

Criminal Justice Coordinating Committee
August 29, 2007
Sullivan County Probate Court Room
14 Main St, Newport, NH
1:00pm

Guests: Ricci Greene Associates – Ken Ricci, Laura Maiello

Attending: Commissioners Ethel Jarvis, Jeff Barrette and Ben Nelson, Cty. Mgr. Ed Gil de Rubio, Supt. Ross Cunningham, Captain John Milliken, Lt. Doug Roberts, Lori Keefe, Sheriff Michael Prozzo, Cindy Vezina, Judge Bruce Cardello, Atty. Janice Peterson, James Peale, Rep. Raymond Gagnon, Rep. Sue Gottling, Cty. Atty. Marc Hathaway, Joe Osgood (public), Donald Clarke (public)

1. Commissioner Nelson called the meeting to order at 1:15pm.
2. Cty Manager Gil de Rubio introduced Ken Ricci and Laura Maiello and gave a brief overview of the new jail project status to date. Approximately \$220,000 spent to date on assessment for new jail between payment to Ricci Greene and staff hours for data collection, meetings etc. Cty Manager had requested \$25,000 to move project forward in FY08 for jail design. Commissioners cut to \$15,000 and Delegation removed all funding. It is the intent of the Cty Manager, Ricci Greene and the DOC Superintendent to go for a bond vote late fall-early winter (November) to secure funding for the new jail. Mr. Ricci is comfortable with the numbers presented in the Phase II study to go to a bond vote. These were not rough numbers that were presented, much thought and effort went into the Phase I and II portion of the Jail project that those involved are comfortable in presenting the numbers (through March 2008) for a bond vote. Cty Manager reminded the Commissioners and those present that the County has been made aware of the needs of the Jail, its staff and inmates through the Phase I and Phase II assessment. It therefore will be held liable if there is a problem resulting in a lawsuit that can be directly compared to the needs assessment (cost of doing nothing). The Superintendent has proposed that the \$15,000 come from the DOC employee salary line. A new CO position was approved for FY08. By "holding" this position until October 31, 2007, and using November 1st as a start date for a new hire, \$15,000 would be available in funding for the jail project.
3. **Ken Ricci** discussed the "cost of doing nothing" as outlined in the handout to participants. **Sheriff Prozzo** spoke to the \$15,000 being eliminated from the budget, stating that not moving forward after all the work and expense that has already been done is wrong. Problems at the Jail are not going to go away. His recommendation is to fund the \$15,000 and to keep moving forward. **Mr. Clarke** commented that the Delegation would need to be

convinced that due diligence had been done to pair back the cost of a new build. He would like to see a breakdown of the cost associated with doing nothing – hard numbers outlining boarding out inmates, number of inmates receiving money from HR services, etc.

4. **Ms. Maiello** stated that the delegates received sticker shock when the assessment was presented. Though time was allotted for a short presentation, no time was given to review the cost reduction scenarios and more presentation is needed for operational costs.
5. More discussion ensued as follows: **Judge Cardello** stated that a new jail was absolutely needed and it was practical to move forward with the approval of the \$15,000 for jail design. His concern was that it appeared there was little to no support from the Delegates and without their approval and voice in the communities what chance of success do we have? **Commissioner Nelson** commented that there was no political will to spend on the jail project. He also was concerned with the housing market construction costs after October. **Mr. Ricci** commented that the institutional building market was more stable than the residential market – there is currently a trend to world wide build-out in the market so we are competing on a global scale. Much depends on tax revenue, we will not be going out to bid for 12-16 months. Mr. Ricci has spoken with economists from NH who have stated that this state is the fastest growing in New England – increase to cost would be about 9% per year (4 million). The stated project cost of \$45 million is projected on building in 2009. **Rep. Gagnon** if there is a lack of interest from delegates and an inability to fund maybe we need to rethink the process. Reps can use their specific interests to influence on a legislative level. Can the County operate its jail system – go to statewide correctional system. **Atty. Hathaway** stated that changing our approach now is unwise. There are two committees at the state level currently reviewing corrections they have met twice in the last month. There is no reasonable likelihood for the State to shift funding and help at a county level. He does not share a belief in a better product by having the State take over. The State does not share a sense of urgency on behalf of Sullivan County. The State correctional system is unimaginative and they have no commitment in increasing the level for an aggressive approach to crime. They won't do it cheaper, their pay scales are higher, insurance is costlier. Putting the project on a back burner to cover ground that has already been covered and found unworkable is not a good answer. We are using a 44 bed facility to house up to 150 inmates. **Supt. Cunningham** commented that several legislative moves have been presented and failed for combining county jails to the state. He worked for state corrections for 17 years and knows that the state has declared that no beds will be built on a state level for at least the next 2 years while a study is completed.. The women's prison has 134 being housed in a jail built for 77. The State has an RFP out to house females in the county facilities. He is uncomfortable with sending out Sullivan county inmates to be housed elsewhere and taking on liability

