
alleged infringement of any patent, trademark, copyright, or service mark, or any actual or alleged unfair competition disparagement of produce or service, or other business tort of any type whatsoever, or any actual or alleged violation of trade regulations. Consultant shall not indemnify or hold harmless the County for the sole acts or omissions of employees or officers of the County. Consultant further agrees to protect, defend, indemnify and hold harmless County, its officers, agents and employees from and against any and all claims or liability for compensation under the Worker's Compensation Act arising out of injuries sustained by any employees of Consultant. These Consultant indemnities shall not be limited by reason of the listing of any insurance coverage.

These indemnity provisions are for the protection of the County indemnities only and shall not establish, of themselves, any liability to third parties. The provisions of this article shall survive termination of this Agreement.

ARTICLE 23. CONFIDENTIALITY

Consultant agrees that its conclusions and any reports are for the confidential information of County and that it will not disclose its conclusions in whole or in part to any persons whatsoever, other than to submit its written documentation to County, and will only discuss the same with it or its authorized representatives, except as required under this Agreement to provide information to the public. Upon completion of this Agreement term, all documents, reports, maps, data and studies prepared by Consultant pursuant thereto and any equipment paid for by County as a result of this Agreement, shall become the property of County and be delivered to the Chief Appraiser, County Board of Tax Assessors.

Articles, papers, bulletins, reports, or other materials reporting the plans, progress, analyses, or results and findings of the work conducted under this Agreement shall not be presented publicly or published without prior approval in writing of County.

It is further agreed that if any information concerning the Project, its conduct results, or data gathered or processed should be released by Consultant without prior approval from County, the release of the same shall constitute grounds for termination of this Agreement without indemnity to Consultant, but should any such information be released by County or by Consultant with such prior written approval, the same shall be regarded as Public information and no longer subject to the restrictions of this Agreement.

ARTICLE 24. OWNERSHIP OF INTELLECTUAL PROPERTY AND INFORMATION

Consultant agrees that Fulton County is the sole owner of all information, data, and materials that are developed or prepared subject to this Agreement. Consultant or any subcontractor is not allowed to use or sell any information subject to this contract for educational, publication, profit, research or any other purpose without the written and authorized consent of the *[Insert User Department Representative for project]*. All electronic files used in connection to this Agreement, which are by definition, any custom software files used in connection to this Agreement, (collectively, the

“Software”), shall be turned over to the County for its use after termination hereof and Consultant shall have no interest of any kind in such electronic files. Any required licenses and fees for the Software or other required materials shall be purchased and/or paid for by Consultant and registered in the name of the **[Insert User Department Representative for project]**, if possible. The Software as defined hereunder, specifically excludes all software, documentation, information, and materials in which Consultant has pre-existing proprietary rights and/or has otherwise been licensed to Consultant prior to this Agreement, and any upgrades, updates, modifications or enhancements thereto. Consultant agrees to provide at no cost to County any upgrades to any software used in connection with this Agreement which may be subsequently developed or upgraded for a period of three (3) years from the date of completion of the work under the Agreement, except in the case of commercial Software licensed to the County or **[Insert User Department Representative for project]**. Any information developed for use in connection with this Agreement may be released as public domain information by the County at its sole discretion.

ARTICLE 25. **COVENANT AGAINST CONTINGENT FEES**

Consultant warrants that no person or selling agency has been employed or retained to solicit or secure this Agreement upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide employees maintained by Consultant for the purpose of securing business and that Consultant has not received any non-County fee related to this Agreement without the prior written consent of County. For breach or violation of this warranty, County shall have the right to annul this Agreement without liability or at its discretion to deduct from the Contract Price or consideration the full amount of such commission, percentage, brokerage or contingent fee.

ARTICLE 26. **INSURANCE**

Consultant agrees to obtain and maintain during the entire term of this Agreement, all of the insurance required as specified in the Agreement documents, Exhibit G, Insurance and Risk Management Forms, with the County as an additional insured and shall furnish the County a Certificate of Insurance showing the required coverage. The cancellation of any policy of insurance required by this Agreement shall meet the requirements of notice under the laws of the State of Georgia as presently set forth in the Georgia Code.

ARTICLE 27. **PROHIBITED INTEREST**

Section 27.01 **Conflict of interest:**

Consultant agrees that it presently has no interest and shall acquire no interest direct or indirect that would conflict in any manner or degree with the performance of its service hereunder. Consultant further agrees that, in the performance of the Agreement, no person having any such interest shall be employed.

Section 27.02 **Interest of Public Officials:**

No member, officer or employee of County during his tenure shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

ARTICLE 28. SUBCONTRACTING

Consultant shall not subcontract any part of the work covered by this Agreement or permit subcontracted work to be further subcontracted without prior written approval of County.

ARTICLE 29. ASSIGNABILITY

Consultant shall not assign or subcontract this Agreement or any portion thereof without the prior expressed written consent of County. Any attempted assignment or subcontracting by Consultant without the prior expressed written consent of County shall at County's sole option terminate this Agreement without any notice to Consultant of such termination. Consultant binds itself, its successors, assigns, and legal representatives of such other party in respect to all covenants, agreements and obligations contained herein.

ARTICLE 30. ANTI-KICKBACK CLAUSE

Salaries of engineers, surveyors, draftsmen, clerical and technicians performing work under this Agreement shall be paid unconditionally and not less often than once a month without deduction or rebate on any account except only such payroll deductions as are mandatory by law. Consultant hereby promises to comply with all applicable "Anti-Kickback" Laws, and shall insert appropriate provisions in all subcontracts covering work under this Agreement.

ARTICLE 31. AUDITS AND INSPECTORS

At any time during normal business hours and as often as County may deem necessary, Consultant shall make available to County and/or representatives of the County for examination all of its records with respect to all matters covered by this Agreement.

It shall also permit County and/or representative of the County to audit, examine and make copies, excerpts or transcripts from such records of personnel, conditions of employment and other data relating to all matters covered by this Agreement. Consultant's records of personnel, conditions of employment, and financial statements (hereinafter "Information") constitute trade secrets and are considered confidential and proprietary by Consultant. To the extent County audits or examines such Information related to this Agreement, County shall not disclose or otherwise make available to third parties any such Information without Consultant's prior written consent unless required to do so by a court order. Nothing in this Agreement shall be construed as granting County any right to make copies, excerpts or transcripts of such information outside the

area covered by this Agreement without the prior written consent of Consultant. Consultant shall maintain all books, documents, papers, accounting records and other evidence pertaining to costs incurred on the Project and used in support of its proposal and shall make such material available at all reasonable times during the period of the Agreement and for three years from the date of final payment under the Agreement, for inspection by County or any reviewing agencies and copies thereof shall be furnished upon request and at no additional cost to County. Consultant agrees that the provisions of this Article shall be included in any Agreements it may make with any subcontractor, assignee or transferee.

ARTICLE 32. ACCOUNTING SYSTEM

Consultant shall have an accounting system, which is established, and maintaining in accordance with generally accepted accounting principles. Consultant must account for cost in a manner consistent with generally accepted accounting procedures, as approved by Fulton County.

ARTICLE 33. VERBAL AGREEMENT

No verbal agreement or conversation with any officer, agent or employee of County either before, during or after the execution of this Agreement, shall affect or modify any of the terms of obligations herein contained, nor shall such verbal agreement or conversation entitle Consultant to any additional payment whatsoever under the terms of this Agreement. All changes to this shall be in writing and the form of a change order in supplemental agreement, approved by the County, and entered on the Minutes of the Board of Commissioners.

ARTICLE 34. NOTICES

All notices shall be in writing and delivered in person or transmitted by certified mail, postage prepaid.

Notice to County, shall be addressed as follows:

[Insert User Department Representative Position for project]

[Insert User Department Address]

Atlanta, Georgia 30303

Telephone:

Facsimile:

Attention: **[Insert User Department Representative for project]**

With a copy to:

Fulton County Department of Purchasing
Purchasing Director
130 Peachtree Street, Suite 1168
Atlanta, Georgia 30303
Telephone: (404) 730-5800
Facsimile: (404) 893-6273
Attention: Jerome Noble

Notices to Consultant shall be addressed as follows:

[Insert Consultant Representative for project]

[Insert Consultant Address]

Telephone:

Facsimile:

Attention: **[Insert Consultant Representative for project]**

ARTICLE 35. JURISDICTION

This Agreement shall be administered and interpreted under the laws of the State of Georgia. Jurisdiction of litigation arising from this Agreement shall be in that state. If any part of this Agreement is found to be in conflict with applicable laws, such part shall be inoperative, null and void insofar as it is in conflict with said laws, but the remainder of this Agreement shall be in full force and effect.

Whenever reference is made in the Agreement to standards or codes in accordance with which work is to be performed, the edition or revision of the standards or codes current on the effective date of this Agreement shall apply, unless otherwise expressly stated.

ARTICLE 36. EQUAL EMPLOYMENT OPPORTUNITY

During the performance of this Agreement, Consultant agrees as follows:

Section 36.01 Consultant will not discriminate against any employee or applicant for employment because of race, creed, color, sex or national origin;

Section 36.02 Consultant will, in all solicitations or advertisements for employees placed by, or on behalf of, Consultant state that all qualified applicants, will receive consideration for employment without regard to race, creed, color, sex or national origin;

Section 36.03 Consultant will cause the foregoing provisions to be inserted in all subcontracts for any work covered by the Agreement so that such provision will be binding upon each subcontractor, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.

ARTICLE 37. FORCE MAJEURE

Neither County nor Consultant shall be deemed in violation of this Agreement if either is prevented from performing its obligations hereunder for any reason beyond its control, including but not limited to acts of God, civil or military authority, act of public enemy, accidents, fires, explosions, earthquakes, floods or catastrophic failures of public transportation, provided however, that nothing herein shall relieve or be construed to relieve Consultant from performing its obligations hereunder in the event of riots, rebellions or legal strikes.

ARTICLE 38. OPEN RECORDS ACT

The Georgia Open Records Act, O.C.G.A. Section 50-18-70 et seq., applies to this Agreement. The Consultant acknowledges that any documents or computerized data provided to the County by the Consultant may be subject to release to the public. The Consultant also acknowledges that documents and computerized data created or held by the Consultant in relation to the Agreement may be subject to release to the public, to include documents turned over to the County. The Consultant shall cooperate with and provide assistance to the County in rapidly responding to Open Records Act requests. The Consultant shall notify the County of any Open Records Act requests no later than 24 hours following receipt of any such requests by the Consultant. The Consultant shall promptly comply with the instructions or requests of the County in relation to responding to Open Records Act requests.

ARTICLE 39. CONSULTANT'S COMPLIANCE WITH ALL ASSURANCES OR PROMISES MADE IN RESPONSE TO PROCUREMENT

Where the procurement documents do not place a degree or level of service relating to the scope of work, M/FBE participation, or any other matter relating to the services being procured, should any Consultant submit a response to the County promising to provide a certain level of service for the scope of work, M/FBE participation, or any other matter, including where such promises or assurances are greater than what is required by the procurement documents, and should this response containing these promises or assurances be accepted by the County and made a part of the Contract Documents, then the degree or level of service promised relating to the scope of work, M/FBE participation, or other matter shall be considered to be a material part of the Agreement between the Consultant and the County, such that the Consultant's failure to provide the agreed upon degree or level of service or participation shall be a material breach of the Agreement giving the County just cause to terminate the Agreement for cause, pursuant to ARTICLE 14 of the Agreement.

ARTICLE 40. INVOICING AND PAYMENT

Consultant shall submit monthly invoices for work performed during the previous calendar month, in a form acceptable to the County and accompanied by all support documentation requested by the County, for payment and for services that were completed during the preceding phase. The County shall review for approval of said

invoices. The County shall have the right not to pay any invoice or part thereof if not properly supported, or if the costs requested or a part thereof, as determined by the County, are reasonably in excess of the actual stage of completion.

Time of Payment: Invoices for payment shall be submitted to County by the first (1st) calendar day of the month to facilitate processing for payment in that same month. Invoices received after the first (1st) calendar day of the month may not be paid until the last day of the following month. The County shall make payments to Consultant by U.S. mail approximately thirty (30) days after receipt of a proper invoice. Parties hereto expressly agree that the above contract term shall supersede the rates of interest, payment periods, and contract and subcontract terms provided for under the Georgia Prompt Pay Act, O.C.G.A. 13-11-1 et seq., pursuant to 13-11-7(b), and the rates of interest, payment periods, and contract and subcontract terms provided for under the Prompt Pay Act shall have no application to this Agreement; parties further agree that the County shall not be liable for any interest or penalty arising from late payments.

Submittal of Invoices: Consultant shall submit all invoices in original and one (1) copy to:

[Insert User Department Representative Position for project]

[Insert User Department Address]

Atlanta, Georgia 30303

Telephone:

Facsimile:

Attention: **[Insert User Department Representative for project]**

Consultant's cumulative invoices shall not exceed the total not-to-exceed fee established for this Agreement.

Optional: [A narrative of one (1) page only, listing the scope of services billed for shall accompany each invoice.]

County's Right to Withhold Payments: The County may withhold payments for services that involve disputed costs, involve disputed audits, or are otherwise performed in an inadequate fashion. Payments withheld by the County will be released and paid to the Consultant when the services are subsequently performed adequately and on a timely basis, the causes for disputes are reconciled or any other remedies or actions stipulated by the County are satisfied. The County shall promptly pay any undisputed items contained in such invoices.

