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TO: Senator Marc Basnight
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Senator John J. Snow, Jr.

FROM: Theodis Beck, Secretary *TB*
Department of Correction

George Sweat, Secretary *GS*
Department of Juvenile Justice and Delinquency Prevention

RE: Proposal for Joint Use of Swannanoa Property/Adult Female Correctional
Facility and Juvenile Youth Development Center (S.L. 2006-66, Section
16.8)

DATE: November 14, 2006

Pursuant to Section 16.8 of Session Law 2006-66, the Department of Correction and the Department of Juvenile Justice and Delinquency Prevention submit this joint report regarding the Proposal for Joint Use of Swannanoa Property.

Staff members from both agencies are available if additional information is requested.

TL/jk

cc: Jim Mills
Sheryl Stephens

**PROPOSAL FOR JOINT USE OF SWANNANOA
PROPERTY: ADULT FEMALE CORRECTIONAL
FACILITY AND JUVENILE YOUTH
DEVELOPMENT CENTER**

November 14, 2006

North Carolina Department of Correction
Theodis Beck, Secretary

**North Carolina Department of Juvenile Justice and Delinquency
Prevention**
George L. Sweat, Secretary

Session Law 2006-66, Section 16.8

PROPOSAL FOR JOINT USE OF SWANNANOVA PROPERTY/ADULT FEMALE CORRECTIONAL FACILITY AND JUVENILE YOUTH DEVELOPMENT CENTER

SECTION 16.8. The Department of Correction and the Department of Juvenile Justice and Delinquency Prevention shall prepare a joint report regarding the proposed joint use by both departments of the Swannanoa property currently used to operate the Swannanoa Valley Youth Development Center. The report shall evaluate the feasibility of using that property for both of the following: (i) to establish an adult female correctional center and (ii) to continue to operate a juvenile youth development center.

The report shall be submitted to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee by November 10, 2006. The report shall include all of the following: the total costs for the project over a five-year period, including operating costs, repair and renovation costs, and the anticipated source of funding for those costs; the number and type of positions to be transferred from the Department of Juvenile Justice and Delinquency Prevention to the Department of Correction for the project; and the plan to employ existing Swannanoa Valley Youth Development Center employees by the Department of Correction. The Department of Correction shall also report on the plan for transferring employees from the Black Mountain Correctional Center to the proposed new correctional center at Swannanoa.

There shall be no transfer of any property or positions between agencies prior to consultation with the Joint Legislative Commission on Governmental Operations and the receipt of the report that is to be submitted in accordance with this section.

Introduction

The North Carolina Department of Correction (DOC) and the Department of Juvenile Justice and Delinquency Prevention (DJJDP) are exploring joint use of the Swannanoa Valley Youth Development Center (SVYDC) campus. Under the proposed plan, DJJDP will continue to operate the southern part of the campus as a youth development center for male juvenile offenders. DOC in turn will move its operations from Black Mountain Correctional Center for Women to Swannanoa and operate the northern part of the SVYDC campus as a prison facility for adult females.

The long-term goal of both departments is to effect a complete transition of the Swannanoa Valley campus to DOC. This transition will be a gradual process involving the transfer of property and positions between the two departments; renovation and repair of existing buildings on the SVYDC campus; and the proposed building of a 32-bed youth development campus on available campus land at SVYDC or another suitable location in Western North Carolina. Once the transition is complete, DOC will house approximately 454 inmates at the Swannanoa campus and employ nearly 200 employees. DJJDP will employ approximately a staff of 66 at the youth development center. This report will address the specific plan for transition of the Swannanoa campus to DOC and attendant issues such as costs, funding sources, staffing and capacity needs.

Description of Current Facilities

Black Mountain Correctional Center for Women

Black Mountain Correctional Center for Women (BMCCW) is a minimum-security prison for women located near Black Mountain. Located on a seven-acre tract, the facility has a maximum capacity of 80 inmates and employs a staff of 35.

