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The History of the Atlanta City Detention Center



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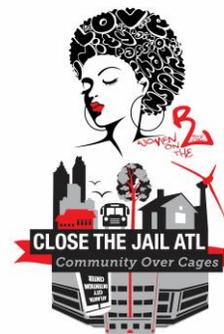


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Cover photo: View of the ACDC, from David Perkins, Architect.

BACKGROUND

We conducted this research to provide historical information in support of the “Close the Jail ATL: Communities Over Cages” campaign, led by Women on the Rise and the Racial Justice Action Center. This should be considered a preliminary report and further research could be useful on many of the issues covered here.

The 17-story, 471,000 square foot Atlanta City Detention Center (ACDC) was built between 1993 and 1995 as a design/build project by Turner Associates Architects and Turner Construction for a total of \$56 million.¹ The design incorporated the podular/direct supervision style of design and management.

Rather than a traditional design with rows of cells intermittently patrolled by corrections officers, the podular/direct supervision design features open areas and dormitory-style rooms and cells surrounding one or more corrections officers. These groups of supervised living units are termed pods. The design is intended to be more economical than a traditional layout because fewer officers can supervise more detainees.²

Public-facing descriptions about the purpose of the “direct supervision” design state that it is more humane and in the interest of those detained. However, the criminal justice and prison architecture literature describes the design as intended to save money and better control and surveil detainees—to restrict their movements and provide more freedom for corrections officers.³

Originally providing 882 beds across 18 pods, it was built-out two years later to 22 pods with 1,100 beds. City sources currently report that the building can accommodate a total of 1,314 people.⁴

The jail holds mostly those picked up on city ordinance violations. In addition, the City signed an agreement with the United States Marshals Service (USMS) in 1991 to provide up to 300 beds a day for federal detainees. In recent years, these USMS beds have not been filled to the degree that was expected.⁵

The City has another agreement to provide 150 beds to Immigration and Customs Enforcement (ICE) detainees, though that number appears to have changed over the years. According to ICE documents in 2012:

U.S. Immigration and Customs Enforcement (ICE), Office of Enforcement and Removal Operations (ERO), uses ACDC to house male and female detainees of all security classification levels (Level I - lowest threat; Level II - medium threat; Level III - highest threat) for periods in excess of 72 hours. ACDC currently [as of 2012] reserves two housing units to accommodate males and two housing units to accommodate females. The average daily detainee population is 61. The average length of stay for ICE detainees at the facility is 24 days. ACDC has a total bed capacity of 1,314, with 250 beds available for ICE detainees.

At the time of the inspection, ACDC housed a total of 105 [ICE] detainees, including 100 males and five female [ICE] detainees. ACDC provides medical care, which includes a contracted physician. Trinity Service Group provides food service. In March 2010, ACDC received accreditation from the American Correctional Association (ACA).⁶

Between its opening in 1995 and 2003, the jail also held all those arrested on state charges before they went to trial. However, in 2003 under Mayor Shirley Franklin, the City transferred the responsibility to detain those charged with state offenses to the Fulton and DeKalb County jails, which cut down on the jail's population significantly.⁷

THE BUILDING

Design and Construction

The architect David Perkins designed the ACDC while with Turner Associates Architects and Planners, Inc. The project was led by Turner Construction Company as a design/build project. Perkins now has his own firm, The Creative Eye Architects LLC. Described as “postmodern,” the jail is red brick, with a precast concrete and concrete frame structure.



ACDC, photo: David Perkins

Perkins' describes the building's design as follows:

Various treatments of precast concrete were composed in patterns that masked the 4-1/2" high slits of cell room windows allowing a layer visual scale that is pleasing as seen from the adjacent highway system, surface roads, as well as from the pedestrian street level and not readily recognizable as used.

