

**Greene County Public Safety Initiative [PSI]
1/8 Cent Sales Tax Proposal
April 2012 Ballot
Frequently Asked Questions**

1. What is this 1/8-cent sales tax proposal?

The 1/8-cent sales tax proposal is designed to meet our most urgent criminal justice needs. The most visible symptom of these needs is the current state of overcrowding at the jail. To impose a tax, counties and cities in Missouri must have authorization by State law. Missouri's Hancock Amendment requires voters approve any increase in taxes. Section 67.582 allows counties to impose a sales tax of up to one-half of 1% for the purposes of law enforcement. In 1997, Greene County voters passed a county-wide sales tax of 3/8-cent for law enforcement. One-eighth cent of this tax was used for construction of the present County jail. This portion of the tax expired in 2001 with the completion of the jail, leaving the current law enforcement sales tax rate at 1/4-cent. The new proposal, if passed, would add 1/8-cent, making the total law enforcement sales tax 3/8-cent.

2. How much will it cost me?

Because the current Parks Sales Tax rate of 3/8-cent will be reduced to 1/4-cent on July 1, 2012, there will be no net additional cost to consumers if the Public Safety Initiative is passed. A 1/8 cent sales tax equals 12-1/2 cents on every \$100 purchase.

3. Why is the PSI important to me?

The most important reason is for the safety of yourself, your family, and your business. We are a growing community. The fact that we have more people means we have more incidences of crime. In addition, the economic downturn has placed additional stress on families and individuals as they struggle to make ends meet. This has resulted in increased levels of family violence and child abuse and neglect. The County's criminal justice system—the courts, juvenile system, prosecutor, patrol, detectives—cannot keep up with the increasing number of cases at present levels of staffing and funding. Because we have so many cases but insufficient staff to process them, we do not have enough jail space to hold accused criminals awaiting trial. We routinely must release persons arrested for *misdemeanors, DWI's, vehicle break-ins, burglaries, thefts, assaults, drug possession, lower level sex offenders, forgeries, ex parte violations, and less serious (C and D) felonies* as soon as they are booked into the jail. These criminals are then free to commit more crimes. When combined with a shortage of deputies on patrol, criminals know they are more likely to get away with thefts, drug deals and assaults. If we allow our public safety system to continue to erode, it will affect our community's ability to attract business and keep our economy healthy.

4. What is provided by the 1/8-cent proposal?

90% of funds from this tax will provide additional staff for the Sheriff, Prosecutor, Juvenile Office, Jail, court security and pretrial supervision. The remaining 10% will be used for a minor renovation of the jail to expand its capacity to house less serious offenders, to provide a safer juvenile courtroom, and to relieve overcrowding in the Juvenile Office.

More specifically, the tax will provide:

- 18 additional patrol deputies. Currently, there are only five deputies on patrol for the entire County on any one shift. This makes it difficult to respond quickly to calls and to provide safe backup for officers.
- 6 additional detectives, thereby allowing timely investigation of crimes, bringing justice to victims more quickly.
- 40 additional correctional officers for the jail. Current conditions are not considered safe for officers guarding prisoners. The recommended officer-to-prisoner ratio is 1:48. At the current time, a single corrections officer typically guards over 100 prisoners in the main pods of the County jail.
- 5 additional prosecutors. Over the past decade felony case load in the Prosecutor's Office has significantly outpaced prosecutor staffing. These additional prosecutors will allow us to move more cases through the criminal justice system at an accelerated rate improving justice for all.
- 7 deputy juvenile officers and 2 juvenile probation officers.
- 2 additional court security officers
- 2 additional pre-trial officers
- Support staff and equipment

5. How much additional money will the 1/8-cent proposal provide?

The tax is estimated to provide an additional \$5 million per year. The amount actually collected will fluctuate, depending on the dollar volume of sales in the County, which is dependent upon the overall economy.

The sales tax is county-wide, meaning it will be collected on all sales in the County and in all cities in the County. An estimated 80% of the revenue will be collected in the City of Springfield. It is also estimated that out-of-county residents who work or shop in Greene County will pay approximately 40% of the tax revenue. This is considered appropriate since the people who work and shop within Greene County are served by our criminal

justice system.

6. Will the money be shared with the City of Springfield? Other County cities?

All revenue from the tax will be retained by the County to fund the jail, detectives, patrol, prosecutors, juvenile services and other components of the criminal justice system. These services are provided for all County residents regardless of whether they live inside or outside any of the cities in the County. It is estimated that 60 to 70% of the bookings into the jail are generated within the City of Springfield. 49% of all referrals to the Greene County Prosecutor's Office come from the Springfield Police Department.

