



SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

CHAMBERS OF
MORRIS D. JACOBSON
Presiding Judge
Department 1

René C. Davidson Courthouse
1225 Fallon Street
Oakland, CA 94612

July 12, 2017

Hon. Richard Valle
Vice President, Supervisor District 2
Alameda County Board of Supervisors
1221 Oak Street, Suite 536
Oakland, CA 94612

RE: INVITATION TO SPEAK AT PUBLIC PROTECTION MEETING

Dear Supervisor Valle,

Thank you for the invitation to be present to hear Alameda County Public Defender Brendon Woods present to the Board of Supervisors Public Protection Committee on the subject of the planned changes to certain criminal proceedings at the new East County Hall of Justice ("ECHOJ"). Thank you also for the opportunity to be heard. In particular, thank you for providing the Alameda County Superior Court with its first opportunity to respond to the concerns of the Public Defender and others who joined him in urging the Court to leave things *status quo*, despite the enormous change in circumstance that ECHOJ presents to our community.

Mr. Woods, some other elected officials, and several community-based organizations have expressed objections to moving high-volume criminal calendars to ECHOJ for several reasons. Rather than paraphrase, we quote the June 6, 2017 letter of your colleague, Supervisor Wilma Chan, which sets forth the following objections to which the Court responds later in this letter:

1. "To force all in-custody defendants, and their families and loved ones, to appear in Dublin imposes an unnecessary burden, especially on those who would now have to travel a significant distance to attend this initial court hearing....";
2. "The decision to hold all in-custody arraignments in one courthouse will dictate staffing decisions for many different County agencies, including the District Attorney's Office, the Public Defender's Office, the Probation Department, and the Sheriff's Office. I am

concerned that forcing all in-custody arraignments to go through the same courthouse will strain unduly these agencies....";

3. "I am particularly concerned about the initial meeting between a defendant and his or her attorney. It is essential that there be sufficient time and private accommodations for this meeting to take place...."; and
4. " I fear that the current plan for in-custody arraignments is a misguided attempt to increase efficiency. I am sympathetic to and grateful for all efforts to use court resources wisely, but when efficiency impinges on the fair administration of justice, it is not worth the cost."

I. BACKGROUND

At the outset, it is critical to understand that this controversy is not new to Alameda County. For more than four decades, there has been an ongoing tension between the fact that a larger share of the criminal cases in our County originate in the north, while the primary jail facility is far away in the east. What we are seeing today is the inevitable outcome of years of decisions by entities other than the Court as they struggled to address that tension. Specifically, all of the issues raised by Mr. Woods, Supervisor Chan, and others are directly attributable to the fact that virtually no North County detainees are housed in the Glenn Dyer Jail in Oakland, despite its location directly adjacent to—and connected to—one of our criminal courthouses.

A. The Glenn Dyer North County Jail was Built in Downtown Oakland Because of its Proximity to the Courthouse

In the early 1970s, the Alameda County Board of Supervisors was considering building a new county jail in Oakland. On February 16, 1972, an article in the Montclarion Newspaper described the debate that was occurring at the time regarding that proposal, recognizing the value in detainees being housed very near a courthouse: "Why does it have to be in Oakland? Because that is where the courts are. And instead of having to get a prisoner up at 2:30 am and bring him in from Santa Rita to court, with all of the attendant security problems, the jail facility will be right next door." (Attached as Exhibit 1 is a copy of this 2-16-1972 Montclarion article.)

On September 18, 1973, the Alameda County Board of Supervisors adopted a resolution to hire Kaiser Engineers to study and evaluate the existing detention facilities and possible solutions to the problem. (Attached as Exhibit 2 is a copy of this 9-18-1973 Resolution.)

On January 30, 1974, the Montclarion published another article on this issue describing the debate between the Alameda County Board of Supervisors and the Oakland City Council. The article also identified the location, which is the current location of the Glenn Dyer North County Jail ("NCJ"): "Supervisors have selected the site because of its proximity to the municipal courts in the Hall of Justice." The article goes on to state: "About 56 percent of the prisoners must appear in the municipal courts. That means the prisoners must be bused from Santa Rita in

southern Alameda County, which is expensive for the County and inconvenient for their attorneys and relatives who want to visit them." (Attached as Exhibit 3 is a copy of this 1-30-1974 Montclarion article.)

On July 15, 1974, the Kaiser Engineers delivered their final report to the Alameda County Board of Supervisors. (Attached as Exhibit 4 is a copy of this 7-15-1974 report.) At page 21 of this report, it is noted that the Sheriff's detention facilities, unlike the courthouse and local jails, are removed from the population centers of the County. At page 22, the report recommends phasing out the use of the Santa Rita Jail and the Courthouse jail for pre-sentence detention: "Finally, the location of detention facilities at Santa Rita away from population centers, courts and other criminal justice agencies hampers smooth operation of the criminal justice process."

At page 23 of this report, the factors supporting the current location of NCJ were enumerated. Among those particularly relevant to our current discussion:

a. Proximity to courts. Since prisoners in pre-sentence detention make appearances in court the proximity of prisoners to the court is considered to be a prime factor in the site selection. Busing of prisoners from remote detention facilities to courts is time consuming and expensive and should be avoided if possible.

b. Proximity to other criminal justice agencies. A fundamental relationship exists between prisoners and the Public Defender, County Probation Department, law enforcement agencies and the District Attorney; their interaction can be aided if the detention facility places the prisoners near those agencies....

[...]

d. Proximity to major roads and public transportation. This factor will permit families, attorneys and friends to more easily visit incarcerated defendants with commensurate good results....

The recommendation for building a courthouse in downtown Oakland, next door to the Wiley Manuel Courthouse is expressed on page 24 of this report. The purpose of this Courthouse was to accommodate pre-sentence prisoners from Albany, Berkeley, Emerville, Oakland, Piedmont and Alameda.

On January 21, 1975, the Alameda County Board of Supervisors adopted a resolution authorizing the construction a new County Jail in Oakland in conjunction with expansion of the adjacent courthouse. (Attached as Exhibit 5 is a copy of this 1-21-1975 Resolution.)

It is clear from these historical documents that our County Board of Supervisors spent several years in the 1970's and significant resources to solve the very problem we face now. The solution was excellent: build a county jail in Oakland next to the courthouse, where detainees are arraigned, to accommodate pre-sentence prisoners. This solution kept defendants near the courthouse and near their families and was most cost efficient for all of the partner criminal justice agencies.

But this clear historical record begs the critical question that, thus far, no one other than the Court has been asking: Why are we not using NCJ for the purpose for which it was built? The Alameda County Superior Court would prefer to house detainees from north-county at the NCJ, which would rightfully compel handling all phases of their cases at Oakland Courthouses, and which would directly address and render moot each of the concerns raised by Mr. Woods, Supervisor Chan, and the others who have raised objections.

B. The “New” Santa Rita Jail is Designed Primarily as a Post-Sentence Detention Center, With Pre-Trial Detainees to be Housed There Upon Construction of a Nearby Courthouse

Although we were able to find less information about the "new" Santa Rita Jail (the current facility) which came online circa 1990, we were able to locate the "Santa Rita Replacement Facility Preliminary Master Plan Concept," which is dated July 19, 1985. (Attached as Exhibit 6 is a copy of select excerpts of this 7-19-1985 Master Plan Concept.) It is clear from this document that the current Santa Rita Jail facility was intended to be used primarily as a post-sentence detention center. (See, e.g., Exhibit 6 at pp. i-iii.) Moreover, while the "new" Santa Rita Jail master plan included the flexibility to house pre-trial detainees, it promoted that idea in conjunction with the building of a new courthouse complex adjacent to the new jail, thus the birth of the current, newly opened ECHOJ Courthouse. (See Exhibit 6 at p. 2.1.1.)

In sum, history shows that the idea was to house pre-trial detainees in county jails adjacent to courthouses, preferably in the area of the County near where their cases originated. As to post-sentence detainees, the idea was to house them at the Santa Rita Jail in Dublin, where there was more space for programs and other facilities for time-servers.

C. As a Budget-Balancing Matter, the City of Oakland Closes the City Jail

In June 2005, the City of Oakland closed the Oakland City Jail to close a budget shortfall. Up to this point, the City Jail accommodated detainees arrested in Oakland and housed them until they were transferred to court for arraignment. (Attached as Exhibit 7 is a print-out of an SFGATE article dated June 18, 2005.)

The City Jail was located less than one block from the Wiley Manual Courthouse, making it a logical, efficient, and convenient site in which to house pre-trial detainees who would be arraigned in Oakland. The decision by the City of Oakland to close that jail—which clearly favored budget efficiency over the best interests of the pre-trial detainees and their families—effectively transferred the societal cost of maintaining a local jail for Oakland arrestees to the County and the Superior Court.

D. NCJ is No Longer Being Used to House Pre-Trial County Detainees, But is Instead a Revenue-Generator for the Sheriff

Currently, it appears that NCJ is underutilized. According to a BSCC grant application that the Sheriff's Office submitted in 2015 seeking funding for the Santa Rita Jail Transition Center pursuant to SB 863, the NCJ has a capacity of 904 beds and an average daily population of 434 inmates. (See excerpt of BSCC grant application at Section 4, p.1, which is attached as Exhibit

8.) In response to recidivism grant maintenance requests, the Sheriff's Department lists the NCJ capacity as 584 beds with an average daily population of 398 inmates. (See attached email correspondence between Alameda County Sheriff's Deputy John Rudolph and the Court dated May 4, 2017, and April 27, 2017, attached as Exhibit 9.) And according to the Sheriff's "State of the Jails" presentation dated March 12, 2015, two floors of the NCJ are closed. (See excerpt of the Sheriff's "State of the Jails" presentation at p.2, which is attached as Exhibit 10.)

Despite the obvious capacity, however, the NCJ is not being used to house North County pre-trial detainees; rather, they are housed at Santa Rita. Instead, it appears that the Sheriff is primarily utilizing the NCJ as a tool to balance its budget. According to the Memorandum of Understanding between the Sheriff and the United States Marshall's Service—which the Board of Supervisors re-approved for a three-year term in January 2015—the Sheriff is making 576 of the NCJ beds available to federal prisoners. Specifically, the MOU permits the Sheriff to house two types of Federal prisoners at the NCJ: pre-trial detainees and people awaiting immigration deportation hearings. Female prisoners are excluded. (See p.1-32 of MOU between the Alameda County Sheriff and the U.S. Marshall's Service, attached as Exhibit 11.) During the week of July 3, 2017, the Court asked the Sheriff's Office both verbally and in writing by email for a specific breakdown of the inmate population at NCJ. We have not yet gotten a response.

The Sheriff's decision to use the NCJ to house federal detainees rather than pre-trial County detainees appears to be an entirely economic one. Under the terms of the MOU, the U.S. Marshall's Service pays the Sheriff's Office \$112 per day, per federal prisoner. The revenue generated by this deal is critical to the Sheriff's annual budget plan. According to the Sheriff's June 2017 budget presentation to the Board of Supervisors and the 2017-2018 County of Alameda proposed budget itself, the revenue-generating arrangement between Alameda County and the federal government adds \$6,000,000 per year to the Sheriff's budget. Once again, an economic decision by an entity other than the Court has put budget efficiency over the best interests of North County pre-trial detainees and their families.

II. RESPONSE TO OBJECTIONS

As noted, Mr. Woods and others have raised a number of objections to the Court's plan to hold the majority of in-custody arraignments at ECHOJ, directly across from Santa Rita jail where virtually all pre-trial County detainees are held. For purposes of this letter, and as set out above, we have chosen to focus on the objections as articulated in four parts by Supervisor Chan, which are quoted above in the introductory section of this letter.

A. Supervisor Chan's First Three Objections Are Addressed by Exhibits 12 and 13

At the outset, we incorporate by reference our June 26, 2017, letter to the Hon. Wilma Chan, the President of the Alameda County Board of Supervisors. (Attached as Exhibit 12.) Likewise, we incorporate by reference our June 27, 2017, press release to the public. (Attached as Exhibit 13.) The Court's view is that these two Exhibits respond to Supervisor Chan's first three objections, as set forth above. In the interests of completeness, however, we will briefly summarize the Court's responses.

Holding arraignments in close proximity to the courthouse not only is statutorily encouraged, it provides obvious benefit to all involved. Eliminating travel and wait time, as well as early morning wake-up and late-evening arrival back at the jail, presents an instant and substantial benefit to the detainees themselves. Likewise, for the many detainees who are released at arraignment, being close to the jail will greatly advance the time at which they are actually released, to the benefit of them and their family members.

As to the issue of staffing decisions and the stress that may cause to County criminal justice agencies, the Courthouse complex includes more than 45,000 square feet of office space for the District Attorney, the Public Defender and the Probation Department. It goes without saying that any employee of an Alameda County public entity can and should expect to be required to work anywhere within the County where their employer conducts its business. This is the case for the Court and, based on the language of its MOU with its attorneys, is also the case for the Public Defender's Office.

As to the issue of the alleged lack of space for private consultations between defendants and their lawyers, the ECHOJ building has 20 private interview rooms. Additionally, because of its close proximity to the Santa Rita Jail, an additional 6 interview rooms are readily available across the street.

B. Supervisor Chan's Fourth Objection is Misleading and Unfair

Like most of the letters of objection that the Court received from the Public Defender and his supporters, Supervisor Chan closed her letter as follows: " I fear that the current plan for in-custody arraignments is a misguided attempt to increase efficiency. I am sympathetic to and grateful for all efforts to use court resources wisely, but when efficiency impinges on the fair administration of justice, it is not worth the cost." Through this language, Supervisor Chan, the Public Defender, and others are asserting that fairness in the administration of justice should trump any considerations of efficiency.

If that is indeed the position of Supervisor Chan and Mr. Woods, then the Court is compelled to ask the obvious question that we raised above in section I(A): Why is the County not using the NCJ for the purpose for which it was built? The obvious answer, supported by history, is that both the City of Oakland and the Sheriff's Office have prioritized economic efficiency over "fairness in the administration of justice." It is unclear to us why Supervisor Chan and others are holding the Court to a different standard, when it is decisions by the City and by the Board of Supervisors that has led us to this point. To suggest that the Court is putting fiscal concerns above the interests of detainees and their families—without discussing or even acknowledging the historical decisions of other entities that gave rise to this situation—is highly unfair and, through omission, extremely misleading.

The fact is that the Alameda County Superior Court would prefer that North County detainees be housed at the NCJ. This would allow us to avoid the current costs that arise from transporting detainees from Dublin to Oakland every day and, as a result, to handle North County arraignments in Oakland.

Using the NCJ for the purpose for which it was constructed would also address an issue raised by Mr. Woods and his supporters, namely the impact on low-income families of having to make the

trip from North County to Dublin. It is concerning to us that, while this issue was raised repeatedly in criticism of the Court for our decision to move arraignments, the objectors were entirely silent as to the ongoing impact of housing North County detainees in Dublin over the full course of the trial process.

For example, the Public Defender and others have not at all addressed the effect on, e.g., a defendant from Oakland who has to spend a year or more in custody at Santa Rita—not the NCJ—awaiting trial. That defendant’s family would bear the burden of repeated travel to Santa Rita for all visits with their incarcerated family member. Such a burden would clearly dwarf the concerns raised by the Public Defender and his supporters about the extra effort and cost that a single, short court appearance near the very same jail requires. And yet, despite the staggering impact on low-income families of defendants, this particular elephant remains unaddressed in the middle of the room.

III. CONCLUSION

In closing, the Court believes strongly that the real issue here is not our decision to hold arraignments at ECHOJ. That decision is a symptom of a larger issue, namely the County’s failure to house North County pre-trial detainees at the NCJ.

As we have noted, we would support wholeheartedly any effort to use the NCJ for its stated purpose. Doing so would be better for everyone involved in the criminal justice process: the Court, the County justice partners, and, most importantly, the detainees themselves and their families. We urge this Committee and the Board to vigorously pursue this option for the good of the entire Alameda County community.

Yours Very Truly,



Hon. Morris D. Jacobson, Presiding Judge
Alameda County Superior Court

cc: Hon. Scott Haggerty, Supervisor, District 1
Hon. Wilma Chan, Supervisor, District 3
Hon. Nate Miley, Supervisor, District 4
Hon. Keith Carson, Supervisor, District 5
Susan S. Muranishi, County Administrator
Hon. Wynne Carvill, Assistant Presiding Judge/Presiding Judge Elect

Exhibit 1

and mortgage loans to large geographical areas of Oakland which are populated mainly by blacks and other minorities.

Discrimination in housing (NCDH). The study indicated that while most Oakland savings and loan companies practice

that Hughes was in agreement" with a list of recommendations made by NCDH.

New jail to serve as holding facility only

"Only a holding facility," is how Alameda county Supervisor Joseph Bort described the new county jail to be located in Oakland.

It will contain somewhere between 100 and 200 prisoners and will be limited to those not yet sentenced. The reason it has to be maximum security, Bort says, is because of the variety of the seriousness of the crimes involved. "We may pick up a man on a misdemeanor and then find out he is wanted for assault or rape."

SECURITY PROBLEMS

Why does it have to be in Oakland? Because that is where the courts are. And instead of having to get a prisoner up at 2:30 am and bring him in from Santa Rita to court, with all the attendant security problems, the new jail facility will be right next door.

Bort says the county has a perfect right to build the jail in

town as long as it meets city building codes, etc.

He says he can see a joint powers agreement with the city of Oakland for combined city-county use of the jail. But Bort seemed cool to Supervisor Fred Cooper's suggestion of making the big new jail a regional facility and rent out part to San Francisco.

The new jail will, in effect, replace the holding cells at Greystone at Santa Rita. But, Bort points out, the new facilities won't exist for about five years.

"OVERLOOKED"

In the meantime Greystone is being remodeled and improved, to the tune of \$878,000. Improvements based on a grand jury report highly critical of the conditions in the old jail. Last week supervisors approved a \$57,000 increase in the anticipated cost of these

Continued on page 10

These recommendations on the lending firm to:
† Evaluate all policies practices in terms of federal rights requirements and take necessary corrective action to assure full compliance.

† Judge all loan applications on merit, evaluating the individual property and the home-credit without resort to restrictive measures.

† Document and identify reasons for all loan rejections including those made by telephone, record the names of applicants on all applications taken.

† Make regular analyses of data collected to determine whether certain areas are being excluded from service whether racial and minorities are being restricted in loan activity, whether individual loan officers are engaging in discriminatory practices.

† Provide a uniform procedure for handling loan requests for people in all income brackets. Discontinue special treatment for "prime properties."

† Eliminate arbitrary "minimum loan" requirements which disadvantage applicants in low cost areas. (American Savings reported as refusing to make loans under \$20,000.)

