



Published: January 02, 2012

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## Shedding inmates a sweet deal for the state

**By The Record Editorial Staff**

North Carolina struck a sweet deal on inmates convicted of certain misdemeanors. The state will send new inmates to county jails. It's an offer the counties can't easily refuse.

The General Assembly enacted the law last year. It enables the Department of Correction to send misdemeanor inmates to the counties. If a county doesn't have room to take an inmate, the county is responsible for finding a jail that does have the space. Catawba County Sheriff Coy Reid already has said he doesn't have the room at the local lockup.

That's easy to understand. Inmates must be segregated by gender, age, class of crime and even disposition. It's against state and federal law to put an adult male misdemeanor in the same cell as an adult male awaiting trial for murder. Thus, there's a problem if the inmates from the state don't match up with the cell space available at the county jail.

The public incurs the cost of transporting an inmate from jail to jail and the personnel time required.

The state needs more than \$64 a day to take care of an inmate, assuming the inmate has no medical issues. North Carolina will pay the counties \$40 per inmate per day, plus other necessary expenses such as medical. That's a sweet deal.

North Carolina expects to save as much as \$33 million a year. That translates into a lot of inmates heading to county detention facilities. Given the local inmate populations before the influx, we wonder where the new people are going to stay.

County jails can obtain the OK to be overcrowded. Caldwell County's jail, for example, has 185 beds and averages 180 to 190 inmates. But the overcrowding at any jail cannot be infinite or indefinite.

A county does not have to participate in the state scheme, but that doesn't mean counties can remain outside the system and be trouble-free.

“We just don’t have the space,” Sheriff Reid said. But “We’ll be transporting to jails that will be participating.” So Catawba and other facilities already strained will not be let off the hook.

Alexander County wants to refuse the deal because that jail, too, is at maximum. In fact, Alexander County Chief Deputy Tod Jones said he is renting 30 to 35 beds from other counties to handle his jail’s overflow. Those beds cost \$45 per inmate per day. That’s \$5 more a day than what the state will pay the counties, even more sugar for the state’s almost-optional system.

Detention facilities are expensive. Each inmate must have a certain number of square feet for his or her space. There are the segregation regulations and the cost of providing enough jail staff, mandatory amenities and food.

It doesn’t matter where an inmate is housed, the public picks up the tab. The public also shoulders the cost of alternatives to incarceration. Not every misdemeanor can be punished by house arrest or probation only. North Carolina General Statutes provide minimum and maximum punishment for every classification of crime and most individual crimes. Often, it’s impossible to keep someone out of jail upon conviction.

We don’t think the legislature thoroughly investigated the ramifications of this law. Counties cannot be forced to accept inmates that will violate housing regulations. Yet, counties must try to find a place for the inmates the state says they’re getting.

If there are significantly more inmates than available space, the state and counties are at risk of litigation – very likely successful litigation – if conditions at prisons or jails become too persistently overcrowded.

And the state won’t pay the going rate for cell rental.

While the law indicates the state will reimburse the counties, reimbursement covers hard costs. The program could become an administrative swamp on both levels of government.

We think this deal should be more equitable and all the details settled before the inmates come rolling up to the doors of the county jails.