

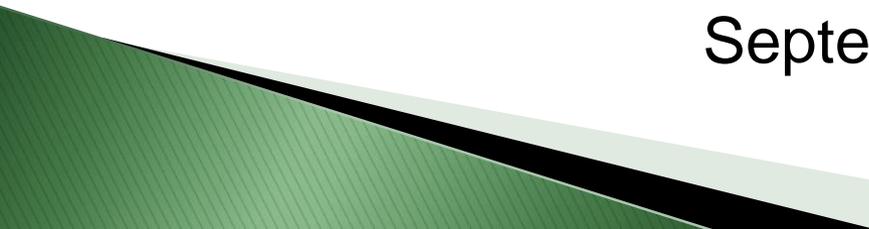
# **Senate Bill 844 Adult Local Criminal Justice Facilities Construction (ALCJF)**

El Dorado County's– Recovery, Rehabilitation  
and Re-Entry Jail Expansion

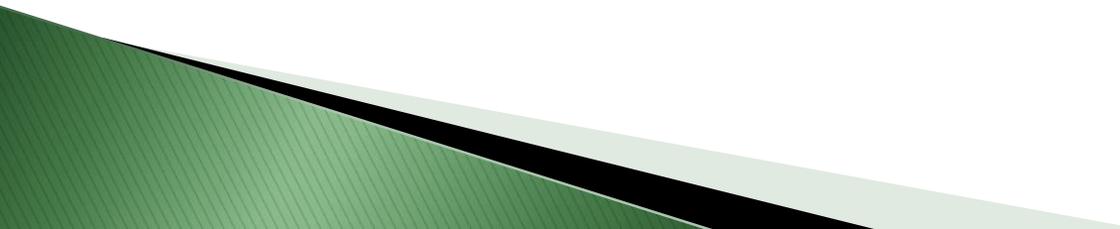
## **Award Acceptance– Need, Staffing and Operational Costs**

Presented By:  
Jackie Noren, Custody Division Commander  
El Dorado County Sheriff's Office

September 19, 2017



# Discussion Goals

1. A Recap: El Dorado County Jails and SB844 Adult Local Criminal Justice Facilities Construction (ALCJFC) Award; goals and objectives.
  2. The changing landscape of California and why we applied for SB844.
  3. What the jail expansion would mean to the county if accepted.
  4. Cost to County.
  5. Alternatives to acceptance.
  6. Next steps.
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# Jail; the Unseen Side of Public Safety;

Placerville Jail – 1988  
BSCC Rated Capacity 303  
Average Daily Population 264

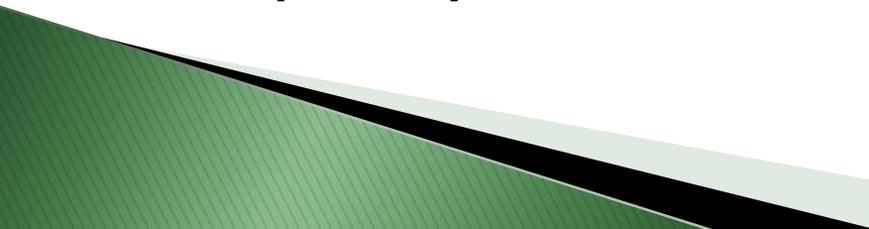


South Lake Tahoe Jail-1973  
BSCC Rated Capacity 158  
Average Daily Population 128



These Jails are like small cities in operation 24/7, with a strict schedule. We serve up to 1,400 meals a day, provide laundry, medical, recreational, educational, transportation, and commissary services.

# Why Rated Capacity and Daily Populations are different

- ▶ The rated capacity is the maximum number of inmates we can house based upon the Board of State and Community Corrections (BSCC).
  - ▶ Our Daily Population fluctuates due to inmate classifications.
  - ▶ Due to our inmate population/ classifications we are not able to reach our rated capacity
- 

# California's Operational Shift Regarding Incarceration

- ▶ **2011- AB109:** Public Safety Realignment
  - ▶ **2014- Proposition 47:** The Safe Neighborhoods and Schools Act
  - ▶ **2016- Proposition 57:** Criminal sentences. Parole. Juvenile Criminal Proceedings and Sentencing. Initiative Constitutional Amendment and Statute.
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# AB109

- ▶ Shifted criminals deemed non-violent, non-serious, and non-sex offenders to serve their sentence in county jails instead of state prisons.
  - ▶ Offenders sentenced to County jails stay for longer periods of time.
  - ▶ Placed financial burden on Counties.
  - ▶ Brought an influx of lawsuits from a growing population that required more demands.
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# AB109 Effect on EDC Jails

El Dorado County Jails are not set up structurally or programmatically for this more sophisticated population; they were used to Prison.

