



## CITY OF KIRKLAND

City Manager's Office

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### MEMORANDUM

**To:** Dave Ramsay, City Manager

**From:** Marilynne Beard, Assistant City Manager

**Date:** October 13, 2008

**Subject:** LOCAL AND REGIONAL JAIL PLANNING

The purpose of this memo is to update the City Council on the status of jail planning efforts occurring locally and regionally and to discuss current and potential future financial impacts. The memo is organized into the following sections:

- **Kirkland Jail Population** – Local trends in the jail population and drivers that influence the average daily population (ADP) and jail costs.
- **Jail Contract Negotiations** – A status report on current negotiations between King County and contracting cities and between Yakima County and contracting cities including preliminary estimates and timing of proposed rate increases.
- **Regional Jail Planning** – A status report on the North East Cities' jail planning efforts, timeline, potential future costs and operational issues.
- **Local Jail Planning** – A discussion of the future of Kirkland's jail and a cost/benefit analysis and discussion of operations issues of expanding the Kirkland jail versus contracting with a new regional facility.

Circumstances related to regional jail planning and contract negotiations are changing on a weekly basis. Therefore, this overview will be general in nature and will be supplemented with regular detailed reports to the Public Safety Committee and to the full Council in advance of major decision points.

#### **Kirkland Jail Population**

Cities are responsible for housing inmates that have been arrested and/or sentenced for misdemeanor offenses committed within the City of Kirkland (felons are the responsibility of King County). Although misdemeanor crimes are generally less serious in nature, the individuals arrested on misdemeanor charges often have multiple offenses including prior felony convictions. At the time an individual is placed under arrest by the Kirkland Police Department, they may be booked into the Kirkland Jail or a contract jail such as those run by the City of Issaquah and or at the King County Jail in downtown Seattle. Sentenced prisoners are also housed at the Yakima County jail. The Kirkland City jail is not equipped to house female prisoners or any special needs populations (i.e. those with medical or psychological treatment needs or violent behaviors). All special populations are housed in the King County Jail which is the only local contract facility equipped to provide these services.

Historically, Kirkland's total average daily population ("ADP") has averaged twenty nine (i.e. on any day, there are an average of 29 people in jail on Kirkland misdemeanor charges in the Kirkland jail and/or in one of the contract jails). ADP is influenced by a number of factors that will cause fluctuations in the number of people held on Kirkland charges on any given day. Some of these factors include:

- Police Staffing Levels – Position vacancies may cause a reduction in ADP as there are fewer officers "on the street." Conversely, a full complement of staff and/or the addition of new officers may increase ADP. Emphasis patrols that target DUI (driving under the influence) offenders may also influence ADP.
- Sentencing Laws – Washington State law establishes sentencing limits including mandatory jail sentences for certain offenses such as multiple DUI's. To the extent that the State sets new mandatory sentences for misdemeanor crimes, ADP will increase gradually as more defendants reach eligibility. Court rulings, such as the recent case relating to DWLS (driving while license suspended) also impact ADP.
- Economic Conditions – More difficult to measure, local economic stress may result in increased crime rates which can influence ADP.
- Seasonal Fluctuations – Kirkland is particularly influenced by seasonal changes. Warm weather tends to bring more people into the downtown area and beaches which will also increase the incidence of driving under the influence and altercations in drinking establishments.
- Jail Population Demographics – Changes in the nature of prisoners housed will drive the cost of contracted jail beds. For instance, an increase in the number of female prisoners will increase the number of Kirkland detainees housed in King County (thus driving up costs).
- Judicial Discretion – The Kirkland Municipal Court Judge is responsible for sentencing convicted misdemeanants. An individual Judge's sentencing philosophy may influence ADP, depending on their use and availability of alternatives (such as home detention and work release).
- Treatment Programs – In 2007, King County voters approved an increase in the sales tax rate to pay for mental health intervention services for individuals entering the criminal justice system. A portion of the proceeds of the tax will be used to redirect individuals with mental health issues into treatment instead of jail. Programming improvements are in the planning stages and so there are no services available at this time. King County estimates a very limited number of beds would be available to cities through this funding source.

