

## **History of Lincoln Parish Detention Center Commission**

The Louisiana Legislature created the authority for Lincoln Parish to create, establish, and construct a centralized single-parish jail and prison by Acts 1982, No. 569 – 848 – 848.5. If created, established, and constructed, this jail and prison shall be known as the Lincoln Parish Detention Center. It shall be created and established by the Lincoln Parish Police Jury.

The Lincoln Parish Detention Center was created as a political corporation with power to sue and be sued and shall be governed by a commission known as the Lincoln Parish Detention Center Commission. The LPDC shall be domiciled at the parish seat. There should be a chairman and vice-chairman of the commission. The statute stated that any person lawfully incarcerated in Lincoln Parish should be incarcerated in the LPDC.

In 848.2 the statute stated how the LPDC Commission would be comprised membership wise. The LPDC Commission was to be composed of the President of the Lincoln Parish Police Jury during his/her tenure; a member of the Police Jury, other than the President; the District Attorney, the Sheriff, and the Chief of Police of the city of Ruston. The Chairman and Vice-Chairman will be selected by a majority of the commission. The Secretary of the Police Jury may serve as secretary of the commission and the Lincoln Parish Treasurer may serve as an ex officio treasurer of the commission. Members of the LPDC Commission will receive no compensation. If any member of the Commission is sued individually for damages it will be the responsibility of the Lincoln Parish Police Jury to provide the member with a legal defense including reasonable attorney's fees, investigating costs, and other related expenses. Should the opponent win the suit the Lincoln Parish Police Jury will be responsible for the judgment

In 848.3 the LPDC Commission shall be the keeper of the DC. The Sheriff was relieved of that duty. The Commission will have all other powers and duties of the sheriff and/or governing bodies regarding personnel, rules and regulations, governance, personnel policies and guidelines and responsibility for creating any and all work release, vocational, rehabilitative, and corrective programs.

In 848.4 the expenses and costs of the operation and maintenance of the DC shall be paid monthly by the Police Jury Treasurer upon approval of the Commission. The funds could be derived by any special taxes, levied, and collected for the DC. If funds are insufficient, the Lincoln Parish Police Jury shall provide 85% and the Ruston City Council 15% of the costs. Additional details can be reviewed in Attachment A of this report.

## **Summary of Previous Reports on the Lincoln Parish Detention Center**

### Report on the Lincoln Parish Detention Center

The Lincoln Parish Detention Center Commission in December, 1997 authorized a study by Dr. Michael Haley concerning recommendations for the LPDC. These were:

- Appropriateness of expansion
- Inclusion of juvenile wing
- Inclusion of criminal justice system space
- Possibility of privatization and/or other construction management alternatives

This report was conducted based on the assumption that a third District Judge for the Third Judicial District for Lincoln Parish would be in place.

### Summary of Data for the Detention Center 1984-1997

- Maximum design capacity was 101 beds
- A census of arrestees housed at LPDC was provided from 1984-1997 based on gender
- The average daily population (high and low) was reported. The average low was 63 in 1984 and the average high was 89 in 1997. The lowest average 42 in February 1988 of 42 and the highest average was January/August, 1994.
- A detention center is considered “crowded” when it reaches 90% of capacity and “overcrowded” when it exceeds 90% of capacity. Data was presented showing the number of crowded and overcrowded days in a month for the time period under study.
- There were 94 “crowded” days during the time period and only 77 “overcrowded” days.
- Court data from the Third Judicial District, Ruston City Court, and Office of the District Attorney showed a growing increase in the arrest of misdemeanors, felonies, as well as summons.
- Relief was provided to a degree when a third district judge was added in September, 1997 because the action provided relief of crowding at the LPDC.
- A large number of arrests created a significant number of pre-trial inmates because of their inability to bond out due to serious offenses.
- Many pre-trial inmates could simply not afford the money to bond out of the detention center as they waited for their arraignment and trial.

### Several conclusions were made regarding the crowding problem.

- Problem of inability to adjudicate pre-trial inmates quickly while still providing adequate “due process” as required by the law
- Court system problem arose because of this adjudication problem
- Continued arrests by Lincoln Parish law enforcement agencies
- Inability of pre-trial inmates to secure release due to high bonds set because offenders were deemed a “threat” to the community
- Problems of moving Department of Corrections (DOC) inmates with other charges pending out of the detention center
- Increased competition from other parishes for bed space in facilities which housed DOC inmates

### Major Recommendation

Because of the issues cited above the “expansion” of the LPDC was a major recommendation. Previously an architectural firm had proposed a 128 bed increase for the detention center. Dr. Haley recommended that the increase in beds be modified to 96. This would reduce costs from \$3.2 to \$2.8 million and would meet the needs of Lincoln Parish provided a third District Judge would become permanent and the criminal justice system worked together to manage population levels at the DC.

### Establishing a Juvenile Detention Wing

A review of a juvenile detention wing was submitted based upon data from the Lincoln Parish Sheriff’s Office and the Ruston Police Department from 1990-1996). Four options were presented with potential costs for each.

### Recommendation to Construct a Criminal Justice Facility at LPDC

Dr. Haley recommended that a Criminal Justice Facility should be constructed on the existing LPDC site to accommodate the entire criminal justice system. This would solve the problem of shortage of courthouse space and transportation from LPDC to District and City Courts. This complex should contain four courtrooms, four Judges suites, one District Attorney suite, one Clerk of Court suite, Sheriff Office/Police Department Offices, public and support areas would result in a facility of approximately 32,100 square feet. The cost at the time was estimated to be \$3 million.

### Non-Construction Alternatives

The possibilities mentioned were: tents, steel modules, and concrete modules. Pros and cons of each were discussed along with potential costs.

### Privatization

The report included recommendation for financing and operation. Private components of each were suggested for consideration. Private operation is usually conducted by contract.

- One of the major issues for contracting would be “liability”. The government (i.e. Lincoln Parish) does not contract away its liability.
- Another major issue with privatization would be “cost”. A discussion of pros and cons of privatization was included in the report.

### FINAL RECOMMENDATIONS

- Expansion of LPDC based on an assumption that an additional District Judge would become permanent. The expansion should be 96 beds costing approximately \$2.64 million based on the same style of construction materials of the current DC.
- If decision is made on juvenile housing expansion it should be built “adjacent” to LPDC at a cost of approximately \$476,600.
- If a decision is made to build a Criminal Justice System Center the cost would be slightly over \$3 million.
- Four suggested privatization plans were presented in the report, but only one was recommended. The recommendation was the use of private financing for expansion due to lower financing rates.
- A final recommendation that had not been previously discussed was the leasing of bed space from Union Parish either on a temporary or permanent basis until expansion is complete.

Additional information and detail are available in Attachment B of this report.