**In the first year we had a dramatic increase in:**

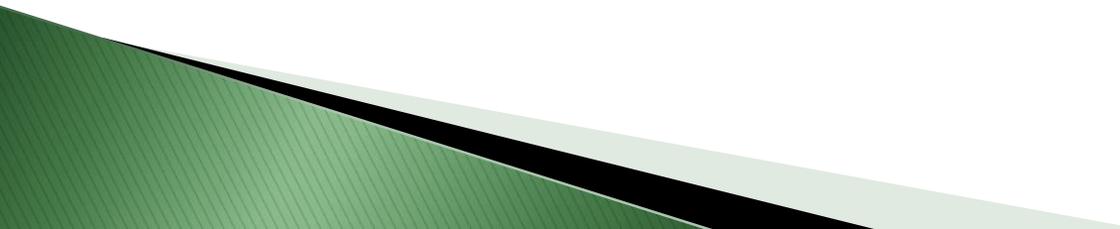
- Grievances
- Inmate Assaults and group disturbances
- Contraband
- Crimes in Custody
- Prison Politics
- Stricter Classification to prevent victimization of lower level Offenders

**Changes in Practices:**

- Officers were issued Stab Vests
- Hourly Safety Checks require two Officers
- Cameras in all housing units

Currently AB109 inmates are 28.8% percent of our inmate population.

# Inmate's Constitutional Rights

- ▶ **The Eighth Amendment states:** protects against cruel and unusual punishments.
  - ▶ **The 14th Amendment states:** due process and equal protection of the laws.
- 

# Litigation

## **Lawsuits from inmates advocacy groups alleging:**

- Isolating people in small cells
- Inhumane and unsanitary conditions that are detrimental to mental health.
- Disabled and mentally ill inmates are segregated and excluded from programs and services that reduce recidivism.
- Deliberately indifferent to suicide hazards,
- Inadequate medical and mental health care, and
- The lack of meaningful access to exercise and recreation.
- Mental health services and medical care,
- Improved safety of the jail improve programs for all inmates

# The Cost of Litigation and Agreements

## **Monterey County**

- Mental health services and medical care,
- Improved safety of the jail improve programs
- Allow disabled inmates access to programs that reduce recidivism and improve public safety.
- ▶ \$4.8 million in attorneys' fees as well as up to \$250,000 per year in additional attorneys' fees for compliance monitoring.

## **Fresno County**

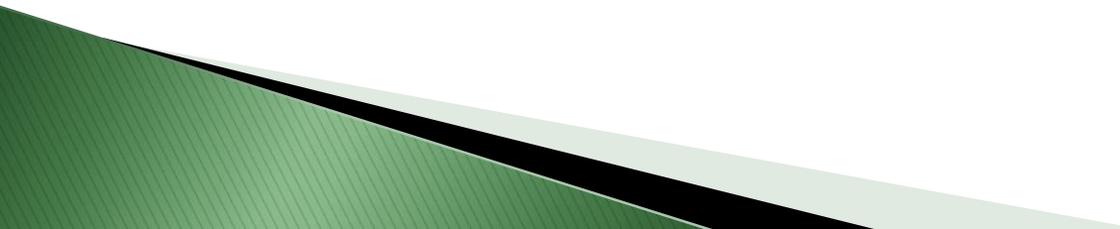
- Hire 127 more correctional staff
- Pay for improved psychiatric services
- Implement health reforms, and
- \$900,000 Inmate's attorneys fees
- \$40,000 yearly for outside oversight of the jail

# The Cost of Litigation and Agreements

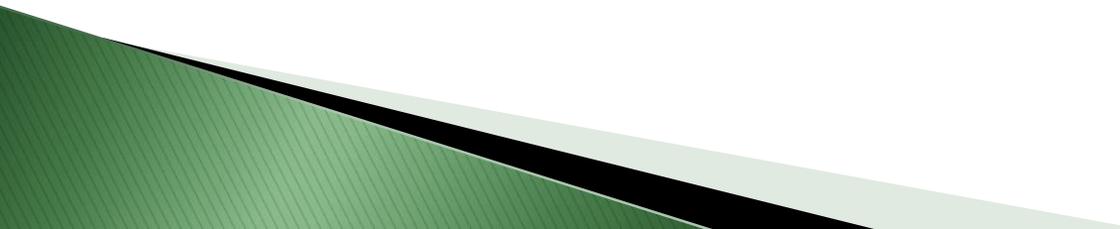
## Riverside County

- Provide increased care and access to medical and mental health care
- \$1.25 million dollars in attorneys' fees to the Prison Law Office, as well as \$150,000 per calendar year in attorneys' fees for compliance monitoring.