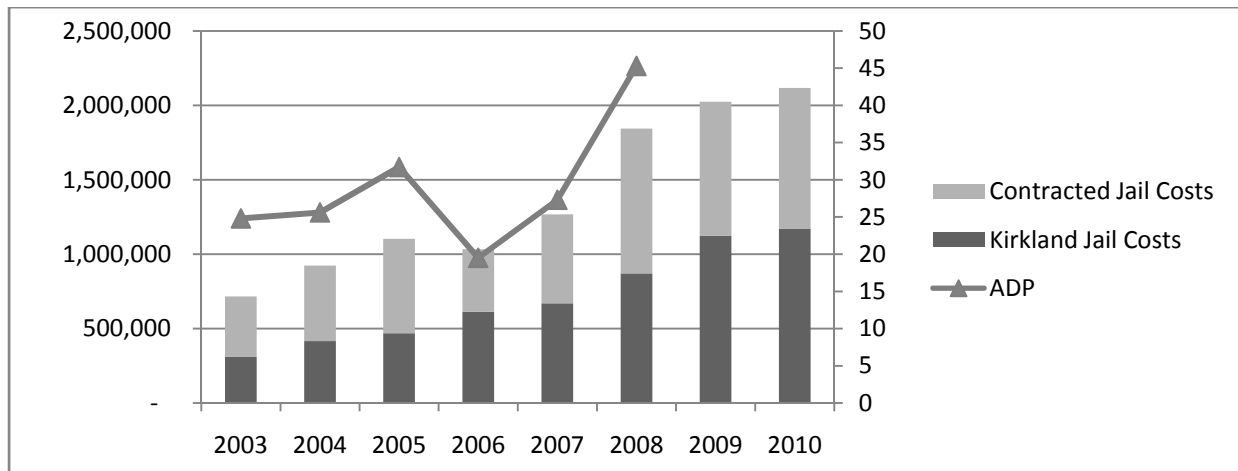
Over time, ADP will experience peaks and valleys; however, the trend can generally be expected to gradually increase with population unless a change in one of the factors noted above takes place. Kirkland's 2007 and 2008 ADP showed a sharp increase. Factors that may be causing the increase include the current full complement of police staff (i.e. all positions have been filled for approximately one year), the addition of the proactive unit, and the reinstatement of the Driving While License Suspended (DWLS) offense.

ADP drives the needs for jail beds. However, the cost of jail services is influenced not only by ADP. Other factors include:

- Internal Costs – In 2006, the City Council approved the addition of five corrections officers for 2007 that were needed to provide adequate oversight in the Kirkland jail. These positions were not filled for much of 2007 and 2008.
- Annual Cost Escalators – The King County and Yakima County jail contracts contain annual inflation escalators of 5.8% and 5.0% respectively.

- Inmate Population Demographics – The proportion of special population and female inmates as a percent of the total ADP may drive costs more than ADP since these populations are housed at King County.

The following chart compares the trend in contracted jail costs and ADP over the past six years:



	<b>2003 Actual</b>	<b>2004 Actual</b>	<b>2005 Actual</b>	<b>2006 Actual</b>	<b>2007 Actual</b>	<b>2008 Budget</b>	<b>2008 Estimate</b>	<b>2009 Budget</b>	<b>2010 Budget</b>
ADP	24.8	25.6	31.7	19.5	27.3	29.1	45.3		
Kirkland Jail Costs	311,570	416,530	469,067	612,462	669,464	1,003,689	870,689	1,124,774	1,170,197
Contracted Jail Costs	404,641	507,096	634,549	420,760	597,987	521,205	973,532	899,680	944,644
Total	715,954	923,626	1,103,261	1,033,222	1,267,451	1,524,894	1,844,221	2,024,454	2,114,841

Both contracted jail costs and ADP increase significantly in 2008. Contracted costs are rising more sharply in 2008 than ADP due to the disproportionate number of female and special population inmates housed in King County. As noted earlier, female inmates and those with special medical or psychological needs must be housed at the King County Jail. Daily rates at the King County Jail are considerably higher than rates charged by municipal jails and Yakima County as shown in the table below:

	<b>Booking Fee</b>	<b>Daily Rate</b>	<b>Total Day One</b>
King County	208.67	109.10	317.77
Yakima County	n/a	75.04	75.04
Issaquah Municipal	n/a	75.00	75.00

In 2007, Kirkland's ADP at the King County Jail averaged 4 to 5. During 2008, the number has averaged 10 to 12 and has gone as high as 14. This number is unusually high in absolute numbers and as a percentage of Kirkland's total ADP. It is not clear what factors are causing this increase and whether or not this will be a continuing trend.

Past history indicates that the City generally under-budgets for contracted jail services as shown in the table below.

	<b>Budget</b>	<b>Actual/Estimate</b>	<b>(Over)/Under Budget</b>
2002	300,000	410,940	(110,940)
2003	370,000	404,384	(65,616)
2004	472,717	507,096	(34,379)
2005	472,717	634,549	(161,832)
2006	472,717	420,760	51,957
2007	496,396	597,987	(101,591)
2008	521,205	973,532	(451,327)
2009	899,680	-	-
2010	944,644	-	-

The 2009-2010 Budget incorporates an assumption somewhere between the 2008 actual and the average with a factor for inflationary rate adjustments that will take place on January 1, 2009 and 2010. Corrections staff believe that the current ADP is an anomaly and will decline to a level closer to the historic average.

### **Jail Contract Negotiations**

The City of Kirkland has contracts for jail beds with eight different jurisdictions. Most inmates are housed in the Kirkland Jail, the Issaquah Jail, the Yakima County jail and in the King County Jail. The Yakima County contract will expire on December 31, 2010 and the King County contract will expire on December 31, 2012. Following is a summary of the status of those negotiations.

#### Yakima County

In 2002, thirty seven King County cities entered into an interlocal agreement with Yakima County for the purposes of obtaining jail beds. Kirkland currently has a commitment for twelve beds at the Yakima County Jail. In order to have guaranteed beds available, the City must pay for the beds whether or not they are occupied by a Kirkland detainee. Kirkland's ADP at the Yakima County Jail has consistently held at twelve or more for the six year contract period. Inmates transferred to Yakima are generally serving a sentence of more than one week because of the transport distance.

