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# MEMORANDUM

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Date: December 22, 2023

To: The Honorable Chair and Members  
Pima County Board of Supervisors

From: Jan Leshen   
County Administrator

Re: **Pima County Adult Detention Center Blue Ribbon Commission Initial Findings Report**

Attached please find a letter from the Chair of the Pima County Adult Detention Center Blue Ribbon Commission (BRC) with their initial findings report.

As discussed previously, the initial findings will be made available to the public for review prior to the launch of the public survey next week on December 26, 2023. The survey will run for three weeks.

The Commission's final report is due to me by January 31, 2024. Please contact Diana Durazo with my office should you have any questions at [Diana.Durazo@pima.gov](mailto:Diana.Durazo@pima.gov) or 520-724-8801.

JKL/je

Attachment

c: Carmine DeBonis, Jr., Deputy County Administrator  
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer  
Steve Holmes, Deputy County Administrator  
Diana Durazo, Senior Advisor, County Administrator's Office

## PIMA COUNTY ADULT DETENTION CENTER BLUE RIBBON COMMISSION

December 21, 2023

### PCADC Commission Members

Daniel Sharp, Chair  
India Davis  
David Ollanik  
Chris Sheafe  
Frank Hecht  
John O'Brien  
Wendy Petersen  
Grady Scott  
Roberto Villaseñor  
Paul Wilson

Jan Leshar  
County Administrator  
115 N. Church Avenue, Ste. 231  
Tucson, AZ 85701

Re: Commission's Initial Findings Report

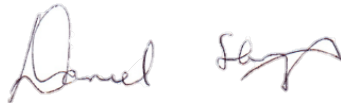
Dear Administrator Leshar:

Enclosed please find the Commission's initial findings as we had discussed in my December 13, 2023 update letter to you. As state previously, the initial findings will be made available to the public prior to the launch of the survey next week on December 26, 2023.

The report is broken up primarily by the three larger components of our task. The sections cover initial findings for the condition of the current jail facility, operations and capacity, and initial improvement options and funding.

We are still on track with the proposed timeline, with final report to you by January 31, 2024.

Best regards,

A handwritten signature in blue ink, appearing to read "Daniel Sharp", with a stylized flourish at the end.

Daniel Sharp, Chair  
PCADC Blue Ribbon Commission

c: Diana Durazo, Senior Advisor to the County Administrator

PIMA COUNTY ADULT DETENTION CENTER  
BLUE RIBBON COMMISSION

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*INITIAL FINDINGS REPORT*

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DECEMBER 21, 2023

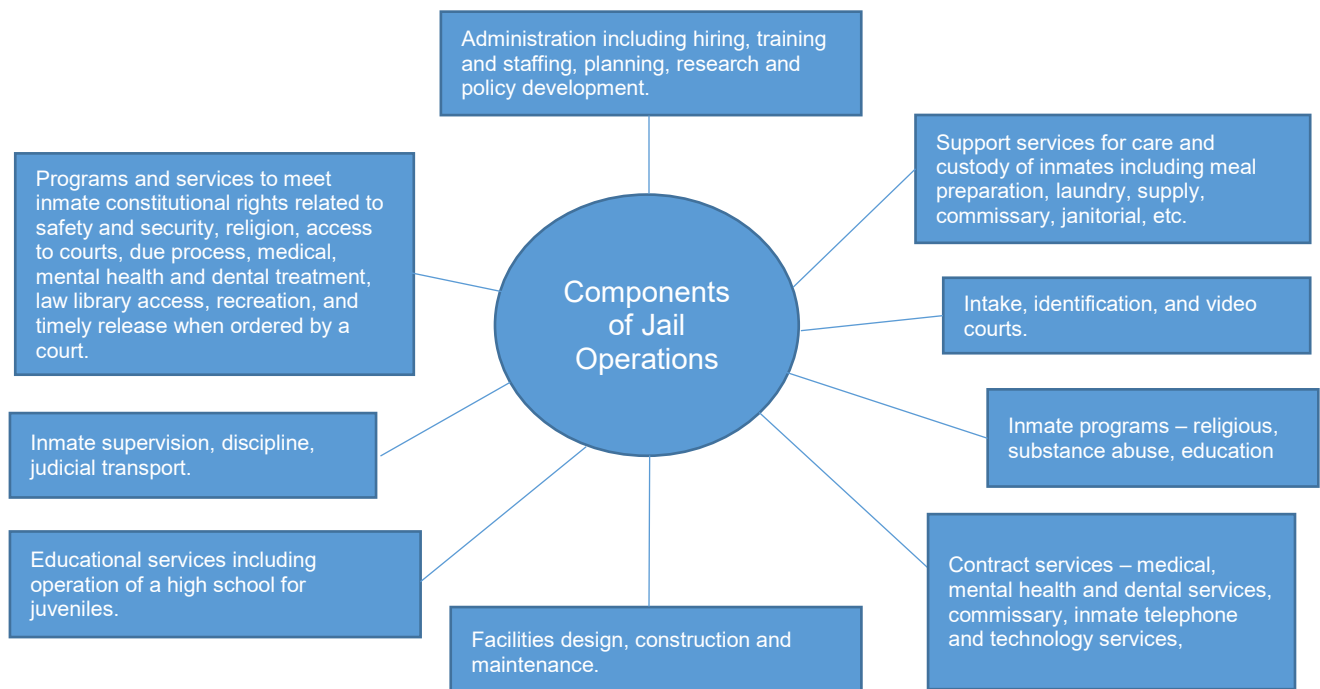
## Pima County Adult Detention Center Blue Ribbon Commission Initial Findings Information

Pima County Administrator Jan Leshner created the Pima County Adult Detention Center Blue Ribbon Commission (BRC) with the primary goal of evaluating the conditions of the Pima County Adult Detention Center (PCADC) facility, operations standards and feasible funding options if facility improvements or new construction were found to be warranted. This preliminary summary highlights our initial findings after touring the PCADC and gathering information on the facility, its operations and practices. The information presented here is intended to serve as a first step in the assessment of the jail and as a basis for recommendations to improve the jail's functionality and operations.

The Commission held a series of public meetings to gather information from County Departments involved with the PCADC, including Finance, Facilities Management, Capital and Design Construction, Justice Services and Behavioral Health. The Commission also requested information from the Pima County Sheriff's Office on the facility, inmate population, operations and statutory mandates. The Commission also received public comments from speakers during our August 2023 virtual meeting and written comments via the public comment link on the Commission's webpage. All information and presentations are posted and available through the webpage.

### Pima County Adult Detention Center (PCADC) Facility

By State law, the Sheriff is required to operate the county jail. The Sheriff is required to take custody of all individuals remanded to the jail through legal arrest and those who remain in custody based on judicial order, and have no say in who they take or do not take. The Sheriff and Corrections personnel are mandated by Federal and State requirements to provide for those incarcerated.



The PCADC today is a 385,000 sq.ft. maximum and medium security facility located west of Downtown Tucson close to courts and services with a total bed-capacity of 2,030. With its original design dating back to the 1970s, voters approved a bond initiative in 1979 to satisfy a Federal consent decree ordering Pima County to construct a new jail to address living conditions and overcrowding. The complex is made up of the:

- Main Tower - approved in 1979 to satisfy Federal consent decree and completed five years later. The single bunked cells had to be double bunked in the ensuing years to meet increasing bed space needs – increased from 486 to 910 beds.
- West Unit – in 1988 the first expansion to the Tower was constructed with capacity for 594 beds.
- East Unit – bonds approved in 1997 and completed in 2004 for a second expansion to keep up with demands placed on the jail facility, adding capacity for 526 beds.

