



Committee: PS
Committee Review: Completed
Staff: Susan J. Farag, Legislative Analyst
Purpose: Final action – vote expected
Keywords: #CIP #Correction and Rehabilitation

AGENDA ITEM #10
March 3, 2020
Worksession

SUBJECT

CIP: FY21-26 Department of Correction and Rehabilitation (DOCR)

EXPECTED ATTENDEES

Angela Talley, Director, Department of Correction and Rehabilitation

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

The Committee reviewed the DOCR CIP on February 13, 2020 and recommended 2-0 (Councilmember Hucker absent) to approve the recommended CIP, with the addition of a Racial Equity Impact Assessment to the Criminal Justice Complex PDF. (Please see ©1-2 for amended PDF).

DESCRIPTION/ISSUE

The Recommended FY21-26 CIP for DOCR includes two projects totaling \$5.5 million in the six-year schedule – the Criminal Justice Complex (CJC) and the MCDC Partial Demolition and Renovation Project.

SUMMARY OF KEY DISCUSSION POINTS

The CJC will replace the Montgomery County Detention Center (MCDC) in Rockville and offer, in addition to Central Booking and associated services, space for pre-booking deflection and diversion services such as a sobering center and links to mental health services. The estimated cost was \$120 million, and the original design did not consider newly available mental health diversion services such as Mental Health Court and the STEER program. The project has been delayed to re-envision needs and locations of pre-booking diversion services. The MCDC Partial Demolition and Renovation Project will renovate current space at MCDC to improve safety, workflow, and environment for employees and individuals who are being processed for intake. Several other parts of MCDC will then be demolished. The Committee recommended approval of both projects, with the addition of a Racial Equity Impact Assessment for the CJC.

This report contains:

Staff Report	pp. 1-5
CJC Recommended FY21-26 PDF	©1-2
CJC Approved FY19-24 PDF	©3
MCDC Partial Demolition and Renovation Recommended FY21-26 PDF	©4-5

Alternative format requests for people with disabilities. If you need assistance accessing this report you may submit alternative format requests to the ADA Compliance Manager. The ADA Compliance Manager can also be reached at 240-777-6197 (TTY 240-777-6196) or at adacompliance@montgomerycountymd.gov

PS COMMITTEE #3
February 13, 2020

MEMORANDUM

February 11, 2020

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst

SUBJECT: **CIP: FY21-26 Department of Correction and Rehabilitation (DOCR)**

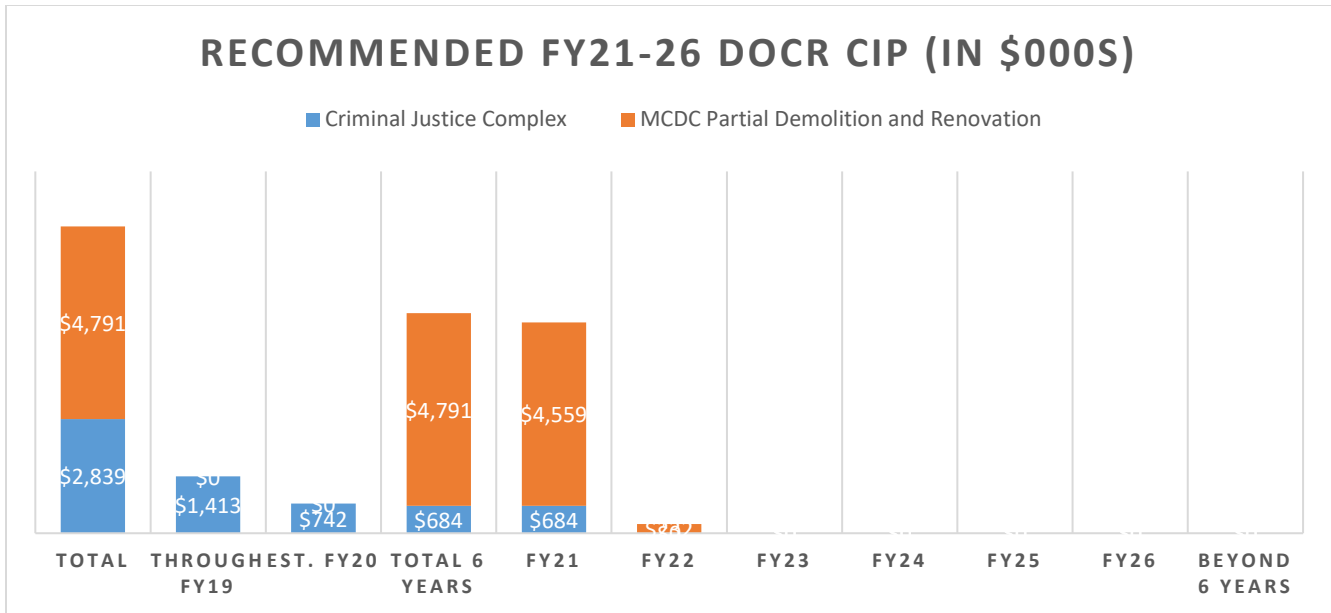
PURPOSE: To review the CIP and make a recommendation