Since it opened in 1986, Black Mountain has enjoyed strong ties with the local community. The prison has a community work squad that performs short-term projects for local governments. Since 1992, inmate volunteers have worked with churches and community volunteers to renovate a home each year in Black Mountain as a community service project. Inmate trainers help make rescued dogs more adoptable by teaching them basic obedience and socialization skills through A New Leash on Life, a program that unites prisons, local animal rescue agencies and community groups to help promote adoption of unwanted pets.

Inmates at Black Mountain also participate in a host of programs and activities. They can participate in work release or may be assigned to perform maintenance or kitchen duties at the facility. Asheville-Buncombe Technical Community College offers GED courses and courses in survival skills training and job skills. Approximately 400 community volunteers provide additional services such as counseling, substance abuse education and spiritual programs.

Swannanoa Valley Youth Development Center

Swannanoa Valley Youth Development Center, which opened in 1961, provides custody and treatment to adjudicated male juveniles ranging in age from 10 to 18. Located approximately three miles west of the Black Mountain Correctional Center for Women, the total property consists of approximately 153 acres. There are currently 143 employees.

The facility was originally established during World War II as a Veterans Hospital. In 1961, the facility was turned over to the State of North Carolina and opened as a Juvenile Evaluation Center. During the 1970's, several new housing structures and a school were built on the property. In the late 1990's the facility changed its name to Swannanoa Valley Youth Development Center and began housing juvenile males.

For the past few years, Swannanoa Valley YDC has had a partnership with Asheville-Buncombe Technical Community College which has contributed to success for students in the GED program and allowed for expanded programming. The partnership also has produced a continuing education program in industrial maintenance. Swannanoa Valley's education program operates in such a way that treatment programs are integrated into the school day. Each student follows a Scholastic Development Plan and a service plan that is directed by a multi-disciplinary team, including the student and his parent or guardian. In addition to the state standard course of study and the GED, students have the opportunity to explore keyboarding and computer technology, horticulture, home arts and independent living.

Changing Numbers, Changing Needs

North Carolina Department of Correction

As of June 30, 2006, the Department of Correction housed 2,693 female inmates or approximately seven percent of the total inmate population. Since June 30, 2001, the female population has increased by 31 percent. The Department of Correction's Office of Research and Planning estimates that the female prison population will top 3,200 by 2015. Based on these projections, the female population will exceed available bed space by more than 500 in 2015, with the greatest deficits seen in minimum and medium-custody beds.

To meet the growing needs of the female prison population, the North Carolina Department of Correction (DOC) operates seven state prison facilities for women: Black Mountain Correctional Center for Women, Fountain Correctional Center, Raleigh Correctional Center for Women, North Carolina Correctional Institution for Women, North Piedmont Correctional Center for Women, Southern Correctional Institution and Wilmington Residential Facility for Women. In addition, DOC contracts with two private nonprofit facilities to provide housing and programming for female offenders: Mary Frances Center and Energy Committed to Offenders (ECO).

Black Mountain is the one of the state's smallest state-operated female facilities, with a capacity of 80 inmates. Once DOC moves its operations to the Swannanoa campus, DOC will be able to increase the female population in Buncombe County from 80 inmates up to 166 and eventually to expand to a maximum of 454 inmates. The transition will allow DOC to meet projected capacity needs for the female population while avoiding the costs associated with building a new prison facility. In addition, the expanded presence in Buncombe County will allow DOC to house many inmates closer to their homes in the Western part of the State. Finally, the transition will allow DOC to tap into a long-established base of dedicated volunteers and strong relationships with neighboring community agencies and organizations.

Swannanoa Valley Youth Development Center

The number of juveniles committed to youth development centers has declined steadily since 1998. In 1998, 1,360 juveniles were committed to youth development centers in North Carolina. By 2005, the number of commitments had dropped to 428, less than one-third of the 1998 population. The decline in the number of commitments is based on two primary contributing factors: reforms to the juvenile code enacted in 1998 and DJJDP's successful efforts in preventing juvenile delinquency.