† Provide equal treatment in terms of loans (points, interest rates)

Continued on page 10

OEA demand on school board

Teachers salaries come first — not layoffs

Early birds get worms, not crumbs, to paraphrase an old expression.

And that's what the Oakland

salary negotiations, too, with his statement.

The OEA representative council, which represents 2400

staff salary improvements end. Teachers are the important element to education and the school

Exhibit 2

SEPTEMBER 18, 1973

REEL 55 IMAGE 422

Approved as to Form
RICHARD J. MOORE, County Co

By *[Signature]*

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor..... Bates, Seconded by Supervisor..... Cooper
 and approved by the following vote,
 Ayes: Supervisors..... Bates, Cooper, Hannon, Murphy and Chairman Bort -5
 Noes: Supervisors..... None
 Excused or Absent: Supervisors..... None

THE FOLLOWING RESOLUTION WAS ADOPTED:

NUMBER 1503

EXECUTE AGREEMENT

BE IT RESOLVED that the Chairman of this Board of Supervisors be and he is hereby authorized and directed to execute on behalf of the County of Alameda that certain agreement by and between the County of Alameda and KAISER ENGINEERS, DIVISION OF KAISER INDUSTRIES CORPORATION, providing for a study and evaluation of the County existing detention facilities, the potential use of diversion programs and determination of the size and location of adult detention facilities.

ksg/BE

Exhibit 3

Dispute over jail plans heats up

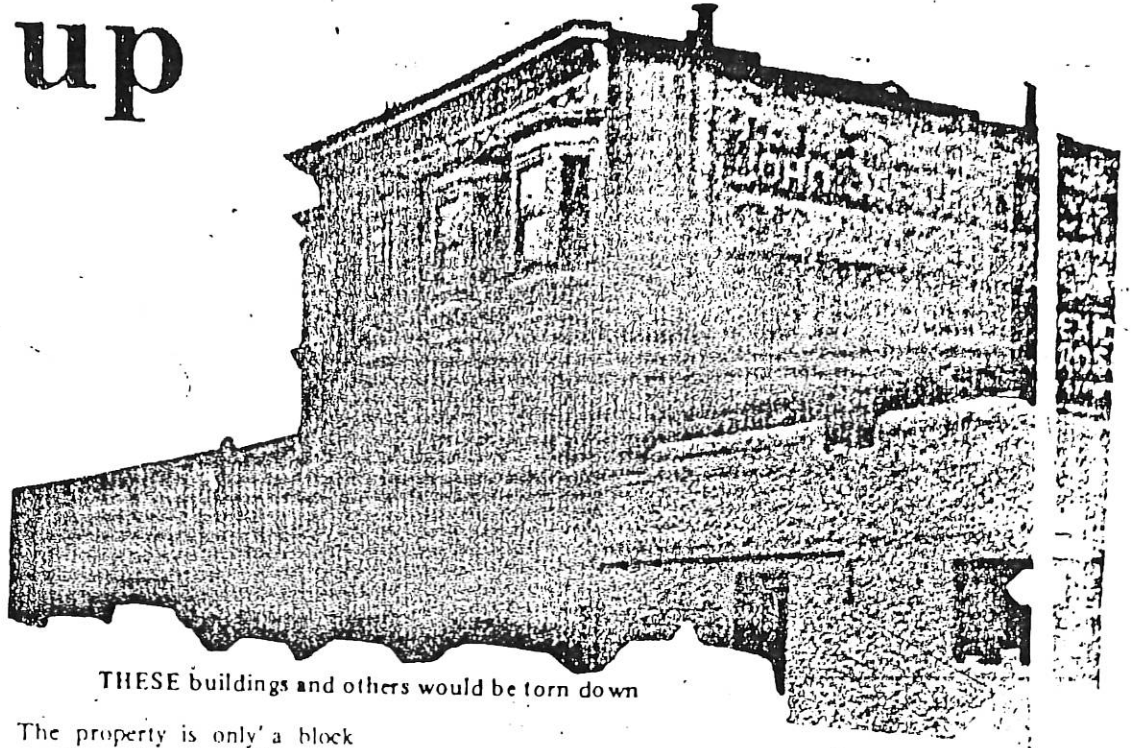
By PEGGY STINNETT

Should a new maximum security jail — housing more than 1,000 prisoners — be built in downtown Oakland?

The Alameda county board of supervisors is moving toward purchase of the block bounded by Washington and Clay, 6th and 7th streets, just west of the Hall of Justice.

They want to build a jail there but at this point, don't know exactly what kind it will be.

But Oakland city councilmen, who could veto the project, want to know exactly what kind of jail the supervisors have in mind before they agree.



THESE buildings and others would be torn down

The property is only a block away from the recently launched "Old City" Victorian renewal project and close by is the massive City Center project. Councilmen wonder what impact a jail will have on these projects.

The block itself is largely undistinguished except for one of Oakland's best known and most popular Mexican restaurants.

Supervisors have selected the site because of its proximity to the municipal courts in the Hall of Justice.

About 56 percent of the prisoners must appear in the municipal courts. That means the prisoners must be bused from Santa Rita in southern Alameda county, which is expensive for the county and inconvenient for their attorneys and relatives who want to visit them.

Supervisor Fred Cooper, who favors the site for those reasons, says Oakland councilmen have known of the county's plans for two years but haven't come up with some other place to put the jail.

Supervisor Tom Bates says he would rather not build any jail, contending there are other ways to treat and rehabilitate

prisoners.

Last Tuesday, the board of supervisors held off on hiring a firm to negotiate acquisition of the property, after receiving a letter from Councilman John Sutter.

Sutter pointed out that Loren Enoch, county administrator, told Oakland in March of 1972 that negotiations for acquisition would be undertaken "only after approval of the Oakland city council."

NEVER APPROVED

Oakland councilmen have never given their approval, said Sutter.

And the Oakland planning commission, which must review any such project to find if it conforms with the city's general plan, reported in December 1972 that it was not possible to determine the proposal's conformance because "the nature of the facility is unknown."

The county has hired a consultant to study details of the proposed jail. So far, the consultant has reported on the first two phases of his study but a

final report is not due until April. At that time, details of what the county proposes are expected to be fully developed.

But meanwhile, according to Cooper, the county would like to move quickly in purchasing the property because of rapidly rising costs.

Councilmen want to know how big the jail will be and if it will serve only prisoners awaiting court appearances or if it will serve a larger population.

After the supervisors delayed action on hiring the acquisition firm at their meeting Tuesday morning, councilmen that night discussed what steps might be taken next.

Councilman George Vukasin commented that the city has really had no involvement in the county plans and it would seem to him the county should "extend the courtesy to the city and seek its participation" in the end result.

He went on to indicate his disapproval of a "maximum

Continued on Page 3

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id: CA 94611

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that CORPUS is and will in local and that it will not be interlaced with any other system

CORPUS is the product of more than 38 man-years of

Continued on Page 5

Jail Control

Continued from Page 1

security" facility, pointing out "Alcatraz was a maximum security facility."

Sutter proposed a motion, approved by the council, that the city advise the county of a state law which requires the county to get Oakland's approval on the proposed jail.

Further, the council agreed they want to meet with "representatives of the county" in a work session to find out exactly what the county has in mind.

There was no date set for the work session.

Cooper maintains a maximum security facility is needed because of the serious nature of offenses many of the prisoners are charged with.

The Oakland jail in the Hall of Justice has, on the average, a daily population of about 200 prisoners who are held there only until they are arraigned. After

arraignment, they are moved to Santa Rita to await trial.

Oakland has wanted to "get out of the jail business" for some time seeking to get the county to assume responsibility.

But, according to Cooper, Oakland has not offered to pay the county for taking over the "jail business."

At one time, Cooper envisioned "regional jails" for the nine bay area counties with nine separate facilities each offering educational training in a trade. A prisoner would be assigned to whichever of the facilities best fitted his vocational aspirations. By regionalizing the jails, each would have a specialty. For example, one would offer training in sheet metal, another in carpentry and so on.

Cooper says he offered the suggestion to several of the bay area counties but none indicated any interest.

—P.S.

County delays

Exhibit 4



DIVISION OF KAISER INDUSTRIES CORPORATION
KAISER CENTER · 300 LAKESIDE DRIVE
OAKLAND, CALIFORNIA 94668

July 15, 1974

Mr. Loren Enoch
Administrator
County of Alameda
1221 Oak Street
Oakland, CA 94612

Dear Mr. Enoch:

We are pleased to submit herewith on behalf of the team the final report for the study of pre-sentence detention requirements of Alameda County. The team members and their task responsibilities are as follows:

Touche Ross & Company - Statistical Analyses and Projections;

Marshall Kaplan, Gans & Kahn - Diversion and Detention Programs;

Hellmuth, Obata & Kassabaum, Inc. - Architectural Program;

Kaiser Engineers - Project Coordination.

All of the material has been bound into one report which supersedes all previous drafts which have been circulated. The study team considers this report complete in all respects, and we would welcome the opportunity to meet with the members of the Board of Supervisors and the Select Committee to discuss any aspects of the report and its recommendations.

As directed, we are forwarding all copies of the report to your office for distribution.

Sincerely,

KAISER ENGINEERS
Division of Kaiser Industries Corporation

S. W. KULP
Project Manager

SWK/eg
Encls.

cc: Mr. John Lenser

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FINAL REPORT

STUDY OF THE DETENTION REQUIREMENTS

OF

ALAMEDA COUNTY

Report No. 74-60-RE

July 1974

FINAL REPORT INDEX

<u>Title</u>	<u>Section</u>
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I. SUMMARY REPORT

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A. INTRODUCTION

On September 18, 1973, Alameda County engaged the team of Kaiser Engineers; Hellmuth, Obata & Kassabaum, Inc.; Marshall Kaplan, Gans, and Kahn; and Touche Ross & Co. to study detention requirements for pre-sentenced prisoners. Specific study objectives included:

1. Projection of the number of persons by age, sex, nature of offense, misdemeanors, felonies and significant types of offenses within each of the stages from booking through sentencing.
2. Development of a model of the stages of the criminal justice process to indicate the approximate length of time required in each step for determining required capacity in facilities.
3. Identification and evaluation of the broadest possible range of alternatives to detention for each stage and establishment of the probable low, medium and high number of persons who might be accommodated within each alternative.
4. Review of the latest information available on pre-trial diversions, impending criminal law revisions, court decisions, and changes in public attitudes, and how they will affect the detention requirements.
5. Definition of suggested programs and their impact on detention requirements noting the optimum use of community resources.
6. Review and evaluations of programs for recreation, rehabilitation and education which are feasible in pre-trial facilities, with proper emphasis on the constitutional rights of any person held prior to conviction and sentencing.
7. Development of space requirements, building programs, site specifications and cost estimates for each facility proposed in the overall detention facilities plan.
8. Development of recommendations on an overall timetable, organization and financing of capital and operating costs.

SECTION II

SECTION III

SECTION IV

The study itself was conducted in three phases as described in our proposal:

- Phase I: Preliminary survey of existing release programs, detention programs, facilities and statistical and other data relating to the persons entering the criminal justice system.
- Phase II: In-depth study of existing release and detention programs and projections of detention requirements through 1990.
- Phase III: Development of facilities plan for pre-sentenced prisoners.

Interim reports have been prepared at the conclusion of each phase and circulated as working documents to interested groups within the County. These interim reports have stimulated many questions and comments that have greatly aided the team in focusing its analyses and clarifying its recommendation. Since the Phase II and Phase III interim reports provide the foundation for this Summary Report and contain information useful in its own right, we have revised and reissued them as Sections II, III and IV of this document.

In conducting this study, the team has attempted to be available to all individuals and groups indicating an interest, and has participated in the following meetings:

<u>Date</u>	<u>Group</u>	<u>Subject</u>
Sept. 28, 1973	Citizens Advisory Group	Project Orientation
Nov. 30, 1973	Select Committee	Phase I-Interim Report
Nov. 29, 1973	Citizens Advisory Group	Phase I-Interim Report
Jan. 23, 1974	Selected Community Leaders	Orientation
Feb. 7, 1974	Select Committee	Phase II-Interim Report
Feb. 8, 1974	Citizens Advisory Group	Phase II-Interim Report
March 7, 1974	California Probation, Parole & Correctional Association	Report Presentation

SECTION II

SECTION III

SECTION IV

<u>Date</u>	<u>Group</u>	<u>Subject</u>
March 25, 1974	Select Committee	Phase III-Interim Report
April 5, 1974	Citizens Advisory Group	Phase III-Interim Report

This summary report highlights the major findings and recommendations of the team. The discussion is divided into two parts: projected facility needs, and recommendation for implementation.

SECTION II

SECTION III

social services and medical screening. The recent installation of public telephones could improve inmate access to family and friends outside. Mobile classrooms could provide space which is currently unavailable for counseling and education programs.

Moreover, we have proposed that the Sheriff's Department continue to work closely with the community agencies in order to achieve the desired expansion and improvement. In order to highlight the importance of providing services and programs to unsentenced prisoners and to keep it as a separate and distinct function in the jail administration, we are proposing that the Sheriff's Department expand the existing Correctional Services Office to put the proper emphasis on the needs of unsentenced as well as sentenced prisoners. This office has the responsibility for program development and operations and maintaining liaison with the community resources which provide the library, medical and mental health services, and the educational and career counseling programs. Unsented detainees should be permitted to use the existing services and programs. This is especially important for those detainees who have waived their right to a speedy trial and may not be sentenced for several months.

As a long term alternative, it may be appropriate to assign the responsibilities for developing and coordinating the delivery of services and programs for unsentenced prisoners from the Correctional Services Office to the proposed Pre-Trial Services Agency. This new agency would already be coordinating the delivery of services to defendants who are released before their trials. It would be logical to extend these responsibilities to unsentenced defendants while they remain in jail. Again, the Pre-Trial Service Agency would not provide services directly to clients. This feature is an advantage which has been observed to be essential to effective coordination among autonomous service providers.

3. Architectural Program

Information contained in Section II and III of this report as well as from review of national standards for facilities and discussions with Sheriff's Department personnel forms a basis for making facility recommendations. That background data is enumerated below.

- a. All local and County detention facilities in Alameda County are obsolete. From first hand observation it has been determined that all local lockups and jails are physically obsolete or do not meet current State or LEAA standards. The County Sheriff's facilities at Santa Rita and the courthouse jail are also obsolete. This point has been well documented by previous grand jury reports, court suits, etc.
- b. The Sheriff's detention facilities are removed from population centers. While the courthouse jail and local jails and lockups are located in urban areas of Alameda County, most prisoners detained after arraignment are held at Santa Rita, far removed from the population centers of Alameda County.
- c. LEAA and National Clearinghouse recommendations limit the maximum size of any detention facility. This recommendation, which increasing numbers of states and localities are following, represents a reaction against huge jails and a return to detention facilities of a more manageable size. LEAA representatives feel that as an institution grows much beyond 400 beds the staff tends to lose touch with the personalities, moods and feelings of prisoners.
- d. Detention population projections. The chart which follows illustrates Alameda County's projected average detention population in 1980 and 1990, assuming the base goal for pre-sentence release is achieved:

<u>Year</u>	<u>Average Detention Population</u>
1980	600
1990	818

Recommendations

Based on the above four points and additional data contained in this report the project team makes the following facility-oriented recommendations for detention in Alameda County:

- a. Transfer full responsibility for pre-sentence detention to the Alameda County Sheriff's Department. Presently most cities in Alameda County operate city jails or lockups for incarceration of prisoners prior to arraignment. After

arraignment all prisoners who must remain incarcerated are remanded to the custody of the County Sheriff and transferred to Santa Rita or to the courthouse jail. The small prisoner population in each facility, coupled with the short length of time a prisoner spends in pre-arraignment detention renders operation of an enlightened detention program at the local level infeasible. If pre as well as post arraignment detention becomes the sole responsibility of the Alameda County Sheriff's Department the programs and facilities essential to the operation of an enlightened detention system can become a reality.

The Sheriff's Department would also take responsibility for all booking of prisoners as an outcome of this recommendation. This practice would lead to standardization of booking as well as uniform application of cite release and other programs at the time of booking. It would also free local police departments to concentrate more effectively on law enforcement in their jurisdictions.

- b. Phase out use of the existing facilities at Santa Rita and the courthouse jail for pre-sentence detention. This recommendation is based upon well documented evidence that neither facility meets State, LEAA or Clearinghouse standards for pre-sentence detention. Both facilities are unfit for remodeling or alteration to meet those standards. Finally, the location of detention facilities at Santa Rita away from population centers, courts and other criminal justice agencies hampers smooth operation of the criminal justice process.
- c. Construct three new pre-sentence Detention Centers to replace Santa Rita, the Courthouse Jail and local jails and lockups. Using the projections discussed above the study team has determined that two Detention Centers will be required in Alameda County by 1978 and that a third must be added in 1990. Each center would serve a specific region of Alameda County. When local law enforcement agencies make arrests they may deliver prisoners directly to these Regional Detention Centers for booking. If they are a greater distance from the Detention Centers, prisoners may be held in a local holding cell until the arrival of a pickup service operated by the Sheriff.

SECTION II

SECTION III

SECTION IV

4. Location Recommendations

The following factors were considered in selecting sites for the three pre-sentence Detention Centers in Alameda County:

- a. Proximity to courts. Since prisoners in pre-sentence detention make appearances in court the proximity of prisoners to the court is considered to be a prime factor in site selection. Busing of prisoners from remote detention facilities to courts is time consuming and expensive and should be avoided if possible.
- b. Proximity to other criminal justice agencies. A fundamental relationship exists between prisoners and the Public Defender, County Probation Department, law enforcement agencies and the District Attorney; their interaction can be aided if the detention facility places the prisoners near those agency offices.
- c. Proximity to outside agencies. A growing relationship exists between prisoners and outside agencies such as the County Welfare Department, social program agencies and private attorneys; their proximity will enable those agencies to be more available to incarcerated defendants.
- d. Proximity to major roads and public transportation. This factor will permit families, attorneys and friends to more easily visit incarcerated defendants with commensurate good results.
- e. Minimum site area 90,000 sq ft. This site area will permit construction of a Detention Center of approximately 400 bed capacity with required parking.
- f. Minimal neighborhood disruption. The sites selected should disrupt neighborhood or community patterns as little as possible.
- g. Vehicular access. Each site should accommodate adequate vehicular access for service, deliveries, transportation of prisoners, and staff and public access.
- h. Cost. Sites which meet the above recommendations will be more expensive than sites in rural areas. However, this factor must not be permitted to outweigh the other, more critical advantages listed above.