Today, the aging facility and changing needs and requirements for those incarcerated and staff have pushed the facility to its operational and design capacity in critical areas.

## PCADC Facility Infrastructure Conditions

Through our deliberative process, several critical areas of concern were found. The Commission considered the jail's aging physical infrastructure, including conditions of housing units, utility infrastructure, and safety measures. Initial observations reveal several areas of concern, such as overcrowding in certain sections, lack of critical space for medical, mental health and detoxification services, staffing levels and pervasive signs of deteriorating sanitation and water line infrastructure, common areas and lack of space for support services. Addressing these issues is crucial to ensure the well-being of inmates and staff. Below are some key findings.

Major drivers of jail infrastructure needs and spending are the age and condition of the jail, housing needs of the inmate population and the types and levels of services provided to inmates. The PCADC is responsible for the safety, security and care of a growing inmate population, currently 1,700+. Jail operations rely on a wide range of infrastructure, such as housing units of varying design (individual cell, mini dormitories and dormitory), intake/booking, visitation, programming spaces, industrial kitchen, laundry, supply warehouse, inmate property storage, and mechanical, electrical and plumbing systems such as boilers, water and waste water systems, HVAC systems including chillers, evaporative coolers, fire and ventilation systems, elevators, security systems infrastructure and electronics, door and camera controls, etc. . Infrastructure failures or compromises can pose significant health and safety risks to inmates and staff. Infrastructure failures also impact operations and delivery of services to inmates, such as health care, meal service, visitation and dayroom/yard time.

The Commission observed many examples of maintenance and repair issues, leaks, cracked walls, peeling wall facades, floor settling, and unusable space as currently configured. We also saw photos and videos of water leaks and flooding in the facility. In some cases, these issues create circumstances where closing housing units and exercise yards is necessary. Examples provided here are to describe some of the infrastructure deficiencies and constraints that in many cases cannot be helped due to the age and original construction of the facility. For example, unlike in modern designs, plumbing chases were not originally designed or located for easy access in our jail facility. Sometimes contractors or County Facilities Management staff have to break through walls to find access points in the plumbing and water lines. Many are not accessible at all.

Nearing 40 years of age, the cast iron pipes have deteriorated and rusted causing ongoing costs for leaks and breaks. Additionally, inmate misuse and vandalism of plumbing systems have damaged vertical and horizontal plumbing structures. Misuse and vandalism includes flushing of bedding, sheets, books, food, clothing, and eating utensils down toilets. Due to its outdated design, some waste lines require full disassembly to access foreign objects. This sometimes requires lockdown of whole housing units. Attempts to remove waste line obstructions have resulted in further damage to the waste line, necessitating full replacement of the piping. Plumbing fixtures need replacement with new ligature resistant plumbing fixtures. The elevators in the Tower and West Unit are difficult to maintain because of the age of the equipment.

#### PCADC Facility Housing and Service Areas Conditions

Over the past 40 years, facility additions, modifications, expansions and repurposing of spaces have been needed to meet growing demands. These past efforts, however, did not address the aging infrastructure systems noted above. Additionally, the additions and modifications to the existing dated design, did not allow for efficient incorporation of modern designs that help address the changing demographics of inmates, medical care and changing programming needs. Commissioners observed the critical need for space and additional beds in the detox, medical and mental health units, including the need for programming space for inmates and support services.

#### **Tower Housing Units**

The original 1970's era design for the Tower supported a podular indirect surveillance model of inmate management. These types of jails typically include podular housing units with individual cells surrounding an open dayroom space observed by Corrections officers staffed in remote control rooms. However, the facility has been operated utilizing a direct supervision method of inmate management since shortly after its opening. This involves locating Corrections officers inside the individual housing units where they spend their time interacting with and managing the inmates. The Corrections officer's job is to know about and be in control of activity, not just observing it.

Ideally, the management philosophy of the facility is supported by the physical design. This was not fully achieved in the Tower. The control booths on each floor are not used and are obsolete. They represent unused space and are visual barriers detrimental to security. This is one of many examples where necessary changes in use of space, programming and capacity over time has created inefficiencies and constraints for the facility and operations that impact inmates and Corrections staff today.

#### **Medical Unit**

The number of higher custody patients is increasing, with different levels of housing restrictions required. There is a high number of medical transports to hospitals since the medical unit is primarily for observation and more often than not is filled beyond capacity. This population is also aging and requiring more health care services due to chronic disease, emerging infections, and substance abuse. Consequently, newer jails are moving away from centrally located medical clinics and instead are incorporating decentralized care delivery closer to housing units to better serve inmates and decrease patient movement around the facility. The current facility has too many barriers to bring various patients to the central medical and dental clinic, which limits the ability for nurses, medical and dental providers from maximizing their time for inmate

care. Additionally, as designed today, the facility has long distances between housing units and the medical unit, as well as others.

Between the months of January through November 2023, medical staff saw on average 1,032 individuals monthly for chronic medical conditions.

### **Mental Health Unit**

Today, jail facilities support more and more inmates suffering from undiagnosed or untreated mental illness. The Pima County Adult Detention Center is no exception, the mental health unit is at capacity and a large portion of the inmate population is supported with psychotropic medications. The Sheriff has stated numerous times that people with mental health issues should not be remanded to jail, especially those with acute mental illness, and instead should be cared for in mental health clinic settings. However, the reality is that these individuals continue to be remanded to jail.

The current facilities were not built in a manner conducive to housing inmates with acute mental illness. The Commission reached out to the jail's mental health care providers, and they offered that open housing options with rooms for "quiet" space that can also be used for short term housing for patients with acute mental illness or exhibiting extreme behavior are recommended. Providers also say more step-down open housing units, which allow for phasing of less-restrictive options, are needed for long term housing of serious mental illness (SMI) patients who become less acute with full understanding that these patients will likely never be stable enough to house in general population. The current facility does not have space for more exam rooms, private contacts, and therapy space.

In CY 2023, the medical provider at PCADC has averaged 393 mental health evaluations monthly, and an average of 631 individuals are on mental health medications.

### **Detoxification Facilities**

For all intakes, there is an automatic detoxification ("detox") hold of five days for observation. Patients in detox protocol need constant observation so problems can be identified before a crisis ensues. Housing facilities with glass fronts are needed to improve observation of inmates for safety reasons.

As part of protocol, all detox inmates need to be put on the first floor to avoid stairs and only lower bunks used until the inmate is stable. Due to the outdated design layout, this limits the use of all beds in detox. Care providers in the detox unit observe that the percentage of patients undergoing withdrawal is much higher than 5-10 years ago because of the fentanyl crisis. The withdrawal period is also longer. Longer withdrawal periods and the fact that only lower level beds can be used for inmate safety, is causing serious overcapacity issues.

In two years, the facility went from an average of 30 inmates in detox to an average of 60 and at times peaking at 100. While still trying to make the best use of current conditions and configuration, inmates must still sleep on boats (floor cots) when there is overcapacity. For obvious reasons, detox facilities are ideally located adjacent to the medical observation unit. However, ours is not.

Between January through December 20, 2023, there have been approximately 9,654 unique individuals put on detox protocols, an average of 805 monthly (for either opiates, alcohol, benzodiazepines, or some combination). It is estimated that PCADC will complete the year

closer to 10,000 individuals. On average, of those medically screened at booking, 61% are put on detox protocols.

