

AVOIDING THE EXPENSE OF CONSTRUCTING UNNECESSARY JAIL CAPACITY

by Allen R. Beck, Ph.D.

CONTROLLING THE COST OF ADDING BEDS

Adding jail capacity is a costly undertaking. Estimates of the cost of a new jail bed range from about \$60,000 to \$100,000.¹ For a new jail of 100 beds, with an assumed average cost of \$80,000 per bed, the construction cost would be \$8,000,000. Expensive as this may sound, construction is not the most costly aspect of adding new capacity. That distinction goes to operating costs. This number also fluctuates from jail to jail and region to region. If for example, the daily cost was \$45 per day per inmate, a 100-bed jail would cost about \$1,642,500 per year to operate. With a life cycle of 30 years, the overall operating cost of that jail would be \$49,275,000. In this example, the construction and life cycle operational costs run the price tag of a single jail bed up to \$572,750! Such a cost per bed should drive the point home--The decision to build a jail should involve a penetrating examination of how many beds are required. The number of beds to build will depend on the approach taken to inmate population growth management. A pivotal aspect of this approach is whether the local jurisdiction decides to take an active or passive role in addressing criminal justice system operations. A passive role is the most costly. This role accepts arguments that the system does not need improvement and that the number of inmates housed in jail cannot be altered. In contrast, the active role recognizes that improvement is possible in all aspects of government, which in this instance happens to be the criminal justice system. There is always the possibility that significant improvement might be made in controlling growth of the inmate population.

An active approach to managing inmate population growth usually results in lowering the projected number of new beds. Such an approach is reflected in the programs and seminars of the National Institute of Corrections, NIC. Other organizations, such as the Institute for Court Management, promote improvements that will affect the size of jail populations. Criminal justice research often points out that major improvements in inmate population growth management do not usually occur unless sparked by a crisis or by infusion of concerned leadership. Experience of this writer in conducting studies in more than 35 criminal justice systems indicates that a wide range of improvements can usually be identified. Generally the savings in projected bed space will total about 10% to 30%. In Maryland, for example, a statewide study of counties disclosed that a savings of more than 30% could be realized in some counties.

ANSWERING FOUR QUESTIONS ABOUT SPACE REQUIREMENTS

The ability to reduce the projected number of beds depends on the knowledge and skills of those who determine what should be built. To establish future capacity requirements the following four questions should be addressed:

1. What is causing jail growth?
2. What are the options that can control jail growth?
3. What specific steps will be required to implement the options?
4. What are the likely outcomes, in terms of bed space savings, of applying the options?

Quite clearly, persons skilled in criminal justice system analysis are best suited to answer these four questions. Unfortunately many jurisdictions are not aware of how they can frame the request for information. Requests for proposals, RFPs, frequently cover both structural assessment of an existing jail and a forecast of new bed space. Sometimes a requirement for a criminal justice system analysis is included. The difficulty of combining these separate informational requirements within the same RFP is that it sets up architects to take the lead. From a marketing perspective, many architects see non-architectural tasks as a "loss leader." They bid low, thereby winning the contract and securing an advantage for the next RFP which involves designing the jail. Typically in low bids, there is insufficient money to perform an adequate analysis that would answer the four questions.

¹ See the article by Allen Beck, "Misleading Jail Bed Costs", about why estimates vary.

In the world of architecture, design fees are based on a percentage of construction cost. For this reason some architects try to deflect attention from studies that might reduce the jail population. Characteristic of this maneuver is the ploy of currying favor of the prosecutor or sheriff, whichever is taking a stand on a specific number of jail beds. The prosecutor or sheriff is also praised on the grounds that he or she is the expert and therefore knows what is needed. The unfortunate aspect of this ploy is that such bed space estimates are usually speculative rather than the result of an unbiased examination of factors driving jail growth. Not surprisingly, prosecutors and sheriffs are sometimes part of the problem due to inefficient practices in their offices which inflate the jail population. Thus, an unscrupulous architect may go past the ethical boundaries of good salesmanship to ensure that construction costs are not reduced.

DEVELOPING AN EFFECTIVE RFP

An effective analysis of the four questions calls for neutrality. This neutrality may carry some disadvantage for the criminal justice system analyst when pursuing contracts. For this reason, decision makers must develop an RFP which will ensure that the four questions are answered. They must either issue a separate RFP for the study of the criminal justice system or, if issuing only one RFP, must ensure that the criminal justice analyst and architect team is (1) not underbidding and (2) committed to a thorough examination of criminal justice system options that could reduce bed space requirements.

One way to evaluate proposals to check for underbidding is to use this rule of thumb: For a medium sized jail, the amount allocated for a population growth management study should equate to about the cost of constructing one jail bed, i.e., about \$40,000. In light of a possible savings of 10% to 30% in jail bed requirements, this cost seems reasonable. For smaller criminal justice systems the cost could be lower and in larger systems the cost could be several times higher, depending on complexity of the system.

Commitment to thorough examination of options can be evaluated by crafting an RFP that requires bidders to respond to clearly stated expectations and to provide a work plan and detailed budget. An example of how expectations might be specified is shown in Exhibit 1 on the next page.

The list of specifications in Exhibit 1 is thorough and explicit. Included in the items is the jail population forecast, options for supervision and treatment, and recommended criminal justice system improvements. This is a comprehensive informational package that will support decision making about how to manage jail population growth and thereby avoid the expense of constructing unnecessary jail capacity .

**Exhibit 1. RFP Items Used to Specify Requirements of a
Criminal Justice System Study**

- Track the criminal justice population through the criminal justice system from arrest to release to study the characteristics of those released at each decision point and the speed with which they are processed.
- Review policies, operations, and resources of key criminal justice agencies with respect to their impact on the jail population. These agencies should include:
 - Law enforcement
 - Prosecution
 - Defense
 - Courts
 - Jail administration
 - Probation services
 - Management information services
- Assess efficiency of criminal case processing and its impact on jail capacity requirements.
- Profile the jail population for demographics with breakdowns of charges, adjudication status, and security level.
- Determine the characteristics of the jail population as it relates to supervision and treatment needs.
- Assess the adequacy of the existing continuum of care/supervision for offenders which includes alternatives-to-incarceration, alcohol and drug treatment, mental health, and other programs which divert offenders from jail.
- Examine all pre- and post-trial options to determine if they are consistent with the goals of the criminal justice system and public safety.
- Identify possible pre- and post-trial options that can be developed with existing resources and estimate their impact on the jail population.
- Identify those options that can be developed with new resources, specify the key planning steps for each, and estimate their impact on the jail population.
- Forecast jail population growth and indicate how the various options would affect future jail space requirements.

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ABOUT THE AUTHOR: Allen Beck has been involved in the study and planning of jails in more than thirty-five counties. A frequent request to which he has responded is: "How can the demand for new jail capacity be controlled in a positive and cost-effective manner?" Some of the information in this article also comes from having watched elected officials, criminal justice agency directors, architects, and planners grapple with building new jails on very limited budgets. The author may be contacted at Justice Concepts Inc., 417 W. 87th Place, Kansas City, MO 64114, Phone: (816) 361-1711.

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