



**Clark County
Correction Facility
Advisory Commission (CFAC)
Final Report**



August 2019

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EXECUTIVE SUMMARY

Introduction

The Clark County Correction Facility Advisory Commission (CFAC or Commission) was convened by the Clark County Council in 2018 to assess the need for improvements to the Clark County Jail's design, capacity, and services, and to provide recommendations to the County Council for addressing these needs. Members of the Commission were appointed by the County Council with the concurrence of the County Sheriff and were chosen to represent a broad range of interests and expertise, including local municipalities, law enforcement, courts, the defense bar, social service providers, and the community at-large.

Current Facility Challenges

The current Clark County Jail faces a variety of challenges related to bed capacity, operational and space needs, facility condition issues, and inmate care considerations:

CAPACITY STRAIN / EVOLVING INMATE POPULATION

Though the jail currently contains 590 available beds across its two locations (490 at the Main Jail and 100 at the Jail Work Center), the jail's average daily population for the year 2018 was 644 inmates. 54 additional beds are part of a Main Jail housing unit (H Pod) that is currently closed due to insufficient operating funds. Both the average daily population and the average length of stay for inmates have risen by approximately 50 percent in the past 25 years. Due to changes in societal trends, Clark County has also seen rising numbers of jail inmates with complex medical and behavioral health care needs. Increasingly, inmates arrive with challenges resulting from chronic illnesses, disabilities, mental health symptoms, and substance abuse.

OPERATIONAL / SPACE CHALLENGES

The jail's intake area is significantly undersized and creates a bottleneck that limits the ability for staff to efficiently assess, classify, and book inmates into the facility. It lacks adequate space for people to access medical care and/or detox from substances, as well as staff space and offender property storage capabilities. Administrative space in the jail is very limited, and transport of inmates is restricted by the small size of the Main Jail's sally port. The structure of the Main Jail's housing units creates operational inefficiencies, and the lack of available meeting rooms results in constraints on service delivery, visitation and attorney-client meetings.

FACILITY CONDITION CHALLENGES

The 35-year-old Main Jail building presents multiple signs of an aging facility, including plumbing, electrical, and HVAC challenges; interior walls, ceilings, shower systems, elevator cabs, and furnishings in need of replacement; and windows, skylights, and detention and exterior doors near the end of their useful lives.

INMATE CARE CONSIDERATIONS

As with any jail facility, the Clark County Jail is required to provide inmate care that is compliant with statutory requirements and constitutional standards established through case law. Such compliance involves consideration of facility infrastructure adequacy, sanitation, safety, health care, inmate needs and services, and staffing sufficiency.

Methodology

In developing its jail improvement recommendation for the County Council, the Commission engaged in a five-phase decision-making process:

1. Gather Information
2. Articulate Values
3. Identify Jail Improvement Approaches
4. Analyze Jail Improvement Approaches
5. Develop Final Recommendation

The overarching rationale for the process was to allow members to gain a comprehensive appreciation of the jail's operations and challenges, and to formulate general guidelines and principles to underpin their efforts, before deciding upon their recommendation to the County Council. This approach ensured CFAC's work remained grounded in both a contextual understanding of the complex dynamics affecting jail operations, and in the group's vision for creating a jail that produces positive outcomes for inmates and the greater Clark County community.

Key Decisions

Several key determinations were made during the process that affected the scope of the Commission's decision-making and the trajectory of their recommendation:

- The 13th Street and Lower River Road sites both meet the minimum suitability threshold to serve as possible future jail locations.
- An estimated 850-880 jail beds are needed through 2050, contingent upon cooperation from the law and justice community to manage policies that ease demand for jail beds.

- Jail improvement scenarios that involve locating a primary jail facility at Lower River Road are impracticable due to the inherent expense and logistical challenges.
- CFAC found the estimated cost of its Preferred Jail Improvement Approach (below) may be cost prohibitive. The preferred jail improvement approach presented in CFAC’s recommendation should thus serve as a best practice model, independent of cost factors, with the understanding that the Council will consider options and develop a strategy to implement the approach in a financially feasible manner, retaining as much of CFAC’s original intent as possible.

Recommendations

In making its recommendation to the Clark County Council, CFAC seeks to address the following objectives:

- Ensure a safe jail environment for inmates, staff, and visitors.
- Create sufficient jail capacity to accommodate bed space demand for the next 30 years.
- Address logistical, technological, and infrastructure-related challenges currently facing the jail.
- Increase inmate engagement opportunities for programs and support services that reduce recidivism.
- Deliver quality care that addresses the complexity of health-related challenges experienced by inmates.
- Support an efficient law and justice system that produces long-term positive outcomes for the community.
- Ensure that public funds are allocated in an efficient, effective, and responsible manner.

PREFERRED JAIL IMPROVEMENT APPROACH

CFAC believes the existing Clark County Jail is inadequate to meet the needs of the community today and into the future. An improved jail solution for Clark County is plainly necessary.