Those expected to attend this worksession include:

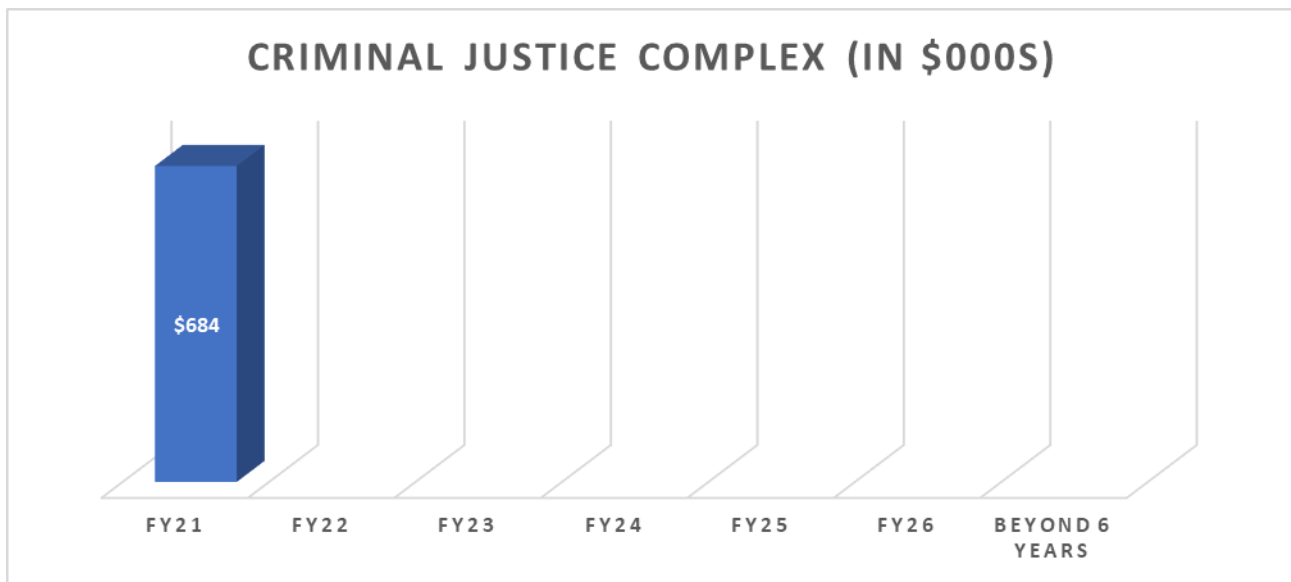
Angela Talley, Director, DOCR
Dr. Raymond Crowel, Director, Health and Human Services (HHS)
Greg Ossont, Deputy Director, Department of General Services
Kaye Beckley, Chief, Management Services Division, DOCR
Rachel Silberman, Office of Management and Budget (OMB)

Overview

The County Executive recommends two projects for DOCR, totaling \$5.5 million in the six-year CIP. While the funding level remains relatively flat from the last approved FY19-20 CIP, this total includes a significant decrease due to the elimination of assumed State Aid for the Criminal Justice Complex and reflects the completion of the Pre-Release Center Dietary Facilities Improvement project. Funding reductions are offset by the addition of a new Montgomery County Detention Center (MCDC) Partial Demolition and Renovation project. The following table illustrates the FY19-26 CIP projects and spending:



Individual Projects



History: As a part of the 1995 decision to operate a two-jail system, there was agreement that the Montgomery County Detention Center (MCDC) in Rockville would be renovated for continued use. In addition to serving as a jail for up to about 200 short-term inmates, MCDC would be the location for the intake and release of all inmates, the Central Processing Unit, evaluation for pre-trial services, medical and mental health assessments (medical and mental health units are located at MCCF), the Montgomery County Police Department's Warrant and Fugitive section, centralized records and storage of inmates' personal items, and DOCR departmental training. At one time (FY07-11) there had been more than \$38 million programmed for the renovation of this building.

