

Citizen's Advisory Committee Meeting  
September 4, 2014  
6:00 p.m. – Facility Inspection

- I. ANNUAL INSPECTION: Prior to calling the meeting to order, those present conducted the annual facility inspection.
- II. CALL TO ORDER/ROLL CALL: The meeting was called to order at 7:21 p.m. by Vice Chairman Bill Sanford. Roll call was taken with a quorum being present.
- III. APPROVAL OF THE MINUTES: Mr. Sanford presented the minutes from the May 1, 2014 meeting. Tom McCarter made a motion to approve the minutes as written. The motion was seconded. The motion carried unanimously.
- IV. CCNO POPULATION STATISTICS/OPERATIONAL UPDATE:

Dir. Dennis distributed the population statistics. The day's population was 566 or 88.7 percent of capacity. The average daily population for May was 493 or 77 percent of capacity, June was 503 or 79 percent of capacity, July was 516 or 81 percent of capacity and August was 542 or 85 percent of capacity. DM Unit was opened in August after being closed for over seven months due to the low population. Defiance County was over their bed allocation for most of the month of August. The City of Toledo and Lucas County have been under their bed allocation by approximately 40 per day. A question was asked whether the lower population was attributed to any factors. Dir. Dennis responded there have been many theories. In the beginning of the year the drop in population was attributed to the extreme cold weather which cancelled courts and caused a drop in crime. The Toledo Municipal Court claimed that Judge Goulding sentenced more people to jail and his replacement has a different sentencing philosophy.

The female population has remained constant in the 80's through this year while the male population has been down. When the male population nears 500 that is when it nears the male bed capacity. The male population numbers started to drop in October 2013 when the facility population started to drop. A question was asked whether there has been an increase or change in the population that is tied to the so called opiate use spike. Dir. Dennis responded that there has not been an increase in the population due to the opiate use, however, there are more people coming to CCNO withdrawing from opiates and more are taking ownership of an opiate addiction. The type of contraband that has been found in the facility has changed from cigarettes or marijuana to pills.

There has been no need for administrative releases due to the low population.

Dir. Dennis reviewed the electronic monitoring program numbers. CCNO has been working with the Toledo Municipal Court specifically to place pre-trial misdemeanant defendants on the electronic monitoring program. The purpose

of this is to get them out of the Lucas County Jail to assist them with their overcrowding. It was questioned if Lucas County was still discussing building a new jail. Dir. Dennis responded that he will be discussing that later in the meeting.

Work release and HITT numbers are down from years past but the work release program is starting to be utilized on a consistent basis. This changed when discussions were taking place to discontinue the work release program. Dir. Dennis stated that he would prefer to see work release offenders on GPS due to the increased accountability. It was questioned what HITT stands for. Dir. Dennis responded Helping inmates through Training. Dir. Dennis noted that the only HITT employer currently involved in the program is Northwest Products which is the MRDD workshop. The inmates complete the higher functioning jobs such as operating tow motors.

The American Correction Association (ACA) re-accreditation audit was held May 19 through 21. CCNO achieved 100 percent compliance on both the mandatory and non-mandatory standards. Dir. Dennis and Juli Steingass attended the ACA conference in Salt Lake City for the re-accreditation hearing August 16 through 19. The ACA issued the re-accreditation certification. This is good for three years.

Dir. Dennis and Lt. Ryan Kidwell of the Hancock County Sheriff's Office conducted training on the new jail standards to the Buckeye State Sheriff's Association on May 22. Four regional trainings were also conducted on the new jail standards for jail staff. A major change in the jail standards was the establishment of essential and important jail standards. Essential jail standards address life and safety concerns of inmates and all those essential standards must be met by each jail.

Fencing was installed in the new commissary area. The commissary has now been moved into their new area. The old commissary area will be remodeled for use as Dir. Sullivan's office. Dir. Sullivan's former office will then be utilized by Juli Steingass, the Accreditation Supervisor.

Received bids for inmate health care and inmate telephones/video visitation. Those bids are being reviewed to ensure everything is completed correctly before a final determination can be made. The bids will be awarded at the October CCNO Board meeting. A question was asked if many vendors submitted bids. Dir. Dennis responded that for inmate health care four bids were received and they were very competitive. Inmate telephones/video visitation received under eight bid submissions. A new FCC ruling has eliminated commissions on interstate commissions. There were different groups that lobbied Congress on this issue for ten years and it did not pass. They then took it to the FCC and they came out with the ruling.

Ten new Corrections Officers began employment on June 9. They have completed their training and are working in the units.