7. How is this proposal different from the 1/4-cent proposal recommended by the Safety & Justice Roundtable?

The 1/4-cent proposal would have included a \$25 million building expansion to house additional courtrooms—including a new municipal court— office space for juvenile programs, prosecuting attorney, and additional space for the jail. It would also have provided funding to make salaries more competitive with those in the area and region as well as information technology personnel and building maintenance support staff.

The 1/8-cent tax has a much more limited building program of \$4 — 5 million. This still includes remodeling to provide a minimum security area in the present jail, one new juvenile court room and limited additional office space for juvenile and family services. However, the 1/8-cent proposal does NOT include any funding for pay increases, additional information technology personnel, or building maintenance support staff.

In the report given to the Safety & Justice Roundtable on August 8, 2011, it was estimated an additional \$35.7 million in annual funding is needed to bring law enforcement services in Greene County and the City of Springfield up to regional and national standards. The 1/4-cent proposal would have provided about 28% of the total estimated need. According to the August 8, 2011 report it would “...provide enough resources to keep pace with need and allow the county to delay an expensive jail expansion. We would be able to safely sustain a jail population of 525 inmates plus 50-75 inmates in a minimum-security wing. This would allow much needed additional jail space for serious offenders. Additional patrol officers would allow the Sheriff's Office to maintain reasonable response times for all urban and rural neighborhoods. Detectives will be able to devote time to allow cases to be resolved more quickly, bringing justice to victims of crime. Additional prosecuting attorney staff would be sufficient to make progress on case backlogs. Additional juvenile services staff would be better able to keep up with current case loads and continue to provide alternative programs essential to stem the growth of adult crime.

The 1/4-cent scenario would require every component of our public safety and criminal justice system — spanning both city and county government — to continue to closely coordinate and communicate with one another and remain accountable to the community. The improvements and efficiencies that have been gained during the last two years must

continue in order for this scenario to work. Funding for this scenario is tight, but enough to provide the tools needed to make progress at a reasonable cost for a reasonable time into the future. Should factors beyond our direct control such as the national economy or population growth change significantly, we recognize that this could change.”

8. If the 1/8-cent proposal funds such a small percentage of the total need, how can it effectively meet the needs for the law enforcement system?

The 1/8-cent proposal can be described as the minimum needed to give Greene County a chance to keep up with present demand. If adult and juvenile crime and child abuse and neglect continue to rise, we will fall behind. The 1/8-cent proposal simply buys time. It will be necessary to seek additional revenue in the not too distant future.

9. Will this tax sunset, or will it be permanent?

This tax will be permanent. To meet current, critical demands of the criminal justice system, the majority of revenues collected will be used to fund ongoing staffing needs.

10. Why didn't you ask for 1/4-cent? Aren't you just going to ask for more lately?

Given the current state of the economy, it was felt that it would be difficult to gain voter support for any tax increase, no matter how urgent the need. It was therefore decided the most favorable option at this time would be to ask for a 1/8-cent sales tax to fund only the most critical needs. Since an equivalent amount (1/8-cent) of the Parks sales tax is scheduled to sunset on June 30, 2012, the proposed 1/8-cent sales tax will not create any net increase in tax burden to consumers. As stated previously, it will be necessary to ask for additional funding later, but hopefully, after the economy has improved.

11. Why is more law enforcement-criminal justice system funding needed?

Greene County's present system can no longer keep up with ever-increasing demands on law enforcement, the courts, and Juvenile Services. If we don't take immediate action, it will only worsen and be more costly to the taxpayer in the long run. Our jail is overcrowded. It is difficult for the public to see why they should care about this, but we cannot expect our officers to continue to work in these conditions at the low level of pay we provide.

A correctional officer's starting salary is slightly under \$26,000 per year. The jail currently has 25 officer "posts" but needs a total of 29 posts to meet minimum standards. Each post requires 5 to 5.2 officers to be manned on a 24 hour/7 day per week basis, or a minimum of 145 to 151 officers. The jail currently employs 112 correctional officers, meaning that an additional 33 to 39 officers are needed to meet the recommended officer-to-prisoner standard ratio of 1:48 with *the current jail capacity of 510 beds*.

Officers are routinely required to guard more than 100 prisoners. If we continue to ignore this we run the risk of a serious incident which could result in intervention by the Federal

courts. Other counties in Missouri have been forced to impose a mandatory jail cap by Federal court orders. When this happens decisions are no longer made at the local level but are determined by a Federal judge. Steep fines have been imposed in other counties due to their inability to maintain safe conditions for guards and inmates.

