

May 16, 2023

Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, NY 14202

Re: Needs Assessment for Alternatives to a New Jail

Dear Honorable Members:

Thank you for amending a provision to spend \$2.5 million on new jail preconstruction, to instead commission a feasibility study and needs assessment to see whether Erie County actually needs a new jail, and to withhold \$1.75 million of the \$2.5 million until these studies are complete. It is a significant step toward better public policy.

We are gratified that you mandated community involvement in the needs assessment and write to strongly recommend that (1) the needs assessment precede the feasibility study, and that they be kept entirely separate, and (2) that the community participate in drafting RFPs and selecting vendors for the needs assessment.

**THE NEEDS ASSESSMENT SHOULD PRECEDE THE ENTIRELY SEPARATE
FEASIBILITY STUDY**

. You answered the community's plea to consider alternatives to a new jail with your amendment to the \$2.5 million spending provision. In contrast, the purpose of a feasibility study is to assess the facility needs and options in both jails, and the feasibility of a new jail. If the needs assessment concludes Erie County can ameliorate the problems that have plagued our jails for decades without building a new jail, a feasibility study will be moot. Thus, the needs assessment should precede the feasibility study.

Given the distinct purposes of the needs assessment and feasibility study, we ask that they be kept entirely separate. The needs assessment will view the myriad of problems at our jails through a wide lens. It should identify gaps between current conditions and goals, such as community safety and fairness. Thus, it will investigate the social policies that directly impact our community but are underfunded, under resourced, or just absent. The vendor for the needs assessment will require a strong background in social science research methods, community engagement, and criminal justice policy; an entirely different set of skills than is required for the feasibility study.

The feasibility study assessment will require a vendor with experience in the construction industry and facilities management. If the feasibility study and needs assessment are rolled into one RFP, one or the other will be severely short-changed.

A study under the sole control of the Sheriff's Office would result in a recommendation for a new jail, which would be plagued with the same problems that have persisted for decades and continue today. A new building will not address the root causes of why people enter the jails, nor the current culture in the jails. We already know that many people who are in the holding center need mental and behavioral health support. A separate needs assessment will allow the county to get clearer on the needs of community members and steps the county can take to mitigate both entry into the jails and recidivism.

THE COMMUNITY MUST BE INVOLVED WITH RFPs FOR THE NEEDS ASSESSMENT

We understand that the department that is the "beneficiary" of the study writes the request for proposals, since RFPs typically reflect the strategy and objectives of the service requested and provide insight upon which suppliers will be able to offer a matching perspective. As is implicit from your amendment to the spending provision, the beneficiary of the needs assessment is the community. It was the community that came together to advocate for a needs assessment. If left to the Sheriff's Office, the Legislature would have approved spending \$2.5 million for architectural renderings and land acquisition, and the County would be well on the road to spending another \$200 million to build a new jail. It follows then, that if the Sheriff's office has total control over the needs assessment and feasibility study, the RFP and chosen vendor will reflect the Sheriff's goal of building a new jail. Instead, the Legislature's amendments allow for community engagement in the needs assessment, which should begin at the outset. As the beneficiary of the needs assessment, the community must have a hand in writing the RFP.

We demand that the Corrections Specialist Advisory Board act as the community entity that provides guidance and consultation for the needs assessment process. The Corrections Specialist Advisory Board must consist of current board members as well as 3 additional community members as endorsed by the No New Jails Roundtable. The role of the board includes (but is not limited to): co-writing the RFP; Vetting, scoring, and selecting community organizations that can conduct and report out findings of the needs assessment; Consulting on the comprehensive focal areas, metrics and outcomes of the needs assessment; Provide routine consultation and guidance during the planning, data collection, and data analysis for needs assessment.

If the scoring committee consists solely of representatives of the ECSO, and the County Executive, plus maybe public works, the results would reflect their objective: to minimize the need for alternatives to a jail and put us on the road to construction of a new jail. Thus, we implore you to use your influence to include the Corrections Specialists Advisory Board throughout the RFP process and on the scoring committee.

Signed,

#HALTSolitary
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National Lawyers Guild - Buffalo chapter
Partnership for the Public Good
Prisoners are People Too, Inc.
Pushing Latinos Forward
Safe Home Re-entry, Inc.
Showing Up for Racial Justice
VOICE Buffalo
WNY Peace Center