

March 26, 2021 **[DRAFT]**

TO: Honorable Members of the Board of Supervisors, County of San Mateo  
Dave Pine, District 1  
Carole Groom, District 2  
Don Horsley, District 3  
Warren Slocum, District 4  
David Canepa, District 5

FROM: Heather Green, District 2, San Mateo County Parks Commission

RE: San Mateo County's use of California Department of Corrections and  
Rehabilitation Work Crews for fire fuel reduction work

Dear Supervisors,

It is an honor and a privilege to serve on the Parks Commission and support all the tremendous work the Parks Department delivers for San Mateo County. Since joining the Commission more than two years ago, I have been consistently impressed with Department staff and leadership, and I am confident our future is bright.

There is a matter that has come before the Commission that I believe demands your attention: our use of underpaid prison labor for fire hazard mitigation work. As a matter of regular practice and not unlike other counties, San Mateo County makes use of underpaid California Department of Corrections and Rehabilitation (CDCR) prisoners' labor as part of our Cal Fire projects to clear brush and reduce fire risk. Though it achieves the important end of fire risk mitigation, I believe the means violates our values as a community of fair pay for work and justice for all, and it must stop. And it can stop.

While the 13<sup>th</sup> Amendment eliminated slavery and forced servitude, it also made an exception for the punishment of a crime. This carve-out directly incentivized the arrest of Black people throughout the United States and laid the foundation for the racist imbalances that persist in our criminal justice system today. The California constitution makes the same exception. Change is on the horizon; State Representatives have put forward ACA-3, The California Abolition Act to Abolish Involuntary Servitude, now in Committee. Until something gives, our ongoing benefit from this arrangement implicates present-day San Mateo County in a terrible legacy.

Doesn't this program benefit the prisoners who sign up to do this work in exchange for reduced time on their sentences? Yes, the work, skills development, and change of scene are beneficial to the prisoners. At CDCR Camps, workers are eligible for milestone completion credits for skills training and work off sentencing time. However, that does not obviate our responsibility to pay fairly for work, just as we pay our interns as they learn on the job. For their efforts, most CDCR workers earn \$2.67 *per day*.

I believe we can leave the existing program in place and augment it with a fair wage for only modest County funds through a stipend or similar. Some data points that give a sense of the resources involved:

- In FY2019-20, CDCR work crews provided 40 work days for the department, and I believe for FY2021-22 the Department has requested 32 days.
- The County currently pays \$250 per work day for a crew of 9-12 people. That charge goes to the fuel for crew transportation, the saw fuel, chains and parts, and tools for the bus. That as-is cost (excluding staff time) for 40 days is \$10,000.
- Multiplying 12 people per crew for 32 eight-hour days at FY2021-22 at San Mateo County's 2021 minimum wage of \$15.62 per hour yields approximately \$48,000.

Commission discussed this briefly last year, and our April 1 meeting has a discussion item focused on the matter. It is my understanding that the Parks Department does not have a source identified for a pilot to develop a payment mechanism for CDCR labor delivered in San Mateo County. Additional funds would be needed.

I respectfully request that the Board consider appropriating the small supplementary funds needed to pay fairly for the labor we use. There would be administrative hurdles to be sure, but I am confident San Mateo County could figure out how to pay people who deliver work so important to all of us. I also respectfully ask that the Board consider a resolution endorsing ACA-3, which would bring systemic change.

I understand we are still in the midst of a pandemic, and budgets are tight for all departments. Still, it is long past time to right the wrongs of a structurally biased system in whatever ways we can.

Thank you for doing what you can to bend our arc towards justice.