In June 2008, the Public Safety Committee was told that given the continued increasing cost estimates for the renovation of MCDC, the age of MCDC, and because the ongoing work related to the Property Use Study/Smart Growth Initiative had looked at future use of county owned property on Seven Locks Road, the Executive had convened a work group and hired a consultant to look at different options for how to provide for the criminal justice programs that were to be housed in the renovated MCDC.

Based on a comprehensive assessment conducted by the independent consultant, Public Financial Management, Inc. (PFM), it was determined that renovation of the existing MCDC was not cost effective due to the need for significant capital expenditures, life cycle costs, and continued maintenance of aging building systems. As a result of the assessment, the Detention Center Reuse project was closed out.

In October 2008, the County Executive informed the Council that he recommended that instead of renovating MCDC, a new Criminal Justice Complex would be built at the end of Seven Locks Road (current site of the 1st District Police Station). The site was to have become available when the 1st District Station was relocated to the Public Safety Headquarters at Edison Park Drive. The 1st District was relocated years ago, and the old district station on Seven Locks is currently used as flex space. The CJC project was added to the capital budget in FY11. At the time, the estimated cost of the new CJC was \$65 million.

Initially, the scope of the project was a more efficient replacement of the functions performed at MCDC, providing more space and better employee workflow. But over the next several years, the concept changed to include two separate functions within the building: 1) a restoration center with would deflect individuals out of the criminal justice system and instead connect them to needed mental health and/or substance abuse services; and 2) the Central Processing and Detention function for those subject to arrest.

The approved FY19-24 CIP contained \$1.368 million in both FY20 and FY21 as placeholders while the County Executive determined whether outside support was available and enough to assist in funding the project. At the time, the Executive estimated total costs of \$120 million.

Current Project: The recommended PDF includes just \$684,000 in FY21 as a placeholder while staff reviews the original concept to meet current and future deflection needs at a scaled-down cost. When the CJC deflection/diversion model was first envisioned, there was no mental health court, and no STEER program.¹ With those programs now in place, it may be more appropriate to restructure CJC deflection functions. Executive staff have also advised that it may be more appropriate or more efficient to locate deflection points in areas of higher need, such as Silver Spring, rather than requiring Police to transport individuals up to Rockville for assessment and connection to services.

Council Staff Recommendation: Council staff recommends approval as submitted by the Executive. The original concept is too expensive, and there may be other effective models of pre-booking diversion that are more suited for the County. Council staff notes that several pre-booking diversion

