



BEXAR COUNTY SHERIFF'S OFFICE OPERATIONAL AND STAFFING STUDY 2021



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Introduction

Project Background

In October 2021, Detain, Inc. was hired to perform a wide-ranging assessment of the Bexar County Sheriff's Department Jail operations in an effort to address compensation, staffing and crowding concerns with the Sheriff's overall goal of providing an efficient and effective organization focused on serving the needs of the Bexar County community, its employees, and those of the County's justice-involved population. This Assessment involved a comprehensive review of relevant data and information conducted over a 6-month period.

While it is not the intent of this Assessment to suggest changes for agencies outside of the Jail, this study did seek to identify specific impacts of other key criminal justice process stakeholders from the data available to determine if efficiencies could be gained through cooperative efforts with other organizations.

Overall Project Goals and Objectives

This Jail Assessment consists of four primary areas, each with several component objectives:

- **Phase I – Compensation and Overtime**

The Bexar County Jail faces significant detention officer staffing shortages along with significant mandatory overtime in critical inmate supervision roles. This phase of the report seeks to compare the BCSO compensation package with that of other large and neighboring agencies within the state to determine if BCSO is competitive in this regard. The second objective in this section was to determine the efficiency and effectiveness of the application of the various types of mandatory overtime assignments within the jail.

- **Phase II – Staffing analysis**

The primary objective of this phase of the report is to determine a shift relief factor for detention officers utilizing a Net Available Work Hours (NAWH) approach and provide a sample 12-hour alternative shift schedule. This section also included a review of "off-line" positions, or those positions held by licensed detention officers and not directly involved in inmate supervision, and detention officer roles required but not directly funded in the budget.

- **Phase III – Operations review and best practices**

This phase of the report seeks to identify any efficiency opportunities through a general review of Jail operations from a best practice approach and provide a general overview of the issues surrounding the privatizing of jail operations.

- **Phase IV – Inmate population**

The final phase of the report seeks to identify and recommend potential strategies for reducing the inmate population through a review of relevant policy, procedure and

practices of key stakeholder organizations involved in the Bexar County criminal justice process.

Throughout the report, the Consultants will incorporate recommendations based on industry best practices as well as the Consultants' observations and experience. A review of the physical plant was purposefully excluded from the scope of this report.

Project Approach and Methodology

The Consultants conducted this work in consultation and partnership with the Bexar County Sheriff's Office and Jail staff. The team interviewed Jail command staff and met with a representative of the officers' union, but primarily relied upon jail and administrative data provided by BCSO to gain an understanding of the specific issues at hand and conduct the analysis required for the report.

Report Organization

This report presents the findings from the staffing and jail system assessment in "phases" as requested by BCSO due to time sensitive requirements for the first and second deliverables. Draft interim reports were made available to BCSO for immediate review/action, but the Consultant notes that the final report may contain edits to the interim reports and that the final report will be deemed to be the sole deliverable for the project.

Executive Summary

The Bexar County Adult Detention Center (Jail) is operated by the Bexar County Sheriff's Office. It is the third largest jail facility in Texas in terms of overall capacity (TCJS¹, 2022) and the 14th largest in the nation in 2019 per the Bureau of Justice Statistics (Zeng and Minton, 2021). As of 5/1/22, the Jail held 4365 offenders and was at just over 85% of total capacity (TCJS², 2022). The Jail provides for the pre- and post-trial detention of misdemeanor and felony offenders as well as parole and probation violators.

The Consultant's overall conclusion regarding the BCSO Jail system is that it currently meets all statutory and regulatory requirements. This is supported by the April 2022 Texas Commission on Jail Standards inspection report. Considering the Jail's TCJS compliance issues over the past several years, the results of this year's TCJS inspection is a considerable accomplishment considering the staffing and crowding challenges faced by the Agency over the last several years, and particularly since the onset of the COVID-19 pandemic.

Findings and Recommendations

As noted in the introduction, the report is organized into four phases. To aid the reader, the findings and recommendations are organized similarly. Recommendations in the Executive Summary may be edited for length with the full narrative in the body of the report.

- Phase I – Compensation and Overtime

- In the salary review, the Consultant found that BCSO licensed detention staff trailed significantly behind the four major metropolitan jails in Texas and several of the counties adjoining Bexar County in terms of starting pay and overall pay structure.

The Consultant makes the following recommendations:

- BCSO and Bexar County officials consider an entry level wage increase of 15% to 20%, with commensurate adjustments to the subsequent pay steps and grades in order to regain competitive parity in the market relative to the recruiting and retention of quality employees for the position of detention officer.
- BCSO and Bexar County officials consider extending the number of steps on the detention officer pay scale from 10 to 15 by extending the step increases by a percentage consistent with the first 10 steps.
- BCSO and Bexar County officials consider applying a 10% increase in salary for promotions to Corporal (relative to the employee's current tenure/step).
- In the overtime analysis, the Consultant found that, overall, the policies and practices in place appeared to be applied equitably among staff assigned to inmate supervision facilities. However, it is the Consultant's opinion that the rate of forced overtime (in its various forms) is negatively impacting the Detention workforce. This is primarily a result of staffing shortages caused by attrition and an extremely challenging recruiting environment, and secondarily, by the elevated inmate population.

The Consultant recommends the BCSO Adult Detention Bureau consider the following near-term strategies to address the current staff recruiting, retention and overtime issues:

- Base schedule changes –
 - Consider modifying the current 8-hour, 5-day, 40-hour work week to a scheduled 48-hour, 6-day work week (currently employed by Tarrant County) for all detention officers and any support staff where chronic overtime is presently an issue.
- Consider implementing a 12-hour shift schedule at the MAIN (or Annex) facility. The number of staff required to operate a set number of posts is less when utilizing a 12-hour schedule versus a traditional 8-hour schedule as allowed under FLSA rules.
- The Consultant recommends BCSO also consider implementing a 14-day pay period for the agency to eliminate any overtime based on regular 12-hour shifts.
- As a short-term enhancement to recruiting, the Consultant recommends the implementation of a sign-on bonus for all newly hired detention officers.

- The Consultant recommends the creation of an employee referral incentive program.
- The Consultant also recommends the consideration of the lateral hiring of licensed and experienced staff where licensed new hires are placed on the pay scale commensurate with their experience.
- If lateral hiring is implemented, the Consultant further recommends BCSO actively recruit qualified former employees under this policy.
- The Consultant also recommends the BCSO continue to allow dual-licensed patrol deputies to work overtime shifts within the ADB as well as incorporate licensed jailers assigned to non-inmate supervision duties into the mandatory overtime assignments in inmate housing areas (i.e., recruiting staff, training staff, etc.)
- The Consultant recommends BCSO increase/update and coordinate its Detention-focused social media recruiting presence across all its platforms (web, Facebook, Instagram, Twitter, and TikTok).
- The Consultant recommends BCSO consider engaging a professional marketing firm to develop a Detention-focused recruiting program that identifies target demographics and focuses recruiting efforts in an evidence-based manner.

The Consultant recommends the BCSO Adult Detention Bureau consider the following long-term strategies as potential solutions to the current staff recruiting, retention and overtime issues:

- Extension of the detention officer pay scale from the current 10 steps to 15 steps with each step increasing 2.5% to 3% with the goal of retaining qualified and experienced line staff and supervisors beyond the typical 4-to-8-year tenure and support the idea of corrections and the BCSO Adult Detention Bureau as being a career as opposed to a steppingstone to law enforcement.
- Prioritize shift and days off assignments in support of employees actively pursuing educational and professional certification goals wherever possible to maximize the effect of education and licensing incentives already offered.
- Consider a program to increase professional opportunities through scheduling and days off assignments for detention officers to obtain their peace officer certification free of charge through the BCSO Academy.
- Develop and implement a formal leadership development program for first-line leaders within the Bureau and Department.
- Incorporate affiliation and certification with professional correctional organizations like the Texas Jail Association, American Jail Association or American Correctional Association into the incentive program.

- Phase II – Staffing analysis
 - In the staffing analysis, the Consultant sought to calculate the Net Available Work Hour (NAWH) figure for both the existing BCSO 8-hour schedule and the proposed 12-hour schedule. The Consultant noted that a staffing study to generate a shift relief factor had not been conducted in over five years.
 - The Consultant makes the following recommendations:
 - The Consultant notes that only two years of leave data was available for review and recommends further refinement of the NAWH calculations as more data comes available. Such reviews and refinement are recommended on an annual basis to identify and trends in specific categories.
 - The Consultant recommends that BCSO senior leaders examine the relatively high number of average hours away from the job due to disciplinary related actions to determine if the impact of the punishment(s), in terms of mandatory overtime assignments and costs, is reasonable relative to the infraction(s).
- Phase III – Operations review and best practices
 - For this project, the Consultant did not seek to evaluate in detail all sections and programs under the BCSO Detention umbrella, but to identify and recommend certain “best practice” approaches that can be used to improve the efficiency and effectiveness across the bureau.
 - The Consultant recommends that BCSO apply the evidence-based approach liberally throughout the organization to all existing programs and procedures that are resource intensive in terms of time, space, money, and staff to determine their efficacy.
 - Once BCSO identifies its priority program areas, outcomes, metrics and data-gathering requirements for each, the Consultant recommends a review of the metrics and relative on-going success of the program(s) on no less than a quarterly basis.
 - The Consultant recommends that BCSO consider implementing a Root Cause Analysis policy for the agency for both sentinel events (i.e., in-custody deaths, suicides, escapes, riots, etc.) and emerging challenges revealed by the agency’s data gathering and analysis (i.e., UOF trends, contraband issues, mandatory overtime, staff misconduct, etc.).
 - The Consultant also reviewed potential areas for streamlining operations resulting in the following recommendations:
 - The Consultant, as previously noted, recommends additional study of detention officer assignments that do not require face-to-face contact with inmates. First, to update the required staffing levels based upon the

NAWH analysis and, second, to determine whether the assignment requires licensed detention staff or if civilian staff can perform primary tasks with ad hoc detention officer support assignments (i.e., recruiting events).

- The Consultant also recommends that BCSO expand the level of detail of its recordkeeping in key assignment areas such as medical security, SERT, rover and recreation security assignments for specified periods for the analysis.
 - The Consultant observed a 70% increase in the number of (Hospital) Emergency Trips over a 12-month period. The Consultant recommends BCSO conduct a historical review of approximately 5 years of inmate Emergency Trip (ER) data. The Consultant recommends BCSO apply a root cause analysis to this emerging trend.
 - The Consultant recommends BCSO involve their inmate medical services provider to get a better understanding of the protocols that drive inmate hospitalizations and off-site medical appointments.
 - The Consultant recommends performing additional study regarding inmate hospitalization rates/daily averages relative to the rates in Travis, Harris, Dallas, and Tarrant Counties.
 - As a best practice, the Consultant recommends that BCSO conduct such review and analysis of key staffing deployment areas on an annual basis, first to identify any trends in workload/demand that may be addressed through root cause analysis, and second, to cross-level or “right-size” the authorized strength in these areas as conditions change in order to free up potential staff to alleviate the current overtime crisis and provide the most efficient staffing deployment model.
- The Consultant was also tasked with providing review as to the efficacy of privatizing the BCSO detention operations. In the body of the report, the Consultant summarizes the major aspects of the privatization discussion in general as well as issues specific to Bexar County. The Consultant cautions against the idea of privatizing BCSO jail operations but recommends a holistic approach if any such course of action is considered.
- Phase IV – Inmate population
 - Recognizing Bexar County’s inmate population has continued to rise over the past several years despite the County’s relatively low incarceration rate and robust diversion programs.
 - The Consultant recommends BCSO partner with the respective stakeholders to gather the requisite data to perform an analysis of the following focus areas:

- Evidentiary–the Consultant recommends additional study/root cause analysis to identify any impediments to the timely consolidation, review and distribution of such evidence and related delays in court processes (resets), particularly as it relates to in-custody cases.
- Prosecutorial–the Consultant recommends coordinating with the District Attorney’s Office to determine whether and how Jail intake and screening staff may be able to facilitate the identification and prioritization of arrestees who may be good candidates for in-custody pretrial programs but may not otherwise be eligible for bond/pretrial diversion programs in the community.
- Defense Counsel–the Consultant observed some issues with attorney-client communications that can be addressed to facilitate attorney use of available electronic means of visitation.
- The Consultant also recommends BCSO survey the local defense attorneys to determine the utilization rate of privileged video visitation and if unreasonably low, apply a root cause analysis to determine why and what can be done to encourage defense attorneys to use the more efficient means of communication.
- Courts–the Consultant recommends that BCSO partner with the Court Administrations for both County and District Courts to analyze key case data elements to determine how BCSO may better support the timely and efficient disposition of in-custody cases.
- The Consultant recommends that, in cooperation with Court Admin, key metrics/milestones be identified in the case adjudication process for the last 5 to 7 years to identify any opportunities for efficiencies.
- Jail– based on the excessively long State bed wait times being endured by mentally ill inmates and the significant backlog awaiting restoration treatment, the Consultant recommends that BCSO pursue a jail-based competency restoration program.

Phase I – Salary and Overtime Analysis

Salary Analysis

Comparison pay study to equivalent Counties

In this section of the report the Consultant sought to compare the base salaries, salary scale structure, incentive pay structure, general benefits and job requirements for Bexar County Detention Deputies with comparable positions in Dallas County, El Paso County, Harris County, Tarrant County and Travis County, Texas. As Bexar County is one of the top six population centers in Texas, the listed counties are generally considered as contemporaries for such an analysis.

The methodology for this analysis was relatively straight forward utilizing publicly available pay and benefits information from each of the comparison counties. National salary information was also reviewed from the United States Department of Labor. The salary analysis sought to identify the average base pay for newly hired detention officers in the five comparison counties and compare that to the BCSO equivalent. The midpoint and maximum salaries were also compared similarly to not only identify any actual pay disparities but to support any conclusions that may be drawn relative to recruiting and retention issues currently being experienced by BCSO as it pertains to entry-level detention officers. Where available, supervisory rank salary ranges were included for illustration purposes. Rank structure, titles, duties, and responsibilities varied by county. (For example, not all counties have the junior supervisor rank of “corporal”.) However, the information was included to illustrate the relative pay differential, as a percentage, between line officers and line level supervisors. Figure 1 below presents the basic salary information.

Figure 1. Salary comparison

Position	Harris	Tarrant	Dallas	Travis	El Paso	Average	Bexar	Variance	% BCSO below average
Entry	\$ 19.55	\$ 22.84	\$ 22.52	\$ 22.52	\$ 18.29	\$ 21.14	\$ 18.24	\$ 2.91	15.9%
Year/Step 1	\$ 21.10	\$ 23.53	\$ 23.80	\$ 23.19	\$ 20.92	\$ 22.51	\$ 19.38	\$ 3.13	16.1%
Year/Step 2	\$ 22.58	\$ 24.24	\$ 24.88	\$ 25.21	\$ 21.42	\$ 23.67	\$ 19.95	\$ 3.72	18.6%
Year/Step 3	\$ 23.94	\$ 24.96	\$ 26.00	\$ 25.97	\$ 21.96	\$ 24.57	\$ 20.53	\$ 4.04	19.7%
Year/Step 4	\$ 25.14	\$ 25.71	\$ 26.00	\$ 26.75	\$ 22.51	\$ 25.22	\$ 21.10	\$ 4.12	19.5%
Year/Step 5	\$ 25.62	\$ 26.48	\$ 27.22	\$ 27.55	\$ 23.06	\$ 25.99	\$ 21.68	\$ 4.31	19.9%
Midpoint	\$ 22.59	\$ 26.48	\$ 28.46	\$ 29.23	\$ 26.69	\$ 26.69	\$ 21.10	\$ 5.59	26.5%
Maximum	\$ 25.62	\$ 30.71	\$ 31.30	\$ 37.02	\$ 34.07	\$ 31.74	\$ 22.79	\$ 8.95	39.3%
Corporal	N/A	\$27.55-\$37.04	N/A	N/A	\$25.42-\$39.44		\$23.75-\$25.65		
Sergeant	\$37.90-\$40.60	\$33.43-\$44.94	\$26.75-\$37.45	\$36.66-\$50.74	\$34.69-\$44.28		\$28.49-\$30.77		
Lieutenant	\$42.64-\$45.24		\$31.47-\$45.68	\$43.24-\$58.12	\$41.63-\$50.59		\$33.98-\$36.69		
Captain	\$48.88-\$52.32		\$41.63-\$55.18				\$41.70-\$44.62		

Based upon the table above, several conclusions were made by the Consultant. Regarding entry level wages, BCSO is currently the lowest of the six large metropolitan counties in Texas at \$18.24 and is 15.9% below the average starting wage of the other five counties. When

compared to the midpoint and maximum hourly wage averages of the comparison counties, BCSO is behind 26.5% and 39.3% respectively.

Of note, each of the comparison counties vary in the number of steps on their pay scale from entry level to the maximum salary for a line-level detention officer. For example, Harris County has only 6 steps, Dallas County has 8 steps, Tarrant County has 10, Travis County has 15 and El Paso has 21 steps to reach the maximum hourly wage for detention officers. BCSO currently has 10 steps, including the first-year entry level step. Additionally, the development of the wage and benefits packages vary by county. Some are developed through the collective bargaining process (e.g., El Paso and Bexar) and others through annual budget negotiations between the Sheriff's Office and the Commissioners Court (e.g., Travis). This is important to note as typically with collective bargaining agreements, step increases and overall wage and salary adjustments are specified over the term of the agreement and occur automatically. Step and pay scale adjustments in counties without such agreements are negotiated annually during the budget process and are not automatically applied.

While not included in comparison above, the Consultant also gathered the entry level wage for the 7 surrounding counties. While not comparable to Bexar County in terms of population, tax base and overall resources, these counties can be considered to compete with Bexar County from a detention officer recruiting perspective simply based on their proximity to Bexar County. The entry level wages as of 11/1/21 were found to be as follows:

- Comal County - \$19.70/hr.
- Atascosa County - \$21.03/hr.
- Kendall County - \$22.00/hr.
- Guadalupe County - \$20.07/hr.
- Medina County - \$16.98/hr.
- Bandara County - \$16.29/hr.
- Wilson County - \$16.83/hr.

The Consultant, for illustration purposes, also found the most recent information regarding wages for state correctional workers and national averages from the Bureau of Labor Statistics in Figures 2 and 3 below. Of note, the entry level wage for TDCJ-ID equated to \$17.42/hr. and the current maximum wage for a BCSO Detention Officer (\$22.79/hr.) ranks at the 50th percentile nationally for correctional officers and jailers.

Figure 2. TDCJ-ID Wages

Texas Department of Criminal Justice - Institutional Division			
Full-Time Correctional Officer Salary			
Effective September 1, 2021			
Title	*Monthly Salary	**Maximum Security Salary	Months of Employment
CO I	\$3,019.84	\$3,110.44	0 to 2
CO II	\$3,107.98	\$3,201.22	3 to 6
CO III	\$3,191.86	\$3,287.62	7 to 12
CO IV	\$3,284.27	\$3,382.80	13 to 24
CO IV	\$3,382.52	\$3,484.00	25 to 36
CO IV	\$3,480.77	\$3,585.19	37 to 72
CO V	\$3,720.17	\$3,831.78	73+<

Figure 3.