The Center uses the direct supervision approach; each group of housing units is organized around a program center creating a mini unit at each level. Male and female inmates are divided into maximum/medium and minimum security zones. Fencing has been replaced with micro-wave motion detectors that guard each opening of the facility. The sally-port allows bookings, transfers to existing jail and courthouse. Medical, laundry and full kitchen services are provided.⁸

Turner Construction Company is a subsidiary of Turner Corp., and in the 1990s it “carved a distinct niche over the past decade as the nation's pre-eminent builder of jails, prisons and courthouses...[Between 1992 and 1999] Turner constructed five criminal justice facilities in Georgia, including the \$56 million Atlanta City Detention Center, the \$27 million Douglas County Courthouse and the \$18 million Floyd County Jail facility.”⁹



ACDC, Direct Supervision Podular Design, photo: David Perkins

Stevens and Wilkinson, Inc. were contracted to complete the structural engineering work for the prison.¹⁰ The ACDC building is 182 feet tall, with three underground floors and 14 above ground floors, and 470,996 square feet of usable floor area. Construction on the building began in 1993, was completed initially in 1995 with space for 882 beds, and a 1999 renovation added space for an additional 218 beds.¹¹

Between 1999 and 2000, Cornerstone Construction, a company that provides services and “engineered detention products,” designed security systems for the jail for \$4.5 million. Their scope of work included installing “detention and commercial hollow metal, pneumatic security hardware (swings and sliders) as well as commercial hardware, security glass and standard glazing, security windows and doors, aluminum storefront, skylights, detention furnishings and accessories. The security electronic systems included PLC locking control, audio intercommunication/paging systems, CCTV, MATV/CATV, perimeter microwave system, cameras, security management, watch tour and 34 graphic panels.”¹² Many of these products have likely been replaced by updated models over the years, but this provides a sense of the cost of jail equipment.

Environmental Conditions

Neither the state of Georgia nor the federal Environmental Protection Agency (EPA) have records on the ACDC facility, suggesting there are no current known environmental conditions of concern regarding the land or building. Two environmental reports mention the detention center. A 2010 environmental study completed for the Streetcar Project looked at data on the detention center and reported no significant findings aside from the presence of two underground legacy storage tanks, one 10,000-gallon diesel tank and one 10,000-gallon gas tank, both currently in use.¹³ These tanks are being monitored by the EPA and as of August 2018, they are in compliance.¹⁴ The presence of underground storage tanks is of particular note if new construction is planned.

A 2005 Georgia State University report submitted as part of a development project to create new residential housing included a Ground Water Pathway score of 9.1 with no details on found contaminants reported.¹⁵ The author's interview with an environmental engineer confirmed that in almost all urban areas some contaminants are to be expected, especially when there are underground storage tanks near the surface of the land, which is the case in Atlanta. To get zoned for new construction, environmental testing on the site was likely required in the 1990s.¹⁶

However, given that no construction has occurred there since, should any construction be necessary, or if the area was zoned for a different use (e.g. residential, a park, etc.), additional testing may be necessary.

Building Layout

Over the years the City has changed the use of pods based on the jail's changing population. The most recent description we could find of the current use of the pods was from the 2009 City audit of the Corrections Department which described it as follows:

These include 17 pods for general population inmates, 3 special management pods for inmates that require more structure, such as those with mental health or disciplinary problems, and 2 medical pods for inmates requiring medical observation or treatment, but not hospitalization. The general population pods hold between 54 and 84 beds. Two of the pods are dormitory-style; the others are double-bunk cells. The special management pods have single bunk cells.¹⁷

The 2012 ICE report notes that ACDC is connected to a number of courtrooms at the City of Atlanta Municipal Court by way of a tunnel that connects the two facilities and documents the inclusion of a chapel and other religious practice spaces, indoor and outdoor exercise areas, a barbershop, library, and commissary.

A detailed report in December 1995 by Katherine Willoughby, who at that time was an assistant professor in the Department of Public Administration and Urban Studies at Georgia State University (today she is a full professor in the School of Public and International Affairs), described the design and use of ACDC in detail based on in-depth interviews with jail staff and leadership. She described the intent of the design as in line with “the new generation jail philosophy” intended to “empower the corrections officer and restricts inmate movement.”¹⁸ Here is her description of some of the floors.

The first floor of the ACDC houses the kitchen, officer dining room, pharmacy, laundry, maintenance/utility rooms, and the commissary...The loading dock, open to Memorial Drive, facilitates the intake of supplies.

Administration is located on the second floor, with office space, a conference room, staff break rooms, a 100-seat auditorium (for training, tours and other uses), a roll call room, and library. Intake and booking are conducted in a large open space on the second floor...Holding cells surround the intake area and are used to confine disorderly and/or dangerous inmates...Also, several medical health rooms are located on one side of the room for assessment of incoming detainees...A transfer/release space with benches in the central area, and holding cells on surrounding walls is on this floor as well.