## **2016 Alameda County agreement included:**

- A Federally mandated transition plan, and
  - A \$24 million ADA accessibility project
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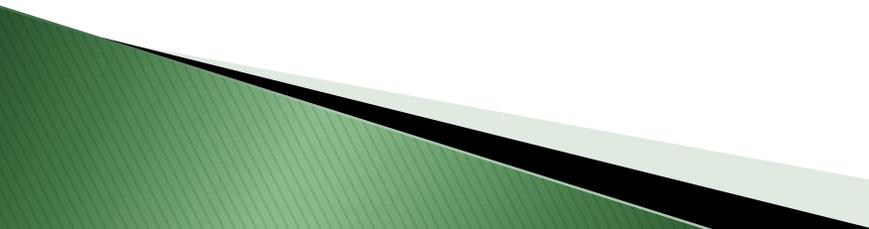
# Proposition 57

- ▶ Offenders who are released from prison on parole will do the remainder of their sentence in the County jail if that parole is violated.
  - ▶ This will only add to the strain.
- 

# Proposition 47 Safe Streets Act

- ▶ Implemented November 2014
  - ▶ Reduced many felony crimes to Misdemeanors
  - ▶ Felony convictions resentenced or reclassified as misdemeanors under the proposition are considered misdemeanors for all purposes,
  - ▶ Goal to reduce jail and prison overcrowding
- 

# Proposition 47 Outcomes

- ▶ Reduced the jail and prison populations temporarily, back to original numbers
  - ▶ Felony mentally ill incompetent to stand trial, now misdemeanants and EDC's responsibility
  - ▶ Drug offenders– The justice system lost all leverage to mandate rehabilitative drug programs.
  - ▶ They are the AB109ers of the Future with deferred action establishing patterns of behavior making Probation and HHSA jobs more difficult
- 

# The Changing Landscape of EDC Jails

**Daily population-** Males 362 Females 72 =434 of 461 (27 Open beds)

- ▶ AB 109 Total 28.8%
- ▶ AB 109 Male 25.3%
- ▶ AB 109 Female 3.5%

## **Male inmates**

- ▶ AB 109 Male 25.3%
- ▶ Non Ab 109 58.2%

## **Female Inmates**

- ▶ AB 109 Female 21.5%
- ▶ Non AB 109 Female 78.5%

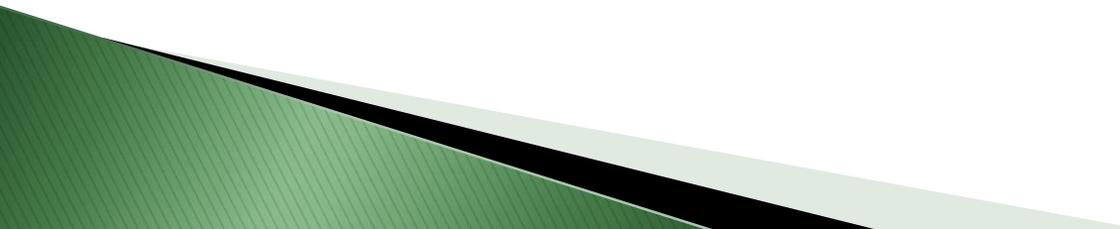
## **Male and Female**

- ▶ Sentenced Misdemeanants:8.1 %
- ▶ Unsentenced Misdemeanants: 3%
- ▶ Sentenced Felons:45.8%
- ▶ Unsentenced Felons: 43.2%

# SB 844s Legislative Goal: Promoting Public Safety Through Jails

- ▶ June 2016, It was declared that, California's current challenges in managing jail populations includes:
  - Overcrowded and aging jails, and
  - Piecemeal, erratic, and incomplete responses to dealing with those problems.
- ▶ SB 844 became law authorizing funding for jail construction with an emphasis on Improved housing and expanding program and treatment space.
- ▶ The legislature found that improving Jails access to Health and Welfare services for inmates and their families would reduce recidivism and serve a critical purpose in promoting public safety.