US Bureau of Labor Statistics
 Occupational Employment and Wages, May 2020
 33-3012 Correctional Officers and Jailers

National estimates for Correctional Officers and Jailers:
 Employment estimate and mean wage estimates for Correctional Officers and Jailers:

Employment (1)	Employment RSE (3)	Mean hourly wage	Mean annual wage (2)	Wage RSE (3)
405,870	0.6 %	\$ 25.16	\$ 52,340	0.8 %

Percentile wage estimates for Correctional Officers and Jailers:

Percentile	10%	25%	50% (Median)	75%	90%
Hourly Wage	\$ 15.78	\$ 18.24	\$ 22.79	\$ 30.43	\$ 39.39
Annual Wage (2)	\$ 32,830	\$ 37,950	\$ 47,410	\$ 63,290	\$ 81,940

Figure 4. Incentive Pay

	Harris	Tarrant	Dallas	Travis	El Paso	Bexar
Incentive / License						
Intermediate	\$600/yr	\$720/yr		\$600/yr		\$1200/yr
Advanced	\$1200/yr			\$1200/yr		\$2400/yr
Master	\$1800/yr			\$1800/yr		\$3600/yr
Incentive / College						
Associate	\$1320/yr			Incl w/license		\$900/yr
Bachelor	\$3180/yr			Incl w/license		\$1200/yr
Master / Doctorate	\$4500/yr			Incl w/license		\$1800/yr
Incentive / Other						
Bilingual	\$1800/yr			\$125/mo		
Mental Health	\$1800/yr					
Training / FTO	\$1800/yr	\$1.00 / hr		\$200/mo		\$100/mo
Longevity		\$5 x yrs / month				\$5 x yrs / mo
Acting Supv stipend						\$15/shift
Shift Differential		\$.65 / hr				\$1200/yr
Uniform Allowance		\$300 / yr		Provided		\$500/yr
Sign-on Bonus		\$1,500.00		N/A		
Referral Bonus		\$200 / referral		\$500 / referral		
Transport Duty Diff						\$4200/yr
SERT / CERT Team						\$600/yr

Incentive pay, also referred to as supplemental pay or add-pay, packages varied somewhat from county to county but there were some similarities. Most generally recognized and rewarded higher education levels or advanced licensing possessed by the employee as well as specialized skills or training such as language proficiency or mental health training/certification. Figure 4 above demonstrates that BCSO has a fairly comprehensive incentive pay package and is generally competitive with its peers across the state.

Benefit packages varied only slightly among the comparison counties with most offering similar medical, dental, and vision packages with costs for the employee only ranging from fully covered by the county (zero cost to the employee) to roughly \$30/month in premiums. All offered plans that included family coverage at varying premium levels. All participated in the state-wide retirement system and offered deferred compensation plans as well. The number of holidays observed varied slightly with some counties offering either paid holidays, holiday time accrual or the option to employees. Sick time accruals were consistent across the board, however some counties offered increased vacation time accruals for more tenured employees. In sum, BCSO was deemed by the Consultant to be competitive in terms of its employee benefit package.

Regarding minimum hiring standards, all the counties in the comparison had the same basic requirements to conform to the Texas Commission on Law Enforcement licensing requirements. Most allow 18-year-old applicants with a GED/High School diploma although one (El Paso) also required 15 college credit hours. All require stringent background checks and interviews as well as physical and psychological exams. Most do not require a polygraph examination.

Based on the foregoing information and analysis, the Consultant determined that the current BCSO entry salary and subsequent pay steps are substantially below that of the comparison counties. The entry level pay for BCSO detention officers was also determined by the Consultant to be substantially below that of most of the neighboring counties and not competitive with its market or “the going rate”. While the BCSO incentive pay and benefits packages are competitive with the comparison counties, **the Consultant recommends** the following:

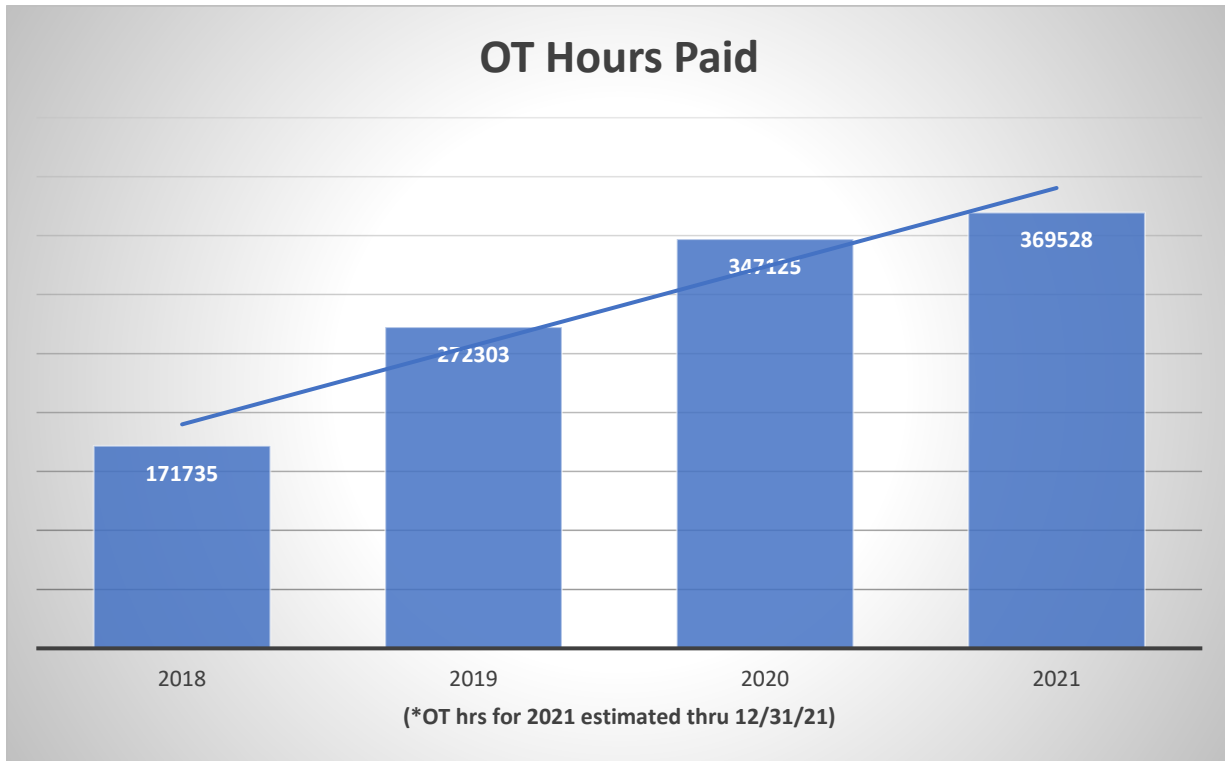
- BCSO and Bexar County officials consider an entry level wage increase of 15% to 20%, with commensurate adjustments to the subsequent pay steps and grades in order to regain competitive parity in the market relative to the recruiting and retention of quality employees for the position of detention officer.
- BCSO and Bexar County officials consider extending the number of steps on the detention officer pay scale from 10 to 15 by extending the step increases by a percentage consistent with the first 10 steps (approximately 3% to 5% per step to account for inflation and provide for a real wage increase in recognition of the employee’s commitment to the agency and promote the retention of trained and experienced staff).
- BCSO and Bexar County officials consider applying a 10% increase in salary for promotions to Corporal (relative to the employee’s current tenure/step) to substantially recognize the increase in the employee’s duties and responsibilities as well as the employee’s commitment to the agency and promote the retention of trained and experienced supervisory staff.

OVERTIME ANALYSIS

The second component of the first phase analysis deals with the use of overtime within the BCSO Adult Detention Bureau (ADB). The methodology employed in this section included an analysis of overtime data and relevant documentation provided by to the Consultant by BCSO as well as interviews with senior and administrative staff.

Figure 5 below presents the case for this analysis rather succinctly. Based on information provided by BCSO, the number of paid overtime hours has increased from just under 172,000 in 2018 to almost 370,000 hours (projected) in CY2021. County budgetary expenditures for BCSO overtime reflect the similar growth over the same period.

Figure 5. OT Hours Paid



Why shifts must be covered in the jail.

The BCSO ADB staffing model is largely driven by staffing mandates promulgated by the Texas Commission on Jail Standards (TCJS², 2022). Title 37 Part 9 Chapter 275 Rule §275.4 of the Texas Administrative Code states, in part, “One jailer shall be provided on each floor of the facility where 10 or more inmates are housed, with no less than 1 jailer per 48 inmates or increment thereof on each floor for direct inmate supervision.” Certain classifications of inmates may require more intensive supervision for safety and security, so the ratio of officers to inmates may be even greater in some areas. Rule §275.4 further states “Sufficient staff to include supervisors, jailers and other essential personnel as accepted by the Commission shall be provided to perform required functions.”

As of 12/1/21, the BCSO ADB held 3754 inmates with a total capacity of 5108 inmates. TCJS requires every inmate in the jail’s custody to be classified by a variety of criteria and separated according to their classification (e.g., gender, charge, criminal history, jail behavior, medical or mental health needs, etc.). While most Texas jails are designed and staffed around the 1 to 48 supervision mandate, classifying and housing inmates appropriately requires significantly more security and support staff than the TCJS supervision ratio would suggest.

As of 11/4/21, the BCSO Adult Detention Bureau was authorized a total Full-Time Equivalent (FTE) of 911 licensed detention officers. The Bureau is also authorized an additional 29 Cadet FTEs that are not counted against the total. With a current vacancy rate of 33.6% and subtracting all staff unavailable for duty for a variety of reasons, the BCSO ADB had an effective work force of 586 detention officers and supervisors on 11/4/21 or 64.3% of its authorized strength. Faced with this significant staffing shortage, the BCSO ADB is routinely forced to employ overtime to fill mandated positions on a 24/7/365-day basis.

In order to understand the overtime issues discussed in the narrative below, a basic understanding of the terms used by the BCSO is necessary. The BCSO utilizes four categories of overtime in meeting the statutorily required staffing requirements. The following definitions are taken from a BCSO executive memorandum dated August 28, 2019. Text in parenthesis is the Consultant's summary of additional information in the memorandum.

Voluntary Overtime (VOT) – is a true volunteer (Procedures allow for volunteers to select their assignment.)

Mandatory Overtime (MOT) – are scheduled by administrative order, these assignments should be given by priority based on necessity. (These assignments are pre-scheduled giving the employee notice beforehand. The Shift Commander must ensure several criteria are met to maintain equity and efficiency in the use of the MOT list. This list must be exhausted before employing additional measures)

Forced Mandatory Overtime (FMOT) – should only be used upon depletion of the MOT schedule to include conducting Contraband Health and Sanitation Inspections (CHSIs). (This list supplements the MOT schedule once the MOT schedule is exhausted. The employee is aware they *may* be required to cover a post based on their position on the list. Some notice is generally given. FMOT staff are given priority in choice of assignment over MOT assignments.)

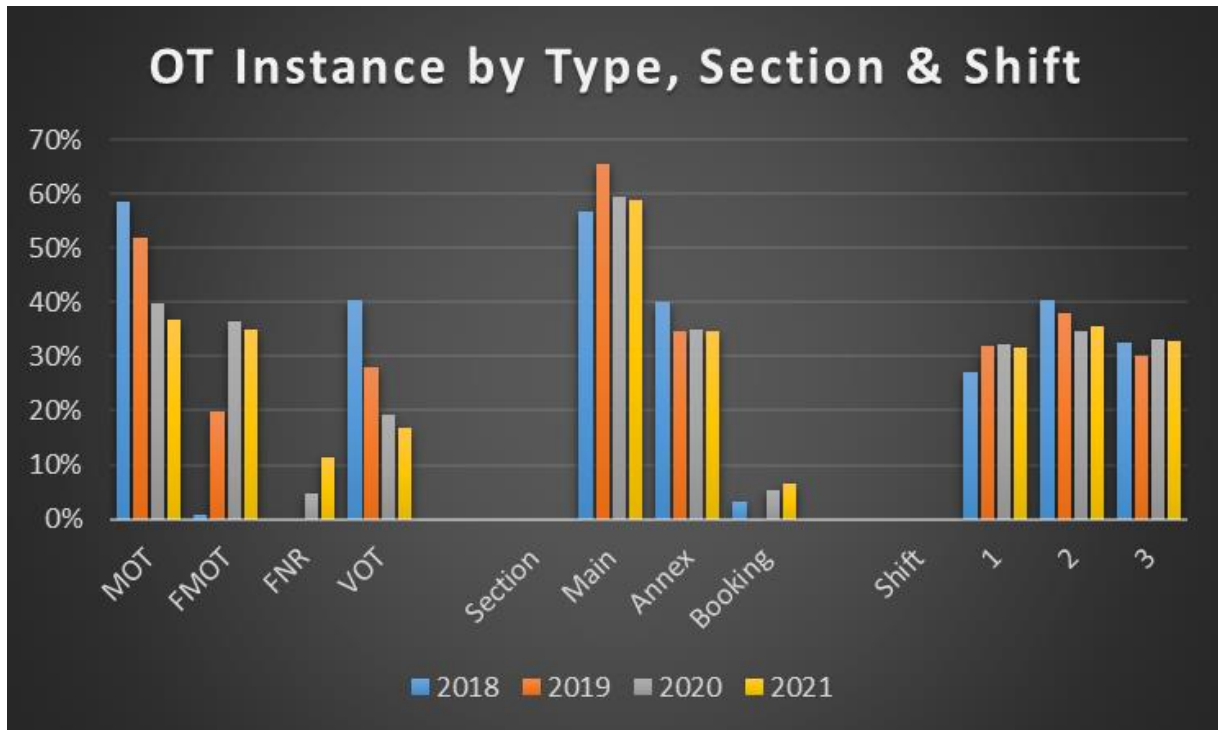
The fourth category of overtime was added subsequently to the 2019 memorandum. This category is termed "**Forced, No Relief**" or "**FNR**". This category is utilized as a last resort when a position may go unfilled due to an unexpected call in by a scheduled employee due to delay in reporting, illness, emergency, etc., the MOT/FMOT lists are exhausted, and there are no volunteers available. The employee is essentially held over until relief is found, frequently for a full shift.

The Consultant was able to make several conclusions regarding overtime use based upon the data provided by the BCSO. The figures that follow graphically represent those findings. It should be noted that the Consultant selected the number of overtime occurrences as the primary basis for the analysis rather than the actual number of hours of overtime worked per occurrence. This would allow for a more consistent basis for comparison across shifts, sections/buildings, and the conditions that prompted the use of overtime.

Figure 5 below combines three major aspects of the overtime analysis into one chart covering a four-year period, 2018-9/30/2021. The vertical axis represents the percentage of overtime

instances by type, location and shift. This first look will be broken down into further detail later on in the narrative.

Figure 5. Overtime – 4 year overview



Some initial impressions are readily apparent in Figure 5. First, regarding the type of overtime, the proportion of MOT and VOT use show a steady decline over the four-year period while FMOT (introduced in 2018) and FNR (introduced in 2020) are growing in use and making up a larger percentage of the overtime instances as a whole. This indicates that, based on staffing shortages, staff are likely becoming less willing or able to volunteer due to the current tempo of forced overtime assignments (scheduled and unscheduled).

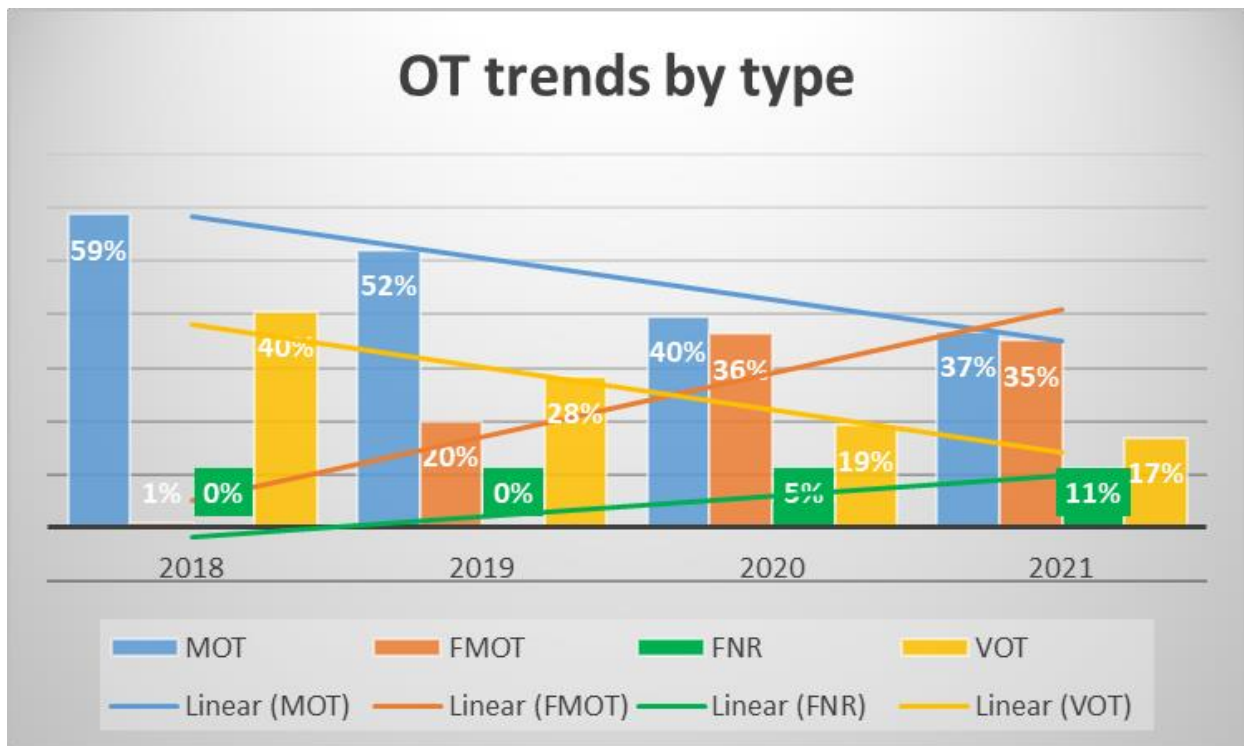
While organizations, public and private, typically find that the judicious use of overtime in place of hiring additional full-time staff to cover temporary shortages is a fiscally responsible practice, over-reliance on the practice can ultimately have deleterious effects not only on the budget but on the organization and the employees themselves. Numerous academic studies over the last several decades on the impact of volunteer and forced overtime have shown that extended periods of work in high stress environments without reasonable rest intervals have a negative impact on employee morale, employee health and safety, efficiency and effectiveness, employee retention, the employee’s personal life, and education and professionalization efforts, all despite the apparent increase in the employee’s earning potential. Such conditions affect the organization negatively in terms of workforce employee recruiting/retention, training, supervision, and liability.

Second, the number of overtime instances by area reflect that the level of overtime use at the Main and Annex and Booking facilities have been trending upward overall for the four-year period with Booking showing the greatest upward trend. While the reason for shift shortages at the Booking facility may mirror that of the other two facilities (vacancy, call-ins, military, etc.), critical areas where specialized skills and experience are required, like Booking, may often be disproportionately affected in terms of overtime requirements when shortages can only be filled by similarly skilled and experienced staff and demand for service is not controlled by BCSO (number of arrests/book-ins).

