

The Orleans Parish Prison Reform Coalition
Position Statement on the Orleans Parish Prison Construction Project

Summary

The Orleans Parish Prison Reform Coalition (OPPRC) represents a broad sector of the New Orleans community in insisting that the new parish jail be of a size that is consistent with existing data on the appropriate jail size for cities of similar populations.

The new jail must complement and enable New Orleans' move toward meaningful criminal justice reform. OPPRC seeks to ensure that the ultimate plan for the project is clearly defined with regard to the jail's construction cost, financing, operating costs, total inmate capacity and use of capacity upon completion and that all information regarding the plan be made fully accessible to the public. OPPRC contends that it is unacceptable that a publicly funded project of such scale and expense can advance to this stage beneath the level of public awareness and without public discussion to resolve basic questions about the project. Even the most conservative notion of open governance dictates that key information on the plan for this project be made public in published proposals, up to date planning and design documents, detailed, updated budgets and regular progress reports.

OPPRC finds it troubling that at its October 19th meeting the Criminal Justice Working Group on Jail Size adjourned having accepted only a PowerPoint presentation and the Sheriff's ambiguous explanations of the many lingering vagaries about the project. It is our contention that the working group should have requested copies of planning and financial documents for their review and to ensure public disclosure. Without this basic information, the jail project plan remains as opaque as it was before the meeting. Additionally, this deliberative body is charged with acquiring an understanding of the issues associated with the size and financing of the jail project and rendering thoughtful recommendations to the mayor. Given these tasks, OPPRC is troubled that the Working Group would accept such a hazy, informal presentation on a public project that will expend hundreds of millions of taxpayer dollars and directly affect the lives of thousands of people for decades to come.

We do not know what the Sheriff's plan is based on. He has never publicly offered a practical, information-based formula or rationale to support his plan for the size of the new jail. An Orleans Parish jail that would be in keeping with the national average detention rate could be as small one bed for every 388 residents, or 850 beds given New Orleans current population. The Sheriff's proposal is for a facility with a capacity of one jail bed for every 60 New Orleans residents. By national standards, our incarceration rate is neither consistent with our population nor with our crime rate.

Last year there were over 59,500 admissions to the Orleans Parish jail. That is a number equal to 16% of the City's population. We question the wisdom, logic and usefulness of such mass incarceration. No other city in the country incarcerates people at this rate.

Unless information is presented that definitively mandates a different approach, the mayor must:

1. limit the new jail construction to a jail that is no larger than the national average rate of local detention (2.5 detainees/ 1000 residents.)
2. limit new jail construction such that it has no available beds for state(DOC sentenced) prisoners.
3. end the City's per diem method of funding jail operations and replace it with a method more in keeping with national best practices
4. invest in all available best practices alternatives to incarceration to reduce the use of detention

Civic engagement is seriously constrained by a lack of information. In the interests of transparency and openness in government and public access to public information, documented information should be provided to the public that addresses the following issues before the jail project is authorized to proceed.

I. Jail Capacity and Use

1. The Sheriff must submit a definitive written statement of what the total inmate housing capacity of the jail complex will be when all phases of construction are completed
2. The Sheriff must submit a written explanation of how jail bed capacity in the new facility will be apportioned to house inmates in various categories and classifications, e.g. pre-trial detainees, sentenced municipal inmates, State DOC prisoners, federal prisoners, etc.

