

Decarcerate Kansas City!



Summary and
Findings of the
Jackson County Jail
Grand Jury Report



INTRODUCTION

In 2017, a Grand Jury was tasked with issuing a report on the conditions of the Jackson County Detention Center, which houses approximately 22,000 individuals per year. This pamphlet provides a summary and key points from the report.

“The majority of the inhabitants of the jail are being held while awaiting a trial. It is important to keep in mind that these individuals have not been convicted of a crime and are presumed innocent.”

The key findings from the report were that the jail was unclean, unsafe, overcrowded, and far too expensive for the frequently reported abysmal outcomes. A hazardous situation has been created and sustained by your taxpayer money.

The proposed solution is to build a completely new jail with higher capacity. This will greatly expand the incarcerated population in our community. The previous jail was expected to last 50 years, but we are over a decade short of that estimate and the jail has been facing capacity issues since it was built.

■ “If they build it, they will fill it.”

We are concerned about the well-being of fellow community members – mothers, fathers, friends, and neighbors – and have compiled and published this material in April 2019.

3%

of prisoners are screened
for health conditions
while incarcerated

40%

of prisoners have
a chronic medical
condition

FIRE SAFETY

The Jackson County Detention center faces a serious lack of emergency preparedness. It is a building that houses over 900 prisoners. The prisoners are held behind locked doors with no chance to escape in the event of a fire. They must rely upon prison staff to facilitate an evacuation in an understaffed facility. To make matters even worse, no live fire drill exercise has been performed at the facility since mid-2016. The only fire safety awareness training provided to the corrections staff is informal periodic quizzing performed by a lieutenant.

When the last fire drill was performed the grand jury found that it wasn't properly documented. The documentation that was available showed **poor results**. Many corrections officers had difficulty locating keys to allow the housed population out of their cells, and many inmates showed confusion about what to do or where to go.

The grand jury also found that fire extinguishers were infrequently checked. At the time of the grand jury inspection many fire extinguishers had not been checked in nearly a year, and many were nearing their expiration date.

This lack of preparation on the part of the Jackson County Detention center could mean a death sentence for hundreds of people – not to mention the danger posed to surrounding people and buildings.



CLOTHING AND BEDDING

Access to clean living conditions is necessary for all people to maintain a sense of humanity. This basic necessity is often violated in the Jackson County Detention Facility. The Grand Jury found that prisoners were given inadequate access to clean laundry, often only issuing clean clothes once per week. The report also found instances of individuals requesting new sheets and not receiving them for over four months, and when they were finally given to the resident they were already soiled and covered in dirt.

There are documented cases of poor access to a clean environment causing health problems. One person housed at the facility developed sores on their back from being forced to use a soiled mattress. They had requested it be replaced, but prison officials refused to act until the resident staged a hunger strike.

The report found that the lack of a clean and hygienic environment is not due to a lack of funds, but due to **incompetence** on behalf of the prison management.

At one point the report found that the prison spent 1.3 million dollars over six years on cleaning supplies and attempted to organize residents into cleaning crews. Additionally the facility receives over \$200,000 per year for the cleaning crews. However, testimony given from inmates shows that when they request cleaning supplies it takes them weeks to get them or they never receive supplies at all.



**“FROM JUNE 20TH THROUGH
AND INCLUDING AUGUST 7TH,
I DIDN'T RECEIVE ANY
CLEAN LINEN.**

**ON AUGUST 12TH,
I WENT ON A FOOD STRIKE
AND GOT ATTENTION. I NEEDED
TO RECEIVE CLEAN SHEETS.**

**I HAD LARGE BUMPS ON
MY BACK I FELT FROM NOT
BEING CLEAN.”**

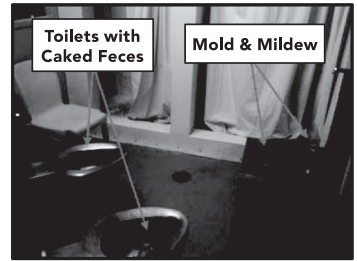
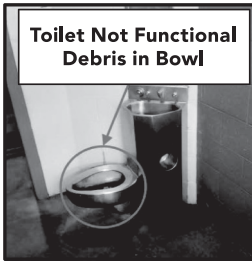
**TESTIMONY FROM A JACKSON
COUNTY JAIL PRISONER**

In 2017 an audit of the prison found that many residents had received mattresses that were unable to be sanitized. In response jail officials “found” a stash of unopened, unused mattresses in a warehouse belonging to the corrections facility. This shows a lack of management as well as concern for the population which the staff houses.