Lastly, regarding Figure 5, the percentage of overtime instances by shift also reflect some discernable trends that will be detailed below.

Figure 6 breaks out the overtime trends by type and reflects simple linear trend lines to give the reader an idea of the upward or downward trending for each type of overtime: VOT, MOT, FMOT and FNR. Figures 7 through 10 isolate each type of overtime to simplify their interpretation.

Figure 6. OT trends by Type



As mentioned previously, the proportion of VOT and MOT use by the BCSO ADB has decreased over the four-year period from a combined 99% of the overtime instances in 2018 to a combined 54% through September 30, 2021. Conversely, the BCSO ADB reliance on forced overtime (FMOT and FNR) has increased from 1% (FMOT only) in 2018 to a combined 46%.

Unless significant near and long-term measures are taken to reverse the use of overtime in general and the increasing reliance on forced overtime, the Consultant expects these trends to continue and the negative effects on staff and the organization associated with forced overtime will increase commensurately.

Figure 7. Voluntary Overtime by year.

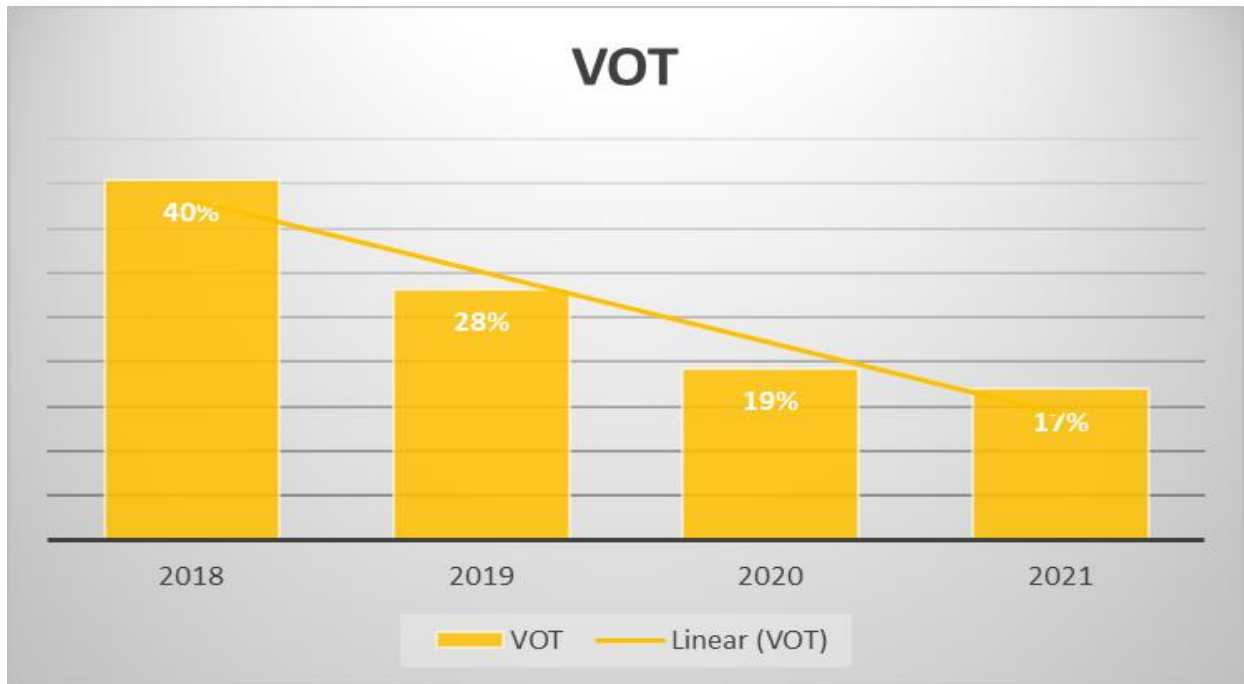


Figure 8. Mandatory Overtime by year.

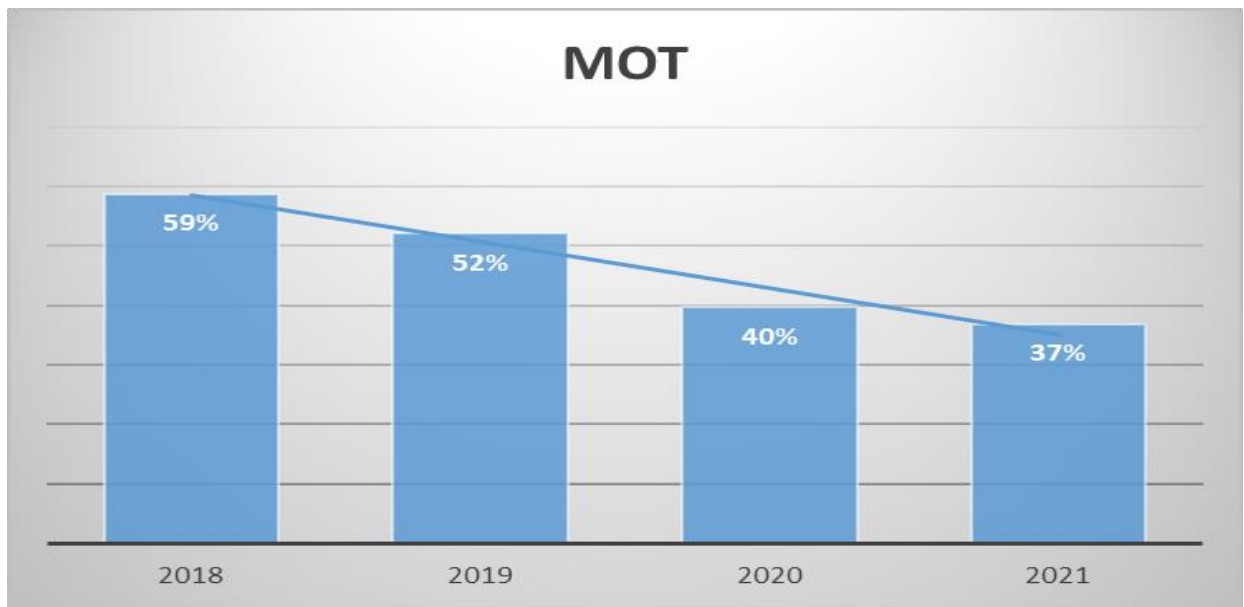


Figure 9. Forced Mandatory Overtime by year.

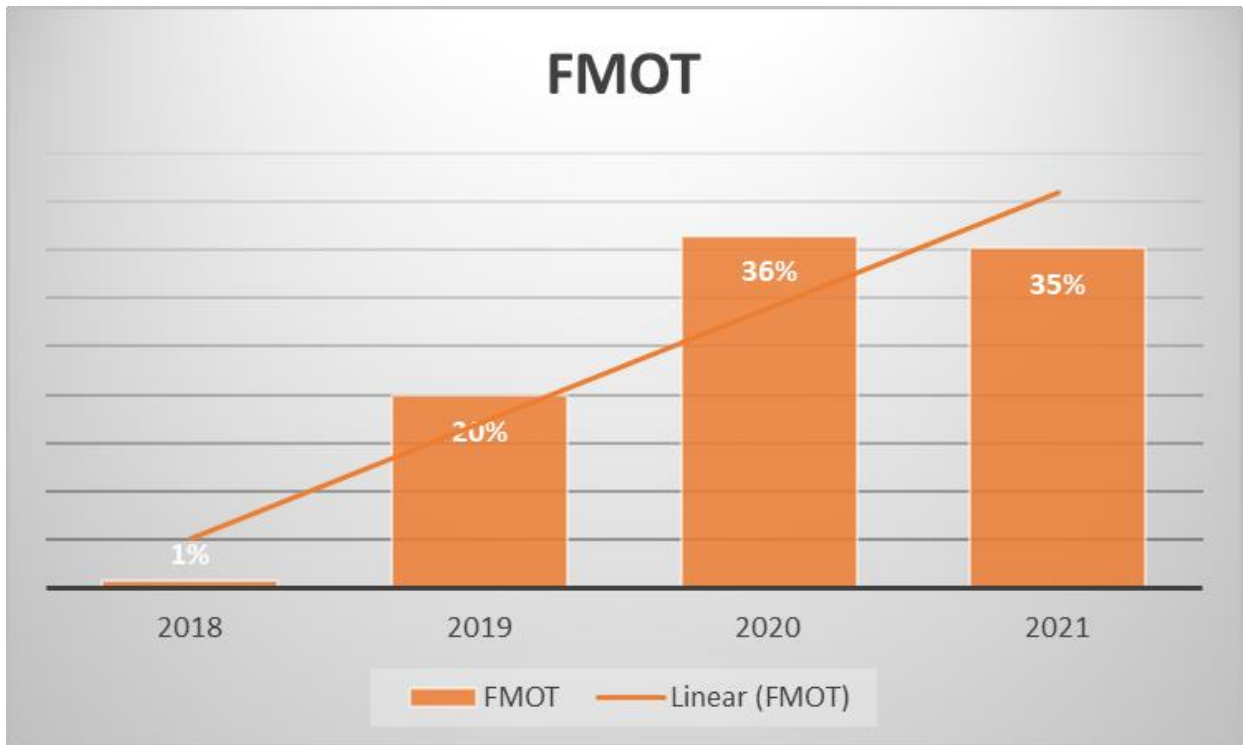
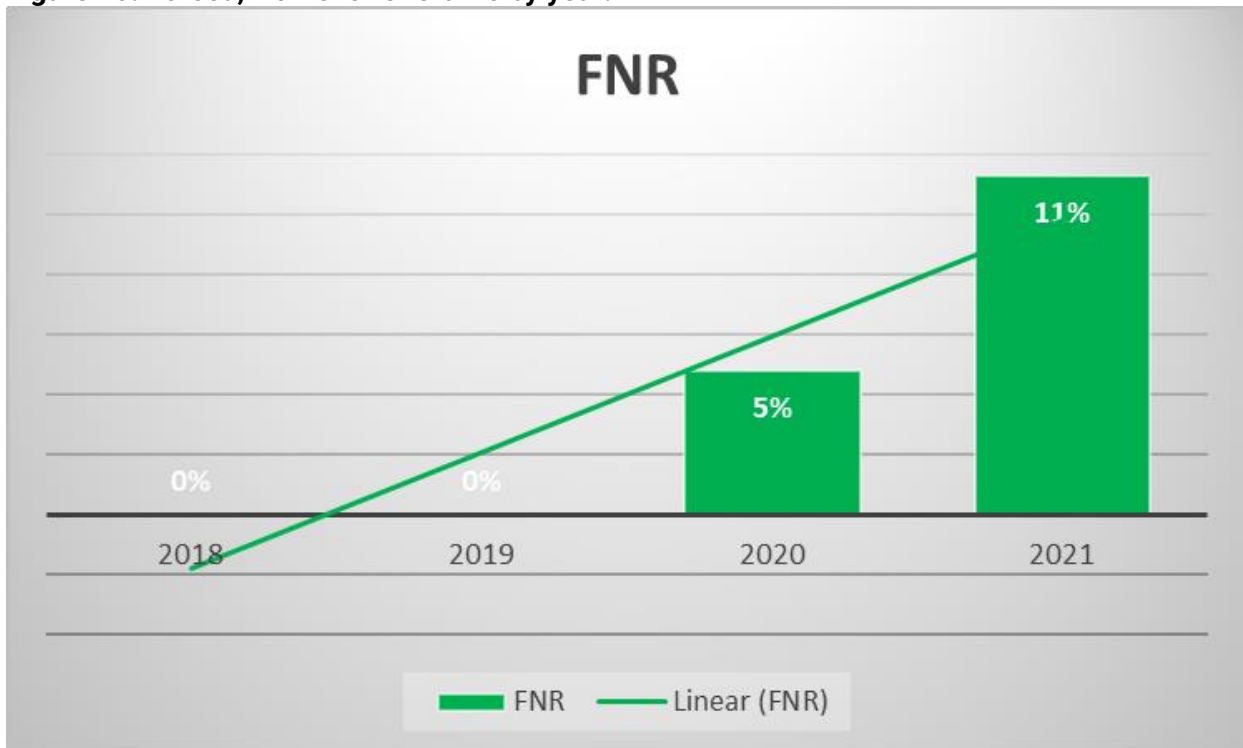
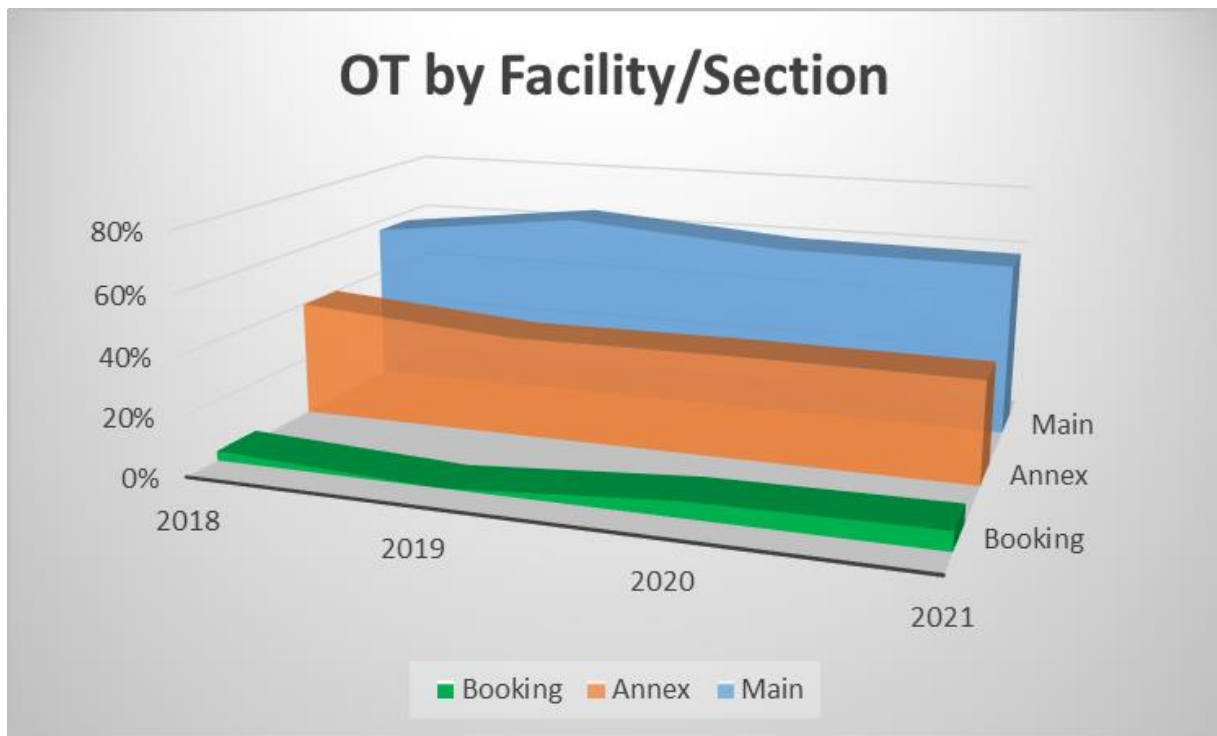


Figure 10. Forced, No Relief Overtime by year.



The Consultant then compiled the overtime data relative to the major cost centers in the BCSO ADB, the Main, Annex and Booking facilities. Figure 11 generally demonstrates, as one would expect, that the larger the facility in terms of employees the more overtime would be used if all other factors were equal. Figure 11 also implies that, based on the lack of any significant trends upward or downward in the instances of overtime use, that the cross-leveling of staff and the judicious prioritizing and sharing of available resources is an on-going practice employed by the ADB managers and supervisors.

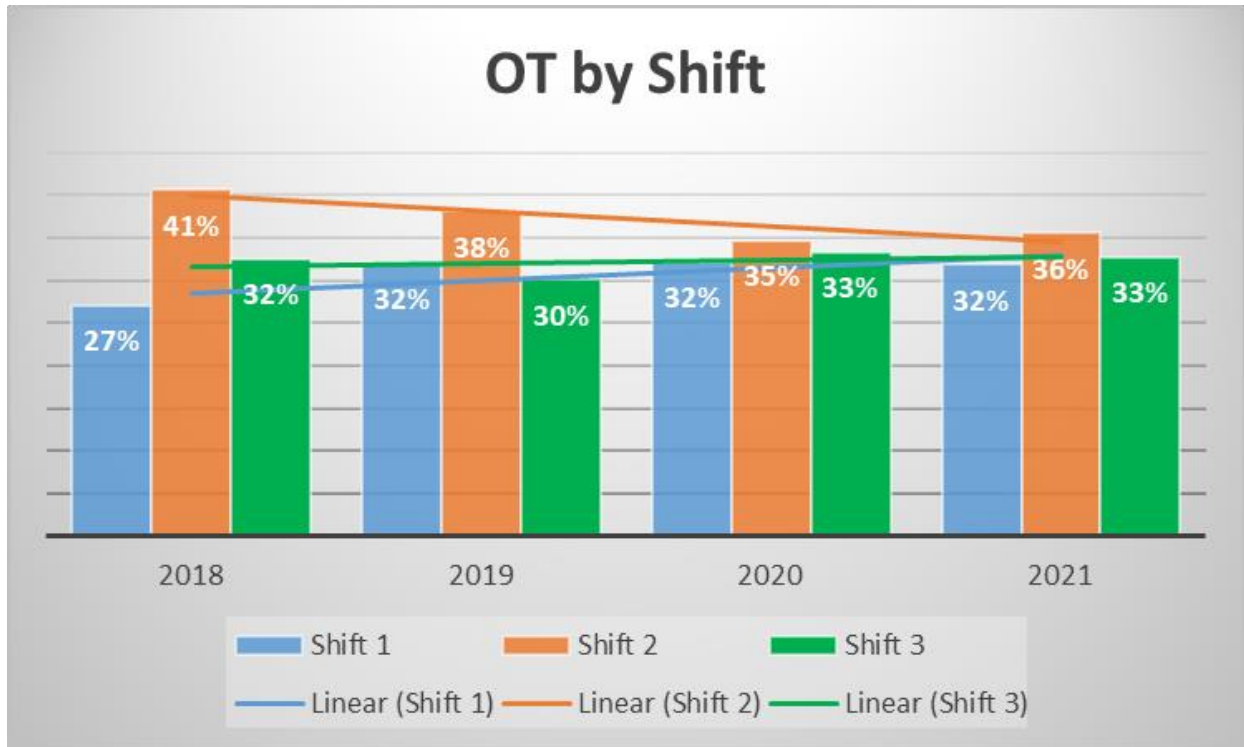
Figure 11. OT by Facility/Section



The Consultant further refined the overtime data to examine any issues or trends relative to the individual shifts in each of the major cost areas. Figure 12 represents instances of overtime, by shift, for the entire ADB. Bureau-wide, the 1st and 3rd shift reflect a generally upward trend while the 2nd shift reflects a definite downward trend as a percentage of all instances of overtime.