# Our Jail's Challenges and Needs Identified

- ▶ American Disabilities Act Compliance
  - ▶ Increased Female Population
  - ▶ Managing Inmate Classification Housing Options
  - ▶ Increased and More Complex Medical and Mental health Treatment
  - ▶ Professional Visits
  - ▶ Insufficient Programming Space With Equal Access to Educational Programs
  - ▶ Recreation Yards
  - ▶ Aging Facilities
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# Placerville Facility Expansion Plan

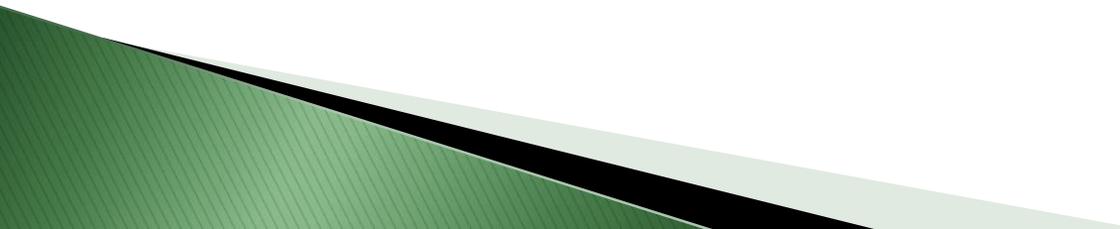
The plan will have a net increase of 8 beds but increasing the BSCC rated capacity to 311 inmates, and would provide:

- 1) Female housing and programs to this typically underserved population.
- 2) Housing for the mentally ill to promote integration and reduce segregation.**
- 3) Space for the Restoration of Competency (ROC) program.
- 4) Improved spaces for medical treatment and services.**
- 5) Office and operational space for Pretrial services, Veteran's services, and Re-Entry services.
- 6) Attorney and Professional visiting space.**
- 7) Additional programming/classroom space. And,
- 8) Additional recreational yards.**

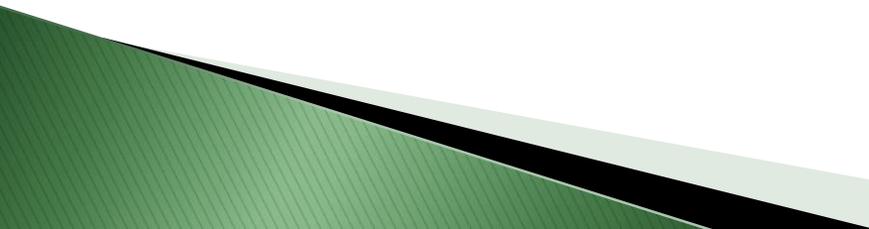
# American Disabilities Act (ADA)

The existing Placerville Jail has ADA deficiencies that will likely necessitate a significant capital investment in the near term.

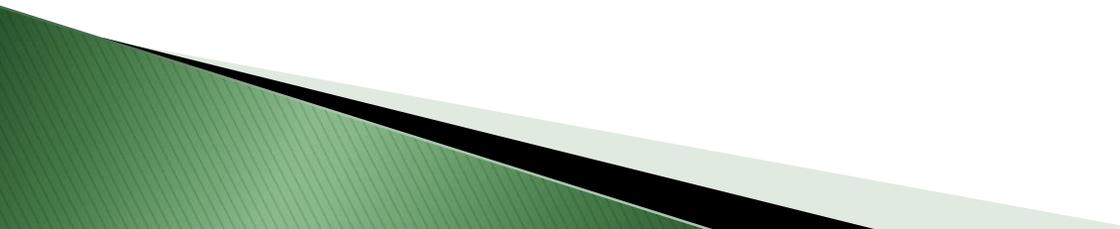
Rather than committing scarce capital resources to renovate the County's existing jail it is the intent to design and construct the expansion in a way that addresses many of the ADA issues.