The development of health conditions not only expose a cruel and inhumane system, but creates an additional expense for the taxpayers when the medical expenses must be paid.

TOILETS AND OTHER PLUMBING ISSUES

At the time of the Grand Jury Report, it was found that the jail had serious ongoing maintenance issues related to sanitation. It was found that there were broken toilets in cells, some of which were still in use out of necessity. The grand jury found many extremely dirty toilets, often caked with feces creating a potential breeding ground for E. Coli, cholera, and other waste-related diseases.



The report also found showers and faucets that leaked and were full of mold and mildew. Clogged drains along with leaks made water flow out into living spaces where it was allowed to become stagnant. The jurors also found filthy water fountains contaminated with debris. Consistently, residents have been complaining to staff about unsanitary living conditions. They requested cleaning products to take care of the issues themselves, but the products were not provided to them.

There is documentation showing that this has been an ongoing problem at this facility. Documents show that cleanliness was a major concern in 2007. In 2017 an audit found a severe lack of sanitation.

The 2017 Grand Jury found that the extreme lack of cleanliness to be inhumane. All human beings are deserving of a clean, hygienic environment.

Why Do
I Care?

Lack of cleanliness not only increases the chance people housed at the facility will become sick, but creates a **public health concern** as people are cycled in and out of the detention center.

BUDGET AND FUNDING

MISMANAGEMENT

Setting aside the numbers budgeted for the Jail, the amount of money actually spent by the Jail in recent years illustrates a troubling pattern: a failure to plan. This has resulted in more of a “plan for failure” as the Jail consistently spends more than its official budget; a practice disallowed by all other facets of County Government.

Jackson County Jail Administration appears to have a culture of evading accountability for the conditions within the jail. The County Executive, Frank White, had agreed it was his legal responsibility to manage the Jail but claimed at the same time that “Legislature really makes most of the decisions.”

OPERATIONAL ISSUES

There were multiple instances of mismanagement from the jail administration, including multiple cases of authorizing emergency transfers of just under \$10,000, which does not require Legislative oversight. There were also cases of inaction upon receiving requested funds. For example, a request for kitchen repairs was approved, but after 90 days of inaction by the Jail, the bid to make the repairs had expired.

**Emergency transfers from the
county’s budget to the jail’s budget under \$10,000,
do NOT require Legislative oversight.**

With no maintenance records kept at the Jackson County Jail we can only identify the amount of money spent for housekeeping. In the period between 2010-2016, the Jail budgeted nearly \$190,000 annually (the same budget later states a total \$1,600,000 per year?) for cleaning supplies. It's unknown what happened to the cleaning supplies. The cost of operations increased with the expansion of the prisoner populations.

The Jackson County Chief of Staff agreed with the County’s 2015 Task Force report’s statement that the budget increased. The response he provided either directly ignored or evaded the question to support the Administration’s argument that the Jail is underfunded.

BUDGET AND FUNDING, CONTINUED

A lack of budget accountability was built into the operation of the Jackson County Jail. There's been a "plan for failure" and not a "failure to plan" in their mass incarceration business model.

The passing of the buck from Jackson County Jail Chief Operating Officer and the Jackson County's Administration Chief of Staff is a loophole for neither office to accept responsibility. This has resulted in the Jail's unaccountable **loss of millions of dollars.**

The Chief of Staff was generally aware of issues regarding the Jail and budgetary appropriations that were impacting the Jail's success and its ability to manage its operations. But it was only until several high-profile security leaks connected to rape, murder, and suicide came out that the County Executive and Chief of Staff appeared to take notice.

COST OF CARE PER INMATE PER DAY IS \$100 DOLLARS+, YET THE COUNTY UNDERBIDS KC POLICE DEPARTMENT, ONLY ASKING FOR \$55 PER DAY PER INMATE. WE ARE NOT COMODITIES TO BE TRADED, ESPECIALLY AT THE BOTTOM-DOLLAR RATE.

Why Do I Care?