Dir. Dennis met with Toledo Municipal Court and City of Toledo officials regarding CCNO housing more of their pretrial offenders. The Lucas County Jail has been overcrowded by 50 to 75 inmates a day and CCNO has had the empty beds. Dir. Dennis explained that when CCNO first opened Lucas County and the City of Toledo could not house pretrial inmates at CCNO due to the concern that there would be no room for sentenced inmates if they housed their pretrial inmates here. However, approximately ten years ago, Judge Christiansen, then a judge at the Lucas County Common Pleas Court, requested the flexibility to house pretrial inmates at CCNO who were a risk of flight or had not appeared in court numerous times. That request was approved by the CCNO Board. While the ability to house pretrial inmates at CCNO existed, it was not utilized to the extent that it could have been. Now with the overcrowding situation at the Lucas County Jail is coming to the forefront discussions were again held about pretrial offenders being sent to CCNO from the Toledo Municipal Court.

The annual health inspection was conducted by the Williams County Health Department on August 27. No deficiencies were noted.

Dir. Dennis noted that last year the CCNO Board approved the capital funds to upgrade the security systems in the facility. This project includes installing new computerized locking systems utilizing computer screens versus pushing buttons on a panel. The current security systems are antiquated and it is difficult to get parts to make repairs. The security system in place is original to the facility which will be 25 years old next year. It was questioned whether grant money is available to pay for this project. Dir. Dennis responded that not much grant funding is available for security upgrades or construction any more.

- V. LUCAS COUNTY JAIL FEASIBILITY STUDY: Dir. Dennis reported that the Lucas County Commissioners received grant funding to conduct a feasibility study to determine if it is appropriate to replace the current Lucas County Jail. The feasibility study will give recommendations as to whether a new jail is needed, the number of projected beds needed and other items to consider for the project. After the initial feasibility study began, union leaders from the Lucas County Jail approached the Commissioners requesting that an additional feasibility study be done to determine whether it would be more cost effective to build a larger facility and house the sentenced misdemeanant and third, fourth and fifth degree felony inmates in Lucas County rather than at CCNO. This would mean that Lucas County and the City of Toledo would no longer be members of CCNO and the four rural counties would be left with CCNO. Dir. Dennis stated that obviously that would be devastating to CCNO from budget and staffing to the effect on the local economies.

Dir. Dennis stated that he was asked to be a part of the review process, but he is greatly concerned that a proposal to build jail beds for their sentenced inmates is even on the table. Dir. Dennis stated that if he was a citizen of Lucas County he would be concerned with going from the cost of building 572 pretrial beds to a 1020 bed proposal. Dir. Dennis estimated that the cost to build the 572 beds,

which would be higher security beds due to them being pretrial, would be approximately \$142 million. Building an additional 440 bed facility, which would have lower security needs, would be at least \$40 million. A question was asked where Lucas County is getting the money for the project if they would utilize bonds. Dir. Dennis responded that he had not heard their funding proposal.

Dir. Dennis reported that the feasibility study for the sentenced bed facility has been completed and the Lucas County Commissioners are portraying these beds as auxiliary to the 575 beds and would have a lower per diem rate similar to CCNO's per diem. Dir. Dennis noted that the two facilities would not be stand alone facilities because they would share the kitchen, laundry, etc.

A question was asked whether Lucas County would have any financial responsibility to CCNO if they withdrew. Dir. Dennis responded that there is a section in the Operating Agreement that a member needs to notify CCNO by September 15 of the year before they wish to withdraw. There is no language in the Operating Agreement regarding financial responsibility to the remaining jurisdictions.

It was questioned if Lucas County houses federal prisoners. Dir. Dennis responded that they do, but CCNO does not. It was questioned whether CCNO could house federal inmates. Dir. Dennis responded that is an option but transportation to the federal courthouse would be an issue. It was questioned where the new jail would be built. Dir. Dennis responded that it has not been determined yet. Dir. Dennis stated that his concern is that CCNO staff work very hard to make CCNO as clean, humane and well run as possible. CCNO staff created a culture that is not seen in many correctional facilities in the country. Unfortunately, the Lucas County Jail has struggled in these areas as can be seen in the newspapers. Commissioner Contrada from Lucas County stated in a recent CCNO Board meeting that "if it isn't broke, don't fix it. CCNO is not broke, but Lucas County is and it needs fixed." If Lucas County withdraws as a member, it will break what is not broken. Lucas County made a commitment 25 years ago to the Commission. The Lucas County Jail has never had a per diem rate close to that of CCNO. There is no way they could run any facility as cost effective as CCNO and it will take a long time before they change the employee culture. Dir. Dennis stated that he wishes that this Committee really understand what is on the table with the proposed new Lucas County Jail. Dir. Dennis stated that staff heard that the Lucas County Jail was going to lose 35 positions at the most by constructing a new pretrial facility; CCNO would lose over 100 positions if Lucas County and Toledo would withdraw from the Commission. A question was asked whether housing Federal inmates or inmates from Indiana would be a possibility. Dir. Dennis responded that could be a possibility. In addition, in 1995 CCNO had approximately 15 contracts with municipal courts in Cuyahoga County to house inmates at CCNO.