Using the site selection criteria discussed above, the project team makes the following location recommendations for the three Detention Centers:*

- a. North County Detention Center. The recommended site is in downtown Oakland in the block bordered by Sixth, Seventh, Washington and Clay Streets adjacent to the Oakland Hall of Justice. The detention facility on this site would accommodate prisoners from the north County area, specifically Albany, Berkeley, Emeryville, Oakland, Piedmont and Alameda.
- b. Central County Detention Center. The recommended site is in Hayward in the Alameda County Government Center (west Winton Avenue area) adjacent to the proposed Alameda County Courts building. This Detention Center on this site would serve central Alameda County, specifically San Leandro, San Lorenzo, Hayward, Castro Valley and unincorporated areas.
- c. South County Detention Center. The recommended location is in the Newark-Fremont area immediately adjacent to the proposed new County court building the site for which has not yet been selected. This Detention Center would serve southern Alameda County, specifically Union City, Newark, Fremont and unincorporated areas.

The three detention facilities described above would serve the western, urbanized portion of Alameda County but would be inconvenient for eastern Alameda County. Projections show that less than 100 beds would be required to accommodate prisoners from this area by 1990, not enough to justify construction of a full-fledged Detention Center. However, if Santa Rita remains the location for a sentenced prisoner facility (subject to a sentenced prisoner study which will soon be undertaken by Alameda County) it would be feasible to build a satellite pre-sentence facility of 100 beds at the same location. The satellite detention facility would be staffed and operated separate from the sentenced facility but draw upon basic services-- food, maintenance, medical, etc.--from the latter.

*See Maps A & B at the end of this section.

While no recommendation is being made for construction of a satellite detention facility at Santa Rita pending completion of the sentenced prisoner study, this remains a reasonable alternative for service to eastern Alameda County and should be considered in more detail as the sentenced prisoner study is being made.

5. Implementation Timetable for Construction of Detention Centers-- Target 1978

Discussion:

The prisoner population projected for 1980 (600) and 1990 (818) represent the average population to be accommodated in the detention centers. However, peaking must also be considered.

As discussed earlier in this section and in detail in Section III of this report, peaking is the daily and seasonal fluctuation in the number of prisoners arrested and incarcerated. Pre-arraignment peaking generally occurs on weekends as persons arrested on Friday evening, Saturday and Sunday await arraignment on Monday morning. This portion of the peaking problem can be countered by greater use of release programs during the weekend and/or by institution of weekend arraignment and has therefore not been considered in determining peaking impact.

Post-arraignment peaking, on the other hand, impacts the detention average 20% to 30%, occurs at random times and cannot be identified with seasons, trends or offenses using present statistical information. The monitoring program so essential to the operation of an efficient detention process, described later in this section, may be able to uncover reasons for post-arraignment peaking and suggest programs to soften its impact. Until this is accomplished, peaking must be accommodated by building a greater bed capacity into the detention centers. A 20% increase above the average bed requirements will provide adequate bed capacity to accommodate the detention population 95% of the time. With this 20% increase the 1980 detention bed requirement is 720 and the 1990 requirement is 980.

The last recommendation listed which required the immediate expenditure of additional funds is the undertaking of a separate in-depth study of the court process. We estimate that \$30,000 would be required for a thorough study.

- B. While we have suggested that all recommendations should be considered top priority, probably the single most important proposal at this point in time is the establishment of a new County Pre-Trial Services Agency. By beginning with such an agency which stands apart from and coordinates among individual service providers, the other recommendations can be implemented in a context in which complementarity and continuity in effort can be promoted. There are already too many separate uncoordinated efforts existing to propose making still more changes which are not developed within a well defined framework.

There is an additional reason for beginning with a commitment to the new Pre-Trial Service Agency. It can provide the County with a central mechanism which will ensure some quality control among projects in the field. This not only makes administration more rational from the County's standpoint, but it can accomplish economies of scale and thereby save money. This is particularly true with respect to the monitoring and evaluation function. Instead of locating a separate evaluation unit in the various projects, these units should logically be consolidated and operated as a special arm of the Pre-Trial Service Agency. By combining the budgets of the evaluation units for the cite release, OR and Supervised Release projects, the Agency would have \$80,000 to provide the County a much better and more uniform reporting and evaluation strategy.

RECOMMENDATIONS

Part II. Pre-Trial Detention Programs

This section recommends the programs and conditions which will provide unsentenced defendants in jail the opportunity to exercise their constitutionally guaranteed rights and privileges. What these rights and privileges are have been the focus of considerable attention throughout the country recently and have been addressed and defined explicitly in the courts. They have also been elaborated upon by President Nixon's National Advisory Commission on Criminal Justice Standards and Goals.

...e of the most prominent judicial decisions regarding the rights and privileges of pre-trial defendants was made in a case which originated in Alameda County's Santa Rita Rehabilitation Center, Brennehan v. Madigan, 343 F. Supp. 128 at 138 (N.D. Calif. 1972). Federal District Court Judge Alfonso J. Zirpoli offered a definition of the unconvicted prisoner's legal rights which has had a national impact. He stated that since defendants before trial are presumed innocent of any crime, they legally cannot be subjected to punishment before conviction. According to Judge Zirpoli, to subject unconvicted prisoners, "to restrictions and deprivations other than those which inhere in their confinement or which are justified by compelling necessities of jail administration" is a clear form of punishment and thus a violation of the due process and equal protection clauses of the Fourteenth Amendment. The absence of recreation, social services and educational programs for pre-trial prisoners at Santa Rita was construed to be deprivations which were not justified "by compelling necessities of jail administration."

The judge's clarification of unsentenced prisoners' legal rights gives added responsibilities to the agencies which are charged with maintaining the jail facilities. According to the interpretation of the National Advisory Commission on Criminal Justice Standards and Goals, the jail administration is obliged to provide the resources and services on which the exercise of these rights ultimately depends. This includes "access to medical and dental care, counseling and welfare services, food, clothing, shelter, recreation, education safety and pursuit of family and social relationships.*"

In the last few years since the Brennehan v. Madigan case was tried, many positive changes have been made in the Alameda County jail program. This has been especially true with respect to services provided sentenced prisoners. Some innovations have also begun to be extended to unconvicted detainees recently. However, despite efforts, further changes have been hampered by an apparent lack of resources in the Sheriff's budget to hire the staff, provide the materials and develop the necessary expertise to offer a comprehensive program to the prisoners. Efforts have also been thwarted by outmoded and inflexible physical structures that do not provide the space or atmosphere in which programs can operate. This is especially true in the County's unsentenced prisoners facilities.

Below is a series of recommended programs. The problem of inflexible facilities is being confronted in the architectural sections of this report. The problem of acquiring sufficient program resources, however, is dealt with in the discussion which follows. The general suggestion in this regard is to go beyond the Sheriff's Department to draw on resources and expertise from established agencies which are currently mandated to provide services to citizens in civil society. These agencies already have the resources which are needed and they must begin to recognize their obligation to continue serving the defendants despite the fact that they have become part of the criminal justice system.

*A National Strategy to Reduce Crime, p. 303.

Exhibit 5

Thomas L. Houchins, Sheriff presented oral statements regarding the Pre-Trial Detention Facilities. County Administrator Loren W. Enoch presented oral statements. The following motions were made:

Supervisor Bort: "I'll move that we proceed with the fact that we are going to build the facility in Oakland and that we expedite the selection of the architect".

Supervisor Murphy: "I'll second your motion".

Chairman Cooper restated the motion, "well the first question is the motion by Supervisor Bort, seconded by Supervisor Murphy to proceed at this time with construction of the detention facility in Oakland including the court facility". The motion was adopted by the following vote:

AYES: Supervisors Bort, Murphy, Santana and Chairman Cooper - 4;

NO: Supervisor Bates - 1.

Chairman Cooper: "My motion is that we proceed with the hiring now, on an hourly basis and have him meet with us after he has met with the staff to discuss the question of the number involved, modular units like dormitories, or 2 vs 1 man cells, etc." The motion was seconded by Supervisor Bates. There was no vote taken on the motion.

Chairman Cooper restated motion: "The motion is to hire the architect on an hourly basis initially and it include, if he gets the final contract, that what he is paid is charged against his fee and that he is to meet with the staff and come back here and discuss with us before we make the final decision on capacity." The motion was seconded by Supervisor Bort and adopted by the following vote:

AYES: Supervisors Bates, Bort, Murphy, Santana and Chairman Cooper - 5.

Chairman Cooper: "Now I'll move that the architect be instructed that we intend the capacity be somewhere between 400 and 600 and it is in those terms that he should be working with the staff before he consults with us, possibly including additives." The motion was seconded by Supervisor Bort and unanimously adopted.

Supervisor Bort: "I would move then that we authorize the hiring of the architect to design the facility in Hayward, that we start with a base capacity of 300 and allow for additions of 100 groups up to 500". There was no second to the motion.

Chairman Cooper: "Joe, why don't we just make a motion that we go on record initially as desiring to build a detention facility in Hayward at the same time as the Oakland facility to see if there are three votes to go on Hayward at all before we get into the figures and so on".

Chairman Cooper: "Alright, moved by Supervisor Bort, seconded by Supervisor Murphy that we determine to build a detention facility in Hayward at the same as to Oakland facility". The motion was adopted by the following vote:

AYES: Supervisors Bort, Murphy and Chairman Cooper - 3;

NOES: Supervisors Bates and Santana - 2.

Chairman Cooper: "I'll move the balance of the motions that we already made on Oakland except changing the figures in Hayward to 300 to 500; that we hire the architect on a time basis". Supervisor Murphy seconded the motion. The motion was adopted by the following vote:

AYES: Supervisors Bort, Murphy and Chairman Cooper - 3;

NOES: Supervisors Bates and Santana - 2.

The following RESOLUTION was adopted:

JAN 21 1975

REEL 68 IMAGE 752

Approved as to Form
RICHARD L. MOORE, County Counsel

By RB Deputy

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor Bort, Seconded by Supervisor Murphy,
and approved by the following vote,
Ayes: Supervisors Bort, Murphy, Santana and Chairman Cooper - 4
Noes: Supervisors Bates - 1
Excused or Absent: Supervisors _____

THE FOLLOWING RESOLUTION WAS ADOPTED: PROCEED WITH PRE-TRIAL
DETENTION FACILITY CON-
STRUCTION - OAKLAND NUMBER 158371

WHEREAS, this Board of Supervisors has contracted with a consortium of firms headed by Kaiser Engineers to project the County's Pre-Trial Detention Facilities Requirements, and report on the same, and

WHEREAS, this Board of Supervisors has received the Final Report of said consortium, and has considered the same, and

WHEREAS, this Board has held two public hearings with respect to said Final Report, the facts and recommendations made therein, and pre-trial detention facility requirements generally, and

WHEREAS, this Board requested that the County Administrator, Sheriff, and Director of Public Works review in detail said Final Report and respond to the Board of Supervisors concerning their findings regarding the precise size, architectural program, financing, and time schedule for the facility or facilities to be constructed, and

WHEREAS, this Board has received and reviewed that report from the County staff on Pre-Trial Detention Facilities Requirements dated December 12, 1974, and

WHEREAS, this Board having fully considered the same at a public work session on January 21, 1975,

NOW, THEREFORE, BE IT RESOLVED that the County of Alameda proceed at this time with the construction of a pre-trial detention facility to be located in Oakland;

BE IT FURTHER RESOLVED that such facility shall include provisions for the expansion of the current facilities of the Oakland-Piedmont Municipal Court.

Exhibit 6

85 01624

INSTITUTE OF GOVERNMENTAL
STUDIES

JUL 19 1985

UNIVERSITY OF CALIFORNIA

Santa Rita Replacement Facility

Alameda County, California

PRELIMINARY MASTER PLAN CONCEPT



OFFICE OF THE
COUNTY ADMINISTRATOR

May 19, 1980

The Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Dear Board Members:

Subject: Santa Rita Replacement Facility -
Preliminary Master Plan Concept

The Alameda County Board of Supervisors has concluded the first phase of the Santa Rita Replacement Facility preliminary master planning process. The Board has adopted a conceptual design after a thorough review of alternatives involving facility conceptual designs, the impact of existing diversion programs, and the current structural inadequacies of Santa Rita.

The first phase of the preliminary master planning process was concerned with developing facility options and developing conceptual plans for the various options. The advantages, disadvantages, as well as capital and operational costs were addressed for each option. Finally, siting considerations and recommendations were provided.

The Board of Supervisors adopted the attached post-sentence facility conceptual design after holding a number of public hearings. County departments and staff participated with the architectural planning firm of VBN/Gruzen to review options and recommend the most feasible alternative to the Board of Supervisors. Prior to the Board's selection of the conceptual design, comments were solicited from individuals, groups, as well as County Advisory Boards and Commissions.

The conceptual design selected by the Board of Supervisors reaffirms earlier decisions reached by the Board of Supervisors in a series of preliminary master plan work sessions. These work sessions addressed such issues as the size of a post-sentence facility, the type and level of security required and percentage of inmates projected for each level and type of security, and programs to be provided within the facility: educational, industrial arts, vocational training, counseling, re-entry, physical/recreation, visiting, and library. Review was also made of support services required for such a facility such as library services,

probation services, and health care services (medical, mental health, dental, drug and alcohol). While the conceptual design focuses on a post-sentence facility, consideration was also given to other Sheriff's Department activities such as the training program, the location of the Sheriff's patrol services for the East County as well as animal control, civil defense and fire services.

The conceptual design adopted by the Board of Supervisors on March 18, 1980 is estimated to cost \$54.3 million. Staffing and operational costs are estimated at 255 fulltime equivalents at a cost of \$9,468,000. The post-sentence facility is designed for 1,008 inmates which are proportioned between four smaller facilities: minimum - 312; medium minimum - 288; maximum medium - 240; and women - 144. The post-sentence facility also incorporates a central support unit which provides for 24 beds within an infirmary setting. The total gross square footage of the facility is projected at 444,309. The net square footage is projected at 290,753.

The major benefits of the conceptual design are the flexibility of the housing units, the flexibility of the multi-purpose program space, the incorporation of single rooms, enhanced security by concentrating on smaller living units, accessibility and location of visiting areas, and ready access from ancillary support services such as the fire station.

During the Board of Supervisors' work sessions, two issues were raised which will need further exploration - The first issue deals with the feasibility of locating a second Work Furlough Facility in Southern Alameda County. The feasibility of such a facility may have a direct relationship on the projected total population for the Santa Rita post-sentence facility. The second issue deals with the feasibility of providing for pre-trial detention beds within a maximum medium post-sentence facility complex. The concept is to provide flexibility between a pre/post-trial population in order to avoid building two separate facility for pre and post trial needs. As the Santa Rita Replacement preliminary master planning process proceeds, attention will be given to these two issues.

Alameda County does not have sufficient funds to continue the Santa Rita Replacement Facility Preliminary Master Plan process at this time. The completion of the planning process would entail translating the conceptual design approved by the Board of Supervisors into preliminary designs or schematics and then the preparation of final plans and specifications. The cost of this process is estimated at \$3.2 million and would take approximately 10 to 12 months.

The purpose of completing the Phase I planning process is to produce a document which will help the County to qualify for federal funds for the completion of the planning process as well as the completion of the Santa Rita post-sentence facility.

The Honorable Board
of Supervisors

May 19, 1980

The Board of Supervisors has indicated that if funds become available for this project that the planning process will be reactivated quickly and the Preliminary Master Plan Phase I concept will enable the County to expedite the remainder of the Santa Rita replacement facility planning process as well as the completion of that facility.

Very truly yours,


Mel Hing
County Administrator

MH:JC/gp

cc: Clerk, Board of Supervisors
County Counsel
Auditor-Controller
Sheriff
Health Care Services Agency
Public Works
Alameda County Justice Council
Adult Post-Sentence Advisory Committee

VBN/GRUZEN ARCHITECTS & PLANNERS

363 13th Street, Oakland, California 94612
Telephone: (415) 763-1313

May 13, 1980

The Honorable Board of Supervisors
County of Alameda
1221 Oak Street
Oakland, California 94612

SUBJECT: Santa Rita Replacement Facility - Preliminary Master Plan Phase I
(Contract Resolution Number 184018)

Dear Supervisors:

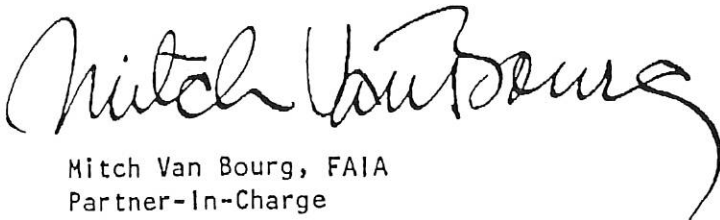
Submitted herewith is our final submission titled: PRELIMINARY MASTER PLAN
CONCEPT.

Our work since August, 1978 involved intense interaction with your thoughtful
and extremely dedicated county staff planning committee. Their critical
responses to our exploratory questions and numerous planning and conceptual
alternatives were invaluable in the process of developing the essentials for
our reports and recommendations which culminated in the March 18, 1980 work
session with your Board.

Today's submittal incorporates the revisions appropriate to your actions
following our March 18th presentation as per Board Resolution #186584.

We thank you for this opportunity to work on this very challenging assignment
and for your confidence in approving our recommended concept. We shall look
forward to proceeding with the next phases of the planning process for Santa
Rita Replacement as soon as funding is authorized.