These trends may be influenced by a variety of factors to include staffing distribution, staff demographics, workload, etc., so additional analysis to pinpoint a single cause for the 2nd shift's 5% decline over 4 years will likely yield few definitive answers. As the Consultant has already observed, the Bureau's efforts toward equalizing resources across the assignments and shifts have been largely effective at distributing the staffing shortage impacts equitably.

Figure 12. OT by Shift.



Figures 13, 14 and 15 (below) graphically depict the results of the analysis by work area and by shift. The trends for Main (Figure 13) reflect slightly increasing instances of overtime for both 1st and 3rd shift while the 2nd shift reflects a significant decline over the 4-year period that generally mirror that of the overall Bureau-wide decline for 2nd shift. Figure 14 represents overtime use for the Annex. The 1st shift shows a significant upward trend in the use of overtime while the 2nd and 3rd shifts are both trending downward at roughly the same rate.

Figure 15, the Booking facility, reflects significant upward trends for all three shifts at roughly the same rate over the 4-year period. However, this is likely skewed somewhat as the 2019 data was unavailable for the analysis. As the Booking facility has far fewer FTEs than the other two areas, such increases may be attributable to significant occurrences on a single shift in the short term (eg, FMLA, extended military deployment, etc), but such situations are less likely to have such an impact over an extended period of time—3 to 4 years in this case.

Figure 13. Main OT by Shift.

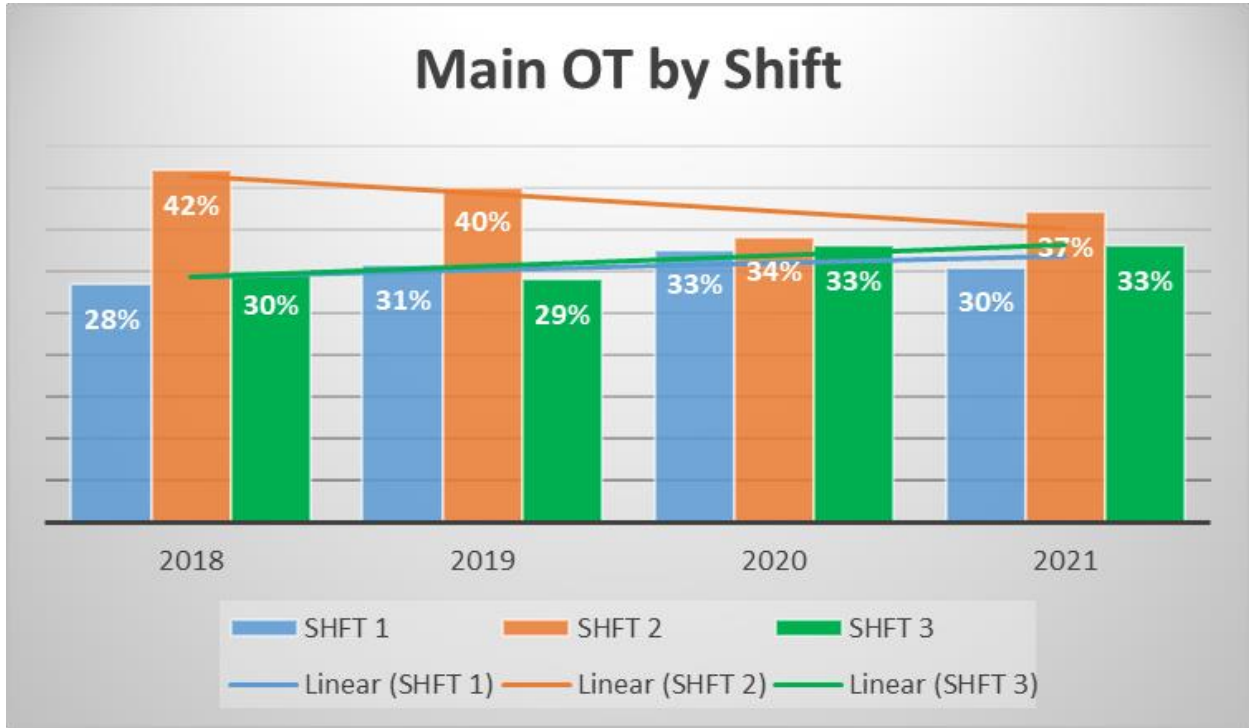


Figure 14. Annex OT by Shift

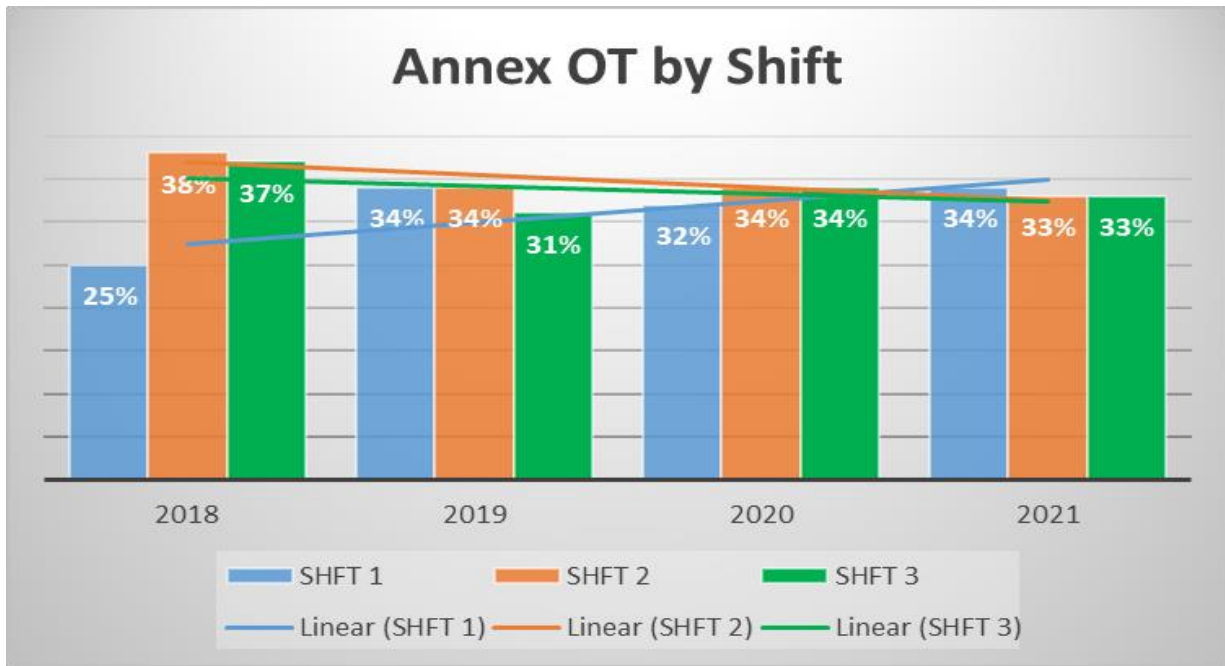
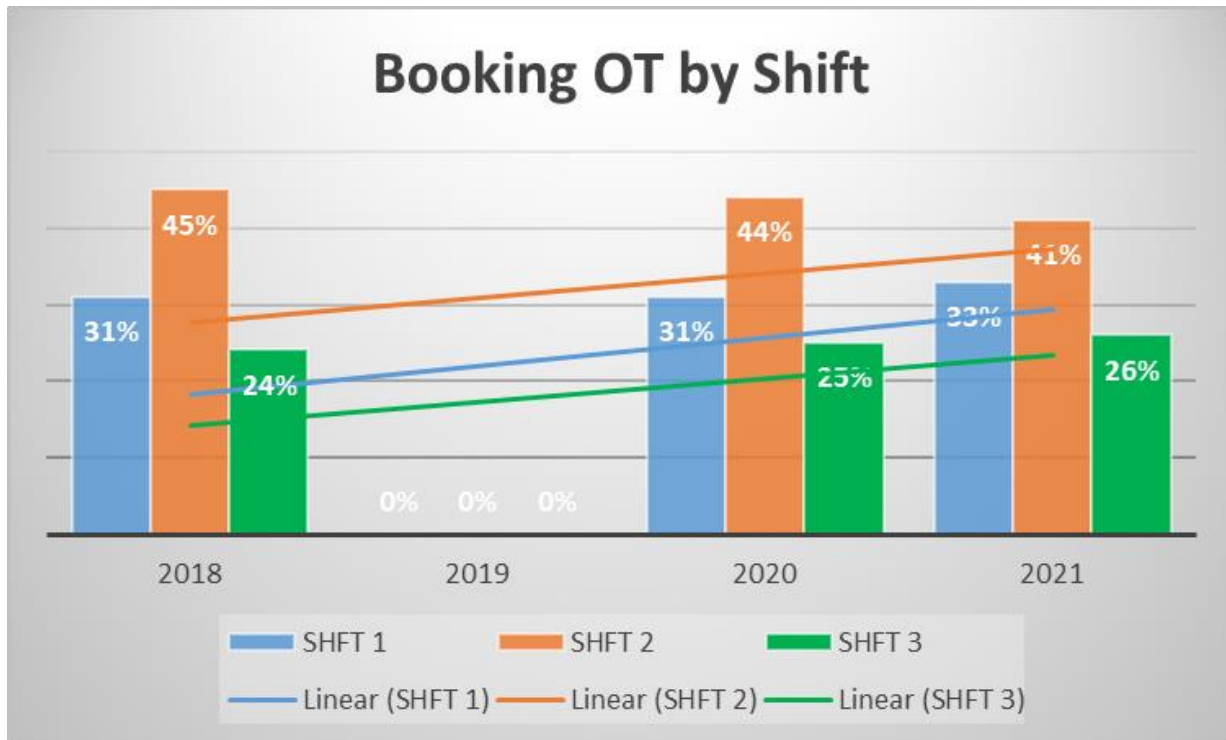


Figure 15. Booking OT by Shift.



With an understanding of the levels and trends of the various types of overtime used throughout the BCSO Adult Detention Bureau over time, the Consultant then sought to determine whether the cause for the overtime could be determined. To do this, the Consultant reviewed the administrative codes applied to the 44,524 instances of overtime incurred from January 1, 2021, to September 30, 2021. The Consultant was able to determine that, of the 79 possible overtime codes available, roughly 90% of the overtime utilized in all three major areas (Main, Annex and Booking) were attributable to only 11 codes. The percentage figures in Table 1 below represent the percentage of the total for each overtime code within the given assignment area. All Sick time (employee/family) was combined. Figure 16 below graphically depicts this distribution.

Table 1. Overtime codes by area.

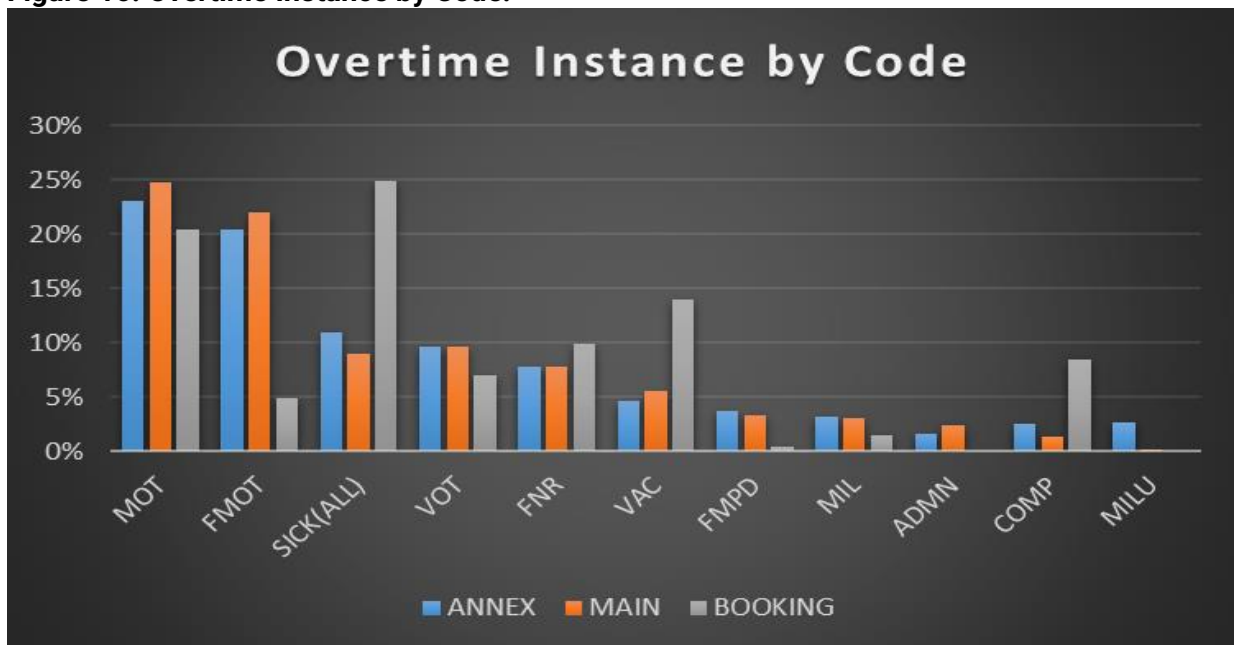
Code	ANNEX	MAIN	BOOKING	AVERAGE
MOT	23%	25%	20%	23%
FMOT	20%	22%	5%	16%
SICK(ALL)	11%	9%	25%	15%
VOT	10%	10%	7%	9%
FNR	8%	8%	10%	9%
VAC	5%	6%	14%	8%
FMPD	4%	3%	0%	3%
MIL	3%	3%	1%	3%
ADMN	2%	2%	0%	1%
COMP	2%	1%	8%	4%
MILU	3%	0%	0%	1%

Legend

- MOT - Mandatory Overtime
- FMOT - Forced Mandatory Overtime
- SICK - Sick time (employee/family)
- VOT - Voluntary Overtime
- FNR - Forced, No Relief
- VAC - Vacation
- FMPD - Family Medical Leave (paid)
- MIL - Military leave hours taken
- ADMN - Administrative
- COMP - Comp or Disc hours taken
- MILU - Military leave w/out pay

Given the current staffing shortage throughout the Bureau, observing that the MOT, FMOT, VOT and FNR codes comprise four of the top five reasons for overtime is not surprising and all are relatively consistent despite the difference in staffing numbers for each area. Again, an indication of the Administration's efforts at managing and distributing resources. Of note are three categories in the Booking area that are roughly double the percentage of the other two areas, SICK, VAC and COMP. With a much smaller staffing footprint relative to the other two areas, these differences are likely the result of a small number of employees with special circumstances and not reflective of any difference in the application of policy or procedure by Booking managers. The average years of service for each area is 6.0, 6.9 and 7.1 for the MAIN, ANNEX and BOOKING respectively.

Figure 16. Overtime Instance by Code.



The Consultant, in concluding the analysis of the overtime data provided by the BCSO Adult Detention Bureau, has determined the primary cause of the increasing use of overtime, particularly forced overtime (FMOT and FNR) to be the chronic vacancies within the Detention Officer ranks throughout the Bureau (over 33% as of November 2021). The analysis demonstrates that staffing is equitably distributed across the major work areas with overtime reporting being consistent as well.

Comparison of overtime use to equivalent Counties

In this section of the report, the Consultant attempted to compare and contrast the use and impact of overtime for the five counties used in the salary analysis at the beginning of the report. Other than to note that all but one of the counties, El Paso, were experiencing significant staffing shortages and increased overtime use, there were few “apples to apples” comparisons available.

Of note however, was the significant difference in the vacancy rate for BCSO detention officers versus that of Tarrant, Travis, and Dallas Counties. The BCSO rate, at over 33%, is two to three times larger than that of the other three. El Paso County’s vacancy rate was negligible with only 10 vacancies at the time the Consultant contacted the El Paso County Human Resources Department. (El Paso attributed the low vacancy rate to local economic factors and a high retention rate among its detention officer staff.) Harris County is likely closer to Bexar in terms of overtime impact having requested some \$17 million dollars in additional funding to finish out their 2021 fiscal year to largely fund overtime in the jail. However, it is also important to consider that Harris County currently holds more than twice the number of inmates than that held by Bexar County.

While the BCSO detention officer vacancy/retention rate can be attributable in large part to pay issues as discussed earlier in the report, it is also important to acknowledge that higher salaries alone are not the panacea for BCSO’s staffing challenges as vacancy rates among jails and prisons across Texas and across the U.S. are at all-time highs as is the use of forced overtime to meet staffing and supervision mandates.

The difficult recruiting and retention environment faced by law enforcement and corrections in general, and for BCSO specifically, is also compounded by a nationwide shortage of workers in most private and public sector fields due to the on-going effects of the pandemic. In response to these challenges, jails around the state and nation have implemented a variety of measures in their attempts to decrease detention officer vacancies as well as the overtime expenditures associated with those vacancies. BCSO’s peers are utilizing mandated overtime; authorizing first-line and mid-managers to work line positions for overtime; using modified work weeks and mixing work schedules; curtailing the use of leave time and employing part-time staff to meet minimum staffing levels. Some of these strategies are discussed further in the last section of the Phase I report below.

Overtime reduction strategizes

Even agencies with relatively strong staffing levels routinely seek to scrutinize and mitigate the effects of overtime use on the overall budget through a variety of strategies. While there are typically no quick fixes, some may be implemented in the near-term with defined end-dates to such programs or procedures, but others require long term vision, planning and resources which oftentimes provide the most lasting and profound changes in the health and well-being of the agency and its members.

The most obvious remedy is, of course, the filling of all authorized BCSO ADB vacancies. However, even in the best recruiting environments, every agency will still experience staff turnover, vacancy issues and overtime. Therefore, it is prudent for BCSO to explore additional strategies to complement its recruiting efforts. The Consultant does wish to acknowledge BCSO's ongoing efforts in this area. Senior management is committed to extending significant resources to the recruiting and training effort over the next several months to fill as many authorized positions as possible.

The Consultant recommends the BCSO Adult Detention Bureau consider the following near-term strategies to address the current staff recruiting, retention and overtime issues:

1. Base schedule changes –

- a. Consider modifying the current 8-hour, 5-day, 40-hour work week to a scheduled 48-hour, 6-day work week (currently employed by Tarrant County) for all detention officers and any support staff where chronic overtime is presently an issue. Current FLSA (Title 29 CFR Part 553) work week requirements for public safety employees note the overtime threshold for a 7-day pay period is 43 hours, so out of a scheduled 48-hour work week, only 5 hours would automatically be counted as overtime as opposed to any hours worked more than 40 hours under the current BCSO model. The net impact will likely be an increase in the overall number of staff available to work on a given day and a more stable work schedule for all staff as a decrease in the level of FMOT and FNR could be expected. The negative effect for affected employees would be the loss of one scheduled day off per work week which, with the cumulative effects of MOT, FMOT and FNR overtime requirements, most detention officers already see this impact.

The Consultant recommends BCSO consider this a temporary measure with specific metrics put in place to not only measure the on-going impact of the program in terms of overtime reduction but to have a clearly defined trigger (e.g., FTE staffing level) to revert to the current 40-hour work week.

