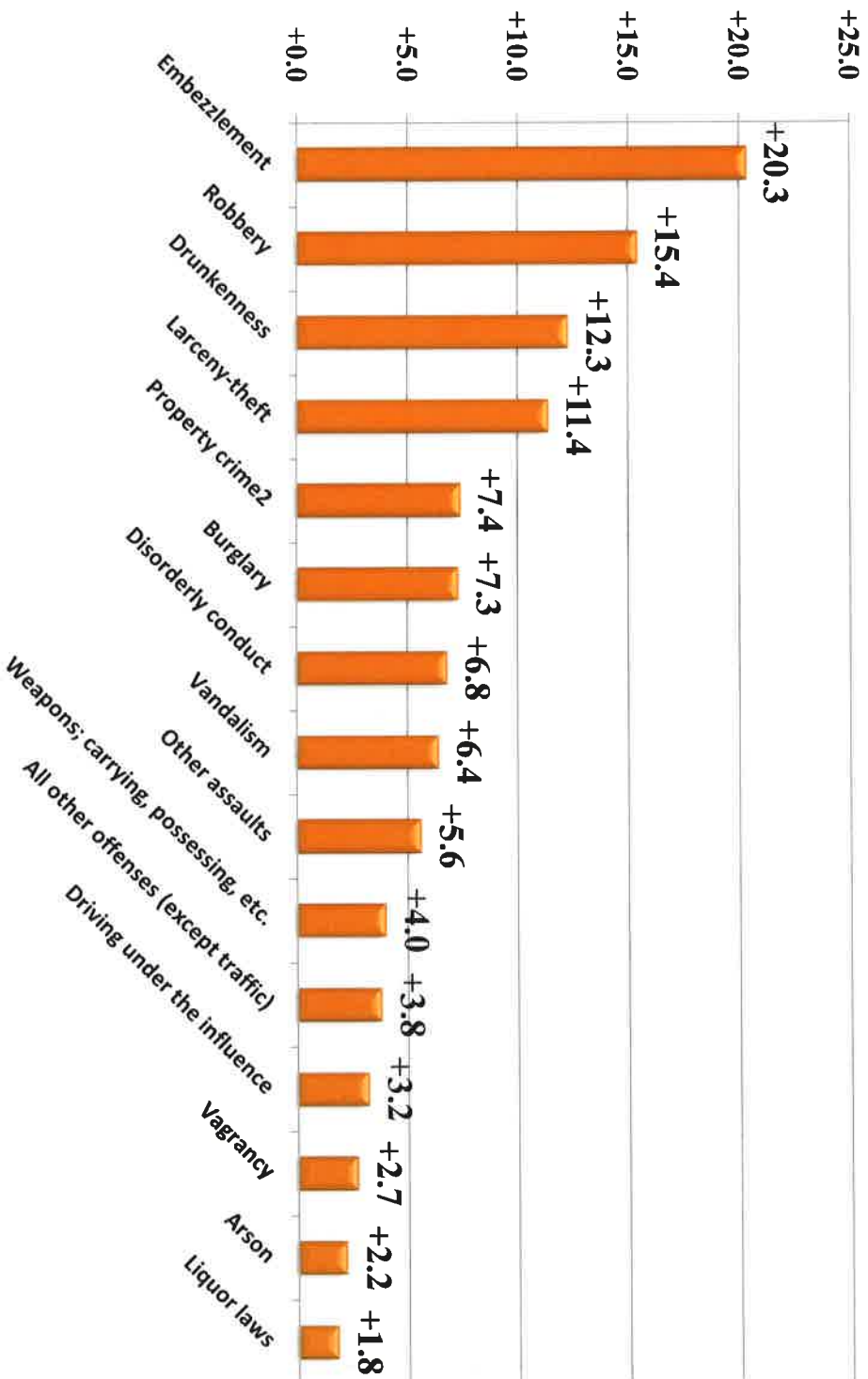


DEVELOPING A SUCCESSFUL PROCESS





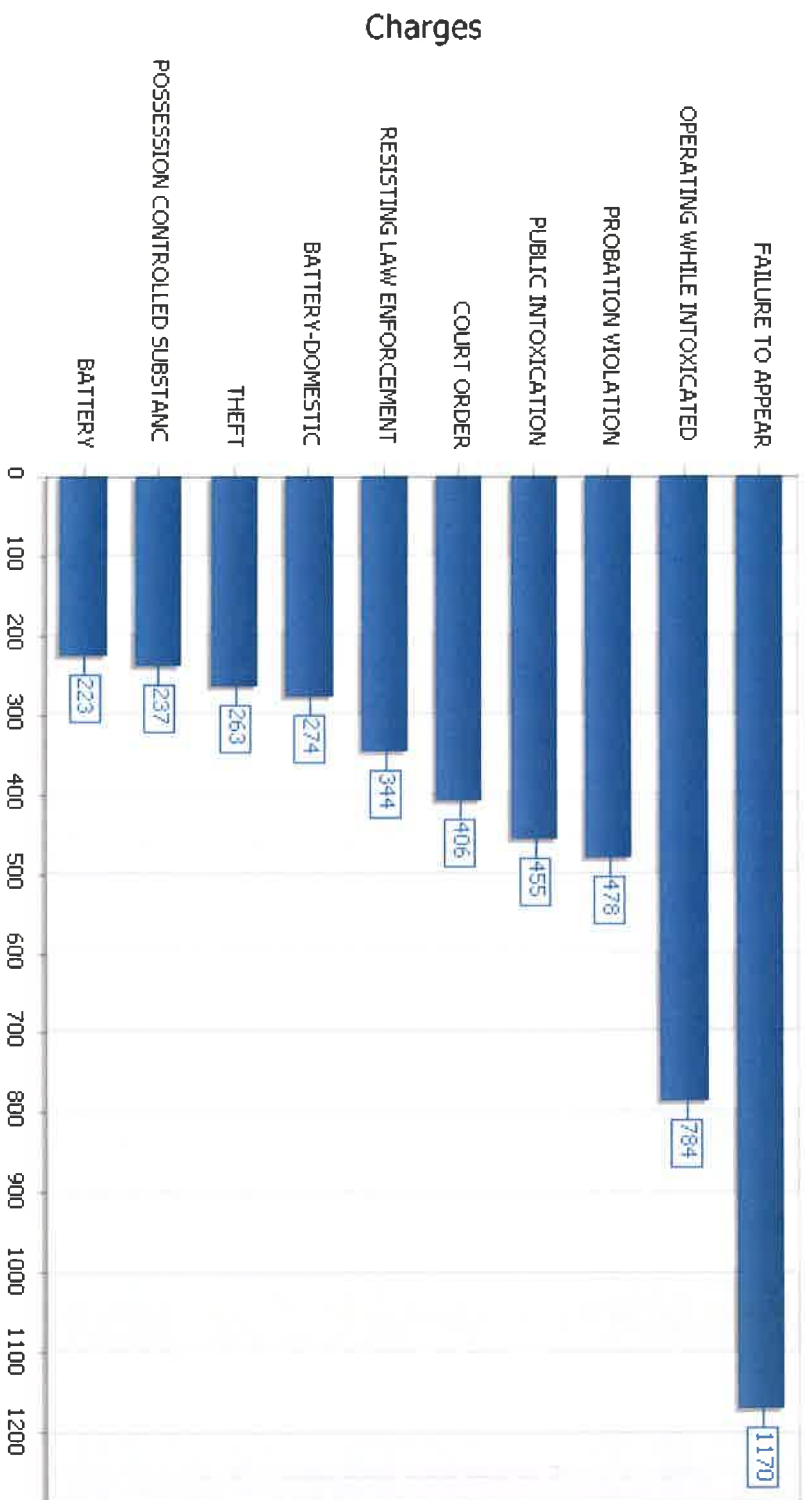
NATIONAL CRIME INCREASE FOR 2003 - 2012





BREAKDOWN OF CHARGES - 2003

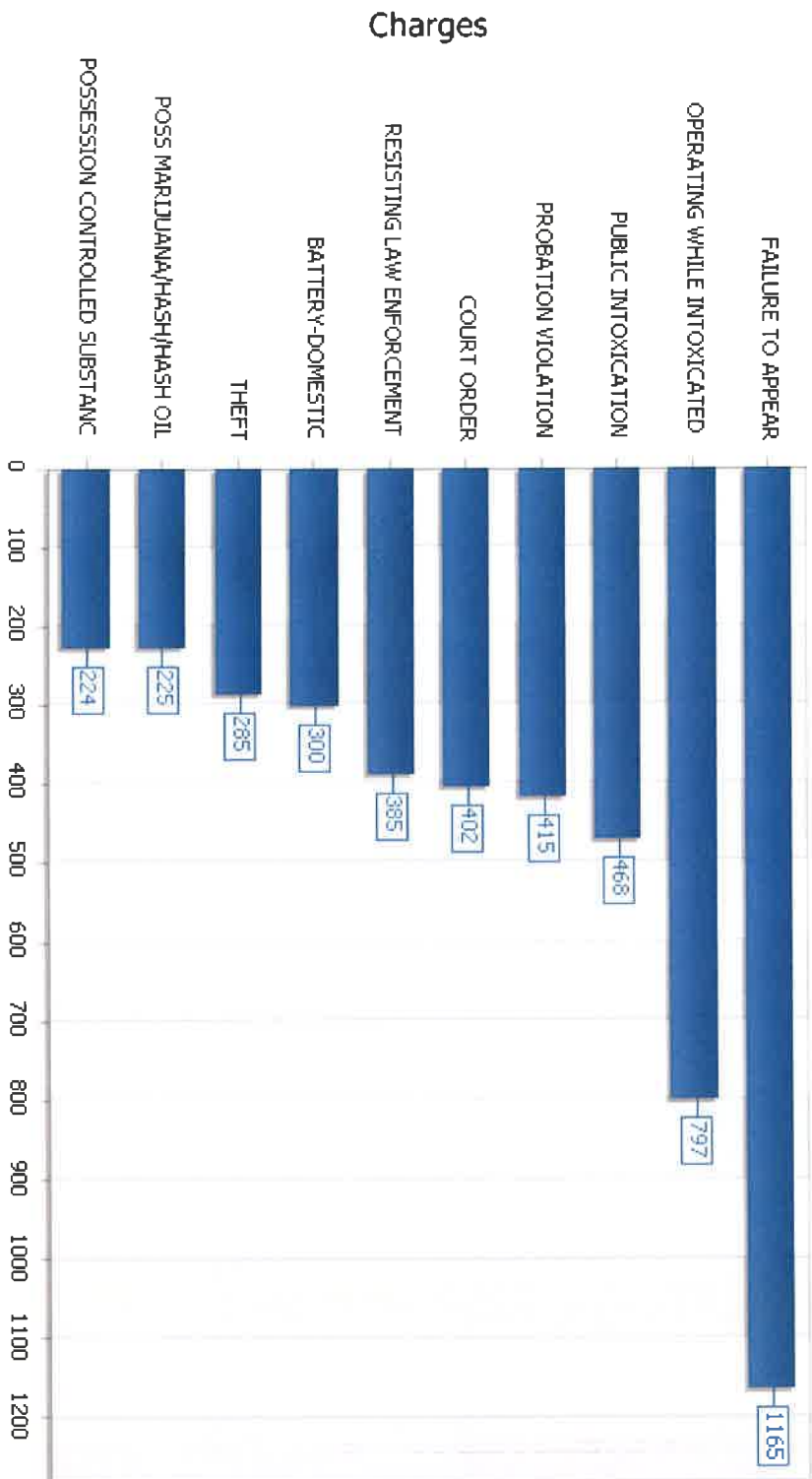
Top 10 Charges Of Current Population





BREAKDOWN OF CHARGES - 2004

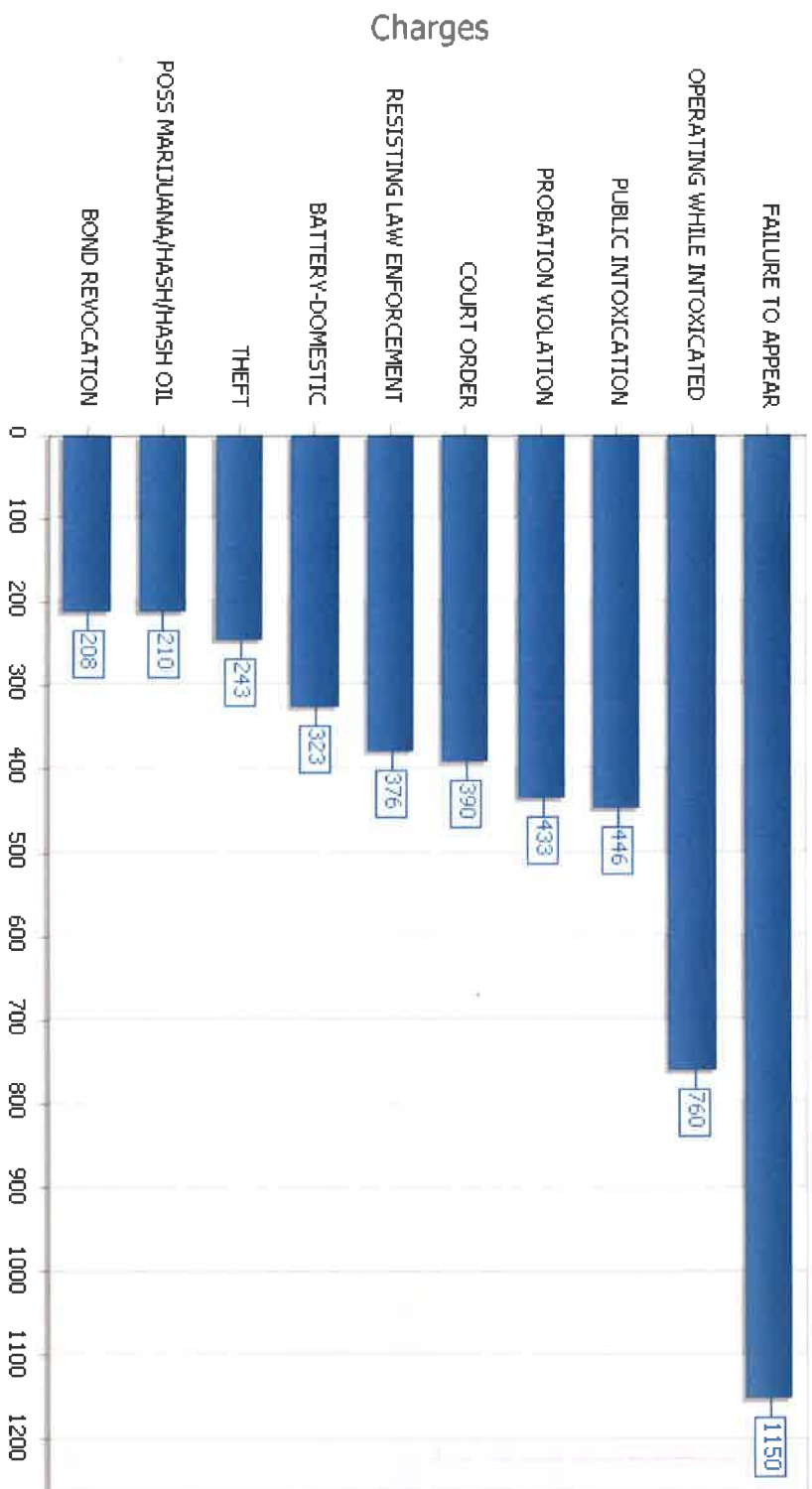
Top 10 Charges Of Current Population





BREAKDOWN OF CHARGES - 2005

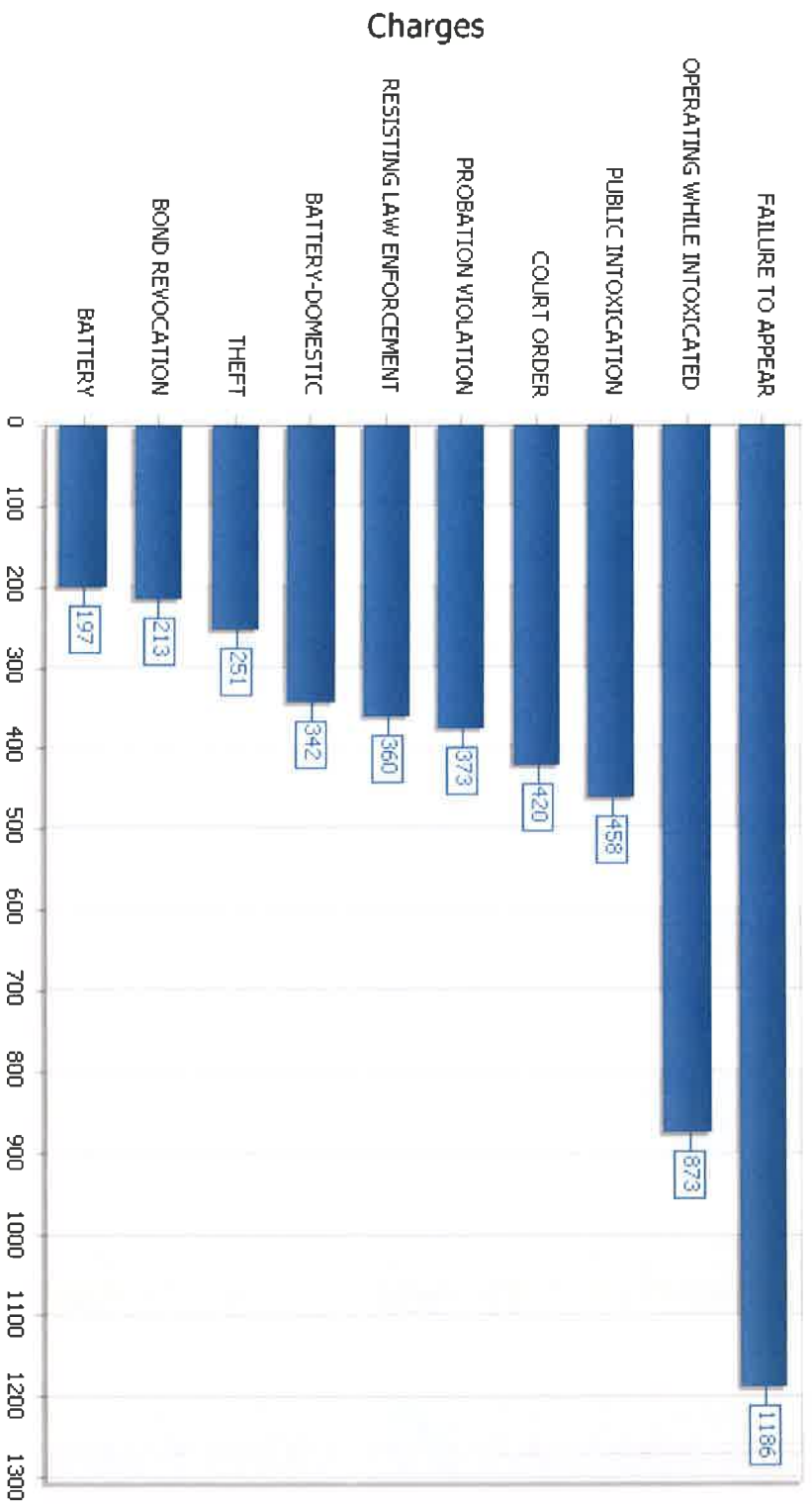
Top 10 Charges Of Current Population