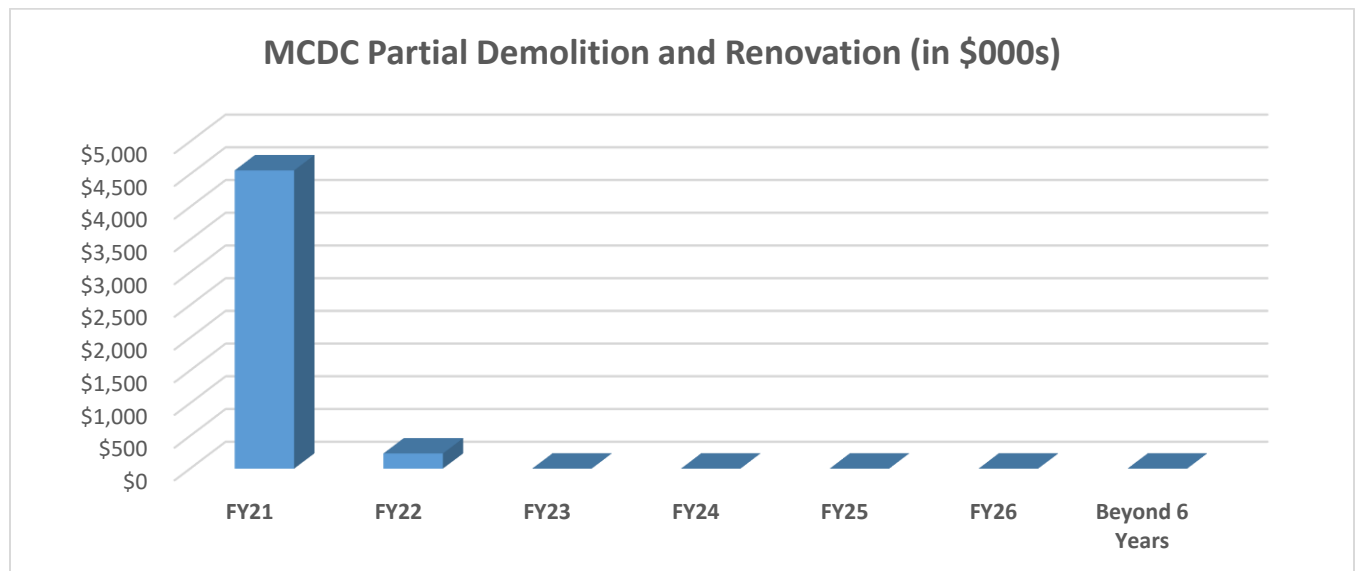
¹ Stop, Triage, Engage, Educate, and Rehabilitate (STEER) is a joint initiative of the Montgomery County Police Department, the Police Executive Research Forum, Maryland Treatment Centers, and the Center for Health and Justice at TASC (Treatment Alternatives for Safe Communities), Inc. Its goal is to direct people in need of substance abuse treatment away from jail to an intervention program. Police Officers use a screening tool to decide whether a person is a candidate for this deflection. The risk assessment may be used by a Police Officer who is responding to a call for service or in an on-view situation. Charges can be held in abeyance while the person is seeking services.

programs show promising results for deflecting individuals away from the criminal justice system and preventing future crime by addressing the underlying causes. STEER has been successful in the County, and similar programs, such as Law Enforcement Assisted Diversion (LEAD) programs have reduced recidivism by 22%.² However, there is evidence that pre-booking programs may be subject to racial inequities in outcomes. *Council staff also recommends, in light of the County’s commitment to racial equity in government decision making,³ that a racial equity impact assessment requirement be added to the PDF.*

While many racial equity issues are already given thoughtful consideration by the departments, assessment language in the PDF would create a formal framework for viewing the development of the CJC and any associated pre-booking diversion programs through a racial equity lens. The assessment could include questions such as:

- What is the proposal and what is it seeking to accomplish?
- How might the proposal impact communities and people of color differently?
- What do the data tell us?
- Who is impacted by the proposal?
- What are the recommended strategies to address unintended consequences and adverse impacts to promote racial equity with this proposal?

The Public Safety Committee could then receive periodic updates on program development.



History: The original building was built in 1961, although the high-rise tower and other modular units were constructed later. A replacement for this building had been in the CIP beginning in FY97 and was finally closed out in FY11. Over the past 10 years, significant stabilization efforts have been

² [LEAD: Law Enforcement Assisted Diversion](#)

³ [Bill 27-19](#)

performed, including a new Central Processing Unit in 2013-2014. The new layout improved security and workflow while processing arrestees for intake. It provided a new area for the District Court Commissioners and Public Defenders, and improved layout and security at a new sally port. It also included some roofing renovation and other system stabilization.

Current Project: Since the CJC will be further delayed, the CIP includes this new project meant to renovate certain areas of the facility, and afterward, demolish vacant space including the High Rise Tower, five vacant modular units and the CIU pod. Construction is scheduled to begin this summer.

Currently, HHS staff are located in the CIU space within the jail, where they provide mental health assessments of each inmate, within 24 hours of commitment. Inmates referred to the Clinical Assessment and Transition Services (CATS) include those identified as having a mental illness or co-occurring disorder. These staff will be moved closer to DOCR operations while their new location is being completed. The work will be done in five phases due to the complexity of the project and the need to keep the main building operational throughout the project. Once construction starts, all five phases are expected to be completed within 18 months.