# Female Population

- ▶ 2007-2016 there was a 31.3% increase in the female (ADP).
  - ▶ 21.5% of the females are AB 109 inmates, serving longer sentences.
  - ▶ There has been an increase of incarcerated inmates carrying pregnancies to term.
  - ▶ The increase of females in custody trend is expected to continue.
  - ▶ The jail expansion would allow a more comprehensive use of the female housing space and reduce costs from transporting females between facilities to avoid capacity releases.
- 

# Medical and Mental Health

- ▶ Will increase this bed space from 8 to 14, which will:
    - ▶ Reduce isolation of mentally ill
    - ▶ Improve inmate safety
    - ▶ Reduce suicide hazards
    - ▶ Improved access to recreation for medical and mentally ill inmates
    - ▶ Improved access to programming for medical and mentally ill inmates
- 

# Today's Mental Health Numbers

- ▶ We currently have 105 inmates taking psychotropic medications.
  - PV 64
  - SLT 41
- ▶ High needs Inmates.
  - PV 17
  - SLT 16

# Other Benefits to County HHSA

- ▶ a) HHSA
- ▶ · Office space for access to conduct confidential psychiatric and psychologist evaluations for assessments
- ▶ · Space for Restoration of Competency facilitation. Currently this is conducted in a holding cell.
- ▶ · Improved security for staff and clients
- ▶ · Reductions in time wasted waiting for a visiting booth for:
  - ▶ – CPS family bonding and interviews
  - ▶ – Enhanced CPS child visitation program
  - ▶ – Re-entry connection with families
  - ▶ – Public Guardian conservatorship interviews
  - ▶ – Eligibility Worker inmate interviews
- ▶ · Ability for EDSO Crisis Intervention Team, Homeless Outreach Team, and California Forensic Medical Group to partner with, and collaborate with HHSA and Probation regarding medical/mental health services, homelessness, and re-entry services.

These operational improvements will mean more productive staff time and efficient workflows that will enhance public safety upon inmate release.

# Public Defender's Office

- ▶ The expansion will provide visiting space for confidentiality and a room to communicate and review documentation.
  - Increased access to clients: Less wait time
  - Less delays in court and reduction in EDSO Transports

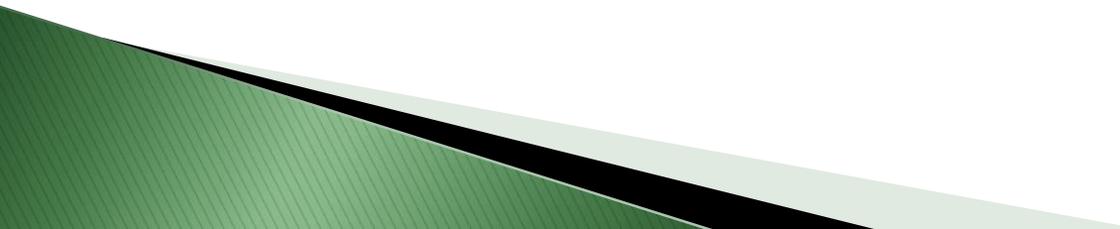
# Courts

- ▶ More Attorney visiting booths for Improve access to justice.
  - Frequently, officers and crime victims have to wait for the attorneys to meet with clients in the courtroom the day of the proceedings because they couldn't get in to see them at the jail.
  - Judges have to continue hearings because service providers such as mental health or drug and alcohol can't get to the defendants in time to report to the court.
- ▶ We have more and more -prisoners who are mentally ill who require lengthy confidential evaluations.
- ▶ Designated space for video arraignments to increase court security and efficiencies. Enables us to deploy less security personnel moving prisoners to court for a brief appearance such as a continuance.
- ▶ Jail programming for services they need if we have any expectation of rehabilitation.

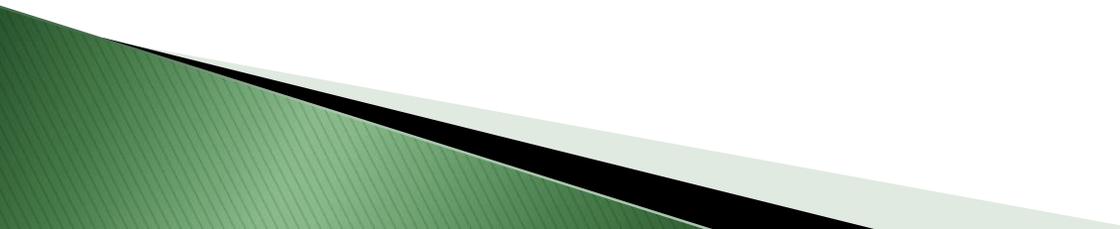
# Probation

- ▶ Office space and storage for:
  - ▶ Pretrial Officer for face to face Assessment and Supervision
  - ▶ Alternative Sentencing Officer (Electronic Monitoring) and,
  - ▶ Probation staff within the jail to work on transitional plans, assessments, and case planning with inmates in conjunction with the Inmate Services Officer prior to an inmate's release.
- 