BREAKDOWN OF CHARGES - 2006

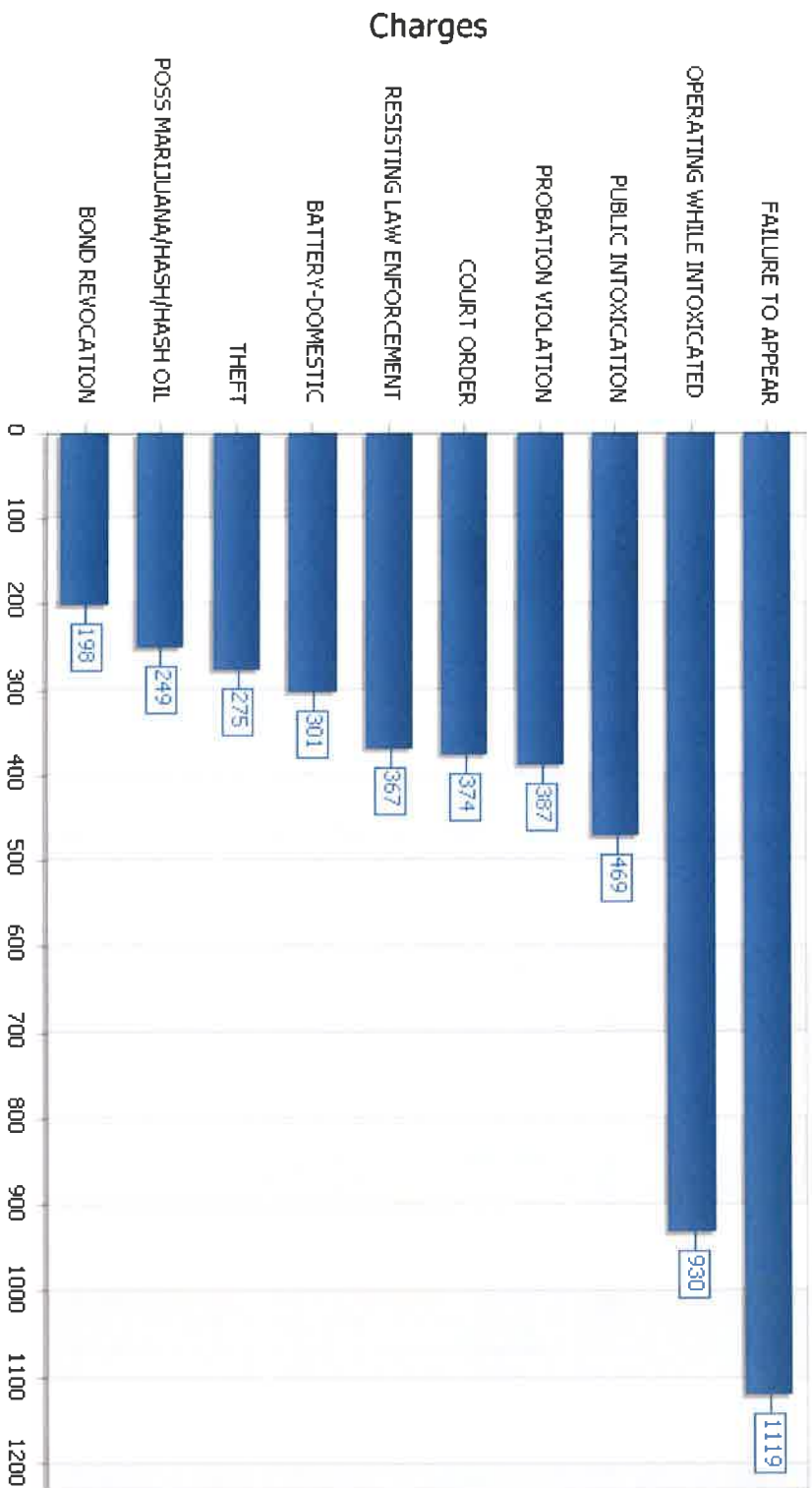
Top 10 Charges Of Current Population





BREAKDOWN OF CHARGES - 2007

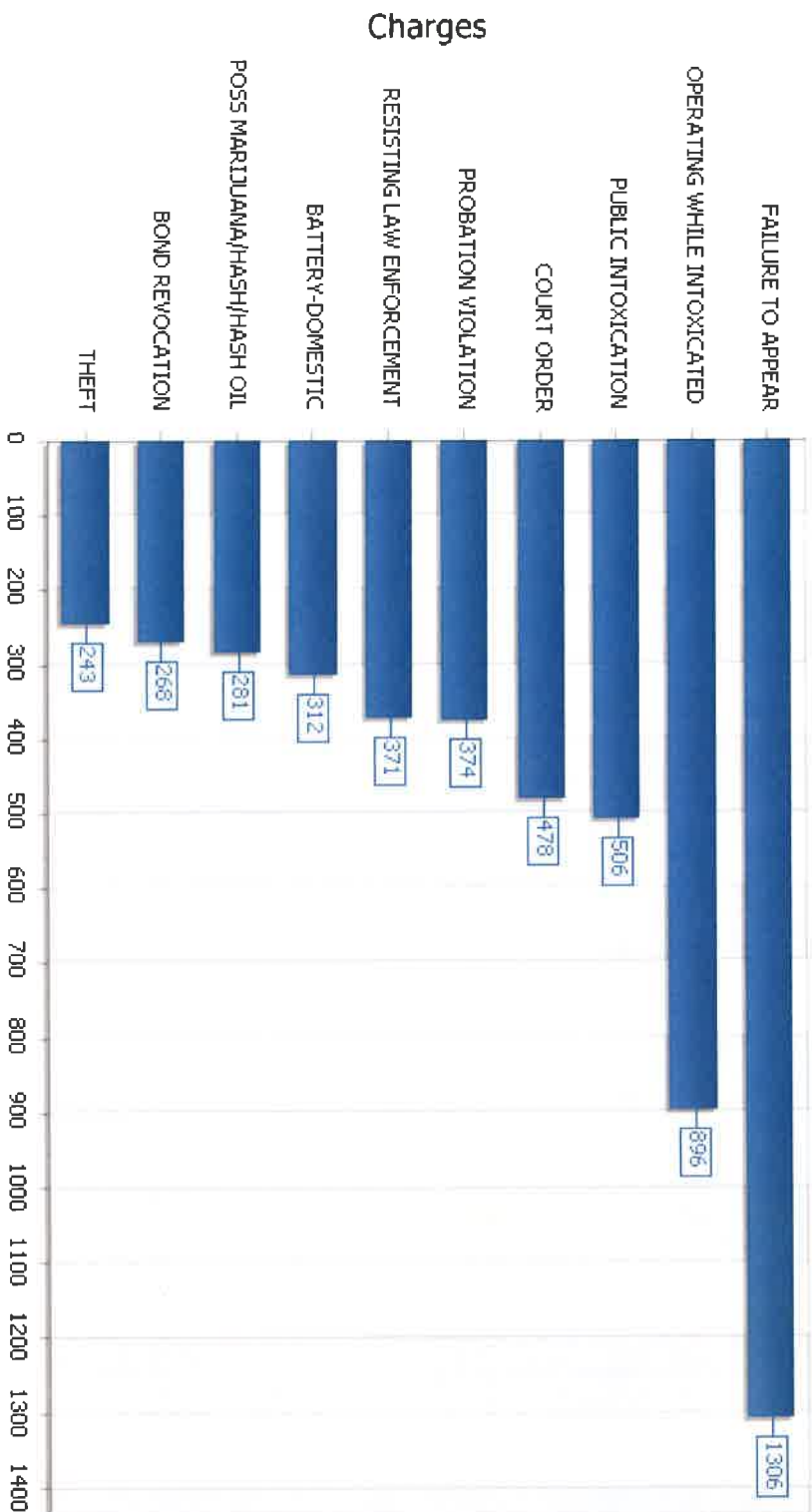
Top 10 Charges Of Current Population





BREAKDOWN OF CHARGES - 2008

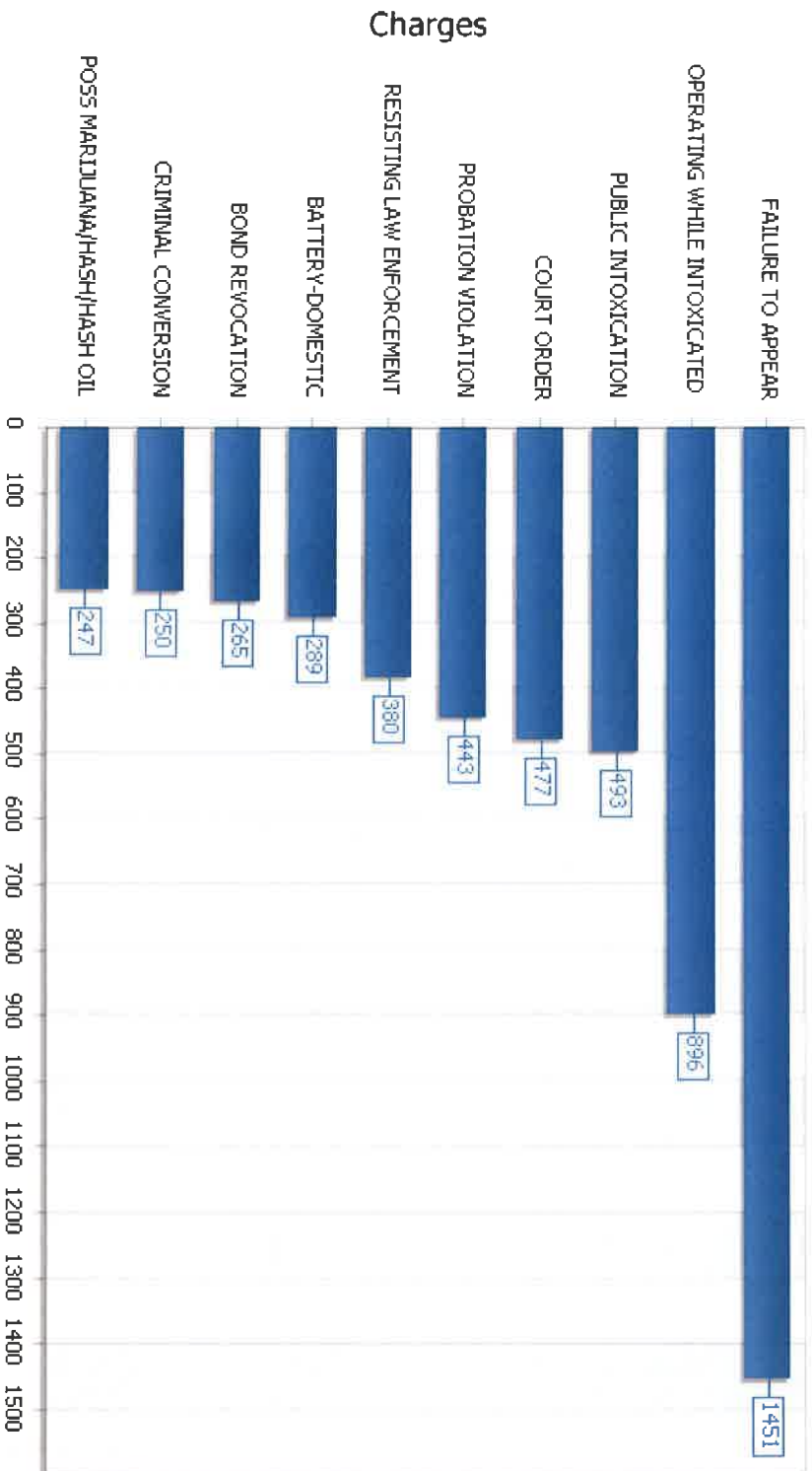
Top 10 Charges Of Current Population





BREAKDOWN OF CHARGES - 2009

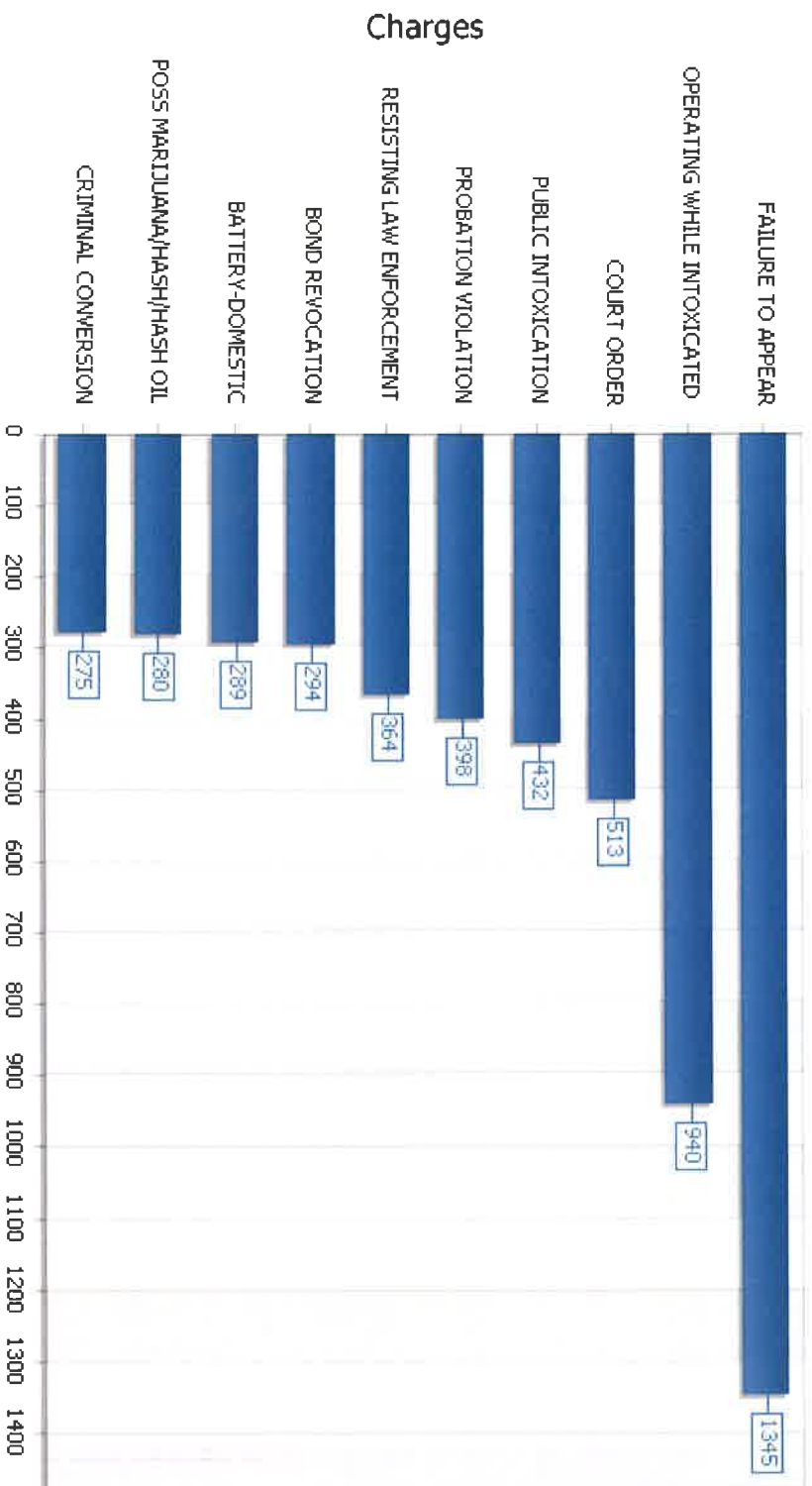
Top 10 Charges Of Current Population





BREAKDOWN OF CHARGES - 2010