### **Indoor/outdoor Areas**

Jail facilities are required to provide a minimum amount of outdoor exercise time to inmates. The facility offers various degrees of accessibility due to its original design. The Tower doesn't include facilities to meet this requirement efficiently.

In the Tower, exercise yards are not attached to the housing units and are instead located outdoors on the ground floor. This means inmates in the Tower, numbering about 800, must be moved from their housing units down to the ground level using only four elevators to reach the yards. Many times one or more of the elevators is out of service. This is highly inefficient, time consuming, and requires additional staff to safely supervise these activities. Required segregation of certain status inmates and other classifications must still be met. Additionally, dayroom spaces in the Tower housing units, which are shared common areas for inmates, were sized to support the original design capacity of 36 inmates per housing unit. Today, units are housing 70 on average and operations are limited to half dayroom periods where only half of the inmates are allowed out of their cells at any given time because the units had to be double bunked and their capacity doubled.

Unlike the Tower, construction of the West and East Units in later years incorporated outdoor exercise yards within the housing units, which was a more efficient solution and one that affords inmates more opportunities to go outdoors.

### **Specialty Populations**

The Commission also asked about trends regarding special housing needs. With an aging jail population, additional care for older, increasingly disabled, and chronically ill populations is needed. This would basically be described as a skilled nursing level type housing unit.

Examples of needs include fitting housing units with electrical outlets to support CPAP machines, more open space for people in wheelchairs and crutches, and more space for those on oxygen. Due to the age of the facility, not all areas are Americans with Disabilities Act ("ADA") compatible. Single-celled areas are no longer useful in this type of setting where it is more difficult for nurses to attend care needs.

Aside from this population, juveniles in the facility also pose issues. The current location of the juvenile housing unit causes logistical problems. Juveniles require sight and sound separation from adult inmates. Ideally, they would be housed in an area where they can be moved through the facility while avoiding lockdowns and disruptions to other inmates when moving them, such as occurs today.

If the County leaves infrastructure issues unaddressed that present habitability concerns for inmates or impact operations, the risk of infrastructure-related emergencies and possible litigation against the County for conditions resulting from its poor infrastructure can increase.

## **Operations and Jail Capacity**

Several factors can impact operations in a jail. According to the National Institute of Corrections (NIC), the effectiveness of jail operations is impacted by different issues including inadequate



staffing levels, physical environment, budget constraints, and inadequate level of services and programs. A driving factor that directly impacts these is the capacity supported by the jail and overcrowding.

There has been much discussion on jail capacity and jail population. A jail's capacity impacts operations when consistently operating at or over capacity can result in overcrowded conditions that can lead to tensions among inmates, difficulty in ensuring the safety and security of inmates and staff, limited resources to provide adequate services, Corrections staff experiencing higher levels of stress and burnout, limited space for programs aimed at reducing recidivism and substance abuse, legal and prisoner rights challenges and significant budget constraints.

Jail populations are very complex to forecast because they are affected by many different external factors beyond the control of the Sheriff's Department. The Sheriff is mandated to provide for individuals brought into custody with no say in who or how many. The severity of an individual's charges and other factors impact lengths of stay and bed usage.

### **Data Analysis**

Pima County population growth will have some relational effect on future increases of inmate populations but is not a singularly good indicator for predicting jail population trends and is therefore not used in our analysis.

The Sheriff provided the Commission annual average daily population data for the years 2000 to 2022 from which to forecast future bed needs. The limitation of this data is that it does not identify peak daily population periods from which to extrapolate the number of beds needed to support peak inmate population. The National Institute for Corrections (NIC) recommends averaging the three peak daily populations from each month to make projections. The Commissioners analysis does not result in an estimate of the number of beds needed during peak periods of activity, so the results should be considered conservative.

For purposes of this report, jail "Design Capacity" is defined as the maximum number of beds available in a facility. "Operational Capacity" is 85% of the Design Capacity. Usually when inmate populations exceed Operational Capacity, overcrowding and improper segregation is the result. This is the percentage applied to the Commission's analysis to project proper capacity for the number of inmates projected in future years.

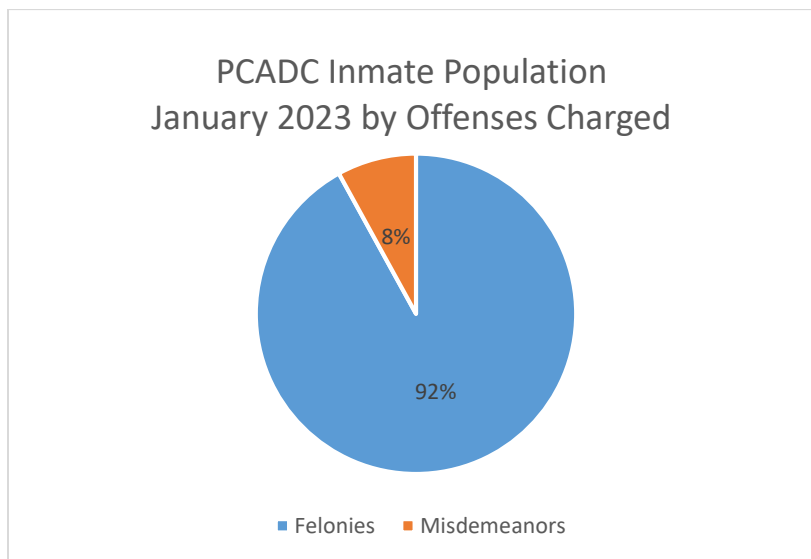
### **Historic Inmate Populations**

Historical populations (based on the calendar year) were provided by PCSD from 2000 forward to include part of 2023. The data was analyzed and used to forecast inmate populations from 2024 through 2044.

The Sheriff's Department reported that in years past, the make-up of the jail population was approximately 40% of inmates charged or sentenced for misdemeanors and 60% of inmates charged with felonies. Those numbers have changed significantly at least in part because of efforts by Pima County to depopulate the jail with funding from the McArthur Foundation.

Commonly, jail population reduction efforts focus on a high volume of individuals charged with low-level misdemeanor crimes, as was the case in Pima County. However, those with low-level charges almost always do not consume many jail beds because of their short length of stay. Inmates charged with more serious crimes consume more jail beds. Their cases often involve higher bonds and more lengthy case processing times which increases the length of stay.

Below is a snapshot of January 2023 illustrating that the current inmate population is mostly inmates charged with felonies. This shift can explain why the average daily population is increasing while daily bookings and releases are approximately equal. The Commission believes that further analysis of this dynamic may help to illuminate areas where additional population reduction efforts can be focused if data is available. (More recently, on December 6, 2023, of individuals with pending charges, 94% were held on leading felony charges.)



The Commission Operations Working Group was provided annual average daily population data for the years 2000 to 2023 from which to forecast future bed needs. The table below shows these numbers broken out by male, female and juvenile populations, along with yearly percent changes.