Sincerely,



Mitch Van Bourg, FAIA
Partner-In-Charge

MVB/ky
Enclosure

ACKNOWLEDGEMENTS

We wish to acknowledge the full cooperation and valuable participation of the following individuals and agencies:

Alameda County Santa Rita Replacement Planning Committee

Jeffrey Campen - Law and Justice Coordinator, County Administrator's Office
George Hewitt - County Administrator's Office
H.A. Flertzheim, Jr. - Director, Public Works Agency
Harry Peshon - Chief, Engineering & Architecture, Public Works Agency
Lou Santucci - Lieutenant, County Sheriff's Department
William Vogel - Director, Criminal Justice Medical Programs
Donn Weaver - Engineering & Architecture, Public Works Agency
Jerry Grenley - Chairman, Alameda County Post Sentence Advisory Committee
Joe Close - Vice Chairman, Alameda County Post Sentence Advisory Committee

County Agencies

Hon. Courtland Arne - Municipal Court Presiding Judge
Kelvin Booty - Assistant County Counsel
Glen Dyer - Sheriff, Alameda County, Sheriff's Department
Paul Green - Assistant Chief Probation Officer
Mel Hing - County Administrator
James Hooley - Public Defender
Lowell Jensen - District Attorney
Hon. Allen A. Lindsay - Superior Court Presiding Judge
Fred MacFarlane - Director, Alameda County General Services Administration
Larry Walker - Director of Adult Division, Probation Department

Architects/Planners

VBN/GRUZEN

Mitch Van Bourg - Partner-In-Charge
Charles Silverman - Project Director
David Miles Ziskind - Partner
Paul Willen - Partner
Paul Silver - Partner
Frank Repas - Project Manager
David M. Bogard - Principal Planner
Jeffrey Gilbert - Project Designer
Sanda Kleinman - Project Designer
Paul Chorney - Project Designer
Renee Kajimoto - Designer
Teck Neo Choo - Designer
Wayne Fuller - Graphics
Bill Donahey - Graphics
Magali Mateos - Production

Consultants

Rosser White Hobbs Davidson McClellan Kelly, Inc. - Mechanical Engineers
D: D. & A. Consultants, Inc. - Civil Engineers
Justice Systems, Inc. - Justice Consultants
Amis Construction & Consulting Services, Inc. - Cost Consultants

VBN/GRUZEN
ARCHITECTS & PLANNERS

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History of Santa Rita Preliminary
Master Planning Process
-

INTRODUCTION & BACKGROUND

Introduction

Since 1970, Alameda County has energetically pursued a program to identify and analyze its pretrial and sentenced detention needs and to upgrade its physical facilities. At that time the County determined to phase out the existing Santa Rita Rehabilitation Center for housing pretrial prisoners and to undertake interim improvements of the facility, until new studies could be completed.

From 1973 to 1976 pretrial planning studies were undertaken resulting in the Oakland facility presently under construction, and in a contemplated facility in Hayward. In 1977, a report summarizing sentenced population needs was submitted to the Board of Supervisors, clearly establishing the importance of a complete replacement facility. That document on sentenced needs, plus the County's continuing Jail Planning Services have provided the background for this report.

In 1979 the firm of VBN/Gruzen was selected to prepare preliminary planning and programming options for a replacement facility for sentenced inmates. Close and continuing collaboration between personnel in the Sheriff's Department, County Administrator's Office, Public Works Agency and the consultants resulted in this Preliminary Master Plan Report. The option presented in it will form the basis for a second phase of work for a final detailed Master Plan.

Background

The existing Santa Rita facility is a former military compound of World War II vintage located on a large reserve containing a number of other functions such as the County Corporation Yards, Law Enforcement Academy, agricultural areas and so forth.

The antiquated structures, primarily of wood (except for the maximum security element called Greystone), prevent, by their physical limitations, efficient operation of Santa Rita in conformance to contemporary detention standards. The pressing need for a new facility in economic, human and legal terms, has been documented extensively.

This study will analyze the optimum specific form and scale of upgrading that will permit operations which conform to current standards of treatment and are economically achievable.

General Goals

The County has established the following goals for the Master Plan, in discussion with VBN/Gruzen:

- 1) Protection of the public by securely detaining sentenced persons who present a danger to the community.
-

INTRODUCTION & BACKGROUND

- 2) Provision of humane and efficient management of inmates.
- 3) Provision of services necessary to provide for the health and welfare of inmates.
- 4) Conformance, in general, to contemporary standards of the American Correctional Association's Manual of Standards for Adult Local Detention Facilities and the California Board of Corrections State Minimum Jail Standards.
- 5) Extreme flexibility, adaptability and growth potential recognizing that the field of corrections is undergoing rapid change and that County needs may vary greatly in the future.

Specific Contract Criteria This report is organized in response to the following specific work tasks, which represent Phase I of the Master Plan:

- 1) To develop Facility Program options.
 - 2) To develop Conceptual Plans for various options with advantages and disadvantages of each, as well as capital and operational costs.
 - 3) To provide siting considerations for additional components on the County property.
 - 4) To evaluate infrastructure options as they affect cost and operations for :
 - o utilities
 - o solar & other energy options
 - o alternative construction methods
 - 5) To participate in work sessions with representatives of the various County agencies.
 - 6) To conform to standards for the handicapped.
-

SUMMARY

The following summary set forth the conclusions and recommendations which are those issues which have been determined to date.

The findings of this Preliminary Master Plan Concept for the Santa Rita Replacement Facility are:

1. The optimum capacity for the complex is for 1,008 beds, expandable to 1,200 by future construction if required.
2. The complex should be operated as a set of "management units" or sub-facilities each of which is physically distinct from another in terms of inmate management. Service and support elements, which do not affect inmate treatment at a personal level can be centralized.
3. The basic security grouping consists of 4 sub-facilities with an independent complex support as follows:
 - 240 bed maximum/medium facility
 - 288 bed medium/minimum facility
 - 312 bed minimum facility
 - 144 bed women's facility
 - plus a centrally located independent complex support with
 - 24 bed infirmary
4. Housing units or modules are in groups of 48 beds, each of which can be locked off if required without compromising operation of the remainder of the facility. Control stations are situated between 48 person units, so that one officer can oversee 48 or 96, depending on available staffing.
5. The 48 bed housing units have been programmed to be a mixture of single rooms (max/medium) and dormitories (medium/minimum), that can be readily converted to single rooms if ever required. Current standards strongly indicate single rooms for all security levels, and convertibility seems both prudent and cost effective. The mix is:
 - Max/Med: 432 single rooms
 - Med/Min: 264 beds in 4 person dorms with plumbing chases to allow conversion to single rooms with individual toilets.
 - Min: 288 beds in 12 person dorms to allow conversion to single rooms with shared toilets.
6. The 48 bed modules which can be operated individually allow easy construction of further 48 bed units in each sub-facility without disrupting operations, up to 1,200, without building new management units.

SUMMARY

7. Since flexibility is a watchword, complex support has been examined for the following options:
 - o sized for 1,000 persons (required)
 - o sized for 2,500 persons (to serve future components, and other county services. (optional at additional cost of some \$3.8 million)
 - o located with Minimum facility (improved circulation)
 - o located independently (additional fencing and control points required - slight cost increase)
 - o located to serve any further detention facility located on the Santa Rita property (recommended)
 8. Site options: The proposed building grouping has been tested on the site in two locations: east of Tassajara Creek or west of Tassajara Creek. The western site allows more buffering from adjacent uses and greater growth potential without crossing the stream. However, it requires greater site penetration by visitors and public. At this point, the western site would be easier to develop.
 9. Other proposed components on the County property must be related to this project. These include a court complex, corporation yard and other indicated in the accompanying site plans. Again, a westerly location seems to easily satisfy most requirements.
 10. Parking needs range from 400 - 450 cars for staff and public. 400 would be adequate with efficient visitor scheduling.
 11. Total project costs at current rates can be determined from the Concept Evaluation table on the next page, and include construction cost, site cost and 20% for contingencies and fees.
-

BOARD OF SUPERVISORS' RESOLUTIONS

HISTORY OF SANTA RITA PRELIMINARY
MASTER PLANNING PROCESS

7.1.1
APR 15 1980

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor....., Seconded by Supervisor.....,
and approved by the following vote,
Ayes: Supervisors.....
Noes: Supervisors.....
Excused or Absent: Supervisors.....

THE FOLLOWING RESOLUTION WAS ADOPTED: NUMBER **186919**

JAIL DEVELOPMENT PRIORITIES

BE IT RESOLVED that this Board of Supervisors does hereby go on record as being cognizant of the fact that the County of Alameda may have to construct the Hayward Pre-Trial Detention Facility prior to the Santa Rita Replacement Facility, and that the Board will adopt a priority position on this matter sometime in the near future; and

BE IT FURTHER RESOLVED that this Board does hereby determine not to proceed at this time with the revisions to the plans and specifications for the Hayward Pre-Trial Facility; and

BE IT FURTHER RESOLVED that Kenneth Wade, Alameda County Legislative Advocate in Washington, D.C., be and he is hereby directed to continue to concentrate his efforts on securing a construction grant from the Federal Government; and

BE IT FURTHER RESOLVED that this Board of Supervisors does hereby suspend the Santa Rita Master Planning process with the architectural planning firm of VBN/Grusen with the understanding that a final document will be completed for Phase I of the planning process.

I CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOARD OF SUPERVISORS ALAMEDA COUNTY, CALIFORNIA APR 15 1980

ATTEST: APR 21 1980
WILLIAM MEHRWEIN, CLERK OF THE BOARD OF SUPERVISORS

BY: *J. Chambers*

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor....., Seconded by Supervisor....., and approved by the following vote, **Bort** **Santana**
Ayes: Supervisors.....
Noes: Supervisors..... **Bort, George, Santana and Chairman Raymond - 4**
Excused or Absent: Supervisors..... **None**

THE FOLLOWING RESOLUTION WAS ADOPTED:

NUMBER.....
1 8 6 5 8 4

SANTA RITA REPLACEMENT FACILITY

BE IT RESOLVED that, in consideration of the report presented by the architectural planning firm of VBN/Gruzen which addresses the replacement of the existing Santa Rita facility with a proposed Post-Sentence Facility, as well as based on the comments and input by interested citizens and organizations thereon, this Board of Supervisors does hereby reaffirm and incorporate its earlier population and program decisions relative to the replacement of Santa Rita. Moreover, this Board of Supervisors does hereby state the following decisions as most desirable to the interests of the County of Alameda in connection with the Santa Rita replacement plan:

- 1. The acceptance of Model I, which incorporates a four (4) housing unit facility in addition to a central support facility.
- 2. The selection of the westerly site which lies west of Tassajara Creek and north of the existing County jail facility.

and

BE IT FURTHER RESOLVED that the County staff shall work with VBN/Gruzen to develop a complete document incorporating the above decisions for use for the next phase of the Santa Rita Master Plan process.

I CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOARD OF SUPERVISORS ALAMEDA COUNTY, CALIFORNIA **MAR 18 1980**
ATTEST: **MAR 27 1980**
WILLIAM MEHRWEIN, CLERK OF THE BOARD OF SUPERVISORS
BY: *Chapman*



AGENDA S-6 March 18, 1980

OFFICE OF THE
COUNTY ADMINISTRATOR

March 13, 1980

The Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Dear Board Members:

Subject: Santa Rita Replacement Facility -
Preliminary Master Plan

The architectural planning firm of VBN/Gruzen is presenting a report to address the replacement of the existing Santa Rita facility with a proposed Post-Sentence Facility. The report concentrates on the following:

1. Developing options for the facility program;
2. Developing conceptual plans for the various options with advantages and disadvantages as well as capital and operational costs; and
3. Providing siting considerations for additional components on the County property and evaluating infrastructure options such as utilities, solar and other energy options, and alternative construction methods as they affect costs in operations.

The report has been distributed on a wide basis to those interested with the issue of the replacement of the Santa Rita facility, all cities, the Adult Post-Sentence Advisory Committee, the Justice Council, and affected County departments. Attached are comments from interested individuals and organizations presented earlier to your Board.

The goal and objective of the Preliminary Master Plan, Phase I, was to have your Board adopt conceptual design and program decisions based on alternatives presented by the County and the architectural planning firm. These alternatives are being presented to your Board today with the anticipation of decisions being incorporated into a final document that the County could use for the next phase of the Master Plan process.

The Phase I planning process has made a number of major achievements. These achievements include the review of site considerations, a review of facility design as it would impact staffing, and the flexibility inherent in the preliminary facility concepts to adjust to programmatic changes.

The Honorable Board
of Supervisors

2.

March 13, 1980



I am recommending that your Board adopt conceptual design and program decisions based on the alternatives presented in the Preliminary Master Plan, Phase I, as well as the comments received from citizens and organizations interested in the replacement of Santa Rita. I would further recommend that a final document be completed by the County and the architectural planning firm incorporating the major achievements for Phase I, as well as the Board decisions which may emanate from today's meeting.

In addition to the Post-Sentence Master Planning process, the County needs to continue the planning for the Hayward Pre-Trial Detention Facility. I will be providing your Board with a report during April to address priority decisions with respect to the Pre-Trial and Post-Sentence facilities, as well as alternatives to place the County in a competitive position for federal construction funds.

THEREFORE, IT IS RECOMMENDED:

That the Board of Supervisors adopt conceptual design and program decisions for completion of the Preliminary Master Plan, Phase I, for the replacement of Santa Rita and that the County work with the architectural planning firm to develop a complete document incorporating these planning and programmatic decisions arrived at to date.

Very truly yours,


Mel Hing
County Administrator

MH:JC/gp.

Attachment

cc: Auditor-controller
County Counsel
Spike Flertzheim, Director of Public Works
Harry Peshon, Engineering & Architectural Division, Public Works
Mike Leahy, Health Care Services Agency
Bill Vogel, Health Care Services Agency
Glenn Dyer, Sheriff
Lt. Santucci, Sheriff's Department
Mitch Van Bourg, VBN/Gruzen
Alameda County Justice Council
Adult Post-Sentence Advisory Committee
City of Livermore
City of Pleasanton
Paul Ryan, Dublin-San Ramon Services District
City of Hayward
Ken Wade
Citizens for Liberty and Justice



AGENDA _____ March 11, 1980

OFFICE OF THE
COUNTY ADMINISTRATOR

March 6, 1980

The Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Dear Board Members:

Subject: Citizens' Response to Santa Rita Master Plan

The Board of Supervisors authorized the County Administrator's Office to summarize comments from those individuals or organizations who wished to respond to the Preliminary Master Plan for the replacement of Santa Rita.

Three organizations responded to the Master Plan which included the City of Livermore, Citizens for Liberty and Justice, and the Adult Post-Sentence Advisory Committee. Comments from these organizations are summarized in the attached report and their letters are available as an attachment to their report.

The Alameda County Justice Council did not provide a formal response to the Master Plan; however, a summary of the Council's general expression is attached in the report.

THEREFORE, IT IS RECOMMENDED:

That the Board of Supervisors receive comments from the various citizens and organizations responding to the Preliminary Master Plan for the replacement of Santa Rita.

Very truly yours,


Mel Hing
County Administrator

MH:JC/gp

Attachments

cc: Auditor-Controller
County Counsel
Mitch Van Bourg, VBN/Gruzen
Adult Post Sentence Advisory Committee
Alameda County Justice Council
Citizens for Liberty and Justice
City of Livermore

Glenn Dyer, Sheriff
H.A. Flertzheim, Public Works
Jim Walker, City of Pleasanton
Ruth Forbes, City of Hayward
Paul Ryan, Dublin-San Ramon
Jan Marinissen, Berkeley

REPORT SUMMARIZING THE CITIZENS' RESPONSE TO THE SANTA RITA
REPLACEMENT FACILITY PRELIMINARY MASTER PLAN

The Board of Supervisors authorized the County Administrator to summarize comments of those individuals or organizations who wanted to respond to the Santa Rita Master Plan. Individuals and organizations were asked to provide their comments prior to February 15, 1980 to the County Administrator's Office. The following is a summary of the comments received by the County Administrator's Office:

1. City of Livermore

- The City is concerned that the total expandable capacity of 1200 beds is low but qualifies this concern with the fact that it may be offset by other county facilities which are not identified in the report.
- The City is supportive of the separation of inmate population by security classifications as set forth in alternative #1. That alternative would reduce the number of inmates per facility and enhance the security and safety of inmates.
- The City is concerned that the County continue to allow pre-arraignment bookings at Santa Rita site.

2. Citizens for Liberty and Justice

- Alameda County must commit itself to a presumption against incarceration.
- Alameda County has not fully explored alternative options with the same money, time, put into the planning for construction.
- The priority to replace Santa Rita as a post-sentence facility is more important than building a second pre-trial facility.
- The total population need, 1,008 beds, does not reconcile with the State Board of Corrections' 1979 average daily sentence population for Alameda County which is 789.
- A practical way to reduce the size and capacity of the facility would be to eliminate minimum security at Santa Rita. These people could be placed in Work Furlough or placed on County parole.
- Single cells is favored for reasons of privacy and personal freedom as well as free access in dayrooms for socializing.

- 2 -

3. Alameda County Justice Council

- The Justice Council has not formally responded to the Preliminary Master Plan but has indicated that the departments that have been directly impacted by the plan have submitted their comments and input through the County Administrator's Office and are being incorporated within the document. The Council expressed its support for the general concept of planning for flexibility within the facility. Finally, the Council asked that the lack of formal comments is not to be construed as a lack of interest on this project. The Council felt it inappropriate to take a position in the absence of the Sheriff at their meeting.

4. Adult Post-Sentence Advisory Committee

- Positive features of the conceptual design can be summarized as follows: Flexibility of design including housing units in multipurpose program space; incorporation of single rooms into designs; security features featuring smaller unit housing area; lower operational cost consideration associated with model #1; spacious recreation areas; accessibility in location of visitor area; access and location of fire station.
- Negative features of the architect's conceptual design can be summarized as follows: questionable security in recreation yards; housing units in model #2 may exceed federal guidelines; design of perimeter may be more costly; centralized food preparation may be more costly, less secure, and less flexible; lack of an outdoor shop.
- General concerns expressed about the conceptual design can be summarized as follows: the facility should accommodate for contact or conjugal visiting; cost and unavailability of transportation to and from Santa Rita should be considered; population projections may be too high based on recent experience; a review of alternatives to reduce population should be conducted such as an expanded Work Furlough program or Sheriff's parole; adequate equipment and staff should be provided for occasional training; the architect should provide more detail on the size and nature of the programs to be operated in the central complex; information on the average stay should be provided and reviewed periodically; earthquake safety should be taken into account; handicap standard should be reviewed and incorporated into the design; alternatives for financing the replacement of Santa Rita should be reviewed.

JC/gp
3/5/80

Attachments: Adult Post Sentence Advisory Committee Letter of 2/14/80
Citizens for Liberty and Justice Letter of 2/14/80
City of Livermore Letter of 2/1/80

REEL _____ IMAGE _____

January 15, 1980 7.1.8
Approved as to Form
RICHARD J. MOORE, County Counsel
By.....Deputy

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor..... Bort
and approved by the following vote, Seconded by Supervisor..... George
Ayes: Supervisors..... Bort, Cooper, George, Santana and Chairman Raymond - 5
Noes: Supervisors..... None
Excused or Absent: Supervisors..... None

sr
THE FOLLOWING RESOLUTION WAS ADOPTED: NUMBER 1 8 5 8 7 1

SANTA RITA REPLACEMENT FACILITY - PRELIMINARY MASTER PLAN, PHASE I

WHEREAS, the architectural planning firm of VBN/Gruzen has submitted its report addressing the replacement of the existing Santa Rita Rehabilitation Center with a proposed post-sentence facility; and said report has been widely distributed to interested parties;

NOW, THEREFORE, BE IT RESOLVED that this Board of Supervisors does hereby request that all comments concerning said Santa Rita replacement facility report be submitted to the County Administrator's Office prior to February 15, 1980; and

BE IT FURTHER RESOLVED that the County Administrator be and he is hereby authorized and directed to provide a report to this Board in February, 1980, which summarizes the comments of those individuals and/or organizations who respond to the Santa Rita Preliminary Master Plan; and

BE IT FURTHER RESOLVED that this Board of Supervisors shall schedule another work session in late February or March, 1980, to consider final decisions on the Santa Rita Preliminary Master Plan.

I CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOARD OF SUPERVISORS ALAMEDA COUNTY, CALIFORNIA JAN 15 1980
ATTEST: JAN 15 1980
WILLIAM MEHRWEIN, CLERK OF THE BOARD OF SUPERVISORS
BY: S. Roland

1979

115

IMAGE

551

August 7, 1979

Approved as to Form 7.1.9

RICHARD J. MOORE, County Counsel

By *[Signature]* Deputy

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor Cooper, Seconded by Supervisor Santana

and approved by the following vote,

Ayes: Supervisors Bort, Cooper, George, Santana and Chairman Raymond - 5

Noes: Supervisors None

Excused or Absent: Supervisors None

THE FOLLOWING RESOLUTION WAS ADOPTED:

NUMBER 184034

ACCEPT REPORT - SANTA RITA PROPERTY USE

BE IT RESOLVED that the report prepared by the County Administrator dated August 2, 1979, a copy of which is attached hereto and made a part hereof, on the use of the remaining Santa Rita property, be and it is hereby accepted.

REEL 114 IMAGE 1149

July 17, 1979
Approved as to Form 7.1.10
RICHARD J. MOORE, County Counsel

By [Signature] Deputy

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor.....Bart....., Seconded by Supervisor.....Cooper.....,
and approved by the following vote,
Ayes: Supervisors.....Bart, Cooper, George and Chairman Raymond - 4
Noes: Supervisors.....None
Excused or Absent Supervisors.....Santana - 1

THE FOLLOWING RESOLUTION WAS ADOPTED: NUMBER 1 8 3 7 4 0

INCLUDE COURTHOUSE SITE - SANTA RITA MASTER PLAN

BE IT RESOLVED that VBN/Gruzen, Architects for the Santa Rita Rehabilitation Center Master Plan and Replacement, be and they are hereby authorized and directed include an East County Courthouse site in the Santa Rita Master Plan.

114

IMAGE

733

July 10, 1979

Approved as to Form 7.1.11

RICHARD J. MOORE, County Counsel

By..... *[Signature]* Deputy

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

Resolution of Supervisor..... Cooper....., Seconded by Supervisor..... Bort.....,
 and approved by the following vote,
 Yes: Supervisors..... Bort, Cooper, George, Santana and Chairman Raymond - 5
 No: Supervisors..... None
 Excused or Absent: Supervisors..... None

THE FOLLOWING RESOLUTION WAS ADOPTED:

NUMBER 1 8 3 6 3 6

SANTA RITA USAGE - SHERIFF'S ACTIVITIES AND OTHER COUNTY SERVICES

BE IT RESOLVED that in connection with the sixth jail planning work session which covered usage of Santa Rita Rehabilitation Center which does not involve post-sentence inmates, this Board of Supervisors does hereby state the following determinations, which are tentative and intended to enable the development of schematics of options, as well as accurate cost estimates which are necessary to reach the final decisions which result in a master plan therefor:

1. That for planning purposes only, no office buildings or County Store operations should be included in the Santa Rita Master Plan and that provisions should be made for both a fire training site and a corporation yard.
2. That more flexible training facilities should be provided and that adequate central service facilities should be provided adjacent to the jail facilities to enable both educational training in industrial arts, as well as on-the-job training.
3. Food services should be centralized for preparation and both decentralized and centralized for the serving of the food.
4. The East County patrol function should be housed in a separate facility, in an area of at least 2,500 square feet, which is easily accessible to the public.



7.1.12

AGENDA S-10 June 26, 1979

OFFICE OF THE
COUNTY ADMINISTRATOR

June 20, 1979

The Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Dear Board Members:

Subject: Jail Planning - Alternatives to Incarceration

Alternatives to incarceration is a large subject area which can and should be broken down into two major areas, pre and post trial programs. The attachments briefly review these major areas, as well as Alameda County's activities in these areas.

Discussion with the key Criminal Justice Department heads such as Judges, the District Attorney, the Public Defender, the Sheriff, and the Chief Probation Officer, indicate that post-sentence programs in Alameda County are not likely to be as successful as they are in other jurisdictions nationally. Several reasons account for these opinions and some of these reasons are: short length of stay for the average inmate, the low skill and educational level of the inmates, the lack of a viable job market, and the effectiveness of the pre-trial process in filtering out the "good risk" inmate from the jail system.

The discussions with regard to pre-trial programs had a strong consensus that these programs were more effective and productive. However, the opinions as to expansion of these programs and their impact on jail population was mixed. Since Alameda County already sentences fewer people to County jail than the statewide average, there was some concern expressed that expanded pre-trial programs would have more impact on probation services and other existing alternatives rather than further reduce the jail population. In other words, if the new or expanded programs had higher levels of treatment and/or control, defendants might be sentenced to these programs rather than to probation or other existing programs with no impact on the jail population. An example of this concept is Alameda County's experience with the Supervised O.R. Program. Evaluation of this program indicated that there were more individuals on Supervised O.R. who would have received straight OR than there were individuals who would have received jail in the absence of a Supervised O.R. Program.

The Adult Post Sentence Advisory Committee will present specific recommendations regarding the type of programs listed in the attachments during July 1979. This material is presented for your Board's information and any decision regarding alternatives should be deferred until the Adult Post Sentence Advisory Committee makes their recommendations.

The Honorable Board
of Supervisors

2.

June 20, 1979

7.1.13

The planning process is such that decisions made by your Board with regard to alternatives and their impact upon the jail's capacity will not delay or render useless the planning process. Just as the Hayward Pre-trial facility plans are flexible enough to be used for 300 to 500 beds, so to is the post-sentence planning process flexible enough to adjust the number of living units, etc. to any final decisions by your Board.

THEREFORE, IT IS RECOMMENDED:

That your Board defer any decisions with regard to alternatives to incarceration until the Adult Post Sentence Advisory Committee presents their recommendations.

Very truly yours,



MEL HING
COUNTY ADMINISTRATOR

MH:GMH/gp

cc: Post Sentence Advisory Committee
Justice Council
Mitch Van Bourg
Donn Weaver
Frank C. Brandes, Jr.
Leland Horner
General Manager of Dublin-San Ramon
Services District

PRE-TRIAL PROGRAMS

This attachment lists examples of the major pre-trial type programs, along with Alameda County's experience in these areas.

Citation/Station Release Programs. Citations are similar to traffic tickets in that they inform the defendant of the time and date of the court appearance and are issued based upon the defendant's offense, record, and their promise to appear. These citations can be issued in the field and during the booking process at the jail. All Police jurisdictions in Alameda County make extensive use of this program.

Own Recognizance (OR) Releases. This is a non-bail release and defendants are placed on this non-supervised program based upon the offense, record and their promise to appear. Alameda County has a very active jail interview unit which interviews approximately 2,000 defendants per year.

Supervised OR. This is also a non-bail release but defendants are supervised on this program based upon a concern by the Judge as to the readability of the defendant to meet the conditions of release set by the Judge. Alameda County had such a program but it was terminated during 1978.

Community Based Alternatives. Programs such as Drug Treatment Communities, Alcohol Treatment Communities, Out-Patient Programs, Mental Health Programs, diversion programs such as Project Intercept, etc., provide both pre and post services. In the area of pre-trial, these programs provide an alternative sentence program where if the defendant successfully completes the treatment program, no jail time will be served. Alameda County is one of the leading counties in the state in this area. Currently, there are in excess of 60 programs in existence in Alameda County.

Volunteer Programs. These programs involve the sentencing of convicted individuals to community service volunteer work instead of jail or court probation. Alameda County's program has received national recognition.

Alameda County has placed its emphases in the pre-trial area and has been very active in most phases of pre-trial activities. It is the consensus of opinion of the Criminal Justice Department heads that pre-trial programs are the most effective at reducing jail populations. Statistics in the State of California publication entitled Criminal Justice Profile - 1977 produced by the Department of Justice indicate that in 1977 Alameda County was significantly below the State average for jail and/or probation combined with jail sentences.

The statewide average of felony arrest which received County jail or County jail and probation sentences was 10.84% and Alameda County's percentage was 6.6% or 4.24% below the state average.

Attachment II

POST-SENTENCE PROGRAMS

This attachment lists examples of the major post-sentence type programs, along with Alameda County's experience in these areas.

Work Furlough Programs: Work furlough programs enable inmates to seek and/or retain employment. These programs are residential and allow the inmate to leave the grounds during the day. These programs are highly cost-effective both in terms of welfare cost avoidance and increased revenue in the form of taxes paid by inmates and their families. Alameda County has effective programs for both men and women.

Parole (Sheriff's Parole): This is a system whereby an inmate continues to serve his sentence outside of the County Jail under the supervision of a parole officer (in Alameda County this function is performed by the Probation Department). Alameda County has an active program as far as reviewing inmates' requests for parole by the Parole Board.

Re-Entry Programs: These programs are designed to offer counseling; job training/placement; educational, psychological, and/or emotional support; and may provide liaison between the inmate and the family and/or community. These programs can be community-based programs with conditional release to the programs, or they can be provided in the jail by either community or custodial staff. Alameda County has had a limited program which was started by grant funds. This program was eliminated in 1979.

Work-Release/Halfway Houses/Alternative Correction Programs: These are programs in the community that provide a controlled environment that combines aspects of several programs. These programs like the Santa Clara County Alternative Correction facility combine work furlough and re-entry/halfway house type programs into one program. The key feature is that heavy responsibility and self-motivation is required from the inmates. The key drawback is that meaningful employment is a requirement. Santa Clara County's program is quite effective but the ready availability of \$7 to \$9 per hour jobs for all women in the program, regardless of experience or education, is a major factor in the program's success and a factor Alameda County cannot duplicate. Alameda County does not have any programs of this type.

Alameda County has not been as active in the post-sentence area as it has been in the pre-sentence area. A factor to consider in evaluating the potential effectiveness of post-sentence programs in Alameda County is the impact of the pretrial programs on the post-sentence populations. This pretrial process reduces the number of qualified or good risk post-sentence inmates available for these post-sentence type programs. A review of the national programs indicates that frequently the success of the program is based upon an active initial screening process with strict criteria for admission to the program.

By [Signature] Deputy

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor Cooper, Seconded by Supervisor Bort,
and approved by the following vote,
Ayes: Supervisors Bort, Cooper, George and Chairman Raymond - 4
Noes: Supervisors None
Excused ~~by Absent~~: Supervisors Santana - 1

THE FOLLOWING RESOLUTION WAS ADOPTED:

NUMBER 1 8 3 4 1 1

POST SENTENCE FACILITY PROGRAMS

BE IT RESOLVED that in connection with the fourth jail planning work session which covered the review of the programs to be provided at the post sentence facility, this Board of Supervisors does hereby state the following determinations, which are tentative and intended to enable the development of schematics of options, as well as accurate cost estimates which are necessary to reach the final decisions resulting in a master plan therefor:

1. That for planning purposes only, two (2) library facilities, one (1) law and one (1) recreational, should be incorporated into the design of the Santa Rita Rehabilitation Center and that heavy use of audio-visual techniques should be designed for both the libraries and the living units.
2. That four (4) office spaces should be planned for Probation services and located in the inmate services area of the classroom complex.
3. That mental and medical health facilities should be planned in the design that meets the needs outlined in Attachment II which is made a part hereof.

June 5, 1979 7.1.17
Approved as to Form
RICHARD J. MOORE, County Counsel

REF. IMAGE.

By Deputy

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor..... Santana , Seconded by Supervisor Cooper
and approved by the following vote,
Ayes: Supervisors..... Bort, Cooper, George, Santana and Chairman Raymond - 5
Noes: Supervisors..... None
Excused or Absent: Supervisors..... None

THE FOLLOWING RESOLUTION WAS ADOPTED:

NUMBER 1 8 3 1 2 9

REVISE SANTA RITA MASTER PLAN SCHEDULE

WHEREAS, this Board of Supervisors did by Resolution No. 181204, adopted on the 19th day of December, 1978, approve a suggested timetable for developing a series of work sessions with concise decision points relating to the Master Plan for the Santa Rita Rehabilitation Center; and

WHEREAS, this Board is in receipt of a communication dated May 24, 1979, a copy of which is attached hereto and made a part hereof, from the County Administrator, recommending the rescheduling of said timetable as set forth therein;

NOW, THEREFORE, BE IT RESOLVED that this Board of Supervisors does hereby adopt the revised schedule for developing the Santa Rita Master Plan as outlined in the attached communication; and does hereby schedule work sessions for the indicated dates.

March 13, 1979
Approved as to Form 7.1.18
RICHARD J. MOORE, County Counsel
By [Signature] Deputy

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor Cooper, Seconded by Supervisor Santana,
and approved by the following vote,
Ayes: Supervisors Bart, Cooper, George, Santana and Chairman Raymond - 5
Noes: Supervisors None
Excused or Absent: Supervisors None
ljn

THE FOLLOWING RESOLUTION WAS ADOPTED: NUMBER 1.8.2.1.3.8

JAIL PLANNING - POST SENTENCE FACILITY PROGRAMS

WHEREAS, this Board of Supervisors is in receipt of a communication dated March 7, 1979, a copy of which is hereby attached hereto and made a part hereof, from the County Administrator relating to Jail Planning, covering programs to be provided at the Post-Sentence Facility;

NOW, THEREFORE, BE IT RESOLVED that in connection with the above matter, this Board of Supervisors does hereby approve the following:

- 1) That for planning purposes only, no additional facilities shall be designed for either counseling services or re-entry services since these programs will use the classroom and visiting facilities;
- 2) That except for a multipurpose track-baseball-football-soccer facility to be located in the minimum security area, all outdoor recreational facilities shall be decentralized;
- 3) That visiting facilities for 25% of the maximum and medium security inmate population shall be provided, and visiting facilities for 50% of the minimum security inmates be provided;
- 4) That visiting facilities for both maximum and medium shall be capable of providing for both contact and non-contact visiting, as well as adjacent search areas for both inmates and visitors;
- 5) That a 500-seat theater shall be provided, which is designed for a multipurpose use, including capability to serve as a chapel for church services.

February 20, 1979
Approved as to Form 7.1.19
RICHARD J. MOORE, County Counsel

By *[Signature]* Deputy

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor Bort, Seconded by Supervisor Cooper,
and approved by the following vote,
Yes: Supervisors Bort, Cooper, George and Chairman Raymond - 4
No: Supervisors None
Excused: ~~Supervisor~~ Santana - 1

THE FOLLOWING RESOLUTION WAS ADOPTED:

NUMBER 1 8 1 9 0 7

SANTA RITA POST SENTENCE FACILITY PROGRAMS

BE IT RESOLVED that in connection with programs to be provided at the Santa Rita Post Sentence Facility, this Board of Supervisors does hereby approve the following:

1. That for planning purposes only, ten (10) classrooms shall be incorporated into the design of Santa Rita;
2. That the classrooms shall be designed to be multipurpose in nature capable of use as either academic classrooms or industrial shop classrooms;
3. That the actual programs provided by the Sheriff each year shall be a part of an annual plan incorporated into the annual budget request submitted by the Sheriff; and
4. That a work furlough program shall not be located at Santa Rita at this time.

JANUARY 23, 1979

Approved as to Form 7.1.20

RICHARD J. MOORE, County Counsel

By  Deputy

108 IMAGE 431

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor..... Bort....., Seconded by Supervisor..... Santana.....,
 and approved by the following vote,
 Ayes: Supervisors..... Bort, George, Santana and Chairman Raymond-4
 Noes: Supervisors..... None
 Excused ~~xxxxxxx~~ Supervisors..... Cooper - 1

THE FOLLOWING RESOLUTION WAS ADOPTED:

NUMBER 1 8 1 5 1 5

ADOPT POLICY - JAIL PLANNING

BE IT RESOLVED that this Board of Supervisors of the County of Alameda, State of California does hereby adopt the following policy on Jail Planning:

For planning purposes only, 1,212 is hereby adopted as the maximum capacity for Santa Rita post-sentenced prisoners, and

1. 95% of the time the total capacity of detention facilities shall cover peaking requirements.
2. The practical operation maximum (P.O.M.) of 90% of the total capacity of detention facilities shall be used to compute requirements.
3. The projected increase in the number of inmates for the next 15 years shall be computed at 10%.

23, 1979

108 IMAGE 432

JANUARY 23, 1979
Approved as to Form 7.1.21
RICHARD J. MOORE, County Counsel
By *[Signature]* Deputy

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

motion of Supervisor..... Santana, Seconded by Supervisor..... George
approved by the following vote, Bort, George, Santana and Chairman Raymond-4
s: Supervisors.....
s: Supervisors..... None
used ~~XXXXXX~~ Supervisors..... Cooper - 1

THE FOLLOWING RESOLUTION WAS ADOPTED: NUMBER 181516

ADOPT POLICY - JAIL PLANNING


BE IT RESOLVED that this Board of Supervisors of the County of Alameda, State of California, does hereby adopt the following policy on Jail Planning:

For planning purposes only, the security levels for the post-sentence facility shall be set at 25% maximum security, 50% medium security and 25% minimum security and that the design shall be flexible enough to make the minimum and medium security areas interchangeable.

JANUARY 23, 1979

Approved as to Form 7.1.22

RICHARD J. MOORE, County Counsel

By  Deputy

TEL 108 IMAGE 433

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

motion of Supervisor..... Bort, Secoded by Supervisor..... Santana
 l approved by the following vote,
 es: Supervisors..... Bort, George, Santana and Chairman Raymond-4
 es: Supervisors..... None
 used or Absen: Supervisors/..... Cooper - 1

E FOLLOWING RESOLUTION WAS ADOPTED:

NUMBER 1 8 1 5 1 7

ADOPT POLICY - JAIL PLANNING

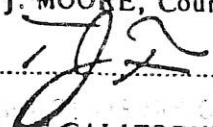
BE IT RESOLVED that this Board of Supervisors of the County of Alameda, State of California, does hereby adopt the following policy on Jail Planning:

In addition to what this Board has adopted in the two (2) foregoing resolutions, that maximum consideration shall be given to an ability to have maximum classifications based on program and background of the prisoners.