Council Staff Recommendation: Recommends approval as submitted by the Executive.

This packet contains

Criminal Justice Complex Recommended FY21-26 PDF	© 1-2
Criminal Justice Complex Approved FY19-24 PDF	3
MCDC Partial Demolition and Renovation Recommended FY21-26 PDF	4-5



Criminal Justice Complex

(P421100)

Category	Public Safety	Date Last Modified	01/04/20
SubCategory	Correction and Rehabilitation	Administering Agency	General Services
Planning Area	Rockville	Status	Preliminary Design Stage
		Relocation Impact	Yes

EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY19	Est FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years
Planning, Design and Supervision	2,834	1,408	742	684	684	-	-	-	-	-	-
Other	5	5	-	-	-	-	-	-	-	-	-
TOTAL EXPENDITURES	2,839	1,413	742	684	684	-	-	-	-	-	-

FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY19	Est FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years
G.O. Bonds	2,831	1,405	742	684	684	-	-	-	-	-	-
PAYGO	8	8	-	-	-	-	-	-	-	-	-
TOTAL FUNDING SOURCES	2,839	1,413	742	684	684	-	-	-	-	-	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 21 Request	(1,368)	Year First Appropriation	FY11
Appropriation FY 22 Request	-	Last FY's Cost Estimate	4,207
Cumulative Appropriation	4,207		
Expenditure / Encumbrances	1,420		
Unencumbered Balance	2,787		

PROJECT DESCRIPTION

This project provides funding for a new concept and plan for the Criminal Justice Complex (CJC) on the site of the former District One Police Station located at the north end of Seven Locks Road that will reflect updated circumstances, allow for better construction phasing, and will seek to enlist other partner agencies. For example, factors that will be reflected in the updated concept plan include the Mental Health Court, the Justice Reinvestment Act, and House Bill 116 which requires the Montgomery County Department of Correction and Rehabilitation to establish an opioid treatment program to include Medication Assisted Treatment. The new concept will include a Central Processing/Detention component to support processing new arrestees and detaining remanded individuals for up to 72 hours. Other uses include: District Court Commissioners; Department of Health and Human Services Mental Health Assessment and Placement Unit; Pre-Trial Services Assessment Unit; Public Defenders Unit; and the Police Warrants and Fugitive Unit. The project incorporates technical requirements from the Detention Center Reuse project in addition to updated space requirements developed by an interagency working group.

LOCATION

1451 Seven Locks Road, Rockville, Maryland

ESTIMATED SCHEDULE

The schedule supports planning in FY20 and FY21 while the feasibility of assembling sufficient outside support is determined.

COST CHANGE

State Aid has been removed from the project as alternative approaches are considered.

PROJECT JUSTIFICATION

This project is consistent with Council Resolution 13-356 passed by the County Council on December 5, 1995 which approved two jail facilities at two locations - Rockville and Clarksburg - as priority public safety uses. The renovation of the existing Montgomery County Detention Center facility (Detention Center Reuse Project No. 429755) was determined not to be cost effective due to the need for significant capital expenditures, life cycle costs, and continued maintenance as a result of aging systems. It was determined to be cost effective to replace the Montgomery County Detention Center with a new Criminal Justice Complex facility.

OTHER

The new approach is necessary in light of changing circumstances in the judicial and corrections systems and the relatively high cost of the initial project concept and lack of third party commitments. As a result, the County is taking an opportunity to rethink the approach to rectifying aging systems in the existing Detention Center. Short-term stabilization actions to support the existing space include consolidating operations, demolishing unused space, and stabilizing the remaining space.

DISCLOSURES

A pedestrian impact analysis has been completed for this project. The County Executive asserts that this project conforms to the requirement of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

COORDINATION

County Council, Department of Correction and Rehabilitation, Department of General Services, Department of Technology Services, Office of Management and Budget, Department of Police, Sheriff's Office, District Court of Maryland, Montgomery County Fire and Rescue Service, Department of Health and Human Services, Washington Gas, PEPCO, City of Rockville, State of Maryland, and Community Representatives

Racial Equity Impact Assessment: When considering the location and design of building(s) that would offer pre-arrest diversion services, the Department of Correction and Rehabilitation, along with other stakeholder agencies, will conduct a Racial Equity Impact Assessment that looks at the following:

- What is the proposal and what is it seeking to accomplish?
- How might the proposal impact communities and people of color differently?
- What do the data tell us?
- Who is impacted by the proposal?
- What are the recommended strategies to address unintended consequences and adverse impacts to promote racial equity with this proposal?