The jail is only the symptom of an under resourced criminal justice system. The problem is that we can't move cases through the courts fast enough. This requires more detectives, investigators and prosecutors. All this just focuses on adult crime. Without more resources to address juvenile crime, child abuse and neglect we will never be able to stem the rise of adult crime.

12. Aren't there other ways to fund these needs?

This is a problem that must be addressed locally. Though the state and federal governments provide some funding through grants and other reimbursements (judges and court staff, as well as a portion of funding for Juvenile staff are provided by the State), there will never be enough state and federal funds provided to fully operate the system.

Sales taxes are generally considered the least costly option for County residents, since an estimated 40% of the revenue is paid by out-of-County residents. Law enforcement needs can be funded by either a law enforcement sales tax or a general sales tax.

It is often suggested that criminals should be made to pay for these services. This is not a practical solution, due to both legal constraints and ability to collect.

13. Can cuts be made in other areas to provide for these needs?

The need is so large that it can not be adequately filled with current resources. Law enforcement consumes 2/3 of the County's annual \$34 million general revenue budget. By comparison, the annual cost of **all** non-law enforcement positions in the County is only \$6.2 million. The County is required by law to provide many of these services. From 2008—2011, funding for non-law enforcement services paid out of General Revenue has been cut by 21.6 %.

14. If jail staffing is so critical, why didn't the Sheriff accept the offer for 11 new correctional officers?

This proposal actually had two parts. The first was to fund seven corrections officers using \$240,000 made available by eliminating positions in other departments. However, because the County's initial 2012 budget had a \$1.44 million shortfall, these funds were used to balance the budget instead of hiring additional employees. Though an additional seven correctional officers would be helpful, they would not be sufficient to eliminate the need to send inmates out of the County.

The second part was to move four positions from General Revenue to the Parks Sales Tax fund, theoretically freeing up enough General Revenue to fund four new corrections

officers. However, because the Parks Sales Tax sunsets this year, this would have provided only a temporary solution and was not considered a viable option.

15. Why can't the Parks sales tax be repealed? Discuss other dedicated taxes also.

In order to impose a tax of any type, local governments must be authorized by State law to do so. Traditionally most funding was provided in the form of “general revenue,” meaning that the money could be utilized for any purpose allowed by law. General revenue provides local leadership with the greatest flexibility to allocate funds where they are needed most. However, due to the unrestricted nature of general revenue, it also provides the greatest potential for misallocation of funds. During the latter half of the twentieth century, state legislature became more inclined to allow taxes to be imposed only for specific purposes. In doing so, voters could be assured that funds generated through new tax initiatives would be utilized only for the purposes specified. Though voters have increased confidence in this type of tax, they are also frustrated that, once approved, these taxes can not be re-allocated for other purposes. The only remedy is to repeal the restricted tax and pass a tax allowable for another purpose, although voters are still not inclined to approve taxes for general revenue purposes.

Greene County sales taxes are currently generated from a variety of sources, including:

- 1/2-cent sales tax passed in 1984: 50% is designated for General revenue and 50% for Road and Bridge Fund
- 1/4-cent law enforcement sales tax passed in 1997
- 3/8-cent Parks taxes passed in 2001 and 2006 (1/8 cent of this tax will expire on June 30, 2012)
- 1/8-cent 9-1-1 sales tax used to fund the 9-1-1 emergency response system.

Greene County also levies property taxes. Though the County **collects** all real estate and personal property taxes, only about 4.5% is **retained** by the County for County services. The vast majority of property tax revenue—75-80%—goes to public school funding. The remainder funds fire districts, the library, and senior citizen services.

Of the portion of property taxes retained by the County, one-half—about \$5.9 million per year—goes to General Revenue and one-half to Road and Bridge Fund.

16. My property tax assessment increased this year. Where does that additional revenue go? Why can't it be used for law enforcement?

Though some individual property assessments went up substantially, the County's total revenue from property tax is estimated to increase only 2% in 2012. Any additional revenue will be distributed in same manner as all other assessment revenues received and

will be split between the General Revenue and Road & Bridge funds. General Revenue funds already support law enforcement.

17. This tax is described as not adding any additional sales tax. How can that be true?

A Parks tax initiative passed by voters in 2006 called for 1/8-cent of the tax to be utilized for improving water quality in lakes, streams and waterways. This portion of the tax was approved for a period of only 5 years and will expire on June 30, 2012. If the 1/8-cent PSI tax passes on April 3rd, collection would not begin until October, 2012; therefore, there is no increase to the taxpayer.

