

## **Aging, Inadequate jail puts county's citizens at risk**

by Michael Walker, Undersheriff Calaveras County  
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The most pressing issue that faces the Calaveras County Sheriffs Department today is the need for a new jail. Our jail was opened in 1963 and served the County well for its first twenty years. The fact remains though that the facility is forty-two years old and was built at a time when designs and building materials were different. The jail has a court ordered capacity of only 65 inmates.

Building materials used in 1963 to build the jail contained 30% Asbestos. The correctional and maintenance staff works on a daily basis to control and seal this material. As you can imagine inmates are hard on a facility and controlling this material is impossible. Removal of the material is not an option due to the facility having to be closed to do so. Once the facility is closed the California Department of Corrections and Rehabilitation would not allow it to reopen due to the facility being out of compliance with Title 24 of the California Code of Regulations. The California Department of Corrections and Rehabilitation has "grandfathered" the facility in regards to Title 24 but if we ever had to close the facility for a short time we would never be able to reopen. Materials in the jail make it unsuitable for any type of adult or juvenile holding facility after the construction of a new facility is completed.

The current facility is a linear design that requires a large staff to visually supervise inmates. Most of the modern designs today are based on a podular design allowing for one correctional officer to have visual supervision of the entire facility. The woeful conditions in the jail make it difficult to recruit and retain correctional officers. Security deficiencies are endemic (e.g. hallways and doorways that are too narrow to allow control of an unruly inmate, lack of visibility and blind corners throughout, inadequate security barriers and devices, the lack of a vehicular sally port, an inadequate number of pedestrian sally ports, the lack of an entry control package for visitors, to name a few). Were it not for the benevolence of "grandfathering," the Calaveras County Jail would fall woefully short of meeting California Department of Corrections and Rehabilitation, Title 15, and Title 24 standards.

499 inmates released early due to overcrowding, criminals on the streets  
The County population in 1963 was approximately 12,000 and has grown close to 48,000 today. The County population growth rate is almost twice that of the state average (Calaveras County population growth experienced a 26.7% increase between 1990 and 2000 as compared to the state's growth of 13.6% during the same decade). With the growth of the population also comes the growth of crime. Due to the size of our jail we have to release inmates on a regular basis in order to prevent violation of the court mandated cap. Last year 499 inmates were released early due to overcrowding. Misdemeanants and felons were released after only serving minimal time of their sentences. Over the last ten years 219 years of time went un-served due to early release from jail, putting criminals back on the streets only to victimize citizens again. Twenty

four percent of those released early re-offended and were arrested again. Last year alone 45 years of time went un-served due to early release. The Calaveras County Jail now operates as a felony only incarceration facility with felons being released daily under the court ordered jail cap.

### Phenomenal growth in the County

Criminals who go through the court system in Calaveras County will elect to have monetary fines transferred into jail time knowing that they will only serve a little or no jail time at all due to the occupancy cap of the jail. The jail uses several alternative housing programs including a Work Release Program and Electronic Monitoring. The lack of program space at the jail has resulted in the inability to run additional programs to reduce recidivism. Crowding has been chronic since 1992 even with a variety of alternatives in place. A Facility Needs Assessment in 2002 identified a need for a new 96 bed adult detention facility to meet projected space requirements through 2010. In August of 2005 we had our Facility Needs Assessment update due to the phenomenal growth that the County has experienced. An assessment in 2005 identified that a new 180 bed facility would be needed to meet projected local incarceration space requirements through 2020. Title 24 of the California Code of Regulations is the driving force as to what the State mandates in terms of the square footage of a facility based on the number of beds and program rooms required. Due to phenomenal growth in the County the current projection is for the need of a 240 bed facility to meet the County need through the year 2020. The unsafe conditions in the existing jail and the lack of program space exacerbate this need. Drug Court and Proposition 36 programs have stalled in Calaveras County due to offender's knowledge that there are no sanctions for failure to follow the programs.

### The jail is full

The justice system in Calaveras County has suffered from the inability of the system to enforce the punishments imposed by the courts. Crime in Calaveras County is on the verge of going unpunished and the criminal offenders know it. On any given Monday persons who have warrants for their arrest can be seen lined up in front of the jail to turn themselves in. One could think that these individuals have come to do their time and get the past behind them. The truth is they are there to turn themselves in because the jail is full of all felon inmates and by just showing up those with misdemeanor warrants have served their sentences and will go home that day time served.

In February of 2002 Calaveras County applied for a Local Detention Facility Construction Grant in response to a Board of Corrections Request For Proposal issued November 15, 2001. Calaveras County was extremely competitive in the process and during the Board of Corrections Grant Committee hearings was told that we had demonstrated the strongest need but the Committee had to score the grants submitted based on cost per bed. Since Calaveras County needed to build a complete facility and other counties were only requesting to add beds to their newer existing facilities Calaveras County could not compete in the cost per bed formula.

Small rural counties needing completely new facilities can not compete in a process that is based on this type of formula requirement. Calaveras County at that time had committed to the RFP requirement of a 25% cash/in-kind match. Under the Governor's current bond proposal we pray that any County match in a jail facility construction grant would not exceed the 25% cash/in-kind match.

The citizens of Calaveras County deserve to know that if they are victimized that the criminal justice system will punish those responsible. The citizens also need to know that they will be protected from the criminal element by the use of effective criminal incarceration.

The Sheriffs Department welcomes any group or citizen to tour the jail by making an appointment by calling 754-6499.