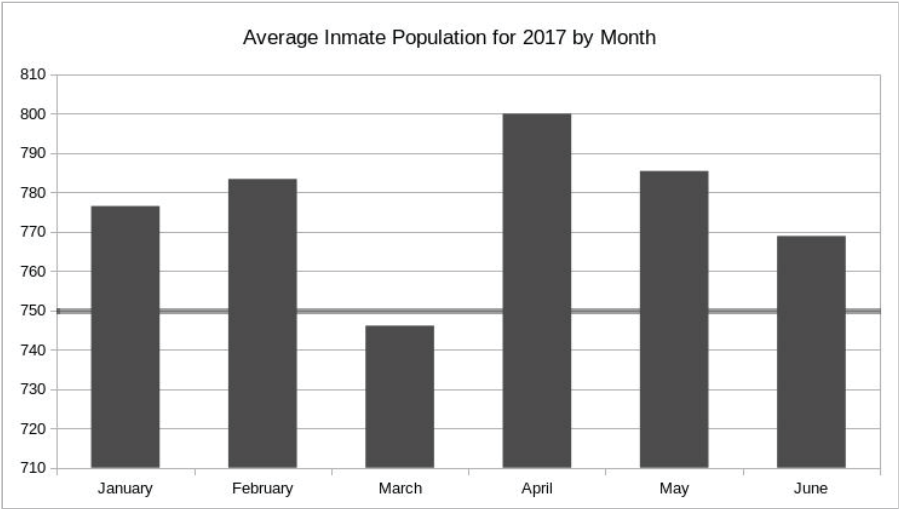
The budget for the county jail is approved by publicly elected officials and is composed entirely of public funds. It is our responsibility to hold public officials accountable for the operation of the jail and their management of its public funding.

CONTINUAL BUDGET INCREASES

The poor conditions of the jail have been explained by claims of an insufficient budget, but in reality, the Jail’s adopted budget has increased by over 40% since 2010 and currently stands at \$28,802,753. In 2017 and 2018, despite ongoing troubling conditions at the Jail, the County Executive did not veto any portion of the budget related to the Jail passed by the Legislature.

Since 2010, the Jail has spent a minimum of \$1.6 million dollars per year on maintenance, yet the Jail’s interior continues to deteriorate. The Jail also budgeted nearly \$190,000 annually for cleaning supplies, yet the facilities continue to have numerous cleanliness and safety issues. Since 2014, the Jail has spent more than its actual budget in every fiscal year.

In 2016 alone, the County was forced to transfer \$2.4 million to cover overtime, making a total expenditure of \$3.7 million for salaries. A typical explanation of the increase in overtime is overcrowding, but in 2016, \$600,000 more was spent on overtime than the previous year, yet the average daily population only increased by 2% (a little over 20 inmates).



Graph of average inmate population for the first half of 2017 with the official maximum capacity (750) highlighted. See the Our Key Findings page for more.

CAPACITY ISSUES

THE MISDEMEANOR SYSTEM

The misdemeanor system has always exceeded its core purpose of crime control and always reached into the outer corners of social control and social regulation. The misdemeanor system has ballooned to encompass all kinds of other things: unpaid parking tickets, not having car insurance, tools for police to engage in order-maintenance regulation (order-maintenance regulation is the idea that crime is prevented by cracking down on graffiti, loitering, jaywalking, etc.) of high crime and target poor neighborhoods of color; to enforce entrenchment boundaries; to collect information; to meet performance metrics in their own department.

HOW HAS THIS SYSTEM PLAYED INTO THE CRIMINALIZATION OF RACE?

KCPD sweep people of color into the criminal system with a first order-maintenance arrest. Often these offenses are not harmful, or morally wrong, but the misdemeanor system does this work of criminalizing based on race. Looking carefully at the misdemeanor system shows exactly how it works.

"From the 1960s through the 1990s, homicide trends in Kansas City mirrored the rest of the country. Nationwide, particularly in the 1980s, drugs fueled higher homicide rates nationally. While homicide rates nationwide and in Kansas City have both gone down since the 1990s, Kansas City lags behind. Instead of being three times the national rate, it's closer to **4½ times.**"



“THE CRIMINAL SYSTEM
DOESN'T JUST GO AFTER
CRIMINALS, IT MAKES
AND DEFINES CRIMINALS.”



Low-level policing concentrated in low-income communities of color will impose criminal marks on people of color, predominately African-American or Black men. Once marked, individuals in our communities are flagged by the criminal system in ways that will affect future encounters with the criminal system.

The system is responding to its own conclusions about where to police, who to stop-and-frisk, and who to arrest in ways that then determine the criminal system's own decisions about what is a high-crime neighborhood, what is a high-crime population, who is suspicious, and who looks like a criminal.

To operate a jail safely and securely it has to be specifically at or under the level of operational capacity. According to the Bureau of Justice this is defined as “The number of inmates that can be accommodated based on a facility's staff, existing programs, and services.” The reason that operating within the means of operational capacity is important is for safety. An example; if there is an infectious disease outbreak in the prison you need to be able to promptly separate the prisoners. The current issue of prisons being overpopulated could potentially make for a dangerous situation.