18. Jail population:

- What is the capacity of the jail?
- How many correctional officers are needed to operate the jail at present capacity?
- What are municipal inmates? State inmates? Federal inmates?
- Why do we keep Federal inmates?
- Why do we keep City inmates?
- Why don't we make inmates do more work?
- Why don't we make criminals pay their jail costs?
- Why don't we just put inmates in a tent city like Sheriff Joe?

Capacity of the jail is described in detail in the Jail Overcrowding Report dated October 28, 2011. The capacity of the present jail is 522 as dictated by fire code restrictions of the building code. Jail capacity is also governed by staffing requirements. The National Institute of Corrections (NIC) recommends a maximum ratio of 48 to 50 inmates per correctional officer. Pods B, C, and D frequently house over 100 inmates with one correctional officer on duty per shift. The jail is currently staffed adequately for only 372 inmates. An additional 34 to 40 correctional officers are needed to bring the officer-to-inmate staffing ratio up the minimum standard needed to serve 522 inmates as allowed by the building code. In 2011, actual inmate population was as high as 592.

Typically, about 80% of the inmates in the jail are individuals accused of a crime who are awaiting trial. These are referred to as "State" prisoners, because they have been accused of violations of state law. Most serious crimes—robbery, murder, rape, etc.—are governed by state law, not local law. Counties are required by state law to house prisoners until they have been tried and convicted. Upon conviction, inmates are sent to state prisons to serve their sentences. Most accused criminals are released on bonds. However, there are those who are a threat to themselves or society and cannot be released. These individuals must remain in jail pending completion of their trial. If they are convicted, the State of Missouri reimburses the County for housing inmates awaiting trial. However, the State reimburses only \$19.58 per inmate per day, but it costs the County approximately \$45.00 per day to house an inmate.

The County also has agreements with the Federal Marshall Service and U.S. Bureau of Prisons to keep up to 120 Federal inmates in the jail. These agreements were made to receive Federal grants to help with the construction of the jail and to secure a higher per diem reimbursement rate. The Federal government currently pays \$61.00 per day per prisoner. The County earns \$1.3 to \$1.5 million per year for housing Federal prisoners. Without this revenue, there would be insufficient funds to operate the jail.

When the current law enforcement sales tax [LEST] was passed in 1997, the County agreed to house municipal prisoners for the City of Springfield, and the city jail was closed. There are typically 25-35 Springfield municipal prisoners in the jail per day. “Municipal” prisoners are those arrested or convicted of violating city ordinances. These most commonly include traffic violations, stealing or drug possession.

The distinction between municipal prisoners and inmates arrested in the City of Springfield is confusing. Most of the inmates in the jail are there as a result of arrests made in Springfield. However, the majority of these inmates is accused of “State” crimes and is therefore “State” inmates, not municipal inmates.

It is important to remember is that *the majority of inmates in the jail are awaiting trial. They have been accused, but have not been convicted of a crime.* Until an inmate has been convicted, they cannot be ordered to do labor in the jail or in the community.

State law does allow for the recovery of room and board from convicted criminals, if included in their sentence. Since many convicted criminals do not have means to repay their costs, there is concern that including recovery of costs in sentences leads to increased rates of recidivism. Judges decide how much if any of the costs should be recovered when an inmate is sentenced. Some Counties collect as much as 15-20% of costs. Greene County has not collected more than 1%.

19. Why don't we build a tent city, like Sheriff Joe? Would it be cheaper to provide a minimum security prison?

A tent city is not a valid option, for several reasons:

- Lack of suitable and secure location
- Lack of funding for staffing
- Climate in Greene County makes year-round tent occupation problematic.

Sheriff Joe Arpaio's office has paid more than \$40 million in litigation costs since he became sheriff in 1993, including \$22 million in jail-related claims. In December 2011, following a three year investigation, the US Department of Justice also found Arpaio to have engaged in “unconstitutional policing.”

Construction of an off-site minimum security jail has been discussed for years. Even if funding were available to build such a facility, it would still not be practical for three reasons:

1. Most importantly, additional space is currently needed for inmates held for serious offenses or who pose a danger to themselves or the community, not low-risk inmates.
2. It is very difficult to find a location for a new jail which would be acceptable to neighbors and the greater community.
3. Lack of operational costs, including inmate supervision, food service, laundry, medical, etc., which would nearly double the size of staff required for these services. Additional staff and time would also be required to transport inmates from another location to court.

