



## Department of Public Safety and Correctional Services

### Office of the Secretary

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Department of Public Safety and Correctional Services  
Q0 - Capital  
Fiscal Year 2023 Operating Budget  
Response to Department of Legislative Services Analysis

Senate Budget and Taxation Committee  
Public Safety, Transportation and Environment Subcommittee  
Senator Cory McCray, Chair  
March 8, 2022

House Appropriations Committee  
Public Safety and Administration Subcommittee  
Delegate Tony Bridges, Chair  
March 9, 2022

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### Therapeutic Treatment Center

**Issue:** DPSCS should provide a justification for including a renovation of the Jail Industries building as well as the 56% increase in the estimated total contract cost per GSF.

**Response:** The 56% increase in the total contract cost per gross square foot is due to the fact that overall new construction costs have doubled in both material and labor. This increase, which is felt across the entire construction industry, is the primary reason why the Department is now seeking to renovate the Jail Industries (JI) building as a part of the Therapeutic Treatment Center (TTC) at the direction of the Department of General Services. The cost of renovating an existing facility is less than 1/3 of new building construction costs.

The consulting medical and detention professionals for the program development determined early in the programming that 808 beds is the minimum necessary to meet the program requirements. 325,000 Gross square feet (GSF) of space is necessary to accommodate the 808 bed count, deflection center, medical and mental health treatment and housing. A professional cost estimator was contracted by DGS to provide a review of the program cost. A cost estimate worksheet (CEW) was completed for the TTC with all 808 beds in new construction and it was clear that the \$400 million dollar budget was not sufficient. The design for the TTC now includes

508 beds in new construction and 300 beds in the renovated JI space. A second CEW was completed with new parameters to include the renovation of the JI building thereby reducing the square footage of new construction. The CEW is included in the program documents that were submitted to DBM for review and approval.

It is important to note that the historical trend of decreasing prison population is counter to the trend of the pretrial population. Since the implementation of bail reform in Maryland, the pretrial population has been primarily dictated by increasing no bond decisions prior to trial. This has increased the percentage of intakes committed to custody, and the duration of their pretrial detention. During the COVID-19 period, which was marked by repeated and extended court closures, the current pretrial population grew to a size 6% larger than in 2017, and is projected to increase by 24% by 2026, based upon 5 year trends.

### **Jessup Regional Infirmary**

**Issue:** **It is not clear if this scope increase is necessary, especially with the recent incarcerated population decline. DPSCS should provide a justification for the newly increased project scope.**

**Response:** Due to the COVID-19 pandemic, the ADA statewide survey has been delayed and is expected to be completed in Spring of 2022. As such, the ADA housing project will address those needs and will not be included in the infirmary bed count. However, overall square footage for the infirmary will not change.

The COVID-19 pandemic demonstrated that the Department's correctional facilities did not have adequate medical facilities with code compliant ventilation systems. In the event of any highly contagious virus the new infirmary will allow for isolation areas and acute care in a high security environment. The new infirmary will lessen the burden on local hospitals when they are already over taxed as we experienced during COVID-19 outbreak.

While the sentenced correctional population has consistently declined over the past decade, the Department urges extreme caution in making spending decisions based upon the sentenced population under the COVID-19 period. The extenuating circumstances that have led to the sharp decrease in intakes from FY 2020-FY 2021 is not anticipated to be a longstanding trend in the Department's sentenced population, and populations have already begun to stabilize and rise in FY 2022 under a framework of partial court operations. While COVID-delayed case adjudication may have a more

gradual impact on processing the backlog of pretrial detainees, the Department does expect an overall 3% increase in the sentenced population over the next 5 fiscal years based upon a historic pre-COVID-19 baseline and current year trend reversal. Additionally, the decrease in the Department's sentenced population has only served to heighten the proportion of its population that is older. In the past fiscal year, the average age of sentenced inmates has risen by over 1 year, it's population over age 60 has increased, and its overall proportion of geriatric inmates has increased by 2%. Currently, 30% of the geriatric aged population resides in facilities within the Jessup region. Geriatric-aged inmates (over 50) are currently 20% of the Department's overall population, and meeting the continuing needs of aging inmates, many of whom need additional medical care and attention, is an important priority for the Department and the State.

### **Recommended Actions**

- 1. Approve the \$3,076,000 general obligation bond authorization for the Jessup region electrical infrastructure upgrade project.**

**Response:** The Department concurs.

- 2. Approve the \$10,776,000 general obligation bond authorization for the Eastern Correctional Institution high temperature distribution and perimeter security improvements project.**

**Response:** The Department concurs.

- 3. Approve the \$13,945,000 general obligation bond authorization for the Therapeutic Treatment Center project.**

**Response:** The Department concurs.

- 4. Approve the fiscal 2024 preauthorization of \$7,641,000 in general obligation bonds for the Jessup Region electrical infrastructure project.**

**Response:** The Department concurs.

- 5. Approve the fiscal 2024 preauthorization of \$28,013,000 in general obligation bonds for the Eastern Correctional Institution high temperature distribution and perimeter security improvements project.**

**Response:** The Department concurs.