The Juvenile Justice Reform Act (the Act), S.L. 1998-202, represented the first complete review and revision of the state's juvenile laws since 1979. Prior to the Act, the juvenile code's criteria for commitment required only that a juvenile be adjudicated for offenses that constitute a threat to persons or property and that all community resources be exhausted prior to commitment. Effective July 1, 1999, the reformed juvenile code required that commitments be limited to juveniles who had committed violent offenses (Class A-E felonies) or serious offenses (Class F-I felonies, A1 misdemeanors) with a significant number of prior adjudications (delinquency history) or four or more prior adjudications for misdemeanor offenses. The new code reduced the pool of juveniles in the juvenile court system that might be committed. Consequently, the number of commitments began to decline in 1999.

DJJDP's efforts to prevent juvenile delinquency also have contributed to the decline in the number of juvenile commitments since 1999. Since its establishment in 2000, DJJDP has supported the code reforms by emphasizing a community-oriented juvenile justice system. Critical elements of that system include strong support for community programs, early intervention and treatment for delinquent behavior and a move toward smaller, community-connected facilities that allow juveniles to have closer ties with their home communities.

The code reforms, coupled with DJJDP's community-oriented approach to juvenile justice, have reduced the number of juveniles committed to youth development centers across the state, including Swannanoa. In 2000, the average daily population at Swannanoa was 246; in 2006, the average daily population is 59. Joint use of the Swannanoa facility with DOC will allow DJJDP to maintain sufficient housing capacity for committed juveniles with ties to Western North Carolina, while allowing unused resources on the campus to be applied to other pressing state needs.

The Transition Plan

The long-term goal is to effect a gradual, but complete transition of the Swannanoa campus from DJJDP to DOC. In the final phase of the transition, DJJDP will vacate the Swannanoa campus completely and grant sole control of the entire Swannanoa campus to DOC to operate as an adult prison facility. The transition is to be effected in three phases as set forth below.

Phase 1: Joint Use

During Phase 1 of the transition, the campus will be divided into two separate areas. DJJDP will continue to operate a youth development center (YDC) for male juvenile offenders on the south side of campus. DOC, in turn, will move all operations from the Black Mountain Correctional Center for Women to the north side of the Swannanoa Campus. DOC will provide maintenance for the entire Swannanoa campus, including the portion controlled by DJJDP. After DOC

completes necessary renovations to the Swannanoa kitchen facility, DOC also will provide food service for both agencies; DJJDP and DOC are in the process of negotiating the contractual terms of the food service agreement. The agencies also are in the process of deciding the most efficient way to divide shared operational costs such as utilities, water, sewer, pest control and waste disposal.

To implement Phase 1 of the transition, DJJDP will transfer the northern part of the campus to DOC. The tract that will be transferred generally includes the property north of Third Street. The transfer will be effected upon satisfaction of the consultation requirement mandated by Section 16.8 of S.L. 2006-66. After the transfer is completed, DJJDP will have the right to continued occupation of the property through June 30, 2007.

DJJDP will move from the northern part of the campus by no later than June 30, 2007, and move all male juveniles into Sweatt Cottage. DJJDP will maintain control of Sweatt Cottage, the school, the gym and the Arledge Building for use as a YDC. DJJDP will be responsible for any renovation and repairs to these buildings that are necessary to meet DJJDP's needs. The YDC will house 48 male juveniles with a staff of 96.

After DJJDP and DOC receive authorization to proceed to the transition plan, DOC will begin construction of a double fence that will provide sight and sound separation between the young male and adult female populations as required by the Juvenile Justice and Delinquency Prevention Act. In compliance with this Act, DOC expects to begin construction of the fence in January 2007; completion of the fence will take approximately seven months. Once the fence is erected, DOC will begin renovation and repair of the buildings that will be under DOC's management and control: Sloop and Greenwood, the cafeteria, chapel and vocational building. The repairs and renovations required for initial occupancy will take approximately 3 months. Upon completion of these initial repairs, DOC will move the inmate population from Black Mountain to the Swannanoa campus. DOC will continue to make additional required renovation and repair after initial occupancy in order to accommodate a maximum capacity of 166 with a staff of 76.