To address this need, CFAC developed its Preferred Jail Improvement Approach. Upon analysis, CFAC determined the estimated cost of the Preferred Approach, if implemented in its entirety, may be cost prohibitive. Therefore, the Commission offers the approach as a best practice model, independent of cost factors, for the Council’s consideration. The approach envisions:

- Direct supervision of inmates where financially feasible.
- Jail capacity of 850-880 beds.
- Consideration of 13th Street and Lower River Road as suitable jail sites.
- Alleviation of space and infrastructure needs, including enlarging the intake area and providing more space for inmate assessment.

- Facility design that addresses operational efficiency, scalability, technology integration, safety for all users, and compatibility with the surrounding community.
- Creation of a trauma-informed, healthy, and restorative environment for inmates.
- Expanded programs and support services that build inmate self-esteem and skills.
- Efficient integration with court-related functions.

ADDITIONAL MESSAGES AND INPUT FOR THE COUNTY COUNCIL

Cost Considerations. As stated above, CFAC found the estimated cost of its Preferred Jail Improvement Approach (below) may be cost prohibitive. The Commission offers the following strategies to mitigate cost while retaining as much of CFAC’s original intent as possible:

- Retain outside professional(s) to assist in identifying additional cost reduction opportunities, including review of operating procedures and value engineering of construction approaches.
- Explore the possibility of limiting direct supervision to a certain percentage of housing units, such as those with inmates serving long sentences or who have the most complex needs.
- Examine the potential cost efficiencies of remodeling the existing downtown jail facility rather than replacing it with a new structure.

Continued Engagement. CFAC believes there is a need for continuing engagement between key jail stakeholders and the County Council as the County makes important jail improvement cost reduction choices. The Law and Justice Council can provide a forum for the County to gather ongoing input and advice as it moves forward with jail improvement. The group’s membership should include stakeholder groups represented on CFAC (i.e., cities, law enforcement, judiciary, and social services). Law and Justice Council meetings should include discussion of:

- Key choices and trade-offs to find a financially achievable jail improvement solution.
- Local cooperation on policies to shorten jail times, reduce bookings, and provide alternatives to incarceration for certain offenders.

Political Considerations. Any jail improvement project will likely rely on financing tools that require voter approval. Effective communication to voters will be needed regarding estimated capital and operating costs, and anticipated impact on taxpayers. It will also be important to highlight the positive outcomes a new jail can generate.

INTRODUCTION

The Clark County Correction Facility Advisory Commission (CFAC or Commission) was convened by the Clark County Council in 2018 to assess the need for improvements to the Clark County Jail's design, capacity, and services, and to provide recommendations to the County Council for addressing these needs. The full text of the Commission's official charge language is contained in its bylaws, included in Appendix A. The Commission met at the Clark County Council Chambers located within the county Public Service Center, 1300 Franklin Street, Vancouver, WA. Meetings were open to the public.

Members of the Commission were appointed by the County Council with the concurrence of the County Sheriff and were chosen to represent a broad range of interests and expertise, including local municipalities, law enforcement, courts, the defense bar, social service providers, and the community at-large. A complete list of Commission members is presented in Appendix B. Clark County retained Jensen Strategies, LLC to serve as facilitators of the Commission throughout its proceedings.

CURRENT JAIL OVERVIEW

The Clark County Jail is administered by the Clark County Sheriff's Office and consists of two facilities: the Main Jail and the Jail Work Center. The Main Jail is a maximum-security facility located at 707 W 13th Street in Vancouver. It opened in 1984 with 306 beds. In the years since, beds have been added through retrofitting to accommodate increased demand, and removed due to conditions of confinement, resulting in 490 currently available beds. 54 additional beds are part of a housing unit (H Pod) that is currently closed due to insufficient operating funds. The Main Jail uses an indirect supervision approach, where inmates are observed by corrections deputies from behind protective barriers in living unit control rooms. Approximately 70 percent of inmates at the Main Jail are either undergoing initial intake, holding, and assessment, or are in pre-trial status. The remaining 30 percent are sentenced inmates.

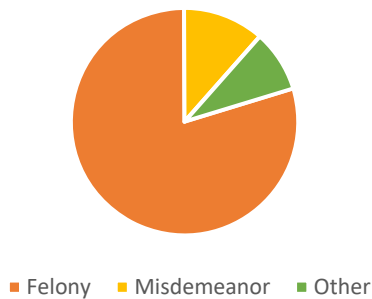
The jail offers support services for inmates seeking to break the cycle of recidivism through facilitating connections with community partners offering assistance to inmates in combating chemical dependency, addressing barriers to housing and employment, and meeting their legal obligations. The number of inmates who may take advantage of these services is limited by the physical space available for the programs.

The Jail Work Center (JWC) is a minimum-security facility built in the year 2000 with 200 beds. While 100 beds are available to house inmates, the other 100 beds will be used beginning in 2020 (and lasting until 2030 at a minimum) to operate a behavioral health Crisis Stabilization Center and secure detox facility. The JWC is located on 18 acres adjacent to the Port of Vancouver off Lower River Road. JWC inmates are allowed freedom of movement and activity throughout the secure facility due to their low-

risk status. A major focus of the facility is to allow inmates the opportunity to repay the community in a work setting. Many inmates participate on work crews that perform laundry services and meal preparation for both jail facilities. Others are enrolled in a work-release program and hold jobs with participating organizations in the community.