Criminal Justice Complex (P421100)

Approved FY19-24

Category
SubCategory
Planning Area

Public Safety
Correction and Rehabilitation
Rockville

Date Last Modified
Administering Agency
Status
Relocation Impact

01/31/18
General Services
Preliminary Design Stage
Yes

Total	Thru FY17	Est FY18	Total 6 Years	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24	Beyond 6 Years
-------	-----------	----------	------------------	-------	-------	-------	-------	-------	-------	-------------------

EXPENDITURE SCHEDULE (\$000s)

Planning, Design and Supervision	4,205	1,283	187	2,736	-	1,368	1,368	-	-	-
Other	1	1	-	-	-	-	-	-	-	-
TOTAL EXPENDITURES	4,207	1,284	187	2,736	-	1,368	1,368	-	-	-

FUNDING SCHEDULE (\$000s)

G.O. Bonds	2,839	1,284	187	1,368	-	684	684	-	-	-
State Aid	1,368	-	-	1,368	-	684	684	-	-	-
TOTAL FUNDING SOURCES	4,207	1,284	187	2,736	-	1,368	1,368	-	-	-

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 19 Request	-	Year First Appropriation	FY11
Appropriation FY 20 Request	2,736	Last FY's Cost Estimate	4,207
Cumulative Appropriation	1,471		
Expenditure / Encumbrances	1,450		
Unencumbered Balance	21		

PROJECT DESCRIPTION

This project provides for the design of a Criminal Justice Complex (CJC). The CJC will be constructed on the site of the former District One Police Station located at the north end of Seven Locks Road. The new complex will consist of two major components: (1) a Restoration Center with an emphasis on the deflection and diversion of mentally ill individuals and/or those with substance use disorders who are in contact with law enforcement officers and (2) a Central Processing/Detention component with a focus on processing new arrestees and detaining remanded individuals for up to 72 hours. The Intake Unit will provide psychological and medical screening, risk assessment to determine the appropriate classification level of inmates for security assessment or deflection, initial care, custody, and security of inmates prior to transfer to the Montgomery County Correctional Facility (MCCF) in Clarksburg. The maximum number of beds at the CJC will be approximately 200, some of which may not be in hard spaces. In addition, the Central Processing Unit (CPU) will provide processing of arrested offenders by law enforcement. Other uses include: District Court Commissioners' area; Department of Health and Human Services Mental Health Assessment and Placement Unit, Pre-Trial Services Assessment Unit, Public Defenders Unit, and the Police Warrants and Fugitive Unit. The project incorporates technical requirements from the Detention Center Reuse project in addition to updated space requirements developed by an interagency working group.

LOCATION

1451 Seven Locks Road, Rockville, MD

ESTIMATED SCHEDULE

The schedule reflects placeholder funding for design in FY20 and FY21 while the feasibility of assembling sufficient outside support is determined.

PROJECT JUSTIFICATION

This project is consistent with Council Resolution 13-356 passed by the County Council on December 5, 1995 which approved two jail facilities at two locations - Rockville and Clarksburg - as priority public safety uses. The renovation of the existing Montgomery County Detention Center facility (Detention Center Reuse Project No. 429755) was determined not to be cost effective due to the need for significant capital expenditures, life cycle costs, and continued maintenance as a result of aging systems. It was determined to be cost effective to replace Montgomery County Detention Center with a new Criminal Justice Complex facility.