The third floor houses medical facilities, including examining rooms and two wards with a total patient bed capacity of 48. Maximum security inmates are housed on the third floor and are subject to direct observation by corrections officers in a control booth...Housing units on floors four through six are arranged for direct supervision, with a corrections officer stationed in each housing unit. Bed capacity ranges from 48 to 56 inmates per unit. Restrooms, showers, televisions, telephones, and a recreational/open air space are provided in each unit...Two private visitation booths in each unit allow visitors to talk with inmates within the housing unit.

The seventh floor houses sentenced inmates previously housed at the Key Road prison farm. Dorm-style housing units replace those on the floors below that have single or double cells.¹⁹

Command and Control

As of November 2018, staff positions at the jail include the Chief (Patrick Labat), Assistant Chief (Vance Williams), Deputy Chief (Amanda Pritchett), Facility Commander (Natasha Johnson), Public Relations Manager (Jamille Bradfield), and the Accreditation Manager (Quessie Parks). Corrections staff include: officers, lieutenants, captains and majors.²⁰

The Chief of Corrections has a good deal of power at the city jail. This position develops rules and regulations, oversees, hires and fires employees, and is responsible for the conditions at the city jail, following Georgia and federal law, complying with accreditation visits, and conducting monthly inspections of the facilities, grounds, and detainees.

The Chief reports to the Commissioner of Personnel and Human Resources and the Chief Operating Officer on employees, detainees, and overall operations. The city code allows the chief to “deliver to the various departments of the city and the housing authority municipal inmates incarcerated in detention facilities for the purpose of work useful to the city or the housing authority” and decide on work assignments.²¹

“Community engagement” or service (i.e. free labor for the city) is a 1990s-era reform intended to create a positive sense of rehabilitation within the framework that the “victims” of any crime are the community at large. However, critics say that hidden behind this rhetoric is a desire to extract labor and exert control over detainees.²²

According to city code, the mayor has the power to “establish regulations under which the Chief of Corrections may release persons charged with violations of city ordinances on their own recognizance pending trial.” The mayor also has the power to prepare, promulgate, publish and enforce rules and regulations concerning the discipline of inmates in detention facilities.²³

The Office of Enterprise Assets Management has “strategic oversight, direction, construction, and management of the City of Atlanta’s real estate asset holdings, facilities and enterprise assets,” including the jail building.²⁴

The Office of Zoning and Development oversees “the Capital Improvement Program (CIP) which is an implementation plan for the construction, maintenance, and renovation of public facilities and infrastructure over the next five years. The

Community Work Program (CWP) is a 15-year program that includes unfunded and funded programs, non-capital and capital projects to implement the vision and policies of the Comprehensive Development Plan over the next 15 years.”²⁵

The Department of Corrections budget for fiscal year 2019 is \$32.6 million and the current staff level is 355 full time equivalent positions. The ACDC has a current target average daily population of 500 inmates.²⁶ The staff is represented by a union, AFSCME Local 1644, which also represents thousands of other city workers.²⁷

FINANCIALS

Market Value

A 2011 article about the negotiations between Fulton County and the City over whether the County should buy the jail mentioned that the City raised its asking price from \$40 million (in 2010) to \$85 million (in 2011). Officials described the \$85 million as “closer to fair market value.”²⁸

In our recent open records request to the City asking for information on the ACDC’s current market value, the City responded that they had “no estimate of market value.” The question of whether the \$85 million is an accurate reflection of the jail’s 2011 market value is covered in detail in the section on Historic Debates on Selling the ACDC, 2010-2011.

It is worth noting that market value is the price that buyers are willing to pay and is generally determined based on comparison sales data. There are very few comparison sales of jails in similar enough markets; and, as the 2010-2011 City jail sales debates reveal (see discussion below), the price can change drastically based on demand. The \$85 million price, and even the \$40 million cost were to sell the jail

to be used as another jail. The market value of the space to be adapted for a new use will be different and any deal will also include considerations of the buyer's willingness to pay for necessary renovations and any new construction (e.g. to convert the building into a food hub, as an example). Whether the City would be able to sell the millions of dollars of jail-specific equipment is a question for further research but undoubtedly some of the costly engineering and construction would be sunk costs.