Earlier this year, Yakima County notified the cities that they were interested in continuing to provide contracted beds to King County cities after the expiration of the current contract. Since that time, representatives from the King County cities have been meeting with Yakima County representatives to develop a new contract.

During the meetings Yakima expressed the following interests:

- Development of separate contracts for each city (currently there is one contract that covers all of the JAG cities)
- Continuation of a minimum bed commitment that provides guaranteed beds to contracting cities with a requirement to pay for the beds whether or not they are used
- Continued bed commitment through the contract period to allow for Yakima County to plan for their own and other contracted bed usage
- Availability of additional (non-guaranteed) beds to cities on a space-available basis
- Update rates that allow full recovery of transport costs (Yakima County currently provides transport six days per week between Yakima and various King County cities)
- Contract provisions that allow for ease of administration and billing

The JAG cities expressed the following interests:

- Uniform contract language for each city
- Continuation of contract language that maintains medical and supervision standards
- Continued availability of beds through 2014
- Access to beds at a fair and justifiable rate
- Maintenance of current services including transport, access to inmate programs and medical/psychiatric services
- Ability to adjust minimum bed commitment if needed
- Ability for individual cities to withdraw from the contract before the expiration date

After a series of meetings, the cities reached tentative agreement on a considerable number of language issues. Proposed rates have not yet been presented by Yakima but we anticipate that rates will increase significantly to account for full cost recovery for transport services. Rate discussions are scheduled to take place beginning in October. To date, the negotiations have progressed well and it is hoped that the contract negotiations will be completed by the end of 2008. The effective date of the contract has not yet been determined.

### King County

The King County jail contract expires on December 31, 2012. The current contract calls for a gradual phase-out of city misdemeanor inmates. By the end of 2012, all city misdemeanants will need to be out of the King County system and held in alternate facilities.

In 2007, the County used a limited reopener clause in the contract to discuss a potential rate change. The cities held a series of negotiation meetings. The County's interest was to increase their cost recovery either by increasing overall rates within the existing structure or by implementing a variable rate for special population housing (i.e. medical/psychological housing). The cities' interest was to secure a two-year extension to the contract to provide for local beds while a new jail facility was constructed. King County did not agree to the extension, asserting that they could not guarantee bed availability due to their own population projections. The proposed rate increase constituted an estimated overall increase of over \$2 million per year for the cities. The negotiations were placed on an indefinite hold.

Over the past two years, the JAG cities have considered a number of jail capacity options ranging from construction of one new jail (or multiple new jails) to serve all of the cities' needs to negotiation with King County for construction and operation of all or a portion of the beds needed to serve city misdemeanants. During the jail planning process, King County had consistently held that they were not interested in a partnership with the cities to construct a new facility.

In early 2008, the King County Council introduced an ordinance calling for regional cooperation in the provision of criminal justice services and negotiation of a two-year extension on the existing jail contract to allow for more planning time. The original ordinance was not acceptable to the cities as it contained a variety of requirements for regionalization of programs and services currently offered by cities (e.g. court, law enforcement). The ordinance that was finally adopted directed the King County Executive to enter into negotiations with the cities for a two-year contract extension and to continue discussions regarding coordination regional criminal justice services. The cities held a series of negotiation sessions with representatives of the Department of Adult and Juvenile Detention (DAJD) and the King County Executive's office concerning the contract extension.

The cities' interests include:

- Two-year extension for 330 beds each year
- Continuation of current contract provisions (including rate structure with annual inflation adjustments) until at least 2011
- Completion of contract extension negotiations by September 2008

The County's interests include:

- Completion of negotiations by September 2008
- Implementation of a variable rate structure (see explanation below) as early as January 1, 2009
- Access to 220 beds in 2013 and 100 beds in 2014
- Beds to be used by cities on a "space available" basis
- Discussion of potential criminal justice partnerships (the County does not have available councilmanic debt capacity for the construction or purchase of new jail capacity, however they are interested in potentially working with cities on a municipal jail project)

Since the inception of the negotiations sessions, both King County and the cities have modified their proposals. At the present time, the cities' highest priority continues to be a contract extension to make beds available two years past the current expiration date of December 31, 2012.

The following table compares the current rate structure with the preliminary variable rate structure proposed by King County.

	<b>Current</b>	<b>Proposed</b>	<b>Note</b>
Booking Fee	208.67	303.03	
Daily Rate	109.10	94.62	
Work Release	109.10	70.33	Paid in addition to booking fee and instead of regular daily rate
Acute Psychological Housing	–	137.49	Paid in addition to booking fee and daily rate
Non-Acute Psychological Housing	–	55.33	Paid in addition to booking fee and daily rate
Infirmity Care	–	135.09	Paid in addition to booking fee and daily rate
One-on-One Guarding	–	1,172.70	Paid in addition to booking fee and daily rate

The financial impact of the new rates would depend on the number of special population beds needed at any one time. As noted earlier in this memo, Kirkland generally uses an average of four to five King County beds per day for female and special population inmates. Assuming the historical rate of special staff estimates the annual impact of the new rate structure at \$23,000 per year. The cities have not agreed to a 2009 or 2010 implementation date for the new rate structure. Consequently, the variable rate structure is not assumed to impact Kirkland's 2009-2010 Budget currently under development.