DISCLOSURES

A pedestrian impact analysis has been completed for this project. The County Executive asserts that this project conforms to the requirement of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

COORDINATION

County Council, Department of Correction and Rehabilitation, Department of General Services, Department of Technology Services, Office of Management and Budget, Department of Police, Sheriff's Office, District Court of Maryland, Montgomery County Fire and Rescue Service, Department of Health and Human Services, Washington Gas, PEPCO, City of Rockville, State of Maryland, Community Representatives

Recommended FY21-26



Montgomery County Detention Center Partial Demolition and Renovation (P422102)

Category	Public Safety	Date Last Modified	01/06/20
SubCategory	Correction and Rehabilitation	Administering Agency	General Services
Planning Area	Rockville	Status	Planning Stage

EXPENDITURE SCHEDULE (\$000s)

Cost Elements	Total	Thru FY19	Est FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years
Planning, Design and Supervision	981	-	-	981	749	232	-	-	-	-	-
Site Improvements and Utilities	307	-	-	307	307	-	-	-	-	-	-
Construction	2,902	-	-	2,902	2,902	-	-	-	-	-	-
Other	601	-	-	601	601	-	-	-	-	-	-
TOTAL EXPENDITURES	4,791	-	-	4,791	4,559	232	-	-	-	-	-

FUNDING SCHEDULE (\$000s)

Funding Source	Total	Thru FY19	Est FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years
G.O. Bonds	4,791	-	-	4,791	4,559	232	-	-	-	-	-
TOTAL FUNDING SOURCES	4,791	-	-	4,791	4,559	232	-	-	-	-	-

OPERATING BUDGET IMPACT (\$000s)

Impact Type	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26
Energy	(688)	-	(76)	(153)	(153)	(153)	(153)
NET IMPACT	(688)	-	(76)	(153)	(153)	(153)	(153)

APPROPRIATION AND EXPENDITURE DATA (\$000s)

Appropriation FY 21 Request	4,559	Year First Appropriation	FY21
Appropriation FY 22 Request	232	Last FY's Cost Estimate	-
Cumulative Appropriation	-		
Expenditure / Encumbrances	-		
Unencumbered Balance	-		

PROJECT DESCRIPTION

This project provides for the planning, design, and renovation/modification of the Montgomery County Detention Center (MCDC) for use primarily as a short-term holding and central processing facility. The original building was built in 1961 with the High Rise/Tower and other modular units constructed thereafter. The project provides for demolition of dilapidated out of operation structures including

4

demolition of the High Rise/Tower, five vacant modular units and the CIU pod which is currently used by HHS. Prior to demolition, the existing utilities will be rerouted, and a new utility structure will be built. HHS will be relocated from the CIU pod to a temporary location in the occupied building while renovation of their final location is completed. Renovation of other select areas of the building is included. The work will be done in phases due to the complexity of the project and the need to keep the main building operational throughout the project.

LOCATION

1307 Seven Locks Road, Rockville, Maryland 20854.

ESTIMATED SCHEDULE

Construction is expected to begin in Summer 2020.

PROJECT JUSTIFICATION

Council Resolution 13-356, passed by the Montgomery County Council in 1995, approved a two-jail system which includes the Montgomery County Correctional Facility (MCCF) located in Boyds and the Montgomery County Detention Center (MCDC) in Rockville. The current MCDC was the designated location for the intake and release of all inmates. Functions included the Central Processing Unit (CPU); the Maryland County District Court Commissioners; evaluation for pre-trial services, medical and mental health assessments; centralized records and storage; and DOCR training. The facility also provides beds for housing inmates during intake process. After many years of service, the building is no longer in good repair and does not meet all the current State and County requirements. To meet the requirements of the Council Resolution, MCDC needs to be replaced or renovated sufficiently in order to operate fully until a future new Criminal Justice Center can be constructed in its place. To provide an immediate response to these issues the project proposes a limited renovation of the buildings remaining after demolition of unused structures. As part of the renovation, and in order to continue to provide these services, specific changes will be implemented to meet current State and County requirements. In addition, a general refresh of spaces is needed to provide a conducive workspace for the staff for the immediate future. Demolition of five vacant modular structures and the partially occupied CIU pod will save maintenance and energy costs. Annual maintenance costs for this facility routinely reach and sometimes exceed \$100,000.

DISCLOSURES

A pedestrian impact analysis will be performed during design or is in progress.

COORDINATION

Department of Correction and Rehabilitation, Department of General Services, Department of Health and Human Services, Department of Technology Services, Department of Police, Montgomery County Fire and Rescue Service, Sheriff's Office, District Court of Maryland, State of Maryland, City of Rockville, Washington Gas, and PEPCO