

LARGE JAIL NETWORK

NCJRS

BULLETIN

MAR 22 1993

ACQUISITIONS

Summer 1992

Contents

Foreword 1

Prisoners Reimburse County Taxpayers . 141497. 2

*Shelby County Inmate Training Emphasizes
Local Labor Market* 141498. 4

*NIC Program Available to Help Jurisdictions
Identify and Acquire Real Property* . . . 141499. 7

*Big Chiller Cuts Cooling Costs in
Southern California* 141500. 10

Video Court: The Answer to Colorado Winters . . . 141501. 12

*Norfolk County Correctional Center Finds Home on
Highway Median* 14

Recommended Reading 16

Mega-Jail Survey 141502. 17

The *Large Jail Network Bulletin* is prepared by staff of LIS, Inc., for the U.S. Department of Justice, National Institute of Corrections. To submit questions, comments, or materials, please write to the NIC Information Center, 1860 Industrial Circle, Suite A, Longmont, Colorado, 80501, or call (303) 682-0213.

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NIC Program Available to Help Jurisdictions Identify and Acquire Real Property

*by James J. Berthold,
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The National Institute of Corrections (NIC) is playing a key role as the central resource for state and local governments seeking to identify property available for conversion to corrections use. Through two, related programs, NIC can provide information on available surplus federal property and properties whose ownership reverted to the U.S. government via the Resolution Trust Corporation following the collapse of savings and loans across the country.

Agencies can access this information to find specific types of properties in specific locations. Using the program can give agencies added

range from traditional secure facilities to community-correction type operations such as work release facilities, restitution centers, etc. Whether agencies are looking for space convertible to housing, administrative offices, or program use, information available from NIC can help.

Federal Surplus Property Acquisition Program

State and local units of government with correctional needs are eligible to acquire federal surplus real property for correctional purposes, without cost, under the Federal Surplus Real Property Transfer Program. Under 40 U.S.C. 484, the Federal Surplus Property Transfer Program is administered by the Bureau of Justice Assistance (BJA), an agency within the Office of Justice Programs, by delegation of the Attorney General. It is targeted

to assist in alleviating facility crowding at a time when prison and jail populations are at an all-time high.

The property conveyance program is targeted to assist in alleviating correctional facility crowding at a time when prison and jail populations are at an all-time high.

confidence that their property acquisition searches have been comprehensive.

Potential uses for conveyed property within local correctional systems

The program addresses federal property available for disposal through the General Services Administration (GSA). The Federal Property and Administrative Services Act of 1949, as amended by the Comprehensive

Crime Control Act of 1984 and again by the Anti-Drug Abuse Act of 1988, authorizes the Administrator of General Services to transfer or convey to states and other units of local government, federal surplus real and related personal property for correctional purposes as determined by the Attorney General. Criteria for proposed projects involving such property specify that:

- 1) the proposed use must be "a correctional facility use" under
- 2) "an appropriate program or project for the care or rehabilitation of criminal offenders."

The program is designed to facilitate the transfer of suitable federal land and buildings to state and local agencies for new construction or renovation to alleviate crowding in correctional facilities. Properties acquired through this process must be used by the recipient in perpetuity for correctional purposes in accordance with the terms in the application, or title reverts to the federal government.

Properties are identified for inclusion in the program by GSA, which determines the surplus nature of the property in question.

Jurisdictions must submit for BJA approval their applications for



property conveyance. BJA will review proposed projects to determine whether they meet program criteria. When they do, BJA notifies GSA of the successful application. GSA then reviews the application and, if it is approved, conveys the property.

NIC's Role

Currently, information-sharing about the program is a joint effort of NIC and BJA. Using funds transferred from BJA, NIC is assisting state and local correctional agencies in identifying and acquiring such properties. NIC will facilitate the transfer of federal properties to states and localities for correctional facility use and will further publicize the program, promoting greater efficiency in delivering federal assistance in support of this program.

NIC's efforts are grouped into the categories of technical assistance and training:

- **Technical assistance** includes providing expertise in locating property; in some cases, NIC may be able to assist jurisdictions with project assessments.
- **Training initiatives** range from publications to presentations made at sessions of the NIC Planning of New Institutions (PONI) program and to other groups. Main focuses are how to select likely sites, how to prepare a successful proposal, and how NIC services can assist with the process.

A project now in development is a consultant-developed guidebook on the application process. The guidebook will cover all relevant federal laws and regulations and cue jurisdictions on preparing a successful proposal that reflects the involvement of all affected units of state or local governmental. Also included will be examples of successful agency applications.

Further, and in conjunction with the Department of Housing and Urban Development (HUD), NIC has established a database listing all federal excess and surplus real property available for disposal through GSA. The database also contains information on specific properties identified to HUD by other federal agencies as underutilized and available for interim non-federal use. NIC

Agencies' Success in Property Acquisition:

To date, the proposed acquisitions of approximately fifteen jurisdictions have been approved for use. Three of these involve jails.

- **New Iberia, Louisiana**, was the first location to acquire conveyed property through the surplus program. Through the program, the jurisdiction obtained land free of charge to build a new, direct/indirect supervision jail facility that replaced a linear-style jail within the old parish courthouse. Architectural plans for the facility were included with the successful application. The former National Guard facility as acquired included buildings, but because they were found to have asbestos contamination, new construction was judged to be more cost-effective. The jail opened in 1990.
- In the case of the former Federal Correctional Institution at **Petersburg, Virginia**, federal prison farm properties were conveyed to the state for corrections use. The state then voluntarily returned a portion of the property to the federal government for reconveyance to a coalition of three counties for creation of a multi-jurisdictional (regional) jail.
- In **Rustin, Louisiana**, the city government and the parish were granted a former federal building to alleviate crowding in the jointly-operated jail. Administrative offices of the jail were moved to the acquired building, freeing space for beds. The new building also houses an electronic monitoring operation, which has freed an additional six beds, and an intensive drug rehabilitation program that has enabled early release of some offenders.



will act as a single point of contact to search this information upon request to assist state and local correctional programs in identifying potential usable available property.

Resolution Trust Corporation Properties

A second area of NIC's services is access to a database that contains information on all real estate available through the Resolution Trust Corporation (RTC), the federal agency established to resolve the savings and loan (S&L) crisis.

As a result of the failure of so many S&Ls, the federal government, as the insurer of the failed institutions, has acquired numerous properties that were in the loan portfolios of those institutions. Available properties include unimproved pieces, single- and multiple-family residential properties, and commercial or industrial properties. Properties range in value from those considered nominal to multi-million dollar complexes, and from completely finished projects with varying degrees of occupancy to those in various stages of construction or remodeling. The Act of Congress establishing the RTC contemplates the sale of these assets at the appraised fair market value.

NIC has acquired access to the RTC database (referred to as RTCNet) and will act as a clearinghouse upon request to assist agencies in identifying properties available in specific jurisdictions. The system allows searching by numerous parameters,

including location, size, and type. No restrictions on use will apply to properties acquired through the RTC process.

To obtain information on property available through either of these sources, interested persons should contact James J. Berthold, National Institute of Corrections, 320 First Street, N.W., Room 200, Washington, D.C., 20534; (202) 307-3106. A brochure describing the conveyance program may be obtained from Mr. Berthold or from the NIC Jails Division, 1960 Industrial Circle, Longmont, Colorado, 80501. ■

Resolution Trust Corporation properties range widely in value and include everything from completely finished projects with varying degrees of occupancy to properties in various stages of construction or remodeling.