### **Regional Jail Planning**

A series of earlier memos to the City Council described the status of planning efforts for new jail capacity. Briefly, the thirty seven JAG cities divided into two sub-groups.

"SCORE" is a group of cities south of I-90 that are planning construction of a 650 bed facility to meet the needs of cities in that area (the City of Kent is not a JAG member and will continue to operate their own full-service misdemeanor jail). SCORE plans to have a facility constructed and operational by the end of 2012.

The "NECC" is a group composed of twenty three north and east cities planning for a 640-bed facility. The five principal cities – Seattle, Bellevue, Shoreline, Kirkland and Redmond – represent over 90% of the bed needs and are the primary participants in the planning process.

The NECC is completing a two-part feasibility study. Phase one is nearly complete and provides basic spatial needs and a preliminary cost estimate for construction and operation of a full-service misdemeanor jail facility including an arraignment court. The feasibility study (completed by Carter, Goble and Lee) evaluated the cost/benefit of

constructing two smaller facilities (440-bed facility for Seattle and a 200-bed facility for the remaining cities) or one 640-bed facility to serve all of the NECC cities. The analysis concluded that a single 640-bed facility was more cost-effective. The consultants estimated construction costs of \$238 million and a daily housing rate of \$185.02 (assuming all construction costs are amortized over thirty years and recouped through daily rates and an 85% occupancy rate). The phase one report also included criteria for site evaluation. At the conclusion of the phase one report, the cities agreed to proceed to the phase two study assuming construction of one 640-bed facility.

In phase two, each of the five primary cities was asked to identify potential sites for a new facility that would be evaluated against the criteria adopted in phase one. The cities are currently engaged in the process of identifying potential sites and narrowing the list to a maximum of five potential sites. Siting and constructing a corrections facility is complex and controversial and the process of planning and construction make take four to six years. Given the construction timeline and the impending expiration of the King County jail contract, NECC staff has proposed an accelerated planning process that provides for simultaneous preparation of environmental impact statements (EIS) for five potential sites. The simultaneous EIS reviews will provide data for the SEPA review that will be required for the finalist site. Finalist candidate sites are expected to be announced this fall so that the EIS studies can be completed by mid-2009. The five principal NECC cities will share in the cost of the studies and the remaining smaller cities will be expected to pay their share at a later time. The cost of the studies is expected to be paid from the proceeds from the sale of property conveyed by King County to the cities as part of the 2002 King County Jail contract (property closing is expected in early 2009). The property proceeds can only be used to pay for new jail capacity. Kirkland will enter into an agreement this fall with the other four primary NECC cities that will provide for cost sharing and management of the EIS studies.

### **Kirkland Jail**

The City of Kirkland operates a 12-bed jail in the lower level of City Hall. The Kirkland jail is limited as to the type of inmates that can be held (male adults that can be accommodated in the general population) and as to the length of stay (up to thirty days). Females and individuals with medical or psychological housing needs are held in contracted facilities.

In 2006/2007, Kirkland contracted with CRS Inc. for two studies relative to its jail. The first study was a staffing analysis that provided a recommended staffing level for the Kirkland jail. Five corrections officers were added in 2007 as a result of this study. The second study was a cost/benefit analysis for operation of five different local jail alternatives. Each scenario was estimated with and without annexation.

The resulting cost per bed-day derived for each of the five scenarios (without annexation) and is summarized in the table below:

<b>Type/Size of Facility</b>	<b>Cost per Bed Day</b>	<b>Note (Source: CRS Report May 2007)</b>
Holding Facility	322.48	All beds contracted
12-Bed Jail	325.88	Current facility
Minimum Security Only (62 beds)	263.39	Accommodates all low-risk detainees; all other contracted
Full Service Jail (92 beds)	273.98	Accommodates all Kirkland detainees including special populations
Full Service Jail with Rental (124 beds)	202.92	Accommodate all Kirkland detainees, including special populations and allows for contracting out beds to other jurisdictions

The study concluded that a smaller facility is the least cost-effective to operate. Economies of scale can only be achieved in facilities that house at least 75 inmates. Providing special population services (medical and psychological) is especially costly on a small scale. The CRS study was consistent with the results of the CGL study conducted for the NECC group by concluding that smaller facilities are less cost-effective to operate.

The City Council was presented with the results of the study in July 2007. At that time, interest was expressed in potentially expanding the Kirkland jail to accommodate the City's own inmate population. Contracting beds to other cities was not a preferred option. At the time, the City was actively engaged in the annexation study and decisions regarding expanding the Kirkland jail were put on hold pending a decision on whether to proceed with annexation. In the meantime, Kirkland staff has continued to be involved in regional jail planning efforts.

In 2008, the Kirkland Police Department was asked to work with the Finance staff to prepare a report for the City Council discussing the operational and financial implications of expanding the Kirkland jail compared to participating in a regional jail. In particular, they were asked to identify the marginal costs of continuing to operate a holding facility or jail versus contracting with a regional provider. A number of factors needed to be considered in the analysis.

