

About Tompkins County (Ithaca)

History

The State Commission of Corrections asked the county to build a new 160-bed facility. Tompkins County officials were willing to accept a compromise and build a new 104-bed jail with an internal structure, or “spine” that would facilitate expansion to 196 beds if necessary. Yet in a phone call with the county in February 2004, the commission told county officials that the number of beds in the new plan was insufficient and that the county should plan to build or renovate the jail to have no less than 160 beds. Despite the fact that in 2004 the average daily population in the existing Tompkins County jail was just 69 people, the commission predicted a large increase.

In 2004, in an 8-to-7 vote, the Legislature ultimately decided that if the only choice were to build the number of beds determined by the SCOC, they would pursue reforms and alternatives instead of building a new jail.

The announcement that Tompkins County would not build a new jail was met by a punitive response from the State Commission of Corrections, which announced that the county’s variances would be pulled and that their jail classification system would be reordered to allow an even smaller capacity, forcing a greater number of individuals to be boarded out. Only after a state elected official intervened and a major New York State newspaper called to ask the SCOC for their reasoning did the SCOC revoke their threat of a new classification system. They did not, however, give Tompkins County back their variances, which were pulled in December 2004. The SCOC did eventually give Tompkins back the variances to allow additional inmates.

In 2015, the average daily population was 92 with 10 boarded out, virtually no change over the past 10 years.

Alternatives to Incarceration

The county’s current ATI offerings include two drug courts, a pre-trial release program, electronic monitoring bracelets, a special greatest-risk caseload for certain probationers, a supervised community-service program called “Service Work Alternative Program,” and a day-reporting program used in combination with probation.

A community based non-profit has a revolving bail fund, which loans bail money up to \$2,500 for qualifying offenders. The agency is funded by both private donations and county dollars. “Our bail fund program recognizes that economic inequality can result in unequal treatment before the law, and we strive to provide a more just outcome for those of limited means who must navigate the criminal justice system.”

Current Expansion

The current \$910,000 expansion plan is much more modest than the previous plan to build a new 104 bed jail. It only aims to add seven beds to the facility, although the plan allows for the possibility of a third phase that would add an additional seven beds. Because the new beds will be installed in the indoor recreation area, the plan also includes putting a roof over the outdoor recreation area so inmates can still get exercise in inclement weather.

http://www.prisonpolicy.org/scans/ImpactofJailExpansion_NYS.pdf

Ithaca Journal, March 14, 2014, September 11, 2015

About Ulster County

History

In 1999, the State Commission of Corrections informed Ulster County officials that they had to expand their existing jail facility which at the time could house about 250 inmates. At the time, Ulster had an average daily population of 270 and was housing out about 30 inmates in other jails.

Contract and construction problems plagued the facility including finding bedrock. Three years after its initial planned opening date, the 426 bed jail officially opened on February 17, 2007. The final price tag on the facility was \$95.2 million, the original projection was \$53 million. The project also included a new sheriff’s office.

The jail was the largest capital project in county history. Property taxes in Ulster County increased by 40 percent.

Current Status

Ulster built way more capacity than they needed. Assumptions that they would make money on housing inmates from other counties have not work out as planned. In January 2016, the Ulster County Jail housed 230 inmates from Ulster County and only 12 inmates housed in from other counties. **The jail was about half empty.**

In 2015, Ulster had an incarceration rate of 140 per 100,000, slightly lower than the Dutchess 2015 incarceration rate of 146 per 100,000. Both these incarceration rates are above the state average.

http://www.prisonpolicy.org/scans/ImpactofJailExpansion_NYS.pdf

Kingston Freeman, Poughkeepsie Journal

New York State Corrections web site <http://www.scoc.ny.gov/pop.htm>.

Tompkins County (Ithaca)

2016 Expansion

92 beds to 99 beds

7 bed expansion plus covered outdoor recreation area for \$910K

In 1998, Tompkins County began to study a possible expansion of their 73-bed jail. In lieu of construction, the county decided to launch a set of alternatives to incarceration programs. The State Commission of Corrections nonetheless began to pressure county leaders to construct a new 160-bed facility.

Tompkins County officials were willing to accept a compromise and build a new 104-bed jail with an internal structure, or “spine” that would facilitate expansion to 196 beds if necessary. Yet in a phone call with the county in February 2004, the commission told county officials that the number of beds in the new plan was insufficient and that the county should plan to build or renovate the jail to have no less than 160 beds. Despite the fact that in 2004 the average daily population in the existing Tompkins County jail was just 69 people, the commission predicted a large increase in the number of people who would be in jail.