December 19, 1978

Approved as to Form 7.1.23

RICHARD J. MOORE, County Counsel

By  Deputy

EL 106 IMAGE 897

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

On motion of Supervisor Cooper, Seconded by Supervisor George, and approved by the following vote, Ayes: Supervisors Cooper, George, Raymond and Temporary Chairman Bort - 4 Noes: Supervisors None Excused of ~~Architects~~ Supervisors Chairman Santana - 1

THE FOLLOWING RESOLUTION WAS ADOPTED:

NUMBER 181204

SANTA RITA MASTER PLAN

WHEREAS, this Board of Supervisors is in receipt of a communication, dated December 14, 1978, a copy of which is attached hereto and made hereof, from the County Administrator relating to necessary modifications to the previously suggested approach and timetable for developing a Master Plan for the Santa Rita Rehabilitation Center;

NOW, THEREFORE, BE IT RESOLVED that this Board of Supervisors does hereby adopt the schedule set forth in the attached communication and does hereby schedule work schedules for the indicated dates; and

BE IT FURTHER RESOLVED that this Board does hereby formally accept the reports on jail planning history, decisions to date and decisions to be made; and

BE IT FURTHER RESOLVED that the Director of Public Works be and he is hereby authorized and directed to implement the selection process for an architectural firm; and

BE IT FURTHER RESOLVED that the East Bay Chapter of the American Institute of Architects be requested to nominate a replacement for the late George P. Simmonds on the Architect Selection Committee.

Exhibit 7

SFGATE<http://www.sfgate.com/bayarea/article/OAKLAND-Council-votes-to-close-jail-move-2662141.php>

OAKLAND / Council votes to close jail, move inmates / 89 workers to lose jobs in city's effort to balance budget

Jim Herron Zamora, Chronicle Staff Writer Published 4:00 am, Saturday, June 18, 2005

Oakland will close its city-run jail but most inmates will probably move only a block away -- to the newer cells in an Alameda County jail.

As part of its efforts to close a \$32 million budget shortfall, the **Oakland City Council** voted Thursday to shutter the city jail and send arrestees who are awaiting trial to the county.

Budget Director **Marianna Marysheva** said closing the jail and sending inmates to Alameda County jails would save about \$5.1 million over the next two years. The closure, expected to take effect in July, will lead to the loss of 89 civilian jobs and free five senior police officers, who now serve as jail supervisors, for other duties.

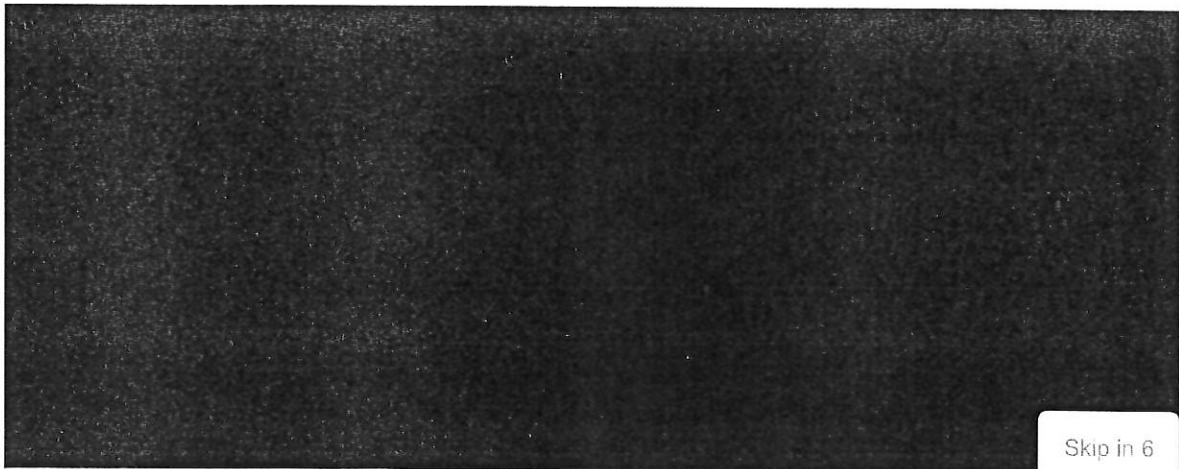
The vote on the jail will be finalized on June 27, when the council is scheduled to give final approval to a two-year budget that takes effect July 1.

The jail closure represents the largest number of job cuts in the effort to close the projected shortfall over the next two years.

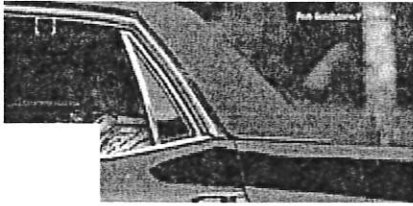
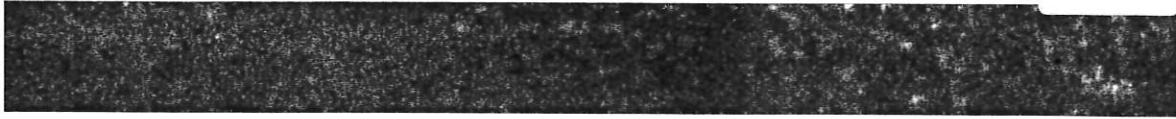
LATEST NEWS VIDEOS

**TIDAL**

Watch the hectic new video from indie rock band Shilpa Ray now on



Skip in 6

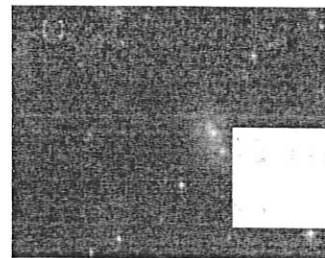


Now Playing

The Man Behind the Trump, Jr



Donald Trump, Jr Was Told In



Stunning NASA Photo Shy

The vote to close the jail came despite pleas from guards to retain their jobs. Those workers will be given an opportunity to apply for other city jobs, including jobs as Oakland police officers. Oakland's interim Police Chief **Wayne Tucker**, a former assistant sheriff, supported the jail closure.

Most Alameda County inmates are housed at Santa Rita Jail in Dublin, which has a capacity of 4,000 inmates.

But the county also runs the **Glenn Dyer Detention Facility** -- formerly known as North County Jail -- in downtown Oakland. The jail, with a capacity of 700 inmates, is usually less than half full.

It is unclear how many of the approximately 300 inmates in the Oakland city jail will be transferred down the street to the Glenn Dyer jail, as opposed to dozens of miles away to Santa Rita, sheriff's Lt. **Jim Knudsen** said.

"We evaluate each person and determine where the best place to put them is," Knudsen said.

The Oakland city jail is typically used for short-term inmates who are awaiting arraignment. In addition, about 100 federal inmates who are awaiting trial or deportation proceedings are housed there.

Knudsen expects that many of the short-term inmates and most of the federal inmates will be moved to the Glenn Dyer jail.

The council also voted to close the **Henry J. Kaiser Convention Center**, which sits on 10th Street next to the **Oakland Museum**. The auditorium, which has long operated at loss, would close in January, giving the city time to try to lease it to private management.

In other action, the council rejected a budget proposal to get rid of the Oakland Park Rangers, who are part of the Police Department but exclusively patrol city parks and recreation areas.

Councilwoman **Jean Quan**, who chairs the council's **Finance Committee**, said earlier she is impressed by how much public support the rangers had among constituents.

"I think it's better to have someone who is dedicated to the parks and really knows the area," said Quan, whose district includes several of Oakland's largest woodlands, including Joaquin Miller Park. "It's their beat. . . Especially for minor crimes (such as thefts), it's better to have officers who really know the parks."

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H E A R S T

Exhibit 8

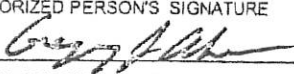


**SENATE BILL 863, ADULT LOCAL
CRIMINAL JUSTICE FACILITIES
CONSTRUCTION FINANCING PROGRAM
PROPOSAL FORM**

This document is not to be reformatted.

SECTION 1: PROJECT INFORMATION

A. APPLICANT INFORMATION AND PROPOSAL TYPE				
COUNTY NAME ALAMEDA		STATE FINANCING REQUESTED \$ 54,340,000		
SMALL COUNTY (200,000 and UNDER GENERAL COUNTY POPULATION) <input type="checkbox"/>	MEDIUM COUNTY (200,001 - 700,000 GENERAL COUNTY POPULATION) <input type="checkbox"/>	LARGE COUNTY (700,001 + GENERAL COUNTY POPULATION) <input checked="" type="checkbox"/>		
TYPE OF PROPOSAL - INDIVIDUAL COUNTY FACILITY / REGIONAL FACILITY PLEASE CHECK ONE (ONLY):				
INDIVIDUAL COUNTY FACILITY <input checked="" type="checkbox"/>		REGIONAL FACILITY <input type="checkbox"/>		
B: BRIEF PROJECT DESCRIPTION				
FACILITY NAME SANTA RITA JAIL				
PROJECT DESCRIPTION MENTAL HEALTH, PROGRAM and SERVICE UNIT				
STREET ADDRESS 5325 BRODER BLVD.				
CITY DUBLIN		STATE CA	ZIP CODE 94568	
C. SCOPE OF WORK - INDICATE FACILITY TYPE AND CHECK ALL BOXES THAT APPLY.				
FACILITY TYPE (II, III or IV) II	<input type="checkbox"/> NEW STAND-ALONE FACILITY	<input checked="" type="checkbox"/> RENOVATION/ REMODELING	<input type="checkbox"/> CONSTRUCTING BEDS OR OTHER SPACE AT EXISTING FACILITY	
D. BEDS CONSTRUCTED - Provide the number of BSCC-rated beds and non-rated special use beds that will be subject to construction as a result of the project, whether remodel/renovation or new construction.				
	A. MINIMUM SECURITY BEDS	B. MEDIUM SECURITY BEDS	C. MAXIMUM SECURITY BEDS	D. SPECIAL USE BEDS
Number of beds constructed	0	-18	0	0
TOTAL BEDS (A+B+C+D)	-18 (Reduction due to accessibility improvements required to meet code requirements in HU 23 and 24)			

E. APPLICANT'S AGREEMENT			
By signing this application, the authorized person assures that: a) the County will abide by the laws, regulations, policies, and procedures governing this financing program; and, b) certifies that the information contained in this proposal form, budget, narrative, and attachments is true and correct to the best of his/her knowledge.			
PERSON AUTHORIZED TO SIGN AGREEMENT			
NAME Gregory J. Ahern		TITLE Sheriff-Coroner	
AUTHORIZED PERSON'S SIGNATURE 		DATE 9/24/15	
F. DESIGNATED COUNTY CONSTRUCTION ADMINISTRATOR			
This person shall be responsible to oversee construction and administer the state/county agreements. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.)			
COUNTY CONSTRUCTION ADMINISTRATOR			
NAME Caroline Judy		TITLE Acting General Services Director	
DEPARTMENT General Services Agency		TELEPHONE NUMBER 510-208-9702	
STREET ADDRESS 1401 Lakeside Drive, 10 th Floor			
CITY Oakland	STATE CA	ZIP CODE 94612	E-MAIL ADDRESS Caroline.Judy@acgov.org
G. DESIGNATED PROJECT FINANCIAL OFFICER			
This person is responsible for all financial and accounting project related activities. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.)			
PROJECT FINANCIAL OFFICER			
NAME Steve Manning		TITLE Auditor-Controller	
DEPARTMENT Auditor-Controller		TELEPHONE NUMBER 510-272-6565	
STREET ADDRESS 1221 Oak Street, Room 249			
CITY Oakland	STATE CA	ZIP CODE 94612	E-MAIL ADDRESS smanning@acgov.org
H. DESIGNATED PROJECT CONTACT PERSON			
This person is responsible for project coordination and day-to-day liaison work with the BSCC. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.)			
PROJECT CONTACT PERSON			
NAME Jason Arbuckle		TITLE Lieutenant	
DEPARTMENT Alameda County Sheriff's Office		TELEPHONE NUMBER 925-551-6569	
STREET ADDRESS 5325 Broder Blvd.			
CITY Dublin	STATE CA	ZIP CODE 94568	E-MAIL ADDRESS jarbuckle@acgov.org

SECTION 4: FACT SHEET

Table 1: Provide the following information

1.	County general population [1/2015; DOF]	1,594,569
2.	Number of detention facilities [Adult]	2
3.	BSCC-rated capacity of jail system (multiple facilities) [2014]	4,716
4.	ADP (Secure Detention) of system [2014]	3,231
5.	ADP (Alternatives to Detention) of system	1,666
6.	Percentage felony inmates of system	95%
7.	Percentage non-sentenced inmates of system	89.2%
8.	Arrests per month	5,190
9.	Bookings per month of system	4,400
10.	"Lack of Space" releases per month	0

Table 2: Provide the name, BSCC-rated capacity (RC) and ADP of the adult detention facilities (type II, III, and IV) in your jurisdiction (county)

	Facility Name	RC	ADP
1.	Santa Rita Jail [2014]	3,812	2,797
2.	Glenn E. Dyer Detention Facility [2014]	904	434

Table 3: List the current offender programming in place and the ADP in each program

	Pre-Trial Program	ADP
1.	Adult Basic Education (A.B.E./A.S.E./HiSET)	91
2.	Anger Management	30
3.	Cosmetology	20
4.	Dads Acquiring and Developing Skills (DADS)	64
5.	Restorative Justice Santa Rita Circle Project (SRCP)	74
6.	Maximizing Opportunities for Mothers to Succeed (MOMS)	48
7.	Deciding, Educating, Understanding, Counseling and Evaluating (DEUCE)	146
8.	Baking	43
9.	Employability	123

10.	Basic Computers	35
11.	English as Second Language (ESL)	15
12.	Teaching and Loving Kids (TALK)	26
13.	Literacy – One on One tutoring to improve reading skills	7
14.	Barbering	19
15.	Independent Study	10
16.	Doula	31
Sentences Offender Program		ADP
1.	The above programs are offered to both pre-trial and sentenced inmates. Sentenced inmates must have at least 30 days left on their sentence to apply.	Included above

Table 4: List of the offender assessments used for determining programming		
Assessment Tools		Assessments per Month
1.	Pre-Trial Phase Face-to-Face Interviews	290
2.	SRJ Transition Center Interviews	116
3.	Current Charges	1445 ***
4.	Classification Detail	
5.	Housing Location	
6.	Disciplinary History	
7.	Prior poor class attendance	
8.	Keep Separates	

*** There were 1445 requests for classes last month. Each was assessed.

Exhibit 9

Jacobson, Judge Morris, Superior Court

From: Byer, Adam, Superior Court
Sent: Wednesday, July 12, 2017 1:16 PM
To: Jacobson, Judge Morris, Superior Court
Subject: FW: 3rd and 4th Quarter Stats

Judge Jacobson,

Here is the information that Deputy Rudolph provided me for the first three months of 2017.

-Adam

From: Rudolph, Jon, Sheriff [<mailto:JRudolph@acgov.org>]

Sent: Thursday, May 04, 2017 4:09 PM

To: Byer, Adam, Superior Court

Subject: RE: 3rd and 4th Quarter Stats

- **Jail Capacity as of 03/31/17:** has not changed
- **Average daily population for the quarter ending 03/31/17:** Total – 2,510, Santa Rita Jail – 2,036, Glenn E. Dyer Jail – 398, Housed Out - 76
- **Number of sentenced inmates held on 03/31/17:** 456
- **Number of Sentenced Inmates Held in OTHER Counties' Jails on Contract on 03/31/17:** 0
- **Number of Non-Sentenced Inmates Held on 03/31/17:** 2,121
- **Number of Non-Sentenced Inmates Held on Supervision Holds on 03/31/17:** 0
- **Number of Non-Sentenced Inmates Held in OTHER Counties' Jails on Contract on 03/31/17:** 0

Alameda County Sheriff's Office
Network Infrastructure Security Unit
Jail Management Software Project Manager
Santa Rita Jail Administration
5325 Broder Blvd.
Dublin, CA 94568
Office: 925-551-6566 (46566)
Cell: 510-225-5939
QIC 80501
jrudolph@acgov.org



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Jacobson, Judge Morris, Superior Court

From: Byer, Adam, Superior Court
Sent: Wednesday, July 12, 2017 1:14 PM
To: Jacobson, Judge Morris, Superior Court
Subject: RE: 3rd and 4th Quarter Stats

Judge Jacobson,
Here is the information that Deputy Rudolph provided me about jail capacity.
-Adam

From: Rudolph, Jon, Sheriff [<mailto:JRudolph@acgov.org>]
Sent: Thursday, April 27, 2017 3:28 PM
To: Byer, Adam, Superior Court
Subject: RE: 3rd and 4th Quarter Stats

- **Jail Capacity as of 12/31/16:** Only need to know if it changed (it was 5,110 – 4,525 for Santa Rita and 584 for Glenn Dyer) – Has not changed.
- **Average daily population for the quarter ending 12/31/16:** This was 2,502 for the quarter ending 6/30/16 (2,052+381+69 - what do the three numbers represent? I'm just curious, I don't need to know that to meet our data reporting responsibilities) – The first number represents Santa Rita Jail, the second is Glenn E. Dyer Jail and the third represents inmates housed out at other facilities but still technically in ACSO custody.
- **Number of sentenced inmates held on 12/31/16:** This was 449 on 6/30/16 - 329
- **Number of Sentenced Inmates Held in OTHER Counties' Jails on Contract on 12/31/16:** This was 0 on 6/30/16. - 0
- **Number of Non-Sentenced Inmates Held on 12/31/16:** This was 2,013 on 6/30/16 – 2,064
- **Number of Non-Sentenced Inmates Held on Supervision Holds on 12/31/16:** This was 0 – not applicable on 6/30/16 - 0
- **Number of Non-Sentenced Inmates Held in OTHER Counties' Jails on Contract on 12/31/16:** This was 0 on 6/30/16 - 0

Deputy Jon Rudolph #1104
Alameda County Sheriff's Office
Network Infrastructure Security Unit
Jail Management Software Project Manager
Santa Rita Jail Administration
5325 Broder Blvd.
Dublin, CA 94568
Office: 925-551-6566 (46566)
Cell: 510-225-5939
IC 80501
jrudolph@acgov.org



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From: Byer, Adam, Superior Court [<mailto:abyer@alameda.courts.ca.gov>]
Sent: Thursday, April 6, 2017 10:44 AM
To: Rudolph, Jon, Sheriff <JRudolph@acgov.org>
Subject: RE: 3rd and 4th Quarter Stats

Thanks again, I have a few more follow-up questions – this is for an update as of 12/31/16 to summary data you provided to me last year (see attached – I also laid out below):

- **Jail Capacity as of 12/31/16:** Only need to know if it changed (it was 5,110 – 4,525 for Santa Rita and 584 for Glenn Dyer)
- **Average daily population for the quarter ending 12/31/16:** This was 2,502 for the quarter ending 6/30/16 (2,052+381+69 - what do the three numbers represent? I'm just curious, I don't need to know that to meet our data reporting responsibilities)
- **Number of sentenced inmates held on 12/31/16:** This was 449 on 6/30/16
- **Number of Sentenced Inmates Held in OTHER Counties' Jails on Contract on 12/31/16:** This was 0 on 6/30/16.
- **Number of Non-Sentenced Inmates Held on 12/31/16:** This was 2,013 on 6/30/16
- **Number of Non-Sentenced Inmates Held on Supervision Holds on 12/31/16:** This was 0 – not applicable on 6/30/16
- **Number of Non-Sentenced Inmates Held in OTHER Counties' Jails on Contract on 12/31/16:** This was 0 on 6/30/16

I'd like this data by the end of next week if possible.

