



Shasta County

BOARD OF SUPERVISORS

1450 Court Street, Suite 308B
Redding, California 96001-1680
(530) 225-5557
(800) 479-8009
(530) 225-5189-FAX

DAVID A. KEHOE, DISTRICT 1
LEONARD MOTY, DISTRICT 2
MARY RICKERT, DISTRICT 3
STEVE MORGAN, DISTRICT 4
LES BAUGH, DISTRICT 5

July 24, 2018

The Honorable Gary Gibson
Presiding Judge, Shasta County Superior Court
1500 Court St., Rm. 205
Redding, CA 96001

Dear Judge Gibson:

**Re: Response of Board of Supervisors to Fiscal Year 2017-2018 Grand Jury Report:
Shasta County Jail: Funding and Capacity**

The Shasta County Board of Supervisors appreciates the time and dedication which the 2017-2018 Grand Jurors contributed to their charge. The following findings and recommendations are under serious consideration and discussions are being held regarding solutions to any unresolved problems.

FINDINGS

The Grand Jury findings:

F1. Shasta County Jail capacity began declining after Crystal Creek Work Camp closed in 1992, despite continued need for capacity. Assembly Bill 109, Proposition 47 and inadequate increases in Shasta County revenues have only exacerbated a long-term capacity deficit at the Shasta County Jail.

Response: The Board of Supervisors agrees with the finding. The adult Crystal Creek Work Camp closed due to County budget constraints. Legislation and propositions have impacted Jail bed needs, and County public safety reserves. However, the Board of Supervisors is addressing the need for additional Jail beds. Unfortunately, previous State grants for new facilities only addressed construction related costs but failed to address the on-going annual operating costs for those additional Jail beds. Once the annual costs were quantified, there was no identified funding to support those costs. The Board is already moving forward with capital improvements in the current Jail to

increase capacity and is working on a Special Tax to provide long-term revenue to support operational costs for additional Jail beds.

F2. *Compared to five similarly-sized counties in California, Shasta County's ratio of jail beds to population is the lowest, indicating the need for additional Shasta County Jail bed capacity.*

Response: The Board of Supervisors agrees with the finding. However, basing the need for jail capacity solely on County population is too simple; the reality is more complex. In the October 2013 Nichols, Melburg, Rossetto (NMR) "Shasta County Jail Facilities Needs Assessment" report and the May 7, 2018 "Jail Needs Assessment Update" by DSA Planning, Inc., both entities considered average daily populations, average length of stay, historical trends, and annual arrests and bookings to estimate current and future Jail bed needs. The NMR report indicates that "...the "right types" of beds need to be developed in support of new and expanded AB109 inmate programs to break the "book and build cycle" and successfully implement AB109 in Shasta County..." Certainly other counties of similar population may have already implemented numerous diversion programs, intensive in-custody services/programs, and other services/programs to address criminogenic needs, which could reduce their need for in-custody beds.

F3. *A comparison of Shasta County's Jail capacity prior to Assembly Bill 109 and current jail capacity shows that Shasta County has fewer jail beds but a higher number of offenders' (sic) This indicates the need for additional Jail beds.*

Response: The Board of Supervisors agrees with the finding. Numerically, the finding is correct, however, the types of offenders is critical to consider, not just the number. If the majority of offenders have issues such as, disabilities, mental health and alcohol and other drug abuse, and/or other criminogenic needs and those issues are not being addressed on an individual basis, it should not be presumed that just additional jail beds will solve the problem.

F4. *The percentage of the Shasta County Jail budget provided from the Shasta County General Fund has steadily declined over the last seven years while the Shasta County Jail's operating cost have risen. This has resulted in increased reliance on unsustainable sources of funding.*

Response: The Board of Supervisors wholly disagree with the finding in that the General Fund contributions for the jail were stable through fiscal years 11/12, 12/13, and 13/14 while the General Fund contributions for the jail increased in fiscal years from 10/11

to 11/12 and again in 14/15, 15/16, and 16/17. While the Jail's operating cost have risen, according to the Auditor-Controller, the General Fund contributions to the jail budget the last seven fiscal years are as follows:

<i>FY 10/12</i>	<i>FY 11/12</i>	<i>FY 12/13</i>	<i>FY 13/14</i>	<i>FY 14/15</i>	<i>FY 15/16</i>	<i>FY 16/17</i>
<i>\$8,003,747</i>	<i>\$8,251,295</i>	<i>\$8,251,295</i>	<i>\$8,251,295</i>	<i>\$8,498,834</i>	<i>\$8,753,799</i>	<i>\$9,162,475</i>

F5. *While revenue from Proposition 172 fluctuates, the amount allocated to the Shasta County Jail by the Shasta County Auditor-Controller has varied little over the last ten years making this funding source relatively stable and predictable.*

Response: The Board of Supervisors partially disagrees with the finding in that the funding is not allocated by the Auditor-Controller. The Shasta County Board of Supervisors has the authority by way of the annual budget to determine allocations, not the Auditor-Controller.

F6. *AB 109 has provided funding to the Shasta County Jail since 2011, however this funding is not a stable or predictable source due to projected budgetary decreases of 25% in the next two years.*

Response: The Board of Supervisors partially disagrees with the finding in that it is unknown whether there will be budgetary decreases in the next two years. The timing of the actual depletion of community corrections Assembly Bill 109 reserves is unknown at this time. The Community Corrections Partnership Executive Committee, which is the entity that administrates the community corrections Assembly Bill 109 budget, has projections that are dependent on actual spending of the Assembly Bill 109 funds each fiscal year. Unspent funds "roll over" and may be available for the following fiscal year. The Community Corrections Partnership Executive Committee will determine how to address any declining Assembly Bill 109 reserves and adjust their future budgets accordingly.

