

Fort Bend County Sheriff's Office Detention Proposal

Introduction:

The Sheriff's Office is experiencing great difficulty with recruitment and retention of qualified civilian and sworn Detention staff, particularly with respect Detention Officer and Detention Deputy positions which require face-to-face contact and control and management of inmates. The working conditions, compensation, and competitive job market contribute to high attrition and an inability to overcome vacancies that have remained consistent since before the current Administration was sworn-in.

To address these issues, it will be necessary to consider and approve one of the following recommendations:

- Increase Detention staff pay and benefits by 11 to 15 percent, at an estimated cost of approximately \$2,500,000.00 million; or
- Enter into an agreement with a private correctional facility to manage 322 inmates at a cost of \$90.00 per day for a three-year period, at a cost of \$10,577,700.00 per year (\$31,733,100.00).

A decision must be rendered as soon as is reasonably possible. Many employees are leaving for higher paying first responder jobs at independent school districts as an unintended consequence of HB 3 (School Safety bill). Another new statute, TX SB 4 (Immigration bill), currently being litigated, may lead to substantial increases to the inmate population. This will increase the need for detention staff to meet the Texas Jail Commission jailer to inmate ratio and to properly manage a larger Detention population.

The above weigh heavily the inability of other Texas Sheriff's Offices to house inmates from other facilities due to costs, staffing, and operational demands, so this is not an option for housing Fort Bend County inmates.

Staffing:

Currently, the authorized staffing for Detention operations is 397 positions, 55 of which are vacant:

	Approved positions	Vacant positions
Administrative staff	76	6 (Sr Off Asst; Bond Clerk (4); Capt (1))
Detention officer	161	18 (Detention Off (DOC I-6; DOC II-2)
Detention deputy	160	31
Total	397	55

The staffing-to-inmate ratio required by the Texas Jail Commission is 1:48. With the inmate population fluctuating from over 900 during the week, to 950 on weekends, the current jailer staffing of 272 is assigned 5 8-hour days each week, in addition to one required shift of 8 hours. The required 8-hour shift increases the costs of operating the Detention Center since these hours are paid at an overtime rate.

The 272 employees mentioned above are a combination of 143 Civilian Jailers and 129 Detention Deputies.

The current staffing conditions require the extra overtime shift to meet the inmate ratio, but also to cover a shift relief factor that considers an employee taking two consecutive days off. This staffing modal also allows for staffing to cover each day of the week and fill vacancies created when employees

call in sick, take vacation or compensatory time off, attend training, or handle various other responsibilities, such as hospital security, transporting inmates for treatment, and escorting inmates from one part of detention to another for various accommodations. These include medical or psychological examination and assessment or treatment and vocational training or visitation and consultation with their attorneys. A host of other services include escorting inmates to and from court hearings and court, and other types of visitation or treatment.

Working Conditions:

The current staffing shortage requires employees to work an additional 8-hour shift, or a sixth day each week. The employee may elect to work two four-hour shifts per week as an alternative to the 8-hour overtime shift to ensure inmates are properly supervised; however, this model leads to employees taking sick leave to recover from exhausting work and mandated overtime. Since employees also take vacation time and also take time to attend training, additional staffing is needed.

As a result of the stressful working conditions and exhaustive work caused by detention work, 2-4 employees call in sick per day, and an additional 2-4 employees take vacation or compensatory time off each day.

The work assignments are one form of stress and work dynamic; however, managing inmates with medical and mental health needs, as well as inmates with a violent temper or character, some of whom assault or physically or verbally mistreat jailers, creates an added detrimental element to the work environment. As a contributing factor, Detention staff seeks relief by applying for and accepting other sworn position with another law enforcement agency which is not involved with Detention operations, and which is capable providing a compensation package that is attractive to new employees.

The attached Assault Statistics Tables reveal both increasing rates of assault from inmate to inmate, and inmate to staff. The FY 2023 statistics, for example, reveal an increase in total assaults, with a notable increase in inmate-to-inmate assaults. These require immediate intervention and decisions with respect to how to appropriately house inmates.

