

**OTSEGO COUNTY, MICHIGAN
JAIL OVERCROWDING ISSUE
March, 2007**

SECTION 1 - JAIL HISTORY

The Otsego County jail is located at 124 S. Court Street in Gaylord, Michigan, attached to the Otsego County-City Building. The jail was built in 1967 and was designed to house 24 inmates. At the time of construction the population was fewer than 10,000 people. The Jail was renovated in the mid-1980s to accommodate 34 inmates. The space needed for this expansion necessitated the elimination of the common room which was used for educational programs to help prisoners successfully re-enter society. The population of Otsego County is now approximated at 25,800, with a much greater population in the summertime due to tourism. The County has routinely had fifty to sixty inmates in a jail designed for 34 prisoners.

By Michigan law (Act 325 of 1982) Counties must declare a State of Emergency when the jail has been beyond capacity (overcrowded) for ten consecutive days. Fourteen days after that declaration, the Court and Sheriff must reduce the sentences for those inmates classified as non-violent offenders. Forty-two days after declaration, the jail is only permitted to accept into the general population the following offenses: violent or assault crimes, sex offenses, escape from prison or jail, controlled substance offenses, or weapons. The County was forced to declare a state of emergency in September 2005. The Jail was under the State of Emergency until, through the early release of prisoners combined with the inability to accept other prisoners, we were able to discontinue the State of Emergency on February 14, 2007, 2½ years later. As of March, 2007 we are currently at our capacity of 34 prisoners.

(Picture 1: Otsego County-City Building with Jail Outlined)



(Picture 2: Otsego County Sheriff' Department and Jail)



(Picture 3: Hallway at the Otsego County Jail)



SECTION 2 – THE AFFECT OF JAIL OVERCROWDING

Having 50-60 prisoners in a jail designed for 34 is a catastrophe waiting to happen, which opens up not only the County but all citizens in Otsego County to numerous safety issues as well as an enormous financial liability. The increased congestion increased the chance of violent incidents against not only the prisoners but also the Corrections Officers. There is minimal space for inmate education programs, which results in inmates leaving jail with a high probability of committing another crime. The County cannot do the needed maintenance on the jail, since there is no room to move prisoners to other cells. Because of the lack of space, inmates cannot be separated based on whether they are first-time offenders or whether they are repeat offenders or based on whether they have violent tendencies. The classification system is ineffective. We have also seen an increasing tendency of probationers to refuse to participate in alternative programs such as tether, community service, drug counseling, and anger management since it is common knowledge that there is no room for them in the jail if they violate probation conditions.

(Picture 4: Typical Otsego County jail cell in 2006)



SECTION 4 – OTSEGO 2006 CRIME STATISTICS

There were **2,166 warrants issued in Otsego County in 2006**, which are broken down below:

Sex Crimes:	9
Weapons Crimes:	15
Domestic Assaults:	85
Stalking:	9
Assaults – Other:	115
Breaking and Entering/ Malicious Property Damage:	99
Child Abuse Crimes:	4
Maintaining a Drug House:	14
Driving Drunk on Alcohol or Drugs:	237
Arson:	3
Methamphetamine/Ecstasy Crimes:	6
Cocaine/Heroin Crimes:	147
Other Alcohol Crimes:	135
Other Crimes (bad checks, fraud, Embezzlement, etc.)	1,253

Also, there are currently 209 arrest warrants for non-support of minor children with over \$3,400,000 due to families in Otsego County. When these people are stopped by police, they are not arrested, due to the lack of space at the jail.

SECTION 5 – 2006 FAILED JAIL MILLAGE ATTEMPT

On August 8, 2006 voters rejected a proposal to build a 120 bed jail and pay for increased operational costs for a 20 year period. The millage, requesting 1.6 mills, would have cost the owner of a \$100,000 home approximately \$80 per year. While no one knows for certain all of the reasons for the millage defeat, one probable reason that can be confidently offered is that there were five millages (3 new millages and 2 renewals) on the ballot during a declining local economy.

The proposed location was at the County's Alpine Center site northeast of town (See Picture 8 below).

(Picture 7: 2006 Proposed Jail Location)



(Picture 8: Artist Rendering of 2006 Proposed 120-bed Jail)



Jail millages are difficult to pass even in the best of times. They are operating in the background and unknown to many people unless they have experienced crime. Many people don't understand that, whether they know it or not, the jail overcrowding issue will have an impact on them. There are many opinions on what should be done with prisoners. The one thing that is clear is that without a place to put people that break the law, everyone's safety will be jeopardized as they continue to remain on the street.