Construction Spending

In the City's 1996 annual budget, the Capital Projects section includes information on spending for the jail facility.²⁹ This information below shows spending for the 1994, 1995, and 1996 fiscal years. This spending totals \$55 million, which is approximately the cost of the facility.

CIP PROJECT #:	CC-029	PROJECT TITLE: New Pre-Trial Detention Facility			
FICS PROJECT #:	C0105				
G41C01059993	Administrative Services	General Gov't Cap.Outlay	42,013,601	6,354,617	6,487,233
G41C01059993	Administrative Services	W & S Renewal & Extension	-	-	151,000
		Project Total	42,013,601	6,354,617	6,638,233

City budget documents show that in subsequent years up until the present there were additional amounts of capital spending for smaller construction projects regarding the jail.³⁰ Here is an example of projects from the last ten years that were listed in a city Capital Improvements report.³¹

DC	Upgrade Electronic Security System	To upgrade electronic security system used at the Atlanta Detention Center 254 Peachtree Street.	03/01/2010	\$1,500,000
DC	Upgrade Renovation of Kitchen & Laundry Equipment	To replace kitchen and laundry equipment whose life cycle has expired. Also, to renovate the kitchen area that is need of refurbishing.	12/31/2009	\$264,000
DC	Various Upgrades & Renovations: Shower Saver, Fire Alarm & Main Lobby	Upgrade Shower Savers, Upgrade Fire Alarm and Renovation Main Lobby	01/29/2010	\$275,000
2016-2020 Capital Improvements Program/Community Work Program				
DEPT	PROJECT NAME	DESCRIPTION	DATE COMPLETED	ESTIMATED COST
DC	Jail Management System	This is a system designed to consolidate disparate business processes used at the Atlanta City Detention Center (ACDC), 254 Peachtree Street.	07/29/2010	\$1,700,000
DC	Facility Lighting - Upgrade	Upgrade the existing facility lighting at the Atlanta City Detention Center located at 254 Peachtree Street.	08/01/2012	\$200,000
DC	Cooling Tower	Replace the lining of the cooling tower to improve the air quality and extend the life expectancy of the heating and air conditioning system.	06/01/2012	\$167,969
DC	Employee Locker Room Upgrades	Upgrade employee locker rooms located in the Atlanta City Detention Center.	12/16/2012	\$90,000
DC	Racking System	Replace the Kitchen Compressor Rack and Evaporator System.	06/01/2012	\$232,000
DC	HVAC System	Overhaul HVAC system located at the Atlanta Detention Center 254 Peachtree Street.	11/01/2012	\$98,000
DC	Replacement of Sally Port Doors at City Jail	To upgrade the vehicle sally port doors to ensure security for law enforcement agencies transporting inmates to and from the jail.	09/08/2009	\$300,000

There also appears to be a “Jail Fund” that pays for projects. A recent 2018 fiscal report mentions a jail construction project:³²

200769	JAIL FUND ADMINISTRATION & CONSTRUCTION	Corrections	601,695
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The Fiscal Year 2019 City budget includes this spending item from the Jail Fund:³³

Department Of Corrections						
Jail Fund Administration & Construction - 200769	781,284	-	-	-	-	\$781,284
Inmate Deposits - 600270	492,184	-	-	-	-	\$492,184
Sub-Total	\$1,273,468	-	-	-	-	\$1,273,468

Debt

The City issued a new bond in 1992 to raise funds for the ACDC construction. The 1996 City budget includes a schedule of payments for the bond, see below.³⁴ The payments were scheduled to finish in 2017 and would total \$67.7 million for the principal and at least \$56.5 million for the interest (interest payments for years before 1996 were not included), for a total of at least \$124.2 million. The authorized principal amount of \$67.7 million would cover the initial construction and subsequent renovations and capital projects over the years.