Any off-site minimum-security jail proposal would almost certainly face strong opposition from the public. Currently, the only practical and affordable location to create additional inmate housing is within the Greene County Justice Center, which houses the existing jail.

20. How will more prosecutors help with jail overcrowding?

By adding additional prosecutors, each prosecutor will have more time to devote to each case. This means cases will be charged, prepared for trial and processed more quickly. Ensuring prosecutors have time to devote to individual cases is critical to moving more cases more quickly through the judicial system: this is key to solving our jail overcrowding issue. More importantly, it will improve the speed and quality of justice for all. Since 1998, the growth in felony cases has outpaced staffing in the prosecutor's office by a rate of 37%.

21. Don't we need more courts and public defenders to move more cases?

Greene County certainly needs more Judges and Public Defenders, but until the State of Missouri funds those positions, adding prosecutors is the best way to meet today's needs using existing judicial resources to accelerate the movement of cases through the courts. For example, in 2010, the Greene County Circuit Court assigned a third judge to hear felony cases increasing judicial capacity with no corresponding increase in staff in the prosecutor's office. While this move provided needed judicial resources to handle felony cases, it diluted available prosecutor resources among three courts instead of two. Additional prosecutors will allow us to take full advantage of these judicial resources. Similarly, while we could use more Public Defenders, until the State funds those positions, the additional prosecutors we can fund will facilitate better and quicker communication with existing public defenders enabling them to better advise their clients and to more quickly dispose of cases.

Judges, court staff and the Public Defender's office are funded directly by the State of Missouri, though the County must provide and maintain buildings to house them. According to the Weighted Case Load Study completed by the Office of the State Courts Administrator (OSCA) in October 2007, the 31st Judicial Circuit—which comprises Greene County—has the highest case load of any circuit in Missouri. According to this study, Greene County needed seven more judges to adequately handle case loads. One

additional Associate Circuit Court was added in 2009. An additional family court commissioner was provided in 2010. This leaves the 31st Circuit five judges short. (Note: The State does provide a visiting judge to help with caseload, and a court room was added for the visiting judge.)

The Missouri State Public Defender remains woefully under funded and understaffed, particularly the 31st District Public Defender's Office, which serves Greene, Christian and Taney Counties.

In 2010, the Missouri State Public Defender announced the 31st District Office would begin limiting the number of cases it accepts each month. Greene County judges have responded with court orders for the Public Defender's Office to accept cases.

A test case is now before the Missouri Supreme Court, and it is unclear at this time what the implications of this court decision will be. Regardless, staffing levels at the Public Defender's Office continue to impact the jail population, case management within the Prosecutor's Office, and the speed of which cases can be brought to trial in the courts.

Public Defenders often meet their clients for the first time at court hearings, and have had limited time to prepare for the case. Although there is no quantitative data, lack of preparation leads to increased requests for continuances, which contributes to delayed trial dates, with corresponding jail days for offenders.

During 2009, the Springfield Metropolitan Bar Association recruited attorneys to take on about 100 pro bono cases that would otherwise await representation by the Public Defender. However, this program ended Dec. 31, 2009. Other measures designed to limit the number of cases referred to the 31st District Public Defender's Office have failed to significantly reduce their caseload.

Increased Public Defender funding remains among Greene County's top concerns and priorities but has received little attention from the Missouri General Assembly.

22. If we hire more deputies, won't they just arrest more prisoners?

No. More deputies are needed to reduce response times and to provide back up for the safety of the deputies. On any given shift, only four to five deputies are on patrol for the entire area of the County – 620 square miles not including the City of Springfield. In addition, about 20% of the Springfield urban area is actually outside city limits and must be patrolled by Sheriff's deputies. Within this urban area patrolled by Greene County is a section of southwest Springfield that has become a concentrated area for criminal activity and now requires the presence of one or more deputies per shift. This makes it difficult for deputies to respond to calls elsewhere in the County.

23. Why can the Parks Department hire 60 employees, but Greene County can't hire more jailers? Doesn't the County control the Parks sales tax?

The City-County park system was created in 1997. With the passage of the Parks sales taxes in 2001 and 2006, the system underwent a rapid expansion in the number of parks, programs and facilities. With the passage of the first Parks Sales Tax in 2001, a conscious decision was made to focus funding from the sales tax toward construction of new facilities in the early years. However, it was known from the start that additional staff would eventually be needed to operate and maintain these new facilities and also to staff and manage expanded programs. The expansion of staff has therefore been anticipated for some time. Potentially, as many as 60 additional staff may be added, but the exact number will be dictated by actual needs. Any new hires will be phased in over a period of several years.