To increase DOC's staff to 76, DJJDP will transfer 41 positions to DOC, effective July 1, 2007. DOC will reallocate those 41 positions to meet the following staffing needs:

- 22 correctional officers
- 2 office assistants IV
- 1 facility maintenance supervisor IV
- 1 HVAC mechanic
- 1 maintenance mechanic IV
- 1 grounds supervisor
- 1 correctional food service manager I
- 3 correctional food service officers
- 2 licensed practical nurses
- 1 correctional program director I
- 1 correctional program supervisor
- 2 correctional case managers
- 1 social worker II
- 1 substance abuse supervisor
- 1 substance abuse counselor

DJJDP's transfer of positions will affect 41 employees in six job classes: 26 counselor techs; 5 food service positions; 2 recreation workers; 2 office support positions; 1 social worker III; and 5

maintenance positions. The plan for transfer will impact employees in the affected positions as set forth below:

26 Counselor Tech Positions + 2 Recreation Worker Positions

DJJDP will seek volunteers from the youth service counselor technicians and other related occupational classes to apply for 22 positions as correctional officers or two case manager positions at DOC. Those who volunteer will begin the pre-employment process. If they meet the pre-employment requirements, they will be offered employment at DOC. If they accept employment at DOC, they will sign a letter of voluntary reassignment acknowledging they are not entitled to RIF rights. All DJJDP employees accepting DOC certified positions will be required to meet DOC certification requirements; if they fail to meet these requirements, they will be separated from DOC employment and will not be entitled to RIF rights.

If enough employees do not volunteer, DJJDP will identify the junior employees (based on total state service) in the classes slated for transfer and will give those employees official notice of reduction in force. At the same time, DJJDP will advise the employees of job opportunities at DOC. Employees who choose to seek employment with DOC will begin the pre-employment process. If they meet the pre-employment requirements, they will be offered employment at DOC and will be required to meet DOC certification requirements; if they fail to meet these requirements, they will be separated and will not be entitled to RIF rights.

For those employees who do not choose to pursue reassignment or do not meet DOC pre-employment requirements, DJJDP will inform them of imminent separation from employment and reduction in force rights within a minimum of 30 days prior July 1, 2007.

Office Support Positions

DJJDP plans to transfer to DOC two clerical positions/employees at pay grade 59. Because DOC will hire these employees at the same pay grade, the employees in these positions will not be entitled to RIF rights.

Social Worker

DJJDP plans to transfer one Social Worker III position to DOC to be reallocated to a Social Worker II position. DJJDP will seek a volunteer for the DOC position. If a person volunteers, he/she will retain his/her current salary (if it is not above the pay range), but will be reduced in pay grade and therefore entitled to priority reemployment rights. If no employee volunteers for reassignment, DJJDP will identify the junior employee based on total state service. The employee will be offered employment with DOC. If the employee accepts, he/she will be entitled to priority reemployment rights. If the employee does not accept the transfer, DJJDP will notify the employee of imminent separation from employment and provide information about RIF rights.

Food Service Positions

DJJDP plans to transfer five food service positions to DOC: two cook IIs (PG 55); one cook supervisor I (PG 57); one food service assistant II (PG 52); and one food service supervisor IV (PG 64). DOC needs four certified food service positions: three correctional food service officers (PG62) and one correctional food service manager I (PG 64).

DJJDP's food service supervisor position will be a vacant position. DOC will reallocate that position to a correctional food service manager I and post the position internal to state government. Because all of DOC's remaining positions are at a higher classification and pay grade than DJJDP's transferred positions, DOC must openly recruit for these positions. DJJDP employees who hold the transferred positions will be informed as early as possible about the reduction in force and will be entitled to RIF rights. DOC initially will post the food service positions internal to state government. Employees who are reduced in force will be given an opportunity to compete for these positions through a competitive selection process.

Maintenance Positions

DJJDP intends to transfer five maintenance positions to DOC: two maintenance mechanic IIIs (PG 63) and three maintenance mechanic IVs (PG 65). DOC, in turn, will reclassify those positions to meet the following needs: 1 facility maintenance supervisor IV (PG 72); 1 HVAC mechanic (PG 67); 1 maintenance mechanic IV (PG 65); and 1 grounds supervisor I (PG 62).

