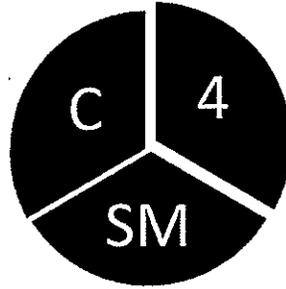


THE CENTER FOR STRATEGIC MANAGEMENT, LLC



FULTON COUNTY JAIL POPULATION: A FORECAST



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Executive Summary

Overview

For several years, The Fulton County Jail experienced overcrowding which resulted in various federal lawsuits. The federal government has mandated that the main jail remain at or below capacity. To comply with this mandate, Fulton County is outsourcing jail mates to other correctional facilities. Fulton County also is considering an option to purchase the Atlanta City Detention Center under a lease-purchase arrangement. This report provides summary information on previous feasibility studies of the Fulton County Jail System, as well as information on external patterns and trends which may affect the jail mate population in Fulton County through 2015. The report further estimates the per diem costs for housing jail mates based on the projected Average Daily Population (ADP) and the daily per diem rate.

Key Facts

- The national jail population is growing (+5% from 2005 to 2008).
- Georgia has the fourth highest incarceration rate in the nation with 1 in 13 Georgians either in prison, on probation, or on parole.
- State policies contribute to the inordinate rate of incarceration in Georgia.

- Population growth is a factor in the rate of incarceration---the population of the Atlanta Region and Fulton County continues to grow.
- The average annual population increase for Fulton County (2000-2008) was 15,766.
- The economic climate in Georgia may contribute to the prison population--- Georgia's per capita income has declined since 2000 (85.5% of the U.S. in 2008)
- The Average Daily Population (ADP) for the Fulton County Jail (2005-2009) was 2,964; The ADP has remained fairly constant over that period.
- The Average Length of Stay (ALOS) (2005-2009) was 138 days, although it increased by about 58% during this period (110 days to 173 days).
- It is estimated that the ADP will increase by about 2% for the next 5 years which would result in an ADP of approximately 3,312 inmates by 2015.
- The current cost to house the average offender in Georgia is \$49/day, while the cost in Fulton County is estimated at \$83/day.
- The daily cost to house jail mates in Fulton County in 2009 was \$210,000 (based on a per diem of approximately \$75.00/day).

- The annual cost to house jail mates in Fulton County in 2009 was approximately \$76,270,200 (based on a per diem of approximately \$75/day).
- The estimated daily cost to house jail mates in 2015 is \$274, 896 (based on a per diem of approximately \$83/day).
- The estimated annual cost to house jail mates in Fulton County in 2015 is \$91,045,555.
- It appears that the use of alternatives to incarceration in Fulton County is not optimized, notwithstanding their advocacy by criminal justice experts and the recommendations of previous research on the Fulton County Jail System.

FULTON COUNTY JAIL POPULATION FORECAST

BACKGROUND AND INTRODUCTION

For several years, the Fulton County Jail has experienced overcrowding which has resulted in various federal lawsuits. The federal government has mandated that the main jail remain at or below capacity. To comply with this mandate, Fulton County is outsourcing jail mates to other correctional facilities. Another federal mandate required the mechanical, plumbing and electrical systems at the Fulton County Jail to be repaired and upgraded. This \$59 million renovation project was completed in 2009. The work, managed by the General Services Department, concentrated on mechanical, electrical, elevators, and plumbing systems. The work was completed over a three-year period (2006-2009) and required a coordinated effort to relocate inmates to accommodate construction crews. The Fulton County Sheriff's Office operates three (3) facilities for jail mate housing: the main jail at 901 Rice Street in Northwest Atlanta; Bellwood Annex; and the Alpharetta City Jail (portions used by the Fulton County Sheriff's Office).

In order to get a better understanding of the future inmate population and the inherent costs, the County requested that The Center for Strategic Management, LLC (CSM) conduct a population forecast study, including cost projections for housing jail mates in the Fulton County Jail System.