F7. *Out-of-county beds increase Shasta County's incarceration capacity and do so at a lower cost than adding jail beds to the Shasta County Jail. Because of restrictions, it is a limited option that cannot be relied upon for contributing significantly to Shasta County inmate capacity.*

Response: The Board of Supervisors agrees with the finding.

F8. *The Shasta County Board of Supervisors has not publicly accepted assessment data that forecasts current and future capacity needs at the Jail. Without knowing*

that capacity, it is impossible for the Shasta County Board of Supervisors to accurately develop capital cost and operating budgets for jail expansions.

Response: The Board of Supervisors wholly disagrees with the finding. County staff has the assessment report completed in 2013 and the recent update from May 2018. This information is utilized to present options to the Board of Supervisors to increase Jail capacity and develop capital and operating budgets. The Board is already moving forward with adding local Jail beds as funding resources are identified.

F9. *The Shasta County Board of Supervisors has not developed a short or long-term plan to match Shasta County Jail capacity needs with identified operational funding sources, despite multiple assessments showing a critical jail bed shortage in Shasta County.*

Response: The Board of Supervisors wholly disagrees with the finding. The Board of Supervisors have discussed short and long-term plans over the years. Most recently, the short-term and long-term plans as it relates to Shasta County Jail capacity needs and funding were discussed at the Board of Supervisors Public Safety Workshop in February and subsequently discussed and presented at the Board of Supervisors Public Safety Workshop in June as well as other Board of Supervisors Meetings.

F10. *In 2012 and 2017, California State funds were available for expansion of the Shasta County Jail but were rejected due to the Shasta County Board of Supervisors' inability to fund operational costs of an expanded facility. This continues to leave Shasta County without adequate Jail capacity.*

Response: The Board of Supervisors partially disagrees with the finding in that the State funds were not rejected *due to the Shasta County Board of Supervisors' inability to fund operation costs* but rather financial resources and revenue were not available without significantly impacting County resources thus reducing and/or impacting other critical services.

RECOMMENDATIONS

The Grand Jury recommends:

R1. *By September 30, 2018, the Shasta County Board of Supervisors, based on available or newly solicited information, agree on needed capacity at the Shasta County Jail both now and in five, 10, 15 and 20 years. Theses capacity needs*

The Honorable Gary Gibson
Shasta County Superior Court
July 24, 2018
Page 5

should be reviewed and updated annually based on new legislation or other pertinent changes.

Response: The recommendation has been implemented. Such studies and investigations have been undertaken and reviewed for updates routinely and will continue to do so.

The Board of Supervisors approved an immediate addition of 64 Jail beds which has been approved by the State. In addition, the County is in the process of obtaining approval from the State for an additional 38 Jail beds for a total of 102 Jail beds added to the current Jail facility.

The County's Mid-Term Action Plan includes remodeling Justice Center Departments 1 and 2 into 64 Jail beds. This idea is in the design phase and as soon as the Court moves to their new location, the County will further consider having the additional space re-purposed to Jail bed space.

The County's Long-Term Action Plan can occur after the Court vacates the current Courthouse. The County is considering the remodel and conversion of Department 12 into a minimum of 102 additional beds. The building may become multi-story should future needs and funding become available.

R2. *By March 31, 2019, the Shasta County Board of Supervisors adopt a 10 year funding plan for Shasta County Jail capacity expansion including capital and operational costs. This plan should be reviewed annually at a public meeting.*

Response: The recommendation will not be implemented because it is not warranted or is not reasonable. Each year, the Shasta County Board of Supervisors adopts an annual budget at a properly noticed public hearing. Contained in the County's annual budget is narrative to address capital improvement costs and operational costs in context with available revenue which includes issues relating to jail capacity, expansion, and operational costs.

R3. *By March 31, 2019, the Shasta County Board of Supervisors identify on-going new sources of revenue to meet current and projected Jail capacity needs.*

Response: The recommendation has already been implemented. Shasta County has always looked for and identified new sources of revenue to meet current and projected needs for all County Departments.

The Honorable Gary Gibson
Shasta County Superior Court
July 24, 2018
Page 6

On July 10, 2018, at the Board of Supervisors Special Meeting, the Board received a report regarding potential revenue options to fund public safety operations through local taxes, assessments or fees. The Board of Supervisors voted to move forward with working with the Cities to propose a Public Safety Special Tax. Tax dollars generated from a Public Safety Special Tax may include:

1. Construction, repair, maintenance, and operation resulting in the expansion of and additions to existing County jail and adult detention facilities;
2. Construction, repair, maintenance, and operation of new of additional County jail and adult detention facilities; and
3. Expansion of law enforcement services in the unincorporated area of the County of Shasta.

Description Estimated Annual Operating Costs:

Add 38 Beds in Main Jail \$713,749

Add 64 Beds in Dept. 1 and 2 (Justice Center) \$3,293,441

Add up to 102 Beds in Dept. 12 (Estimate is for 102 Beds at the current modular site) \$4,302,248

Fund positions for 24-hour patrol coverage in Shasta County \$3,976,960

Additionally, the Health and Human Services Agency and the Housing and Community Action Programs Department have identified a "Jail Diversion" program working to identify and address the crimes committed by those in the community that are homeless. Should the Jail Diversion program come to fruition it is anticipated to be funded by grants.

This concludes the responses of the Shasta County Board of Supervisors to the FY 2017-2018 Grand Jury Report entitled "Shasta County Jail: Funding and Capacity."

Sincerely,



LES BAUGH, Chairman
Board of Supervisors
County of Shasta