DOC's facility maintenance supervisor IV and HVAC mechanic positions are at higher classifications than any of the transferred DJJDP positions. Consequently, no DJJDP employees can be transferred into these classifications. DOC initially will post the facility maintenance supervisor IV and HVAC mechanic positions internal to state government

DOC therefore will have two maintenance positions which DJJDP employees might fill: one maintenance mechanic IV and one grounds supervisor I. The DJJDP employee with the most total service months in the maintenance mechanic IV positions will transfer to DOC in the same position and salary grade and will not be entitled to RIF rights. One of the remaining affected DJJDP employees, if qualified, may elect to accept the DOC grounds supervisor position. Although that employee may be able to retain his/her current salary, he/she will be entitled to priority reemployment rights because the grounds supervisor position will be a lower salary grade.

Assuming that one DJJDP employee accepts the ground supervisor position, the other three DJJDP employees in the maintenance mechanic positions will be informed as early as possible about the reduction in force and will be entitled to RIF rights. DOC initially will post the maintenance positions internal to state government. DJJDP employees who are reduced in force will be given an opportunity to compete for these positions and others through a competitive selection process.

DJJDP will work closely with DOC, OSP and other state agencies to make sure that affected employees have the opportunity to avail themselves of job opportunities within state government. As soon as the agencies meet the consultation requirement of section 16.8 of S.L. 2006-66, they will begin to meet with employees to inform them of the plan and to address any questions employees may have. In addition, DOC representatives will be available to provide DJJDP employees with information about specific opportunities with DOC, while OSP staff will help identify additional employment opportunities for affected employees. DJJDP plans to provide official reduction in force notice on May 1, 2007.

In addition to the transfer of positions, DJJDP will transfer ownership of certain equipment and assets to DOC, effective July 1, 2007. Both DJJDP and DOC have received funds from the 2006

Reserve for Repairs and Renovations to fund the repairs and renovations required in Phase 1 of the transition plan. DOC expects to request funding for any increased operating costs and additional staffing needs through the continuation budget process.

Phase 2: Increased DOC Presence

During Phase 2 of the transition, DJJDP and DOC will continue to share the Swannanoa campus. DJJDP will continue to operate a 48-bed YDC, while DOC will increase capacity from 166 to 358 inmates. DOC will continue to provide maintenance for the entire Swannanoa campus and to provide food service for both DJJDP pursuant to the contractual agreement. DJJDP and DOC will continue to divide shared operational costs such as utilities, water, sewer, pest control and waste disposal as agreed.

To implement Phase 2, DOC will hire an additional 76 employees, bringing the total number of employees to 152. DOC also will assume control and management of additional buildings on the north side of the campus--Frye and Gilliatt--and complete necessary repairs and renovations. DOC estimates that the repair and renovation costs for Phase 2 will be approximately \$3.5 million and anticipates requesting funding for those costs at the appropriate time. DOC expects to request funding for any increased operating costs and additional staffing needs through the continuation budget process.

Phase 3: Complete Transition

During Phase 3 of the transition, DJJDP will leave the Swannanoa campus and move any remaining male juveniles to a new 32-bed YDC in the western part of the State. DJJDP estimates the cost of the new YDC will be approximately \$7,400,000 and will request legislative funding and approval for the facility during the 2007 legislative session.

After DJJDP evacuates the campus, DOC will assume management and control of the entire campus for operation as a prison facility for adult females in minimum and medium custody. DOC will increase the female inmate population to approximately 454 and bring the total number of employees to 195 after completing necessary renovation and repairs. DOC estimates the repair and renovation costs for Phase 3 to be approximately \$2.75 million and anticipates requesting funding for those costs at the appropriate time. DOC expects to request funding for any increased operating costs and additional staffing needs through the continuation budget process.