The Parks tax is a county-wide tax; however, it is dedicated to purposes allowed by State statute and stated in the ballot language approved by voters. Distribution of revenues from the tax is further governed by intergovernmental agreements between Greene County, the City of Springfield and other cities in the County.

24. How much will the April election cost? How will the County pay for it?

The April election is estimated to cost Greene County \$70,000. Actual cost will depend on how many jurisdictions finally place initiatives on the ballot. State law provides a formula for the allocation of costs of a shared ballot to the various government entities who participate. The County's estimated cost of the April election has been included in the proposed 2012 budget.

25. What is the Safety & Justice Roundtable? Who was on it? Wasn't it just a hand picked group to rubber stamp a tax?

The Safety & Justice Roundtable is a citizen's task force, formed by the City of Springfield and Greene County in late 1997, whose work was independent of influence by the County Commission or City Council. The Roundtable was charged with "developing a comprehensive understanding of the community's criminal justice system...identifying and prioritizing needs...and recommending solutions to address those needs." Co-chaired by Dr. Robert Spence—President of Evangel University and Ms. Jean Twitty—former Greene County Assessor and current member of the Springfield Board of Education, the Roundtable included 16 other members, each representing different constituencies in the community, all with experience and expertise in various aspects of the criminal justice system and business. The Roundtable met with City and County departments and toured facilities throughout 2008 and early 2009 and presented their final report to the City and County in July, 2009. The Roundtable also requested six- month and one-year updates, which were given in 2010.

26. Did the May, 2011 telephone survey conducted by Greene County show voters are overwhelmingly opposed to a law enforcement tax?

One question in the County's telephone survey asked if respondents would favor a **1/4-cent** sales tax increase on the November, 2011 ballot to fund county-wide law enforcement and address overcrowding in the County jail if the Parks tax renewal was not placed on the ballot in August, 2011. 45% of those surveyed responded they would favor a 1/4-cent tax, and 43 % would oppose the tax, with the remainder undecided. (Note: The County Commission opted NOT to place the parks tax on the August, 2011 ballot.)

27. Wouldn't it be better to wait until times are better to place the 1/8-cent tax on the ballot?

There is little doubt that the current economic climate makes passage of any tax initiative difficult. However, the needs are too urgent to wait.

28. The jail has held over 600 inmates in the past, and there weren't any problems. Why is overcrowding such a problem all of a sudden?

During the last half of 2008, jail population routinely averaged above 550 inmates per day, peaking at 608 inmates. In 2009 and 2010, the population abated somewhat decreasing to an average of 492 inmates per day. It was felt that this decrease was due to implementation of the recommendations of the Safety & Justice Roundtable. To the credit of those involved, they began implementing these changes as they came out of the Roundtable's deliberations, rather than waiting for a final report and recommendations.

Despite implementing the Roundtable's recommendations, the jail population began to increase again in 2011, reaching over 590 inmates in early July. At this point, the fear is that we have reached a point where the population is not going to decrease.

The jail is built for a maximum inmate capacity of 522 inmates. If correctional officer-to-inmate ratios recommended by the National Institute of Corrections are adhered to, the jail is currently staffed to house only 372 inmates. To ignore these limits indefinitely places the County at an unacceptable risk should an incident result in the injury or death of an inmate or officer.

29. If overcrowding of the jail is such a problem, why didn't you do something about it before now?

The new jail was completed in 2001. Within two years, it was filled to capacity. In 2003, the County contracted with the Institute of Policy & Planning to provide a recommendation as to how to manage the problem. Among other findings, the ILPP stated additional correctional officers are needed to operate the jail at its stated design capacity. It became apparent that funds from the 1997 LEST were not sufficient to provide the staff needed. In an attempt to address this deficiency, the County Commission placed a 1/4-cent sales tax initiative on the February, 2004 ballot. It failed to pass. The County Commission attempted another tax initiative in November of 2005, which also failed. In view of the fact that another tax initiative was not likely to be successful, the County and City

appointed the Safety & Justice Roundtable in 2007 to explore all other viable options. At the time of the completion of the Roundtable report, the shortfall in the police-fire pension fund was the top priority of the community. The police-fire pension fund sales tax was passed by City voters in November 2009. The County established an internal committee in 2010 to draft a proposal which would address the most critical needs. This culminated in the two-year updated presentation to the Safety & Justice Roundtable on July 25, 2011.