CITY OF ATLANTA, GEORGIA			
ATLANTA PRETRIAL DETENTION CENTER - CERTIFICATES OF PARTICIPATION DECEMBER 31, 1995			
Bonds	Principal	1992 Issue	
		Rate (Percent)	Interest Amount
Authorized	\$67,700,000		
Retired/Paid	<u>1,520,000</u>		
Outstanding	<u>\$66,180,000</u>		
December 1 of the Year			
1996	\$ 1,585,000	4.55	\$ 3,989,233
1997	1,660,000	4.90	3,917,115
1998	1,735,000	5.00	3,835,775
1999	1,825,000	5.20	3,749,025
2000	1,920,000	5.40	3,654,125
2001	2,025,000	5.60	3,550,445
2002	2,140,000	5.80	3,437,045
2003	2,260,000	5.90	3,312,925
2004	2,395,000	6.00	3,179,585
2005	2,535,000	6.10	3,035,885
2006	2,695,000	6.25	2,881,250
2007	2,860,000	6.25	2,712,812
2008	3,040,000	6.25	2,534,063
2009	3,230,000	6.25	2,344,063
2010	3,435,000	6.25	2,142,188
2011	3,645,000	6.25	1,927,500
2012	3,875,000	6.25	1,699,687
2013	4,115,000	6.25	1,457,500
2014	4,375,000	6.25	1,200,312
2015	4,645,000	6.25	926,875
2016	4,940,000	6.25	636,562
2017	<u>5,245,000</u>	6.25	<u>327,812</u>
Totals	<u>\$66,180,000</u>		<u>\$56,451,782</u>

In response to our records request to the City to find out about recent debt payments and outstanding debt regarding the ACDC, they sent this same schedule of payments, and stated “no current debt and no future debt contemplated,” confirming that this debt has been paid as of 2017.

HISTORICAL DEBATE ON SELLING THE ACDC

Since the early 2000s there have been a series of public debates about the ethics, purpose, use, cost, and operations of the ACDC, especially in moments of budget crisis. Jail operations, including overstaffing, understaffing, the use of overtime, and even the corruption and ethics of staff and leadership, have been a part of many of these conversations. Debate has also raised the ethical question of why we lock up a population whose underlying issues are often related to drug use, mental health, and poverty.³⁵

Below is some of the news coverage of these public discussions that may be useful for future public debate. The media coverage is never the full story (and these are just a few of the most cited stories) and can be misleading. Yet even the media's framing at the time might be useful in considerations of strategy.

2002

A 2002 *Atlanta Journal Constitution* article reported Mayor Shirley Franklin's proposed budget saving “about \$11.4 million by eliminating about 200 positions in the jail and city courts. ‘The jobs can be eliminated,’ [Franklin] has said, ‘because city police will begin taking people accused of state crimes directly to Fulton or DeKalb county jails...’” Fulton County resisted this change, citing that their jail was already overcrowded and they could not handle the additional numbers. Nevertheless, the County eventually agreed and the City stopped housing those arrested on state charges, a change that resulted in a major reduction of the jail population.³⁶

The Fulton County jail became increasingly overcrowded post-2002 (although overcrowding predated the change) and in 2004 the Southern Center for Human Rights filed a civil class action case against the County because of dangerous conditions created by understaffing and overcrowding at the jail. A federal consent order ensued which was not lifted until 2015.³⁷

2005

In 2005, the federal judge overseeing the consent order, Marvin Shoob said:

...that Atlanta should assume some responsibility [for the problems at the Fulton County jail] because it contributed to the county's crowded jail conditions when the city abandoned its long-running practice of first taking those arrested on felony charges to the Atlanta Pre-Trial Detention Center, at least until an initial hearing before a judge. "I need not remind you that a large number of the inmates at the Fulton County Jail come from the city of Atlanta and that the overcrowding problem there has been exacerbated by the city's decision to send Atlanta arrestees charged with state offenses directly to the Fulton County Jail instead of the Atlanta City Jail," Shoob wrote. "It is only fitting, therefore, that the city now be willing to help the county address this problem."³⁸

This led to some discussion in 2005 of the County buying the jail but at that point the County was more interested in exploring other options to address the overcrowding.

2010-2011

Discussion of the deal resumed in 2010 when Kasim Reed took office as Atlanta's mayor amidst a \$48 million dollar budget gap.³⁹ Eager to sell the jail and balance the budget, the City offered to sell it to the County for about \$40 million over a 15-year period.⁴⁰ During negotiations, various plans that might be relevant to the current

campaign were discussed, including a plan to house current detainees and details about the cost difference of having a jail versus leasing beds:

If the new plan is approved, Atlanta will house its own prisoners for the next 90 days. Then starting Oct. 1, the city would lease daily bed space for 200 to 225 prisoners at the South Fulton Municipal Regional Jail in Union City . . .