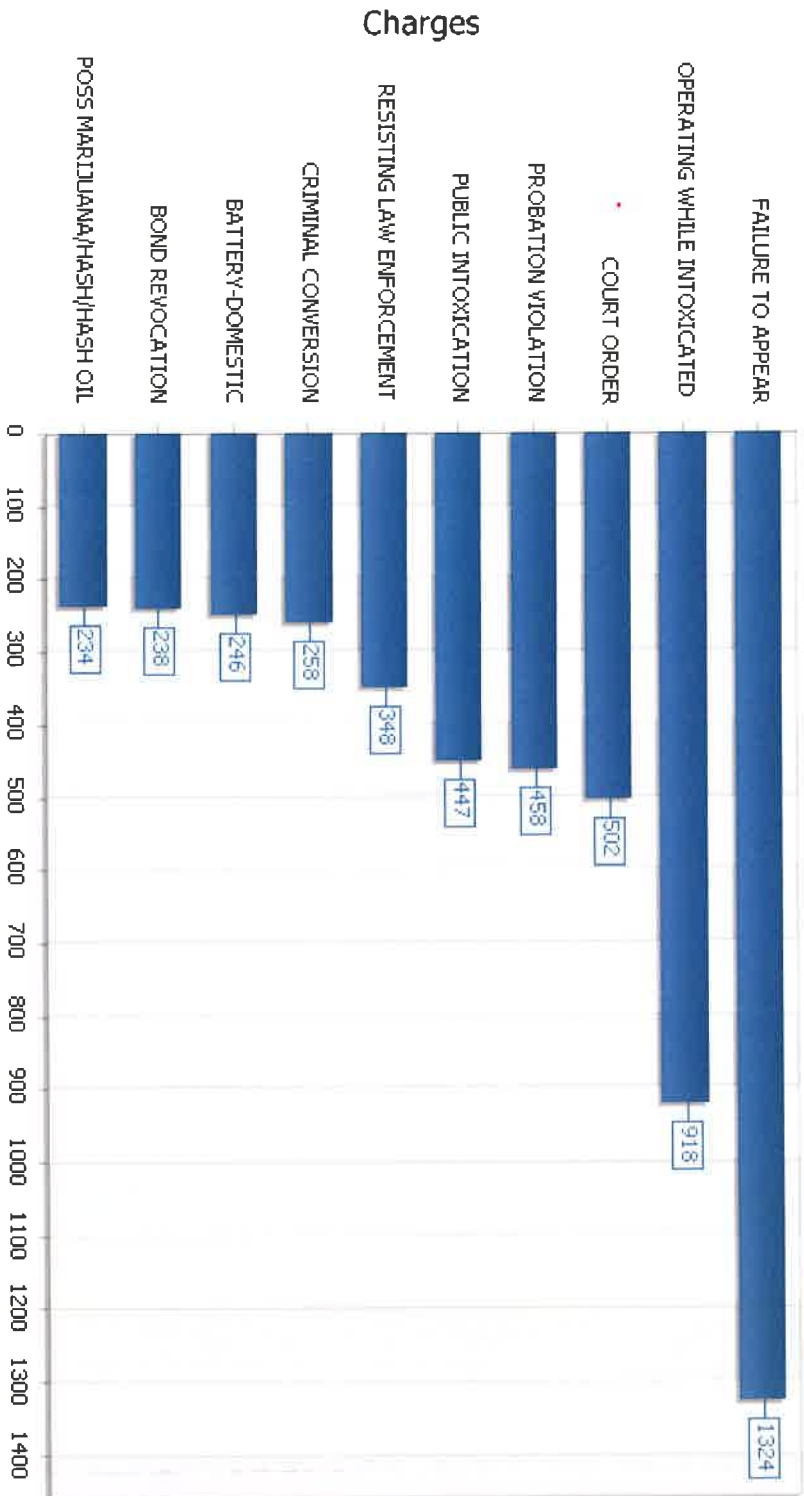
Top 10 Charges Of Current Population





BREAKDOWN OF CHARGES - 2011

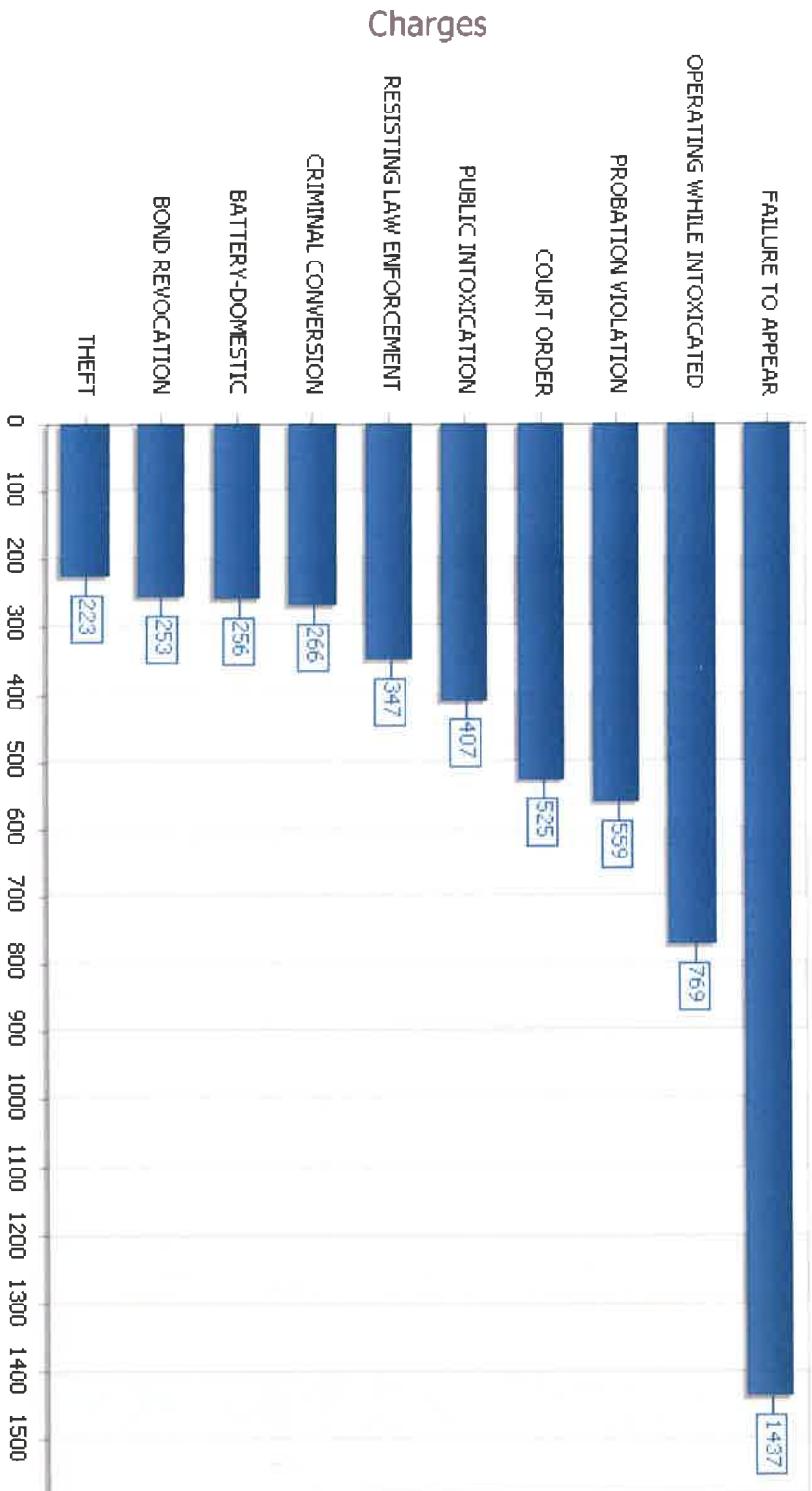
Top 10 Charges Of Current Population





BREAKDOWN OF CHARGES - 2012

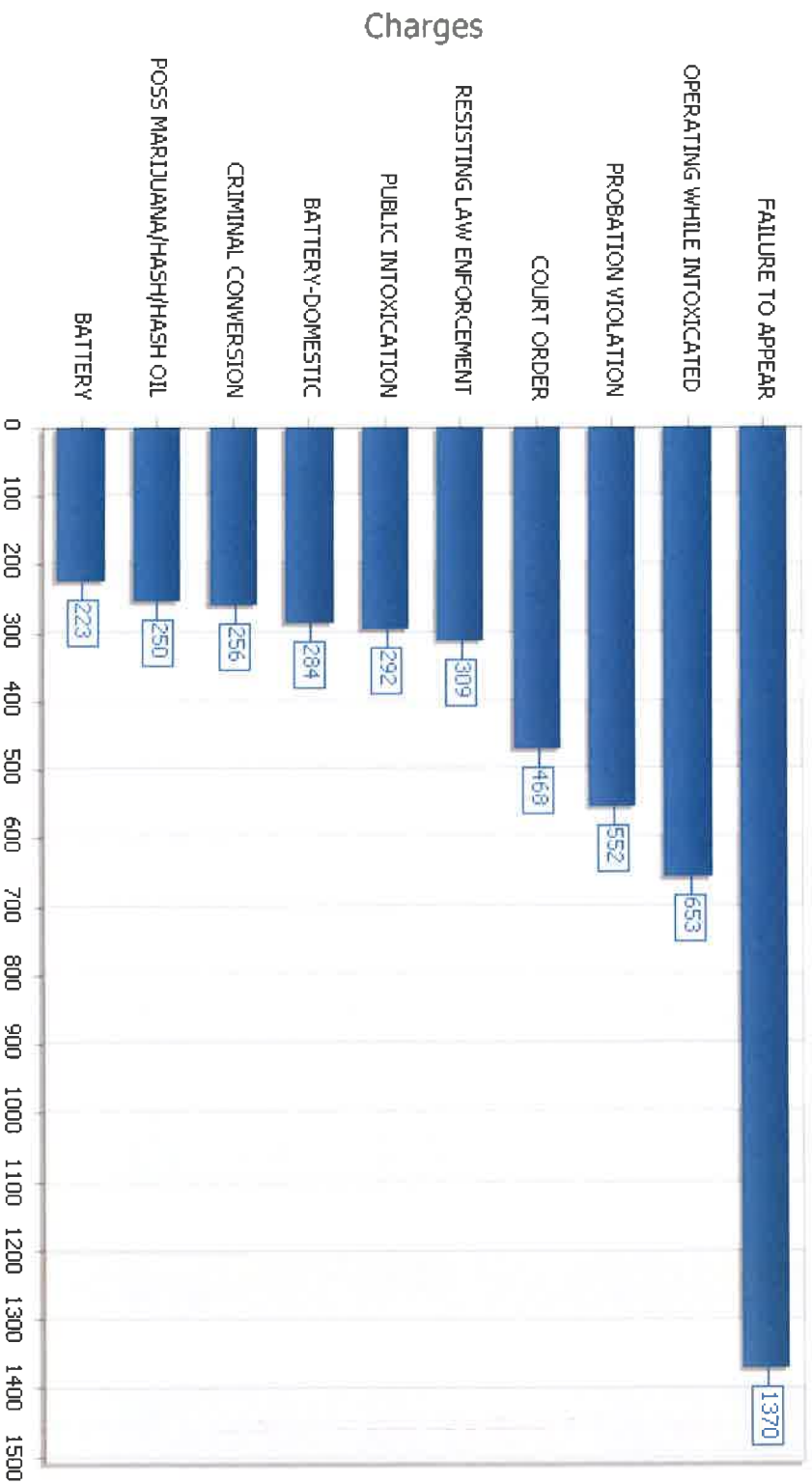
Top 10 Charges Of Current Population





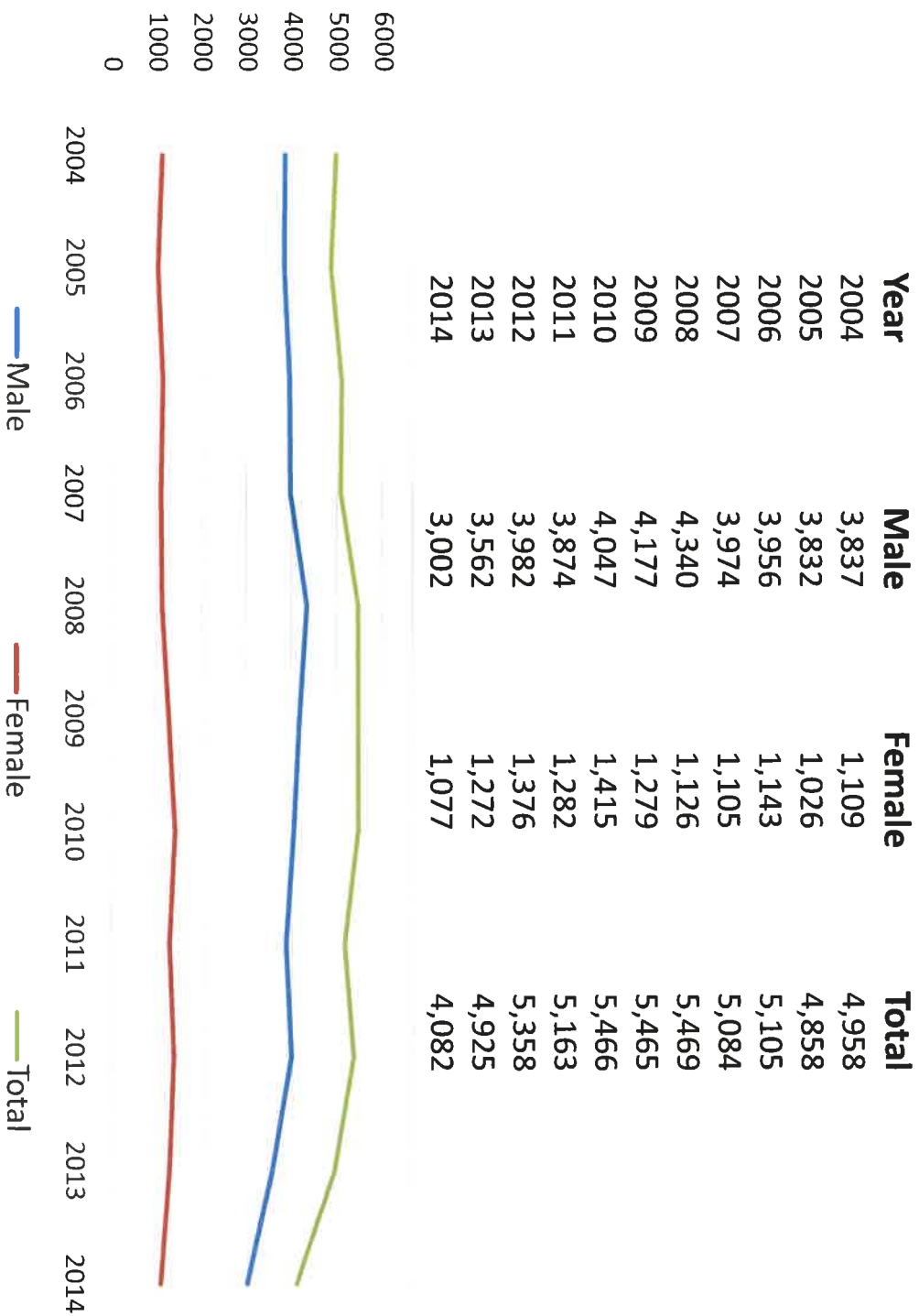
BREAKDOWN OF CHARGES - 2013

Top 10 Charges Of Current Population





ANNUAL BOOKINGS



NOTE: Fairly consistent for past decade



IDOC ADMISSIONS