Timeline

The proposed timeline for completion of the phases is as follows:

PHASE 1 (Shared Use)	
▪ DJJDP and DOC obtain authorization to proceed	Prior to January 1, 2007
▪ DOC begins construction of fence	January 1, 2007
▪ DJJDP moves operations to the southern part of campus	July 1, 2007
▪ DJJDP Official Reduction in Force Notification	May 1, 2007
▪ DJJDP transfers 41 positions to DOC	July 1, 2007
▪ DJJDP transfers assets and inventory to DOC	July 1, 2007
▪ DOC completes construction of fence	August 1, 2007
▪ DOC begins R&R to northern part of campus	August 1, 2007

- DOC moves 80 inmates from Black Mountain to Swannanoa
- DOC completes R&R, increases capacity up to 166

October 1, 2007
August 1, 2008

PHASE 2 (Increased DOC Presence)

TBD after authorization

- DOC begins R&R to additional parts of northern campus
- DOC begins to recruit and hire additional 76 employees
- DOC begins to house additional inmates
- DJJDP begins construction of 32-bed facility
- DOC completes R&R to additional parts of northern campus

PHASE 3 (Complete Transition)

TBD after authorization

- DJJDP leaves the Swannanoa campus, moves to 32-bed YDC
- DOC begins renovations to southern part of campus
- DOC begins to recruit and hire additional 43 employees
- DOC begins to house additional inmates in southern part of campus
- DOC completes renovations to southern part of campus

The proposed schedule for the complete transition of the campus is contingent upon legislative approval and funding. If everything proceeds as proposed, DOC should have sole control and possession of the Swannanoa campus by July 1, 2010. At that point, DOC will have the capacity to house up to 454 minimum and medium-custody inmates at the facility with a staff of approximately 195. DJJDP will operate a 32-bed YDC for male juveniles who are committed to DJJDP from the Western part of the State. There will be approximately 66 employees at this YDC.

Costs and Funding

DOC and DJJDP plan to complete the transition in three phases. The estimated renovation and repair costs for the three phases are as follows:

R&R Cost Estimates		
PHASE	DEPARTMENT OF CORRECTION	DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION
PHASE I (Shared Use)	\$3,250,000	\$990,000
PHASE II (Increased DOC Presence)	\$3,500,000	0
PHASE III (Complete Transition)	\$2,750,000	0
TOTAL	\$9,500,000	\$990,000

Both agencies have been allocated funds from the 2006 Renovation and Repair Reserve to complete the Phase 1 renovations. The estimates for Phases 2 and 3 are based on present day dollars and will need to be adjusted for inflation as time passes. DOC plans to ask for additional funding to complete Phases 2 and 3 at the appropriate time.

Based on the timeline for completion of the transition, DJJDP and DOC estimate the annualized operating costs for the Swannanoa campus to be as follows for their respective agencies:

	DEPARTMENT OF CORRECTION	DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION
PHASE 1	\$3,388,846 (166 inmates)	\$5,024,700 (48-bed facility)
PHASE 2	\$7,516,081 (358 inmates)	\$5,024,700 (48-bed facility)
PHASE 3	\$9,845,016 (454 inmates)	\$3,660,951 (32-bed facility)

DOC and DJJDP plan to include the operating costs in the continuation budgets for the applicable years.

CONCLUSION

The transition of the Swannanoa campus from a YDC to an adult prison facility presents a number of benefits for both DJJDP and DOC. DOC will be able to meet the demands of a growing female population, while DJJDP will be able to transition from a large facility to 32-bed facility based on a therapeutic model. Both agencies will be able to adapt more readily to changing demographics and to better meet the needs of their respective populations.

Once the transition is complete, DOC will employ approximately 195 people at its female facility--creating 164 new DOC Division of Prison jobs in Buncombe County. In addition, DJJDP's proposed 32-bed facility (if authorized) will secure an estimated 66 jobs for the western part of the State. The potential presence of nearly 250 stable state jobs in the West will have a positive impact on both the local economy and the western part of the State as a whole. The taxpayers of the State of North Carolina also will benefit, because the State will be able to use existing state resources to meet expansion needs for the adult female population and avoid the costs associated with the design and construction of a new DOC stand-alone facility.