



County of El Dorado

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Legislation Text

File #: 08-1040, Version: 1

District Attorney and Sheriff's Departments recommending approval and adoption of Resolution **197-2008** in opposition to the proposal for settlement of prisoner release litigation, to support said departments actions in opposing the premature release of state prisoners, and to convey that opposition to the Governor and the California Legislature.

RECOMMENDED ACTION: Approve.

BUDGET SUMMARY:		
Total Estimated Cost		\$0
Funding		
Budgeted	\$0	
New Funding	\$0	
Savings	\$0	
Other	\$0	
Total Funding Available	\$0	
Change To Net County Cost		\$0

Fiscal Impact/Change to Net County Cost: None

Reason for Recommendation:

Two federal court class-action lawsuits were filed against the State of California alleging that the healthcare received in prison was not constitutionally adequate due to prison overcrowding. Since April, 2006, the federal courts have been controlling prison healthcare with an appointed receiver. Despite the fact the State is no longer controlling prison healthcare, the plaintiff/prisoners successfully sought a three-judge panel to consider ordering a mass release of prisoners to address the crowding issue. A settlement referee submitted a proposal that would divert all state prison commitments of 12 months or less (after consideration of all applicable credits) to as-yet unidentified and unfunded local programs, effectively shifting the State's overcrowding problem to the Counties. The proposal also includes "summary parole" which would permit the release of some prisoners on parole with no supervision. This proposal places the residents of El Dorado County at risk for substantially increased law enforcement costs, and more significantly, in danger of being victimized by the prisoners prematurely diverted from or returned from state prisons

Action to be taken following Board approval: Board Chair to sign Resolution. District Attorney's office will forward signed Resolution to the State.

Contact: Vern Pierson

Concurrences: Sheriff Neves