The composition of the jail population changes significantly each day. As a snapshot, the total jail population on August 31, 2018 was 639. Though most inmates had multiple charges, 509 individuals had a Class A, B or C felony as their highest charge; 74 had a misdemeanor or gross misdemeanor; and 56 were under administrative holds, detainers from other jurisdictions, or were in-transit. Of the 639 total inmates, 526 were male and 113 were female. Individuals may also identify as transgender, though zero were in the jail population on that day.

Inmate Highest Charge - 8/31/18



Inmate Gender - 8/31/18



The two jail facilities employ 129 corrections deputies, 18 sergeants and five commanders who form six squads for three separate shifts. An additional 33 positions include jail industry coordinators, discharge planners, Sheriff support specialists, and the Corrections Branch Chief Deputy. A Sheriff's Office organization chart is included in Appendix C

CHALLENGES OF THE CURRENT FACILITY

The Current Clark County Jail faces a variety of challenges, including, but not limited to:

- Rising inmate populations and lengths of stay, placing strain on the facility's capacity
- Increasingly complex inmate medical and behavioral health care needs
- Inadequate intake space, significantly impacting operational efficiency
- Aging facility infrastructure showing signs of deterioration

Capacity Strain / Evolving Inmate Population

The total number of available jail beds is currently 590 (490 at the Main Jail and 100 at the Jail Work Center, although, as stated in the Current Jail Overview, 54 additional Main Jail beds are currently closed due to insufficient operating funds). However, the jail is often tasked with accommodating more than 590 inmates while maintaining constitutional levels of care. For example, the jail's average daily population for the year 2018 was 644 inmates. Both the average daily population and the average length of stay for inmates have risen by approximately 50 percent in the past 25 years. It is evident that the jail as currently constituted does not have sufficient space to meet the present demand for jail beds.

Related to the bed demand challenge, jail administrators face limitations on their ability to house various classifications of inmates together, thus adding to the difficulty of meeting demand with a 490-bed facility. For example, inmates with differing severity and types of offenses, differing gender identities, and those who may have special needs, may need to be housed separately to ensure safety for inmates, maintain order within the facility, and ensure that a constitutional level of care is provided.

Additionally, as is the case in jurisdictions around the nation, Clark County is seeing rising numbers of jail inmates with complex medical and behavioral health care needs. Increasingly, inmates arrive with challenges resulting from chronic illnesses, disabilities, mental health symptoms, and substance abuse. Safely managing people with these challenges requires significant resources from a bed space, staffing, supervision, and service delivery perspective.

Operational / Space Challenges

In addition to bed space challenges, the Main Jail facility faces space constraints that hinder logistical efficiency and operations. The jail's intake area is significantly undersized and creates a bottleneck that limits the ability for staff to efficiently assess, classify, and book inmates into the facility. The intake area lacks adequate space for people to access medical care and/or detox from substances, as well as staff space, and offender property storage capabilities. Administrative space in the jail is very limited; many training and staff meeting spaces have been converted for use as offices and storage. Transport of

inmates is limited by the small size of the Main Jail's sally port. The sally port is also not optimized to mitigate accidents.

The Main Jail's housing units do not conform to current American Correctional Association guidelines. The architecture of the housing area results in restricted sight lines for observation of inmates, and the lack of assessment space (specifically detoxification, medical, and mental health) presents difficulties for classifying inmates in order to appropriately issue bed assignments.

The ability to meet and interact with inmates, whether for program or support service delivery, visitation, or attorney-client purposes, is limited because of a lack of available rooms. Providers face limits on the frequency and size of programs they can administer, attorneys experience long wait times before meeting with clients, and many visitors must be brought inside the secure portion of the facility due to the lack of available rooms.

Facility Condition Challenges

The 35-year-old Main Jail facility faces infrastructure-related challenges documented through multiple past facility assessments. The building's systems, including plumbing, electrical, HVAC, and interior walls and ceilings have reached the end of their useful lives and are showing signs of strain. Detention door hardware needs replacement, as do shower systems, elevator cabs, and public and detention furnishings. Windows, skylights, and exterior doors need updating. In general, the building presents multiple signs of an aging facility, including peeling paint, stained and damaged surfaces, and lack of adequate storage space.

Inmate Care Considerations

As with any jail facility, the Clark County Jail is required to provide inmate care that is compliant with statutory requirements and constitutional standards established through case law. Such compliance involves consideration of facility infrastructure adequacy, sanitation, safety, health care, inmate needs and services, and staffing sufficiency.

CFAC PROCESS / METHODOLOGY

In developing its jail improvement recommendation for the County Council, the Commission engaged in a five-phase decision-making process:

1. Gather Information
2. Articulate Values
3. Identify Jail Improvement Approaches
4. Analyze Jail Improvement Approaches
5. Develop Final Recommendation

The overarching rationale for the process was to allow CFAC members to gain a comprehensive appreciation of the jail's operations and challenges, and to formulate general guidelines and principles to underpin their efforts, before deciding upon their recommendation to the County Council. This approach ensured CFAC's work remained grounded in both a contextual understanding of the complex dynamics affecting jail operations, and in the group's vision for creating a jail that produces positive outcomes for inmates and the greater Clark County community.