PCADC AVERAGE POPULATIONS 2000-2022								
Year	Males	% Change	Females	% Change	Juveniles	% Change	Total Population	% Change
2000	1132		168		30		1330	
2001	1260	11.31%	192	14.29%	29	-3.33%	1481	
2002	1250	-0.79%	185	-3.65%	27	-6.90%	1462	
2003	1316	5.28%	199	7.57%	26	-3.70%	1541	
2004	1501	14.06%	215	8.04%	32	23.08%	1748	
2005	1599	6.53%	245	13.95%	30	-6.25%	1874	
2006	1607	0.50%	251	2.45%	35	16.67%	1893	
2007	1609	0.12%	282	12.35%	32	-8.57%	1923	
2008	1652	2.67%	269	-4.61%	36	12.50%	1957	
2009	1573	-4.78%	246	-8.55%	43	19.44%	1862	
2010	1400	-11.00%	209	-15.04%	27	-37.21%	1636	
2011	1418	1.29%	243	16.27%	26	-3.70%	1687	
2012	1600	12.83%	309	27.16%	22	-15.38%	1931	
2013	1710	6.88%	310	0.32%	17	-22.73%	2037	
2014	1652	-3.39%	336	8.39%	18	5.88%	2006	
2015	1547	-6.36%	275	-18.15%	15	-16.67%	1837	
2016	1561	0.90%	299	8.73%	14	-6.67%	1874	
2017	1565	0.26%	289	-3.34%	18	28.57%	1872	
2018	1587	1.41%	243	-15.92%	18	0.00%	1848	
2019	1548	-2.46%	296	21.81%	25	38.89%	1869	41%
2020	1337	-13.63%	200	-32.43%	33	32.00%	1570	
2021	1383	3.44%	190	-5.00%	30	-9.09%	1603	
2022	1515	9.54%	236	24.21%	21	-30.00%	1772	
2023	1576	4.03%	213	-9.75%	23	9.52%	1812	
Avg increase		1.76%		3.60%		0.70%		
Covid	High	Low	McArthur					

Unlike prisons, jails have a very transient population, constantly booking and releasing individuals throughout the day. Many of the individuals booked will be released within 24 to 72 hours and those held by the courts will remain in custody until the condition of release set by the court has been satisfied. More recently from January 1, 2022 through November 30, 2023, 55% of those booked into the PCADC were released within 48 hours.

Currently, the PCADC books about 19,000 individuals into custody per year, an average of 52 inmates per day. PCADC bookings have risen between 8% to 20% on average year to year since 2000. Daily populations can fluctuate as much as 100 inmates over the course of a day.

In addition to calculating needs based on actual numbers of inmates and bookings, jails must account for the percentage of bed space that is unusable at any given time due to inmate segregation and classification requirements (Operational Capacity limitations). Additional bed space will be needed to provide the flexibility needed to properly segregate these populations by gender, risk level, mental health, physical health, and disciplinary issues. The Commission has forecasted future inmate population and increased that number by 15% to determine the future Design Capacity requirement to state the number of beds needed in the future.

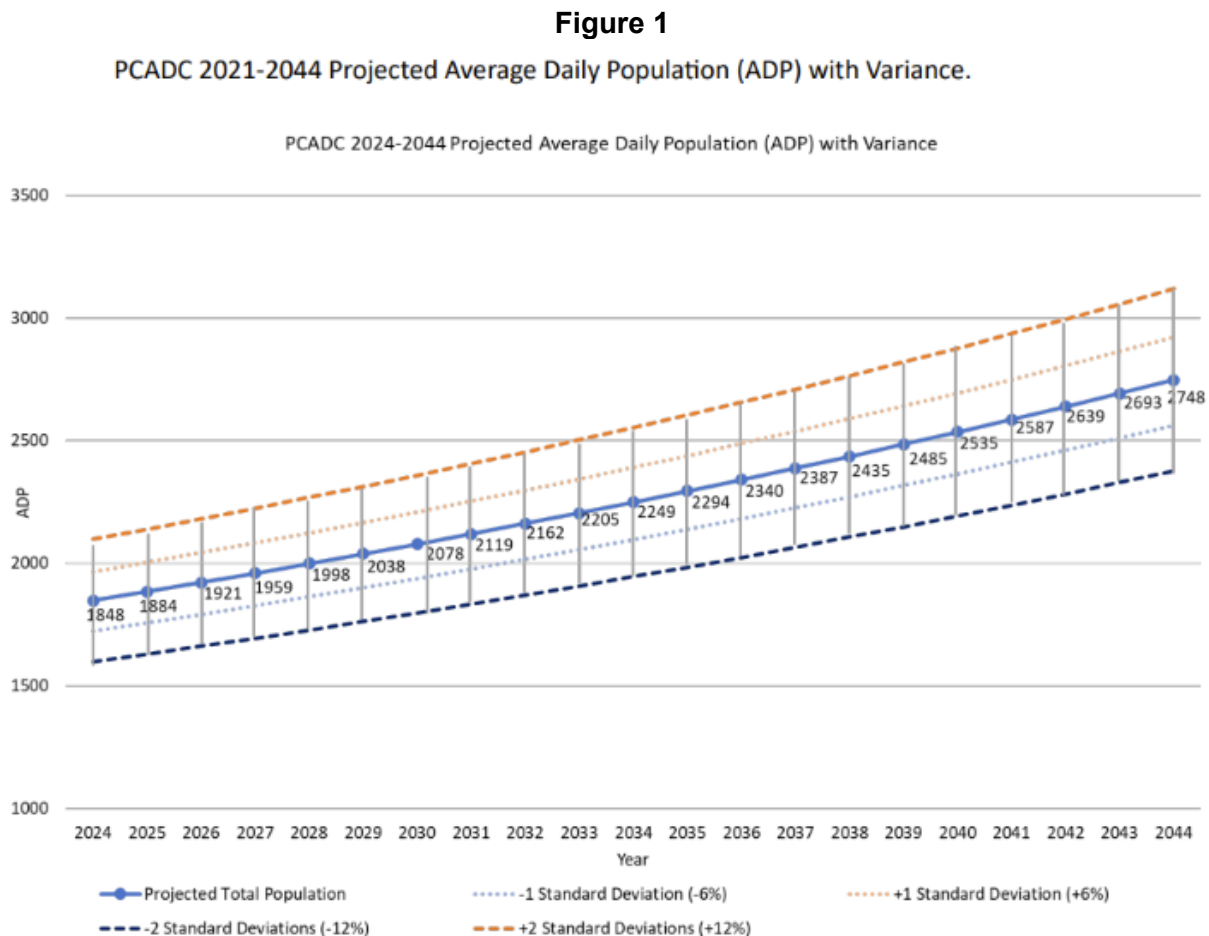
### **Inmate Population Forecast**

Over the 19-year period from 2000 through 2019 shown above, the overall PCADC inmate population increased by approximately 41%. The average change increase over that 19-year period was 1.76% for male populations, 3.6% for females and .7% for juveniles. Juvenile populations do not follow a specific definable pattern or trend and are usually hard to predict.

As stated previously, it is usually best to plan and design future spaces based on the highest or peak populations. However, the Commission has chosen to take a more conservative approach opting to instead recognize the capacity required to meet the average daily populations.

The Commission did a 20-year projection for the years 2024 through 2044. The projection of populations for these years were based on the Time-Series Model and historic PCADC jail population trends. The Commission used the average change of 1.76% per year for males, .7% for juveniles and 3.6% for females for the years 2000 to 2019. For these projections, data from the years 2020, 2021 and 2022 were excluded. The pandemic and emergency policies in place during the pandemic skew the data in ways that make them poor predictors for future projections. Year 2023 was also excluded based on timing (first 3 months provided). Long-term population projections are more accurately predicted with a full year of data.

As shown in Figure 1, it is estimated that by the year 2044, the PCADC could have a population of approximately 2,748 inmates.



