

County of Santa Clara
Office of the County Executive
Children and Family Services, Public Safety & Justice




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DATE: September 3, 2009

TO: Supervisor George Shirakawa, Chairperson
Supervisor Donald F. Gage, Vice Chair
Public Safety & Justice Committee

FROM: 
Gary A. Graves
Acting County Executive

SUBJECT: The County of Santa Clara, Department of Correction's Needs
Assessment/Facilities Study, 2009 ("Jail Facilities Needs Assessment").

RECOMMENDED ACTION

Under advisement from the Board of Supervisors meeting on March 11, 2008, Item 26 c:
Accept the Jail Facilities Needs Assessment Report.

FISCAL IMPLICATIONS

There are no fiscal implications associated with acceptance of the Jail Facilities Needs Assessment Report ("Report"). As a planning tool, the Report contains a number of recommendations based on analysis of information as of May 2009, a forecast of population of the county inmates, and the resulting operation and capacity requirements of the County's correctional facilities.

REASONS FOR RECOMMENDATION

At the Board of Supervisors meeting on March 11, 2008, the Board accepted a report from the Administration relating to State's Jail Construction Funding Program (AB 900), and directed the Administration to not pursue siting a State prison re-entry facility in Santa Clara County. The Board also directed the Administration to collaborate with the Department of Correction (DOC) and Facilities and Fleet Department (FAF) to hire an outside consultant to conduct a formal Jail Facilities Needs Assessment. This Board action authorized the continued collection of information regarding the County jail capacity issues. As such, the Report is intended as one of the many planning tools to be considered during the annual Capital Outlay process and prioritization.

Selected through a competitive process by representatives from various County departments, the consultant firm, MGT of America, Inc, has completed the study and a Power Point summary of the Report is attached. Titled, "*The Santa Clara County, Department of Correction Needs Assessment/Facilities Study, 2009,*" the Report was designed to update the adult jail facilities portion of the County's existing "*Strategic Facilities Plan for 24-Hour Adult & Juvenile Correctional & Residential Institutions, 2003.*"

Another element included in this Report is the jail needs assessment which contains all required data as defined in Title 24, CCR, section 13 -102(c). In addition to a high-level review of DOC's philosophy and its operational needs, this Report includes a forecast of County inmate population and its resulting capacity requirements in decades ahead.

The Report contains data and information collected as of May 2009 and is based on a projected demand for services that are subject to changes in law, policy and budgets at the local, state and federal levels. These changes may necessitate additional analysis to reflect new impacts made to the local criminal justice system, or specifically to the County jail facilities.

Highlights of the Report's findings

Among the findings indicated in the Report, several of them are already known by the County. For example, numerous buildings at both the Elmwood and Main Jail complexes are older and require significant annual investments to continue their use as correctional facilities. The programming offered at DOC is found to be diverse, well-designed, and appropriately funded. And, the Custody Health program is determined to meet or exceed most professional standards for health care delivery in a correctional setting.

On the other hand, several findings are either reflective of current local demographic trends or unintended consequences of the financial crisis faced by the County since the last report made in 2003. Recognizing that the number of elderly inmates in need of assisted living is increasing, the Report recommends developing additional infirmary beds to address the need for long-term care capacity. The Report also questions the current staffing levels for the DOC. The Report recommends a total of 109 additional correctional staff, of which 86 positions are to enhance DOC's relief factor and 23 positions for new posts to address the recurring need of escorting unscheduled inmates to hospitals. This represents a 15.6% increase over the DOC's current Sheriff Correctional Officers and a cost of \$12.1 million in salaries and benefits (at step1 level). At the same time, the DOC classification housing system is determined to be complex, requiring more flexibility in capacity management than most jail classification systems.

The Report projects little growth in County inmate population over the next 20 years by utilizing data provided by the County staff, assumptions based on demographic, justice system trends and applied statistical analysis. The inmate projection considered "peaking factors" to adjust for seasonal fluctuations and the need to perform maintenance on beds at certain times. In addition, this projection also assumes a constant level of 342 revenue-generating inmates received from other jurisdictions.

Lastly, the Report projects a minimal impact to County inmate population from the impending State prison population reduction plan. This projection represents the consultant's analysis of the facts currently available regarding the Governor's plan, which mimics the major sentencing and prison reforms under consideration by the State Legislature. Both the DOC and the Administration disagree with this assessment, although we admit that the actual impact is difficult to determine at this time.

BACKGROUND

On June 9, 2009, the Board of Supervisors approved the Ten-Year Capital Improvement Plan (CIP) for the period Fiscal Years 2010-2019. The CIP is produced each year pursuant to Board Policy Resolution 0206 adopted on January 14, 2003, and section 4.11 of the Board Policy Manual. Projects that are not requested during the annual Capital Projects planning process, as described in Board Policy Section 4.10 (Capital Outlay Policy), will not be considered for funding unless the need has been created by an emergency or other compelling reason.

The CIP is not a budget document but rather a planning tool to be used in conjunction with the budget document. It includes capital projects that are underway or planned for the future. As it is not possible to anticipate all needs and funding sources, the information in the CIP will change from year to year. Thus, the assessment process is an ongoing process influenced by many changing factors such as: service need, available resources due to the changing economy, Board priorities, legal mandates, age and the condition of existing buildings and health and safety considerations.

The program needs assessments that drive the capital planning efforts are found, for the most part, in independent strategic studies directed by the Board and legislation. One such study is the "*Strategic Facilities Plan for 24 -Hour Adult & Juvenile Correctional & Residential Institutions, 2003.*" The other studies are:

- SB 1953 - Amendment to the Alfred E. Alquist Hospital Seismic Safety Act
- Courts and Related Criminal Justice Office Space - accepted by the Board on 12/14/09
- General Office and Support Facilities accepted by the Board on 12/14/00
- VMC Strategic Business Plans accepted by the Board in May 2000 (and its updates accepted by the Board on October 2002 and September 2006)
- HHS Strategic Facilities Plan accepted by the Board in May 2000
- DADS/MH/PH Strategic Business Plan accepted by the Board in October 2003
- Parks and Recreations Department Strategic Plan accepted by the Board on 8/5/03
- Roads Department Five-Year Plan approved by the Roads Commission on 6/8/06

CONSEQUENCES OF NEGATIVE ACTION

The County will not have the information contained in the Report.