The following sections provide an overview of the process followed by CFAC in each phase. Minutes from CFAC meetings are included in Appendix D.

Phase 1: Gather Information

After orientation discussions and review of the Commission's charge, CFAC began gathering a wide range of information on the current state and challenges facing the jail, contextual trends in jail populations, history and best practices of corrections facilities, and perspectives from law and justice system stakeholders. A variety of background and context-setting presentations were delivered to CFAC, the slides of which are included in Appendices E-M.

CFAC members received a comprehensive data package describing the Clark County Jail's current operations and inmate statistics. Topics covered in the data include average daily population, average length of stay, offense classifications, inmate demographics, administrative detainers, controlled substances, bail figures, and occurrence of mental illness. Data sets furnished to CFAC are included in Appendix N.

To provide Commission members with first-hand understanding of jail operations and challenges, CFAC was invited to attend organized tours of the Clark County Jail and, for comparison, the Washington County, Oregon Jail. Attendees had the opportunity to observe jail operations and facilities, and to compare the differences between the Clark County Jail's indirect supervision model and the Washington County Jail's direct supervision model. Direct supervision involves stationing corrections deputies within inmate housing pods to allow for more personal interaction, while indirect supervision entails observation of inmates from behind protective barriers in living unit control rooms.

Phase 2: Articulate Values

Building upon the information gathered in Phase 1, CFAC developed a set of values to inform its deliberations and lay the foundation for its jail improvement recommendation. Values were intended to express the basis of the jail improvement vision the group sought to pursue and outline the underlying community good such a project should achieve. The values addressed issues including facility design, capacity, support services, fiscal stewardship, and community considerations.

CFAC's values (available in Appendix O) were pivotal in shaping key decisions made by the Commission. They were consulted by the group as they crafted baseline assumptions for jail improvement (outlined in Phase 3), they formed the basis of the scenario evaluation criteria (referenced in Phase 4), and they served as a touchstone as CFAC developed its final recommendation to the county Council (see Phase 5).

Phase 3: Identify Jail Improvement Approaches

To develop tangible jail improvement options for discussion, CFAC first established a set of baseline assumptions. These baselines identified elements assumed to be included in any jail improvement approach. The baseline assumptions (available in Appendix T) built upon the values discussed in Phase 2 but were more specific and logistical in nature, and included factors such as design components, space needs and utilization preferences, accommodations for service providers, location suitability, and number of beds.

With baseline assumptions established, CFAC developed four possible jail improvement scenarios (Appendix U). These scenarios all involved replacing the current facility, rather than remodeling, which was not an option considered. Each jail improvement scenario involved a particular arrangement of facilities and functions between the 13th Street and Lower River Road locations, and outlined, at a high level, the functional requirements and considerations inherent in each proposal.

Phase 4: Analyze Jail Improvement Approaches

CFAC assessed the proposed jail improvement scenarios using evaluation criteria drawn from the Commission's values. The Commission analyzed scenarios in two phases. First, evaluation criteria (Appendix V) were used to assess the scenarios with respect to non-financial factors such as design potential, efficiency, compatibility, capacity / scalability, and service provision. Second, the County developed operating cost estimates for the proposed facilities and retained consulting firm JMB to provide estimated construction cost figures (cost information is included in Appendix X).

Phase 5: Develop Final Recommendation

CFAC developed its final recommendation based on the values and baseline assumptions developed in Phases 2 and 3, and the results of the analysis performed in Phase 4. As detailed in the Key Decision Points Section, CFAC decided to provide the County with its preferred approach to jail improvement and a set of key messages and input for use in forming an implementation strategy that is financially feasible.

KEY DECISION POINTS

CFAC reached several key conclusions throughout the course of their work that affected the scope of their decision-making and the trajectory of their recommendation. The following section provides explanation and context for these key decision points.

Suitability of Jail Locations

As part of its baseline assumptions development, CFAC examined whether the two sites currently used by the Clark County Jail (13th Street and Lower River Road) meet minimum standards of suitability to be considered as possible jail locations in the future. The Commission's assessment considered factors including adjacency, accessibility, ability to accommodate needed size & design, environmental protection, local permitting and/or infrastructure factors, property ownership, and site separation and context. If the assessment found either or both locations to be unsuitable, CFAC could so advise the Council. Alternative location options, however, were not assessed; a countywide site selection process was beyond the purview of CFAC.

In its location discussions, CFAC acknowledged that the Lower River Road site hosts a Crisis Stabilization Center and secure detox facility in addition to the Jail Work Center. The Commission also acknowledged that regardless of the outcome of the jail improvement process, the County should consider retention of both current jail sites for use beyond the time horizon of this initiative. As the county grows, additional needs will arise for County services. Available land will become more scarce in the future, and preserving these sites for subsequent generations is important.

KEY DECISION: Based on the results of their location assessment, which are provided in Appendix P, CFAC determined the 13th Street and Lower River Road sites both meet the minimum suitability threshold to serve as possible future jail locations.

Estimation of Bed Need

CFAC recognized that the size of any remodeled or replaced jail facility depends in large part on the number of beds required. The anticipated demand for bed space is a complicated element to forecast with interconnections between factors including (but not limited to) prosecutorial and detention policy, community safety expectations, population and demographic trends, and availability of alternatives to incarceration. These factors are representative of the complex system of criminal justice within which the jail plays an important role.