MALE	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Murder	0	1	1	1	2	0	0	0	1	1
A Felony	3	7	4	5	6	5	7	10	11	6
B Felony	80	78	53	40	56	62	58	68	76	54
C Felony	83	74	43	63	45	46	37	57	64	38
D Felony	143	100	88	77	64	66	45	62	63	46
*Level 1 Felony										0
*Level 2 Felony										0
*Level 3 Felony										0
*Level 4 Felony										0
*Level 5 Felony										2
*Level 6 Felony										0
Habitual Offender	0	1	0	0	0	0	0	0	0	0
MALE TOTAL	309	261	189	186	173	179	147	197	215	147
FEMALE	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Murder	0	0	0	0	0	0	0	0	0	0
A Felony	0	0	0	1	2	1	1	1	0	0
B Felony	2	8	7	7	6	9	12	8	10	5
C Felony	3	8	5	5	1	8	2	7	10	10
D Felony	15	17	9	15	12	5	8	8	21	13
*Level 1 Felony										0
*Level 2 Felony										0
*Level 3 Felony										0
*Level 4 Felony										0
*Level 5 Felony										1
*Level 6 Felony										0
Habitual Offender	1	0	0	0	0	0	0	0	0	0
FEMALE TOTAL	21	33	21	28	21	23	23	24	41	29
COUNTY TOTAL	330	294	210	214	194	202	170	221	256	176