The FY 2024 table also reveals that, although only six months have passed this year, 214 total assaults have been recorded, with inmate-to-inmate assaults surpassing the FY 2022 and FY 2023 numbers and rates (i.e. 122 (2022) and 166 (2023)). The inmate-to-staff assault rates are expected to surpass the FY 2023 and FY 2022 rates (i.e. 67; (2023); 41 (2024 YTD)). Importantly, the assaults on staff may lead to additional employee loss of time, as well as risk to health and safety of staff. In some cases, verbal assault precede physical assault, and includes inmate spitting, throwing human urine and waste, or any object within reach, such as food trays and items in inmate cells. This also has a direct cost due to County policy for employees to be tested and treated, most clearly at Urgent Care facilities during off-business hours.

Employee Compensation:

Sheriff's Office Detention staff compensation has been an issue for a very long time, predating the current Sheriffs' Administration time in office. In 2021, a salary increase of \$3.00/ hour for civilian detention staff was implemented, and recently a \$110/monthly stipend was approved by Commissioners Court. However, any market analysis for area agencies lags the changing job market where progressive departments provide pay incentives, including higher pay, but also sign-on bonuses, and a host of additional job-related benefits, such as tuition assistance, shift differential, weekend premium pay, and bilingual pay.

Please see the attached tables, and consider the prior back up material established to create the jailer stipend.

In addition to a change in the work environment to reduce mandatory overtime and allow employees sufficient time to recover from stressful work, increased compensation will assist with retention of staff that will leave for higher pay as an unintended consequence of HB 3 (School Safety Bill), where local Independent School Districts are compensating beginning employees as much as \$6.00 higher than Sheriff's Office Detention employee pay within the Fort Bend County region and within Fort Bend County.

The recruitment effort and many initiatives developed by the Recruitment team have been successful with onboarding 176 Detention employees since FY2022; however, during this same time period, 195 Detention employees resigned.

The Fort Bend County compensation package and work environment, collectively, are not capable of enabling or enhancing employee retention; change is needed with both the compensation package and improvement to unfavorable working conditions.

Alternative Inmate Housing:

The second option to the issue of attrition and management of the inmate population is an agreement with a private correctional facility to house 322 Sheriff's Office inmates.

This number was derived scientifically and practically from work scheduling that considers employee time off, shift relief factors, and staffing necessary to manage all inmates outside one male inmate floor and one female cell, or 578 inmates.

The inmate population varies daily, but the current daily population is 900, and this number increases to 950 on weekends for inmates who are exercising court-mandated weekend sentencing.

Currently, none of the numerous County detention centers in Texas who were contacted by Sheriff's Office management staff have the capabilities to house Fort Bend County inmates due to staffing shortages, operational costs, and stressors the detention centers also manage daily.

At the present time, the only available facility to assist Fort Bend County is the LaSalle Corrections facility, located in Louisiana, with a correctional facility in Texas near the Louisiana border. The attached Outsourcing Inmate Table provides general cost information for housing 322 Fort Bend County inmates.

This facility requires a multi-year agreement, preferably three years, and has an annual cost of \$10,577,700.00. The total cost of a three-year agreement would be \$33,733,100.00.

Additional Considerations

In addition to HB 3, SB 4, the TX Immigration bill may have a consequence for Fort Bend County. If the 5th Circuit Court of Appeals rules in favor of this statute, Texas peace officers will have the authority to arrest and charge persons for their illegal immigration status. Illegal immigrants who are charged under this statute would be housed in detention facilities within the jurisdiction in which they are arrested. Fort Bend County inmate population may increase substantially, requiring additional detention staff, or housing at another correctional facility if detention cannot be accommodated within Fort Bend County.

Conclusion:

The current work environment at the Fort Bend County Detention Center cannot adequately and within the Texas Jail Commission requirements, meet staffing needs given the inmate population exceeding 900. To complicate this matter, compensation and the work environment are incapable of sustaining the current staffing levels, and the staffing vacancies numbering over 55 have remained consistent throughout the passage of time.

Employee compensation and benefits and improvements to the work environment are necessary, and the only alternative available to this conundrum is housing of inmates at an alternative private correctional facility.

Since an intensive research study by Fort Bend County Sheriff's Office Detention Managers did not identify any Fort Bend County regional facility or Texas County Sheriff's Office within Southeast or Central Texas, a private correctional facility remains the only other current alternative to the staffing dilemma by outsourcing Detention operations, namely housing and management of inmates by a private correctional/detention organization.