# Volunteers- Drug/ Alcohol, Clergy, Veteran's services, and Re-Entry services will have:

- ▶ Less competition for classroom space
  - ▶ Can offer more services to more inmates
- 

# Future benefits from vacated space

- ▶ Use our Facility to it full capacity
  - ▶ Female housing used for more appropriate male housing including re-entry housing units and programming pods.
  - ▶ Medical used for Restoration of Competency (ROC) Program
- 

# State Funding of Awards

- ▶ EDC ranked 2<sup>nd</sup> out of 8 Counties to receive the Award.
- ▶ The Award is funded through lease revenue bonds.
- ▶ The conditions of the award are predicated on the requirements the county projects are approved by the BSCC, Department of Finance (DOF), and the State Public Works Board (SPWB).
- ▶ The SPWB will hold the property. The SPWB will lease it to the BSCC, who will sub-lease it to the county.
- ▶ EDC is NOT responsible to the State for debt service or rent payments.
- ▶ Once the Bonds are paid in full, EDC will own the ALCJF (approximately 25–35 years).

# EDC's Matching Funds

- ▶ The BSCC approved our request for a reduction in our matching contribution to 4.71% (\$1,236,119) instead of 10%.
- ▶ Matching costs will be through: In-kind contributions (\$912,335), the General Fund (\$180,284) and from Custody Services Special Revenue Funds (\$143,500)
- ▶ In-Kind Contribution (Non reimbursable) include: Land value at (\$120,335), County Project Administration staff salaries & benefits (\$250,000) and Transition Planning (\$542,000).
- ▶ Cash Match (Non-reimbursable) has already met (\$143,500) for the Needs Assessment Study and CEQA requirements from EDSO's Custody Services Special Revenue Fund.
- ▶ The additional cash contributions El Dorado County will be responsible for are the State Agency Fees of (\$150,284) and a Compliance Audit of (\$30,000).

Required Matching Funds:	\$1,236,119
In Kind Contributions:	- \$ 912,335
General Fund Contribution:	- \$ 180,284
Jail Special Revenue Fund:	- <u>\$ 143,500</u>
Total:	\$ 0

# Budget Summary Table

LINE ITEM	STATE REIMBURSED	CASH CONTRIBUTION	IN-KIND CONTRIBUTION	TOTAL
1. Construction	\$ 19,840,093	\$ 0		\$ 19,840,093
2. Additional Eligible Costs*	\$ 2,167,893	\$ 0		\$ 2,167,893
3. Architectural	\$ 1,884,809	\$ 0		\$ 1,884,809
4. Project/Construction Management	\$ 1,091,205	\$ 0		\$ 1,091,205
5. CEQA	\$ 0	\$ 42,000		\$ 42,000
6. State Agency Fees**	\$ 16,000	\$ 150,284		\$ 166,284
7. Audit		\$ 30,000	\$ 0	\$ 30,000
8. Needs Assessment		\$ 101,500	\$ 0	\$ 101,500
9. Transition Planning		\$ 0	\$ 542,000	\$ 542,000
10. County Administration			\$ 250,000	\$ 250,000
11. Land Value			\$ 120,344	\$ 120,344
<b>TOTAL PROJECT COSTS</b>	<b>\$ 25,000,000</b>	<b>\$ 323,784</b>	<b>\$ 912,335</b>	<b>\$ 26,236,128</b>
<b>PERCENT OF TOTAL</b>	<b>95.29%</b>	<b>1.23%</b>	<b>3.48%</b>	<b>100.00 %</b>

# Funding Delivery Method

- ▶ EDC will be responsible for funding upfront costs, approx. \$400,000, for bridging documents and Project Management Costs; before the Construction phase begins.
- ▶ Payment will be made to EDC in arrears based on monthly invoices submitted to the BSCC.
- ▶ EDC will pay the design-build contractor first and then submit reimbursement requests to the BSCC.
- ▶ The typical turn-around time for payment of an invoice is approximately 30–60 days.