* Felony Classification Changed by Indiana Code – July 1, 2014



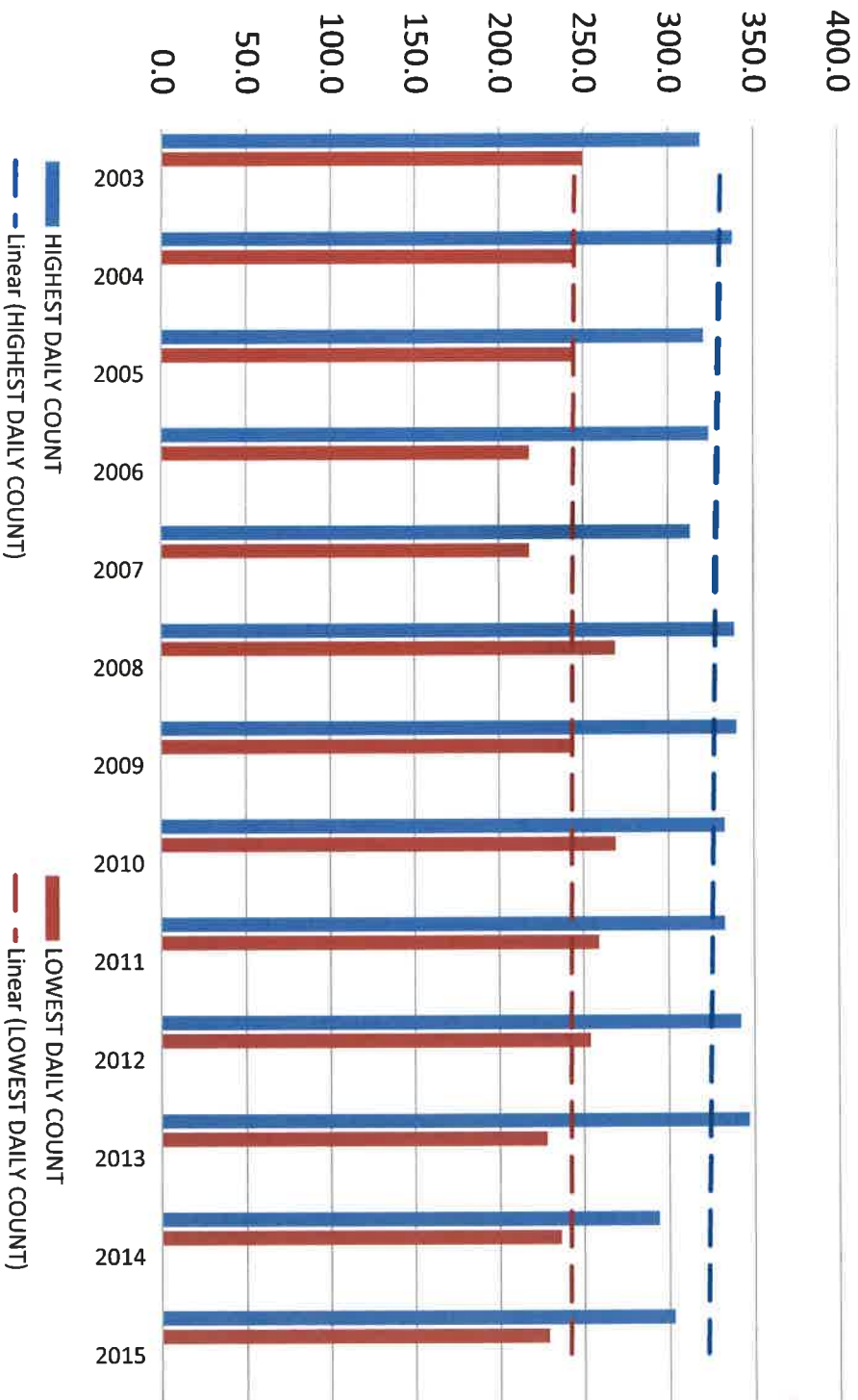
FELONY AND MISDEMEANOR OR CASES FILED BY COURT PER YEAR

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
MR	7	4	2	2	6	6	3	1	3	4	5	6
FA	46	47	35	54	40	50	57	47	39	21	45	45
FB	104	146	164	103	155	162	152	147	170	164	200	195
FC	168	175	181	195	192	224	252	225	294	256	269	255
FD	892	920	1004	917	965	1,160	1,208	1,151	1,138	1,134	1,045	1,000
CM-County	1,143	1,093	1,057	1,129	1,327	1,084	1,063	1,128	1,084	920	861	1,540
CM-City	2,909	3,143	3,059	2,761	2,645	2,696	2,719	3,087	2,869	2,715	2,678	3,221
TOTAL	5,269	5,528	5,502	5,161	5,330	5,382	5,454	5,786	5,597	5,214	5,103	6,262

Felony D (FD) numbers have gradually increased since 2002



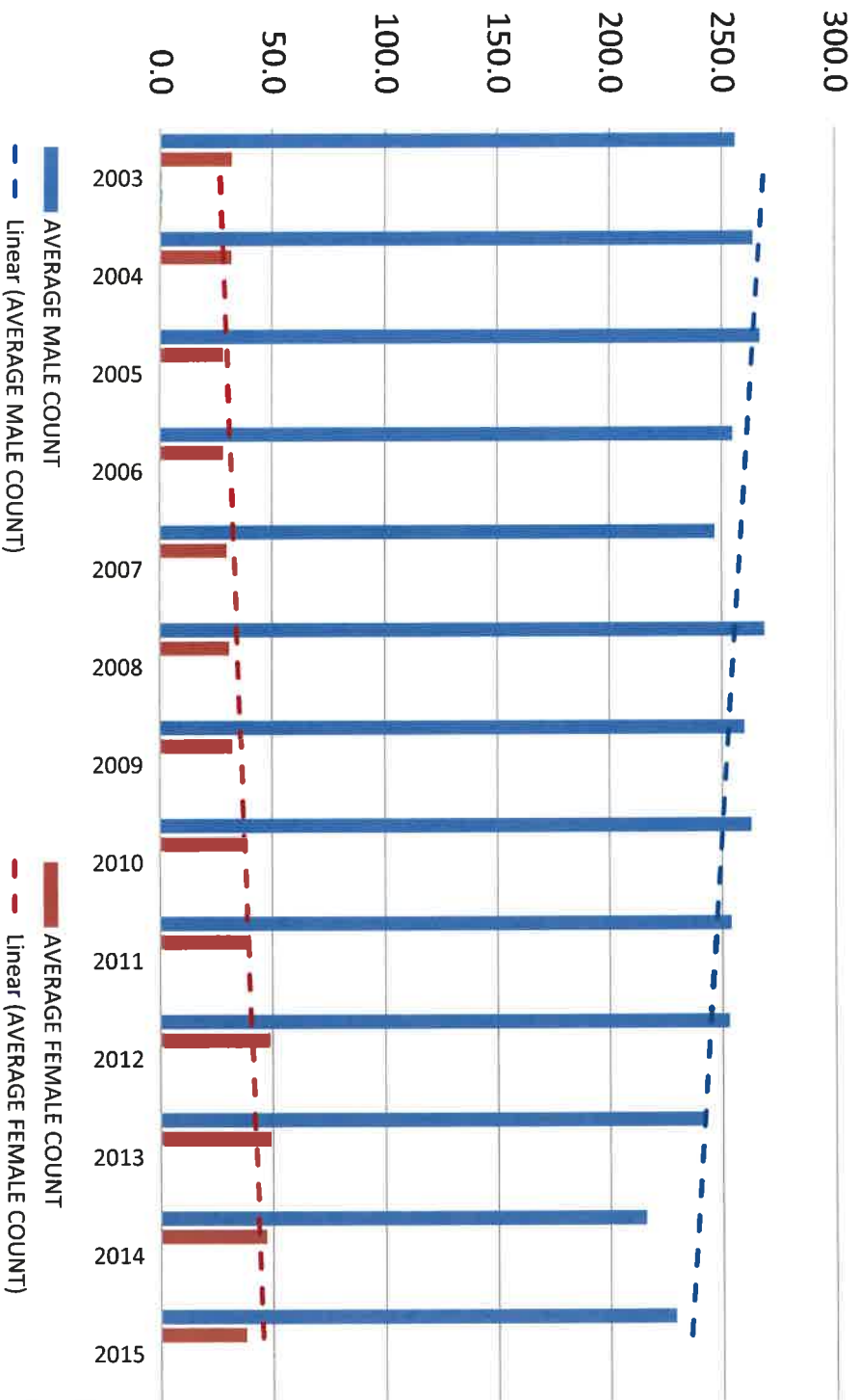
HIGHEST AND LOWEST TOTAL DAILY COUNT – 2003 TO 2015