- b. Consider implementing a 12-hour shift schedule at the MAIN facility. The number of staff required to operate a set number of posts is less when utilizing a 12-hour schedule versus a traditional 8-hour schedule. There is little difference in the net available work hours per employee between the two schedules in a given year as

sick time, vacation, training, etc. is still present for both, but the way the staff are deployed provides for a more efficient staffing framework.

For example, in a simple calculation for a 10-post facility, 30 officers are needed to staff the posts in a 24-hour period with 8-hour shifts while only 20 officers are needed to staff those same posts when operating on 12-hour shifts. Relief factors are also different with 12-hour shift relief factors generally being .3 to .4 FTEs less than that of traditional 8-hour shifts. While this calculation obviously does not take into account support staff, activity levels (day vs night), FLSA break requirements, etc., it does give an idea of the staffing advantages of a 12-hour shift schedule on paper.

As noted above, the Consultant only recommends BCSO consider converting one of the two large facilities (MAIN or ANNEX) initially. This will allow most current staff to volunteer for the scheduling option which best supports their personal schedules to include family obligations, education, professional development, etc. It should also assist BCSO in retaining current staff members who might otherwise consider leaving the agency if their personal situation changes and no other schedule option is available.

FLSA rules also allow 86 hours for a 14-day pay period, and 171 hours for a 28-day pay period. A typical 12-hour schedule would automatically incur at least 2 hours overtime over a 7-day pay period. The Consultant recommends BCSO also consider going to a 14-day pay period for the agency to eliminate any overtime based on regular 12-hour shifts. Given the sample 12-hour shift schedules appended below (Figure 17), the 14-day pay period would accommodate the 84 hours an officer may work without incurring overtime and allow BCSO to offer staff potential fixed days off as opposed to rotating days off usually associated with 12-hour shifts. The 28-day pay period is not recommended by the Consultant. Agencies that have tried the 28-day schedule typically find that staff are less willing to work overtime as the threshold for reaching 171 hours worked in the given period is much more difficult to achieve resulting in extra hours worked paid as straight time if any accrued leave is used. Thus the 14-day pay period is often seen as the better compromise for both the agency and the staff.

Should BCSO desire to implement either or both options above, the requisite staffing analysis and relief factor calculation is included in Phase II of this project.

Figure 17. Sample 12-hour shift

	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Day 7	Day 8	Day 9	Day 10	Day 11	Day 12	Day 13	Day 14
	S	M	T	W	T	F	S	S	M	T	W	T	F	S
Team 1	X	X	X	1145 to 1800	0545 to 1800	0545 to 1800	0545 to 1800	X	X	X	1145 to 1800	0545 to 1800	0545 to 1800	0545 to 1800
Team 2	0545 to 1800	0545 to 1800	0545 to 1800	0545 to 1200	X	X	X	0545 to 1800	0545 to 1800	0545 to 1800	0545 to 1200	X	X	X
Team 3	X	X	X	2345 to 0600	1745 to 0600	1745 to 0600	1745 to 0600	X	X	X	2345 to 0600	1745 to 0600	1745 to 0600	1745 to 0600
Team 4	1745 to 0600	1745 to 0600	1745 to 0600	1745 to 0000	X	X	X	1745 to 0600	1745 to 0600	1745 to 0600	1745 to 0000	X	X	X

	Day 15	Day 16	Day 17	Day 18	Day 19	Day 20	Day 21	Day 22	Day 23	Day 24	Day 25	Day 26	Day 27	Day 28
	S	M	T	W	T	F	S	S	M	T	W	T	F	S
Team 1	X	X	X	1145 to 1800	0545 to 1800	0545 to 1800	0545 to 1800	X	X	X	1145 to 1800	0545 to 1800	0545 to 1800	0545 to 1800
Team 2	0545 to 1800	0545 to 1800	0545 to 1800	0545 to 1200	X	X	X	0545 to 1800	0545 to 1800	0545 to 1800	0545 to 1200	X	X	X
Team 3	X	X	X	2345 to 0600	1745 to 0600	1745 to 0600	1745 to 0600	X	X	X	2345 to 0600	1745 to 0600	1745 to 0600	1745 to 0600
Team 4	1745 to 0600	1745 to 0600	1745 to 0600	1745 to 0000	X	X	X	1745 to 0600	1745 to 0600	1745 to 0600	1745 to 0000	X	X	X

- The Consultant recommends the BCSO ADB review all positions currently staff by licensed detention officers to determine whether the position can be filled by civilian staff (licensed or unlicensed) if no direct physical contact with inmates is required. If such a position can be filled by qualified and trained civilian staff, the incumbent detention officer can be reallocated back to critical inmate supervision post assignments. It is further recommended that any such proposed changes be submitted to the Texas Commission on Jail Standards for approval.
- The Consultant was advised that volunteers for last-minute overtime needs are often communicated to staff via email, radio, phone/text messages and in-person briefings. The Consultant recommends the BCSO ADB consider the adoption of a specialized software application that would allow the posting of available overtime electronically to all eligible staff via cell phone/computer apps to increase the efficiency of allocating overtime assignments and potentially reduce the reliance on FMOT lists and FNR overtime.

The use of such software can not only mitigate the amount of time supervisory staff spend filling overtime requirements, but it can instantly expand the pool of available staff to those not on duty quickly and efficiently. Staff members can volunteer to fill the requirement simply by responding within the software application itself. Further, such software can be rules-based in its approach allowing the soliciting of the least (or most) tenured staff first when posting overtime or soliciting only staff with special skills, training, or qualifications (e.g., booking or transport positions).

Applications from various vendors range from little to no cost to the agency and may come with additional benefits to the employee and agency when acquired as a service. The Consultant is familiar with one such application offered *Off Duty Management (ODM)*. ODM allows the agency to combine on-duty and off-duty overtime work and

provides exceptional user and management interfaces along with other off-duty work benefits such as up-front wage payment and Workers Compensation insurance for officers. Other applications may be off-the-shelf, semi-custom or custom applications that the agency may choose to license or purchase outright and manage itself internally.

4. As a short-term enhancement to recruiting, the Consultant recommends the implementation of a sign-on bonus for all newly hired detention officers like that of Tarrant County (\$1500) to be paid incrementally over the first 12 months of employment. This, coupled with the 15% across the board raise being contemplated, would raise the first year pay for new detention officers above the average for the 5 counties utilized in the preceding salary study, and allow it to exceed the starting pay for all but one of Bexar County's neighboring counties (Kendall Co.)—a significant factor in initial recruitment. The sign-on bonus could be phased out as specific staffing goals are met.
5. The Consultant recommends the creation of an employee referral incentive program. Agencies often find quality recruits through such programs when employees are incentivized to essentially become recruiters for the agency themselves (Travis County). Employees often have a relationship with the referred individual as well as insight into their character and suitability as a potential employee, and have typically advised the referral about the work environment, etc. The actual monetary incentives should be paid incrementally as the recruit achieves specified milestones (e.g., completion of initial training, 6-month anniversary, release from probationary status, etc.) but should not exceed 1 year so as to make it worthwhile for the employee to make the referral.
6. The Consultant also recommends the consideration of the lateral hiring of licensed and experienced staff where licensed new hires are placed on the pay scale commensurate with their experience (e.g., 3 years, 5 years, etc.) similarly to the current Travis County's current practice. Such hiring practices lower the overall costs of on-boarding and training unlicensed staff considerably and the lateral hire is often capable of working independently much sooner and more effectively than an employee completely new to the field of work.

If implemented, the Consultant further recommends BCSO actively recruit qualified former employees under this policy so they are assured they would not be "starting over" in terms of pay (assuming the anticipated increase in the pay scale and/or signing bonus). accelerate the on-boarding process and decrease overall costs even more significantly.

7. The Consultant also recommends the BCSO continue to allow dual-licensed patrol deputies to work overtime shifts within the ADB as well as incorporate licensed jailers assigned to non-inmate supervision duties into the mandatory overtime assignments in inmate housing areas (i.e., recruiting staff, training staff, etc.)
8. The Consultant recommends BCSO increase/update and coordinate its Detention-focused social media recruiting presence across all its platforms (web, Facebook, Instagram, Twitter,

and TikTok). The Consultant reviewed BCSOs web page and social media accounts via mobile device over a seven-day period and found there to be a lack of consistency in the Detention staff recruiting effort across the platforms. For example, a recruiting event posted on Facebook was only found on Instagram and not on the other 2 social media accounts. The Consultant also noted that TikTok was not linked on the BCSO webpage, no mention of recruitment or hiring is at the top of the mobile device landing page, and the “Careers” information link was the very last item at the bottom of the lengthy scroll. The Consultant also viewed at least two professionally produced recruiting videos on the BCSO Instagram account, but both were almost exclusively directed towards law enforcement with virtually no mention of Detention officer careers.

9. The Consultant recommends BCSO consider engaging a professional marketing firm to develop a Detention-focused recruiting program that identifies targets demographics and focuses recruiting efforts in an evidence-based manner not only for today’s critical needs, but in a strategic manner designed to meet the BCSO staffing needs 5 and 10 years out.

The Consultant recommends the BCSO Adult Detention Bureau consider the following long-term strategies as potential solutions to the current staff recruiting, retention and overtime issues:

10. The extension of the detention officer pay scale from the current 10 steps to 15 steps with each step increasing 2.5% to 3% with the goal of retaining qualified and experienced line staff and supervisors beyond the typical 4-to-8-year tenure and support the idea of corrections and the BCSO Adult Detention Bureau as being a career as opposed to a steppingstone to law enforcement.
11. Prioritize shift and days off assignments in support of employees actively pursuing educational and professional certification goals wherever possible to maximize the effect of education and licensing incentives already offered. If staff are not scheduled and allowed the time to work towards such goals (i.e., less MOT, FMOT and FNR), the incentives mean little and add no support to the retention of valued and motivated employees.
12. Consider a program to increase professional opportunities through scheduling and days off assignments for detention officers to obtain their peace officer certification free of charge through the BCSO Academy. BCSO may require officers to commit to extending their service to the ADB—essentially a contract such as that offered by Kaufman County, Tx. The officer is incentivized to serve the ADB for a specified period with their dual certification and the ADB receives the benefit of having more highly trained officers on staff or who may eventually transfer to the BCSO Patrol Bureau. Either way, BCSO retains a highly trained and proven employee.
13. Develop and implement a formal leadership development program for first-line leaders within the Bureau and Department. (Studies consistently show that employees typically hire on for financial reasons but leave an organization due to issues with leadership.) The

Consultant recommends BCSO consider contracting for a first-line leadership development program like the SHIELD Program (Travis County).

14. Incorporate affiliation and certification with professional correctional organizations like the Texas Jail Association, American Jail Association or American Correctional Association into the incentive program either through the reimbursement of membership dues for qualified staff and/or the attainment of professional certifications where offered (AJA and ACA). Participation in such organizations frequently enhance the view of corrections as a profession by the employee.

Phase II – Staffing Analysis

Typically included with any staffing analysis is a review of the deployment and organization of detention staff. The Consultant was provided with the current organizational chart and authorized position list as well as assignment and post rosters.

Staffing for inmate housing units is typically the most straightforward calculation, particularly under the TCJS requirement of 1 officer to 48 inmates. Detention officer vacancies notwithstanding, the Consultant found that the staffing plan under the current 8-hour shift model to be sufficient to meet the TCJS requirements, particularly when including operational support positions such as “Hallway” or escort officers.

Relief Factor Calculation – Net Available Work Hours

The second phase of the project required an update to the existing relief BCSO factor calculation created in 2014. For this calculation, the Consultant utilized the Net Available Work Hours (NAWH) method as outlined by the Staffing Analysis Workbook for Jails (Liebert and Miller, NICIC, 2003).

Essentially, the gross number of hours (GAWH) an employee is available to work in a given year is reduced by the average number of hours an employee is unable or otherwise unavailable to perform their assigned duties. The remainder is the Net Available Work Hours. The calculation was based upon an analysis of BCSO employee leave data for detention officers, detention sergeants and detention lieutenants for calendar years 2020 and 2021 (averaged). Figure 18. Represents the analysis, broken down by leave category and the NAWH calculation for the 12-hour model.

The Consultant notes that only two years of leave data was available for review and recommends further refinement of the NAWH calculations as more data comes available. Such review and refinement are recommended on an annual basis to identify and trends in specific categories. Understanding that the enforcement of policy and law violations by staff is essential

for the good order and discipline of the organization, the Consultant further recommends that BCSO senior leaders examine the relatively high number of average hours away from the job due to disciplinary related actions to determine if the impact of the punishment(s), in terms of mandatory overtime assignments and costs, is reasonable relative to the infraction(s).

Two categories of unavailable time were based upon the Consultant's opinion of best practices and FLSA break requirements in a 12-hour shift model. The categories for "Average # of training hours" includes formal on/off-site training as well shift-based training/drills which require staff to be away from assigned posts or held over (the previous calculation was based on 20 hours of training annually). The "Average # of FLSA break hours" per employee which would be required under FLSA rules for a 12-hour shift are included on the 12-hour shift calculation. This number is an estimate and can be affected by the officers' Collective Bargaining Agreement (CBA).

For staffing requirement calculations, the result can be expressed in terms of the number of staff required to operate a given post or it can be further refined into a traditional Shift Relief Factor (SRF). The number of staff is dependent upon the number of hours/shifts a day must be staffed for a given post. The calculation can vary slightly whether the post is staffed based on 8-hour, 10-hour, or 12-hour shifts. The SRF calculation is as follows:

$$\text{Length of Shift} \times \# \text{ Shifts/Day} \times \# \text{ Days/Wk} \times 52.14 \text{ (wks/yr)} \div \text{NAWH} = \text{SRF}$$

For this project, the Consultant calculated the SRF for both 8-hour shifts (2086 GAWH) and 12-hour shifts (2190 GAWH) for the Main Facility to provide BCSO with an apples-to-apples comparison of the two staffing deployment models. While it appears that a 12-hour shift schedule provides a slight advantage in terms of staffing required in a given facility due to the higher GAWH, the total annual staffing hours required for a given post and the NAWH remains the same for both calculations. For illustration purposes, the Consultant has applied the NAWH/SRF factors to the Main Facility staff deployment spreadsheet for both 8-hour and 12-hour shift models in Appendix A.

Figure 18. NAWH calculation – 12-hour Shift Model

Steps (12 hr shifts)	Detention Ofc.			Det. Cpl.			Detention Sgt			Detention Lt.		
	CY2020	CY2021	AVG	CY2020	CY2021	AVG	CY2020	CY2021	AVG	CY2020	CY2021	AVG
1.Total hours contracted per employee per year (if a regular workweek is 40 hours, then 40 (52.14 weeks = 2,086)	2190	2190	2190	2190	2190	2190	2190	2190	2190	2190	2190	2190
2. Avg # of vacation hours per employee per year	53.38	58.07	55.725	63.26	73.69	68.475	77.78	100.02	88.9	102.02	78.81	90.415
3. Avg # of compensatory/disc hours off per employee per year	29.75	32.91	31.33	47.84	53.71	50.775	31.81	24.38	28.095	121.5	154.77	138.135
4. Avg # of ADA Unpaid or w/accrual deduction hours off per employee per year	4.38	4.15	4.265	1.35	1.14	1.245	5.54	0	2.77	0	9.16	4.58
5. Avg # of Admin Lve w/accrual deduction hours off per employee per year	7.24	16.42	11.83	14.48	23.27	18.875	26.13	13	19.565	14.55	37.4	25.975
6. Avg # of Administrative Paid hours off per employee per year	42.16	29.28	35.72	32.95	26.38	29.665	1.6	35.33	18.465	30.19	15.73	22.96
7. Avg # of Administrative Unpaid hours off per employee per year	10.74	17.1	13.92	17.38	3.51	10.445	0	12.08	6.04	25.82	0	12.91
8. Avg # of Assoc Bus Lve Pool hours off per employee per year	0.17	0.02	0.095	0.9	0.5	0.7	1.73	5.31	3.52	85	83.52	84.26
9. Avg # of Bereavement hours off per employee per year	5	5.15	5.075	2.77	3.88	3.325	5.82	3.54	4.68	1.46	0.7	1.08
10. Avg # of Disc Action w/accrual hours off per employee per year	0.7	0.89	0.795	0.64	0.56	0.6	1.07	1.82	1.445	44.73	11.28	28.005
11. Avg # of FCRA Paid hours off per employee per year (not incl)	15.65	5.07	10.36	6.88	5.97	6.425	11.25	4.75	8	8.8	4.23	6.515
12. Avg # of FMLA Paid/Unpaid hours off per employee per year	67.72	48.27	57.995	73.83	46.64	60.235	49.77	53.15	51.46	44	57.8	50.9
13. Avg # of Holiday (All) Paid hours off per employee per year	34.74	34.41	34.575	59.65	55.56	57.605	56.73	58.51	57.62	3.82	54.36	29.09
14. Avg # of Jury Duty Paid hours off per employee per year	0.09	0.25	0.17	0.13	0.31	0.22	0	0.28	0.14	0.36	0.35	0.355
15. Avg # of Leave W/O Pay hours off per employee per year	2.03	3.21	2.62	0.26	3.83	2.045	0	0.28	0.14	0	0	0
16. Avg # of military hours off per employee per year	40.6	38.78	39.69	47.06	29.58	38.32	0	0	0	0	0	0
17. Avg # of Non-CBA Vacation hours off per employee per year	0.16	0.03	0.095	0.13	0.06	0.095	0	0	0	0	0	0
18. Avg # of OJT Injury hours off per employee per year	14.88	9.68	12.28	13.76	10.25	12.005	4.29	16.9	10.595	0	0	0
19. Avg # of personal hours off per employee per year	17.88	20.17	19.025	20.52	25.45	22.985	21.63	23.8	22.715	28.69	27.65	28.17
20. Avg # of Sick leave (All) hours off per employee per year	43.61	55.32	49.465	36.64	50.77	43.705	33.94	32.5	33.22	18	35.62	26.81
21. Avg # of Undocumented Absence (All) hours off per employee per year	29.42	23.67	26.545	18.96	11.2	15.08	17.58	12.57	15.075	10.72	11.59	11.155
22. Avg # of Suspension w/o pay hours off per employee per year	4.3	2.94	3.62	4.38	5.55	4.965	2.4	9.45	5.925	9.46	2.46	5.96
23. Avg # of Tardy w/Comp Deducted hours off per employee per year	0.24	0.34	0.29	0.17	0.34	0.255	0.15	0.22	0.185	0	0	0
24. Avg # of Unauthorized Absence hours off per employee per year	4.05	5.68	4.865	0.51	0.86	0.685	0.4	0.7	0.55	0.36	0.35	0.355
25. Avg # of training hours (est) off per employee per year	32	32	32	32	32	32	32	32	32	32	32	32
26. Avg # of break hours off per employee year (FLSA requirement or CBA item)	183	183	183	183	183	183	0	0	0	0	0	0
13. Total hours off per employee per year [total lines 2 through 12]			625			657			403			593
14. Net annual work hours [subtract line 13 from line 1			1565			1533			1787			1597
Relief factor (derived from NAWH)			1.40			1.43			1.23			1.37

Substituting the 8-hour staffing model and the GAWH figure of 2086 hours annually, the NAWH and SRF becomes:

Detention Officer: NAWH = 1461; SRF = 1.87 Detention Corporal: NAWH = 1429; SRF = 1.92

Detention Sergeant: NAWH = 1683; SRF = 1.61 Detention Lt: NAWH = 1597; SRF = 1.83

Phase III – Best Practices and Operations Review

Best Practices

The operation of jails and prisons under a “best practices” approach is a very broad concept and can encompass every aspect of jail security and support operations, administrative processes, physical plant management, leadership and management of the workforce, and inmate management, programs, and services. Given the myriad areas of focus available, a comprehensive breakdown of the Bexar County Jail System is beyond the scope of this report.

