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w/ a note

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**Jim Bradley**  
Councilman At-Large

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COUNTY COUNCIL

June 28, 2002

Honorable Nancy Workman, Chair  
Criminal Justice Advisory Council (CJAC)  
Salt Lake County Government Center  
2001 South State Street # N 2100  
Salt Lake City, UT 84109

**Re: Request for Assistance from CJAC Related to Cap on Jail Population  
and Sheriff's Statutory Release Authority**

Dear Mayor Workman,

You are well aware that as a result of the last year's audit of the Salt Lake County Metro and Oxbow jails a number of budget reduction decisions were taken by the Council, among which was the closure of Oxbow Jail. The Sheriff, in coordination with CJAC, made a follow-on decision to place a cap on the male and female population at the Metro jail, at 1,744 and 256 inmates, respectively. Our understanding is that the Oxbow jail closure was delayed until after the completion of the Winter Olympic Games. However, currently, we understand that Oxbow has been closed except for its laundry operation, which supports the Metro Jail due to its lack of laundry facilities.

In this context, the Sheriff recently appeared before the County Council of the Whole asserting that the jail population had come dangerously close to its limits on April 14<sup>th</sup>, and requested that the Council approve the re-opening of Oxbow Jail for the second half of 2002, or alternatively, providing him with authority to impose additional booking restrictions and other measures to control the jail population. At that meeting, the Sheriff provided the District Attorney's office with a letter written on December 27, 2001, in which seven proposed release options were outlined. In the letter, Chief Cunningham requested that the District Attorney "address whether the following (7) options are within the statutory release authority (of the Sheriff), assuming that the formally declared cap has been reached." A copy of Chief Cunningham's letter and the District Attorney's response is attached for your reference.

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It is worth noting here that the District Attorney has sponsored a meeting on July 3<sup>rd</sup> with representatives of his office, Municipal Prosecutors, Criminal Justice Services, Justices of the local Justice Courts, and the Third District Court Judges to discuss cooperative, pro-active measures that could be employed to manage the County jail capacity.

### **Statement of the Problem & Request for Input and Assistance**

The County Council has asked me to examine and make recommendations to them regarding methods and means for dealing with short-term incapacity at the Metro jail due to the Council and Sheriff's formally declared cap on its population. In consultation with Chief Cunningham and David Marshall it was determined that the issues surrounding this problem should be framed and presented to CJAC for its consideration, deliberation, and coordinated action for addressing these issues. Thus, I am formally requesting CJAC's assistance in these matters, recognizing that one of the stated goals (4.0) in its Crime Reduction Plan of April 2000, *Alternatives to Incarceration*, is to "provide effective alternatives to incarceration and share information system wide." CJAC has been effective in isolating and fostering creative solutions, such as instituting the "drug courts." These initiatives have had countywide impact, cutting across organizational boundaries and requiring extensive inter-agency awareness and cooperation. My fellow council members and I applaud these efforts and encourage further development of creative, effective alternatives to incarceration.

### **Framing the Issues**

The issues set forth below are the result of deliberation and brainstorming during the course of the jail audit, which included input from County Criminal Justice Services, the District Attorney's office, the Sheriff's Jail Administration, and from surveys of peer county jails throughout the country conducted by the Auditor's office during the audit of the County jails.

The key issues were determined to include:

- Creation of an inmate-flow projection model to assist jail management in predicting jail utilization and potential crowding. We understand that the JEMS system contains data going back 15 or more years that could possibly be used to develop both a predictive and responsive model. This type of model would help the legislative body overcome the pressure to make decisions with longer-term impact based solely on a "snapshot" in time of the jail population on any given day or days.

**CJAC action requested: Request the Sheriff's office, with support from the Auditor's office, DA's office, and Information Services, to determine the feasibility of such a model and begin preliminary work on building the model.**

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- Examine the legal and practical implications of various ways to internally increase the Metro Jail capacity.
- Revisit the classification model for inmate segregation to determine whether a more optimal structuring can be realized that could increase utilization.

**CJAC action requested: Request a presentation from the Sheriff's office on the above two topics, determine feasibility and legalities and make recommendations to the Council.**

- Re-examine and make recommendations regarding suggestions from County Criminal Justice Services Division, and from CJAC's own *Goal No. 4 - Alternatives to Incarceration*, which include:
  - Adopting a jail "booking policy" precluding booking of any non-violent, Class B and C misdemeanor violators.
  - Establishing a "receiving center" where inmates could be taken for "quick booking," but those not meeting "holdable offense" guidelines would be released to alternative placements. If holdable, then offender would be booked into jail.
  - Exploring the idea of establishing numerous "receiving centers" around the Salt Lake valley, allowing local law enforcement agencies a "one-stop" resolution of the offender on hand. (Receiving centers, according to CJS, have worked well at juvenile detention sites, sometimes actually co-located with the detention center).
  - Reviewing the use of the jail as an "administrative hold" for the courts and various jurisdictions, including those held by local courts as "cash only bail" detainees.
  - Examining ways and means to develop and/or expand the following programs:
    - Sheriff's Home Detention with Work Details.
    - Sheriff's Electronic Monitoring with CJS intensive supervision (seek legislative remedy to obtain reimbursement for State inmates on the SHED program).
  - Studying feasibility of a CJS Day Treatment Center at 4500 South Main in the old Sheriff's Substation. This would enable offenders to "warm-body" report to supervisor, receive case management, and receive a U/A test just one block away from the treatment center.
  - Studying feasibility of a CJS/Substance Abuse sponsored "Enhanced Substance Abuse Supervision Program." This would allow screening of offenders for eligibility, releasing under CJS supervision with expectation of intensive in-patient or daytime treatment.

- Reviewing the adequacy of current County contracts dealing with public intoxicants and other substance abusers, focussing on the current contract with Volunteers of America, and examining the need to expand contracting with other under-utilized treatment facilities.
- Reviewing the outcomes of the drug courts, prostitution courts, DUI diversion programs, mental illness courts, and other specialty courts currently operating, and recommend whether to continue and expand, or whether to abandon.
- Encouraging and facilitating an ongoing dialogue with Judges of the District Court, Justices of the Municipal Courts, Court Administrators, Criminal Justice Services, District Attorney's office, and other stakeholders, as a means of updating these interested parties, coordinating their efforts, and focusing energies on better service delivery.

I appreciate your cooperation and concerted effort in addressing these concerns that are reflective of the County Council as a whole. Please feel free to contact Darrin Casper, Council Fiscal Analyst, or Jason Yocom, my Council Assistant, should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jim Bradley". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Jim Bradley  
Councilman

cc: Gary Dalton  
Members of CJAC  
David Yocom, District Attorney  
Chief Paul Cunningham  
David Marshall  
County Council