The city currently spends \$20.1 million per year in operating costs on the jail. By shipping prisoners to South Fulton, the costs will drop to \$17.4 million per year, chief policy adviser David L. Bennett said. The primary savings will come from bed costs. It costs about \$100 per night to house an inmate in the city jail and only \$50 per night for a bed in South Fulton.⁴¹

The City Council debated whether to sell the jail, bringing up concerns of job loss, whether it would in fact be less expensive to lease space with the County, or whether they had the time to evaluate the plan—“Some City Council members have raised objections. Councilwoman Felicia Moore said the council has not been given enough time to assess the plan.”⁴² Reed put together a negotiating team despite ongoing debate in Council but the negotiations went nowhere and Reed claims the County objected to some of the City’s terms, including the demand that the County provide jobs for City jail employees.

In the fall of 2011, however, discussion of the deal resumed. The County had not adequately addressed the overcrowding and Shoob threatened Fulton County commissioners with jail time if they didn’t offer a deal to buy the city jail. However, in less than a year, the City and Mayor Reed had upped their price to \$85 million and the debate had changed:

Voting unanimously, the County Commission refused to pay \$85 million for the city jail up from \$40 million, the approved sales price from 16 months earlier . . . That did not placate U.S. District Judge Marvin Shoob, who gave Fulton commissioners 60 days to enter into a binding contract with the city or

risk being sent to the U.S. penitentiary in Atlanta on contempt charges. On Wednesday, Shoob said he was now mulling action against the city for complicating the deal. While city officials weren't parties to the 2004 lawsuit and can't be held in contempt, Shoob said he had other means to penalize them.

The judge said he thought a deal for \$40 million was made two weeks ago in a meeting in his chambers, attended by county and city representatives, the latter including Atlanta Chief Operating Officer (COO) Peter Aman... "I think it's hard to believe that it would have increased by \$45 million in one year," Commissioner Liz Hausmann said. "Most property has decreased in value."⁴³

In a follow up article, the *Atlanta Journal Constitution* spoke to a Georgia State University real estate professor, Alan Ziobrowski, who said that "while real estate has plummeted in value since 2005, the \$89 million value of the city jail likely still holds. For that type of specialized property...the only way to find a comparable property to estimate value is to look at the cost of building a new facility."⁴⁴ In response to questions about the price hike, Reed said that "when the city made its initial offer early last year, Atlanta was facing a \$48 million budget shortfall, was desperate for revenue and willing to get out of the jail business. Atlanta now has excess revenue, has decreased by \$4 million the annual cost of running the jail and has its largest police force in history --- meaning more arrests and more need for jail beds."⁴⁵

Creative Loafing reported that Atlanta COO Peter Aman said the city would need to create a reserve fund to ensure the ability to house detainees in the future:

Should the overcrowding problem continue, there's no guarantee that Shoob or another federal judge wouldn't overrule the contract and kick Atlanta's detainees — many of whom are booked for such quality-of-life violations as public urination and intoxication — out of its leased beds. Since many of the city inmates are released within a day or two, incarcerating them an hour away could create a logistical nightmare...We're not asking for full replacement cost, which would be over \$100 million," Aman says. "But we do feel we need to be

compensated for the risk of losing the space for detainees sometime in the future. . ." What's more, CL has learned — and Aman has confirmed — that other groups, including Corporate Corrections of America, a private prison company, have shown interest in buying the jail.⁴⁶

CONCLUSION

This report is intended to provide some basic historical and financial data on the Atlanta City Detention Center in order to inform the campaign to close the jail. Further research on many of the issues covered here would be useful. Moreover, looking into comparable case studies from other jurisdictions that successfully closed and/or repurposed a jail would be valuable for this campaign.

This background noted issues to consider if new construction is planned:

- The existence of two underground legacy storage tanks, one 10,000-gallon diesel tank and one 10,000-gallon gas tank, both currently in use and being monitored by the EPA. While no contaminants were found in nearby water in a 2005 test, some contaminants are to be expected and additional testing should be done.
- The market value of the space to be adapted for a new use will be different than estimates of value for selling it as a jail. Any deal will also include considerations of the buyer's willingness to pay for necessary renovations and any new construction (e.g. to convert the building into a food hub).

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