- Transport – The Corrections Division manages the City's jail and also transports detainees to the Municipal Court (for arraignment and/or for subsequent Court appearances), to the King County Jail (to access special population beds and/or to otherwise hold individuals that cannot be held in Kirkland) and to other local jails (e.g. Issaquah Municipal Jail). If a Corrections Officer is not available to transport detainees, then transport is made using on-duty patrol officers. If an officer is required to transport an individual to King County in downtown Seattle, they are effectively "off the street" for that period of time. Consequently, a corrections officer is used whenever possible in order to maintain a patrol presence in Kirkland. Transport services will always be needed unless Kirkland builds a full-service jail and co-locates the Kirkland Municipal Court with the jail.
- Access to Suspects – Easy access to individuals jailed on suspicion of a crime facilitates the work of detectives in early resolution of cases.



- Financial – The financial implications of maintaining a jail and/or contracting for jail beds are complex. In 2008, staff developed updated cost estimates for four jail scenarios that take into account current costs and projected rates for a regional jail facility. The four scenarios range from continuing the current service delivery model (12-bed jail supplemented by contracts) to a full-service jail and no contracts. A fully-loaded, cost-per-bed day was calculated for each of the scenarios for comparison purposes but also provides a marginal cost analysis (i.e. costs in excess of currently-budgeted amounts).

The table below summarizes the results of the calculations (further detail regarding assumptions is included in attachment A).

	<b>12-Bed Jail/Contract All Else</b>	<b>36-Bed Minimums Only</b>	<b>4-Hour Hold/Contract all Beds from NECC</b>	<b>Full Service Kirkland Jail</b>
Kirkland FTE's	15.00	20.00	15.00	26.00
Kirkland Jail Costs	1,814,542	2,438,564	1,867,367	3,555,098
Contracted Beds	1,148,049	403,048	2,015,238	–
Capital Costs (debt)	0	584,968	–	714,961
Total Costs	2,962,591	3,426,580	3,882,605	4,270,060
Current Budget	2,355,446	2,355,446	2,355,446	2,355,446
Marginal Difference	607,146	1,071,135	1,552,159	1,914,614
Contracted Cost/Bed Day	\$185.02	\$185.02	\$185.02	–
Kirkland Cost/Booking	–	–	\$544.82	–
Kirkland Cost/Bed Day	\$414.28	\$308.44	–	\$392.04
Blended Cost per Bed Day	\$272.00	\$314.60	\$356.46	\$392.04

The current analysis considered the four alternative service delivery models.

- 12-Bed/Contract All Else** – Assumes we maintain the current 12-bed jail and contract all other beds with the regional jail. This calculation assumes that of the total estimated ADP of 29, 12 are held in the Kirkland jail and the remaining 17 are held in contracted beds
- 36-Bed Minimums Only** – Assumes we expand the current jail to accommodate all minimum security prisoners and contract out for all special populations with the regional facility. This calculation assumes that ten percent of the daily population (3) are special population holds and housed in the regional facility. The remainder are housed in the Kirkland jail with extra capacity for peaking.
- 4-Hour Hold/Contract All Beds** – Assumes we convert our current 12-bed jail into a 4-hour holding facility and contract all beds with the regional facility. This calculation assumes that all prisoners are initially booked into the Kirkland jail and then transferred to the regional facility for housing. The 12-bed Kirkland holding facility is fully staffed to prevent patrol officers from having to book or transport prisoners to the regional facility (taking them out of Kirkland). The cost for Kirkland's holding facility is the total cost divided by 3,036 bookings (reflects total 2001 bookings to all facilities) which results in a high cost per booking. This is reflective of the fact that the facility is underutilized because all prisoners must be moved within four hours.
- Full Service** – Assumes that the Kirkland jail accommodates all misdemeanor prisoners and provides medical and psychological holding facilities. Med/psych services are assumed to be contracted. This scenario assumes a total of 36 beds with additional space allowed for med/psych services.

The results of the current analysis generally confirm the CRS assertion that smaller jails are more costly to operate. However, the blended rate that reflects a combination of contracting and local jail services seem to conflict with the CRS results. The primary variable that changed from the CRS report is the assumption about the contracted cost

per bed day. The cost per day used for all contracted beds in the current analysis is based on the estimated bed from the NECC regional jail study (\$185.02 per day) which is calculated in 2012 dollars. The CRS report used current Yakima and King County rates which were not based on full cost recovery and therefore artificially low (the very reason that both King County and Yakima County are renegotiating their rates). As a practical matter, Kirkland may still be able to contract for jail beds for sentenced misdemeanants from Yakima at a lower rate than would be charged by the NECC regional facility (the Yakima rate is not known at this time). However, for the purposes of planning for long term jail capacity, the contract model cannot assume that contracted beds will continue to be available from Yakima or King County. In addition, Kirkland will need the assurance that local beds for special populations will be available – the primary reason that the City should remain involved in the NECC regional planning process.

The attached memo from the Police Department (Attachment B) provides observations about the five scenarios.