Payment of Sub-consultants/Suppliers: The Consultant must certify in writing that all sub-consultants of the Consultant and suppliers have been promptly paid for work and materials and previous progress payments received. In the event the prime Consultant is unable to pay sub-consultants or suppliers until it has received a progress payment from Fulton County, the prime Consultant shall pay all sub-consultants or supplier funds due from said progress payments within forty-eight (48) hours of receipt of payment from Fulton County and in no event later than fifteen days as provided for by State Law.

Acceptance of Payments by Consultant; Release. The acceptance by the Consultant of any payment for services under this Agreement will, in each instance, operate as, and be a release to the County from, all claim and liability to the Consultant for work performed or furnished for or relating to the service for which payment was accepted, unless the Consultant within five (5) days of its receipt of a payment, advises the County in writing of a specific claim it contends is not released by that payment.

ARTICLE 41. NON-APPROPRIATION

This Agreement states the total obligation of the County to the Consultant for the calendar year of execution. Notwithstanding anything contained in this Agreement, the obligation of the County to make payments provided under this Agreement shall be subject to annual appropriations of funds thereof by the governing body of the County and such obligation shall not constitute a pledge of the full faith and credit of the County within the meaning of any constitutional debt limitation. The Director of Finance shall deliver written notice to the Consultant in the event the County does not intend to budget funds for the succeeding Contract year.

Notwithstanding anything contained in this Agreement, if sufficient funds have not been appropriated to support continuation of this Agreement for an additional calendar year or an additional term of the Agreement, this Agreement shall terminate absolutely and without further obligation on the part of the County at the close of the calendar year of its execution and at the close of each succeeding calendar year of which it may be renewed, unless a shorter termination period is provided or the County suspends performance pending the appropriation of funds.

ARTICLE 42. WAGE CLAUSE

Consultant shall agree that in the performance of this Agreement the Consultant will comply with all lawful agreements, if any, which the Consultant had made with any association, union, or other entity, with respect to wages, salaries, and working conditions, so as not to cause inconvenience, picketing, or work stoppage.

IN WITNESS THEREOF, the Parties hereto have caused this Contract to be executed by their duly authorized representatives as attested and witnessed and their corporate seals to be hereunto affixed as of the day and year date first above written.

OWNER:

FULTON COUNTY, GEORGIA

CONSULTANT:

[Insert Consultant Company Name & Title]

John H. Eaves, Commission Chair
Board of Commissioners

ATTEST:

ATTEST:

Mark Massey
Clerk to the Commission (Seal)

Secretary/
Assistant Secretary

(Affix Corporate Seal)

APPROVED AS TO FORM:

Office of the County Attorney

APPROVED AS TO CONTENT:

[Insert User Department Head]
[Name and Title]

ADDENDA

Instructions for Users: Acknowledgement(s) of any addenda should be inserted behind this cover sheet.

EXHIBIT A

GENERAL CONDITIONS

Instructions for Users: Insert any General Conditions that were in the solicitation document behind this cover sheet.

Example: "Fulton County Purchasing Department Request For Proposal (RFP) General Requirements".

EXHIBIT B

SPECIAL CONDITIONS

Instructions for Users: Insert any Special Conditions that were in the solicitation document behind this cover sheet. If no Special Conditions were required, on a separate page behind this cover page please use the following language:

No Special Conditions were required for this Project

EXHIBIT C

SCOPE OF WORK

Instructions for Users: Insert the detailed Scope of Work to be provided by the Consultant behind this cover sheet.

EXHIBIT D

PROJECT DELIVERABLES

Instructions for Users: Insert any Project Deliverables to be provided by the Consultant behind this cover sheet.

EXHIBIT E

COMPENSATION

Instructions for Users: Insert the detailed Compensation to Consultant (payment to consultant providing service) behind this cover sheet.

EXHIBIT F

OFFICE OF CONTRACT COMPLIANCE FORMS

Instructions for Users: Insert the Contract Compliance forms submitted by the Consultant. Please contact Contract Compliance to insure you have the correct forms. Insert forms behind this cover sheet.

EXHIBIT G

INSURANCE AND RISK MANAGEMENT FORMS

Instructions for Users: Insert the following information behind this cover sheet.

1. Insurance and Risk Management Provisions from Solicitation Document

The following information should be inserted after you have received submittals from the Consultant:

2. Certificate of Insurance
3. Payment Bonds (if applicable)
4. Performance Bonds (if applicable)

**SECTION 9
EXHIBITS**

- **EXHIBIT NO. 1 – REQUIRED SUBMITTAL CHECKLIST**
- **EXHIBIT NO. 2 – JAIL COMPLEX FACILITIES**
- **EXHIBIT NO. 3 – COST PROPOSAL FORM**

**EXHIBIT 1
REQUIRED REQUEST FOR PROPOSAL (RFP)
SUBMITTAL CHECKLIST**

Exhibit 1 – Required Request for Proposal (RFP) Submittal Checklist

The following submittals shall be completed and submitted with each proposal (see table below “Required Request for Proposal (RFP) Submittal Check List.”). Please check to make sure that the required submittals are in the envelope before it is sealed. Failure to submit all required submittals may deem your proposal non-responsive.

Submit one (1) Original proposal and five (5) complete copies of the Original Proposal including all required documents.

Item #	Required Request for Proposal (RFP) Submittal Check List	Check (√)
1	One (1) Proposal marked “ Original ” and five (5) copies	
2	Technical Proposal	
3	Cost Proposal (submitted in a separate sealed envelope)	
4	Acknowledgement of each Addendum	
5	Technical Proposal Criteria Executive Summary Qualifications of Key Personnel Relevant Project Experience Financial Information (1) Annual Report and financial statement for last 3 yrs, income statements, balance sheets, change in financial position. (2) Latest quarterly financial report, description of material, change in financial position since last the last annual report. (3) Most recent Dun & Bradstreet and/or Value Line Reports. (4) Documentation and discussion of the financial condition and capability of the Proposer(s). (5) Statement regarding Proposer’s team filing for bankruptcy, insolvency, reorganization, receivership, moratorium, or assignment of benefits of creditors. Availability of Key Personnel Location of Firm	
6	Purchasing Forms Form A - Non-Collusion Affidavit of Prime Bidder/Offeror Form B - Certificate of Acceptance of Request for Bid/Proposal Requirements Form C - Certificate Regarding Debarment Form D - Disclosure Form & Questionnaire Form E - Declaration of Employee-Number Categories Form F - Georgia Security and Immigration Contractor Affidavit and Agreement Form G - Georgia Security and Immigration Subcontractor Affidavit	
7	Office of Contract Compliance Requirements Exhibit A - Promise of Non-Discrimination Exhibit B - Employment Record Exhibit C - Schedule of Intended Subcontractor Utilization Exhibit D - Letter of Intent to Perform as Subcontractor Exhibit E - Declaration Regarding Subcontractor Practices Exhibit F - Joint Venture Disclosure Affidavit Exhibit G - Prime Contractor/Subcontractor Utilization Report Equal Business Opportunity Plan (EBO Plan)	
8	Risk Management Insurance Provisions Form	

EXHIBIT 2

JAIL COMPLEX FACILITIES

EXHIBIT 2 - JAIL COMPLEX FACILITIES

ASSET NAME	AGE	ASSET SIZE	OWN/ LEASE	ADDRESS
Main Jail Complex	20 yrs.	554,000 SF	Own	901 Rice Street
Bellwood Annex	Unavailable	22,600 SF	Own	1101 Jefferson Street
HOPE Center	Unavailable	9,030 SF	Own	1101 Jefferson Street
Jail Isolation Building	Unavailable	2,250 SF	Own	1101 Jefferson Street
Jail Laundry Building	Unavailable	550 SF	Own	110 Jefferson Street
Jail Metal Storage Building	Unavailable	2,100 SF	Own	1135 Jefferson Street
Jail Storage Building	Unavailable	480 SF	Own	1101 Jefferson Street
Marietta Annex	Unavailable	15,400 SF	Own	781 Marietta Blvd.

EXHIBIT 3 COST PROPOSAL FORM

EXHIBIT 3 COST PROPOSAL FORM

These forms shall be completed and attached to your detailed cost proposal. The complete Cost Proposal is to be submitted separately from the Technical Proposal in a sealed envelope.

I. CUMULATIVE COST SUMMARY OF ALL SERVICES FOR ALL DISCIPLINES

A. **TOTAL COSTS:** Costs include all services and direct and indirect expenses as indicated for complete master plan design of the project. The Proposer certifies that it has been provided with all information necessary to develop the fee amount for all services, direct and indirect expenses. Proposed Fee shall be quoted in lump sum dollars.

B.

FEE AMOUNT (Lump Sum):	\$ _____
-------------------------------	-----------------

C. **TOTAL COST BY PHASE SUMMARY:** The above lump sum Fee is divided by each phase as follows:

PHASE	FEE AMT	%
Phase 1	_____	_____
Phase 2	_____	_____
Phase 3	_____	_____
Phase 4	_____	_____
Phase 5	_____	_____
TOTAL:		100

- Phase 1- Vision*
- Phase 2-Research and Analysis*
- Phase 3- Planning*
- Phase 4-Dissemination*
- Phase 5-Recommendation and Completion*

D. COST SUMMARY BY DISCIPLINE:

The lump sum Fee is divided by disciplines as follows.

* If the fee of a discipline is combined with the fee of another discipline, indicate that the discipline is included and identify the discipline under which the service is included in the remark column.

DISCIPLINE	FEE AMOUNT *
Architecture	\$
Planning	\$
Cost Estimating	\$
Other (provide description below)	\$
TOTAL	\$

E. DETAILED SALARY BY DISCIPLINE:

The detailed fee by discipline shall be submitted as follows.

Personnel hourly rates for each staffing position to be used in performing the work, for each discipline indicated in the RFP, must be provided. The proposed rates will also apply to Additional Services, if such services are authorized by the County during the contract period.

Use a separate page for each discipline even when one firm is providing more than one discipline for the total services.

DISCIPLINE: _____

FIRM NAME: _____

STAFFING POSITION	Direct Salary Expense (DSE)	Burden Multiplier	Direct Personnel Expense (DPE)	OH & P (%)	TOTAL HOURLY SALARY EXPENSE
	\$	X	\$	+	% = \$
	\$	X	\$	+	% = \$
	\$	X	\$	+	% = \$
	\$	X	\$	+	% = \$
	\$	X	\$	+	% = \$
	\$	X	\$	+	% = \$
	\$	X	\$	+	% = \$
	\$	X	\$	+	% = \$
	\$	X	\$	+	% = \$
	\$	X	\$	+	% = \$

Definitions

Direct Salary Expense (DSE):

The direct salary of the assigned staff position without the portion of the cost of mandatory and customary contributions and benefits related thereto, such as employment taxes and other statutory employment benefits, insurance, sick leave, holidays, vacations, pensions and similar contributions and benefits.

Burden: The cost of mandatory and customary contributions and benefits applied to Direct Salary Expense, such as employment taxes and other statutory employment benefits, insurance, sick leave, holidays, vacations, pensions and similar contributions and benefits.

Direct Personnel Expense (DPE): The sum of Direct Salary Expense and Burden.

E. TOTAL COST SUMMARY PER DISCIPLINE BY PHASE:

PHASE	FEE AMOUNT	%	EXPENSE AMOUNT	%
Phase 1 Vision				
Phase 2 Research and Analysis				
Phase 3 Planning				
Phase 4 Dissemination				
Phase 5 Recommendations and Completion				
TOTALS				

**SECTION 10
APPENDICES**

APPENDIX 1

**Recommendations in Response to the Fulton County Jail Long-Term
Feasibility Study Memo from County Manager to the Board of
Commissioners**

APPENDIX 2

Fulton County Jail Long-Term Feasibility Study

APPENDIX 1

RECOMMENDATIONS IN RESPONSE TO THE FULTON COUNTY JAIL LONG-TERM FEASIBILITY STUDY MEMO FROM COUNTY MANAGER TO THE BOARD OF COMMISSIONERS



Office of the County Manager

Suzanne Alliegro

*Deputy County Manager
for Justice Systems*

141 Pryor Street, SW
Suite 10067

Atlanta, Georgia 30303

Office: (404) 224-3755

Fax: (404) 224-3757

To: Board of Commissioners

From: Suzanne Alliegro, Deputy County Manager for Justice Systems

Thru: Thomas C. Andrews, County Manager

Date: April 10, 2007

**Re: Recommendations in Response to the Fulton County Jail
Long-Term Feasibility Study**

Please find attached information regarding the "Recommendations in Response to the Fulton County Jail Long-Term Feasibility Study" which will be an item on the Board of Commissioners' Recess Meeting Agenda on Wednesday, April 18, 2007. Included are the recommendations prepared by the County Manager and presented during the February 21, 2007 Board of Commissioners' Recess Meeting. One of the recommendations discussed at that time was for a Jail Complex Master Plan to be prepared to analyze and determine the best approach for a construction program at the existing jail site. In order to provide more information on this recommendation, General Services has prepared a draft scope of work which outlines the prepared components of a Jail Complex Master Plan. Another recommendation presented pertains to the development of a pre-jail diversion program for the mentally ill. The Department of Mental Health, Developmental Disabilities and Addictive Diseases has provided the attached description of the tasks, timeline and budget for such a pre-jail diversion program.

Recommendations in Response to the Fulton County Jail Long – Term Feasibility Study

On November 15, 2006, The Facility Group presented the Fulton County Jail Long-Term Feasibility Study to the Board of Commissioners. The Facility Group was hired by the County to project future jail bed requirements, and provide both space and programming options to meet those requirements. The consultant's report recommended that various alternative programs to incarceration be reviewed as well as conducting an analysis of the Criminal Justice System to find ways to better manage and control the inmate population. Additionally, facility options were identified that could provide the required inmate beds and infrastructure needs for the future. The Board of Commissioners directed that the County Manager review the study and recommend approaches that may be suitable for Fulton County.