Thanks. Best Regards, Adam

Adam Byer
Administrator, Office of Planning, Research, and Outreach
Superior Court of California, County of Alameda
1225 Fallon St., Oakland, CA, 94612, Room 104-M
QIC: 20726
abyer@alameda.courts.ca.gov
510-891-6213

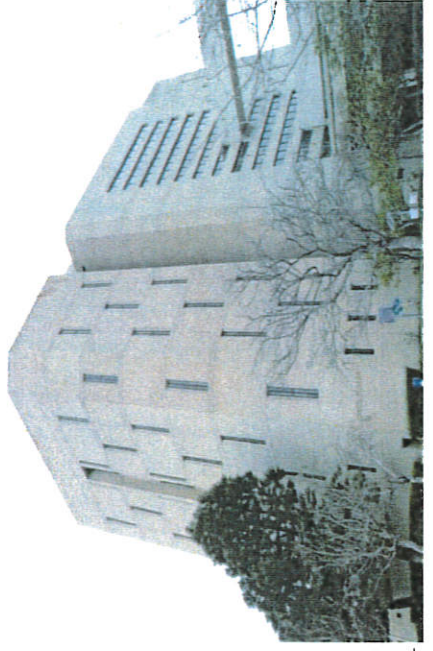
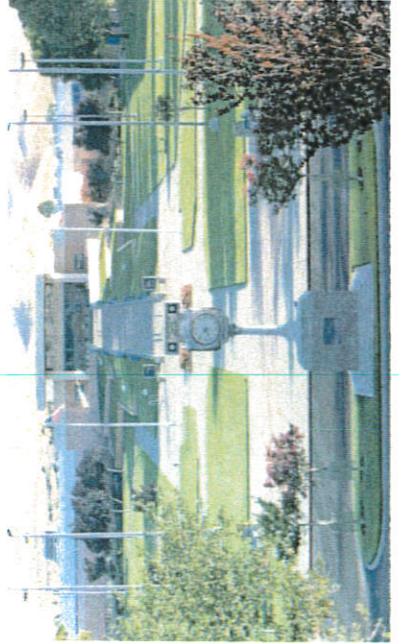
Exhibit 10



Alameda County Sheriff's Office

State of the Jails

March 12, 2015





Inmate Population

- The Alameda County Jail System has seen a reduction in our daily average population due to AB109 and Prop. 47
- As a result
 - Three Santa Rita Jail Housing Units are closed
 - Two floors at the Glenn Dyer Jail are closed
- Currently, there are
 - 270 inmates in custody on murder charges
 - 609 inmates that are associated with or a part of a violent gang
 - 360 inmates in custody with a mental illness
 - 2,058 pre-trial inmates in custody on felony charges

Exhibit 11

Authority 3
Purpose of Agreement and Security Provided 3
Period of Performance and Termination 3
Assignment and Outsourcing of Jail Operations..... 4
Medical Services 4
Affordable Care Act 5
Receiving and Discharge of Federal Detainees 6
Optional Guard/Transportation Services to Medical Facility 6
Optional Guard/Transportation Services to U.S. Courthouse 7
Optional Guard/Transportation Services to Justice Prisoner & Alien Transportation System (JPATS)..... 7
Special Notifications 8
Special Management Inmates and Suicide Prevention 8
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Service Contract Act..... 9
Per-Diem Rate 9
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Payment Procedures..... 11
Disputes 11
Inspection of Services 11
Modifications 11
Litigation 12
Rape Elimination Act Reporting Information 12

Local Government (initial): LDW *im*
Federal Government (initial): - *n*

Authority

Pursuant to the authority of Section 119 of the Department of Justice Appropriations Act of 2001 (Public Law 106-553), this Agreement is entered into between the United States Marshals Service (hereinafter referred to as the "Federal Government") and ALAMEDA COUNTY SHERIFF'S OFFICE County Jail, State or County Government (hereinafter referred to as "Local Government"), who hereby agree as follows:

Purpose of Agreement and Security Provided

The Federal Government and the Local Government establish this Agreement that allows the United States Marshals Service (USMS) or other authorized agency user as noted in block #18 on page (1) to house Federal detainees with the Local Government at the Glenn E. Dyer Detention Facility 550 6th Street Oakland, CA 94607 (hereinafter referred to as "the Facility") designated in #6 page 1.

The population (hereinafter referred to as "Federal detainees,") will include individuals charged with Federal offenses and detained while awaiting trial, individuals who have been sentenced and are awaiting designation and transport to a Bureau of Prisons (BOP) facility, and individuals who are awaiting a hearing on their immigration status or deportation.

The Local Government shall accept and provide for the secure custody, safekeeping, housing, subsistence and care of Federal detainees in accordance with all state and local laws, standards, regulations, policies and court orders applicable to the operation of the Facility. Detainees shall also be housed in a manner that is consistent with Federal law and the Core Detention Standards and/or any other standards required by an authorized agency whose detainees are housed by the Local Government pursuant to this Agreement (see attached).

The USMS ensures the secure custody, care, and safekeeping of USMS detainees. Accordingly, all housing or work assignments, and recreation or other activities for USMS detainees are permitted only within secure areas of the building or within the secure external recreational/exercise areas.

At all times, the Federal Government shall have access to the Facility and to the Federal detainees housed there, and to all records pertaining to this Agreement, including financial records, for a period going back three (3) years from the date of request by the Federal Government.

Period of Performance and Termination

This Agreement is effective upon the date of signature of the authorized USMS Prisoner Operations Division official, and remains in effect unless inactivated in writing by either party. Either party may terminate this Agreement for any reason with written notice at

least thirty (30) calendar days in advance of termination, unless an emergency situation requires the immediate relocation of Federal detainees.

Where the Local Government has received a Cooperative Agreement Program (CAP) award, the termination provisions of the CAP prevail.

Assignment and Outsourcing of Jail Operations

The overall management and operation of the Facility housing Federal detainees may not be contracted out without the prior express written consent of the Federal Government.

Medical Services

The Local Government shall provide Federal detainees with the same level and range of care **inside** the Facility as that provided to state and local detainees. The Local Government is financially responsible for all medical care provided **inside** the Facility to Federal detainees. This includes the cost of all medical, dental, and mental health care as well as the cost of medical supplies, over-the-counter medications and, any prescription medications routinely stocked by the Facility which are provided to Federal detainees. When possible, generic medications should be prescribed. The cost of all of the above-referenced medical care is covered by the Federal per diem rate. However, for specialized medical services not routinely provided within the Facility, such as dialysis, the Federal Government will pay for the cost of that service.

The Federal Government is financially responsible for all medical care provided **outside** the Facility to Federal detainees. The Federal Government must be billed directly by outside medical care providers pursuant to arrangements made by the Local Government for outside medical care. The Local Government should utilize outside medical care providers that are covered by the USMS's National Managed Care Contract (NMCC) to reduce the costs and administrative workload associated with these medical services. The Local Government can obtain information about NMCC covered providers from the local USMS District Office. The Federal Government will be billed directly by the medical care provider **not** the Local Government. To ensure that Medicare rates are properly applied, medical claims for Federal detainees must be on Centers for Medicare and Medicaid (CMS) Forms so that they can be re-priced to Medicare rates in accordance with the provisions of Title 18 U.S.C. Section 4006. If the Local Government receives any bills for medical care provided to Federal detainees outside the Facility, the Local Government should immediately forward those bills to the Federal Government for processing.

All **outside** medical care provided to Federal detainees must be pre-approved by the Federal Government except in a medical emergency. In the event of an emergency, the Local Government shall proceed immediately with necessary medical treatment. In such

an event, the Local Government shall notify the Federal Government immediately regarding the nature of the Federal detainee's illness or injury as well as the types of treatment provided.

Medical care for Federal detainees shall be provided by the Local Government in accordance with the provisions of USMS, Publication 100-Prisoner Health Care Standards (www.usmarshals.gov/prisoner/standards.htm) and in compliance with the Core Detention Standards or those standards which may be required by any other authorized agency user. The Local Government is responsible for all associated medical record keeping.

The Facility shall have in place an adequate infectious disease control program which includes testing of all Federal detainees for Tuberculosis (TB) within 14 days of intake.

TB testing shall be accomplished in accordance with the latest Centers for Disease Control (CDC) Guidelines and the result promptly documented in the Federal detainee's medical record. Special requests for expedited TB testing and clearance (to include time sensitive moves) will be accomplished through advance coordination by the Federal Government and Local Government.

The Local Government shall immediately notify the Federal Government of any cases of suspected or active TB or any other highly communicable diseases such as Severe Acute Respiratory Syndrome (SARS), Avian Flu, Methicillin-Resistant Staphylococcus Aureus (MRSA), Chicken Pox, etc., which might affect scheduled transports or productions so that protective measures can be taken by the Federal Government.

When a Federal detainee is being transferred and/or released from the Facility, they will be provided with seven (7) days of prescription medication which will be dispensed from the Facility. Medical records and the USM-553 must travel with the Federal detainee. If the records are maintained at a medical contractor's facility, it is the Local Government's responsibility to obtain them before a Federal detainee is moved.

Federal detainees may be charged a medical co-payment by the Local Government in accordance with the provisions of Title 18, USC Section 4013(d). The Federal Government is not responsible for medical co-payments and cannot be billed for these costs even for indigent Federal detainees.

Affordable Care Act

The Local Government shall provide Federal detainees, upon release of custody, information regarding the Affordable Care Act, The Affordable Care Act website is located at <http://www.hhs.gov/opa/affordable-care-act/>.

Receiving and Discharge of Federal Detainees

The Local Government agrees to accept Federal detainees only upon presentation by a law enforcement officer of the Federal Government or a USMS designee with proper agency credentials

The Local Government shall not relocate a Federal detainee from one facility under its control to another facility not described in this Agreement without permission of the Federal Government. Additional facilities within the same Agreement shall be identified in a modification.

The Local Government agrees to release Federal detainees only to law enforcement officers of the authorized Federal Government agency initially committing the Federal detainee (i.e., Drug Enforcement Administration (DEA), Immigration and Customs Enforcement (ICE), etc.) or to a Deputy United States Marshal (DUSM) or USMS designee with proper agency credentials. Those Federal detainees who are remanded to custody by a DUSM may only be released to a DUSM or an agent specified by the DUSM of the Judicial District.

USMS Federal detainees sought for a state or local court proceeding must be acquired through a Writ of Habeas Corpus or the Interstate Agreement on Detainers and then only with the concurrence of the jurisdictional United States Marshal (USM).

Optional Guard/Transportation Services to Medical Facility

If Medical Facility in block #13 on page one (1) of this Agreement is checked, the Local Government agrees, subject to the availability of its personnel, to provide transportation and escort guard services for Federal detainees housed at the Facility to and from a medical facility for outpatient care, and transportation and stationary guard services for Federal detainees admitted to a medical facility.

These services should be performed by at least two (2) armed qualified law enforcement or correctional officer personnel. Criteria as specified by the County Entity running the facility. In all cases these are part of a fulltime Law Enforcement Officer (LEO) or Correctional Officer (CO) that have met the minimum training requirements.

The Local Government agrees to augment this security escort if requested by the USM to enhance specific requirement for security, prisoner monitoring, visitation, and contraband control.

If an hourly rate for these services have been agreed upon to reimburse the Local Government, it will be stipulated in block #14 on page one (1) of this Agreement. After thirty-six (36) months, if a rate adjustment is desired, the Local Government shall submit a request. Mileage shall be reimbursed in accordance with the current GSA mileage rate.

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Optional Guard/Transportation Services to U.S. Courthouse

If U.S. Courthouse in block #13 on page one (1) of this Agreement is checked, the Local Government agrees, subject to the availability of its personnel, to provide transportation and escort guard services for Federal detainees housed at its facility to and from the U.S. Courthouse.

These services should be performed by at least two (2) armed qualified law enforcement or correctional officer personnel.

The Local Government agrees to augment this security escort if requested by the USM to enhance specific requirements for security, detainee monitoring, and contraband control.

Upon arrival at the courthouse, the Local Government's transportation and escort guard will turn Federal detainees over to a DUSM only upon presentation by the deputy of proper law enforcement credentials.

The Local Government will not transport Federal detainees to any U.S. Courthouse without a specific request from the USM or their designee who will provide the detainee's name, the U.S. Courthouse, and the date the detainee is to be transported.

Each detainee will be restrained in handcuffs, waist chains, and leg irons during transportation unless otherwise authorized by the USMS.

If an hourly rate for these services have been agreed upon to reimburse the Local Government, it will be stipulated in block #14 on page one (1) of this Agreement. After thirty-six (36) months, if a rate adjustment is desired, the Local Government shall submit a request. Mileage shall be reimbursed in accordance with the current GSA mileage rate.

Optional Guard/Transportation Services to Justice Prisoner & Alien Transportation System (JPATS)

If JPATS in block #13 on page one (1) of this Agreement is checked, the Local Government agrees, subject to the availability of its personnel, to provide transportation and escort guard services for Federal detainees housed at its facility to and from the JPATS.

These services should be performed by at least two (2) armed qualified law enforcement or correctional officer personnel.

The Local Government agrees to augment this security escort if requested by the USM to enhance specific requirements for security, detainee monitoring, and contraband control.

Upon arrival at JPATS, the Local Government's transportation and escort guards will turn federal detainees over to a DUSM only upon presentation by the deputy of proper law enforcement credentials.

The Local Government will not transport federal detainees to the airlift without a specific request from the USM who will provide the detainee's name, location (district), and the date the detainee is to be transported.

Each detainee will be restrained in handcuffs, waist chains, and leg irons during transportation.

If an hourly rate for these services has been agreed upon to reimburse the Local Government, it will be stipulated on in block #14 on page one (1) of this Agreement. After thirty-six (36) months, if a rate adjustment is desired, the Local Government shall submit a request. Mileage shall be reimbursed in accordance with the current GSA mileage rate.

Special Notifications

The Local Government shall notify the Federal Government of any activity by a Federal detainee which would likely result in litigation or alleged criminal activity.

The Local Government shall immediately notify the Federal Government of an escape of a Federal detainee. The Local Government shall use all reasonable means to apprehend the escaped Federal detainee and all reasonable costs in connection therewith shall be borne by the Local Government. The Federal Government shall have primary responsibility and authority to direct the pursuit and capture of such escaped Federal detainees. Additionally, the Local Government shall notify the Federal Government as soon as possible when a Federal detainee is involved in an attempted escape or conspiracy to escape from the Facility.

In the event of the death or assault or a medical emergency of a Federal detainee, the Local Government shall immediately notify the Federal Government.

Special Management Inmates and Suicide Prevention

The Local Government shall have written policy, procedure, and practice require that all special management inmates are personally observed by a correctional officer twice per hour, but no more than 40 minutes apart, on an irregular schedule. Inmates who are violent or mentally disordered or who demonstrate unusual or bizarre behavior receive more frequent observation; suicidal inmates are under constant observation.

The Local Government shall have a comprehensive suicide-prevention program in place incorporating all aspects of identification, assessment, evaluation, treatment, preventive intervention, and annual training of all medical, mental health, and correctional staff.

Prison Rape Elimination Act (PREA)

The Facility must post the Prison Rape Elimination Act brochure/bulletin in each housing unit of the Facility. The Facility must abide by all relevant PREA regulations.

Service Contract Act

This Agreement incorporates the following clause by reference, with the same force and effect as if it was given in full text. Upon request, the full text will be made available. The full text of this provision may be accessed electronically at this address: <http://www.dol.gov/oasam/regs/statutes/351.htm>.

Federal Acquisition Regulation Clause(s):

52.222-41 Service Contract Act of 1965, as Amended (July 2005)

52.222-42 Statement of Equivalent Rates for Federal Hires (May 1989)

52.222-43 Fair Labor Standards Act and the Service Contract Act – Price Adjustment (Multiyear and Option Contracts) (May 1989)

The current Local Government wage rates shall be the prevailing wages unless notified by the Federal Government.

If the Department of Labor Wage Determination block #13b on page one (1) of this Agreement is checked, the Local Government agrees, in accordance with FAR PART 52.222.43 (f), must notify the Federal Government of any increase or decrease in applicable wages and fringe benefits claimed under this clause within 30 days after receiving a new wage determination.

Per-Diem Rate

The Federal Government will use various price analysis techniques and procedures to ensure the per-diem rate established by this Agreement is considered a fair and reasonable price. Examples of such techniques include, but are not limited to, the following:

1. Comparison of the requested per-diem rate with the independent Federal Government estimate for detention services, otherwise known as the Core Rate;

2. Comparison with per-diem rates at other state or local facilities of similar size and economic conditions;
3. Comparison of previously proposed prices and previous Federal Government and commercial contract prices with current proposed prices for the same or similar items;
4. Evaluation of the provided jail operating expense information;

The firm-fixed per-diem rate for services is stipulated in block #12 on page (1) of this agreement, and shall not be subject to adjustment on the basis of **Glenn E. Dyer Detention Facility's** actual cost experience in providing the service. The per-diem rate shall be fixed for a period from the effective date of this Agreement forward for thirty-six (36) months. The per-diem rate covers the support of one Federal detainee per "Federal detainee day", which shall include the day of arrival, but not the day of departure.

After thirty-six (36) months, if a per-diem rate adjustment is desired, the Local Government shall submit a request through the Office of the Federal Detention Trustee's (OFDT) electronic Intergovernmental Agreements (eIGA) area of the Detention Services Network (DSNetwork). All information pertaining to the Facility on the DSNetwork will be required before a new per-diem rate will be considered.

Billing and Financial Provisions

The Local Government shall prepare and submit for certification and payment, original and separate invoices each month to each Federal Government component responsible for Federal detainees housed at the Facility.