**Status Quo – 12-Bed Jail + Contract** – The current operation would seem to be the most cost-effective solution assuming that no capital costs are needed to improve the existing facility.

**36-Bed Facility +Contract for Special Populations** – The department's preferred solution is to construct a 36-bed facility and to contract with the NECC for special population beds. This provides the greatest operational advantages to the department at a somewhat lower cost than if Kirkland contracted for all of its beds.

**4-Hour Holding Facility + Contract** – According to Police Chief Eric Olsen, a four-hour holding facility would require the same number of staff that the current 12-bed jail needs (assuming that patrol officers are not utilized to book and supervise inmates in the holding facility and then transport them to a regional facility). The location of the regional facility will be key to this analysis. A regional site in or close to Kirkland may be very efficient, while a more distant site (e.g. Seattle) would be less efficient.

**Full Service Facility** – The risk and cost of providing psychological and medical services in a small facility make this option less cost-effective and more difficult to manage.

The current analysis indicates that maintaining a small local jail is the most cost effective alternative. Although the cost per bed day of a smaller facility is relatively higher (as shown in the CRS report) combining the small local jail with a contracted facility may achieve operational efficiencies and provide some ability to control costs. Transport becomes a major issue depending on where the regional jail is located. Until more is known about the location of the regional facility and actual daily rates, the full impact of a decision to build a local jail versus participating in a regional facility cannot be known.

## **Conclusion**

The issues surrounding misdemeanor housing are abundant and complex. There are too many unknowns to move forward on any clear path. Staff recommends that Kirkland continue to participate actively in regional jail planning. A Council study session will be scheduled as soon as more information is known about the regional jail facility and potential partnerships with other cities and with King County.

**City of Kirkland**  
**Jail Options Matrix**

Attachment A

All costs inflated to 2012

	<b>12-Bed/Partial Contract</b>	<b>36-Bed/Contract Medical &amp; Psychological</b>	<b>4-Hr. Hold/Contract All to NECC (640 Bed Facility)</b>	<b>Full Service</b>
<b>Required FTEs</b>				
Transportation	4.00	7.00	9.00	5.00
Security	10.00	12.00	5.00	20.00
Other (Admin.)	1.00	1.00	1.00	1.00
<b>TOTAL FTEs</b>	<b>15.00</b>	<b>20.00</b>	<b>15.00</b>	<b>26.00</b>
<b>Operating Costs</b>				
Personnel Cost	1,330,382	1,748,416	1,330,382	2,250,058
Transportation Cost	49,162	49,162	98,324	49,162
Facility Maintenance & Life Cycle Costs	7,191	97,182	7,191	97,182
Contracted Medical Costs	-	-	-	450,200
All Other Direct Costs	218,176	290,901	218,176	378,171
<i>Subtotal Kirk. Jail Oper.</i>	<i>1,604,910</i>	<i>2,185,661</i>	<i>1,654,072</i>	<i>3,224,773</i>
Contract Costs	1,148,049	403,048	2,015,238	-
<i>Subtotal Direct Operating</i>	<i>2,752,959</i>	<i>2,588,709</i>	<i>3,669,309</i>	<i>3,224,773</i>
Department Overhead	83,809	83,809	83,809	83,809
Citywide Overhead	125,823	169,094	129,486	246,516
<b>TOTAL OPERATING COSTS</b>	<b>2,962,591</b>	<b>2,841,612</b>	<b>3,882,605</b>	<b>3,555,098</b>
<b>Capital Costs</b>				
Debt Service	-	584,968	-	714,961
<b>TOTAL CAPITAL COSTS</b>	<b>-</b>	<b>584,968</b>	<b>-</b>	<b>714,961</b>
<b>Cost</b>				
Total Cost	2,962,591	3,426,580	3,882,605	4,270,060
<b>Current Budget</b>				
Current Expenditure	2,355,446	2,355,446	2,355,446	2,355,446
<b>MARGINAL COST DIFFERENCE</b>	<b>607,146</b>	<b>1,071,135</b>	<b>1,552,159</b>	<b>1,914,614</b>
<b>Bed Days Data</b>				
Number of Bookings	3,036	3,036	3,036	3,036
Number of Bed Days	10,892	10,892	10,892	10,892
<b>CONTRACTED COST PER BED DAY</b>	<b>185.02</b>	<b>185.02</b>	<b>185.02</b>	<b>-</b>
<b>KIRKLAND COST PER BOOKING</b>	<b>-</b>	<b>-</b>	<b>544.82</b>	<b>-</b>
<b>KIRKLAND COST PER BED DAY</b>	<b>414.28</b>	<b>308.44</b>	<b>-</b>	<b>392.04</b>
<b>BLENDED COST PER BED DAY</b>	<b>\$ 272.00</b>	<b>\$ 314.60</b>	<b>\$ 356.46</b>	<b>\$ 392.04</b>



## CITY OF KIRKLAND

### Police Department

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## MEMORANDUM

**To:** Dave Ramsay, City Manager

**From:** Eric Olsen, Chief of Police

**Date:** September 28, 2008

**Subject:** JAIL OPTIONS FOR KIRKLAND MUNICIPAL JAIL

### **BACKGROUND DISCUSSION:**

The Kirkland Police Department currently operates a 12-bed single sex correctional facility. This municipal jail has been in existence since 1905 when Charles Daniels was appointed Kirkland Marshall. The jail was located at the corner of Market and Central Avenue. Around 1933 the jail was renovated and moved into a service bay at Blau's service station where it remained until the police department relocated to 210 Main Street. When City Hall was built at its current location in 1982, the jail was upgraded to a 12-person jail housing both male and female prisoners. When City Hall was expanded in 1993, the jail was not expanded, and the decision was made to no longer house females because the City could not meet the requirement to keep them out of sight or sound of male inmates.