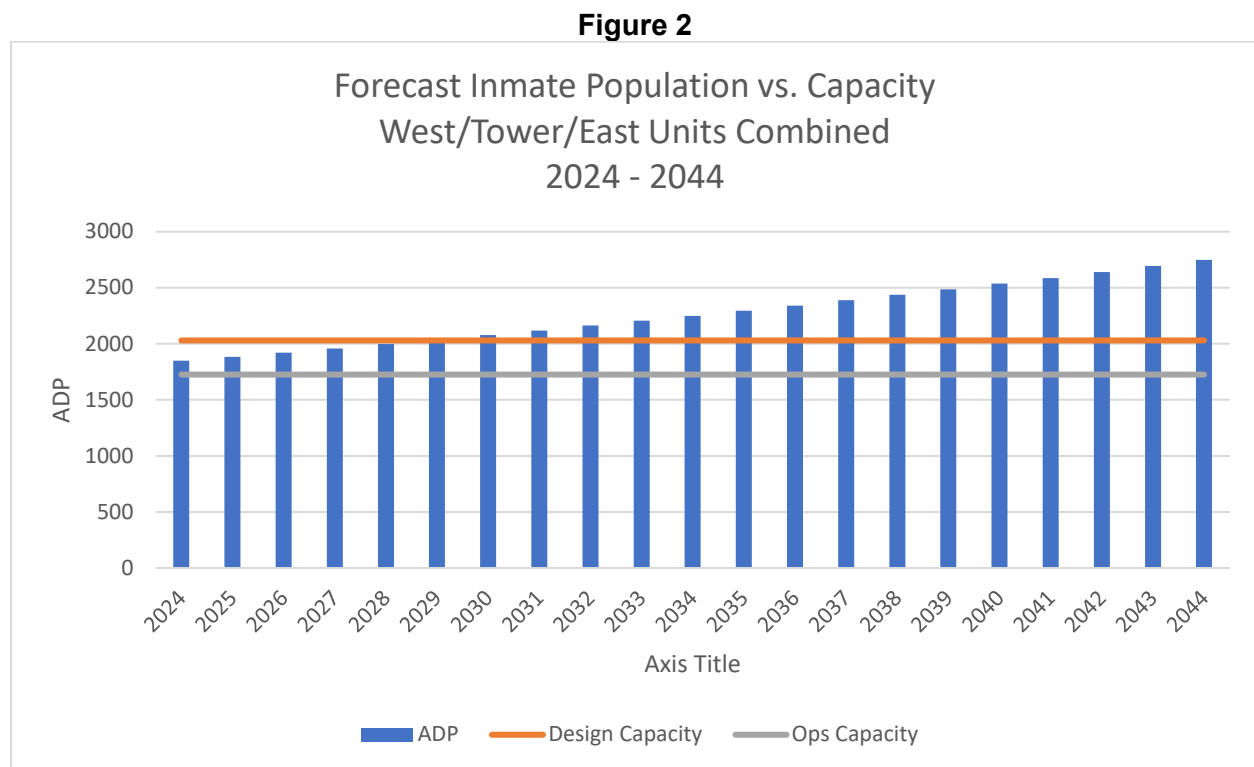
Based on these projections, the PCADC complex would need an additional 1,132 beds to provide the Design Capacity to meet the projected growing needs of the population over the next 20 years.

*Note: If the growth assumption for the next 19 years would have been based merely on the growth of 41% seen over the period between the years 2000 and 2019, the PCADC population could be approximately 2,635. If the Commission would have utilized the highest population reached by PCADC in 2013 of 2,037 inmates, the estimated*

population over the next 19 years could have been as high as approximately 2,872 inmates by the year 2032, which would instead require an additional 1,349 beds to be available, which is 6.8% more than the forecast recommended above.

If no action is taken, the Commission predicts that the jail population will exceed the current Design Capacity (2030 beds) by 2029.

Figure 2 below shows the forecasted jail population from 2024 to 2044 with a line showing the PCADC's current Design and Operating Capacities.



The PCADC has a total of 2,030 beds. With an average daily population of 1,810 for the early part of 2023, they were already operating at 89% of Design Capacity. At this capacity, the PCADC already has overflow in many areas where populations exceed the bed space available impacting operations.

Based on growth projections, the PCADC will be at or over 100% current Design Capacity by the year 2029, with a projection of about 2,038 and only 2,030 beds today. Since segregation and classification prevents the use of all beds, many units would be significantly overcrowded, creating safety issues for inmates and staff.

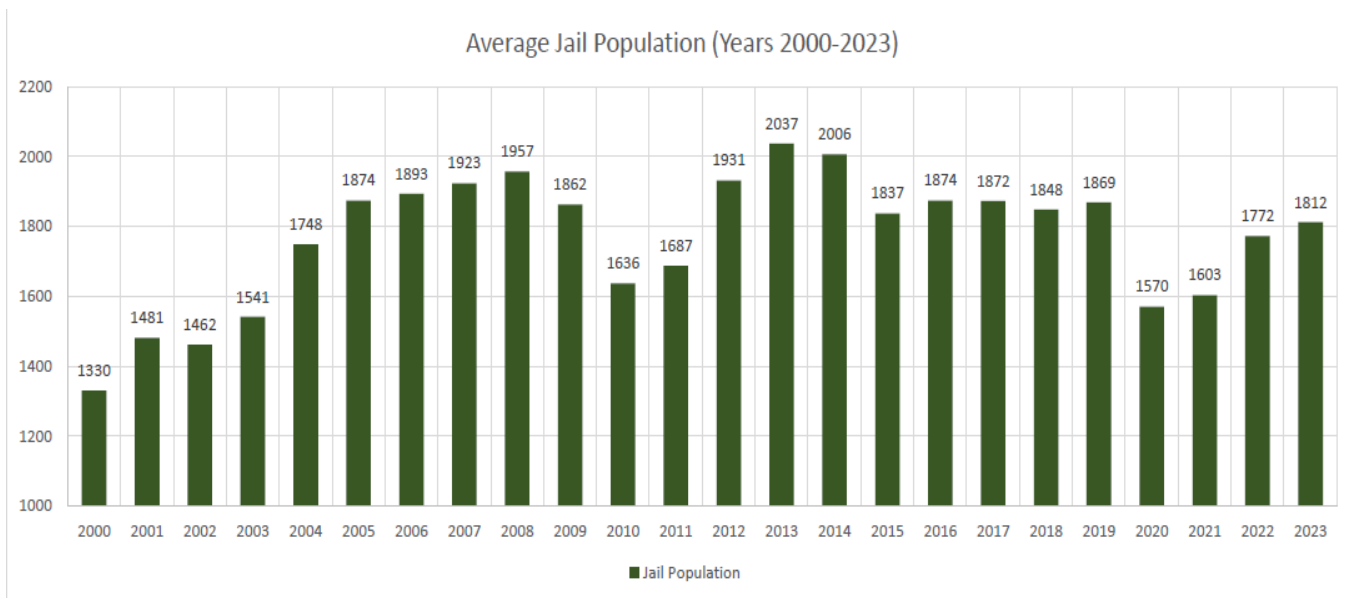
### **Data Limitations**

As with all similar projections, there are limitations with the data analysis. There is no one right way of calculating jail population growth since the projection model depends on the specific context and data availability. The Commission recognizes that a systems approach analysis that would also include all key factors of the criminal justice system would be ideal for predicting future jail population growth, but the reality is that not all necessary data is readily available, collected or tracked consistently.

The Time Series Projection Model used by the Operations Working Group noted the limitations associated with it. One of these limitations is the assumption of linear growth. The projection here assumes linear growth over the next 20 years, which oversimplifies the dynamics involved, which may lead to over or under projecting. Another limitation of the projection model is the lack of incorporation of changing external factors that influence jail populations, such as criminal justice policies, law enforcement strategies, or other similar conditions. While the NIC references these limitations, it also recognizes that jurisdictions and agencies may not have all data available to them.