CSM utilized a mixed-method approach to forecast the inmate population and cost projections which included the following:

- A review and analysis of previous research on national prison population trends;
- A review and analysis of national criminal justice data;
- A review and analysis of previous research on the Fulton County Jail System;
- A review and analysis of population trends; and
- A review and analysis of Fulton County Jail System data.

This report presents key findings from the aforementioned analyses and provides a projection of the Fulton County jail mate population and operating costs over the next five years (through 2015).

FORECAST PERSPECTIVE

There are several things to note about forecasting criminal justice events. The future cannot be predicted with certainty. The rules of probability do not hold in the forecasting of social phenomena such as crime. The further out in time a projection is made, the greater the possibility that the future could vary. A forecast made for the next year is more reliable than a forecast made for years into the future. In short, forecasts are estimates about the future based on the past.

There are four fundamental considerations of jail forecasts:

1. Have there been any criminal justice policy shifts that have contributed to trends in inmate population growth? Seemingly minor changes in informal and formal policies can sometimes ignite major growth in jail population.
2. What is happening to crime and arrests? These two events are not the same thing. It is not unusual to find that a crime, such as auto theft, is decreasing in its rate of occurrence but has an increasing arrest rate. Furthermore, what brings about an increase in crime does not necessarily bring about an immediate increase in arrests and vice versa.

3. How well is the criminal justice system functioning in moving defendants through the adjudicatory process? Given that typically about 60 to 75% of the persons in jail are awaiting trial, the speed with which their cases are processed will affect the size of the jail population.
4. What alternatives to incarceration are being used? Research indicates that about two thirds of the communities experiencing jail crowding underutilize alternatives to incarceration.

Corrections Policy in the State of Georgia

The State of Georgia has the fourth highest incarceration rate in the nation. One (1) in thirteen (13) Georgia residents is either in prison, on probation, or on parole (Pew Center on the States, 2009). This represents the highest rate of correctional control in the nation, more than double the national average of one (1) in thirty-one (31). Although the most costly segment of corrections is incarceration, the Pew Center found that about one (1) in seventy (70) Georgia residents is incarcerated. Georgia is the ninth most populous state (9.5 million) but has a prison population the same as the State of New York with 19.5 million residents. A fundamental reason for this disparity is because of Georgia's criminal justice laws and policies. For example, inmates released in 2009 were

incarcerated an average of 3.4 years compared to 1.6 years in 1990 (DOC). This trend exists among nonviolent offenders as well. The average inmate released on a drug possession charge in 2009 spent twenty-one (21) months in prison, compared with ten (10) months in 1990. The Pew Center (2009), reports that methamphetamine-related cases are contributing to prison admissions in many states. "In Georgia, meth-related admissions more than tripled, from 977 inmates in fiscal years 1999 and 2000 to 3,579 in fiscal years 2004 and 2005". According to the Georgia Parole Board, thirty percent (30%) of today's inmates can never be considered for parole compared to two percent (2%) in 1989.

The current cost to house the average offender in Georgia is \$49 a day, and the annual cost has increased from about \$28,000 in 1990 to more than \$61,000 in 2009. This amounts to a cost of about \$1 billion a year. It is telling to note that, whereas a day in prison costs taxpayers \$49, parole costs about \$4 a day.

In 2010, the Georgia Legislature avoided any serious debate about changes to the state's sentencing system. Instead, state policy makers relied on staffing cuts, more efficient new prison wings, and federal stimulus dollars to cover \$1.1 billion in costs. However, \$85 million in federal money will no longer be available in 2011.

According to the Pew Center on the States (2009), "The size of a state's prison system is determined by two simple factors: how many people come in and how long they stay". However, both of these variables stem from many influences including policy decisions; judicial, prosecutorial, and parole board discretion; as well as the larger forces at work in society.

"During the past three decades, a number of changes in states' sentencing and corrections policies have been particularly significant. These include movement from indeterminate to determinate sentencing; abolition of parole and adoption of truth-in-sentencing; requirements; lower parole grant rates; passage of "Three-Strikes" laws; and establishment of sentencing guidelines. While the impact of reforms varies in each state, the states report that these policy decisions are among the major drivers of their prison population" (Pew Center, 2009).