# Project Establishment

- ▶ Prior to being able to start drawing down on the \$25 million we have to have project establishment. This includes:
  - Pre-Design
  - \$25,000 non reimbursable additional match (Jail Special Revenue Fund)

# Utilities Operational Costs

Facilities Staff, are projecting the utilities cost for the expansion to be a 20% total increase for the site

Fiscal Year	PG&E	Hunt & Sons	City of Placerville	<u>EID</u>	Total Utilities
FY 13/14	\$239,320	\$82,219	\$157,764	\$24,851	\$504,154
FY 14/15	\$248,100	\$67,815	\$175,447	\$26,789	\$518,151
FY15/16	\$274,472	\$58,912	\$180,018	\$27,330	\$540,732
3 Year Average of Total Utility Cost: \$521,012					
Projected Yearly Cost– 20% of Utilities for Expansion: \$104,202					

# Staffing Needs

Per the Resolution the expansion would have to be staffed within 90 days of completion (2020).

The Sheriff's Office will need a net increase of 8 staff members:

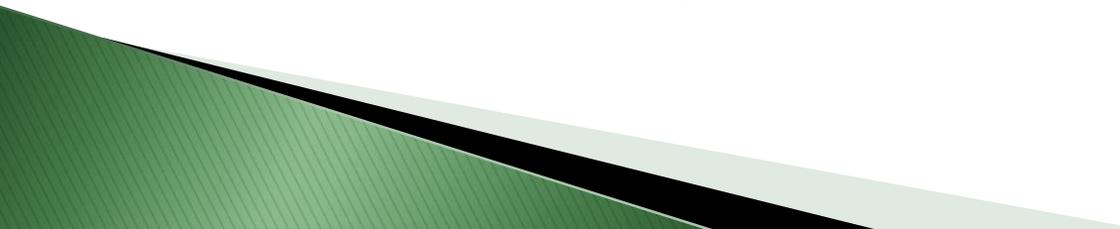
- 4 Housing Control Officers will operate the control tower 24/7
- 3 Medical/Health Services Officers will be added to augment the current Medical Officer allocation and will monitor and control the medical/mental health wing, and;
- 1 Programming Sergeant will be added for oversight, supervision, and to act as the coordinator and liaison for all programming, Inmates Services, and medical/mental health services.

The year one salaries and benefits cost for additional staffing which will be **\$966,831.00**.

# Always Looking for Efficiencies

- ▶ We are always looking for ways to reduce costs and help staff be more efficient. Currently we are:
- ▶ Updating our Inmate Communication System with Kiosks and tablets which will help with: Education, Inmate Requests, Medical, Grievances and Commissary
- ▶ Evaluating technology re:
  - Report writing features in our JMS to reduce redundancy
  - Wands to assist with Inmate management and logging checks
  - Wrist bands with alerts to crossing classifications to avoid injury report writing and potential for litigation

It will be interesting to see what 2020 holds in store.



# Ongoing Operational Costs in 2017 Dollars

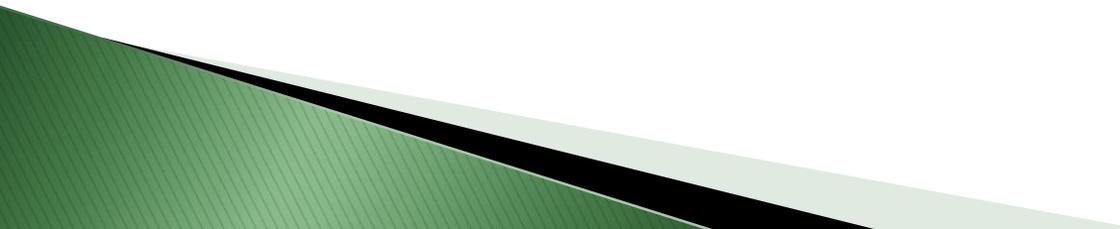
Staffing:	\$966,831
Utilities:	\$104,202
Maintenance:	<u>\$ 80,000</u>
Total	<b>\$1,151,033</b>