GRAND JURY KEY FINDINGS

GRAND JURY OVERALL RECOMMENDATIONS

Jail officials need to take accountability for the operation of the jail rather than inaction and finger-pointing. The administration needs to come up with a funding plan for the next 5 years and for the new jail after that. Additionally, the management of the Jail must be addressed to ensure that we do not carry endemic practices into a new facility. There needs to be the establishment of action plans to monitor progress on issues such as funding, cleanliness, and maintenance.

FUNDING ISSUES

The County Government is urged to review and, where necessary, enact financial policies that allow for transparent oversight and timely reporting of all funds, even discretionary funds. There also needs to be an intentional staffing plan for recruitment and consideration of utilizing private contractors.

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CLEANLINESS

After an initial remediation project, a protocol must be put in place to ensure that cells are regularly inspected and that inmates receive clean laundry and clothing. A citizen oversight committee should be put in place and the public should also receive updates and status reports on the repairs they have paid for.

SAFETY AND SECURITY

The Jail should immediately explore all available options for rehearsing and planning the evacuation of the Jail. In addition, there should be documented regular testing of the fire suppression systems and sprinklers.

We find all of these findings insufficient, see Our Key Findings >>

OVERCROWDING

Overcrowding should not be simply accepted. First, the Jail should work to understand this problem. This means that the Jail's data issues must be corrected so that reliable information can be extracted about who is in the Jail, what they are charged with, and how long have they stayed.

OUNTY JAIL

FINAL CONCLUSION

Our final recommendation is that the Court convene another Grand Jury 1 year after the filing of this report to determine if necessary improvements have been made to the conditions of the Jail and the treatment of inmates. Based on the historic population needs of this County, it is clear that we need a larger facility to safely and securely house inmates in the interest of our public safety.

OUR KEY FINDINGS

The aims of the recommendations from the official report, such as addressing overcrowding and rising budgets, can be accomplished by structural changes that reduce harm in our communities at the same time. We need the hours our city and county governments conduct business to be weighted toward the **evening and weekend**, so we can advocate for ourselves.

To reduce the jail population, we must **end cash bail and pre-trial detention**. Mental health interventions should be handled by community resources without resorting to the formal carceral system. Misdemeanors charges should be held accountable through a **restorative justice program**, such as pairing a vandalism charge with a community beautification effort, but this should also not involve the carceral system.

Instead of leaving power with an unaccountable police force, accountability should be handled by members of the same community. **Parole boards** should also be handled by a community board, as opposed to our current board full of political appointments.

The resources saved by massively reducing the jail population at the Jackson County Jail should then be placed into more productive avenues, such as funding for **education, mental health services**, and **community programs**.

THERE IS
NO SUCH
THING AS AN
“ETHICAL PRISON”.





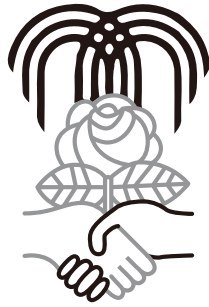
In order for the U.S. to get to an average incarceration rate as the rest of the world, we would have to release **80%** of incarcerated people.

People who live in the U.S. are not more inherently criminal than people in other countries, but our government creates more categories of “criminality” and thus the state creates more “criminals”.

We will continue to fill and surpass jail occupancy **no matter how many jails we build**. The continual use of our local population as a revenue stream will continue to cause this and future jails to prematurely deteriorate.

HOK performed an assessment of the current facility and recommended a new \$180 million facility. It is a conflict of interest for HOK to recommend a new jail and then participate and profit off any new project. HOK is the largest engineering/architecture firm in the U.S. and has an office in the crossroads neighborhood of Kansas City, Missouri (HOK had an estimated 2018 revenue of \$465 million). They directly profit off of mass incarceration and the prison industrial complex – incarcerating adults and children. Their website boasts of having built 100,000 beds in their detention and incarceration facilities.

We say NO to corporations and the state criminalizing us for profit! We say NO to a new jail in Jackson County!



Democratic Socialists of America (DSA) is the largest socialist organization in the United States. We are activists committed to democracy as not simply one of our political values but our means of restructuring society. Our vision is of a society in which people have a real voice in the choices and relationships that affect the entirety of our lives. We call this vision democratic socialism – a vision of a more free, democratic and humane society.

The Kansas City chapter of DSA held it's first meeting in January 2017. Since then, we've been building a local, socialist community that works toward the liberation of all people. We are feminist, anti-capitalist and anti-fascist.

Currently, our local active committees are:

- Medicare-for-All
- Prison Abolition
- Marx Reading Group



KANSASCITYDSA.ORG

KANSAS CITY DSA

P.O. Box 414304

Kansas City, MO 64141

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