To begin developing an estimate of jail bed need, CFAC appointed three subcommittees to explore potential opportunities to reduce bed demand. The subcommittees examined the capacity issue from a law enforcement, judicial, and social service point of view (see membership rosters in Appendix B). A wide variety of approaches for lowering jail bed need resulted from the subcommittees' discussions,

including book and release options for lower level offenders, jail services designed to reduce recidivism, and drug related diversion programs, all of which are listed in the subcommittee reports in Appendix Q. It is important to note that the work of the subcommittees was not solely focused on reducing the overall bed need; it also took into consideration other policy, operational and systemic options and investments that could lead to improved outcomes for individuals within the criminal justice system.

CFAC then retained the consulting firm Justice System Partners (JSP) to provide a straight-line projection of jail bed need through 2050, based on population growth, incarceration rates, and demographic factors. JSP examined historical data from the Clark County Jail, which showed that over the past ten years, bookings have declined at an annualized rate of 3.24%, while average lengths of stay have increased at an annualized rate of 2.34% (see Appendix R). Additionally, JSP considered the long-term growth of the segment of the community most at risk of incarceration.

JSP also worked with CFAC's Capacity Subcommittee (see membership rosters in Appendix B) to apply the anticipated effect of selected incarceration-related policy tools. These "policy levers" included methods such as increasing the number of book and holds for certain defendants, implementing pretrial risk assessments to potentially reduce lengths of stay, reducing the time necessary for competency restoration, and eliminating jail use for non-Clark County Washington State Department of Corrections violators.

Upon receiving the Capacity Subcommittee's bed need proposal of approximately 800-850, CFAC added a marginal number of additional beds to allow flexibility for maintenance that may need to be performed on housing units, and arrived at a final estimate of 850-880 beds. Detailed explanation of the methodology used by JSP and the Capacity Subcommittee is provided in Appendices R and S, respectively.

Note: CFAC acknowledges that some of the above-referenced policy levers, such as pretrial risk assessments, have already begun to be implemented with tangible success in July 2019.

KEY DECISION: CFAC arrived at a final estimate of 850-880 jail beds needed through 2050. This estimate represents a much more moderately sized jail than those of previous Clark County jail improvement plans, which calculated bed need as high as 1,640. The 850-880 estimate is highly dependent on cooperation from the law and justice community to manage policies that ease demand for jail beds.

Selection of Jail Improvement Scenarios

In Phase 3 of its process (see Methodology section) CFAC incorporated its values and baseline assumptions into four possible jail improvement scenarios. Each scenario described a specific distribution of facilities and functions across the two subject jail locations, and presented potential site impacts, logistical considerations, and any duplication of operations. Possible impacts on courts, attorneys, visitors, inmates, and support service providers were also listed. The four scenarios considered were:

- Scenario A: Full jail replacement at Lower River Road site

- Scenario B: Primary jail at Lower River Road; Intake, holding, and court services at 13th Street
- Scenario C: Full jail replacement at the 13th Street site
- Scenario D: Primary jail at 13th Street; Sentenced inmate housing at Lower River Road

In discussing the scenarios, CFAC recognized that the County should consider very long term (2050 and beyond) implications of any investment in jail improvement, preserving options for future jail investments as the county continues to grow over the balance of the 21st century.

KEY DECISION: The Commission selected Scenarios C and D to undergo in-depth analysis, rather than A and B, due to the anticipated expense and logistical challenges inherent in locating a primary jail facility at Lower River Road. Details of the proposed jail scenarios are provided in Appendix U.

Evaluation of Jail Improvement Scenarios

The Commission analyzed Scenarios C and D, as referenced above, in two phases. Using evaluation criteria based on CFAC’s values (provided in Appendix O), the group assessed the scenarios with respect to non-financial factors such as design potential, efficiency, compatibility, capacity / scalability, and service provision. The assessment highlighted the merits of both scenarios, with a preponderance of results weighted toward Scenario C. The full text of CFAC’s evaluation criteria, and the detailed results of the non-financial evaluation, can be found in Appendices V and W, respectively.

Additionally, CFAC engaged in a process to identify anticipated costs. To inform the Commission’s discussions, County staff used CFAC’s values and trends in corrections to develop operating cost estimates for the proposed facilities. In addition, consulting firm DLR was retained to provide estimated construction cost figures. A cost estimate summary, as well as detailed capital and operating cost estimate materials, are included in Appendix X.

According to the operating and capital expense estimates, Scenario C would cost approximately \$381 million for construction and \$46 million per year for operations, while Scenario D would cost \$421 million for construction and \$61 million per year for operations. The estimated operating costs represented significant increases over current costs, as illustrated by the table below.

OPERATING COST COMPARISON (2019 DOLLARS)

	Current Jail	Scenario C	Scenario D
Operating Cost	\$27 million	\$46 million	\$61 million
Bed-Day Rate	\$110	\$175	\$231

After considering the expense estimates, CFAC determined that the costs of both proposed scenarios may be cost prohibitive. Specifically, CFAC expressed concern with the anticipated increases to the bed-day rate charged to cities for booking inmates into the jail (which is calculated as a function of total

operating costs) exceeded the tolerance of the participating cities. Such an increase in the bed-day rate has the potential to cause some users of the jail to consider other lower cost alternatives, such as contracting with other municipalities elsewhere in the state of Washington. Though the occurrence of such a scenario is not certain, a reduction in the volume of users of a new jail could result in an increased bed-day rate for remaining jail users, leading to an unsustainable financial and operational trend.