During its 103 year existence, the jail has proved to be a valuable asset to the Kirkland Police Department and to the citizens of Kirkland. Thousands of prisoners have been taken into custody, housed; released and only one escape has been reported. That was in 1933 when "Otto Beach picked the lock and ran off into the night". However, now, due to increased demand for bed space and in order to control costs, the time has come to reevaluate what the City of Kirkland should do in order to address its future misdemeanor incarceration and alternative sentencing needs.

Currently, on any given day an average of 12 inmates are housed and/or rotated through the jail. In addition, approximately another 17 are housed at alternate locations to include King County Jail, Enumclaw Police Department, and the Yakima County Jail. The City of Kirkland is currently averaging 29 in-custody misdemeanor prisoners a day. Included in the above numbers are female prisoners who are transferred to other facilities, prisoners with long-term holds in excess of 30 days and those with classification issues; such as psychological needs, medical needs, or high risk conduct.

The City of Kirkland conducted an analysis of jail options in May of 2007, utilizing CRS Incorporated. The CRS study presented the following five options for Kirkland to consider.

1. Reduce operations to a four-hour lockup – Book arrestees and arrange for their transfer to other jails within four hours of admission, reducing jail staffing requirements, while increasing transport staffing and board costs. This short-term detention function is effectively incorporated into the other four options.
2. Continue 12-bed jail operation- This option is considered the "baseline" for the other options, especially for staffing levels.
3. House all minimum security inmates – In addition to a short term lockup, housing male and female minimum security inmates offers a staff efficient approach because this inmate population is able to be managed with lower ratios of staffing and with less expensive facilities. Male and female inmates, who are high risk, have medical and/or psychological needs would continue to be transported and housed at other jails.
4. Meet all Kirkland needs in a full service jail – This option eliminates the need for boarding inmates at other jails, except for those charged with felonies, who would continue to be housed by King County. Staffing levels for this option are higher than for options 2 and 3.

5. Operate a full-service jail with extra capacity for other municipalities – Adding additional capacity to option four produces an economy of scale that reduces the net costs per day for Kirkland inmates and allows for future Kirkland inmate population growth.

The cities of Seattle, Bellevue, Kirkland, Redmond, and Shoreline, representing all 22 north and east cities in King County, make up the North/East Cities consortium (NECC). Following the City's study, the NECC awarded a contract to Carter Goble Lee (CGL) in January 2008. That report concluded that the NECC should consider the following two alternatives to address the future needed bed space.

**Alternative 1:** NECC cities construct one 640 bed facility (including Seattle)

**Alternative 2:** Seattle builds its own 440 bed jail and the remaining NECC cities jointly build a 200 bed facility.

The Yakima contract will expire in 2010 and the King County contract expires in 2012 (ongoing negotiations have yet to be resolved for future contracts). It is critical that decisions be made in the near future and a strategic plan set in place in order to be able to meet future Kirkland jail needs when these contracts expire.

### **FACTORS AFFECTING THE STRATEGIC PLANNING PROCESS:**

The following four factors must be considered when determining how Kirkland should proceed with jail capacity.

1. **Locating a jail site (regional or municipal)** – Depending on if and where the NECC jail is located in Seattle, the possibility exists that it may be less operationally efficient for KPD to use it. Ideally, the NECC jail or an expanded KPD jail will be located in or close to Kirkland. Operationally this is the most effective for KPD. By siting the jail locally, significant savings in transport times and transport costs will be recognized.
2. **Personnel costs** – The jail matrix shows the FTE count for the KPD jail at 15. With the implementation of NORCOM and in response to the recommendations in the CRS report, it is anticipated the FTE count will increase by four to a total of 15 FTE's, in order to provide one transport officer and one in house correction officer at all times. This FTE count of 15 is the minimum needed to provide 24/7 monitoring of the jail, transport capabilities, and provide for completion of some of the retained duties left when the communications center transitions to NORCOM. Should Kirkland choose to increase jail capacity to 36 beds (to house male and females and provide alternatives to incarceration) five additional corrections officers would be needed for a total of 20 FTE's.
3. **Staffing Needs of KPD** – The Kirkland Police Department currently has the lowest ratio of officers per thousand of population of any of our partner cities in the NECC consortium. The corrections officers are utilized to do the majority of the corrections tasks, thereby allowing the patrol officers to return to patrol duties as soon as possible. The goal is to staff the Kirkland jail (or future holding facility) with a minimum of two corrections officers at all times. This allows patrol officers to return to patrol faster, keeps one corrections officer at the Kirkland Police Department at all times to monitor the jail population, respond to emergencies, respond to simple requests for assistance in the lobby and provide for cross utilization of some records and dispatch duties (subject to bargaining) during the slow parts of the day.
4. **Local Control vs. Regionalization** – As stated earlier, Kirkland has maintained a local municipal jail since 1905. Ever since, the Kirkland jail has been utilized to capacity, saving the City of Kirkland millions of dollars over having to contract for the same services. Other benefits of maintaining a local jail include the ability to control costs through collective bargaining agreements, setting of policies, setting staffing ratios, and the ability to more efficiently change practices to adjust to needs driven by the court or police.
5. **Operational Benefits** – Co-locating a jail facility in the Police Department is the preferred option. By co-locating the jail, officers are afforded easier access to inmates for follow up investigations, can book an inmate into the jail and complete their paperwork at the PD, process evidence, and take statements all without leaving the building. By having the jail close, Detectives also benefit. Detectives often will need to contact a suspect in custody for repeated interviews. If they must travel a distance to another facility, the increased travel time and time spent retrieving the suspect are not efficient uses of time.