The county, however, questioned the accuracy of the agency’s projections. In an 8-to-7 vote, the Legislature ultimately decided that if the only choice were to build the number of beds determined by the SCOC, they would pursue reforms and alternatives instead of building a new jail. As stated by County Legislator Tim Joseph, “I had reconciled myself to a 104-bed jail with the spine for 196 beds. The [County] Legislature as a whole agreed on that. They [the commission] have eliminated that option. The option they offer us now is a very big jail or nothing. Given that, the only reasonable choice is not to build at all.”

The announcement that Tompkins County would not build a new jail was met by a punitive response from the State Commission of Corrections, which announced that the county’s variances would be pulled and that their jail classification system would be reordered to allow an even smaller capacity, forcing a greater number of individuals to be boarded out. Only after a state elected official intervened and a major New York State newspaper called to ask the SCOC for their reasoning did the SCOC revoke their threat of a new classification system. They did not, however, give Tompkins County back their variances, which were pulled in December 2004. The SCOC did eventually give Tompkins back the variances to allow up to 92 inmates.

http://www.prisonpolicy.org/scans/ImpactsofJailExpansion_NYS.pdf

Alternatives to Incarceration

In a nutshell, the county’s current ATI offerings include two drug courts, a pre-trial release program, electronic monitoring bracelets, a special greatest-risk caseload for certain probationers, a supervised community-service program called “Service Work Alternative Program,” and a day-reporting program used in combination with probation.

Opportunities, Alternatives, and Resources (OAR), a community based non-profit, has also been instrumental in reducing jail population through its revolving bail fund, which loans bail money up to \$2,500 for qualifying offenders. The program bails out dozens of offenders every year. The agency is funded by both private donations and county dollars.

“Our bail fund program recognizes that economic inequality can result in unequal treatment before the law, and we strive to provide a more just outcome for those of limited means who must navigate the criminal justice system.”

A new defender-based advocacy DBA program through the county’s Assigned Counsel Office and the Center for Community in Syracuse received a \$105,000 state grant. DBA programs, which supplement but do not replace defense attorneys, seek to create specific plans for each charged individual that will minimize or eliminate the need for incarceration.

Current Expansion Efforts

The current \$900,000 expansion plan is much more modest than the previous abandoned efforts. It only aims to add seven beds to the facility, although the plan allows for the possibility of a third phase that would add an additional seven beds. Because the new beds will be installed in the indoor recreation area, the plan also includes putting a roof over the proposed outdoor recreation area so inmates can still get exercise in inclement weather.

CASE STUDY – ULSTER COUNTY

The short jail construction timelines imposed on counties by the State Commission of Corrections have also made the projects particularly susceptible to both cost overruns and corruption. In 1999, the agency informed Ulster County officials that they had to expand their existing jail facility. The county rushed to meet the Commission's mandate with little foresight and planning and without having set up appropriate accountability mechanisms. The new 277,000-square-foot facility was designed to hold 484 people as well as the sheriff's office with an original opening date of 2004. However, contract and construction problems have plagued the facility and driven costs up far higher than initially projected and delayed the opening by years. These problems have included: finding bedrock during ground breaking, design and construction changes, leaks in the roofs and pipes that caused water damage, mold, improperly installed windows, and a shortage of corrections officers that caused the State Commission of Corrections to determine that the facility had inadequate staffing to open. Three years after its initial planned opening date, the jail officially opened on February 17, 2007.²⁰

The final price tag on the facility was \$95.2 million, more than \$20 million over the amount it was initially projected to cost. In addition, during the several months that Ulster County was required to have both the old and the new jails open, County Legislature Chairman David Donaldson reported that they were "bleeding about \$300,000 a month."²¹

There remain two pending claims against the county from contractors on the jail – Bovis Lend Lease, the project's original manager, and Crandall Architect and Associates, Inc., the project's architect. The county is in the midst of countersuits against both companies. All parties are in disagreement over who is to blame for the cost overruns and who should foot the bill. Ulster County has formed a special committee to investigate the planning and construction of the facility in order to determine what went wrong with the project as well as whether any criminal charges will be filed for possible corruption.²² As it stands, the jail is the largest capital project in county history, and property taxes in Ulster County have increased by 40 percent. According to County Legislator Richard Parete, "It was a project that was doomed to fail from day one."²³

Despite these widespread criticisms from across New York State, the State Commission of Corrections continues to defend its jail expansion mandates, even while many county officials have argued that such mandates are only justified when conditions fall to unconstitutional levels. Further, they observe that the pressure placed on counties by the commission to build large new jails distracts attention from the critical question of why these jails are filling while crime rates fall.