KEY DECISION: CFAC decided to provide its preferred jail improvement approach to the County Council as a best practice model, independent of cost factors, with the understanding that the Council would consider options and develop a strategy to implement the approach in a financially feasible manner, retaining as much of CFAC's original intent as possible.

CFAC RECOMMENDATION TO THE CLARK COUNTY COUNCIL

Recommendation Objectives

In making its recommendation to the Clark County Council, CFAC seeks to address the following objectives:

- Ensure a safe jail environment for inmates, staff, and visitors.
- Create sufficient jail capacity to accommodate bed space demand for the next 30 years.
- Address logistical, technological, and infrastructure-related challenges currently facing the jail.
- Increase inmate engagement opportunities for programs and support services that reduce recidivism.
- Deliver quality care that addresses the complexity of health-related challenges experienced by inmates.
- Support an efficient law and justice system that produces long-term positive outcomes for the community.
- Ensure that public funds are allocated in an efficient, effective, and responsible manner.

Statement of Need to Improve the Jail

CFAC believes the existing Clark County Jail is inadequate to meet the needs of the community. The jail has insufficient capacity to house inmates, does not have space to increase re-entry focused social services support, does not support efficient integration with the court system, contains outdated building infrastructure components, and does not satisfactorily foster a safe environment for inmates or staff. A facility that is inadequate to meet current needs cannot be relied upon to serve a growing county into the future. An improved jail solution for Clark County is plainly necessary.

Preferred Jail Improvement Approach

CFAC's preferred jail improvement approach is based on the values and baseline assumptions adopted by the Commission (included in Appendices O and T, respectively), which were established through comprehensive fact-finding, deliberation, and consultation with experts, though without regard to fiscal impact. The preferred approach detailed below addresses inmate supervision, capacity, location, facility design, health and safety, programs and services, and justice system integration. The approach was developed independent of cost factors, and reflects CFAC's vision of a safe, functional jail focused on achieving positive outcomes for inmates and the greater Clark County community.

PREFERRED APPROACH: SUPERVISION MODEL

Where financially feasible, CFAC recommends a **direct supervision** model as the safest and most effective method for supervising inmates. Direct supervision stations corrections deputies within inmate housing pods rather than in separated control towers or posts. It is the opinion of CFAC that use of direct supervision will lead to fewer confrontations and increased safety within housing units and improved inmate health and wellness. Direct supervision is acknowledged by incarceration experts as a superior practice, and is a key characteristic of modern, results-oriented jail facilities.

As CFAC learned in its information gathering phase, direct supervision is designed to promote positive inmate behavior and reduce violent incidents, with the goal of preparing inmates for successful re-entry into the outside community and consequently reducing recidivism. The direct interaction of corrections deputies and inmates is intended to allow beneficial relationships and constructive social norms to be formed, a key insight leveraged by other successful law enforcement programs such as community policing. The expected advantages are a primary reason why generally-accepted best practices for jails built today include the incorporation, to some degree, of the direct supervision approach.

PREFERRED APPROACH: JAIL CAPACITY

CFAC recommends a jail capacity figure of **850 to 880 beds**. This number of beds is projected to meet the needs of Clark County for approximately the next 30 years. As discussed in the Key Decision Points section, this bed need estimate is predicated on multiple assumptions, including that several policy levers will be engaged by the local justice system, including individual law enforcement agencies, and that efforts to provide alternatives to incarceration will be continued. Should these policy levers and incarceration alternatives not be implemented, it is very likely the county's jail bed need will exceed 850-880. CFAC's bed need estimate also reflects CFAC's acknowledgement of the uncertainties inherent in projecting needs 30 years into the future.

PREFERRED APPROACH: LOCATION

CFAC believes the downtown **13th Street location and the Lower River Road location both meet the minimum threshold of suitability** to be considered as part of possible jail improvement scenarios. Explanation of the process CFAC used to make this determination can be found in the Key Decision Points section. While alternative locations may also be suitable, a county-wide site selection process was outside CFAC's purview.

PREFERRED APPROACH: FACILITY DESIGN / HEALTH AND SAFETY

CFAC recommends an inclusive jail design approach that best **meets the needs of all stakeholders**, including court-related facility users, yet remains flexible and financially prudent with respect to capital and operating costs. The design approach should address a variety of imperatives, including operational efficiency, scalability, technology integration, trauma-informed considerations, health needs of inmates, staff, and visitors, and compatibility with the surrounding community.

An improved jail facility should incorporate elements that foster a trauma-informed, **healthy and restorative environment** for inmates, including open design, warm colors, natural light, recreation space, sound-proofing, and quiet spaces. The health and safety of inmates, staff, visitors, and the surrounding community should be prioritized. Key elements should include private intake spaces and gender-specific pods for inmates with mental illnesses, negative pressure rooms for inmates with communicable diseases, and separate sobering units.