issues for inadequate treatment elsewhere. 85% of Sullivan County inmates have drug and alcohol issues. We are ahead of the game with our thought process in treatment programs and don't want to lose ground.. **Sheriff Prozzo** said that we need to be proactive at this point. We are at that stage but if we choose to do nothing we will be pushed against the wall after something happens and will be forced to act. Grafton County has submitted a proposal of \$65 million for their new jail with a proposed 250 bed facility. **Mr. Clarke** said he has many years experience with the State and they take twice as long at twice the cost. Maybe there is some middle ground to be found, County runs the jail with some funding from the state. **Atty. Hathaway** commented that if we move forward based upon state participation we will never move forward. Social Services eat the county budget yearly. How much of that cost is related to jail in family services, schools, etc. We need to have an aggressive rehab philosophy to control those costs. **Atty. Peterson** said that she has 13 lawyers in the Keene Public Defenders office, 117 statewide and they handle 26,000 cases per year. In dealing with the State she has found that they are not helpful and want to see parolees on the county dime. Trying to get them on board is a losing proposition. **Comm. Barrette** said that numbers have to be in writing for the cost of doing nothing. He feels this will be a big driving factor in moving the project forward. He would like to see what the number is that affects Social Service costs. It will prove the financial soundness of building a new jail both to the delegates and constituents of Sullivan County. **Rep. Gagnon** believes he was misunderstood. He wants to clarify that he was suggesting a partnership could be created in overall management for the spectrum of services provided to corrections by having a statewide system to meet the needs of constituents. **Mr. Osgood** replied that he worked in the county jail 30 years ago. If he went there today it would probably be unchanged. Government tends to ignore corrections until it bleeds. It can't be ignored any longer. He would vote to move forward. **Atty. Hathaway** stated there is no money from the State. In 1996 the Academy Program was taken over by the State. It has been level funded ever since. This is an indication of their interest in County programs. **Sheriff Prozzo** replied that Sullivan is the second poorest county in the state. We have no fulltime court system. Court houses were actively taken over by the state 15-20 years ago. Since, there has been no funding to improve courts. We need to help ourselves, take a leadership role. If the taxpayers stand differently, we can say we tried to resolve the problems.

4. **Ken Ricci** said that the problems of fiscal responsibility, systematic problems and due diligence are understood. The urgency of the problem needs to be gotten out by the criminal justice committee to the public, delegates, etc. Liability can be calculated they have underwriters who can determine costs for overcrowding leading to noise, stress – triggering behavioral problems which are then passed to staff. The urgency is now a

matter of record it has to be recognized while remaining fiscally responsible.

5. **Marc Hathaway** made a motion to recommend to the Board of Commissioners to allocate and approve \$15,000 to continue the proposal by Ricci Greene for jail design listed under the scope of work that was submitted to the attendees on this date. The motion was seconded by Lt. Doug Roberts. A vote was taken of CJCC members and motion passed with one no recorded. Commissioner Nelson recognized the motion and stated it would be voted on at the next scheduled commissioners meeting.
6. **Rep. Gagnon** feels that an outside agency should not be the one to sell to the delegates. The sense of urgency to move forward should be transmitted by the CJCC. It was agreed that Ricci Greene was hired to correlate information and make a proposal to the County. They would work to help present information using a local "face" for the presentation.
7. The meeting moved on to discuss the cost reduction scenarios. **Laura Maiello** stated that the scenarios were a reflection of capital cost reductions, once we know what direction the committee, the DOC and the Commissioners which to take, Ricci Greene can also give an idea on the reduction cost for operational expenses. The different cost reduction scenarios were discussed. All felt it was important to not under build and to keep Sullivan County's philosophy of treatment intact. **Supt. Cunningham** stated that he would like the ability to focus on a jail design that keeps movement flowing through the jail as inmates work toward the goal of moving from inside the facility to community corrections and release. This provides motivation to the population and prevents a stagnant atmosphere. If the project broke ground today, the new facility is still two years out. Much discussion took place regarding proposal 7 – Stage the Project. All were in agreement that this was a great approach. It would need to be clearly identified that there would be 1 bond agreement that covered building the Community Corrections to non-security grade construction – stand alone on the Unity site. This build would begin and simultaneously the new jail construction would begin. It must be made clear that the bond would cover funding for both projects. Grant money was discussed – the consensus was that grant money would not be available for construction cost, but would be sought out for programming once the facility was completed. The allotment of grant money is made more appealing when it is being provided for residential treatment – minimum security settings. It can be provided to sustain programs, LADC services but can not be used to offset regular staff, construction, etc.
8. Mr. Gil de Rubio would like to have a bond referendum to the delegation by November. A motion does not need to be made by the Board of

Commissioners for this process to occur. It would need to include hard numbers on the cost of construction, site, contingencies, fees, etc.

9. Commissioner Barrette stated that he would like Ricci Greene to focus on scenarios 7, 8 and 9. Commissioners Jarvis and Nelson were in agreement as was the CJCC. Ricci Greene will focus on those scenarios.

Meeting adjourned at 3:12pm.

Respectfully,

Lori J. Keefe
Corrections Secretary

Attached: meeting agenda and handout