State policies contribute to the inordinate rate of incarceration in Georgia. The "Seven Deadly Sins" and "Two Strikes and You're Out" legislation (1994) prescribe minimum sentences (i.e., mandatory minimum) of ten (10) years, with no parole, for violent offenses such as armed robbery and parole. A second conviction of one of the seven offenses requires life without parole. In 1984, Georgia eliminated the "earned time" policy which allowed inmates to have a day

of their sentences reduced for every day of good behavior. In sum, it appears that Georgia's strong anti-crime position will mitigate any significant policy changes in the near future that would lower the state's rate of incarceration.

Crime and Arrests

Crime and arrest trends for Fulton County were not examined in this study due to inadequate data. However, this is an area that is in need of some analysis in order to get a better picture of inmate population projections.

The Fulton County Adjudicatory Process

Book-ins at the Fulton County Jail ranged from 43,988 (2005) to 35,999 (2009). The average number of book-ins for the five-year period (2005-2009) was 39,824.

However, the average length of stay (ALOS) over that same period (2005-2009) went from 110 days in 2005 to 173 days in 2009. This is about a fifty-eight (58) percent increase over the last five (5) years.

The Fulton County Jail Daily Snapshot for May 19, 2010 showed that the average number of days in jail for felons was 197 whereas the average number of days in jail for all inmates was 172. It is noteworthy that 11.6% of the population

was in jail without indictment or accusation for more than 90 days, while 5.1% of the population was in jail without indictment or accusation for 60-89 days.

Although there are other variables that contribute to the time that inmates spend in jail, these data suggest that the Fulton County adjudicatory process could be a contributing factor to the average length of stay (ALOS).

Alternatives to Incarceration in Georgia

A needs assessment study (Rosser International, 2000) discussed potential diversion programs and alternatives to incarceration in Fulton County. The study indicated that Fulton County was operating a limited number of alternative programs. Increasingly, criminal justice experts are advocating the use of alternative programs to lower operating costs, reduce recidivism, provide restitution through community service, and reduce the demand for expensive jail beds. The study recommended that Fulton County fund a number of alternative programs as well as increase the availability of existing programs.

A long-term feasibility study that was conducted by The Facility Group (2006) stated that the implementation of alternative programs suggested in the 2000 study has been limited. A number of alternative programs (which may or may not be appropriate for Fulton County) have been successful in other County

jail systems across the nation. Table 1 below provides some examples of alternative corrections programs.

Table 1: Alternative Correction Programs		
Police Diversion	Probation Supervision	Bail Expediting
Station House Bail	Electronic Monitoring	Third Party Release
House Arrest	Non-Secure Residence	Day Fines
Citation/Summons	Treatment Alternative	Restitution
Day Reporting	Deferred Prosecution	Work Release
Defender-Based Advocacy	Community Service	Supervised Release

Assumptions

The Fulton County Jail population projection also is based on several assumptions, the most significant of which are outlined below.

- Current policy, practice and levels of service delivery in place at the time the forecast projection is made will not change throughout the forecast period.
- Operational data used to support the forecast are accurate and reliable.
- Factors contributing to the jail population are unstable.
- Average length of stay (ALOS) will remain constant throughout the projection period.
- The forecast will help policy-makers formulate social policy. The new social policy, in turn, will affect the future, thus changing the accuracy of the forecast.

Factors Affecting the Forecast

There are other factors which have implications for this study.

- Marginal, incremental or significant changes to criminal justice public policy, operational practices or changes in sentencing policy during the forecast period will affect the trend accordingly. Such changes include:
 1. Public policy changes with regard to the incarceration of non-violent, low risk offenders could reduce the total facility population.

2. Systemic changes to the criminal justice system to improve operating efficiencies may result in improved case processing and reductions in the total facility population.

- Expansion of diversion programs and/or alternatives to incarceration will result in reductions in the total facility population. Contractions of such programs will have the opposite effect.
- The implementation of new or additional community release mechanisms will reduce the total facility population.
- The elimination of community release mechanisms generally, or the implementation of more stringent guidelines or limitations in eligibility requirements will increase the total facility population.
- Changes in sentencing policy, practice, or the State's overarching sentencing philosophy may affect the total facility population.
- Statistical techniques/results may be tempered by applying anecdotal information, institutional knowledge and the collective judgment of the criminal justice professionals who work directly with the data.
- The age and architecture of current criminal justice databases makes obtaining research oriented information and producing forecasts difficult.