A jail improvement project should also be designed to address important **space and infrastructure needs** that have become evident over the 35 years of the main jail's existence. This design would include dramatically enlarging the space available for booking and intake, including a fast-track booking capabilities and interview rooms in the booking area, providing more space for inmate medical and mental health screening and assessment, creating a larger sally port and covered parking, and improving upon the existing HVAC system.

PREFERRED APPROACH: SUPPORT SERVICES

Social service programs are critical factors in achieving positive outcomes for jail inmates and reducing recidivism. Thus, CFAC recommends a jail improvement approach that facilitates **expanded programs and support services** that build self-esteem and skills. The jail should incorporate proactive, compassionate, and trauma-informed methods that leverage re-entry program best-practices. Discipline programs should be incentive-based, rather than solely punitive.

An improved jail facility should take the needs of service providers into consideration, and include sufficient space, storage, and amenities, as well as one-on-one and multipurpose rooms with accessibility to housing pods. Social service programs should be designed to link with outside community support services to the extent possible to facilitate smooth transitions for inmates upon release.

PREFERRED APPROACH: COURT AND JUSTICE SYSTEM INTEGRATION

The Clark County Jail is an important component of the county's greater law and justice system; thus, an improved jail facility should promote the **efficient operation of court-related functions** to the extent possible. To this end, CFAC recommends inclusion of technology-enabled contact rooms to allow supervised release officers, attorneys, and others to meet with inmates; expanded and enhanced defense attorney space with improved accessibility and features; and jail-adjacent courtroom space and access routes to courts that avoid areas open to the general public.

Additional Messages and Input for the County Council

As indicated in the Key Decision Points section, CFAC determined that the estimated costs of its preferred jail improvement approach may be cost prohibitive. CFAC therefore decided to provide its preferred jail improvement approach to the County Council as a best-case model, with the understanding that the Council will develop a strategy to implement the approach to the extent possible in a financially feasible manner, retaining as much of CFAC's original intent as reasonable. The County Council faces difficult choices as they determine next steps, and CFAC respectfully offers the following additional input to assist the Council in its decision-making.

COST CONSIDERATIONS

In accordance with its values, CFAC believes that any jail improvement solutions must be fiscally prudent, should be outcome/results-driven, and should be considered in the context of all services provided by the County. The jail is one of many critical public services provided by the County, and the magnitude of costs associated with the best practices included in CFAC's preferred approach – if implemented in their entirety – could potentially structurally interfere with the County's ability to provide other critical public services to the region. It is important to account for the full life cycle costs of any new investment in the jail system to mitigate the long-term financial strain and associated risks to the County and to individual jail users. The Commission shares the County's goal of ensuring that future jail facility maintains sustainable and resilient capital and operating costs. Though jail costs are driven by a variety of factors, CFAC highlights the following potential opportunities to achieve cost savings.

Professional Cost Reduction Review. CFAC recommends the County retain outside professional(s) to assist in identifying cost reduction opportunities. With respect to operating costs, an independent professional could review current operating procedures and staffing models, and identify best-practices and potential efficiency improvements that could be implemented in a future jail. Capital costs could also be addressed by applying value engineering principles to find opportunities for construction cost savings. Inviting analysis by outside expert(s) would allow the County to ensure efficacious use of public funds while also reinforcing confidence in the accuracy and neutrality of project cost estimates.

Direct vs Indirect Supervision. CFAC believes direct supervision to be a preferable and superior supervision model. However, it may be possible to limit direct supervision to only a certain percentage of housing units, such as those with inmates who are serving long sentences or who have the most complex needs. By retaining indirect supervision in the remainder of the facility, fewer total housing units may be needed, thus reducing the number of corrections deputies necessary. Many variables factor into this equation, including the specifics of facility design; it is by no means guaranteed that significant savings could be found under an indirect supervision model. Regardless of the uncertainties, supervision approach represents one of the most significant drivers of staffing requirements, and personnel expenses will constitute the vast majority of the jail's operating budget.

Jail Replacement vs Jail Remodel. The County may choose to explore the potential cost efficiencies of remodeling the existing downtown jail facility, rather than replacing it with a new structure. Under such a scenario, it may be possible to give priority to the areas of most urgent need, such as enlarging the intake and booking area, and addressing critical building infrastructure needs. Moving the Sheriff's Office administrative space out of the existing building, thus maximizing the space available for jail utilization, could also be considered. Remodeling a facility of the age and complexity of the Clark County Jail would by no means be a simple or low-cost undertaking; further analysis would be required to determine whether such an approach could offer significant savings.

CONTINUED ENGAGEMENT AND INPUT FROM STAKEHOLDERS

CFAC believes there is a need for continuing engagement between key jail stakeholders and the County Council as the County makes important jail improvement cost reduction choices. The Law and Justice Council can provide a forum for the County to gather ongoing input and advice as it moves forward with jail improvement. RCW 72.09.300 states the purview of law and justice councils includes discussion of jail management issues and opportunities for interjurisdictional public safety cooperation.