The Commission reached out to the Pima County Justice Services and Analytics and Data Governance Departments (PCJS) to review the forecast produced by the Operations Working Group. PCJS reviewed the forecast the Working Group described above and agreed that the analysis was based on best practices set forth by the National Institute of Corrections and conducted in line with the limitations stated in this report. Justice Services staff also recognized that the forecast projects a linear increase in the jail population because of the lack of historical data available around booking rates, average length of stay, and other external factors that may influence the jail population (e.g., court case processing times, alternative sentencing data).

Justice Services staff did indicate that the jail population will likely not continuously increase as shown in this report and will instead fluctuate over time as it has in the past. To complement the jail forecast developed by the Commission, Justice Services staff performed an additional analysis using the same data from 2000-2019 and also excluded the mandatory jail population reductions made during the COVID-19 pandemic and 2023 due to it only reflecting first 3 months.

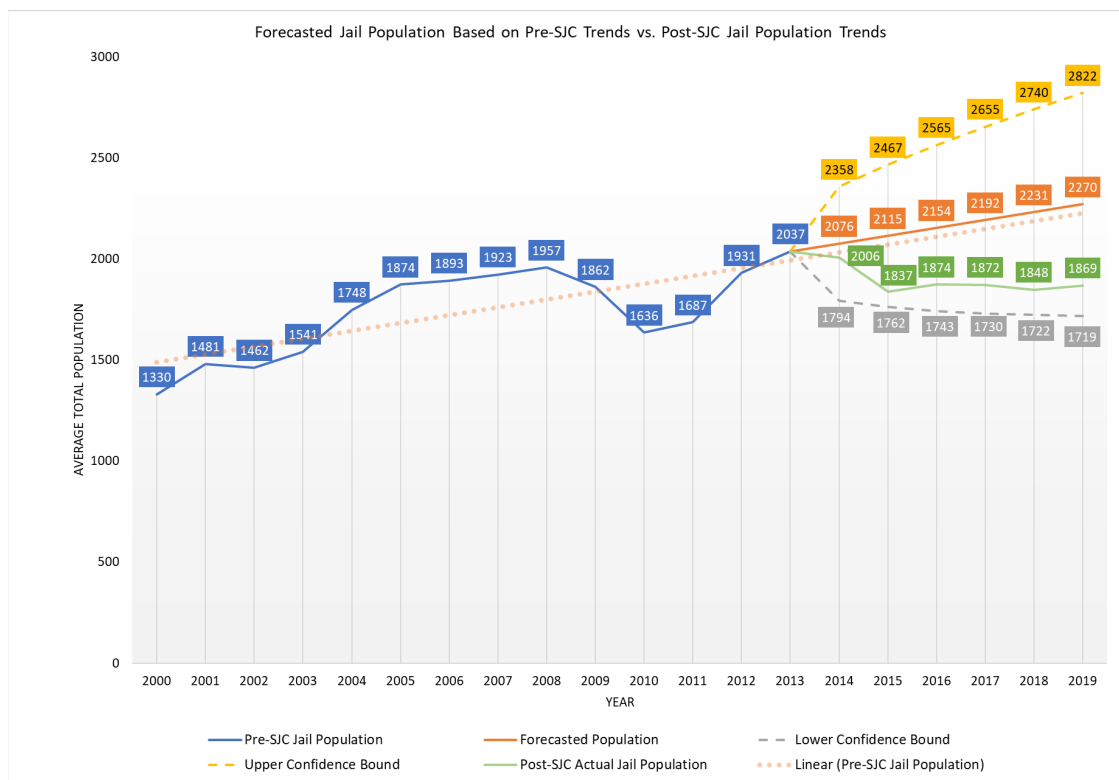


The analysis, which included an indicator for the Safety and Justice Challenge (SJC), also known as the MacArthur grant, calculated the average percent change in the jail population for males and females (excluded juveniles) before the SJC began and when it was implemented:

Average Yearly Jail Population Growth		
	Pre-McArthur (2000-2013)	McArthur (2014-2019)
Male	3.45%	-1.61%
Female	5.43%	0.25%
Total Population	3.58%	-1.36%

Justice Services staff concluded that while there is no statistical significance between the average percent changes before and during the SJC, the strategies implemented managed to reduce and keep the total population from increasing between 2014 and 2019.

An additional analysis was conducted to compare what the jail population growth could have been if the SJC strategies were not implemented with the actual results of the strategies. This can be seen in the figure below:



Justice Services staff explained that the dotted orange line represents the pattern of growth they calculated based on the pre-SJC jail population. The yellow dashed line represents the highest limit the population could have reached without SJC implementation, based on the calculated pattern of growth, while the grey dashed line represents the lowest limit the population could have reached without SJC implementation. The green line represents the actual jail population during the SJC.

This clearly demonstrates the difficulty in projecting jail population growth. The Commission's projection falls between the highest and lowest parameters measured by Justice Services staff above.

### **Additional Observations**

The Commission recognizes that jail crowding is also driven by the larger criminal justice system. Jail population numbers are impacted by many external causal factors, such as cite and release policies, pretrial bond review procedures, court processing times, diversion and deferred sentence options. The NIC suggests a systems approach in jail capacity planning and that future jail population projections are ideally based on the capacity needs as determined after an assessment of the jail and local justice system process as a whole.

While it is not the Commission's scope to review all possible causal factors and recommend changes in these areas or how to measure them, the Commission strongly supports a more comprehensive discussion that involves the larger justice system and its stakeholders in a subsequent phase as the County continues to evaluate the PCADC and its needs.

## Initial Improvement Options and Funding

### Initial Improvement Options

The Facilities Working Group was asked to explore options for remediating the conditions of the jail facilities and meeting future capacity needs through renovation, new construction, or a combination of both. The Operations Working Group provided analysis identifying a projected future need of an additional 1,132 beds to meet needs for the next 20 years and possibly beyond. The Commission's position is to right size the facility to meet future need as the County continues to support jail population reduction initiatives and deflection programs.

The Facilities Working Group identified and assessed possible improvement options that would address the projected needs of the facility and operations. Each was assessed through the lens of information provided in this report. The Commission developed the following criteria for considering options:

- Must meet the needs of the community for a minimum of 20 years.
- Must address the critical needs observed for inmates, staff and the facility.
- Any renovation or rehabilitation must extend the life of the buildings for a minimum of 20 years.
- Must minimize disruptions to facility operations, facility access, safety and security.
- Must provide a solution for temporary relocation of inmate populations displaced by construction activities.
- Must be able to phase construction in a manner that minimizes operational impact, but also permits concurrent activities to renovate and construct new facilities to shorten construction duration and minimize cost.