Fulton County should look for ways to curb jail population growth and increase bed space in response to future jail bed requirements. The objective should be to divert persons from jail who would more appropriately be served in other settings; shorten the custody period of those who remain, and build adequate beds and space according to projected needs. Therefore, the County Manager recommends all three steps be pursued; namely, alternatives to incarceration, a criminal justice system analysis, and adding jail beds.

Alternatives to Incarceration

The Facility Group's report provided an extensive listing of diversion programs, pretrial services, intermediate sanction programs and community-based sentencing alternatives that have proved useful in other jurisdictions in managing jail populations. In addition to helping with jail population management, these programs are valuable as they can provide services and referrals to individuals who are incarcerated. It is recommended that a review of these programs be done by the Criminal Justice Agencies with the assistance of the County Manager's Office to determine if there are a sufficient number of detainees within the current jail population who meet the admission criteria of the recommended programs to justify the cost of startup and operations. The program review should be completed within the next six months, and budget requests prepared accordingly.

Since it is recognized by The Criminal Justice Blue Ribbon Commission, Criminal Justice Agencies, and The Facility Group that certain detainees such as the mentally ill and public inebriates are better handled by community mental health and substance abuse treatment centers, alternatives relating to diversion of the mentally ill, homeless and persons with substance abuse problems should be expanded. Several post-jail diversion programs have already been instituted for these groups of detainees, including the Superior Court Drug Court and the State and Magistrate Court Treatment Diversion Calendar for the mentally ill. The Board of Commissioners recognized the importance of these programs by funding several enhancements as part of the 2007 Budget. With the recent funding, it is estimated that the number of assessment completed and individuals placed into treatment and community placements for the mentally ill may be doubled. Moreover, the additional funding provided to the Drug Court for 2007 will allow for an additional 175 clients to be processed. Evaluation of these program

enhancements will be undertaken this year to determine if the programs are successful in diverting additional detainees from jail and keeping them from being readmitted. As another alternative to incarceration, MHDDAD is collaborating with State Court to implement a DUI Court to reduce the rate of incarceration and provide treatment for DUI offenders.

The County should implement an initiative to divert persons such as public inebriates, the mentally ill and homeless to community mental health, substance abuse treatment centers or other placements prior to jail admission. Jail Administration indicates that 300-400 detainees could be diverted prior to jail admission if alternative placements were available. Based on the Memphis model, the goal is to implement a medically managed "safe" environment for individuals who may be in need of mental health and substance abuse treatment services. It is this profile of individual who ends up incarcerated due to loitering and other misdemeanors committed while decompensated and/or without adequate housing and food. The pre-jail diversion model provides medication stabilization, temporary housing and connection to much needed community resources. Additionally, the Human Services Department will work with these individuals to provide workforce development and technical education services. A cost proposal for pre-jail diversion should be developed to be considered as part of the 2008 budget. As part of the initiative, MHDDAD is applying for a jail diversion planning grant from SAMSHA.

At the current Jefferson Place and Drug Court sites, there are approximately 23,750 square feet of space that could be developed for the programming of individuals who are homeless, mentally ill and/or substance abusers as an alternative to the use of jail space. Services from the different County agencies (Human Services, MHDDAD, Public Health, Courts, and Workforce Development) could be provided through a joint use of this space and temporary housing through the use of dormitory beds. It is estimated that the facility could be upgraded for these purposes at a cost of approximately \$200 per square foot.

Criminal Justice Analysis

The Facility Group recommended that a detailed analysis of the criminal justice system is needed "to identify improvements in work processes and devise innovative solutions that will enhance the overall effectiveness of the system." The consultant pointed out that possibilities for improvement exist on several levels including, eliminating certain "non-value added" activities and identifying opportunities for fundamental change of the process through rethinking old policies and procedures, implementing new systems and programs and increased use of technology. The use of technology to increase efficiency is the basis of the Unified Justice Information System which the Board of Commissioners approved in the 2007 Budget. As part of the information system implementation, business practices will be changed to increase productivity, improve information quality, and provide management information to target shortcomings. Monthly reports on the Unified Justice Information System will be provided to the Board of Commissioners and others to ensure that goals and objectives of the project are met.

Since the jail population is driven by length of stay, the development and use of a case management plan including a backlog reduction component needs to be implemented. The plan

should utilize industry best practices and include the adoption of time standards appropriate to the type and complexity of the case and benchmarks to measure the effectiveness of the case management system. Specific target dates and corresponding numbers of cases related to the reduction of the pending backlog as well as a timeline to reach the adopted time standards should be included. Also, it is recommended that a systems flow chart be developed in order to identify events that may cause delay. Within the case flow model, there may be decision points that provide options other than jail confinement. The Chief Judge of Superior Court has requested funding to engage the consultant to develop the case management plan for felony cases and funding is available in the 2007 Non Agency Budget.

Facility Options

The Facility Group indicated the projected bed needs for the jail could reach 5035 by the year 2026, resulting in a shortfall of 2,421 beds if no additional beds are added to Fulton County jail capacity and no significant process changes are made in the criminal justice system. The consultant indicated if the County decided to focus on alternatives to incarceration and certain processing improvements, the number of needed beds could be reduced. As indicated previously, the County should proceed to implement alternatives to incarceration, especially pre-jail diversion for certain populations and institute case processing improvements. However, it is a prudent course of action to plan for an additional increase of 1,500 – 1,900 beds which meets The Facility Group's space projections through 2016.

The study recommended six options or any combination thereof for increasing bed capacity to include doing nothing; expanding the main jail complex in a phased construction program; purchasing or leasing an existing correctional facility operated by the Sheriff; leasing jail beds from a private entity; and constructing new stand alone jail annex. The consultant recommended expanding the main jail complex because of the significant investment being made by the County to implement the \$54 million upgrade of the mechanical, elevator, and plumbing systems. Also, consolidating staff and inmate programs currently located at the complex including booking and release, medical services, support expansion at the current site. Constructing a jail annex at a remote site would provide additional beds in a cost efficient manner, but operating costs would increase due to the duplication of certain spaces, operations and functions plus the cost of transporting inmates between facilities and the courts. Purchasing or leasing beds is viewed as a short term option due to the cost and uncertainty of off site bed availability in the future. The County Manager agrees with the consultant's recommendation to expand the main jail in a phased approach for the reasons outlined above. Additionally, the County Manager is evaluating the consultant's recommendation for the Bellwood and Marietta facilities to be replaced due to their condition and the resulting high maintenance costs. The current Bellwood and Marietta sites while not recommended for future detention use may be suitable for other jail related functions such as video visitation.

In order to provide more direction in moving forward with additional bed capacity, it is recommended the General Services Department contract for a Jail Complex Master Plan to analyze and develop the best approach for a construction program at the existing site. The Master Plan would provide for projections through the year 2026 with the first phase of construction

being the addition of 1500-1900 beds. The plan would identify the space requirements to accommodate direct supervision management for the additional jail beds and additional support space requirements associated with the expansion of jail bed capacity. This would be accomplished by validating current and future space requirements and matching them against existing low-rise space utilization. Any remaining requirements would be programmed into new facilities located within the Master Plan. The low rise building currently houses functions related to jail administration and operations, as well as the space supporting court functions. A critical need is space to provide for expanded mental health and substance abuse treatment services at the jail which would be taken into account in the Master Plan.

To meet the bed space capacity projections through 2016, The Facility Group provided two alternatives: (1) estimating an additional 1,920-bed, two-tower addition at a cost of \$41,945/bed for a total cost of \$80,535,358, and (2) a 1,536-bed one-tower addition estimated at \$41,425/bed for a total cost of \$63,628,119. Construction time for the towers is estimated between 15 – 18 months. Another alternative is to construct additional bed capacity using modular construction as opposed to traditional hard construction. Using this approach lowers the cost per square foot and would give the County the ability to expand by 1,600 beds for approximately \$29,707/bed for a total cost of \$47,531,200. The construction time for the modular facility is approximately nine months. The estimated costs for all three alternatives are for bed space only and do not include design, engineering fees, site development fees, utility extensions, infrastructure upgrades, support space additions and alterations, or administrative or financing expenses. Based on the cost comparison between hard bed and modular construction, it is recommended that the alternative use of modular construction be considered in the Master Plan. Costs for the support space additions and alterations will be based on the final Master Plan utilization recommendations.

Summary of Recommendations in Response to the Fulton County Jail Long-Term Feasibility Study

Alternatives to Incarceration Recommendations

1. Review the listing of diversion programs, pretrial services, intermediate sanctions programs and community based sentencing alternatives provided by the Facility Group and determine if sufficient numbers of inmates meet admittance criteria to justify starting and operating these programs, and if so, prepare budget requests accordingly.
2. Evaluate 2007 Drug Court and Post Jail Diversion of Mentally Ill Detainees Program Enhancements to determine the effect on jail population reduction and readmittance in preparation for the 2008 Budget.
3. Develop Pre- Jail Diversion Program for approximately 300-400 mentally ill, homeless and substance abusers and prepare cost proposal to be considered as part of the 2008 Budget.
4. Study the feasibility of building out approximate 23,750 square feet of space adjacent to Jefferson Place and Drug Court to provide dormitory beds and provide alternative services in conjunction with County treatment and workforce development services (see #3 above) programs.

Criminal Justice System Analysis Recommendations

1. Provide monthly reports on the Unified Justice Information System to ensure that goals and objectives of the project are met.
2. Develop and implement a case management plan consistent with industry best practices including a case backlog reduction program giving priority to jail cases.
3. Provide specific target dates and numbers related to the backlog reduction program and develop benchmarks to measure the case management system.
4. Contract for a consultant to develop the case management plan and backlog reduction program using 2007 Non Agency Funds.

Facility Options Recommendations

1. Expand the main jail complex at Rice Street starting with the addition of 1500-1900 beds.
2. Evaluate the condition of the Bellwood and Marietta jail facilities for possible reuse for a jail administration function.
3. Prepare a Jail Complex Master Plan to analyze and determine the best approach for a construction program at the existing site.
 - a. Validate current and future space requirements and match them against existing low-rise space utilization and program any remaining support space requirements.
 - b. Account for direct supervision operations in space planning for additional jail beds.
 - c. Account for expanded mental health and substance abuse treatment programs in jail space planning.
 - d. Consider the alternative use of modular construction to increase bed capacity at a lower square foot cost within a shorter timeframe as compared to traditional hard construction.
 - e. Develop construction costs for support space additions and alterations.

Fulton County Jail Complex Master Plan

Overview

Fulton County, on behalf of the Sheriff's Office, is proposing to develop a Comprehensive Master Plan (the Plan) for the Fulton County Jail Complex. The Plan is a process identifying long-term priorities and goals of the jail operation and related functions and translating those priorities and goals into efficient and effective land use, facilities and infrastructure. The Plan is also a product translating the jail's mission into plans for facilities, projects, programs, and policies within the boundaries of the Jail Complex.

Description of Project

The project involves reviewing historical and current jail data, including inmate population projections, current programs, inmate case processing and alternative programs to incarceration, examining construction and renovation options, and estimating construction and operating costs. The Plan will provide Fulton County with data and information necessary to make both short and long term programmatic, construction, and budgetary decisions concerning jail operations and judicially-related functions and activities. The Plan will project a 20-year development strategy broken down into 5-year increments at the Jail Complex

Background

Over the years, Fulton County Jail has experienced overcrowding resulting in a number of federal lawsuits. Fulton County settled the latest lawsuit and is under Consent Order mandating the main jail remain at or below capacity. Due to this mandate, the Sheriff is outsourcing approximately 500 inmates to jails within the state. Another condition of the settlement mandates improving the living conditions within the Jail by repairing and upgrading the mechanical, plumbing and elevator services. A contract was awarded and the work is in progress with a scheduled July 2009 completion.

In January 2006, the Board of Commissioners also approved a study to consider the needs assessment and planning criteria to meet current and future adult jail capacity requirements. The Long-Term Feasibility Study, conducted by The Facility Group, was completed in November 2006 and is the starting point for developing the master plan.

County Objectives

- A. Validate jail inmate population projections.
- B. Identify and analyze space requirements for current jail operations and support functions located in the Low-Rise Building.

- C. Identify and analyze space requirements for new or enhanced diversion programs for the mentally ill, homeless and persons with substance abuse problems.
- D. Identify and analyze space requirements for new or enhanced criminal justice systems, such as video visitation and hearings.
- E. Recommend short-term space utilization and construction options to meet existing requirements.
- F. Recommend long-term space utilization and construction solutions to meet future requirements

Scope of Work

The scope of work for the Fulton County Jail Complex Master Plan includes, but is not limited to, the following items:

- A. Analyze and develop the best approach for a construction program to increase inmate bed capacity using direct supervision management principles.
- B. Provide a cost analysis between hard construction and modular construction techniques.
- C. Validate current space requirements with in the Low-Rise Building.
- D. Validate future space requirements for supporting functions and activities.
- E. Reprogram space requirements within the Low-Rise Building for efficient and effective jail operations.
- F. Program remaining jail support space requirements, to include alternatives to incarceration, for adaptive reuse of existing facilities or new facilities sited within the Jail Complex.
- G. Prepare a comprehensive master plan for the Jail Complex.
- H. Prepare construction cost estimates and phasing schedule.

