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Subject: Notification of Jail Population Issues

All,

As Sheriff, it is my responsibility to keep the county stakeholders informed of issues and events occurring in the Monroe County Jail. Over the past few weeks, the total inmate population of our facility has rapidly increased, peaking at 275 on January 22, 2024, with a secure bed count at 239. The private settlement agreement (PSA) with the ACLU requires that I take steps outlined in the PSA to facilitate a reduction of the jail population with other stakeholders when the population for available security beds reaches 244. Per the terms of the PSA, the inmate population of arrestees in the detoxification units or inmate workers are not included in the count which sets the population for security beds at 248. As we have implemented changes to improve the constitutionally required safety of the jail, it has become increasingly apparent to me the rationale to determine the security bed count, while possibly appropriate at the time, does not align with current expectations and requirements.

Prior to 2023, inmates housed in the security beds were normally placed where a bed was open, without sufficient attention to special security, medical or safety needs. For example, sex offenders, severely mentally ill, keep separate inmates, protective custody, administrative/disciplinary housing, etc. were not routinely separated by housing block but were instead included within the general population of the facility and placed in "lockdown" for twenty-three (23) hours per day. In keeping with the best practices of operating a safer and constitutionally defensible facility, we have departed from these previous housing practices. Currently, at-risk and/or predatory inmates are segregated into specific and separate housing units and are not comingled in the general population. As a result, this has had the effect of lowering the available security beds in the facility. For example, in Block J, one of the housing units for the severely mental ill, there are 32 security beds. We currently have 21 inmates housed in that particular block. For safety reasons, we do not house these inmates with the general population, nor do we house general population eligible inmates there. The need to protect these vulnerable individuals has the effect of the remaining 11 security beds in Block J to remain vacant and unavailable for application to the 244 count in the PSA. This method of housing for the safety of special needs inmates is repeated throughout the facility, albeit for equally important concerns: sex offenders, security classifications, keep separate inmates, protective custody, administrative/disciplinary housing, etc.

Following these safety protocols and practices has, in reality, reduced the security beds in our facility to a much lower number than that described in the PSA. I would place the accurate number at approximately 215. As our population has swelled to 275 in just a short period, with only 215 actual security beds available, we now have inmates assembled in our general population blocks sleeping on mat boats on the floor. We also have an acute shortage of clothing, sleeping mats and blankets. Additionally, our intake holding and detoxification cells are housing multiple inmates for extended periods, a situation we have put serious effort into eliminating as serious altercations occur in these close quarters.

The housing situation at the Monroe County Jail has quickly manifested itself into untenable consequences. Just this past weekend, our staff responded to six (6) altercations between inmates which resulted in serious injuries, including hospitalization for three (3) of them. The injuries included a fractured jaw/dislodged teeth, fractured orbital/concussion and a fractured hand. One of these inmates attempted suicide upon returning to the jail from the hospital; however, our professional staff intervened and achieved a positive outcome. We should all know with near certainty when the population of a jail increases and becomes near or over its capacity, danger to the staff and residents also increases accordingly.

Regarding the population of the Monroe County Jail, it is an unfortunate truth that many of our residents are incarcerated for violent and high-level felony crimes and are a danger to public safety. Many times, release may not be a viable option. The PSA also delineates trigger point where I, as Sheriff, will contact other Indiana facilities to house Monroe County inmates; however, these points are based upon the facility operations of the past rather than those implemented and described above as safety mechanisms. My recommendations to alleviate the current challenges at our facility are enumerated below:

- Currently, the line item for Fund #1175, Account #31380, Inmate Off-Site Housing is three thousand (\$3,000.00.) I am requesting the County Council immediately provide an additional appropriation of thirty thousand (\$30,000.00) to allow the Jail Commander and I the ability to immediately transfer inmates to other Indiana facilities for housing on a per diem basis when the population for the available “security beds” in the Monroe County Jail exceeds 215. As recently demonstrated, the inmate population can fluctuate rapidly and unpredictably. The current allocation of three thousand (\$3,000.00) could easily be depleted in a matter of days depending on the number of inmates transferred for off-site housing. The additional appropriation would give us the ability to act quickly and provide flexibility as housing needs evolve. As an example, the additional appropriation of thirty thousand (\$30,000.00) would allow the ability to house approximately thirty (30) inmates off-site for thirty (30) days. The number of inmates to be housed and the duration of housing will be very fluid and dependent upon the population of the jail at any given time. Jail Commander Gibbons will monitor the need and use of this fund regularly to determine if and when additional appropriations are needed.
- When the population for the available “security beds” in the Monroe County Jail declines below 215 for five (5) consecutive days, the Jail Commander will make arrangements to return the appropriate number of Monroe County inmates to our facility, provided we do not exceed the “security bed” limit of 215.

- My staff and I, along with the Monroe County Legal Office, will begin dialogue with Mr. Ken Faulk of the ACLU of Indiana to discuss the issues brought forth in the communication to realistically define the number of available “security beds” to 215 as aligned with the current housing practices and policies of the Monroe County Jail.

I understand the issues I have brought forth are not easily defeated and have a fiscal impact on the county budget; however, I strongly feel it is my responsibility to be transparent with each of you to ensure you are informed as to the matters of concern in the Monroe County Jail. It would be reckless and disrespectful of me to place any of you in a position where you are not able to respond to a constituent with facts. While each of us have our own unique roles to serve those who placed faith in us by electing us to our positions, we all serve a common purpose. That purpose is to improve the daily lives of every resident of Monroe County, including those incarcerated or working in the Monroe County Jail.

Respectfully,
Ruben Martí, Sheriff