Of the various improvement options considered, two were found to be feasible and meeting more of the criteria listed above. The following figures briefly summarize the scope, risks and conclusions of the two options being considered:



## Option C: Rehabilitate/renovate main campus facilities and construct new housing unit for additional capacity

### Scope

- Construct new 1132 bed housing unit
- Temporarily reopen Mission Facility
  - Security improvements
  - Renovation
  - Furniture, fixtures & equipment
- Rehabilitate Tower & West Units
- Add attached yards to Tower
- Add decentralized medical unit to West Unit
- Renovation of East Unit and support and staff support areas
- New parking structure
- Relocation of Sheriff's Training Center or incorporation into new construction

### Risks

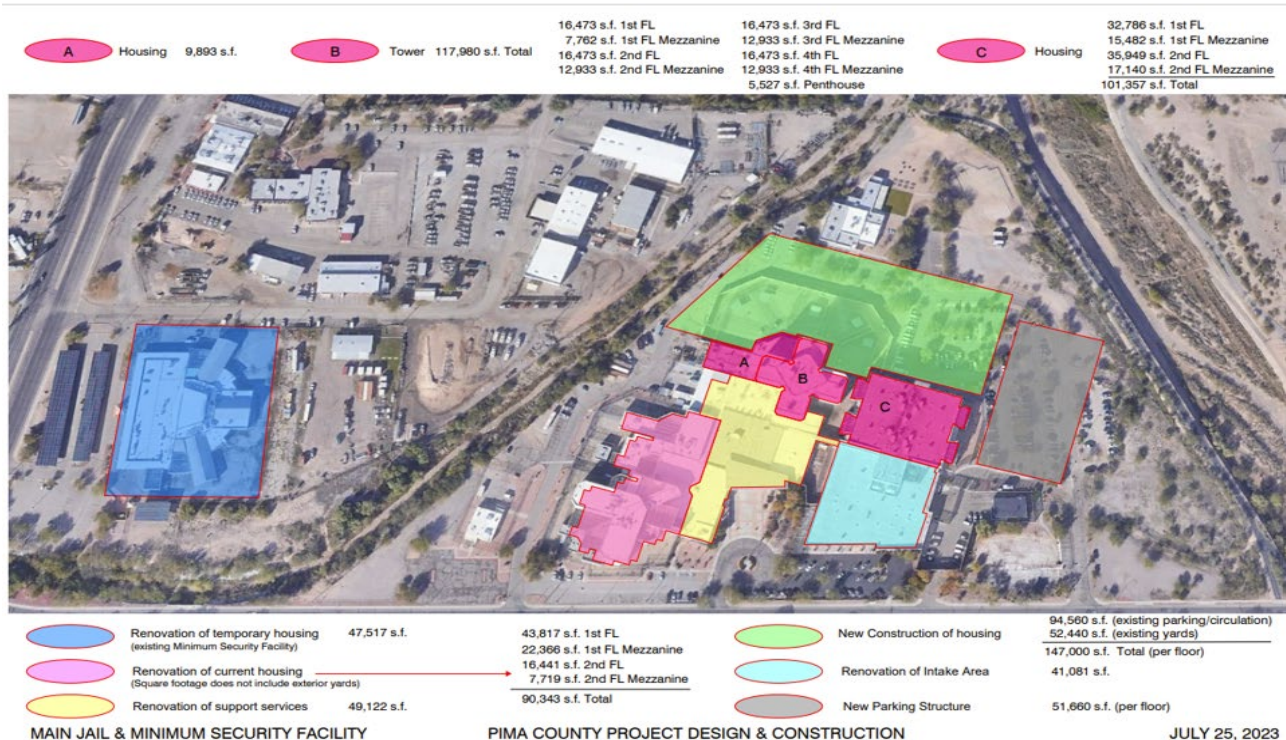
- Better options for concurrent construction phases but, will cause major operational disruption.
- Site limitations
  - May present archeological issues to remediate.
  - May have to relocate sewer and water lines.
  - May have to cap landfill to construct parking structure.
- Displaced pre-trial inmates will be housed in the Mission Facility. Access to medical and mental health treatment, professional visitation, and transportation services will have to be provided. Food and laundry services will have to be provided remotely.

### Conclusions

- 20-year needs can be met but, it will result in maximum use of the property. No future expansion will be possible.

**FEASIBLE**

Under Option C, a rehabilitation/renovation option is expected to include repair or replacement of all the building's basic systems and elements of construction, including replacement of security furnishings, plumbing fixtures and cast iron pipes, and other improvements to restore the building to meet needs and extend its useful life for a minimum of another 20 years. Construction in an operating jail, is very difficult and disruptive. Consequently, this will require the temporary relocation of inmates to facilitate construction activities. The following graphic shows possible areas of improvement or new construction.



This hybrid scenario of rehabilitation of areas in the current facility and new construction for additional bed space and rehabbing of areas can only work if the Mission Facility (highlighted in dark blue above) is available to temporarily house displaced inmates as the phased construction activities are occurring. Additionally, if costs to operate a separate holding facility that will need additional Corrections personnel and transport, as well as additional medical care staff on site become cost-prohibitive, this option becomes less feasible. This option will obviously need to be phased, adding time and cost, as housing options for displaced inmates is very limited and disruptions to operations must be minimized.

Option D: New Construction		
Scope	Risks	Conclusions
<ul style="list-style-type: none"> <li>Construct a new 3162 bed corrections facilities campus on neighboring County owned property to take advantage of its proximity to Courts and support services and ease of access for law enforcement.</li> <li>Master plan future expansion of the campus to assure its ability to meet long range custody needs of the County.</li> <li>Possible reuse of the Mission Facility to support wrap around services appropriately co-located with the correctional facilities.</li> <li>Relocation of Pima County DOT offices, sign shop and warehouses and lay down yards that currently occupy the construction site.</li> <li>Reuse/demolition of existing facilities.</li> </ul>	<ul style="list-style-type: none"> <li>Locating suitable properties for relocation of Pima County DOT offices, sign shop, warehouses and lay down yards.</li> <li>Site limitations <ul style="list-style-type: none"> <li>May present archeological issues to remediate.</li> </ul> </li> <li><a href="#">NIMBY'ism</a></li> <li>Constructing within the viewshed of the Registered National Historic Site on Tumamoc Hill.</li> </ul>	<ul style="list-style-type: none"> <li>Presents the least operationally disruptive solution.</li> <li>Opportunity to construct corrections facilities to current standards and design efficiencies.</li> <li>Best option for long-term benefit of capital investment.</li> </ul> <p><b>FEASIBLE</b></p>

With new construction, there could be potential operational cost savings and programmatic benefits that could be achieved through design and master planning of new facilities rather than simply repairing or rehabilitating within the existing constraints of the current layout. Design features, such as clear lines of sight and visibility in housing and all observation units, more suicide prevention fixtures and accessible recreation yards, can effectively reduce the amount of Corrections staffing needed to operate the jail. Additionally, building systems and infrastructure would be designed appropriately to modern standards that could also create substantial ongoing operational maintenance cost savings. Rebuilding presents an opportunity to better align jail design with current correctional policies - such as management through direct supervision - than when the facility was originally built.

In determining whether to repair or rebuild facilities, the County should consider whether ongoing operation and maintenance savings that could be achieved by designing and consolidating facilities would justify the higher cost of building new as opposed to just repairing the existing facility. County should seek a maximum return on investment with long term benefits to the community.

### **Funding Options**

The Commission has relied on the County Administrator's Office and the Finance Department & Risk Management to provide an analysis of available revenue sources and their potential to provide needed revenue to support new jail construction and/or expansion and renovation options, as well as related services and programming.

Any funding options are dependent on the projected estimated costs of the possible PCADC improvement options being considered by the Commission. The higher the estimated cost, the less options are available.

### Initial Project Cost Analysis

Cost estimating for projects at early stages, meaning there are no preliminary designs to use for area construction calculations and material/building systems analysis, is challenging and must rely on benchmarking with comparative projects to provide a basis to apply to the project. Typically, this is done with a cost per square foot and an estimated square foot size of the proposed facility to establish a baseline cost that can be adjusted to fit the project.