### **OPTIONS FOR CONSIDERATION:**

After careful review of the above factors affecting the strategic planning process, the two consultant reports and the jail matrix it appears there are four options for Kirkland to consider that best meet the operational needs of the Kirkland Police Department

1. **Maintain current 12 beds, male only, jail with 15 FTE's and participate as a partner in NECC for additional capacity and special needs populations.**
2. **Expand the City of Kirkland jail to 36 beds, accommodate male and female inmates, participate in NECC as a partner, and contract for special needs populations.**
3. **Expand the Kirkland holding facility to accommodate male and females for up to four hours, and participate in the NECC process.**
4. **Expand the Kirkland jail to a full service jail capable of accommodating all of Kirkland's projected bed needs and providing housing for all special needs.**

There are pros and cons to each option listed and in order to make an informed decision each must be evaluated, keeping in mind what is best for Kirkland.

**Option One - Maintain the Current 12 Bed Facility**

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| <p>Pros: Minimal FTE's needed<br/>Established and Proven<br/>Convenient<br/>Facilities exist, minimal capital required<br/>Limited revenue potential (Electronic Home Detention)<br/>Cost Control</p> | <p>Cons: Kirkland assumes (existing) risk<br/>Lack of capacity<br/>Male only facility<br/>Inadequate booking and holding space<br/>Contract special needs (Med and Psych)</p> |
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**Cost per Bed Day \$272.00**

**Option Two – Expand Kirkland Jail to 36 Beds (If NECC Jail is located in Seattle)**

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| <p>Pros: Only 5 additional FTE's needed<br/>Established and proven jail operation<br/>Convenient<br/>Cost Control<br/>Limited revenue potential (EHD, Work Release)<br/>Coed facility</p> | <p>Cons: Kirkland assumes additional risk<br/>Contract special needs (Med and Psych)<br/>Meets current needs only</p> |
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**Cost per Bed Day \$314.60**

**Option Three – Expand/Improve Kirkland Holding Facility and Contract with NECC (If NECC is located on Eastside)**

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| <p>Pros: No additional FTE's needed<br/>Bed certainty<br/>Shared Risk</p> | <p>Cons: Additional transport issues<br/>Contract special needs (Med and Psych)<br/>Loss of Cost Control</p> |
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**Cost per Bed Day \$356.46**

### **Option Four- Full Service Kirkland Jail**

Pros: Bed certainty  
Established and Proven jail operation  
Meets current needs  
Cost Control  
Limited revenue potential (EHD, Work Release)  
Coed facility  
Ease of access for officers  
Reduced transport demands

Cons: Kirkland assumes additional risk  
Increased demands (Special Needs)  
Additional staff needed

**Cost per Bed Day \$392.04**

### **RECOMMENDATION:**

In order to meet current and future jail needs for the City of Kirkland, taking into consideration the above variables, and recognizing the value of having a local jail, Kirkland should continue to be involved as a partner in NECC. It is critical that the City take an active role in developing and entering into the ILA with the other cities. By doing this, Kirkland continues to have a voice in the governance planning and also the SEPA and EIS process. However, while Kirkland continues to be involved as a partner, it should also be clearly communicated to the other partner cities the following:

#### **1. If the NECC jail is eventually sited in Seattle**

- a. Kirkland intends to utilize it for special needs (psych and medical) and excess and future capacity.
- b. Kirkland will increase its jail to a facility capable of housing both sexes with a capacity of approximately 36 beds.
- c. Increased use of alternative sentencing will be implemented
- d. Kirkland will explore the possibility of contracting transport services to other eastside cities utilizing the NECC jail in Seattle.

#### **2. If the NECC site is located on the eastside**

- a. Kirkland will utilize it for all capacity needs.
- b. Kirkland will keep its existing jail facility to use as an expanded holding facility.
- c. Alternative sentencing programs may be operated out of the existing jail facility.

The decision of how to proceed with jail services into the future is a difficult one. However, when considering the long history and the value the local jail has provided over the years, it is clear that Kirkland needs to continue to provide some type of local municipal jail.