However, two concepts that are fundamental to any best practices approach and are frequently overlooked in a statute, rule and policy driven operation like a jail are evidence-based decision making and root-cause analysis.

While the term “evidence-based” decision making may seem like somewhat of a catchphrase in today’s conversations, having a good understanding of its meaning will assist the reader not only in comprehending what has been included in this report, but help underpin further conversation within BCSO, and among its criminal justice system partners, as it works to address issues facing the jail such as staffing and jail crowding. The Center for Health and Justice at TASC (2013), in discussing diversion and rehabilitation programs, explains it this way:

Data-driven resource allocation. Justice, health, and community resources should be allocated to those programs that demonstrate the greatest capacity to reduce recidivism, protect public order and safety, and promote public health, while also mitigating the need for costly justice supervision. These determinations will be most successful if programs take formal steps to develop standardized outcome measures (cost-, public safety-, and public health-based), and measure, analyze, monitor, and share results.

The key, and what is replicable across all aspects of jail operations mentioned above, is the requirement to standardize outcome measures, “and measure, analyze, monitor and share results”. Whether discussing employee recruiting, retention and training programs, security operations, inmate substance abuse programs, facility preventive maintenance programs or anything in between, the principle is the same. Decisions to implement, change or discontinue policies, procedures, and programs must be based on evidence to have the best chance of success.

As a best practice, the Consultant recommends that BCSO apply the evidence-based approach liberally throughout the organization to all existing programs and procedures that are resource

intensive in terms of time, space, money, and staff to determine their efficacy. While outcomes in the jail are frequently dictated by statutes, rules and policies as noted above, the option to choose the most efficient, effective, and beneficial means of achieving those outcomes is left to the agency's leaders and those choices must be based upon evidence to be successful.

Once BCSO identifies its priority program areas, outcomes, metrics and data-gathering requirements for each, the Consultant recommends a review of the metrics and relative on-going success of the program(s) on no less than a quarterly basis. Such frequency allows responsible staff the opportunity to confirm that the program is meeting expectations, identify shortcomings and implement action plans as well as provide ample evidence for future resource requests.

The routine analysis described above will also assist in the identification of a policy, procedure, or program failing to meet expectations. Problem identification is only the first step in the problem-solving process. A root-cause analysis is then necessary to determine if the *correct problem* has been identified. Only then can an effective action plan be devised and implemented to correct the true deficiency.

According to Susan McCampbell and Mary Early of the Center for Innovative Public Policy, Inc. (2019),

Root Cause Analysis (RCA) "is a transparent, collaborative process, occurring after a sentinel event, or to address emerging operational challenge, to:

- identify the policy/procedure disconnect or the emerging challenge
- gather data
- thoroughly analyze the event (sometimes labeled as determining the "5 Ws – who, what, when, where why)
- determine causation
- articulate recommendations, and
- develop and implement a corrective action plan

RCA seeks to create and sustain a "culture of safety" separating symptoms from core deficiencies – including that the organization:

- "(1) is informed about current knowledge of its field
- (2) promotes the reporting of errors and near misses
- (3) creates an atmosphere of trust in which people are encouraged to report safety-related information
- (4) remains flexible in adapting to changing demands (by, for example, shifting from steeply hierarchical modes into "flatter" team-oriented professional structures), and
- (5) is willing and able to learn about and adjust the functioning of its safety system."
(Reason, 1997)

Root cause analysis effectively incorporates evidence-based analysis and decision making and recognizes there is “usually more than one root cause for the problem or event. The focus of investigation and analysis through problem identification is WHY the event occurred, not who made the error.” (Washington State, n.d.)

While BCSO already has policies for certain events, such as use of force reviews and internal investigations, RCA is not an internal investigation. It is a tool for administrators to focus on “process, policies, procedures, training, supervision, etc.” (McC Campbell and Early., 2019), while internal affairs investigations focus on the actions of employees. RCA is focused on mitigation of risk.

As a best practice, the Consultant recommends that BCSO consider implementing a Root Cause Analysis policy for the agency for both sentinel events (i.e., in-custody deaths, suicides, escapes, riots, etc.) and emerging challenges revealed by the agency’s data gathering and analysis (i.e., UOF trends, contraband issues, mandatory overtime, staff misconduct, etc.). Establishing such a policy, first and foremost, will “Establish commitment to excellence through objective reviews of serious incidents, examination of emerging issues, and development and implementation of change strategies.” (McC Campbell, 2016). The Consultant recommends the CIPP, Inc. publication, *Root Cause Analysis to Improve Jail Safety: Getting Past Blame*, to provide BCSO with an in-depth explanation of RCA in the jail setting and provide a model for the policy implementation and procedural execution.

Streamlining Operations and Staffing Deployment

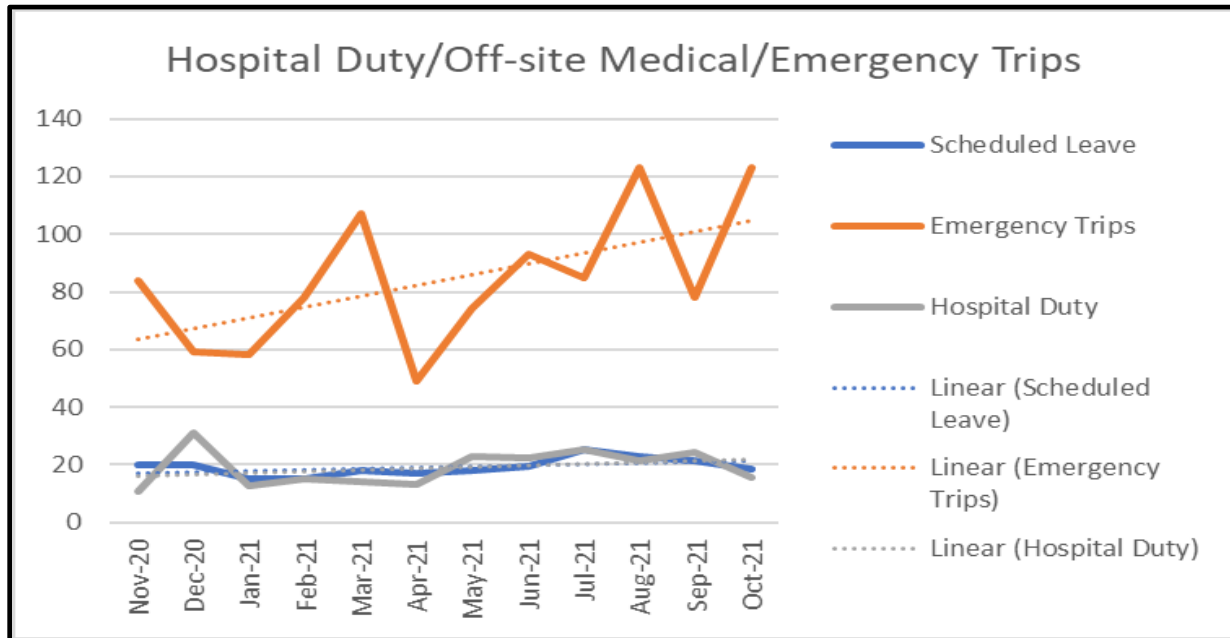
As is commonly found in larger departments, there are frequently unbudgeted or underbudgeted operational demands upon staff that must be met despite a lack of formal resource allocations. “Mission creep” also plays a role in diverting detention staff away from their primary mission— staff may be allocated for a temporary need but do not return to their primary mission as the temporary need morphs into an on-going, unbudgeted operational requirement. Inmate security at the hospital, emergency room trips and outside medical appointments are an example of the former. The ad hoc assignment of detention staff to recruiting efforts is a good example of the latter given today’s recruiting challenges around the state as agencies attempt to meet the demand.

While the Consultant recognizes that BCSO has some staff dedicated to medical security, the following cursory analysis and recommendations utilize the staffing-intensive requirement of providing security for inmate medical care as the example to support the need for additional data, and as an example of an efficient evidence-based model for the analysis of intermittent requirements.

Based on the 12 months of data (Nov 2020 through Oct 2021) provided by BCSO, the Consultant was able to determine the *monthly* average for escorted inmate trips to hospital emergency rooms from the jail to be 84.3. The provision of constitutionally required medical care to inmates often requires inmates be transported to off-site medical provider appointments. The *daily* average for such trips (“Scheduled Leave”) was determined to be 19.3 per day. The *daily*

average for inmates admitted to the hospital, system-wide, was determined to be 19.1. Figure 19. illustrates the monthly totals over the period covered.

Figure 19. Medical escort and hospital duty



Specific tasks such as medical escorts, recreation supervision or “Rover” duties lend themselves to the same NAWH analysis, but due to the intermittent nature of their time-on-task, additional detailed recordkeeping is required for the analysis. (The Facility Activity Schedule and Staff Coverage Plan forms in the NICIC *Staffing Analysis Workbook for Jails* (2003) provide good examples of such data gathering tools.)

For this example, the Consultant makes the following assumptions:

1. Inmates admitted to the hospital require 1-to-1 detention officer supervision on a 24/7 basis utilizing 8-hour shifts.
2. Inmates taken for off-site appointments (scheduled leave) typically require 1-to-1 supervision. One officer may be able to perform two such transports in a given shift on average, and such appointments occur on a single 8-hour shift.
3. Emergency trips typically require 1-to-1 supervision, such appointments average 6 hours in duration, and one officer can perform such transports.

Utilizing the NAWH calculated for detention officers calculated previously (1565 hrs.), the following staff would be required for each task:

1. Hospital Duty (19.1 inmates per day X 24 hours X 365 days = 167,316 inmate hours requiring staff supervision. 167,316 hours/1565 NAWH per detention officer = 107 detention officers).
2. Scheduled Leave (19.3 trips per day X 4 hours X 365 days = 28,178 hours inmate escort hours requiring staff supervision. 28,178 hours/1565 NAWH per detention officer = 18 officers).
3. Emergency trips (84.3 trips per month X 6 hours X 12 months = 6,070 inmate hours requiring staff supervision. 6,070 hours/1565 NAWH per detention officer = 4 detention officers)

Under such assumptions, the number of detention officers required for off-site inmate supervision related to hospitalizations and medical transport could approach 129 detention officers (FTEs) for such a dedicated medical security unit. The advantages of such a dedicated unit include negating the need to pull from line inmate supervision staff for other than peak demand and the ability to cross-level medical security staff to fill line supervision vacancies when demand for medical security is low. Such a specialized unit would also present opportunities for risk mitigation as staff assigned to such a unit would become more proficient with additional training (firearms, transport, hospital security) and task focus...something high risk/high frequency tasks require.

Given certain mitigating factors such as the secure hospital wing location and efficient off-site appointment scheduling to group inmate appointments with a single provider location increases the number of inmate patients that can be supervised by one officer, so the actual number of officers required for a dedicated medical unit may be considerably less. Aggravating factors include inmates with medical conditions requiring hospital beds outside the secure wing (i.e., ICU), male/female separation requirements, high custody level inmates, multiple hospital locations, etc.

The Consultant, as previously noted, recommends additional study of detention officer assignments that do not require face-to-face contact with inmates. First, to update the required staffing levels based upon the NAWH analysis and, second, to determine whether the assignment actually requires licensed detention staff or if civilian staff can perform primary tasks with ad hoc detention officer support assignments (i.e., recruiting events).

The Consultant also recommends that BCSO expand the level of detail of its recordkeeping in key assignment areas such as medical security, SERT, rover and recreation security assignments for specified periods for the analysis. For example, medical security assignments would be broken down by time on task and include additional data such as assignment location, travel time, inmate gender, inmate custody level, on-site supervision time, specialized skills or qualifications required, etc. For hospitalized inmates, data elements should also include whether inmates are housed in a ward or supervised individually.

This section on inmate medical security also serves as an example for root cause analysis as discussed in the previous section. In this emerging trend case, the trendlines for both Scheduled Leave and Hospital duty reflect an approximate 10% increase in the daily averages for both

categories over the 12-month period. Although the monthly totals for the number of Emergency Trips varies widely from month to month and a low of 49 to a high of 123 trips, the trendline for the year shows close to a 70% increase overall. The Consultant recommends BCSO increase the period covered, working backward, to include approximately 5 years of data if available in order to determine if the trend is consistent over time or a significant increase that can be attributed to a specific cause that administrators may be able to address. The Consultant recommends BCSO apply a root cause analysis to this emerging trend.

In support of this analysis, BCSO should involve their inmate medical services provider to get a better understanding of the protocols that drive inmate hospitalizations and off-site medical appointments. The Consultant recommends including additional study regarding inmate hospitalization rates/daily averages relative to the rates in Travis, Harris, Dallas, and Tarrant Counties as it appears that the BCSO daily average may be as much as three times that of one other county.

As a best practice, the Consultant recommends that BCSO conduct such review and analysis of key staffing deployment areas on an annual basis, first to identify any trends in workload/demand that may be addressed through root cause analysis, and second, to cross-level or “right-size” the authorized strength in these areas as conditions change in order to free up potential staff to alleviate the current overtime crisis and provide the most efficient staffing deployment model.

Privatization

The Consultant was tasked with providing a review of the issues involved with privatizing the operation of a facility like the Bexar County Jail.

According to ProCon.org (2022):

Prison privatization generally operates in one of three ways: 1. Private companies provide services to a government-owned and managed prison, such as building maintenance, food supplies, or vocational training; 2. Private companies manage government-owned facilities; or 3. Private companies own and operate the prisons and charge the government to house inmates.

For the purposes of this report, the Consultant will focus the discussion on the second of the three options—that of a private company managing a government-owned jail facility. Of note, the Consultant has significant experience working with over 20 private corrections facilities across the Southwest.

The privatization of correctional facilities has been present in Texas since 1985, primarily at the state prison level. It has expanded since then to cover state-sponsored treatment and community supervision programs. However, there are a handful of Texas county jails and police lockups that are privately managed under contract with county governments. The City of Ft. Worth Booking Facility (lockup holding facility), the Parker County Jail (461 beds) and the

Fannin County Jail (96 county jail beds and 439 primarily federal contract beds) are three such examples. The Consultant is unaware of any jail the size and complexity of the Bexar County Jail system that has been fully privatized.

There are significant issues on both sides of the discussion to privatize. What follows is essentially a topical discussion of areas that BCSO may wish to consider for additional study.

While conventional wisdom holds that private businesses are typically more efficient than government agencies, this is not universally true, particularly with traditional local government roles such as law enforcement and jail operations that carry significant compliance and public accountability responsibilities. And, contrary to some sources, privatization does not allow the government to shift responsibilities to the private sector entirely.

The caution here is to ensure that the agency calculates the total costs of housing inmates, some of which may continue to be borne by the taxpayer depending on the contract. Typically, such contracts only include staffing and operational costs in the basic contract. Special attention should be paid to included services such as medical care, mental health treatment, programs, commissary, phone and communications services, etc., particularly if these services are subcontracted—the agency should retain some measure of oversight of these services in the contract. If the facility is publicly owned, items such as debt service on the physical plant's original construction and utilities typically continue to be paid by the taxpayer.

Proponents of privatization point to the economies of scale that may reduce the costs of incarceration. Bexar County, as one of the 50 largest jails in the United States, can typically secure enterprise scale operational support contracts such as food service, medical care, phone/communications services, etc. just as large private prison operators are able to do, negating the advantage in this area. It is the Consultant's opinion that, due to the size and population of its jail operation, BCSO's ability to procure such support contracts is a significant benefit to the taxpayer not only in terms of cost avoidance but in terms of maintaining complete local control of the jail.

During the incarceration boom of the 1990s and early 2000s, there were a significant number of independent private prison operators bidding on state and local contracts to provide detention services. Generally, large numbers of potential bidders implies that competition among private jail and prison operators would benefit the taxpayer through the competitive bidding process. However, and as noted by the Great American Insurance Group (2018), this is no longer the case:

This may be waning as the number of firms offering outsourced services has fallen from twelve to four over the last 20 years. Many companies have been absorbed by mergers or acquisitions with only a few new companies entering the market. Based on available prison facility information, it's estimated that the two largest private prison companies account for around 55% and 30% of all private

prison beds, respectively, and the three largest firms provide over 96% of the total number of private prison beds.

The Consultant was unable to find any empirical studies on cost savings for privately operated jails, primarily due to the low numbers of such contracts across the country. More information was available regarding privately operated prisons. Some studies assert savings of up to 14%, other studies have found private prisons are equally as costly as public prisons.

Where proponents of private prisons typically cite potential economic benefits for the local community, this would not likely be the case for Bexar County in the Consultant's opinion. In small communities where a private company constructs and operates a new facility, the local community benefits from new tax revenues, new jobs, and spending. This would not be the case for Bexar County as a private contractor would likely take over the existing operation, seek to retain existing staff at lower wages, and the taxpayer would continue to be responsible for the jail facilities and associated bond debt.

Prisoner population levels can also become an issue. Companies running multiple private prisons under a single contract for a state agency can frequently transfer prisoners from crowded institutions to those with available bedspace. Should Bexar County consider a private operator, this likely would not be the case. A privately operated jail in Texas is, by statute, under the same obligation to accept arrestees and maintain custody as the local Sheriff would be. Should the Bexar County Jail population exceed its capacity, the County would still be responsible for the additional cost of housing inmates in another facility under separate contract(s) with other state certified facilities. The logistics of handling remotely housed pretrial detainees (the bulk of the jail population) remains the responsibility of the County and becomes problematic for the agency and expensive for the taxpayer.

Some studies have shown that private prison re-entry and rehabilitation programs are successful at lowering the rates of reoffending. There are three considerations for a local jail contemplating such a change. First, in the case of Bexar County, the cost associated with the contractor providing the programs; second, whether and how such programs would potentially integrate with the established local Sequential Intercept Model; and third, whether Bexar County would need to continue to fund and provide the existing programs. If contracted out, Bexar County would necessarily want to employ specialized monitoring services for the contract and such costs would need to be considered in the total.

While significantly less prevalent than private prisons in Texas, privately run jail and prison facilities have both operated in Texas since 1985. There are at least two county jails that have contracted out their operations for more than a decade and continue to do so, those are Parker County and Fannin County. McLennan County recently took over its privately contracted facility primarily due to escalating contract costs but also due to some continuing compliance issues. News articles and public records reflect periodic issues with some private facilities regarding

suitable and sufficient staffing, staff training and licensing, staff turnover, use of force, medical care, and TCJS compliance issues. While not necessarily unique to private operators, these problems seem to be recurring regardless of the location.

Due to the lack of significant numbers of privately operated jails in Texas, the Consultant would recommend a thorough vetting of any contractor proposal to include site inspections and surveys of current and former client jails (as opposed to prisons) before entertaining any specific proposals.