For correctional facilities, a cost per bed is often used to simplify the calculation with limited initial information about the project. Multiple project specific factors must be evaluated in relation to the representative project's cost per square foot or per bed to make them applicable. These can include construction cost escalation, location cost adjustments, specific challenges of the site location and overall size, type of corrections facility and services provided, operational challenges during a renovation and expansion, type of housing being provided and others.

Data from nine correctional facilities was used to determine both a cost per square foot and cost per bed for this analysis. These facilities and their information were provided by general contractors, design consultants and government agencies. The nine facilities reviewed were a mix of county jails and state prisons that were completed between 2010 and 2019. The facilities reflect a bed capacity range of 352 beds to 2,376.

The data was reviewed and construction costs adjusted to align with 2023 construction costs in the southern Arizona market. Cost per bed and costs per square foot were averaged to provide a range of cost that can be applied to the two feasible improvement options noted above. It is important to note that the costs derived are based on construction cost and not total project cost. Total project cost includes "soft costs" and other costs necessary to complete the project such as building permits, architect and engineering fees, testing and inspection fees, utility improvements, project management, contingency costs, equipment and others. The County will want to do this level of review as it considers any improvements to the PCADC.

The estimated projected costs for improvement Option C – onsite expansion and renovation - is \$490 million, and for Option D – new jail construction – is \$680 million in today's dollars. It is important to note that even if a decision for any jail improvements were to be made in the near-term, construction would still be a few years out. It was advised that 5 percent be used for future possible cost escalation estimates, which resulted in 5-year construction estimates of \$623 million for Option C and \$858 million for Option D. Cost projections are inclusive of the soft costs described above estimated at 25% of construction cost and for Option C include a 20% premium markup for construction in an occupied facility.

### Funding Options for Capital Projects

After reviewing the various funding options, there are positives and negatives to each. Taxes are never popular and not to be considered hastily. The Commission will provide a final recommendation to the County Administrator based on information received, but we recognize that much more discussion and information will be warranted before any final decisions are

made in the future by the County. The Commission asked Pima County Finance & Risk Management to provide Commissioners an overview of funding options for regional capital projects.

In general, counties have various funding options available to them for capital projects. In Pima County, capital improvement projects have historically been funded through voter-approved General Obligation (GO) bonds. GO bonds have been used for construction of libraries, court facilities, parks, law enforcement facilities, the Pima Animal Care Center, and other capital improvement projects. Today, the County has transitioned to using the General Fund Capital Improvement Fund PAYGO program. Funding options include:

General Fund Property Tax  
General Obligation Bonds  
Pay-As-You-Go (PAYGO)  
General Sales Tax  
Jail District Taxes

The Commission's Finance Working Group reviewed the various funding options, which included their associated caps in funding, tax rate levels and other related limitations. After arriving at the cost analysis and projected cost estimates, three funding options were still considered feasible:

- General Sales Tax - Sales tax revenue can be used for a myriad of purposes. Approval of up to a half-cent general sales tax requires a unanimous vote by the Board of Supervisors. If the Board approved a half-cent sales tax for Pima County, the revenue generated is currently estimated to be around \$109 million per year. The tax would be paid by residents, non-residents and visitors for purchases of goods and the amount generated would fluctuate with the economy.
- Jail District Excise Tax - By statute, counties have the authority to establish a county jail district for the purpose of acquiring, constructing, operating, maintaining, and financing county jail facilities. This authority; however, is contingent upon approval of a Jail District Excise tax. Unlike the General Fund Property Tax and the General Sales Tax options, a Jail District Excise Tax requires voter approval. If approved by the voters, these funds would be restricted to the Jail District. The Jail District statutes also require the County to continue its existing "maintenance of effort" to support the jail facility. Therefore, the required maintenance of effort plus the revenues generated by the applicable Jail District tax should be sufficient to fund the acquisition, construction, operations, maintenance and financing of the approved Jail District. If these revenues are insufficient, additional funding sources would need to be identified. The excise tax (sales tax) would be paid by residents and non-residents and visitors for purchase of goods and would also fluctuate with the economy. The Jail District Excise tax would be capped at a ¼ cent sales tax and is estimated would generate \$54 million of revenue annually.
- GO Bonds – As stated above, the County has historically funded capital projects through voter-approved GO bonds. GO Bonds have funded enumerable capital improvements that are used by and benefit the citizens of Pima County daily. To implement this funding option, the Board would need to approve a resolution ordering and calling a special General Obligation bond election to be held to finance identified capital projects. If approved by the voters, the Board would issue debt and levy a secondary (i.e., debt service) property tax to finance the improvements over a 15 to 20-year period. Currently,

a one-cent increase in the debt service property tax rate equates to approximately a \$1.0 million increase in secondary property tax revenue. The tax would be paid by residents through property tax collections. GO bonds are applied to specific projects and are time limited by the terms of the enabling County ordinance as approved by the voters.

- Pay-As-You-Go (PAYGO) is a policy of the Board of Supervisors. The Program's objective is to provide funding for General Fund capital projects and initiatives, fund road repair through Fiscal Year 2029/30, and lower the combined County property tax rate. The Program is funded through a primary property tax set aside from a percent of cumulative decrease in the secondary tax rate for debt service and the increase in the primary property tax base from the previous Fiscal Year. PAYGO is currently subject to a cap of \$50 million, however the Board could choose to amend the current policy.

Of note to the Commission was that all counties in Arizona, except for Pima, Maricopa and Mohave counties, have a half-cent general sales tax. However, Maricopa does have a jail facility excise tax, as well as a road and health care district taxes to offset General Fund costs. Locally, all municipalities within Pima County impose their own sales tax.

In regards to a Jail District Tax, aside from construction, operating and maintenance costs, Jail District Tax revenues can also be used for programming and services. It can be used for additional Corrections staff and new programs, such as programming for education, implementing an integrated criminal justice information system, expanding pretrial release, enhancing substance abuse evaluation and other programs designed to reduce recidivism and jail costs. In Arizona, ten counties have approved jail taxes, with Cochise County being the most recent to receive voter approval in May 2023 to collect a one-half cent Jail District Excise tax for a new jail facility.

One issue the Commission discussed was the need for a dedicated funding stream to provide for ongoing programs, staffing and maintenance and capital improvements. The Jail District Excise Tax, which is restricted to jail purposes, would provide a solution and could be used to pay off debt service and provide other services long-term. While it is not projected to be sufficient in and of itself to pay for the initial capital improvement expense and the debt service that would be associated with that, perhaps it could be combined with other options to achieve the goal. For example, GO bonds could be approved and used for the initial capital jail improvements, with a Jail District Excise tax considered in the future for ongoing costs related to the jail. The County would still be responsible for the Maintenance of Effort (current level of operating costs), but all additional costs and possible future programming costs, including those related to reducing jail population, could be funded out of this tax. The Commission agreed that any final proposal should include a multifaceted approach that includes both improvements to the jail and social service programs that work to reduce jail populations.

### **Additional Comments**

The findings presented in this report provide an initial foundation for further discussion. We acknowledge and agree that a comprehensive look at our current justice system and its impact to the jail system is necessary; however, we as a community must still address existing issues at the PCADC in order to position ourselves and be prepared prior to reaching a crisis state. Waiting for impactful lasting changes, at the legislative and judicial levels, can push jails experiencing critical capacity and operational issues to fall under Federal review and consent decrees as we have seen elsewhere, and we ourselves experienced in the past. It is important to note that any efforts considered today or near term would still be a few years away as additional discussions and feasibility studies would be needed.