II. Budget & Finance

1. Planning and Construction

- a. The Sheriff must submit documentation detailing of the amount that has been spent so far on planning and design and the sources of the funds that have been spent.
- b. The Sheriff should be required to explain his plan for including contractual provisions to ensure inclusion of the local workforce in the construction of the new jail complex.
- c. The Sheriff should explain the bid process for the construction contracts, periodically update the public on the process of the bid process once it begins and publish the outcomes of the bid process.
- d. The Sheriff and the Working Group must clarify for itself and the public how the proposed plan will obligate the City to construct additional buildings in the jail complex and what impact of construction and operation of those buildings will have on the City budget.

e. The City and the Sheriff must resolve the land use issue and coordinate construction of the jail complex that will allow building construction on contiguous plots within the footprint of the new jail complex. It is evident from the Sheriff's presentation at the October 19th meeting that The Office of the Sheriff and the city administration have failed to resolve a land use conflict associated with the jail construction project. The unresolved conflict has necessitated a build-around that makes the project appear more to be improvised than planned.

2. Financing Sources

- a. The Sheriff's office must publish a phase-by-phase line item budget for the project.
- b. The Sheriff must make a full public disclosure of all financing sources, including amounts and terms & limitations and an explanation of how funds from each source will be allocated to the project.

3. Debt Service

- a. The public must be provided with documentation detailing the amounts of funds accrued from the issuance and sale of bonds that will be used for construction of the jail and the plan for how these funds will be applied to the jail project.
- b. The public must have a City-issued statement that details the cost to the City for debt service on the bond issue.

4. Operating Cost

- a. The Sheriff should provide the public a projected 5-year annual line item (revenue & expense) *operating* budget for the completed new jail complex before the City commits to funding the construction.
- b. The Sheriff should provide the public a comparative analysis to determine whether the new jail will produce net savings over the cost of operating the present complex or a net increase in operating costs
- c. The Sheriff and the City should establish a revised plan for changing the current per diem funding structure for jail operations prior to approving construction of a new jail.

III. Justice & Public Safety

1. The City must assure that the new jail will be consistent with and responsive to current and anticipated downward crime trends, emerging police policies, planned alternative to detention initiatives (pre-trial services), and new court efficiencies being designed to ensure equal and timely access to justice and protection under the law.
2. The ultimate jail plan should be consistent with and responsive to the goal of reforming and improving our criminal justice system. This is especially important in light of the open investigation by the U.S. Department of Justice. Historically, U.S. communities that have built jails have not had them stand unfilled. A surfeit

of jail cells, particularly under the per diem funding structure, will create financial pressure to have the police arrest and the Sheriff detain enough people to fill them. This must not occur at a time when our police department is exploring ways to redirect resources away from excessive arrests for petty offences and toward prevention and solving of serious crimes in the City. The leadership of the criminal justice establishment and the U.S. Department of Justice are examining our criminal justice system and seeking ways to improve it. Decisions on the new jail should be made as part of the effort to make systemic improvements.

IV. Cultural and Civic Principles

1. Decisions about the size and use of the new jail are, in fact, decisions about whether New Orleans is content to remain the City with the largest per capita jail and the largest detention rate in the nation. In making this decision, the administration should ask the public and itself what we want our City to be known for in the 21st Century. Is building a capacity to incarcerate 10%-15% of our residents consistent with our values or our civic goals? We believe not.
2. This is a defining moment for New Orleans. It is one in which we can acknowledge and affirmatively address social, political and economic factors that underlie much of the crime and violence in our community. The “jail size” issue is a gateway to an intelligent, enlightened approach to planning, justice and governance that emphasizes healing, development of human potential and opportunity rather than the criminalization, incarceration and permanent alienation of thousands of people every year from the social and economic mainstream.
3. The jail must not excessively consume scarce resources that should be invested in community-based programs and services for treatment, recovery and development.

V. Executive Leadership

The jail construction, as it is proposed, is a project of enormous scale that involves millions of dollars of public funds – as much as \$250,000,000. A project of this scale demands that the Mayor be more directly engaged in the process. Despite any potential political exposure, the Mayor should assume a more prominent role in the process and take full responsibility for ensuring that the final plan reflects the values and goals of the City of New Orleans. While the technical issues of design and function of the jail construction project are in the Sheriff’s domain, the governance issues involving long-term ramifications and higher order considerations call for executive vision, and leadership.