- The ability to test for sensitivity to a wide range of policy options is completely dependent upon available data.

The Forecast Process

This forecast is a prediction about the short-term future of the Fulton County Jail system based upon past performance. It is directly dependent upon the reasonableness of the underlying assumptions and the persistence of those assumptions into the future. The goal of the population forecasting process is to improve the ability to estimate the effects of proposed practice, policy, and legislative changes and to provide stakeholders and decision-makers with information pertaining to the short-term consequences of any such changes.

There are four general criteria for assessing the validity and reliability of a forecasting model:

1. Short-term accuracy;
2. Long-term-accuracy;
3. Value for proactive policy analysis and planning; and
4. The extent to which the methodology provides insights into the underlying processes.

It is important to note that the success of the forecasting process should not necessarily be determined by its predictive accuracy, but whether or not the methodology can explain the differences between the forecasted data and the actual results.

Forecast Methodology

This forecast uses a scenario approach. The scenario is a narrative forecast that describes a potential course of events. It recognizes the interrelationships of the system components. The scenario describes the impact on the other components and the system as a whole. It is a “script” for defining the particulars of an uncertain future.

The specific model used for this projection is the Prison Population Projection (PPP) model. The PPP model uses several data sources to develop projections. Essential data elements in the model come from the U.S. Census Bureau, the Bureau of Justice Statistics, the Georgia Office of Planning and Budget, as well as the Fulton County Department of Corrections (DOC). The general premise of the model is that inmate population rates and prison incarceration rates are the primary determinants of new prison commitments. Furthermore, when new

admissions are combined with estimates of average length of stay (ALOS) in prison, it produces a scenario of the future prison population.

This simplistic approach becomes far more complex when one begins to understand the many factors that can influence admissions and the ALOS. Relatively minor changes in admissions or ALOS can have a significant impact on the ADP. For example, if the ALOS is thirty (30) months, an increase of three months in the ALOS would increase the ADP by ten (10) percent (Pew Center, 2009).

The fundamental components of the model are:

- Metro Atlanta Population Projections
- Fulton County Population Projections
- Rate of Incarceration (ROI)
- Average Length of Stay (ALOS)
- Average Daily Population (ADP)
- Projected Prison Population (PPP)

National Prison Population Trends

According to the Bureau of Justice Statistics, the national jail population is growing. The nation's local jail population (inmates in county and city jails) increased from about 747,529 in 2005 to about 785,556 in 2008 (+38,027 or 5%). Such growth in the U.S. jail population has been increasing since 1980. Unlike prisons, more than sixty percent (60%) of people housed in local jails await the filing of criminal charges or their trials. The rest await sentencing, transfer to state or federal prison, or have been sentenced to serve time in jail.

The capacity for all jails nationwide reached 849,544 beds at midyear 2009. This was up more than 2,000 from one year earlier. Numerous experts conclude that jails are housing too many people who do not belong there. Thus, more city and county jurisdictions are seeking alternatives to incarceration.

The Southern states traditionally have had the highest rates of incarceration. The Pew Center (2009) reported that Georgia had a prison population of 53,685 in 2006. Georgia's prison population was projected to reach 59,449 by 2011. This represents an eleven percent (11%) increase over the past four years plus the upcoming year. According to the Pew Center, "By

2011, the imprisonment rate of the South will exceed that of the Northeast by eighty percent (80%)”.

Previous Research on the Fulton County Jail System

Rosser International, Inc.

In 2000, a jail needs assessment study was completed for Fulton County by *Rosser International, Inc.* The study included:

- A detailed profile of the County’s inmate population;
- Jail population projections and estimated bed needs;
- A discussion of alternatives to incarceration;
- An assessment of the County’s existing jail facilities; and
- Recommendations regarding programs, facilities, and site improvements.