NOTE: For past 20 years, Jail has typically been at or over the 85% rule for classification



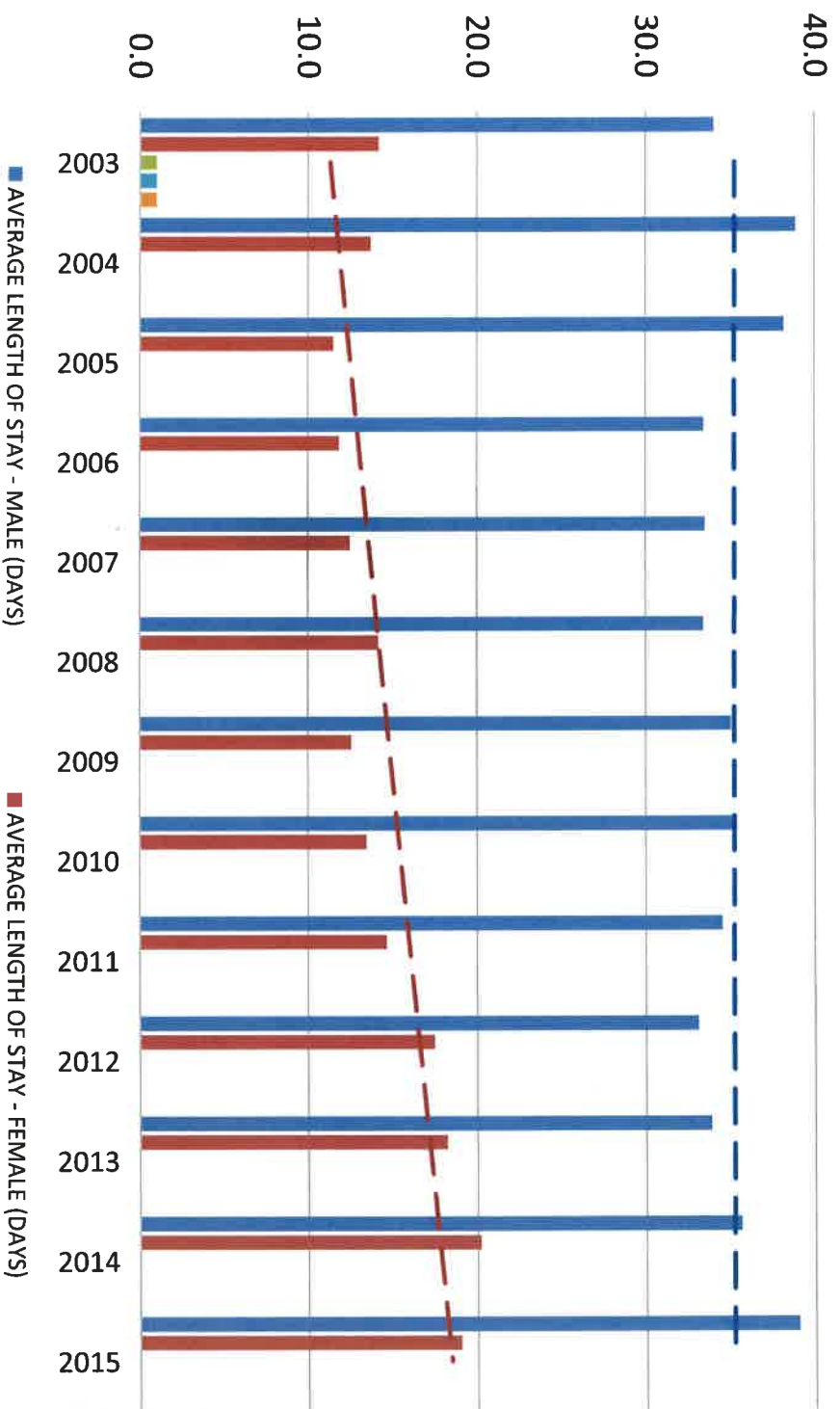
AVERAGE ANNUAL MALE & FEMALE COUNT – 2003 TO 2015



NOTE: Male trend has declined while female trend has increased



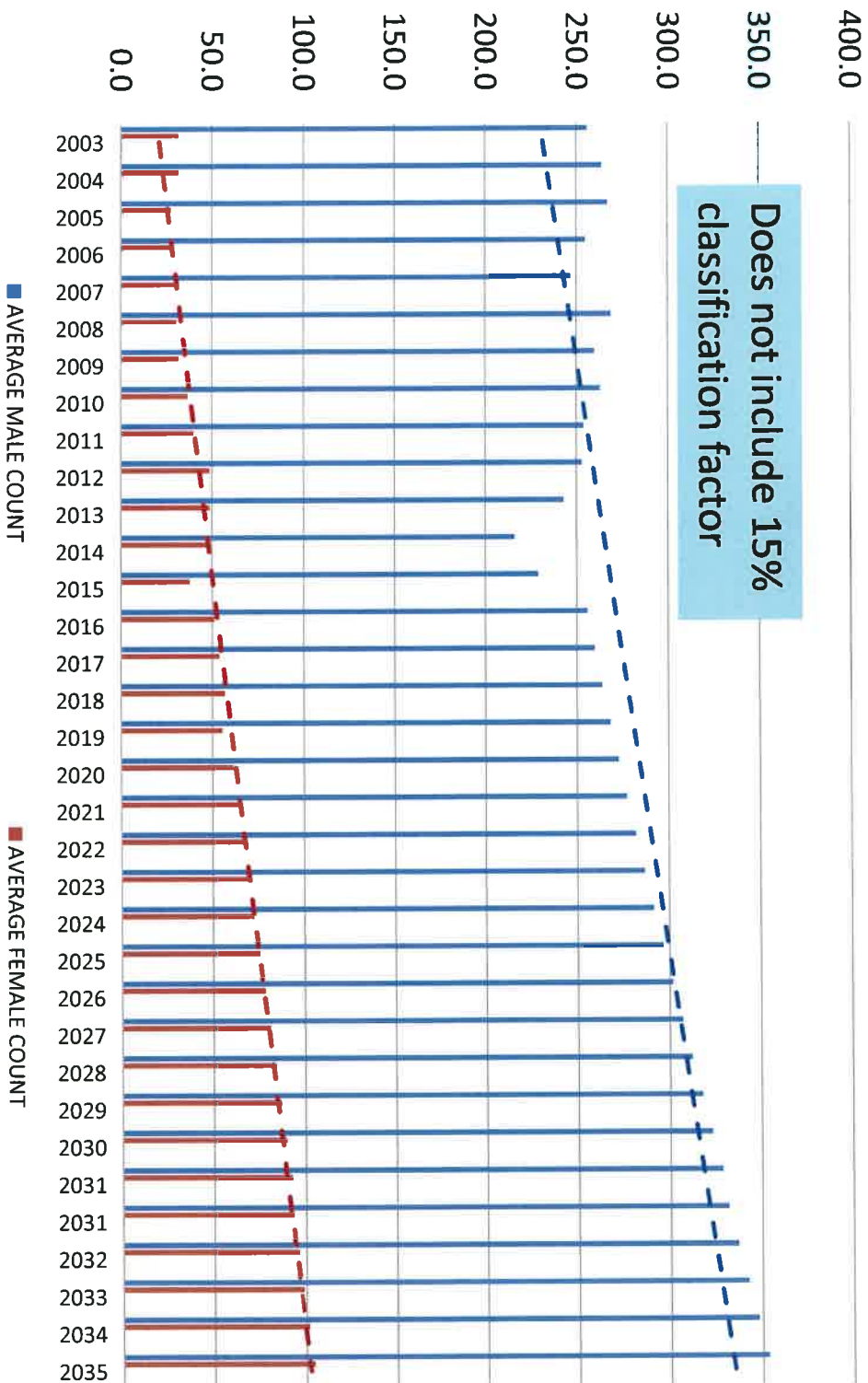
AVERAGE LENGTH OF STAY MALE & FEMALE COUNT – 2003 TO 2015