# Alternatives to Acceptance

- We have done all that we can within the confines of the current facility
  - We will continue to be proactive but if the California continues this direction we will have to be reactive.
  - Failure to execute the jail expansion project could leave the County vulnerable to litigation related constitutional violations, ADA compliance, and Title 15 Regulations.
  - The issues identified must be addressed, whether through the SB844 award or other means.
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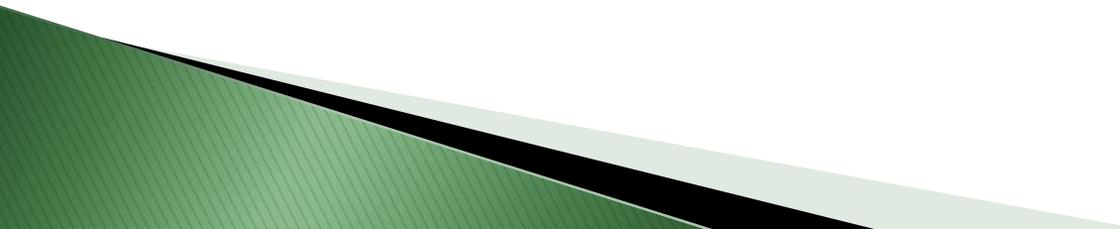
# 844 is in line with EDC's County Mission Statement

El Dorado County government shall provide efficient, courteous, and effective services and infrastructure for safety, protection, and well-being of our residents, businesses and visitors.



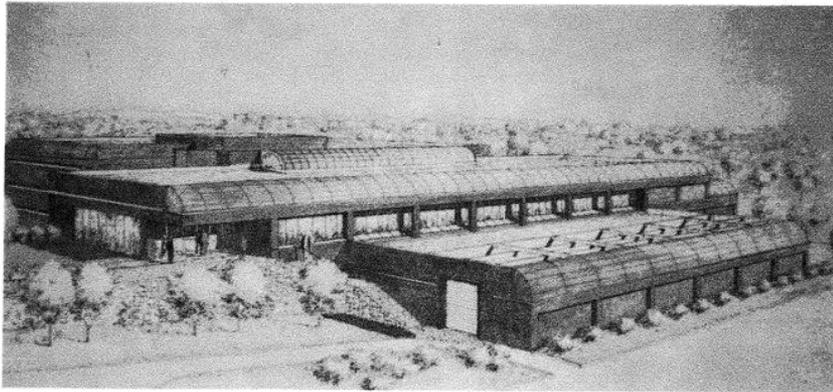
# 844 is in line with EDC's County Strategic Goals

## Strategic Goals:

- ▶ **Public Safety:** Protects the community, prevents crime, enforces the law, administers justice, provides rehabilitative services, and promptly responds to emergencies and calls for service.
  - ▶ **Infrastructure:** Provide, operate and maintain infrastructure, public facilities, and associated services that protect our community, environment and economic well-being.
  - ▶ **Healthy Communities:** Improved health, well-being and self sufficiency of El Dorado County communities, residents and visitors.
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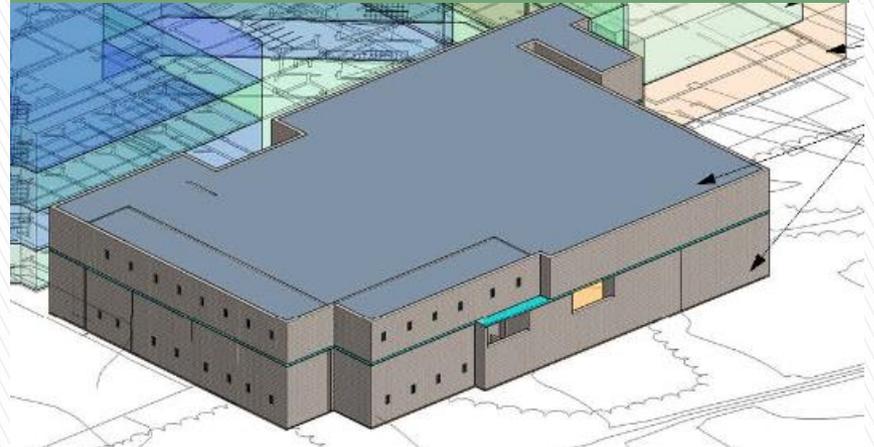
# Then, Now , Later ?

THEN= 1985  
\$14,000,000.00



EL DORADO COUNTY  
DETENTION FACILITY  
PLACERVILLE, CALIFORNIA

NOW= 2017-  
\$25,000,000.00  
22,000 Square Feet



**Later ? This opportunity may not  
present itself again**

# Next Steps to move forward

- ▶ 1) Accept the conditional award authorized under Senate Bill 844 Adult Local Criminal Justice Facilities Construction financing program for the Placerville Rehabilitation and Re-Entry Jail Expansion Project, and
  - ▶ 2) Authorize CAO to sign all related documents, agreements, requests for reimbursements all other associated documents pertaining to the program.
- 