The Plan should be available approximately 10 months from the date the Request for Proposal is advertised.

Pre-Jail Diversion Plan for Fulton County

Introduction:

Research indicates that law enforcement agencies nationwide are beginning to change their practices by developing innovative partnerships with the mental health community in order to improve their responses to individuals with mental illness. The source of the problem, sometimes known as the "criminalization" of mental illness, may have originated in part from deinstitutionalization, and other factors. That being said, the evolution of partnerships between law enforcement and mental health agencies is long overdue. In order to combat the issues of overcrowding and inappropriate admissions to the Fulton County jail, it is proposed that the County combine resources to develop and implement an initiative to divert mentally ill individuals from the Fulton County Jail to appropriate placement(s) in the community. The purpose of this paper is to:

- Describe the Nature of the Problem
- Provide a brief Literature Review
- Explain the Need for Pre-Jail Diversion
- Propose a Timeline for the Implementation of the Program
- Describe the Collaborative Council that will oversee the program
- Recommend site visits, hiring of a consultant and propose recommendations for the use of pre-jail diversion models
- Make recommendations for Program Development
- Describe the Data Collection Process and Projected Outcome Data
- Recommend a proposed budget

Nature of the Problem:

As alluded to above, the creation of community-based programs designed to serve individuals with mental health disorders did not follow the deinstitutionalization of the 1960's or 1970's as intended. In fact, the funding realized through the closure of hospitals never reached communities, thereby creating a lack of community based services. Over the past 15 to 20 years, law enforcement agencies across the nation have responded to these challenges by developing programs and practices designed to serve rather than incarcerate individuals with mental illness; thus, the evolution of pre-jail diversion programs.

Review of the Literature:

The Police Executive Research Forum (PERF) conducted a survey of 80 law enforcement agencies that were identified as using specialized responses to situations involving people with mental illness. PERF staff conducted telephone interviews with a subset of 33 agencies that utilize specialized responses ranging from officers who received special mental health training to provide crisis intervention and to act as liaisons to the mental health system, to police departments hiring mental health consultants to provide on-site and telephone consultations, to the use of (the majority of the agencies utilized the Memphis

model of Crisis Intervention Teams (CIT) by employing mobile crisis teams. Some of the outcomes of the pre-jail diversion programs included:

- good community relations
- changes in the community and police officer perceptions of individuals with mental illness
- decrease in office/subject injuries, decrease in police shootings, assaults and batteries
- good public image with advocacy groups
- positive public perception of police department
- decrease in the number of people sent to the state hospital for treatment
- arrest rate for persons with mental illness below national average (below 1%)
- increased officer and community awareness
- significant cost savings to taxpayers; time savings to patrol officers
- downward trend in suicide or attempted suicide cases
- increased officer safety

Need for Community based Pre-jail Diversion Programs:

A pre-jail diversion program is the best choice for the community because presently 1) Fulton County does not have a functional, well-established pre-diversion program in the community; 2) it will be an effective and appropriate program that will divert persons suffering with mental illness from the jail thereby, lowering the census inside the jail and relieve overcrowding; and 3) pre-jail diversion will provide an opportunity for community mental health service providers and agencies to address a significant problem in the community.

Additionally, community agencies can also effectively strategize and resolve issues that impact the mentally disabled without duplicating services. This program will serve persons experiencing significant mental illness, developmental disabilities and/or co-occurring substance abuse issues that impact judgment and causes erratic behavior which can lead to an arrest by the local law enforcement agencies.

Outlined below are a proposed timeline and description of tasks necessary to implement an effective pre-jail diversion program in Fulton County.

TIMELINE FOR THE IMPLEMENTATION OF THE PRE-JAIL DIVERSION PROGRAM

Tasks	Timeframes									
	1 mo	3 mo	6 mo	9 mo	1 yr	15 mo	18 mo	21 mo	2 yr	3 yr
1. Form the Collaborative Council	█	█								
2. Visit three municipalities with pre-diversion programs (Birmingham, New York, Memphis)		█								
3. Identify a pre-diversion model to implement		█								
4. Hire a consultant			█	█						
5. Train new and existing CIT Officers and Emergency Dispatch staff	█ On-going █									
6. Training sessions with key stake holders and service providers			█							
7. Develop the pre-diversion program			█	█						
8. Educate the community			█	█						
9. Implementation of Program				█	█	█	█	█	█	█
10. Data Collection				█	█	█	█	█	█	█

Formation of the Collaborative Council

The Fulton County Department of Mental Health, Developmental Disabilities and Addictive Diseases will bring together key community stake holders and service providers and form a Collaborative Council which will be responsible for implementing the goals and objectives of the project plan. Because Fulton County is a diverse ethnic and social community, the collaborative will have representative agencies with diverse racial and ethnic staff members working within their agencies. According to the County's statistics, fifty-four percent of Fulton County's residents are African-American, 41% are European-American, and three percent are *Hispanic*. According to United States Census data, Georgia is 13th in the nation with residents below the national poverty level. Georgia has a poverty rate of 12.3% as compared with the rate of 20% for Fulton County residents. According to the Atlanta Regional Commission, 34% of individuals who are homeless are also mentally ill, often with a co-occurring diagnosis. The department will work closely with United Way of Metropolitan Atlanta Homeless Coalition to obtain housing for individuals who are homeless.

Site Visits

The collaborative will send five representatives to three (3) municipalities to observe their pre-diversion programs. Based on the research to date, the three likely sites to be visited include Memphis, New York City and Birmingham, Alabama. The purpose of these visits will be to observe and learn about their admissions processes, staffing patterns for the pre-diversion programs, number of citizens served and diverted from the jail system, the brokerage system they utilize to link persons to services, observation of the mobile crisis team with the local law enforcement officers, the type of services the pre-diversion programs provide and how they accommodate specialized services for family members and persons of diverse ethnic and cultural backgrounds, and housing needs for homeless mentally ill individuals.

Consultant Hiring and Development of Training Model

The representatives will discuss the site visit and other research findings with the other members of the collaborative and present a consensual recommendation for the model to adopt. A consultant will then be hired to guide the development of the recommended model of the pre-diversion program. The consultant will develop the training model for the key stake holders and service providers to learn about diversion and the six best practice models for effective mental health treatment by utilizing Best Practice resource kits. These training sessions will also provide opportunities for providers to learn about available services in the community via networking with other providers that attend the training sessions.

Each local enforcement agency coordinator will identify at least one new recruit and the Emergency Services for Fulton County will identify at least one new dispatch worker for the Crisis Intervention Team training sponsored by the National Alliance for the Mentally Ill. These new recruits and the current CIT officers will instruct non-CIT trained officers and dispatch workers on the new processes for diversion by means of "train the trainer" once the program is fully implemented. The chairperson of the collaborative council will present the proposed program to the Fulton County Board of Commissioners for their approval.

Program Development

Upon approval by the Fulton County Board of Commissioners (BOC), the Collaborative Council can begin program development (ie, identify the location, establish agreements, etc). Staff will be hired through the Fulton County Department of Mental Health, Developmental Disabilities and Addictive Diseases. It is estimated that a program can begin operations approximately nine months from the date of BOC approval. Under the auspices of MHDDAD, the program will provide direct services for Medication Management and Access, Crisis Stabilization and Case Management with linkage and access to the Assertive Community Treatment (ACT), integrated mental health and substance abuse treatment, psychiatric rehabilitation and gender-based trauma services. By providing the Medication Management and Access service, staff will be able to provide psychopharmacological

treatment for the individuals brought in by the LEA officers to stabilize their behaviors and symptoms.

In the event that an individual is not able to achieve baseline functioning within 23 hours of admission to a stabilization unit, the individual will be transferred to an inpatient hospital facility for further follow up and monitoring. Individuals who can be stabilized will receive case management services for follow up to meet any other identified needs. Through the use of a "brokerage" model, the case management team will provide linkage and access to a host of service providers that specialize in providing "Best Practice" models of treatment for persons with mental illnesses.

Data Collection

Upon the implementation of the program, the data collection processes will begin by using the centralized information technology system, (Mitchell and McCormick), that is currently utilized within the Fulton County Department of Mental Health, Developmental Disabilities and Addictive Diseases. This system captures intake and demographic information of each individual that is entered into the system, along with service history, services delivered, timeframes, etc. All of this information will be helpful for future research, data collection and planning purposes.

Projected Outcomes

It is anticipated that through the use of the pre-jail diversion program, Fulton County Jail will experience a significant decline of re-incarcerations of mentally ill individuals (at least a 30% decrease in re-incarcerations of mentally ill individuals during it's first year); additionally, a large number of individuals experiencing mental illness who come in contact with the police will not be incarcerated or will be diverted; further, an even larger number of newly diagnosed individuals will receive needed and appropriate services in the community over the course of three years. Through the use of this program by local law enforcement officers, officers will be able to view the program as a much needed alternative to transporting individuals to jail and will be able to quickly identify individuals in need of treatment.

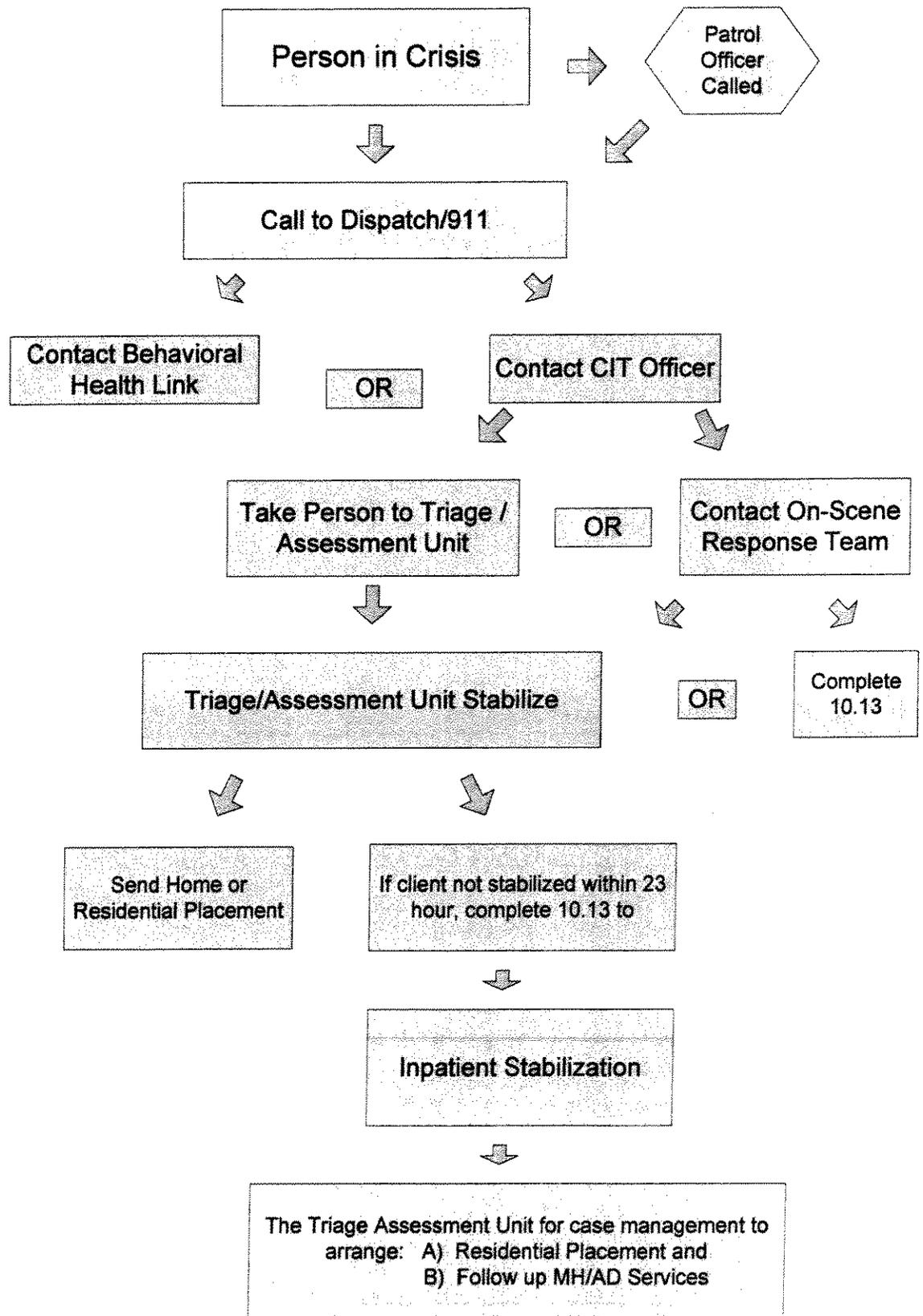
Budget

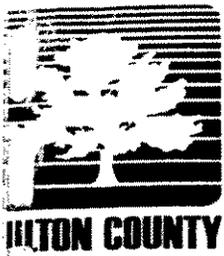
A detailed budget with projected expenditures and revenue is attached. The first year expenditures are projected at approximately \$2.1 million with revenue of approximately \$350,000. The department of MHDDAD and its collaborative agencies will be making application to the Substance Abuse and Mental Health Services Agency (SAMSHA) and other funding sources.

A flow chart outlining the Pre-Jail Diversion Process is also attached.