NOTE: Male trend is consistent, while Female trend has increased considerably



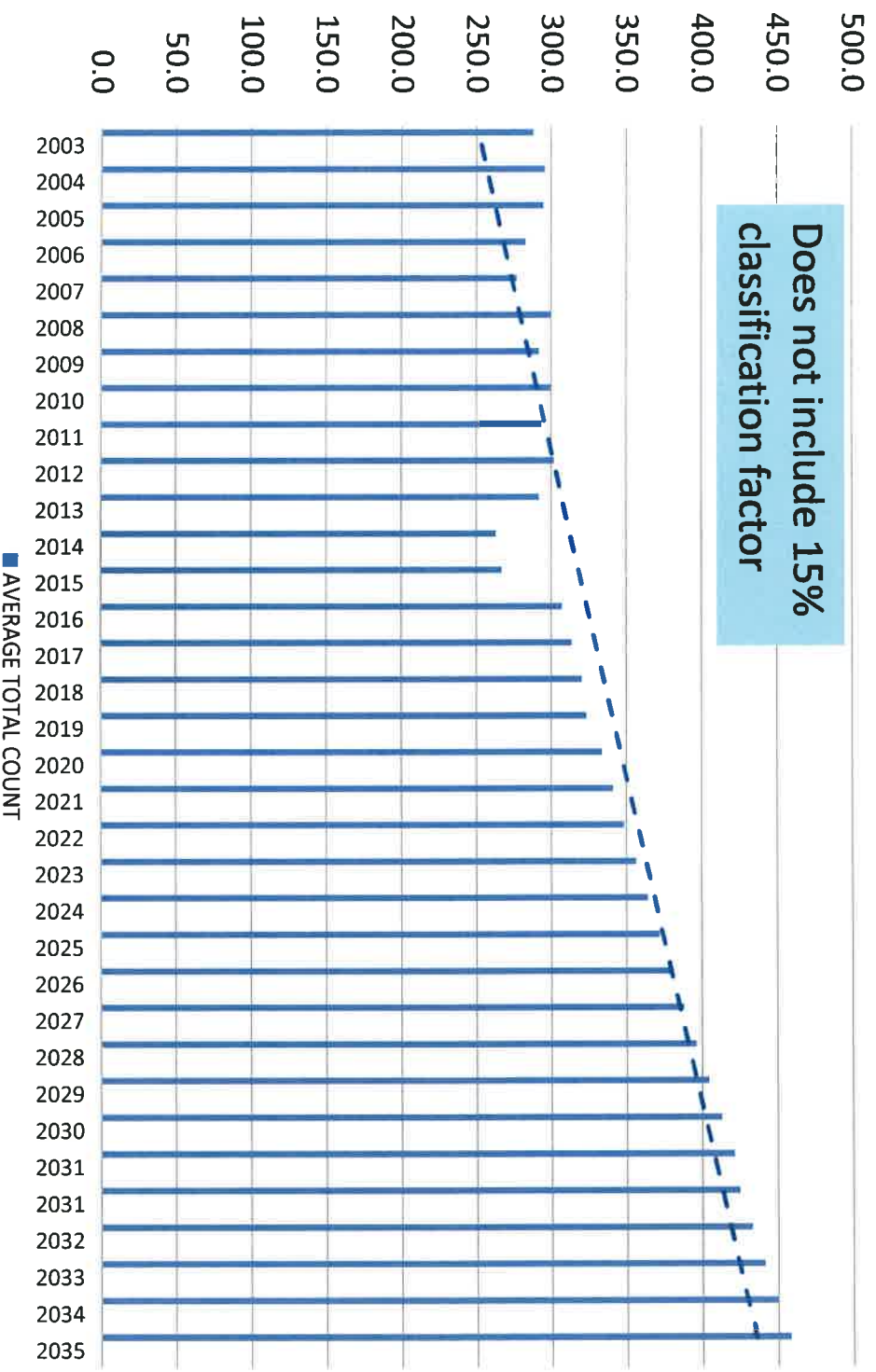
PROJECTED TRENDS FOR MALE AND FEMALE COUNT – TO YEAR 2035



NOTE: Includes a 10% increase for Criminal Code / 1006



PROJECTED TRENDS FOR TOTAL COUNT – TO YEAR 2035



NOTE: Includes a 10% increase for Criminal Code / 1006



COMPARISON TO SIMILAR COUNTIES

COUNTY POPULATION (X 1000)	COUNTY	YEAR BUILT or RENOVATED	GENERAL POPULATION BEDS	TOTAL RATED BEDS REPORTED	BEDS PER 1000 POPULATION	INMATES PER 1000 POP	% OF BEDS FILLED	TOTAL INMATES	ADULT MALE	ADULT FEMALE	CAPPED
68.9	MORGAN	1991 / 2010	439	439	6.37	4.60	72%	317	253	64	
68.9	WAYNE	2004	416	416	6.04	3.92	65%	270	211	59	
70.0	HANCOCK	1988	153	153	2.19	2.61	120%	183	153	30	
70.1	GRANT	1980 / 1990	274	274	3.91	3.64	93%	255	216	39	Y
74.6	FLOYD	1994	234	234	3.14	4.24	135%	316	259	57	
76.8	BARTHOLOMEW	90/07/09	362	362	4.71	2.08	44%	160	121	39	
77.4	KOSCIUSKO	1981 / 2003	331	331	4.28	3.40	79%	263	224	39	
82.8	HOWARD	1991	364	364	4.40	4.41	100%	365	290	75	
107.8	VIGO	1980 / 2001	268	268	2.48	2.26	91%	244	204	40	
110.2	CLARK	1991 / 2007	482	482	4.37	4.07	93%	449	369	80	
111.5	LAPORTE	1977 / 2003	388	388	3.48	3.18	91%	355	294	61	
117.7	DELAWARE	1992	221	221	1.88	2.42	129%	285	226	59	
131.6	MADISON	1984	207	207	1.57	1.58	100%	208	144	64	
138.0	MONROE	1986	287	287	2.08	1.91	92%	263	230	33	Y
139.7	JOHNSON	1977 / 2001	322	322	2.31	2.11	92%	295	220	75	
SUMMARY											
1445.8	TOTAL	na	4748.0	4748	na	na	na	4228	3414	814	2
96.4	AVERAGE	1996	316.5	316.5	3.3	2.92	89.0%	281.9	227.6	54.3	na

NOTE: Most larger jails in Indiana are undersized



VIGO COUNTY JAIL BED PROJECTION

Based on a projection of the average daily population of the jail during the years 2003 - 2015, the County may anticipate an average daily jail population of 458 inmates, and a need for approximately 70 beds to ensure proper housing by classification, in 20 years (2035), for a total of 528 rated beds.

To help offset the projected daily jail population, the County should consider an additional beds for the Work Release facility, as well as intermittent incarceration programs.

The existing jail is of linear (and podular) design on multiple levels. Expanding this facility will result in a need for a higher staffing ratio than would be required for a podular design.

6 sided boxes no longer effectively work long term for jail design. Issues to consider include:

- Mental Health
- Addictions
- Segregation
- Increase of females
- Transgender

The current Jail capacity is capped at 268 rated beds.



SUMMARY

Effort has been utilized to keep the jail population down due to a shortage of beds. Hopefully these efforts continue, but are affected by numerous future factors, for example.

So as to not outgrow a new jail, the following should be considered:

Vigo County Bed Projection

Average of Indiana comparative (population) counties

316 beds

Most larger jails in Indiana are undersized for their needs

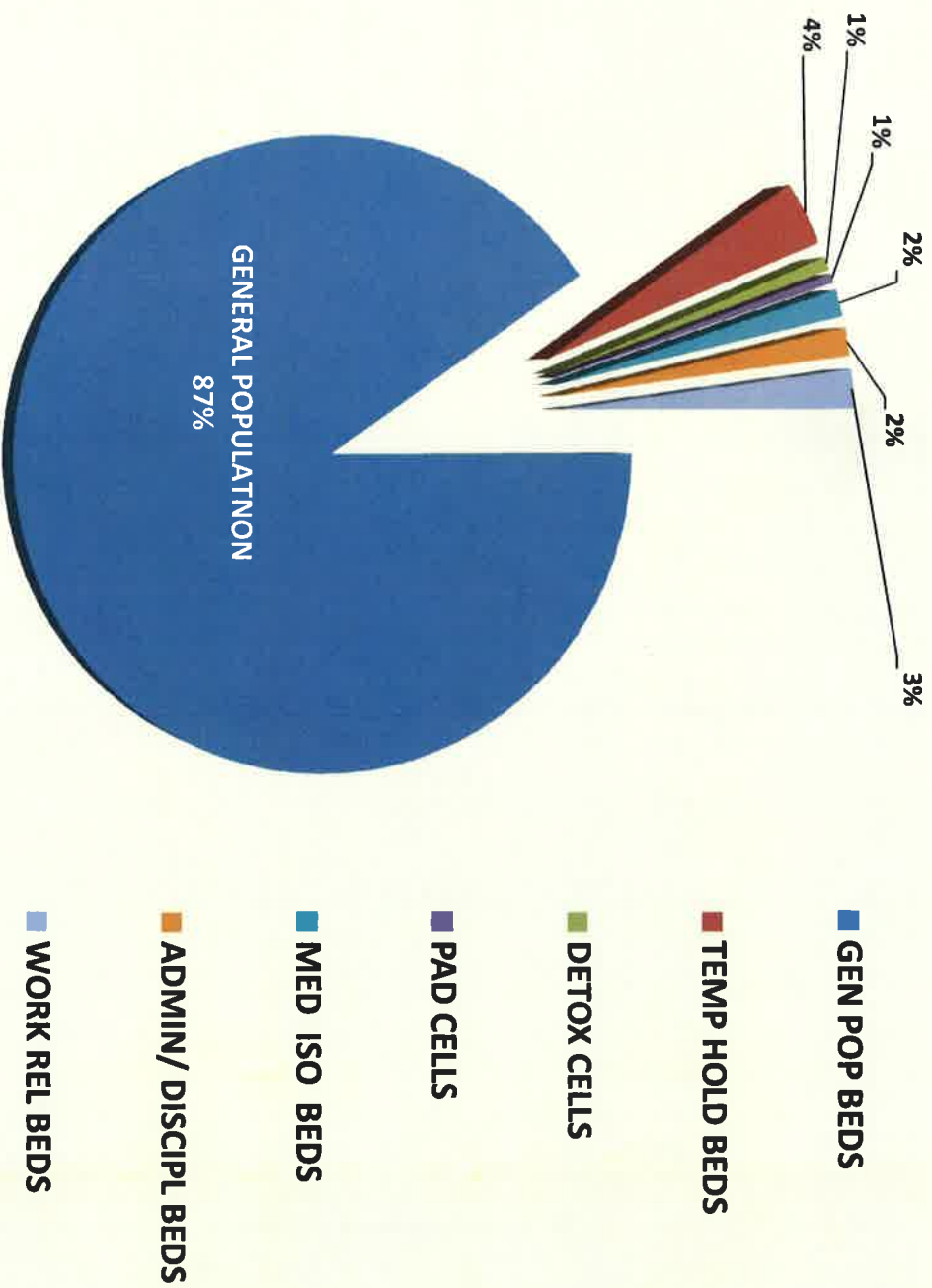
Average does not account for new Criminal Code / 1006 implications

458 + 70 = 528 beds

**Based on Study, DLZ recommends a total of 528 Beds,
including Intake area beds.**



JAIL FEASIBILITY STUDY – AVERAGE TYPES OF BEDS





JAIL FEASIBILITY STUDY – PROJECTED BEDS

General Population:	448 beds
Temporary Holding Cells:	16 cells (each double bunked / 32 beds)
Medical Isolation Cell (<i>with negative air flow</i>):	24 cells (24 beds)
Administrative/Disciplinary Cell:	24 cells (sink bunk / 24 beds)
Detox Cell:	4 cells (2 for male / 2 for female)
Padded Cell:	4 cells (single)
Total Jail Beds:	528 beds

Note: In Total Jail Beds, do not count Detox and Padded in the number



JAIL FEASIBILITY STUDY – BED DISTRIBUTION

Total General Population Beds in Podular Remote Housing Style	448 beds
--	-----------------

Cell (256 beds)

- 12 Pods have 8 double bunked cells (16 beds each pod)
- 8 Pods have 4 double bunked cells (8 beds each pod)

Dorm Style (192 beds)

- 8 Pods have 12 double bunks (24 beds each pool)