Another issue that arises when considering contracting a publicly operated jail with a private entity is the idea of reduced liability for the County. Privately operated jails face the same risks as public facilities when it comes to deaths in custody, use of force occurrences, medical emergencies, etc. According to the Great American Insurance Group (2018),

The transfer of liability exposure is also viewed as another potentially significant benefit of privatization. Prisons and jails provide significant risk that must be adequately managed, through the implementation of effective risk management and loss control measures, as well as the purchase of insurance. Transferring this liability to a private company could reduce the need for such insurance, and potentially provide further cost savings. To ensure this benefit, it is important that the contract include indemnity language which holds the public entity harmless for any actions of the private company. Another consideration is that private companies are not afforded the same governmental immunities as public entities. The US Court of Appeals ruled in *Richardson et al. v. McKnight* that private prison guards were not entitled to qualified immunity in a suit brought by inmates alleging civil rights violations. Even with an indemnity agreement, the public entity may still face claims for failing to adequately monitor the private company and enforce performance standards.

Whether the county is self-insured, a member of the Texas Association of Counties risk pool, or purchases private insurance, this cost factor should be included when considering a jail operations contract. The transfer of all risk is not guaranteed, and the County should consider the costs of a robust full-time contract monitoring and inspection team in the total cost of the contract.

There are also public policy and political considerations to jail privatization. Opponents of privatization argue that it is unethical for a company's profits to be tied directly to incarceration as it incentivizes high incarceration rates (sometimes artificially) and cutting service costs to maximize profits. A recent study of Mississippi prisons found that inmates held in private prisons served seven percent longer sentences on average when compared to public prisons (Great American, 2018).

In the case of privately operated jails in the State of Texas, these specific concerns would likely not be a practical consideration. The majority of admissions to Texas jails are due to new arrests by law enforcement agencies, duly authorized warrants, probation and parole violations, and court commitments. The time served by jail inmates pre-trial and post-conviction are entirely governed by statute, court procedure, administrative process.

The main area of concern, in the Consultant's opinion, would be that of the administrative disciplinary process for facility rule violations. In Texas, such procedures allow for the loss of "good conduct credits" as a sanction for rule violations. Anti-privatization proponents typically view such procedures as support for the private operator's "profit motive". Such sanctions can effectively prolong the "earliest release date" for county sentenced inmates who receive good conduct credits towards early release (in no case can an offender in Texas be made to serve longer than the sentence mandated by the court). Counties can address this concern by requiring an agency employee participate in all administrative disciplinary hearings to ensure fairness and provide contract oversight. Again, an additional cost to factor into the equation.

Another significant issue for both publicly and privately operated jails is that of staffing. Recognizing that jails and prison systems across the state and nation are currently facing significant staffing issues, staffing must be considered in the privatization conversation. "One of the most effective ways for private corrections companies to save money is to pay their employees lower wages than the public corrections employees. This may result in higher staff turnover and raises potential safety concerns for the private facility." (Great American, 2018). A 2016 Department of Justice Report (DOJ, 2016) "found that contract prisons were associated with higher safety and security incidents per capita when compared to publicly run prisons."

Staffing ratios are mandated for Texas County jails at 1 officer per 48 inmates. Intuitively, the greater the level of supervision, occurrences of safety and security incidents should be lower than that found in the prison environment which have substantially higher ratios. However, high employee turnover remains an issue not only in the field of corrections, but with private operators who typically offer lower wage and benefits packages to employees to cut costs. (Given the current recruiting and hiring environment for corrections and law enforcement in general, the Consultant's opinion is that any lowering of wages would only exacerbate the staffing and overtime issues currently faced by BCSO.)

Echoing some of these points, Michael Gilbert, Associate Professor at UTSA, and David Shichor note in their textbook *Privatization in Criminal Justice: Past, Present and Future* (2001) address

the Thirteen Guidelines for Controlling Privatization and Risk to Public Interest. They are listed below.

1. Privatization should augment but not replace capacity to exert formal social controls. In many cases, a private company comes in and wants to take over the entire system. "Don't allow the creation of a private monopoly in place of a public monopoly," said Gilbert.

2. Privatization should be understood as a reactive policy response driven by excess demand for justice services. Privatization will increase criminal justice capacity but do little to reduce street crime.

3. Don't totally privatize core component and mission essential functions. A default level of public capacity must be retained to assure public resumption should a market failure occur.

Gilbert advises that if a jurisdiction has only one jail, then don't privatize it. If there are two facilities, privatize one. He recommends maintaining a default level of service in the event anything should happen a county has the ability to turn the facility back into a public entity.

4. Don't privatize to a single provider. Whenever possible use multiple providers to ensure competition and avoid the creation of a private monopoly.

5. Remember that taxpayers always pay for criminal justice production, public or private.

6. Remember that lower unit costs are likely to increase system costs by increasing demand for criminal justice services.

"Lower unit costs don't usually translate into lower system costs," said Gilbert. He believes that in the long run counties will most likely end up paying more because they will end up incarcerating more people. The cheaper the beds, the more likely the county is to want to fill up the beds.

7. Remember that the business logic of criminal justice markets is expansionistic and continuous growth of private capacity is likely to have a destructive, parasitic relationship to the society.

"Corporations can't sustain losses for any extended period of time and remain in business," said Gilbert. "You won't have public entities going bankrupt."

8. Privatization contracts must be detailed and establish all the necessary standards, monitoring procedures and restrictions to ensure that public authority can hold contractors accountable. A defective contract is difficult, if not impossible, to correct after it is signed.

9. There must be a formal process for contracting monitoring. It is the only independent means to verify contract compliance. Given the risks that criminal justice privatization presents, public officials who fail to establish an effective monitoring program increase public liability, the threat to civil rights and the potential for abuse of citizens.

“If you are not willing to provide a meaningful monitoring system, then you are asking for trouble,” said Gilbert. “It is probably an unwise decision to make.”

10. Contract monitors are targets for co-optation and corruption to hide non-compliance, misfeasance, and malfeasance by the contractor. Consequently, monitors must be insulated, as much as possible, from corruption or political pressure to undercut their effectiveness as monitors.

11. Formal boundaries around the contractor's role in the formation of public policy are needed. Contractor participation and influence in policy making must be transparent. Public disclosure of contractor involvement in political campaigns, the amounts spent on each lobbying activity; the individuals, parties and campaigns to whom funds were given; and the use of mass media outlets to sway public opinion would help ensure criminal justice policy remains publicly controlled.

12. Set the standards necessary to ensure long-term public interests are preserved. It is the responsibility of government to preserve sovereignty and protect public interests when criminal justice services are privatized. Cost reduction should be a secondary concern. Gilbert feels that the real concern is not whether the private sector can run a good facility, but whether they will dominate the policy arena.

13. Be prepared to resume public production at any time. The resumption of public production must be a realistic option if monopoly conditions are to be avoided.

Given the additional factors laid out by UTSA researchers Gilbert and Shichor, it is the Consultant’s opinion that it would be difficult, if not nearly impossible for the Bexar County Jail to meet several of the elements of the model for privatization outlined above.

To conclude this section, the hard costs associated with the housing and supervision of inmates in a publicly run jail versus that of a privately run jail are often similar on a per diem

basis. Larger county jails often approach the economies of scale offered by private operators in most every cost center except for personnel costs. Lower wages can often lead to high turnover rates and issues with recruiting, staffing, training, professionalism, inmate care and treatment, and risk management.

In sum, the Consultant recommends against the idea of privatizing the Bexar County Jail operations but recommends a holistic approach if privatization is to be considered to ensure a robust contract monitoring program, to include metrics for hiring, staffing, licensing, training, incident monitoring, etc. is implemented to ensure State mandates are met, best practices are in place, and contract requirements are sustained.

Phase IV—Inmate population Reduction

The Numbers

For this project, the Consultant was tasked with assessing the Bexar County Jail inmate population and exploring potential avenues for reducing the population near term and in an enduring fashion. The Consultant developed baseline projections representing current system practices and key factors impacting the use of jail beds as well as historical trends.

It should be understood that jail population projections degrade over time: the further out the projections are made, the less reliable they become. Predicting future population is a difficult endeavor when attempting to plan several years in advance, let alone several decades, as unanticipated changes in society and its various components may occur. As such, it is critical that these projections are reviewed every 5 years and/or before embarking on any program or facility planning project.

The Consultant reviewed 10 years of BCSO arrestee data as well as 10 years of monthly inmate population data maintained by the Texas Commission on Jail Standards. Figure 20 below depicts the inmate population trends from January 2012 through May 2022 and are based upon the annualized average daily population for BCSO. The chart also breaks down the population by offense type grouping total felony related offenses (pretrial, convicted, parole/probation, etc.) and misdemeanor offenses (pretrial and convicted), and breaking down pretrial numbers specifically. The trendlines and data indicate a total population increase of approximately 11.7% over the 10-year period with total felony-related offenses increasing just over 13%. The pretrial felony population increased just over 41% while the total misdemeanor population declined by approximately 44% as a percentage of the total jail population.

Figure 20. Jail Population by Offense Type (Annual averages)

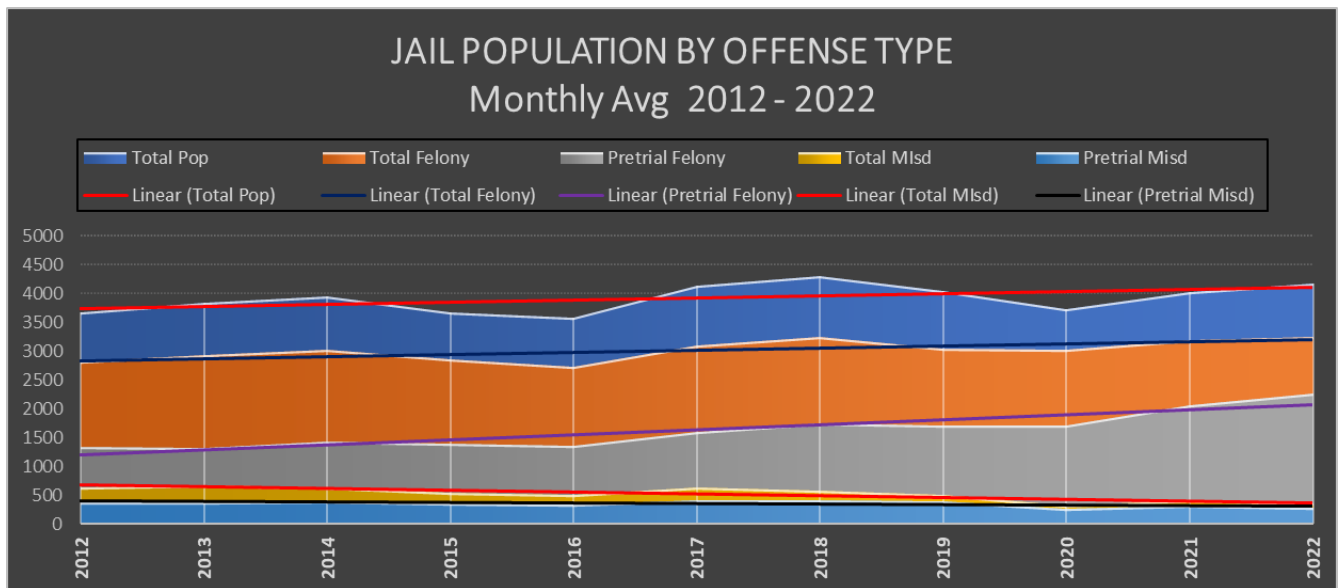
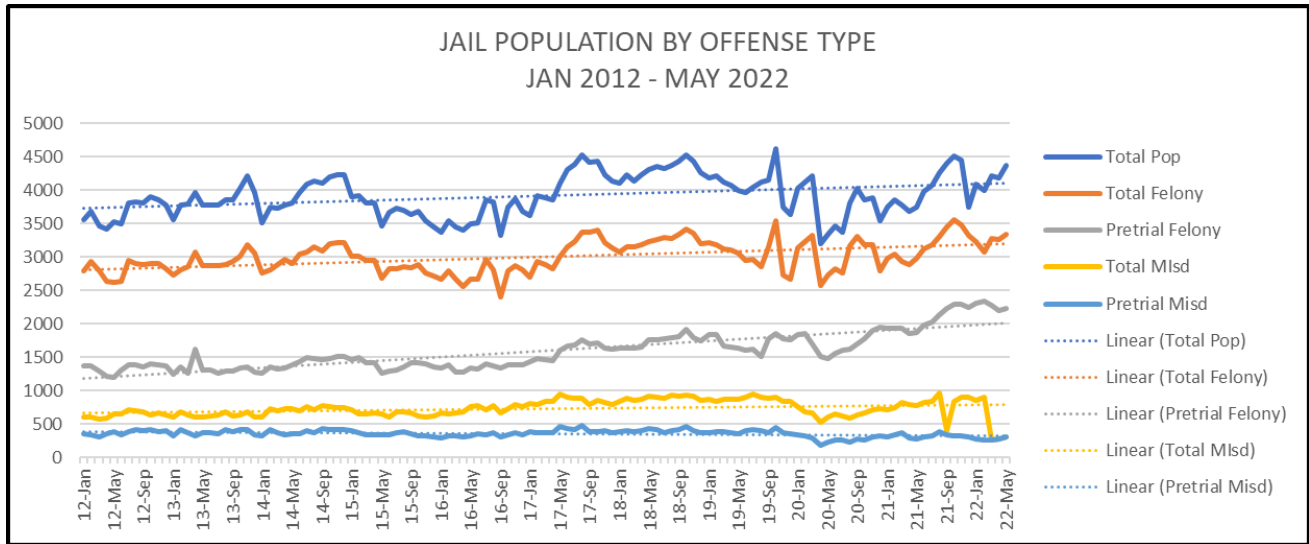


Figure 21 provides essentially the same information but with the data displayed in monthly increments to demonstrate the driving factor in jail population in terms of the type of offense. The data clearly shows that felony-related offenses make up 75% to 80% of the total population, but that the percentage of pretrial felons has grown from an average around 35% to more than 50% since January 2021. The misdemeanor population averaged approximately 17% over the 10-year period but has dropped significantly since March 2022. Assuming no significant changes in statute, policy or process, a simple linear progression of the inmate population would place the average daily population at approximately 4500 inmates in CY2030 and almost 5000 inmates in CY2040. Applying classification and peaking factors of 10% each to these numbers, this brings the jail bedspace needs to approximately 5400 in CY2031 and 6000 in CY 2040.

What the chart graphically demonstrates is that the data lines for total jail population and that of the felony population are nearly identical. So, the observer can reasonably conclude that efforts to reduce the jail population as a whole must include strategies aimed at reducing the felony population.

Figure 21. Jail Population by Offense Type (Monthly)

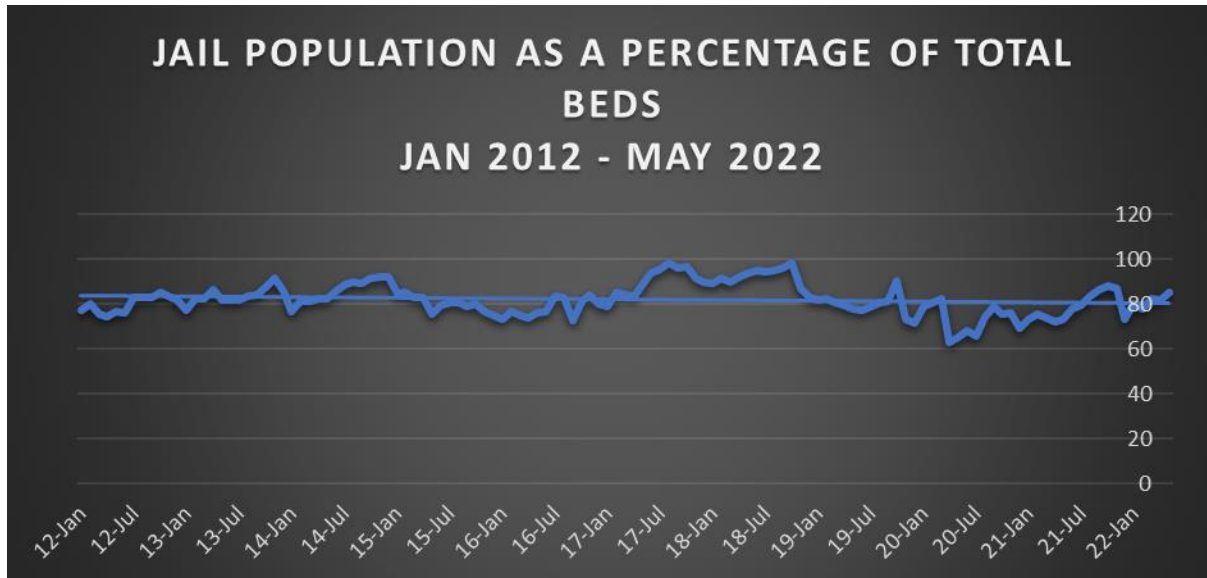


The Consultant also sought to apply the local incarceration rate of 2.09 (TCJS³, 2022) to the local County population of just over 2 million (per the 2020 census) which places the current population at approximately 4200 inmates. The actual monthly average for January through May 2022 is 4167 inmates. The Bexar County incarceration rate is in the lowest 10% of all Texas counties.

Utilizing the Texas Demographics Center population projections for Bexar County for the years 2030 (2,502,617) and 2040 (2,914,615), and assuming the incarceration rate remains stable, BCSO could expect the average daily population to be approximately 5230 and 6091 inmates respectively. These numbers are significantly higher than the simple linear projections above, but the Consultant considers this method to be the more reliable of the two.

While determining bed space projections was not an objective of this project, applying a classification factor of 10% and a 10% peaking factor to the inmate population estimates would project bedspace needs for the Bexar County Jail to as much as 6276 in CY2030 and 7309 in CY2040. These calculations, along with the data in Figure 22 displaying the rise in the jail population as a percentage of jail bedspace capacity, clearly make the case for continuing to search for efficiencies in the criminal justice process and strategies for the reduction of the jail population.

Figure 22. Jail Population vs. Jail Capacity



To address the question of how to reduce the inmate population in the near term, the Consultant reviewed some general demographic and criminal justice data for Bexar County and the City of San Antonio. The Consultant also analyzed arrestee data provided by BCSO, as well as publicly available information regarding the Bexar County District Attorney's Office, Criminal Court system, Bexar County Task Force on Criminal Justice and Behavioral Health, Bexar County Office of Criminal Justice, and the Texas Commission on Jail Standards.

So, what drives jail population? There are two factors that directly determine the inmate population in the jail, the number of arrests in each jurisdiction and the average length of stay in custody for those arrestees. The Bexar County Jail itself has little to no control over either of these factors. Law enforcement agencies within the County determine who is arrested and the District Attorney, the Courts, and the state prison system and state mental health facilities to an extent (for convicted felons awaiting transfer to prison and inmates awaiting competency restoration), determine the arrestees' length of stay in custody.

Hence, the ADP is basically a function of jail admissions and the average length of stay. A sustained increase/decrease in either factor *will* affect the ADP accordingly. The National Institute of Corrections Jail Capacity Planning Guide (Bennett & Lattin, 2009) lists several factors that affect one or the other parts of the equation $(ADM \times ALOS) / 365 = ADP$. See Figure 23.