Mental Health Pre-Diversion Program Budget				
Operating Costs				
Positions	FTEs	PTEs	Salaries	Totals
Human Services Program Mgr.	1		\$68,408.00	
Psychiatrist @ 40 hrs/wk@\$80.hr		2	\$166,400.00	
Nurse Practitioner	4	2	288,415.00	
Registered Nurse I	8	3	480,025.50	
Licensed Practical Nurses	0	2	29,077.00	
Case Managers	6	2	203,539.00	
LCSW/SAP	2	1	117,392.50	
Adm II	10		255,060.00	
Total:	31			\$1,608,317.00
Start Up Costs (1X)		No.	Cost	
Furniture			15,000	
Waiting Room Furniture			3,500	
Computers		10	12,000	
IT Installation			10,000	
Medical Equipment			10,000	
Purchase automobiles		2	24,000.00	
Purchase cell phones		8	280.00	
Total:				74,780
Other Operating Costs:				
Education/Training			4,000.00	
Supplies and Materials			25,000.00	
Lease			100,000	
Maintenance			20,000.00	
Residential placement assistance			175,000.00	
Food			18,000.00	
Cell Phone Service			4,040.00	
				346,040.00
Pharmacy				
Medication			75,000.00	
Clinical Supplies			4,000.00	
				79,000.00
Grand Total:				\$2,108,137.00
Revenue				
Clinical Services Provided	Est. Revenue Generated			
Crisis Services			\$194,000.00	
Nursing Assessment			87,984.00	
Psychiatric Assess			71,352.00	
				\$353,336.00
Expenditure Projection:				
Year 2				\$2,196,025.56
Year 3				2,371,707.60

Flow Chart for Pre Jail Diversion Process





FULTON COUNTY JAIL

LONG-TERM FEASIBILITY STUDY

November 15, 2006

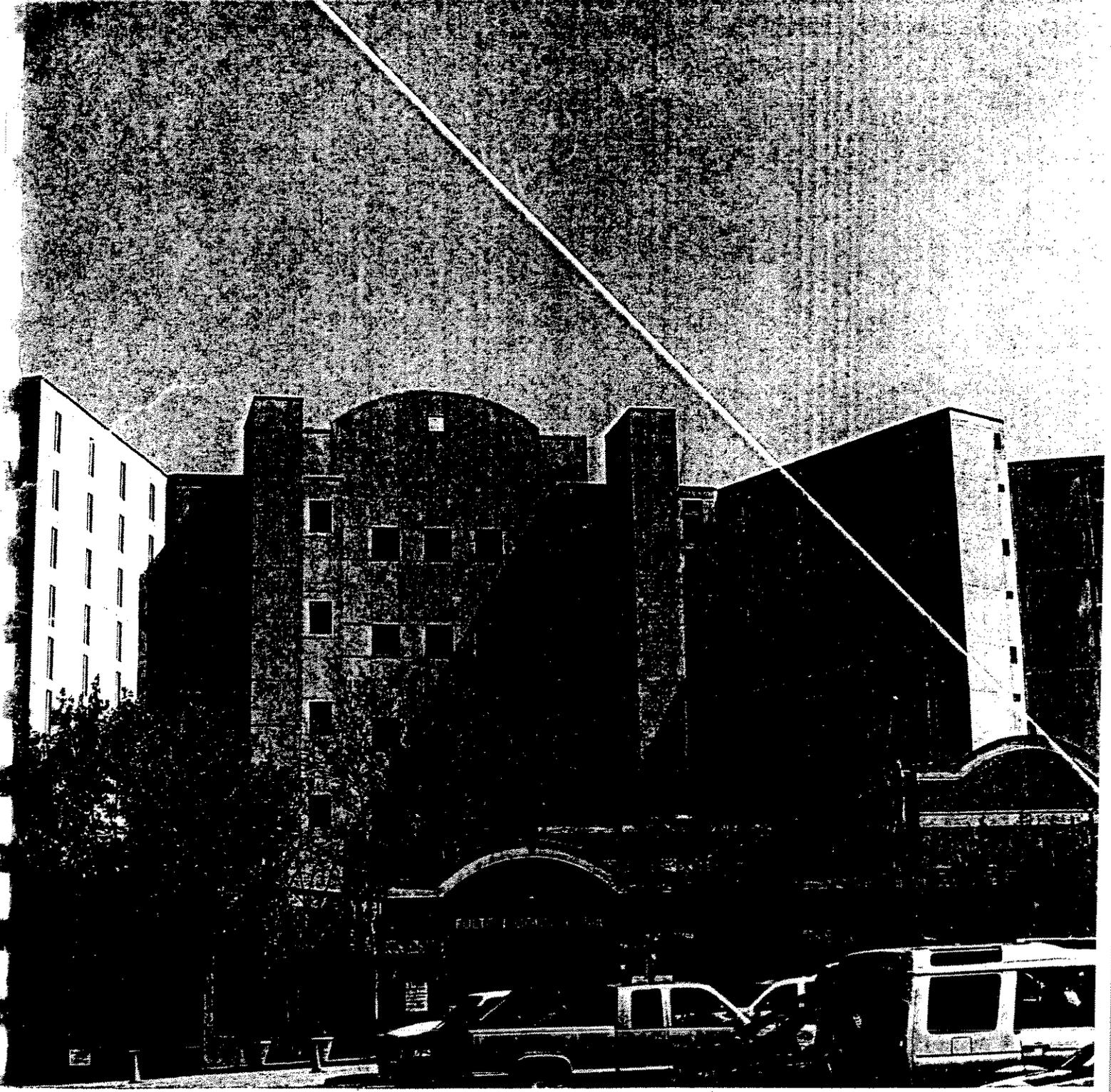




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Section 9 - Alternative Programs to Alleviate Overcrowding Analysis

Appendix



L INTRODUCTION

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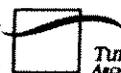
Over the years the Fulton County Jail has experienced overcrowding which has resulted in a number of federal lawsuits. Fulton County is in the process of settling the latest lawsuit which mandates that the main jail remain at or below capacity. Due to this mandate, the Sheriff is outsourcing inmates to jails around the state. Another condition of the settlement mandates that the mechanical, plumbing and electrical systems at the main jail be repaired and upgraded. The County is in the process of procuring contractor to perform the upgrades. Once the upgrades begin, the Sheriff will need to outsource additional inmates. The Sheriff's Office currently operates four (4) facilities for the housing of inmates which includes a main jail, two (2) jail annexes located in close proximity to the main jail and a no cost leased facility located in the northern part of the county.

The four (4) detention facilities have a combined capacity of 2250 beds. During the year 2005, there were 43,988 admissions and 43,824 releases. There are currently two (2) courtrooms at the main jail with construction of a third courtroom currently being undertaken. Felony and misdemeanor first appearances are held in the jail courtrooms Monday through Saturday.

In order to get a better understanding of problems in the jail and to project future requirements, the County requested that the following activities be addressed as part of a Long-Term Jail Feasibility Study:

- Overview of the Criminal Justice System.
- Inventory and assessment of the current jail facilities.
- Data gathering and analysis including historical data over a ten (10) year period.
- Projecting and describing future inmate populations by classification categories.
- Forecasting capacity requirements for the next twenty years at five year increments.
- Formulating recommendations to alleviate overcrowding.
- Provide useful programming suggestions.
- Project space and operational requirements for jail space.
- Projected facility costs.
- Projecting operational costs.
- Prepare Needs Assessment Report.

In response to the above request, Fulton County hired The Facility Group / Turner Associates (Project Team) to complete a needs assessment study.





II. PROJECT METHODOLOGY

The needs assessment process was an extensive planning effort that involved numerous meetings with an Advisory Committee comprised of staff from County administration, General Services, and the Sheriff's Office. The Sheriff's Office staff provided historical and current data and all information required developing inmate projections and project classification needs for the future. Project Team met regularly with the Committee, who established program priorities and keep the group on time and task. Once all the data was collected and researched, a number of facility expansion options were identified.

III. FACILITY OPTIONS

It is projected that the bed needs for the Fulton County jail system could reach 5,035 beds by the year 2026. Should the projections be realized, the jail system would require an additional 3,136 secure beds. This estimate is based upon law enforcement and judicial current practices. In order to meet the need for additional confinement beds, the following facility expansion options were consider:

- **Option 1 - Do nothing** - continue maintaining the jail's operating capacity at 2,614, per court order and continue to outsource over capacity beds to correctional facilities outside Fulton County.
- **Option 2 - Expand Main Jail Complex in a Phased Construction Program** - continue the jail's operating capacity at 2,614 on the short-term while a phased construction program is implement at the main jail complex to increase the number of confinement beds to 4,779 - 4,971 beds by 2022.
- **Option 3 - Purchase or Lease an Existing Correctional Facility Operated by the Sheriff** - purchase or lease an existing correctional facility located within the metropolitan area. This could be a short-term solution while additional beds are being constructed at the main jail or a long term solution if the purchased or leased facilities can support the construction of additional beds and infrastructure to meet future bed shortfalls.
- **Option 4 - Lease Jail beds from a Private Entity** - enter into a contract agreement with a private company who would provide the bed short-fall needs for the jail system. The private entity would design and build the facility and lease the beds to the County. The facility would be operated either by the private entity or the Sheriff's Office.
- **Option 5 - Construct New Stand Alone Jail Annex** - construct a new 3,072-bed jail annex inside Fulton County that is owned and operated by the Fulton County Sheriff.
- **Option 6 - Any combination of Options 1 - 5** - combination of the five previously described options.



III. RECOMMENDATIONS

Fulton County has made a significant investment in the Main Jail Complex, including a \$54 million overhaul and upgrade of the mechanical, elevator, and plumbing systems that is currently being implemented are targeted for completion in mid-2009. Except for the Alpharetta facility, the largest concentration of staff and inmate programs and services are located at the main complex. All inmates are booked, released, and provided medical healthcare services at the main complex.

To construct a Jail Annex at a remote site would provide additional beds at a lower cost because it could be master planned as a low-rise complex which could reduce construction cost. But certain functions as the main jail, such as kitchen, laundry, medical services would have to be duplicated which would increase the size of the facility. Moreover, operating costs associated with transporting inmates between facilities and courts would increase.

Purchasing or leasing beds from the Georgia DOC, Clayton County, or Private Entity would be short-term solutions. Because the shortfall of jail beds in the future could reach 3,136, none of the facility options that are currently available to support long-term needs. However, these options could be used short-term while expansion takes place at the main jail.

Do nothing is still a viable option if the County wants to continue to pay transporting and holding inmates in other correctional facilities throughout the state.

Based upon the above, it is our recommendation that Option 2 - Expand Main Jail Complex in a Phased Construction Program be considered by the County. This would place all inmates, programs, services, and staff at one location, which would be the most cost effective and efficient, means to solve the current space and bed shortfalls in the jail system. Section 3 of the report describes the manner in which the expansion could occur.

IV. SUPPORTING DOCUMENTATION

The report is divided into nine (9) sections. The following provides a brief overview of the contents of these sections:

Section 2 - Inmate Capacity Requirements

Section 2 provides commentary on the inmate population, including bookings, average monthly bookings, average length of stay, average daily population, and an estimate of future beds needs at the jail.

Jail Booking

Over the past ten years (1996 - 2006), the number of total bookings at the Fulton County Jail ranged from a low of 2,707 total bookings (in January 1999) to a high of 6,001 total bookings (in September 1997). Although the number of total bookings fluctuates up and down each month, the ten-year trend line is relatively flat.



Over the past five years (2001 - 2006), however, the number of total bookings has not fluctuated as dramatically each month, ranging from a low of 2,953 total bookings (in December 2001) to a high of 4,657 total bookings (in January 2005). Although the number of total bookings continues to fluctuate up and down, the five-year trend line shows a steadily increasing number of total bookings each month since 2001.

Over the past ten years, the Fulton County Jail has averaged approximately 3,833 male bookings each month. In 2006 (January through July), there has been an average of 3,815 total bookings each month.

Profile of Jail Bookings

As part of this study, a review was made of jail bookings over the first eight months of this year (January through August 2006) – a total of 29,800 bookings. Data was for the total number of inmates booked, not the total number of criminal charges (as many inmates are booked on multiple charges).

During the eight-month review period, 54 percent of the jail bookings at the Fulton County Jail involved felony charges, and 46 percent involved misdemeanor charges. On average, there were approximately 3,725 total bookings each month, including 2,027 felony bookings and 1,698 misdemeanor bookings.

During the review period, 62 percent of the jail bookings were from the Atlanta Police Department, and 13 percent were from the Fulton County Sheriff's Department – that is, three-quarters of the jail bookings were from these two law enforcement agencies. The remaining 25 percent of the jail bookings are from the Fulton County Police Department (7 percent), Roswell Police Department (3 percent), East Point Police Department (3 percent), College Park Police Department (3 percent), and other local, state, and federal law enforcement agencies (10 percent).

Total Inmate Population

Over the past ten years (1996 - 2006), the average number of total inmates in the Fulton County jail system ranged from a low of 2,190 total inmates (in March 1996) to a high of 4,255 total inmates (in October 1997). Following a huge surge in the number of total inmates from 1996 to 1997, the total population steadily declined from 1998 to 2000. Because of this large surge in the system from 1996 through 2000, the ten-year trend line is declining.

Over the past five years (2001 - 2006), however, the average number of total inmates has not fluctuated as dramatically, ranging from a low of 2,359 total inmates (in July 2002) to a high of 3,289 total inmates (in November 2005). Following the surge in the system from 1996 through 2000, the trend line over the past five years shows a steadily increasing number of total inmates each month since 2001.

During the first half of this year (January through June 2006), there has been an average of 3,089 total inmates in the Fulton County jail system each month.

Current Length of Stay



Based on a one-day snapshot from March of this year, approximately 42 percent of the inmate population had been in the jail system for less than one month. Approximately 10 percent had been in the jail for 0 - 3 days, 10 percent had been in for 4 - 7 days, 10 percent had been in for 8 - 14 days, and 13 percent had been in for 15 - 30 days.