SECTION 6 – THE 2007 JAIL OVERCROWDING COMMITTEE PROCESS

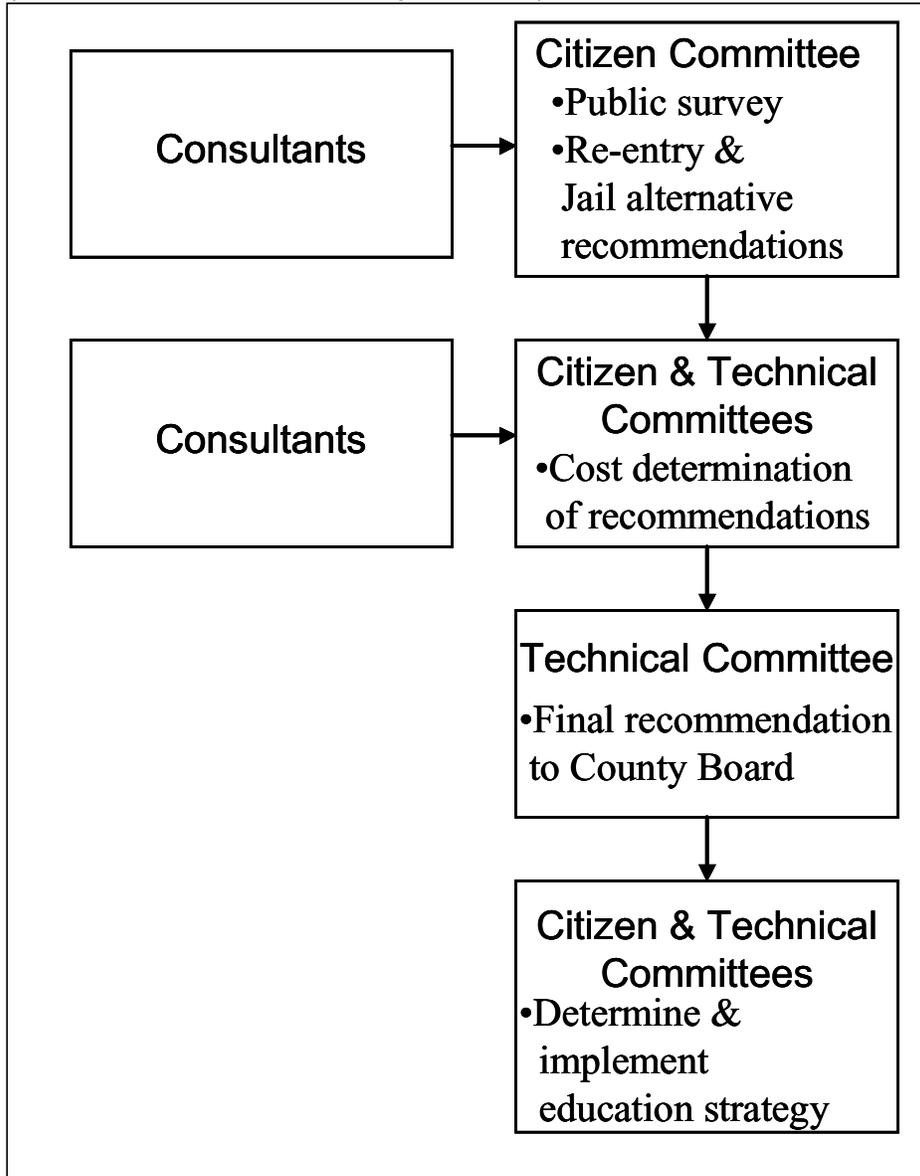
On January 31, 2007 the Otsego County Budget & Finance Committee was addressed by Jack Kann, the Manager of the MI Department of Corrections, County Jail Services Unit which is the division of the State that inspects county jails. Mr. Kann pressed upon the Committee, the need to find a solution to the overcrowding issue. In his opinion, Otsego County's only two options are to either build new or additional jail space, or to house prisoners with other counties as a short-term solution. The limitations of housing prisoners with other counties are that most counties will not accept prisoners who have committed serious crimes or those with medical conditions. Additionally, the County loses control of prisoners when they send them to other facilities. There are few current Otsego County prisoners that would be eligible to be sent to other counties, due to the types of crime they are in jail for. Also, by law, Counties must pay for any medical problems experienced by prisoners. Otsego County has a program, that when a prisoner needs medical treatment, and they are non-violent offenders that pose little risk of flight, they are temporarily released, often with a guard, to seek medical treatment at their own expense. Prior to the County introducing this program, it bore a \$400,000 medical expense for one prisoner's medical treatment. The program would not be available to Otsego County should they house prisoners out with other counties.

Otsego County is trying to readdress the overcrowding issue at the grassroots level. Two Committees have been formed to help solve the situation. The goal of these committees is to find the best solution, with the best chance of success, to the jail overcrowding situation. The Committees include the Jail Technical Committee and the Citizen Jail Committee.

The Citizen's Committee will conduct public forums and work with consultants to poll the citizens of Otsego County to determine why they voted against the 2006 proposal and what they would be open to in a future millage attempt. In conjunction with any millage to build and operate a jail, there must be a component for prisoner re-entry programs and alternatives to jail to prevent the jail from being filled as soon as it is built. The Citizen's Committee will also draft a list of fiscally feasible recommendations for re-entry programs and jail alternatives. The Committees will later work together to draft a plan for resolving the jail overcrowding issue.

All Committee meetings will be posted and open to the public. Minutes from the Committee meetings will be available on-line at <http://www.otsegocountymi.gov>.

(Chart 1: The new Jail Study Process)



The public is welcome to attend any jail committee meetings. If you would like more information, or would like to actively participate in the process, please contact John Burt at 989-731-7527.

**APPENDIX A
THE CURRENT JAIL COMMITTEE MEMBERSHIP**

Jail Technical Committee

John Burt, Chairman
Erma Backenstose
Blake Davis
Rudi Edel
Joe Fitzgerald
Rachel Frisch
Ken Glasser
Mike Hyde
Kyle Legel
Jim McBride
Brian Webber
Marie Frick

Jail Citizens Committee

Don Koeppen, Chairman
Daphne Cousineau
Ron Skoglund
Alma Harrison
Jack Thompson
Bob Mammel
Brian Morgan
Nancy Morgridge
Tom Wagar
Don Tober
Gary Waldo
Chuck Berlin
Norm Brecheisen
Scott Dunn
Diane Fisher
Todd Sharrard
Bill Giles
Elizabeth Haus
Diane Franckowiak
Vern Kassuba
Don Koeppen
Pastor Jim Mathis
Mike McCarthy
Mary Sanders