30. Could the judges move more cases through court if they worked more hours?

All Greene County Judges already handle overcrowded dockets. According to the Weighted Case Load Study completed by the Office of the State Courts Administrator (OSCA) in October 2007, the 31st Judicial Circuit, which comprises Greene County, has the highest case load of any circuit in Missouri. According to this study, Greene County needed seven more judges to adequately handle case loads. One additional Associate Circuit Court was added in 2009, and an additional family court commissioner was provided in 2010. This leaves the 31st Circuit 5 judges short. (Note: The State does provide a visiting judge to help with caseload and a court room was added for the visiting judge.)

31. Some courtrooms are not being used every hour of the day. Could judges be scheduling more trials and hearings?

Like everyone else in the criminal justice system, Greene County's 31st Circuit judges are accomplishing a great deal with very limited resources. The county has 15 seated judges: nine Circuit and Associate Circuit Judges and six Commissioners. The 31st Circuit also has one part-time Associate Circuit position, filled by a roster of visiting judges.

The 2010 Weighted Workload Study, produced by the Clerk of the Missouri Supreme Court, shows Greene County is the **third most understaffed judicial circuit in the state.**

Judges make an effort to expedite likely guilty pleas by scheduling multiple cases for trial on the same day. Many jail inmates, reluctant to follow through on a trial, decide to plea guilty when their trial is scheduled, thereby eliminating the need for a lengthy jury trial. Sometimes it takes longer than expected to hear all the day's cases. Sometimes, all cases settle, and court ends early. It's impossible for a judge to determine exactly how many cases should be scheduled to fill up the time.

For those who plea not guilty, judges schedule a Jury trial or a Bench trial. The judge and attorneys estimate how long each trial will take to complete. Sometimes the trial takes longer than their estimate. It's very common for trials to continue late into the evening hours, especially when a jury is deliberating on a case.

Judges do a lot of work outside of the courtroom reviewing cases, researching case law and writing opinions. Greene County's judges also take turns being the on-call Duty Judge, available 24/7 for applications for search warrants, arrest warrants, requests to take juveniles into custody and other matters.

32. Why can't we do a night court?

A night court would not create any additional court capacity without also requiring additional judges and staff. If the State of Missouri would provide additional judges in the future, we will need to provide additional courtroom space. One option would be to consider doubling up court space by holding court at night. This would require additional security and other support. It would also affect staffing in the Prosecuting Attorney's and Public Defender's offices.

33. The Sheriff spends too much time patrolling State highways.

It is a common misconception that deputies spend all of their time patrolling the highways. Due to the large area deputies must cover, they use the main highways to respond as quickly as possible to calls for service. Deputies also work overtime on patrols, which are paid from grants funded by the Missouri Department of Transportation (MoDOT). Some of the MoDOT-funded patrols are specifically for highways.

34. Why don't we release more defendants on ankle bracelets?

Although releasing defendants utilizing ankle bracelets is less expensive than housing them in the jail, utilizing such a program would require additional Probationary Officers needed to manage, monitor, and supervise those released.

35. Springfield gets most of the money from the present sales tax. Why doesn't the County Commission renegotiate this agreement?

When the 1997 LEST was passed, the County signed agreements with all cities in the County. These agreements distributed funds to all County municipalities on the basis of their percentage of total County population. These agreements called for the distribution formula to be updated based upon the 2000 census and every five years thereafter. The distribution formula will be updated in 2012 to reflect the results of the 2010 decennial U.S. Census.

Beginning in 2012, the County will receive 37.5% of the funds, the City of Springfield 58.7%, with the remainder being distributed to the other cities on the basis of population.

The 1997 agreement with Springfield can be changed only with mutual agreement. This is not likely, since Springfield also spends more money on law enforcement than generated by their share of the LEST.

36. How can the Sheriff buy new cars and other equipment when you say you're out of money?

The vehicles and equipment that the Sheriff's Office utilizes is primarily acquired through

State and Federal grants. Greene County has not purchased new patrol cars for several years. The cars are either provided by grant funds or purchased with seized drug money. While income from drug seizures is not steady, it does provide a source for equipment and vehicles which we would otherwise not have.

37. If you are out of money, why does the Sheriff have a mounted posse?

The Sheriff's Posse is a non-profit organization which is separate from the Sheriff's Office. The Posse is funded 100% from private donations. Posse volunteers provide support to the citizens of Greene County and promote a positive outlook on law enforcement. They participate in children's classes, educational field trips and other events at the Valley Water Mill Equestrian Center. The Posse also assists with security at large events and search and rescue details.