Approximately 24 percent of the inmate population had been in the jail system for 1 - 3 months, 15 percent had been in for 3 - 6 months, 12 percent had been in for 6 - 12 months, and 7 percent had been in for more than 1 year.

Average Daily Population

A number of different, commonly-used forecasting methodologies were applied to the inmate population trends in the Fulton County jail system in order to estimate the County's current and future jail population. The results of three models were used to develop a range of inmate population projections in five-year increments for the next 20 years.

- **Model A – Average Length of Stay (ALOS).** Projections are based on the County's average ALOS over the past five years (2001 through mid-2006).
- **Model B – Rate of Incarceration (ROI) Trend.** Projections are based on the trend in the County's ROI (inmates per 1,000 population) over the past five years (2001 through mid-2006), applied to the County's population projections.
- **Model C – Average Daily Population (ADP) Trend.** Projections are based on the trend in the County's ADP of inmates over the past five years (2001 through mid-2006).

Based on the results of these three models, it is estimated that Fulton County will have an average daily population (ADP) of:

- 3,445 inmates (range: 3,258 to 3,712 inmates) in five years (by 2011); and
- 3,771 inmates (range: 3,481 to 4,242 inmates) in ten years (by 2016).

Long range projections estimate that Fulton County will have an ADP of:

- 4,106 inmates (range: 3,724 to 4,771 inmates) in 15 years (by 2021); and
- 4,448 inmates (range: 3,957 to 5,301 inmates) in 20 years (by 2026).

Inmate Population Projections

Based on the three previously described models and by applying various calculations to the baseline average daily population, it is estimated that Fulton County will need a total of:

- 3,900 jail beds in five years (by 2011), to support a projected ADP of 3,445 inmates; and
- 4,269 jail beds in ten years (by 2016), to support a projected ADP of 3,771 inmates.

Long range projections estimate that Fulton County will need a total of:



- 4,648 jail beds in 15 years (by 2021), to support a projected ADP of 4,106 inmates; and
- 5,035 jail beds in 20 years (by 2026), to support a projected ADP of 4,448 inmates.

Section 3 – Facility Planning Options

Section 3 described the facility options that were identified that could provide the required inmate beds and infrastructure needs in the future.

Although the Fulton County Jail has a design operating capacity of 1,440 inmates, the jail has previously housed more than 3,000 inmates at one time by double and triple bunking cells and placing bunks in dayrooms. The Federal Court has set a jail operating capacity of 2,250 beds. In addition to the 2,250 beds available at the main jail, the jail bureau operates three satellite facilities: Bellwood, with 200 available beds; Marietta, with 100 available beds; and Alpharetta, with 64 available beds. Of the 2,614 beds available at the four Jail Bureau facilities, 2,310 beds are available for male housing and 304 beds are available for female housing.

Based on the inmate projections presented in Section 2, it is projected that the number of secure beds required at the Fulton County Jail in the year 2026 could reach 5,035 beds. With a current operational capacity of 2,614 beds, a shortfall of 2,421 beds could occur in 2026 if no additional beds are added to the Fulton County Jail capacity and no significant changes are made in the criminal justice system.

The Jail currently has adequate maximum-security capacity to meet future needs if some of the housing that is currently double bunked is returned to single cell housing. This presents two significant advantages to building new maximum-security space. First, construction of single cells is the most expensive construction in a new jail so re-utilizing the existing space will help to mitigate cost of an addition to the facility, and second, returning the housing units to their design capacity will help to alleviate the abnormal wear and tear on the facility that occurs when the design capacity is exceeded for an extended period of time. In order to accomplish this goal we recommend adjusting the bed count at the main jail to 1,835 beds to provide the capacity for 816 Maximum Security single cells and 510 High-Medium and Medium Security double cells (1,019 double beds). This will require replacing 415 beds displaced by reducing the main jail capacity from 2,250 to 1,835 in the total bed count.

We recommend that if the County opts to add jail beds to the existing jail site a combination of two and four person cells and secure dormitories be added to the Jail to accommodate the large medium-security classification at the Jail. If these additional beds are added to the existing Fulton County Jail site, it would likely require removal of the Bellwood Facility and the potential reuse of the Marietta Facility. If those 300 beds are no longer available, they will need to be replaced in the new housing to achieve the overall projected inmate capacity.

The six facility options and the one recommended were described on page 2 of the Executive Summary. Section 3 of the report provides more detailed information of how this option could be implemented and how it would impact the jail's current operating capacity. Also described in this section is how either a 960-Bed Three Tower Option or a 1,536-Bed Two Tower Option could be used to meet the projected beds needs at the main jail complex. In each case a phased construction program could be used.





The classification provided under Phase One of a phased approach to adding beds to the jail under the 960-Bed Three Tower Option would be:

Classification	Percent of overall beds	Number of beds required	Number of beds Provided
Maximum	20%	764	816
Medium	60%	2,291	2,459
Minimum	20%	764	544
Total	100%	3,819	3,819

Table 6

The classification provided under the build out of three housing units to add 2,880 beds to the jail would be:

Classification	Percent of overall beds	Number of beds required	Number of beds Provided
Maximum	20%	956	816
Medium	60%	2,867	2,939
Minimum	20%	956	1,024
Total	100%	4,779	4,779

The classification provided under the build out of two housing towers to add 3,072 beds to the jail to bring the available beds to 4,971 would be:

Classification	Percent of overall beds	Number of beds required	Number of beds Provided
Maximum	20%	994	816
Medium	60%	2,983	3,323
Minimum	20%	994	832
Total	100%	4,971	4,971

Section 4 – Space Program

Section 4 provides a series of tables that illustrate the future space requirements for the Fulton County Jail (FCJ) build out to 5,035 beds including housing and support spaces. The space program addresses new space that would be needed to support the bed and infrastructure increases as well as areas in the exiting jail that could be renovated to support future space needs. This approach allows the architectural designer to best determine the configuration of new spaces and utilization of existing and vacated spaces in the existing jail. The following table summarizes the function components of space needs for both new and existing spaces for the 1,536-Bed Two Tower Option. A 960-Bed Three Tower Option is also provided in Section 4.



**Fulton County Jail Long-Term Feasibility Study
Section 1 – Executive Summary**

FULTON COUNTY JAIL ADDITION SPACE PROGRAM - 1,536-BED TWO TOWER OPTION					
Comp.	Space Description	Total DNSF	Net To Gross	Total DGSF	Renovation or New Space
1.0	Video Visiting / Visitor Building	7,236	30%	9,407	Renovation
2.0	Administration Lobby	850	30%	1,105	New Space
3.0	Jail Administration	4,515	30%	5,870	New Space
4.0	Central Control	884	45%	1,282	Existing
5.0	Jail Command Center Existing	3,723	30%	4,840	Existing Admin space
6.0	Jail Command Center New Housing	4,067	30%	5,287	New Space
7.0	Court Rooms	8,157	30%	10,604	New Space
8.0	Inmate Programs	2,602	30%	3,383	Existing
9.0	Intake Vehicle Sallyport / Transfer	0	20%	0	Existing Intake
10.0	Intake Booking / Processing	0	40%	0	Existing
11.0	Inmate Property	5,528	30%	7,186	New Space
12.0	Inmate Records	3,800	30%	4,940	Existing / Expansion
13.0	Inmate Transfer	0	40%	0	Existing
14.0	Inmate Release	2,074	40%	2,904	New Space
15.0	Health Care Administration	2,908	30%	3,780	New Space
16.0	Medical Clinic	7,110	30%	9,243	New Space
17.0	Medical Infirmary	10,384	40%	14,538	New Space
18.0	Mental Health Unit	5,188	40%	7,263	Existing Medical
19.0	Maintenance	5,904	20%	7,085	New Space
20.0	Warehouse	0	20%	0	Off Site
21.0	Kitchen	0	40%	0	Existing
22.0	Plating Kitchen	4,266	40%	5,972	New Space
23.0	Laundry	5,360	25%	6,700	Renovate Old Kitchen
24.0	Power Plant	14,320	20%	18,616	New Space / Existing
25.0	1,536 New Inmate Housing	132,362	45%	191,925	New Space
26.0	1,536 New Inmate Housing	132,362	45%	191,925	New Space
Total NSF		363,600	DGSF	513,854	
Net to Gross Circulation			10%	51,385	
TOTAL BUILDING GROSS SQUARE FEET				565,239	



Section 4 also proves a preliminary conceptual site plan of the proposed new construction and renovation. The plan was developed primarily to test the program on the site to ensure that the site will accommodate the additional square feet of space programmed.

Section 5 – Current Facilities Assessment

Section 5 provides an assessment of the current jail facilities and their ability to support additional beds and infrastructure. A brief description of a current major work and maintenance program for the Main Jail that is being provided by Johnson Control Company is described. In general, the project includes a major replacement of the HVAC system, replacement of selected plumbing fixtures, elevator upgrades and selected maintenance at the jail complex.

The section also provides an analysis of the heating ventilation air conditioning system, the plumbing and fire protections system, the electrical system, the security electronics system, and security hardware in the current facility and the ability of these systems to support current and future capacities.

Finally this section provides an analysis of the jail's current medical healthcare program. Areas addressed in the report include:

- Healthcare Organization
- FCJ Facilities
- Healthcare Standards
- Introduction / Analysis Overview
- Inmate Population Characteristics
- Comparisons and Trends
- Service Delivery and Efficiency
- Current System of Data Collection
- New Medical Unit
- Telemedicine
- Intake Procedures Review
- Sick call and Emergency Procedures Review
- Mental Health Services and Suicide Plan Review
- Specialized Programs Review
- Physical Examination (72 Hour Holding Unit)

Section 6 – Preliminary Cost Estimate

Based upon the recommendation of selecting Option 2 - Expand Main Jail Complex in a Phased Construction Program, two cost estimates for designing and constructing additional towers and infrastructure were developed for the two schemes identified in Section 4 – Space Analysis. The estimate is a "program and concept" level estimate only. That is, only a pre-design space program and preliminary concept site layout has been prepared at this time, not detailed or completed design and engineering documents.



The estimates include construction costs, which reflects the estimated amount of material and labor required to construct the new buildings and structures, and associated site work, including on-grade parking and storm water control. The estimate also includes project costs including program management and construction management services, project fees, design and engineering services, furniture, fixtures and equipment (FF&E), general conditions, project requirements, and contingencies for completion of design, change orders during construction and escalation.

Renovation has been estimated using only a square foot allowance based on the anticipated complexity of the currently planned and anticipated renovation. Because design and engineering have not yet been prepared for these areas, it is difficult to anticipate existing conditions that may impact costs, and renovation cannot begin until new spaces are on line, there are likely to be some deviation in the actual costs for renovation. The estimate excludes development fees, unforeseen site conditions, interest, utility extensions, owner administration and financing expenses, and infrastructure upgrades beyond the project boundary lines.

The cost to construct the 960-Bed Three Tower Option and the 1,536-bed Two Tower Options are \$150 million and \$153 million respectively.

Section 7 - Staffing Analysis and Operating Cost Estimate

Section 7 contains a staff deployment plan that the County and Sheriff would need to consider employing in order to effectively manage the jail expansion program identified in Section 3 - Facility Planning Options. Staffing options for the 960-Bed Three Tower Option and the 1,536-Bed Two Tower Option are presented. In addition, projected operating costs for the above mentioned options are also included at the end of this section.

Current Staffing Levels

The Fulton County Jail current has a total of 668 full-time employees, including all civilian, deputies, and detention officer personnel. Effective January 2007 and based several initiatives, the number of personnel assigned to the Jail Bureau will increase to 826.

Proposed Expansion Staffing Needs

Based upon the 960-Bed Two Tower Option, a total of 502 additional staff would be needed to manage the 2,880-bed expansion. Based upon the 1,536-Bed Two Tower Option, a total of 496 additional staff would be needed to manage the 2,880-bed expansion. The two staffing tables in this section list required post assignments by shift and whether the position should be filled by a uniform or civilian employee.

Operational Cost Analysis and Estimate

Operational cost for the proposed jail addition was developed based on the actual expenses for the jail for FY 2007. The estimate was projected over the next three years, based on if the new expansion would be constructed and opened by 2010. Should the County approve and construct the recommended expansion, it is estimated that it would be completed in approximately 36 months. Therefore in projecting operational costs for the next three years, an annual inflation rate



of 3% per year was added to the FY 2007 budget to project the operational costs for FY 2008 and FY 2009. For fiscal year 2010, the budget estimate included the additional recommended staff and the anticipated number of inmates that would be held the jail after to expansion opens. In all cases, utility costs are not included due to it being in another county budget category.

The Sheriff's current FY 2007 budget is \$79,186,263. The budget projection for FY 2008 and 2009 is estimated at \$81,561,850 and \$84,008,705 respectively. The budget for FY 2010, when the expansion would open, is estimated at \$114,471,095. This is based upon the recommended increase in staff and an average daily inmate population of 3,825.

Section 8 – Criminal Justice Overview

Section 8 provides dialog on a brief overview the criminal justice system. This section does contain meeting notes the Project Team had with District Attorney Paul Howard and Chief Judge Doris Downs. The purpose of the meeting was to obtain the prosecutions and judicial perspectives of how the court system is impacting the jail population.