Dir. Dennis stated that another item that is misunderstood in Toledo is the cost of transporting inmates from CCNO to Lucas County. There is no additional cost to Lucas County or the City of Toledo to transport their inmates to and from CCNO.

Transportation costs are included in the CCNO operating budget. Another consideration is how inmates will get to court because the current tunnel system will become obsolete when they implode the old jail. There are no sallyports at the courts for CCNO to drop off inmates. Dir. Dennis stated that for as many meetings and consultants as Lucas County has had in, he is not sure that they understand everything that they need to understand.

It was questioned that if Lucas County and the City of Toledo withdrew from CCNO they would no longer contribute to the operating costs of CCNO. Dir. Dennis responded that was correct. It was questioned whether they contributed to the cost of constructing CCNO. Dir. Dennis responded that each member paid for the construction cost of CCNO proportionately based on the contracted bed allotment. Dir. Dennis explained that CCNO was built for about \$21.7 million and received 50 percent reimbursement from state, which dropped the cost of construction down to \$10.7 million. Lucas County is now projecting to spend at least \$60 million to construct a new pretrial facility and by Dir. Dennis' estimation approximately \$30 million for a sentenced facility. Based on the current interest rate it could cost an additional \$15 million in interest.

It was questioned where the 448 beds come from in their estimates. Dir. Dennis responded that is approximately the number of beds that are contracted for at CCNO between Lucas County and the City of Toledo. Dir. Dennis that they have a concept of their need for pretrial and sentenced beds but what they do not realize is that CCNO houses 50 to 70 pretrial inmates for them here. The consultants preparing the feasibility study have not come to CCNO nor asked for any of our population data. Neither the consultants nor Lucas County officials have asked NORIS, CCNO computer services provider, for any data regarding CCNO. They are basing the feasibility study solely on the Lucas County Jail rather than the entire criminal justice system. It was questioned whether the consultants have done feasibility studies on jails before. Dir. Dennis responded that they have and have actually done a lot of prisons. It was questioned whether any of the Commissioners from Lucas County have visited CCNO. Dir. Dennis responded that Pete Gerken and Carol Contrada have visited CCNO and both were very complimentary and impressed with what they saw. It was questioned who controls the decision to build a new jail. Dir. Dennis responded the Lucas County Commissioners. Dir. Dennis stated that he has had discussions with City of Toledo officials and they state that the City of Toledo has not been approached yet by the Lucas County Commissioners and that they support CCNO.

Dir. Dennis stated that he has been asked to be part of the 12-person panel that will evaluate the feasibility study when it is officially released. Dir. Dennis stated that unfortunately, he will be the only one on the panel with the agenda to keep Lucas County and the City of Toledo as part of CCNO. It was questioned whether the newspapers, including the Blade have written any articles on this. Dir. Dennis responded they have not as Lucas County has not released it yet. Dir. Dennis stated that it was contained in a recent CCNO Board meeting press

release but the meeting happened during the water crisis so there was no coverage on this in The Blade.

#### VI. CURRENT ISSUES:

Inspection results: Larry Zuver stated he completed the inspection for medical, recreation, education, kitchen, commissary, laundry, records storage, maintenance, warehouse, employee breakroom and the administration area. Mr. Zuver stated that the commissary and records storage area were recently completed and looked well organized.

Paul Arruda stated that he completed the inspection of J2, K1, K2 and L1 units. These areas were exceptionally clean. The pipes are in excellent shape. The fire extinguishers were locked with supervisor access. Mr. Arruda stated that he liked that microwaves and ice machines that were used as an incentive to behave and move lower in security. Dir. Dennis stated that in maximum security the inmates cannot purchase any item that need a microwave. The commissary also does not sell pop to maximum or medium security units, only minimum security units. This is an incentive for inmates to follow the rules, work in the units, go to programs, etc. Mr. Arruda stated that he was impressed with his areas and that staff did a good job.

The next report was for areas C, DF, DM and E units. These units are impressive. The comment was made by someone that he has been to some of the worst prisons in the state including the Lima Reformatory and when he compares the other facilities he is always amazed that CCNO is so physically well kept but also how humane the treatment seems to be of the inmates. Dir. Dennis stated that staff do a wonderful job.

Marlin Klopfenstein stated he conducted the inspection of Central Control, Booking, B, M1 and M2 units. He stated that in the booking area he did not realize how many cameras are in place for monitoring. In addition, the new walkway between the main facility and M Building seemed very practical and secure. Mr. Klopfenstein stated he also liked the change of having the females separated in M1. There are more beds available to house females and flexibility of movement in case of issues. Mr. Klopfenstein stated that he did not realize that all inmates have completed physicals when they are booked in. Dir. Dennis questioned whether the nurse in Booking explained the process to him. He replied that she did. Mr. Klopfenstein stated that he was impressed that the inmates are treated like human beings and the cleanliness of everything.

There being nothing further, the meeting was adjourned at 8:05 p.m.