Horses used for the children's horsemanship classes offered through the Springfield-Greene County Park Department at Valley Mill Equestrian Center and other events are all owned by the Posse volunteers. This saves a tremendous amount of money for the Equestrian Center, since the Park Board does not have to purchase horses for these programs.

38. Why does the Sheriff pay for the equestrian park?

The Sheriff's Office does not pay for the Equestrian Center. Through a partnership with the Springfield-Greene County Park Board, horses owned by the Posse are housed at the Equestrian Center and used for children's classes, field trips and other Equestrian center events. The Park Board reimburses the salary and benefits for a full time officer who is stationed at the Equestrian center to manage the educational programs and provide training.

39. Wouldn't it be cheaper/better to merge with the Springfield Police Department?

Though some operational efficiency could be attained, we know based upon prior mergers of the City and County Health Departments and the City and County 911 Dispatch Centers costs actually increase when departments are merged. This is primarily due to County employees being migrated to the higher pay scale of City employees. The primary key to efficiency is through cooperation to achieve a "functional consolidation." Examples of cooperative efforts between the Springfield Police Department and Greene County Sheriff's Office include: Firing Range, DWI Enforcement, Canine Services, Regional Training Center, Intelligence, Jail, Crime Lab, SRT/SWAT Teams, and public education campaigns.

These and other cooperative programs are outlined in more detail in the May 20, 2011 Memorandum from the Sheriff, Police Chief, City Manager and County Administrator to the Citizen's Law Enforcement Merger Study Group.

40. If the County has limited resources, how can they afford to build the new Public Safety Center?

The Public Safety Center (PSC) will house the Emergency Operations Center (EOC) and the 911 Emergency Call Center (ECC). The PSC is being funded from the following sources, all of which are designated and cannot be used for any other purposes, including County operations:

- Federal Grants from FEMA
- Technology Grants from the Department of Justice
- Greene County 911 Sales Tax

The remainder of funding for the Center will be made up from the retirement of existing bonds, funded through General Revenue, for the Judicial Courts building and the 800 Megahertz trunk radio system (TRS).

41. Are over \$700,000 in law enforcement funds being used to build the PSC?

No law enforcement funds have been or are being used to build the PSC. Some of the confusion results from the fact that funds currently being used to pay for the 800 MHz trunk radio system (TRS) will be used to pay in part for the bonds for the PSC when the TRS is fully paid for in 2016. The TRS is an expense of the 1997 LEST. However, the 1997 LEST operates and an annual deficit of about \$1.5 million, which is paid from General Revenue.

42. Wouldn't it be cheaper to contract with a private company run the jail?

Contracting with private companies has proven problematic in other jurisdictions. Companies which run jails for a profit are more inclined to cut standards, creating poor living conditions and providing lack of properly trained staff. Even if run by a private company, the County would still retain legal liability for its inmates, which is a formula for disaster. A nationwide study found assaults on guards by inmates occurred 49% more frequently in private facilities and assault by inmates on other inmates occurred 65% more frequently. Other states, including Illinois, New York and Louisiana have enacted laws banning the privatization of correctional facilities.

43. Can't we use more volunteer or reserve deputies?

Volunteers serve a valuable purpose in law enforcement by providing support services full time officers are unable to provide due to the number of calls for service and lack of adequate personnel. Commissioned reserve officers provide 20 hours of service per month and attend annual training while maintaining a full-time job. Prior to applying for a

non-paid position with the Greene County Sheriff's Office, reserve officers must possess a POST license, acquired at their own expense, typically costing about \$7,000.

Volunteers for the Citizens on Patrol [COP] unit must complete a selection process, including a background investigation and a forty-hour academy. COP volunteers may "observe and report" suspicious activity to patrol deputies and work predominantly in matters relating to crime prevention and office support.

There are approximately 180 civilian volunteers working in the Greene County Justice Center. Civilian volunteers provide support by conducting GED, substance abuse, domestic abuse, and anger management classes, and well as other activities. Civilian volunteers are not allowed to provide direct supervision of prisoners due to liability and training and scheduling limitations.

The Greene County Sheriff's Office current has two track and drug detection canines deployed to assist patrol officers. The significant associated costs—approximately \$30,000 for both canines—was generously provided by individuals and community organizations in Greene County. The two canines have been responsible for a substantial number of drug arrests, several success tracking tasks, and a few officer protection incidents.