Although the Long-Jail Feasibility Study focused primarily on the jail, it is recommended that Fulton County conduct a detailed analysis of the criminal justice system in order to find ways to better manage and control the inmate population at the jail. A detailed analysis of the criminal justice system would identify improvements in work processes and devise innovative solutions that will enhance the Court's overall effectiveness. The possibilities for improvement exist on several levels: first, by examining tasks and activities and determining what old habits and "non-value-added" activities can be eliminated; and second, certain opportunities may be identified through fundamental change of the processes either through increased use of technology or by re-thinking old policies and procedures. In both instances, our focus is on improvements that have a significant impact on the jail's staff and space requirements.

Section 9 – Alternative Programs t Alleviate Overcrowding

Section 9 describes a jail needs assessment study that was completed in 2000 relative to potential diversion programs and alternatives to jail detention in Fulton County. The study indicated that the County is operating a very limited number of alternative programs. It is the current thinking in today's criminal justice milieu that the use of alternative programs can lower operating cost, reduce recidivism as people benefit from programs, provide restitution through community service, and reduce the demand for expensive jail beds. The Study recommended that the County fund a number of alternative programs as well as increase the availability of existing programs in operation.

Although the Study suggested the County consider Pretrial services, Electronic Monitoring, Supervision Services, Drug Court, Day Reporting Center, Community Service Programs, and Work Release Programs, the implementation of these programs has been limited. This section also describes other potential alternative programs that have been successful in other County jail systems throughout the United States. These programs include:

- Police Diversion
- Citation/Summons
- Station House Bail
- Bail Expediting
- Unsupervised Release On Own Recognizance
- Third Party Release.
- Supervised Release on Own Recognizance



- Jailor Citation Release
- Warrants-Holds Clearance Program
- Day Reporting (off-site)
- Day Reporting (off and on-site)
- House Arrest
- Deferred Prosecution
- Defender-Based Advocacy
- Treatment Alternative to Street Crime
- Community Service
- Day Fines
- Restitution
- Probation Supervision
- Electronic Monitoring
- Shock Incarcerations/Probation
- Non-Secure Residence
- Weekend Sentences / Jail by Appointment
- Accelerated Charge Screening
- Readiness Conference Program
- Pre-Plea Probation Report

It should be stressed that these alternatives to secure confinement may — or may not — be appropriate for Fulton County, but are presented here merely for discussion purposes, and to assist the County with its efforts to manage and control the size of its jail population.



Fulton County Jail Long-Term Feasibility Study
Section 2 - Bed Capacity Requirement Forecast

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I. INMATE CAPACITY REQUIREMENTS

For facility planning purposes, this section of the report provides:

- A review of certain statistical indicators in the County's criminal justice system, and their relevance to jail facility planning;
- A review of the County's current inmate population trends and a profile of the inmate population in the County jail system; and
- Current inmate population projections and a forecast of jail capacity requirements for Fulton County, for facility planning purposes.

A. Criminal Justice Statistical Indicators

There are numerous trends and factors that, to some extent, all have an impact on Fulton County's need for jail beds. These trends can be *tangible* and quantifiable, such as a growing County population, and can be *intangible*, such as public attitudes toward crime and offenders. These trends can have a *direct* impact on the County's jail population, or they may *indirectly* affect the need for jail beds. The analysis is complicated further by the fact that there is no general agreement as to which factors have the most impact, or the most direct impact, on the size of the County's jail population.

Generally, as a County's population grows, the demands on its criminal justice system also grow. More crime, more arrests, more criminal case filings, and an increasing jail population can all be attributed, at least in part, to a County's growing population. It is not unusual, however, to find jurisdictions where the jail population is increasing, while the County's population, crime rate, arrests, or criminal case filings are (statistically) declining.

Nonetheless, while there may or may not be a direct statistical correlation, it is important in a facility planning effort such as this to at least examine the trends in those areas that are both quantifiable and generally believed to have some impact on the County's need for jail beds. Therefore, as part of this study, a review was made of certain statistical indicators in the County's criminal justice system, including available data on crime trends and criminal case filing trends in Fulton County courts. An effort was also made to determine the relevance of this statistical data (if any) to the County's current jail facility planning efforts.



1. Crime Index Offenses

For the purpose of measuring the trend and distribution of crime on the national and state level, the Uniform Crime Reporting System (UCR) utilizes a "crime index," which is composed of seven crime classifications considered to best represent the overall volume and rate of crime. Standard definitions are used in the state and national programs in order to maintain uniform and consistent data.

The UCR Crime Index consists of the following seven offenses:

Violent Crimes

Murder
Rape
Robbery
Aggravated Assault

Property Crimes

Burglary
Theft
Motor Vehicle Theft

As part of this study, an examination was made of the number and type of crime index offenses reported in Fulton County over the past ten years of available data (i.e., 1996 - 2005). The number of crime index offenses is also used to establish a *crime rate*, which is the number of crime index offenses reported per 100,000 County population.

Over the past ten years, "crime" in Fulton County has steadily declined (as measured by UCR statistics).

- *Violent Crime* – In 1996, the County reported 15,747 violent crimes (murder, rape, robbery, and aggravated assault). Ten years later, in 2005, the County reported only 9,722 violent crimes – a 38 percent decrease in violent crime.
- *Property Crime* – In 1996, the County reported 81,931 property crimes (burglary, larceny, and vehicle theft). Ten years later, in 2005, the County reported only 56,988 property crimes – a 30 percent decrease in property crime.
- *Total Crime* – In 1996, the County reported 97,678 total crimes. Ten years later, in 2005, the County reported only 66,710 total crimes – a 32 percent decrease in total crime.
- *Crime Rate* – In 1996, the County had a crime rate of 13,645 crime index offenses per 100,000 population. Ten years later, in 2005, the County had a crime rate of 7,971 index offenses per 100,000 population – a 42 percent decrease in the crime rate.



Fulton County Jail Long-Term Feasibility Study
Section 2 - Bed Capacity Requirement Forecast

Crime Index Offenses Reported in Fulton County (1996 - 2005)

Offense	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Violent Crime										
Murder	229	173	178	168	147	168	170	171	151	129
Rape	550	535	533	455	369	492	330	377	366	339
Robbery	5,672	5,625	5,625	4,846	4,417	5,245	4,741	4,662	4,087	4,037
Aggravated Assault	9,296	8,579	8,840	7,857	7,309	7,201	6,092	5,733	5,583	5,217
Subtotal	15,747	14,912	15,176	13,326	12,242	13,106	11,333	10,943	10,187	9,722
Property Crime										
Burglary	14,348	12,433	12,818	11,638	10,642	12,344	12,198	12,132	11,129	12,616
Larceny	53,714	42,576	45,611	43,751	35,170	39,945	36,131	37,327	34,856	35,157
Vehicle Theft	13,869	11,776	11,720	10,353	8,710	9,394	9,163	10,199	8,278	9,215
Subtotal	81,931	66,785	70,149	65,742	54,522	61,683	57,492	59,658	54,263	56,988
Total	97,678	81,697	85,325	79,068	66,764	74,789	68,825	70,601	64,450	66,710
Crime Rate (Offenses per 100,000 Population)	13,645	11,255	11,540	10,497	8,528	8,949	8,066	8,431	7,747	7,971

Source: Georgia Bureau of Investigation (GBI), Uniform Crime Reporting Statistics.

Crime statistics can be easily misinterpreted and misunderstood. Caution must be used when examining and interpreting crime statistics, particularly when done as part of an analysis of jail population trends. In many counties, the amount of reported crime is declining, while the County's jail population is increasing. Although this may seem contradictory, it must be kept in mind that crime statistics only include the seven "most serious" offenses, and only include *reported* offenses. The vast majority of the criminal offenses that are routinely committed, and serious offenses that go unreported, are not included in the Uniform Crime Reporting System's crime index. Consequently, trends in a county's crime index *may* or *may not* parallel trends in the county's jail population.

This appears to be the case with Fulton County. Over the past five years (2001 - 2005), the amount of "crime" in the County appears to be declining, but the jail population has been increasing. Again, this may at first seem contradictory, but is not when it is understood how crime statistics are calculated, and what they do and do not measure. Many of the inmates in the Fulton County jail system are there for various drug offenses - none of which are included in the UCR's crime index offenses. Therefore, any trends in the number or type of drug offenses in the County are not factored into the County's UCR "crime" statistics.



Fulton County Jail Long-Term Feasibility Study Section 2 - Bed Capacity Requirement Forecast

It should also be kept in mind that the UCR crime statistics reflect reported crime, without regard to whether anyone was caught, arrested, prosecuted, or incarcerated for the crime. Therefore, although the County's crime statistics may be useful for other purposes, the data does not provide any real insights for jail facility planning purposes.

2. Criminal Case Filings

As part of this study, an examination was also made of the number of criminal case filings in Superior Court and in State Court in Fulton County over the past few years of available data.

Criminal Case Filings in Superior Court – Atlanta Circuit (2000 – 2004)

Criminal Case	2000	2001	2002	2003	2004
Felony	15,182	14,776	11,106	11,928	12,724
Misdemeanor	0	0	0	0	0
Probation Revocation	4,482	4,565	3,955	3,559	4,415
Total Criminal Cases	19,664	19,341	15,061	15,487	17,139

Source: *Annual Report: Georgia Courts, 2001 – 2005*, Judicial Council of Georgia, Administrative Office of the Courts.

Criminal Case Filings in State Court – Fulton County (2002 – 2004)

Criminal Case	2002	2003	2004
Serious Traffic	1,250	36,789	839
Non-Traffic Misdemeanors	10,673	26,034	11,456
Probation Revocation	497	2,584	1,112
Other Traffic	50,863	1,653	63,117
Total Criminal Cases	63,283	67,060	76,524

Source: *Annual Report: Georgia Courts, 2003 – 2005*, Judicial Council of Georgia, Administrative Office of the Courts. Notes: "Serious Traffic" cases consist of DUI, reckless driving, and homicide by vehicle. Data for 2001 was not reported. Prior data was formatted into different categories.



Again, caution should be used when examining criminal court caseload statistics, particularly when done as part of an analysis of jail population trends. As previously discussed with regard to crime statistics, annual trends in criminal case filings in a county may or may not parallel trends in the county's jail population. Therefore, although the County's criminal case filing statistics may be useful for other purposes, the data does not provide any real insights for jail facility planning purposes.

B. Inmate Population Trends and Profile

As part of this study, a review was made of the inmate population trends and a profile of the current inmate population in the Fulton County jail system. The section includes:

- *Bookings* – A review of the number of jail bookings at the Main Jail each month over the past ten years (1996 - 2006), and a current profile of jail bookings by charge (felony / misdemeanor) and by arresting agency;
- *Average Daily Population (ADP)* – A review of the average daily population (ADP) of inmates in the jail system each month over the past ten years (1996 - 2006); and
- *Inmate Population Profile* – An inmate population profile, including breakdowns of the County's current inmate population by gender (male/female), by facility (Main Jail, Bellwood, Marietta, Alpharetta, and outsourced); and by current length of stay.

1. Bookings

The number of bookings at a jail is an important indicator of the quantity and frequency of people being processed into (and subsequently out of) the facility. The number of bookings also has an impact on the size of the overall jail population, and provides an insight into the demands placed on the facility's intake and release area, and the staff involved with the processing of inmates into (and out of) the facility.

Male Bookings

Over the past ten years (1996 - 2006), the number of male bookings at the Fulton County Jail ranged from a low of 2,280 male bookings (in January 1999) to a high of 4,843 male bookings (in September 1997). Although the number of male bookings fluctuates up and down each month, the ten-year trend line is relatively flat.

Over the past five years (2001 - 2006), however, the number of male bookings has not fluctuated as dramatically each month, ranging from a low of 2,435 male bookings (in December 2001) to a high of 3,814 male bookings (in January 2005). Although the number of male bookings continues to fluctuate up and down, the five-year trend line shows a steadily increasing number of male bookings each month since 2001.



Fulton County Jail Long-Term Feasibility Study Section 2 - Bed Capacity Requirement Forecast

Over the past ten years, the Fulton County Jail has averaged approximately 3,171 male bookings each month. In 2006 (January through July), there has been an average of 3,132 male bookings each month.

Female Bookings

Over the past ten years (1996 - 2006), the number of female bookings at the Fulton County Jail ranged from a low of 405 female bookings (in December 1996) to a high of 1,158 female bookings (in September 1997). Although the number of female bookings fluctuates up and down each month, the ten-year trend line is relatively flat.

Over the past five years (2001 - 2006), however, the number of female bookings has not fluctuated as dramatically each month, ranging from a low of 463 female bookings (in February 2002) to a high of 843 female bookings (in January 2005). Although the number of female bookings continues to fluctuate up and down, the five-year trend line shows a steadily increasing number of female bookings each month since 2001.

Over the past ten years, the Fulton County Jail has averaged approximately 662 female bookings each month. In 2006 (January through July), there has been an average of 683 female bookings each month.

Total Bookings

Over the past ten years (1996 - 2006), the number of total bookings at the Fulton County Jail ranged from a low of 2,707 total bookings (in January 1999) to a high of 6,001 total bookings (in September 1997). Although the number of total bookings fluctuates up and down each month, the ten-year trend line is relatively flat.

Over the past five years (2001 - 2006), however, the number of total bookings has not fluctuated as dramatically each month, ranging from a low of 2,953 total bookings (in December 2001) to a high of 4,657 total bookings (in January 2005). Although the number of total bookings continues to fluctuate up and down, the five-year trend line shows a steadily increasing number of total bookings each month since 2001.

Over the past ten years, the Fulton County Jail has averaged approximately 3,833 male bookings each month. In 2006 (January through July), there has been an average of 3,815 total bookings each month.