Figure 23. Jail Population Factors

Exhibit I-1

Factors That Influence Jail Population

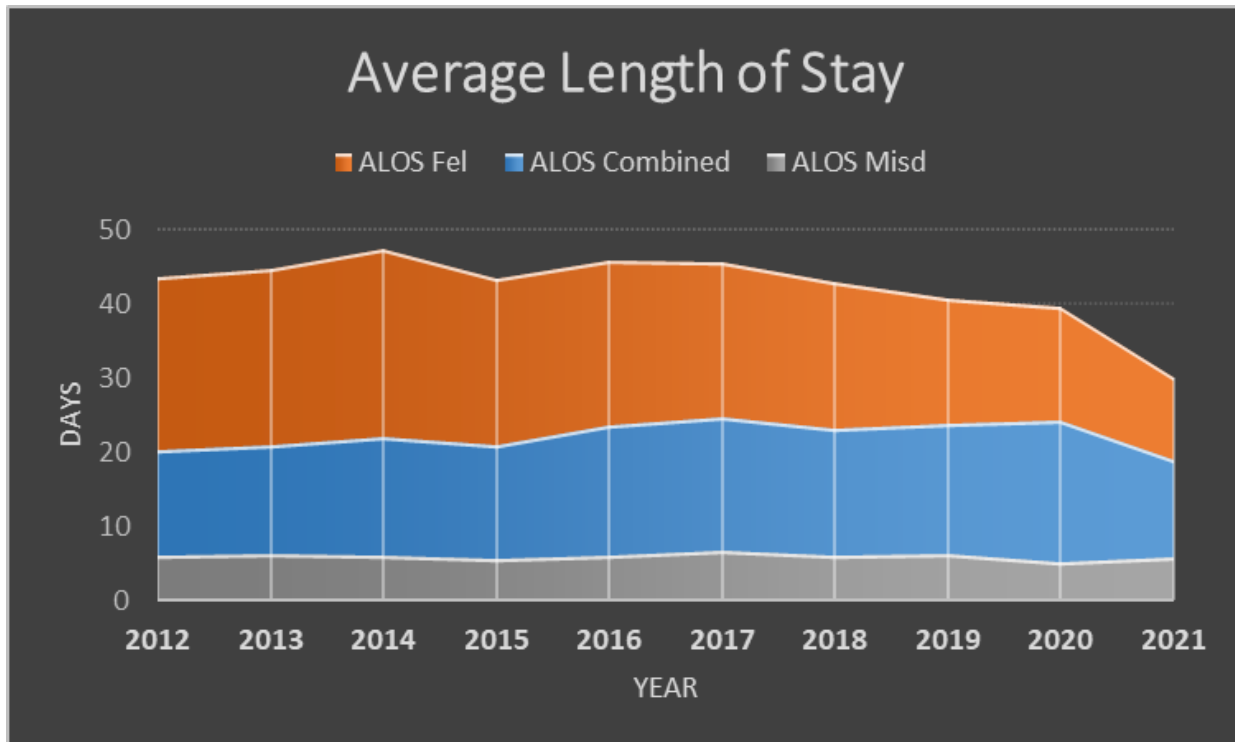
Number of Admissions to Jail	Average Length of Stay
County population	Access to timely pretrial assessment
Number of law enforcement officers	Early appointment of counsel
Booking and cite-and-release policies	Pretrial release options
County booking fee policy	Bonding policy
Availability of prebooking alternatives (detoxification and crisis centers)	Pretrial bond review procedures
Access to comprehensive pretrial services	Early case resolution procedures
Failure-to-appear rate and warrant policy	Charge and plea-bargaining policies
Pretrial failure-to-appear investigation and court return procedures	Local case-processing times
Pretrial supervision, monitoring, and tracking	Diversion and deferred sentence options
Violation of supervision rate and policy	Availability of jail alternatives (treatment, work release, etc.)
Juveniles certified as adults to stand trial	Eligibility criteria for jail alternatives
State policy transferring inmates to other counties	Sentencing mandates
Contracts with other agencies	Sentence length
Courtesy holds for other agencies	Stepdown options from jail to alternative facilities/programs
Availability of alternative sanction and diversion options	Prevailing philosophy regarding punishment versus treatment
Quality of system intervention	
Politics and the media	

As noted above, Bexar County has a population of just over 2 million people with the City of San Antonio being the largest city in the County and second largest in the State of Texas with a population of just under 1.5 million people. San Antonio is also the largest contributor in terms of arrestees booked into the Bexar County Jail, in excess of 70%.

Based on data provided by BCSO, the Consultant calculated the Average Length of Stay for the 10-year period CY2012 through CY2021. (See Figure 24.) Discounting the likely effects of the system-wide COVID-19 response (fewer arrests, increased use of personal bond, etc.) in CY2021's averages, the combined ALOS averaged 22.6 days, felony ALOS averaged 43.7 days, and misdemeanors averaged 6 days in custody. While the overall ALOS rose approximately 2 days above the average by the end of CY2020, the felony ALOS declined approximately 4 days by the end of CY2020. While overall and felony averages dropped considerably more in CY2021, the Consultant anticipates the numbers to rise to pre-COVID levels as arrest and bonding practices continue to return to previous levels.

It is the Consultant’s considered opinion that the decline in the felony ALOS was directly attributable to the increased use of bond reduction and increased use of personal bonds for lower-level felonies and most misdemeanors. The population that remains in custody are arrestees with higher-level felonies, violent felonies, and those with significant mental health issues.

Figure 24. Average Length of Stay 2012-2021



Reduction Strategies

Assuming a leveling off in the decrease in arrest rates, if not an actual upward trend, it is the Consultant’s opinion that the remaining option for reducing the jail population is focusing on the ALOS drivers.

The Consultant’s research shows that Bexar County and the City of San Antonio have put into practice a robust jail diversion framework and partnership among the key stakeholders in the Bexar County criminal justice system over the past 15 years based largely on the Sequential Intercept Model (SIM).

The SIM seeks to provide resources and diversion opportunities at the earliest identification of clients with mental illness, substance abuse issues or co-occurring diagnoses. This includes:

- Community resources available on a voluntary basis prior to the first law enforcement contact
- Pre-arrest diversion programs (SMART, STRAC, Cite and Release)
- Post-arrest/pre-adjudication programs (in-custody and community treatment, DA's "Presumption of Release" and "Marijuana Declination" policies, etc.)
- Specialty Courts to (Adult Drug Court, Mental Health Court, DWI Court, Veterans Court, Domestic Violence Court, Esperanza Court, Felony Drug Court, Veterans Felony Treatment Court, Family Drug Court, Juvenile Pre and Post Adjudication Courts)
- and post-adjudication programs under re-entry and probation supervision.

So, the Bexar County/San Antonio community's commitment to reducing arrest rates for these specific populations is noteworthy and has had an undeniable effect on the number of jail admissions.

Recidivism in general, however, is still an issue that warrants continued study. State data indicates that 62.5% of all felony arrests in Bexar County are of offenders with a prior felony conviction. While this rate is among the lowest of all major metropolitan areas in Texas, it remains problematic and largely focused with Intercept 4 of the local SIM construct which includes:

- Transition planning by the jail or in-reach providers
- Medication and prescription access upon release from jail or prison, and
- Warm hand-offs from corrections to providers to increase engagement in services

Additional in-custody jail programs focused on reducing recidivism include:

- Vocational programs
- Life Skills programs
- Cognitive-Behavioral Interventions
- Trauma Education and Support

With a relatively comprehensive approach to reducing jail admissions in place, what remains is the second factor in the inmate population equation – the average length of stay (ALOS). This is primarily driven by statute, policy, and administrative/judicial processes. While state statutes (Code of Criminal Procedure), constitutional mandates (i.e., Speedy trial and due process) and the State Office of Court Administration rules may impact the time it takes to dispose of a criminal case, they are generally focused on limiting the time a person accused of a crime may spend in custody and encourage an efficient, constitutionally sound process. What is then left are the procedural processes controlled by the prosecution, courts and to an extent, the defense.

The jail arrestee/inmate data made available to the Consultant did not include specific case process information. The Consultant recommends BCSO partner with the respective stakeholders to gather the requisite data to perform an analysis of the following focus areas:

Evidentiary:

The proliferation of digital and scientific evidence over the past decade (body camera video, surveillance video, forensic evidence advances, etc.) has exponentially increased the volume of evidence that must be gathered and reviewed by law enforcement, prosecutors, defense counsel and the courts which not only increases the time and resources needed to examine such evidence at every level, but it also increases the logistical issues presented with simply transferring such volumes of evidence between parties.

The Consultant recommends additional study/root cause analysis to identify any impediments to the timely consolidation, review and distribution of such evidence and related delays in court processes (resets), particularly as it relates to in-custody cases.

Prosecutorial:

The Consultant recommends coordinating with the District Attorney's Office to determine whether and how Jail intake and screening staff may be able to facilitate the identification and prioritization of arrestees who may be good candidates for in-custody pretrial programs but may not otherwise be eligible for bond/pretrial diversion programs in the community. The Assistant DA assigned the case could then recommend that defense counsel encourage the inmate's voluntary program participation. The objective would be to facilitate appropriate counseling and education opportunities for arrestees sooner as opposed to waiting for court mandated programs.

Defense Counsel:

The Consultant observed that published rules and procedures already allow for 24/7 visitation by defense counsel with their in-custody clients and that defense counsel is allowed unrecorded video visitation opportunities through the BCSO inmate communications provider, ICSolutions. The Consultant also observed the "Privileged Visit" information page (<https://oig.justice.gov/reports/2016/e1606.pdf> (bexar.org)) to have conflicting information with that of the ICSolutions website. For example, the BCSO page notes that iOS devices are not supported for off-site video visits but the ICSolutions page notes that iOS devices are supported. The Consultant also observed dated notification information on the ICSolutions web page for Bexar County.

The Consultant recommends that BCSO staff coordinate with ICSolutions staff to ensure that all information on the BCSO and ICSolutions web pages are up to date for both families and defense counsel. The Consultant also recommends BCSO survey the local defense attorneys to determine the utilization rate of privileged video visitation and if unreasonably low, apply a root cause analysis to determine why and what can be done to encourage defense attorneys to use the more efficient means of communication.

Courts:

The Consultant recommends that BCSO partner with the Court Administrations for both County and District Courts to analyze key case data elements to determine how BCSO may better support the timely and efficient disposition of in-custody cases.

The Consultant recommends that, for each criminal court, determine the average time from arrest to bond release (if eligible), arrest to arraignment, the number of bond reductions/bonds posted post-arraignment, and arrest to final disposition, as well as the average number of case resets/reason for reset for in-custody cases, and as a whole, for both misdemeanor and felony cases, from CY2015 to the present. This will allow BCSO to identify routine and reasonable time frames for such case milestones, both pre- and post-COVID shutdown, and possibly assist the Courts in routinely identifying offender cases that fall outside the standard deviation for each data element mean. The analysis will also help determine whether any inequities exist between in-custody and out-of-custody cases that a root cause analysis may be useful in identifying and developing solutions for corrective strategies.

Jail:

The Consultant noted that, not unlike most jails around the State of Texas, the Bexar County Jail has a significant backlog of offenders awaiting competency restoration beds at State-run facilities. The BCSO waiting list averages 150 to 175 inmates with a typical wait time of 18 to 24 months and at a significant cost to the Bexar County taxpayer. The Consultant recommends BCSO's support in acceptance of the Bureau of Justice Assistance's Jail Based Competency Restoration and Justice Diversion Expansion grant by the Bexar County Board of Trustees for Mental Health and Mental Retardation (still pending as of May 2022 per the BJA website). Facilitating this pilot program will directly impact the average length of stay for the affected inmates.

The Political and Legal Landscape

The last goal of this report was to illustrate the various and significant political issues affecting specific aspects of the Bexar County criminal justice system. The political landscape encompasses national, state, and local policy, as well as legislation and court rulings. While there are always political forces at play regardless of the party affiliation of the stakeholders, this tension generally supports the ultimate will of society when it comes to enacting laws, ordinances, rules, and regulations. That said, the political landscape seems to have become more contentious in the last several legislative sessions in Texas with lawmakers seeking to address issues ranging from defunding police to increased penalties and police accountability and bail restrictions. Some of these new laws may directly affect jail capacity as well as criminal justice operations and programming in Bexar County, Texas.

One new law enacted by the 87th Texas Legislature and now in effect is Senate Bill 6 (SB6), commonly referred to as "bail reform". This legislation revises several facets of the Texas Code of Criminal Procedure regarding the granting of personal recognizance (PR) bond for certain offenses. The key reform measure limits judges from releasing defendants on PR bond for certain violent felonies or for those with a history of violent crimes. While the consultants do not anticipate an immediate impact that affects the near-term population estimates, the limiting of PR bond and the requiring of cash or surety bonds will affect the ability of many with limited financial resources to post bonds. As the number of such persons increases, the average daily population and average length of stay in jail will be affected.

Various other criminal statutes were amended with changes in definitions, applicability and increases in penalties. For example, House Bill (HB) 1540, increased the penalty for soliciting sex from prostitutes from a misdemeanor to a state jail felony to fight human trafficking. Another law, HB 1925, criminalizes homeless camping in unapproved public spaces. While this new law is punishable by a fine only, the majority of the homeless typically cannot pay such fines and are eventually arrested on warrants for non-payment of the fines. Without diversion or alternative sentencing programs in place as presented earlier, such arrests may affect the local jail population. The passage of SB 768 increased the penalties for the possession, manufacture and distribution of fentanyl, an extremely dangerous narcotic. As the reader may surmise, such individual legislative changes may have a relatively small impact on local criminal justice resources, but the cumulative effect over the long-term can be substantial.

There were also changes that may assist in the diversion and rehabilitation of those accused of a crime. HB 757 prohibits professional organizations from suspending or revoking a professional or occupational license or certificate from a person who successfully completes deferred adjudication probation and has had their case dismissed. While there are exceptions for certain offenses, this law will support local courts and prosecutors' efforts with holding offenders accountable while still allowing the offender to maintain their profession and livelihood through deferred prosecution agreements. Studies show that such programs result in lower recidivism rates for successful participants. Another law, HB 1535, expands the state's compassionate use program for medical marijuana to people with any type of cancer and those dealing with post-traumatic stress disorder, eliminating the chance of arrest altogether for the affected population.

As with State laws, most factors affecting the arrest, detention, and length of stay of accused and convicted offenders are mostly beyond the control of Bexar County officials. For example, and as mentioned throughout this report, the COVID pandemic was the basis of a Texas Supreme Court order suspending jury trials and some other court activity causing a spike in pre-trial cases (extending pre-trial detention) not only in Bexar County but throughout the state raising pre-trial incarceration to over 80% in many jurisdictions.

Appendix A Proposed 12-hour staff deployment with relief factor (Main Facility)

**STAFFING DISTRIBUTION (RELIEF POSITIONS) IS BASED STRICTLY ON THE RELIEF CALCULATIONS.													
**OPERATIONAL EFFICIENCIES MAY BE GAINED THROUGH REASSIGNMENT OF 1 OR 2 POSITIONS (e.g. FROM B TOWER TO A TOWER) AFTER 60-90 DAYS OBSERVATION OF ACTUAL DAY TO DAY OPERATIONS													
**SGT POSITIONS IN EACH TOWER WERE ROUNDED UP BY ONE (TOTAL OF 6) AS RELIEF REQUIRES A MINIMUM OF 1 RELIEF SGT ON DAYS AND 1 RELIEF SGT ON NIGHTS													
Annex	Position Classification	# of Posts per 12 hr Shift		GAWH	Hours/Yr	NAWH	Relief Factor	FTE ttl	Det Ofc	Det Cpl	Det Sgt		
		DAY	NIGHT										
11	A Tower Supervisor	Detention Sergeant	1	1	x2190 hrs	8760	1787	1.2	4.90			4.9	
1A	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
2A	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
3A	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
4A	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
5A	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
6A	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
7A	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
8A	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
9A	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Corridor 325	0	Detention Corporal	1	1	x2190 hrs	8760	1533	1.44	5.71		5.71		
Corridor 325	0	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Corridor 275	0	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Corridor 308	0	Detention Officer	0	0	0	0	0	0	0				
Corridor 308	0	Detention Corporal	1	1	x2190 hrs	8760	1533	1.44	5.71		5.71		
Annex Rec	0	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
E Wing	1E	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60		
2E	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Corridor 275 B	0	Detention Corporal	1	1	x2190 hrs	8760	1533	1.44	5.71		5.71		
Totals	528		18	18		157680	28296		100.41	78.36422	17.13	4.9	
										Rounded	78	18	6
B Tower	7	B Tower Supervisor	Detention Sergeant	1	1	x2190 hrs	8760	1787	1.2	4.90		4.9	
1B		48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60		
2B	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
3B	56	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
4B	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
5B, 6B, 7B Unit	51	Detention Officer	2	2	x2190 hrs	17520	1565	1.4	11.19	11.19			
8B	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
9B	48	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Infirmary	0B	26	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60		
Corridor 125	0	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Corridor 125	0	Detention Corporal	1	1	x2190 hrs	8760	1533	1.44	5.71		5.71		
Corridor 118	0	Detention Corporal	0	0	0	0	0	0	0.00				
Corridor 204	0	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Medical Security Annex	0	Detention Corporal	1	1	x2190 hrs	8760	1533	1.44	5.71		5.71		
Kitchen Annex	0	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Loading Dock	0	Detention Officer (5-8hr/dys)	1	0	x2086	2086	1565	1.34	1.33	1.33			
Intake Annex	0	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Laundry Security	0	Detention Officer	0	2	x2190 hrs	8760	1565	1.4	5.60	5.60			
Sub Total	325		17	18		151006	26763		96.03	79.69955	11.42	4.9	
										Rounded	80	12	6
C Tower	7	C & D Tower Supervisor	Detention Sergeant	1	1	x2190 hrs	8760	1787	1.2	4.90		4.9	
1C	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
2C	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
3C	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
4C	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
5C	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Corridor 105	0	Detention Corporal	1	1	x2190 hrs	8760	1533	1.44	5.71		5.71		
Corridor 105	0	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Corridor 163	0	Detention Officer	0	0	0	0	0	0	0.00				
Command Center	0	Detention Corporal	1	1	x2190 hrs	8760	1533	1.44	5.71		5.71		
Command Center	0	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Sub Total	320		10	10	0	87600	15808		55.51	44.8	11.42	4.9	
										Rounded	45	12	6
D Tower	11	1D	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60	
2D	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
3D	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
4D	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
5D	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
6D	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
7D	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
8D	64	Detention Officer	1	1	x2190 hrs	8760	1565	1.4	5.60	5.60			
Corridor 201	0	Detention Officer	2	2	x2190 hrs	8760	1565	1.4	5.60	5.60			
Corridor 201	0	Detention Corporal	1	1	x2190 hrs	8760	1533	1.44	5.71		5.71		
Sub Total	512		11	11	0	87600	15618		56.09128	50.38	5.71	0	
										Rounded	50	6	0
										ANNEX	Det Ofc	Det Cpl	Det Sgt
										TOTAL	253.2408	45.68	14.7
										Rounded	253	48	18

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