The inmate population projections in the 2000 study were based on the average daily population (ADP) in the Fulton County Jail System from 1991 through mid-2000. With regard to the “surge” in the County’s inmate population in 1996 and 1997, the study commented as follows:

One explanation offered for the dramatic increase in the Fulton County jail population in 1997 is that the end of the 1996 Olympics caused a sudden reversal in local employment levels. This had a highly significant impact in the short term, which has since diminished somewhat.

The inmate population projections in the 2000 jail study were developed using an ARIMA (Auto Regressive, Integrated, Moving Average) time series model for 2000 through 2006. Projections for 2007 through 2015 were based on the average annual percent change from the time series projections. The statistical projections in the 2000 study estimated that Fulton County will have an Average Daily Population (ADP) of:

- 2,883 inmates by 2005;
- 3,000 inmates by 2010; and
- 3,121 inmates by 2015.

The Facility Group

In 2006, *The Facility Group* conducted a long-term feasibility study of the Fulton County Jail to identify system requirements and propose recommendations to better manage future jail population growth. The following activities were addressed as part of *The Facility Group* 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;
- Project facility costs;
- Project operational costs; and
- Prepare Needs Assessment Report.

The Facility Group utilized a number of different, commonly-used forecasting methodologies 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 (2006-2026).

- Model A – Average Length of Stay (ALOS) – Projections were based on the County’s ALOS from 2001 through mid-2006.
- Model B – Rate of Incarceration (ROI) Trend – Projections were based on the trend in the County’s ROI (inmates per 1,000) population) from 2001 through mid-2006 applied to the County’s population projections.
- Model C – Average Daily Population (ADP) Trend – Projections were based on the trend in the County’s ADP of inmates from 2001 through mid-2006.

Based on the results of the three models, it was estimated that Fulton County would have an ADP of:

- 3,771 inmates by 2016;
- 4,106 inmates by 2021; and
- 4,448 inmates by 2026.

Table 2					
The Facility Group Inmate Population Projections					
Forecast Year	Year	Model A Average ALOS	Model B ROI Trend	Model C ADP Trend	Average of 3 Models
5	2011	3,258	3,365	3,712	3,445
10	2016	3,481	3,590	4,242	3,771
15	2021	3,724	3,822	4,771	4,106
20	2026	3,957	4,086	5,301	4,448

Helmuth, Obata, & Kassabaum

In 2009, *Helmuth, Obata, & Kassabaum* conducted a detailed Facilities Master Plan Study for the future expansion of the Fulton County Jail System. Their report projected the need for 5,035 beds by the year 2026. It also concluded that, “utilizing the Atlanta City Detention Center (ACDC) to offset population requirements is a very real option for Fulton County”.

Population Trends

Overall, this decade has been characterized by fast population growth in the 10-county Atlanta metropolitan region. The Atlanta region has averaged more than 77,000 new residents each year since 2000. To put this into perspective, this average annual increase since 2000 is greater than the average increase for forty-one (41) states. The 10-county Atlanta region is now home to 4,124,300 persons, which is still larger than the population of twenty-four (24) states, according to 2008 Census Bureau estimates.

However, the Atlanta Regional Commission's (ARC) current year population estimates show the slowest annual growth ever recorded for the 10-county region. During the year between April 1, 2008 and April 1, 2009, the region produced only a 24,700 person increase, the slowest annual growth since 1990.

Although the City of Atlanta's growth slowed along with the rest of the region, it still accounted for fourteen percent (14%) of the region's growth, adding 3,400 new residents during the year between April 1, 2008 and April 1, 2009. Prior to that year, Atlanta had added about 7,600 residents each year of this decade.

Due in part to the population increase in the City of Atlanta, Fulton County again led the region in population growth (April 1, 2008 – April 1, 2009) adding 6,400 new residents. However, this is drastically less than Fulton County's population gains between 2000 and 2008, when the county added approximately 17,000 residents each year. The average annual population increase for Fulton County (2000-2008) was 15,766. The decrease in the Fulton County population growth for the last year may be telling since a general assumption of previous studies of the Fulton County Jail System (as well as this study) has been that population increases in Fulton County have impacted the population growth of the jail. Although many other variables affect jail population, it is important to note the shift in population growth in Fulton County for the past year.