Profile of Jail Bookings

As part of this study, a review was made of jail bookings over the first eight months of this year (January through August 2006) – a total of 29,800 bookings. Data was for the total number of inmates booked, not the total number of criminal charges (as many inmates are booked on multiple charges).



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During the eight-month review period, 54 percent of the jail bookings at the Fulton County Jail involved felony charges, and 46 percent involved misdemeanor charges. On average, there were approximately 3,725 total bookings each month, including 2,027 felony bookings and 1,698 misdemeanor bookings.

During the review period, 62 percent of the jail bookings were from the Atlanta Police Department, and 13 percent were from the Fulton County Sheriff's Department – that is, three-quarters of the jail bookings were from these two law enforcement agencies. The remaining 25 percent of the jail bookings are from the Fulton County Police Department (7 percent), Roswell Police Department (3 percent), East Point Police Department (3 percent), College Park Police Department (3 percent), and other local, state, and federal law enforcement agencies (10 percent).

Graphs and Tables

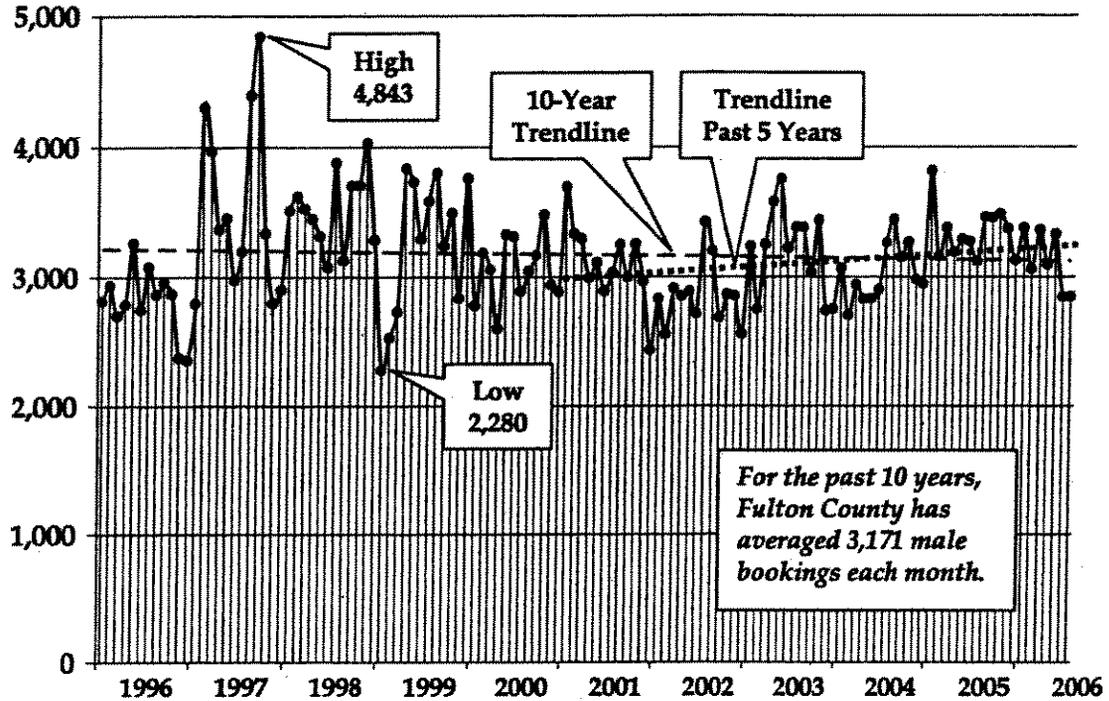
Subsequent pages provide graphs and data tables of the following:

- Male Bookings – Past 10 Years (1996 - 2006);
- Female Bookings – Past 10 Years (1996 - 2006);
- Total Bookings – Past 10 Years (1996 - 2006); and
- Profile of Jail Bookings from January through August 2006.



Fulton County Jail Long-Term Feasibility Study Section 2 - Bed Capacity Requirement Forecast

Male Bookings – Past 10 Years (1996 - 2006)



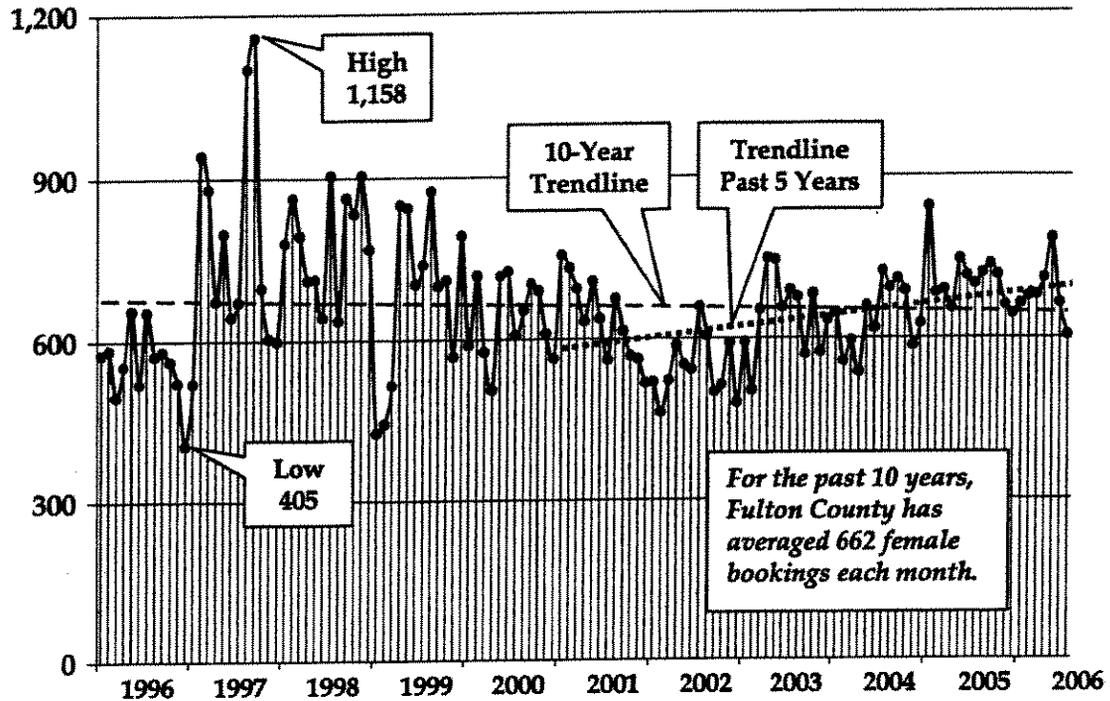
Month	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
January	2,815	2,797	3,514	2,280	2,780	3,694	2,834	3,238	3,069	3,814	3,378
February	2,937	4,303	3,620	2,533	3,187	3,334	2,558	2,753	2,706	3,160	3,063
March	2,705	3,970	3,524	2,732	3,057	3,296	2,913	3,251	2,941	3,379	3,362
April	2,789	3,368	3,447	3,838	2,604	2,992	2,854	3,579	2,833	3,192	3,096
May	3,261	3,455	3,316	3,731	3,329	3,112	2,890	3,754	2,835	3,295	3,332
June	2,748	2,978	3,075	3,293	3,312	2,893	2,717	3,223	2,906	3,278	2,847
July	3,079	3,197	3,882	3,583	2,890	3,036	3,424	3,386	3,266	3,121	2,847
August	2,866	4,395	3,130	3,801	3,047	3,253	3,201	3,383	3,445	3,461	
September	2,958	4,843	3,704	3,241	3,168	3,000	2,686	3,035	3,151	3,457	
October	2,872	3,338	3,707	3,492	3,479	3,254	2,867	3,440	3,270	3,483	
November	2,376	2,801	4,035	2,837	2,940	2,970	2,853	2,741	2,979	3,372	
December	2,357	2,903	3,287	3,758	2,886	2,435	2,561	2,752	2,947	3,129	
Annual Total	33,763	42,348	42,241	39,119	36,679	37,269	34,358	38,535	36,348	40,141	21,925
Monthly Average	2,814	3,529	3,520	3,260	3,057	3,106	2,863	3,211	3,029	3,345	3,132

Data Source: Jail Mainframe.



Fulton County Jail Long-Term Feasibility Study Section 2 - Bed Capacity Requirement Forecast

Female Bookings — Past 10 Years (1996 - 2006)



Month	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
January	575	521	781	427	590	756	520	593	647	843	663
February	584	942	864	444	719	732	463	503	557	684	677
March	497	880	794	516	577	694	523	653	595	689	679
April	554	674	712	850	506	633	588	748	537	655	711
May	657	799	714	844	718	707	552	745	660	746	784
June	521	644	643	703	726	638	543	657	618	715	664
July	654	672	905	739	607	561	659	689	724	700	604
August	572	1,101	637	875	654	675	605	676	693	720	
September	580	1,158	864	700	703	614	501	570	710	736	
October	562	698	834	711	690	568	514	682	688	716	
November	522	604	905	569	610	562	592	574	586	660	
December	405	599	769	793	564	518	481	634	627	644	
Annual Total	6,683	9,292	9,422	8,171	7,664	7,658	6,541	7,724	7,642	8,508	4,782
Monthly Average	557	774	785	681	639	638	545	644	637	709	683

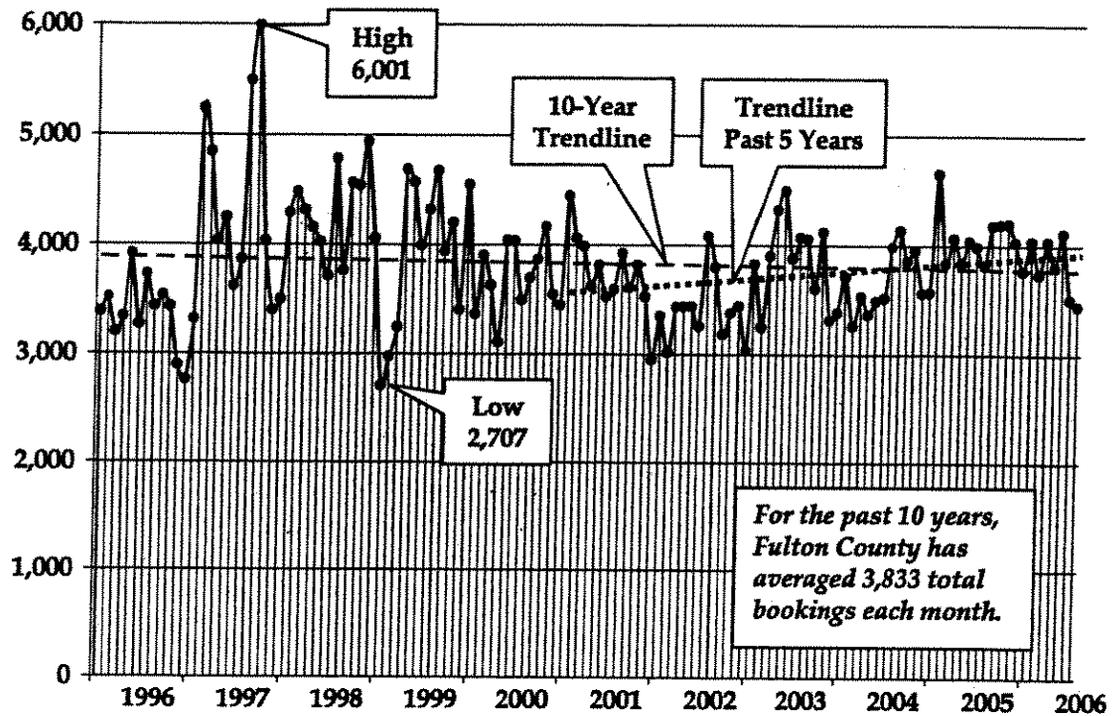
Data Source: Jail Mainframe.



Fulton County Jail Long-Term Feasibility Study

Section 2 - Bed Capacity Requirement Forecast

Total Bookings - Past 10 Years (1996 - 2006)



Month	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
January	3,390	3,318	4,295	2,707	3,370	4,450	3,354	3,831	3,716	4,657	4,041
February	3,521	5,245	4,484	2,977	3,906	4,066	3,021	3,256	3,263	3,844	3,740
March	3,202	4,850	4,318	3,248	3,634	3,990	3,436	3,904	3,536	4,068	4,041
April	3,343	4,042	4,159	4,688	3,110	3,625	3,442	4,327	3,370	3,847	3,807
May	3,918	4,254	4,030	4,575	4,047	3,819	3,442	4,499	3,495	4,041	4,116
June	3,269	3,622	3,718	3,996	4,038	3,531	3,260	3,880	3,524	3,993	3,511
July	3,733	3,869	4,787	4,322	3,497	3,597	4,083	4,075	3,990	3,821	3,451
August	3,438	5,496	3,767	4,676	3,701	3,928	3,806	4,059	4,138	4,181	
September	3,538	6,001	4,568	3,941	3,871	3,614	3,187	3,605	3,861	4,193	
October	3,434	4,036	4,541	4,203	4,169	3,822	3,381	4,122	3,958	4,199	
November	2,898	3,405	4,940	3,406	3,550	3,532	3,445	3,315	3,565	4,032	
December	2,762	3,502	4,056	4,551	3,450	2,953	3,042	3,386	3,574	3,773	
Annual Total	40,446	51,640	51,663	47,290	44,343	44,927	40,899	46,259	43,990	48,649	26,707
Monthly Average	3,371	4,303	4,305	3,941	3,695	3,408	3,408	3,855	3,666	4,054	3,815

Data Source: Jail Mainframe.