CFAC recommends that stakeholder groups represented on CFAC (i.e. cities, law enforcement, judiciary, and social services) be given an opportunity to serve on the Law and Justice Council, and that members of the County Council regularly attend meetings. This will provide an opportunity for the direct and candid discussions necessary to build consensus around a jail improvement plan that meets community goals while remaining fiscally viable. State law gives counties discretion to determine the specific composition of their Law and Justice Council.

Law and Justice Council meetings should include discussion of:

Opportunities for Jail Improvement Cost Savings. CFAC recognizes that key choices and trade-offs may be necessary to find a financially achievable jail improvement solution. Collaborative discussion in the Law and Justice Council with the member composition described above will increase the chances of reaching broad consensus on a path

forward. It will allow the County to continue to draw upon the knowledge, expertise, and values developed through the CFAC process as it proceeds with next steps.

Policies Affecting Jail Bed Demand. The Law and Justice Council provides a venue for discussing policies and programs that reduce the demand for jail beds. CFAC's recommendation of 850 to 880 jail beds is predicated on the assumption that local practices that shorten jail times, reduce bookings, and provide alternatives to incarceration for certain offenders will continue for the foreseeable future. Discontinuation of such practices could make 850 to 880 jail beds insufficient.

Other Issues. Subcommittees could be formed from the Law and Justice Council to address specific topics that require specialized knowledge or expertise. For example, a subcommittee of city and county executive-level managers could be convened to discuss jail operating costs, potential budget impacts, and public finance tools.

POLITICAL CONSIDERATIONS

CFAC acknowledges that any jail improvement project will likely rely on financing tools that require voter approval. Thus, the County should pursue jail improvement strategies that are likely to be supported by a majority of voters. Primary considerations for voters are likely to include the total anticipated capital and operating costs of proposed jail facilities, as well as the individual financial impact on taxpayers. It will also be important to communicate to voters the positive outcomes a new jail can generate.

CONCLUSION

As stated in the Commission's recommendation, CFAC believes the existing Clark County Jail is inadequate to meet the needs of the community. A facility that does not meet current needs cannot be relied upon to serve a growing county into the future. An improved jail solution for Clark County is plainly necessary.

Building and operating a jail facility is by no means inexpensive. In an environment where funds are limited and needs are growing, the prospect of engaging in a jail improvement project can be daunting. Jails are, however, a critical component of the criminal justice system. A jail with sufficient capacity to meet the needs of the county for multiple decades, that incorporates forward-looking elements that can help break the cycle of recidivism and moderate the need for jail beds over the long-term, will greatly benefit the community.

A variety of possible options exist for improving the Clark County Jail. Through its work, CFAC has identified an improvement approach based on successful contemporary practices that would better meet future needs compared to the current facility. While the estimated costs of CFAC's approach are not currently viable if implemented in its entirety, CFAC has offered strategies for cost mitigation in the Cost Considerations portion of its recommendation that can assist the County Council in crafting a workable action plan.

Continued engagement with criminal justice community stakeholders will be vital to the success of the County's jail improvement efforts, especially in solidifying policies and practices to manage jail population growth and continuing the collaborative spirit and positive momentum that has characterized this Commission's work. The Commission is committed to assisting the Council as it moves forward to address these important issues.

APPENDICES

<u>Appendix A:</u>	CFAC Bylaws
<u>Appendix B:</u>	CFAC Commission and Subcommittee Membership
<u>Appendix C:</u>	Clark County Sheriff's Office Organizational Chart
<u>Appendix D:</u>	CFAC Meeting Minutes
<u>Appendix E:</u>	Presentation – Clark County Jail Overview
<u>Appendix F:</u>	Presentation – Future Jail Trends
<u>Appendix G:</u>	Presentation – Washington County Jail Overview
<u>Appendix H:</u>	Presentation – Clark County Prosecutor Overview
<u>Appendix I:</u>	Presentation – Superior and District Court Overview
<u>Appendix J:</u>	Presentation – Behavioral Health System Overview
<u>Appendix K:</u>	Presentation – Incarcerations Issues / Challenges
<u>Appendix L:</u>	Presentation – Best Practices in Jail Design
<u>Appendix M:</u>	Presentation – DLR Master Plan Overview (2016 study)
<u>Appendix N:</u>	Clark County Jail Data Sets
<u>Appendix O:</u>	CFAC Values
<u>Appendix P:</u>	CFAC Jail Site Suitability Assessment
<u>Appendix Q:</u>	CFAC Judicial, Law Enforcement, and Social Service Subcommittee Reports
<u>Appendix R:</u>	JSP Bed Need Projection Study
<u>Appendix S:</u>	Presentation - CFAC Capacity Subcommittee Results
<u>Appendix T:</u>	CFAC Baseline Assumptions
<u>Appendix U:</u>	Jail Improvement Scenarios
<u>Appendix V:</u>	Scenario Evaluation Criteria
<u>Appendix W:</u>	CFAC Jail Improvement Scenario Evaluation Results - Non-Financial
<u>Appendix X:</u>	Jail Improvement Scenario Cost Estimates <ul style="list-style-type: none">• Cost Estimate Summary Table• Sheriff's Office Operating Cost Estimate• JMB Capital Cost Estimate
<u>Appendix Y:</u>	Funding and Financial Considerations Report, PFM Financial Advisors