



**COUNTY OF SAN MATEO**  
Inter-Departmental Correspondence  
Sheriff's Office



**Date:** May 21, 2014  
**Board Meeting Date:** July 1, 2014  
**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Sheriff Greg Munks

**Subject:** Agreement with the Alameda County Sheriff's Office

**RECOMMENDATION:**

Adopt a Resolution authorizing the Sheriff to execute an agreement with the Alameda County Sheriff's Office for jail beds and services to relieve overcrowding for the term of June 1, 2014 through June 1, 2016, in an amount not to exceed \$3,000,000.

**BACKGROUND:**

The Maguire Correctional Facility (MCF) houses minimum to maximum security male inmates as well as some female inmates with significant medical and mental health needs. MCF also houses general population female inmates when the women's jail reaches a critical, overcrowded condition. Jail overcrowding at MCF has been an on-going issue for many years. The MCF average daily inmate population for this year is 912, far exceeding MCF's rated capacity of 688 beds. Over the last 15 years, approximately 400 rated beds have been lost due to other correctional facility closures.

The Maple Street Complex is comprised of the Women's Correctional Center (WCC), which is the main facility housing female inmates; the Alternative Sentencing Bureau (ASB); and the Men's and Women's Transitional Facilities (MTF and WTF), which house up to 46 men and 16 women. The Maple Street Complex also includes the Electronic Monitoring Program and the Sheriff's Work Furlough and Sheriff's Work Programs for male and female inmates serving their jail sentences outside of custody while performing community service. The Women's Correctional Center, with 84 rated beds, was originally built in 1980. The ADP for the WCC is between 120-150 inmates.

The San Mateo County adult correctional facilities remain overcrowded. The Sheriff's Office seeks additional capacity for housing inmates until the new replacement facility, the Maple Street Correctional Center, is completed and ready to house inmates starting in early 2016.

**DISCUSSION:**

With the passage of Public Safety Realignment (AB 109) on October 1, 2011, the challenge of jail overcrowding in San Mateo County continues. The AB109 population is approximately 20% of the total “in custody” jail population. Since the passage of AB 109, a total of 762 criminal cases have been sentenced by the Court under section 1170(h) of the Penal Code to terms served at the local level. Since October 2011, inmates sentenced under AB 109 have served a total of 129,622 days (after credits have been applied) with an average length of stay of 170 days.

Public Safety Realignment created two additional types of inmates that have impacted the average daily population in the county’s correctional facilities: post-release community supervisees and parole violators. First, post-release community supervision (PRCS) is a period of supervision by the Probation Department. State prisoners, who qualify for PRCS at the time of their regularly scheduled release date from the California Department of Corrections and Rehabilitation (CDCR), complete a period of supervision in the community. Prior to Realignment, this group of state inmates would have been released from prison to state parole. Under PRCS, this group of inmates falls under local jurisdiction for supervision in the community. The law grants probation officers the authority to flash incarcerate supervisees as a form of graduated sanctions to gain supervisee compliance to the terms of supervision. In addition, supervisees can be arrested on new charges during their period of PRCS. Between October 2011 and April 2014, a total of 661 PRCS inmates have served 21,577 days in custody with an average length of stay of 33 days.

Second, AB 109 changed the way in which parole violations are reviewed, processed, and sentenced. Starting on July 1, 2013, the responsibility for conducting parole revocation hearings shifted from the State Board of Parole to the county level under the jurisdiction of the San Mateo County Superior Court. Parolees found by the Court to have violated the terms of their parole are sentenced to no more than 180 days at the local level (this excludes new criminal charges filed by the District Attorney’s Office for adjudication). Prior to July 2013, parolees were returned to CDCR to serve time for parole revocations. In San Mateo County, the impact to the correctional facilities from the change to state parole has been a decrease in the number of parole revocation hearings and sentences; however, parolees who are sentenced on parole revocations now serve their time at the local level, with a slightly higher average length of stay in custody than before the law changed. When comparing the same 9-month time periods before and after the July 1, 2013 change to the parole process [July 2012 – March 2013 and July 2013 – March 2014], the number of parole revocations filed in San Mateo County decreased by 86%; the number of parolees sentenced for a parole revocation decreased 87%; and the number of days in custody for this population decreased 87%. However, the average length of stay for this population increased 11% after July 1, 2013. While there is a decreased number of parole violators moving through the parole revocation and sentencing process, the implementation of this change in law shifts the responsibility for determining new criminal filings from the State Board of Parole to the District Attorney’s Office. The District Attorney’s Office reviews new, on-view criminal charges to determine if new criminal charges will be filed on parole violators. In turn,

these parolees become inmates who begin a new criminal adjudication process, and in many cases, remain in-custody during this time.

The Jail Project remains a high priority to address overcrowding at the Maguire Correctional Facility, the overall women inmate population, and inmate population growth projections as a result of the passage of Public Safety Realignment. The new facility which replaces the outdated Maple Street Complex, will allow for the housing of longer-term inmates, provide a setting for appropriate programs and services as well as providing relief in our corrections system.

The Maple Street Correctional Center (MSCC) is being constructed on 4.85 acres in Redwood City and is 280,000 square feet, which includes housing and an administration building. The housing unit will be three stories high, accommodating 576 beds for both men and women, with a future build-out to a maximum of 832 beds. The two-story support wing will include inmate processing, a natural light filled visitor lobby, video visitation, kitchen, laundry and loading docks on the first floor. The second floor will include jail administration, transitional housing, a medical clinic with an anticipated opening for inmate housing in January of 2016. Until MSCC opens, the need for supplemental housing is necessary. One option is to house inmates in our former La Honda Medium Security Facility (MSF). However, this option is challenging because the site is remote, only specific classifications of inmates can be housed at this facility, and the costs to operate this facility are high. A second option is to contract for beds with the Alameda County Sheriff's Office.

The Sheriff's Office requests your Board to authorize the Sheriff or Sheriff's designee to execute contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

County Counsel has reviewed and approved the Resolution and agreement as to form.

The approval of this agreement contributes to the Shared Vision 2025 outcome of Safe Neighborhoods by providing supplemental housing for inmates in the event that the County's correctional facilities reach their maximum capacity.

**PERFORMANCE MEASURE:**

| Measure                                                                                            | FY 2013-14<br>Actual | FY 2014-15<br>Projected |
|----------------------------------------------------------------------------------------------------|----------------------|-------------------------|
| The number of inmates transferred to ACSO from SMSO successfully reducing the SMSO jail ADP by 10% | NA                   | 98                      |

**FISCAL IMPACT:**

The contract with Alameda County Sheriff's Office is for a term starting June 1, 2014 through June 1, 2016, with an option to extend if needed. The Sheriff's Office will be charged the following daily jail rate while inmates are in their custody:

- 1-15 Inmates \$125.00
- 16-21 Inmates \$115.00
- 22-35 Inmates \$105.00
- 36-45 Inmates \$95.00
- 46 + Inmates \$85.00

Costs incurred will be paid utilizing AB109 funds and there will be no additional Net County Cost.