Fulton County Jail Population Projections

The Average Daily Population for the Fulton County Jail from 2005 through 2009 was 2,964 (Fulton County Sheriff's Office, 2010). However, there are various external as well as internal factors that may influence the ADP.

External factors reflect the highly dynamic interplay of demographic, socio-economic and political trends that lead to arrests. "Criminologists have long

noted that certain segments of the population have higher rates or chances of becoming involved in crime, being arrested and being incarcerated” (Pew Center, 2009). This “at-risk” population generally consists of males between the ages of 15 and 25. “It is unfortunate but true that African-Americans and Hispanics have significantly higher arrest and incarceration rates than whites”. The number of at-risk African-American and Hispanic males has been increasing over the past few years, particularly in the State of Georgia. The Atlanta Metropolitan area is likely to experience ongoing pressures on criminal justice and correctional resources based on demographic growth and patterns.

Income is an economic factor that is related to crime and incarceration. “Georgia’s per capita personal income growth over the past decade has been slow, resulting in Georgia being ranked 50th in the nation in per capita income growth” (GSU Young School of Policy Studies, 2009). According to Georgia State University’s Andrew Young School of Policy Studies, “The ratio of Georgia’s per capita income to that of the U.S. peaked at 94.0 percent until 2000 when it began a steady decline. In 2008, Georgia’s per capita income had fallen to 85.5 percent of the U.S. per capita income”.

Although the total inmate population in Fulton County remained fairly constant from 2005 through 2009, the Average Length of Stay (ALOS) over that same period was 138 days (Fulton County Sheriff's Office, 2010). It is noteworthy that the ALOS increased by about fifty-eight percent (58%) from 2005 to 2009, from 110 days to 173 days.

If the ALOS continues to increase, even at a modest rate, the ADP would increase as well. Similarly, if the population of Atlanta and Fulton County continue to grow at a rate of ten to fourteen percent this would likely affect the ADP. Table 3 below shows the ALOS from 2005 through 2009 with the percent change.

Table 3: Fulton County Average Length of Stay

2005-2009

Year	No. of Days	Percent Increase
2005	110	
2006	119	+ 8.5%
2007	136	+ 17%
2008	152	+ 16%
2009	173	+ 14%

ADP Projections

Based on analysis of the available external and internal data, it is estimated that Fulton County will have an Average Daily Population (ADP) as follows:

- 3,060 inmates by 2011
- 3,121 inmates by 2012
- 3,183 inmates by 2013
- 3,247 inmates by 2014
- 3,312 inmates by 2015

These projections represent an increase of two percent (2%) per year. They are primarily predicated on the following external and internal dynamics:

- Strict correctional policies in the State of Georgia;
- The declining per capita income in the State of Georgia;
- Population growth in the Atlanta Region and Fulton County; and
- The increasing Average Length of Stay (ALOS) in the Fulton County Jail System.

Table 4 shows the estimated ADP and daily costs for the years 2011 through 2015.

Table 4

Year	Estimated Population	Estimated Daily Costs
2011	3,060	\$253,980
2012	3,121	\$259,043
2013	3,183	\$264,189
2014	3,247	\$269,501
2015	3,312	\$274,896

Cost Projections

According to the Fulton County Sheriff's Office, the daily cost to house prisoners in Fulton County in 2009 was \$210,000 based on a per diem of approximately \$75 per day. The annual cost is approximately \$76,270,200.

The current per diem to house one prisoner per day in Fulton County is estimated by the Office of the Fulton County Manager at \$83.06. Based on a current inflation rate of 1.1%, which the Congressional Budget Office predicts will be fairly stable over the next five years the per diem should not increase substantially. Table 5 shows the estimated ADP and annual costs for the years 2011 through 2015.

Table 5

Year	Estimated Population	Estimated Annual Costs
2011	3,060	\$77,717,880
2012	3,121	\$80,847,320
2013	3,183	\$84,091,358
2014	3,247	\$87,506,974
2015	3,312	\$91,045,555

2016 3378

2017 3446

2018