Addresses for the components are:

United States Marshals Service
Philip Burton Federal Building & U.S. Courthouse
Northern District of California
450 Golden Gate Avenue, 20th Floor
San Francisco, CA 94102
(415) 436-7677

Bureau of Prisons
Residential Reentry Management Sacramento
501 I Street, Suite 9-400
Sacramento, CA 95814
(916) 930-2010

Agreement Number 11-99-0060

Immigration and Customs Enforcement
San Diego Field Office
630 Sansome Street, Room 590
San Francisco, CA 94111
(619) 557-6343

To constitute a proper monthly invoice, the name and address of the Facility, the name of each Federal detainee, their specific dates of confinement, the total days to be paid, the appropriate per diem rate as approved in the Agreement, and the total amount billed (total days multiplied by the per-diem rate per day) shall be listed, along with the name, title, complete address, and telephone number of the Local Government official responsible for invoice preparation. Additional services provided, such as transportation and guard services, shall be listed separately and itemized.

Nothing contained herein shall be construed to obligate the Federal Government to any expenditure or obligation of funds in excess of, or in advance of, appropriations in accordance with the Anti-Deficiency Act, 31 U.S.C. 1341.

Payment Procedures

The Federal Government will make payments to the Local Government at the address listed in block #6 on page one (1) of this Agreement, on a monthly basis, promptly, after receipt of an appropriate invoice.

Disputes

Disputes, questions, or concerns pertaining to this Agreement will be resolved between appropriate officials of each party. Both the parties agree that they will use their best efforts to resolve the dispute in an informal fashion through consultation and communication, or other forms of non-binding alternative dispute resolution mutually acceptable to the parties.

Inspection of Services

Inspection standards for detainees may differ among authorized agency users. The Local Government agrees to allow periodic inspections by Federal Government inspectors, to include approved Federal contractors, in accordance with the Core Detention Standards required by any or all of the Federal authorized agency users whose detainees may be housed pursuant to this Agreement. Findings of the inspections will be shared with the Facility administrator in order to promote improvements to Facility operations, conditions of confinement, and levels of services.

Modifications

For all modifications except for full or partial terminations, either party may initiate a request for modification to this Agreement in writing. All modifications negotiated will be effective only upon written approval of both parties.

Litigation

The Federal Government shall be notified, in writing, of all litigation pertaining to this Agreement and provided copies of any pleadings filed or said litigation within five (5) working days of the filing.

The Local Government shall cooperate with the Federal Government legal staff and/or the United States Attorney regarding any requests pertaining to Federal Government or Local Government litigation.

Rape Elimination Act Reporting Information

SEXUAL ASSAULT AWARENESS

This document is requested to be posted in each Housing Unit Bulletin Board at all Contract Detention Facilities. This document may be used and adapted by Intergovernmental Service Agreement Providers.

While detained by the Department of Justice, United States Marshals Service, you have a right to be safe and free from sexual harassment and sexual assaults.

Definitions

A. Detainee-on-Detainee Sexual Abuse/Assault

One or more detainees engaging in or attempting to engage in a sexual act with another detainee or the use of **threats, intimidation, inappropriate touching** or other actions and/or communications by one or more detainees aimed at **coercing and/or pressuring** another detainee to engage in a sexual act.

B. Staff-on-Detainee Sexual Abuse/Assault

Staff member engaging in, or attempting to engage in a sexual act with any detainee or the intentional touching of a detainee's genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, humiliate, harass, degrade, arouse,

or gratify the sexual desires of any person. **Sexual abuse/assault of detainees by staff or other detainees is an inappropriate use of power and is prohibited by DOJ policy and the law.**

C. Staff Sexual Misconduct is:

Sexual behavior between a staff member and detainee which can include, but is not limited to indecent, profane or abusive language or gestures and inappropriate visual surveillance of detainees.

Prohibited Acts

A detainee, who engages in inappropriate sexual behavior with or directs it at others, can be charged with the following Prohibited Acts under the Detainee Disciplinary Policy.

- **Using Abusive or Obscene Language**
- **Sexual Assault**
- **Making a Sexual Proposal**
- **Indecent Exposure**
- **Engaging in Sex Act**

Detention as a Safe Environment

While you are detained, no one has the right to pressure you to engage in sexual acts or engage in unwanted sexual behavior regardless of your age, size, race, or ethnicity. Regardless of your sexual orientation, you have the right to be safe from unwanted sexual advances and acts.

Confidentiality

Information concerning the identity of a detainee victim reporting a sexual assault, and the facts of the report itself, shall be limited to those who have the need to know in order to make decisions concerning the detainee-victim's welfare and for law enforcement investigative purposes.

Report All Assaults!

If you become a victim of a sexual assault, you should report it immediately to any staff person you trust, to include housing officers, chaplains, medical staff, supervisors or Deputy U.S. Marshals. Staff members keep the reported information confidential and only discuss it with the appropriate officials on a need to know basis. If you are not comfortable reporting the assault to staff, you have other options:

- Write a letter reporting the sexual misconduct to the person in charge or the United States Marshal. To ensure confidentiality, use special (Legal) mail procedures.
- File an Emergency Detainee Grievance - If you decide your complaint is too sensitive to file with the Officer in Charge, you can file your Grievance directly with the Field Office Director. You can get the forms from your housing unit officer, or a Facility supervisor.
- Write to the Office of Inspector General (OIG), which investigates allegations of staff misconduct. The address is: Office of Inspector General, U.S. Department of Justice, 950 Pennsylvania Ave. Room 4706, Washington, DC. 20530
- Call, **at no expense to you**, the Office of Inspector General (OIG). The phone number is 1-800-869-4499.

Individuals who sexually abuse or assault detainees can only be disciplined or prosecuted if the abuse is reported.

A publication of the Office of the
Federal Detention Trustee
Washington, DC

Published February 2008

Exhibit 12



SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

CHAMBERS OF
MORRIS D. JACOBSON
Presiding Judge
Department 1

René C. Davidson Courthouse
1225 Fallon Street
Oakland, CA 94612

June 26, 2017
Wilma Chan
Supervisor, Third District, and President of the Board
Alameda County Board of Supervisors
1221 Oak Street, Suite 536
Oakland, CA 94612

Re: Arraignments at the East County Hall of Justice

Dear Supervisor Chan,

Thank you for your letter of June 6, 2017, expressing concern about the Court's proposal to hold all in custody arraignments at the new East County Hall of Justice (ECHOJ). I would like to respond to your concerns and also to ask your help in reaching consensus among the affected County agencies as to how we should go forward.

1. In Custody Defendants Will Benefit The Most From Being Arraigned Near the Jail Where They Are Housed.

We should be most concerned about the unnecessary burden borne by the in-custody defendants who are bussed more than 35 miles one way for a brief appearance where they are not allowed to see any family members or visitors. Currently, persons who are arrested in Oakland are housed in Santa Rita before being returned to Oakland to be arraigned. These defendants currently are awakened at 3:00 a.m. for a long day of bus rides and holding cells, often not returning to the jail until after the dinner hour. Alternatively, being arraigned at a Courthouse that is 300 yards from Santa Rita cuts most of the time off of this cumbersome process, because it eliminates the hours and hours of bus riding in some of the worst rush hour traffic in the Bay Area. In this context, the needs of these people who are in custody are paramount, and certainly should take priority over the less important needs of their family members or people who are employed in the criminal justice system.

2. Staffing Decisions Should Be Driven By The Workload and The Facility, Which Was Intentionally Built To Serve The Santa Rita Jail Population

Staffing decisions by County Agencies who work with the Court system should be driven by the workload and the size of the particular Courthouse. The number of criminal cases filed in Alameda

County stays relatively constant year over year, and results in, among other things, an arraignment workload. The County Agencies currently handle this workload, which will remain unchanged by the opening of the ECHOJ Courthouse.

This Courthouse complex is large, and includes a new County Office Building that adjoins it. The County Office building has one floor for the District Attorney and one floor to be shared by the Public Defender and Probation. The Courthouse itself was designed and built to handle high volume calendars generated by the large County Jail next door. The Courthouse is equipped with 20 private interview rooms for attorneys to meet with their clients.

This brand new facility easily accommodates all in custody arraignments in Alameda County (an average of about 50 per day). Similarly, this facility easily accommodates housing large staffs from the District Attorney, the Public Defender and Probation. The location of the Courthouse, so long as it is situated in Alameda County, should not be a basis for objecting to conducting arraignments in a specific location.

3. Lack of Adequate Funding Forces Efficiency Over Convenience

It is unfortunate that the Judicial Branch in California is so seriously underfunded. For the Alameda County Superior Court, we have been cut for eight straight years. In FY 08-09, our budget was about \$125 million; in FY 16-17, it is \$76 million. While we once had about 950 employees, we now have about 650. We literally do not have enough courtroom clerks, court reporters and other staff to operate our courts. It is in this context that I must consider your point that "...when efficiency impinges on the fair administration of justice, it is not worth the cost." We do not have enough funding to compensate for the costs that we incur that flow directly from the inefficient current system of bussing hundreds of defendants through 70 miles of horrendous traffic each day.

For example on Tuesday, June 20, 2017, the buses were delayed by traffic and arrived more than two hours late. Our Courts and court users idly stood by waiting for the clients to arrive and on the back end of the day, the Court incurred overtime costs. This type of frequently recurring inefficiency increases the challenge of maintaining adequate staffing. Instead, we are forced to consolidate our activities close to the jail to cut our costs so that we can provide fair administration of justice within our means.

4. Solutions: The County Can Help All Reach Consensus

I am writing to ask for your help in reaching a solution that would help the Courts and the Court users.

First, we ask that the Board of Supervisors require the Sheriff to house defendants, whose cases originate in North County, at the North County Glenn Dyer Jail. If those defendants were housed next door, we would arraign them in Oakland; we would not be trying to persuade anyone to put them on a bus and drive them to a courthouse 35 miles away. If this occurred, we would be able to afford to continue to arraign in custody defendants in Oakland.

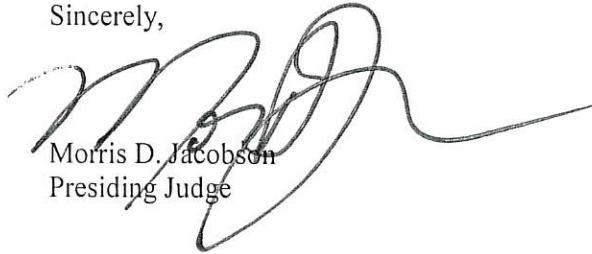
Second, we ask the Board of Supervisors to allocate two million dollars to the Alameda County Superior Court to pay for courtroom clerks. Our most critical staff shortage is with our clerks, as we cannot operate a courtroom without a courtroom clerk. If the County invested in the Court in this manner, we would be able to continue to provide services as we do now, in multiple locations without the extreme budgetary pressure to consolidate into ECHOJ.

Wilma Chan
June 26, 2017
Page 3

Conclusion

I respectfully urge you to consider helping the Court find a solution to these issues that would allow consensus amongst the Court and the County Agencies that use the Courts.

Sincerely,

A handwritten signature in black ink, appearing to be 'M.D. Jacobson', written over the typed name.

Morris D. Jacobson
Presiding Judge

Cc: Susan Muranishi

Exhibit 13

Superior Court of California
COUNTY OF ALAMEDA



Morris Jacobson, Presiding Judge
Chad Finke, Executive Officer

René C. Davidson Courthouse
1225 Fallon Street
Oakland, California 94612

 @AlamedaSuperior
www.alameda.courts.ca.gov

**For more information
about this news release,
please contact:**

Chad Finke
Executive Officer
cfinke@alameda.courts.ca.gov
510-891-6273

FOR IMMEDIATE RELEASE

Tuesday, June 27, 2017

OAKLAND, CALIFORNIA: In light of the opening for business today of the East County Hall of Justice in Dublin, Presiding Judge Morris D. Jacobson addresses movement of in-custody arraignments to the new courthouse.

Responding to concerns raised by the Alameda County Public Defender's Office and others, Hon. Morris D. Jacobson, Presiding Judge of the Superior Court of Alameda County, issued the following statement:

Over the course of the last several months, the Alameda County Public Defender's Office and other local governmental bodies, officials, and organizations have expressed concern about the Court's proposal to hold all in-custody arraignments at the new East County Hall of Justice (ECHOJ). The objections to the Court's plan have been based on two primary grounds. First, there is a claim that many people whose cases do not originate in Dublin would be arraigned there, which presumably would have an adverse effect on the families of those defendants. Second, there has been a claim that the new, state-of-the-art courthouse in Dublin is not structured to handle countywide in-custody arraignments.

1. Arraignments Are Very Brief Events That Generally Are Not Attended By Defendants' Families.

An arraignment is the initial appearance in a criminal case. Arraignments are intended to give formal notice to the accused of the charges against him/her. Arraignments also serve the purpose of determining whether a person has an attorney or can afford an attorney if they do not have one, and/or referring the person to the Public Defender or other court-appointed counsel. While defendants often have an attorney at arraignment, there is no constitutional requirement that a person be represented by counsel to arraign. Often issues related to release on a defendant's own recognizance and bail are discussed at arraignment and sometimes defendants enter pleas at arraignment. These activities also frequently occur at court hearings after the initial arraignment.

Arraignments typically occur in high-volume calendars. They are very brief, and it is rare for an arraignment to last more than two minutes. Visiting, talking, or even waving at a defendant is not permitted during an arraignment hearing. In most of our arraignment courts there is a physical barrier that blocks the line of sight between the defendant and members of the audience. Pursuant to Penal Code section 4570, the courtrooms have a sign posted notifying audience members that it is a crime to communicate with persons who are in-custody. While it is true that on occasion a

(continued)

defendant's family members will attend the arraignment, in the majority of arraignments no family members are visibly present.

2. In-Custody Defendants Will Benefit From Being Arraigned Near the Jail Where They Are Housed.

In evaluating the merits of conducting all in-custody arraignments at ECHOJ, we should be most concerned about the unnecessary burden borne by the in-custody defendants themselves under the current system. Currently persons who are arrested in Oakland are housed in the Santa Rita Jail in Dublin before being returned to Oakland to be arraigned. On the day of arraignment, these defendants are awakened at 3:00 a.m. to be readied for transportation, given a sack lunch, and then moved to a holding area to await boarding a bus at about 6:00 a.m. The bus leaves for Oakland around 7:00 a.m. and takes at least 90 minutes to drive to the first stop in Oakland. Upon arrival, defendants wait in holding areas in the courthouse for an afternoon arraignment.

Following the arraignment, the defendants wait for the rest of the afternoon until they are loaded onto a bus for the return trip to the Santa Rita Jail. Again, it is a long 35-mile ride back to Dublin in the midst of evening traffic. Often the bus arrives at the jail too late for a hot dinner. In this circumstance, the defendants are given another sack lunch. Even if a defendant is ordered released from custody, he or she is not released from the courthouse where this occurs. Rather, all defendants must go through this entire process to be released from Santa Rita, which often does not occur until the late evening hours, and sometimes even past midnight. The families of such defendants must wait hours and hours before they are permitted to pick up their family members.

Alternatively, being arraigned at ECHOJ, which is 300 yards from Santa Rita, will cut most of the time off of this cumbersome process. It will eliminate the hours and hours of bus riding in some of the worst rush hour traffic in the Bay Area (going in to Oakland in the peak of the morning rush and back to Dublin in the peak of the evening rush). By eliminating the frequent unavoidable delays that result from the jail-to-courthouse transportation process, the in-custody defendants themselves will benefit the most from the Court's new arraignment proposal. Presumably, this far more efficient process will also benefit the defendants' families by reducing time delays and the accompanying inconvenience.

In this context, the needs of the in-custody defendants are paramount. Certainly their needs should take priority over potential concerns based on a longer commute for their family members or for people who are employed in the criminal justice system.

3. Staffing Decisions Should Be Driven By the Workload and the Size of the Facility, Which Was Intentionally Built Near the Santa Rita Jail to Serve That In-Custody Population.

Staffing decisions by County agencies who work with the court system (e.g., the District Attorney's Office, Public Defender's Office, Sheriff's Department, and Probation Department) should be driven by the workload and the size of the particular courthouse. The number of criminal cases filed in Alameda County is the combined product of social behaviors by our citizenry, enforcement action by police agencies, and decisions by the District Attorney. This number stays relatively constant year over year, and results in, among other things, an arraignment workload. The Court's partner agencies currently handle this workload without

complaint about the staffing, the workload or the facilities. This workload itself will remain unchanged by the opening of ECHOJ, i.e., the Court's plan regarding arraignments will not add any new work that is not already being handled.

The ECHOJ courthouse complex is large, and includes a new county office building that adjoins it. The county office building, which has about 45,000 square feet of office space, has one floor dedicated to the District Attorney's Office and one floor that is shared by the Public Defender and Probation Offices. The Public Defender, by his choice, has seven private offices and 48 work cubicles, presumably enough space for at least 55 attorneys and staff.

The courthouse itself was designed and built to handle high volume calendars generated by the large county jail next door. It will have one Traffic department and 12 Criminal courtrooms. The courthouse is equipped with 20 private interview rooms for attorneys to meet with their clients. In fact, four of those interview rooms are located in the sally port area, immediately outside the Public Defender's Office. This brand new facility will easily accommodate all in-custody arraignments in Alameda County, an average of about 50 per day. Similarly, this facility easily accommodates housing large staffs from the District Attorney, Public Defender, and Probation Offices.

The geographic location of the courthouse, so long as it is situated in Alameda County, should not be a basis for objecting to conducting arraignments in a specific location. Instead, the wisdom of conducting all in-custody arraignments at ECHOJ is apparent and compelling because of its close proximity to the primary jail in our county. In fact, state law encourages arraigning people at the courthouse nearest to the jail in which they are in custody. (See Penal Code section 976(a).) The efficiencies this practice will yield is good for the County, good for the Court, and good for the State – it is good government to use taxpayers' money in the most efficient manner possible.

4. Lack of Adequate Funding Forces the Court to Prioritize Efficiency.

It is unfortunate that the Judicial Branch in California is so seriously underfunded. For the Alameda County Superior Court, we have seen our budget cut for eight straight years. In FY 07-08, our budget was about \$125 million; in FY 16-17, which is just about to end, it was \$76 million. While we once had about 950 employees, we now have about 650. We literally do not have—nor can we afford to hire—enough courtroom clerks, court reporters and other staff to operate our courts.

These funding shortfalls also mean that we do not have enough funding to compensate for the costs that we incur that directly flow from the inefficient current system of bussing hundreds of defendants each week through 70 miles of horrendous traffic each day. A recent example occurred on Tuesday, June 20, 2017, when the buses from Santa Rita were delayed by traffic and arrived at court more than two hours late. Not only were our courts and court users idly standing by waiting for the defendants to arrive, but the other court proceedings for the day were delayed. As a result, the Court incurred overtime costs on the back end of the day that would not have resulted if court could have started on time.

This type of frequently recurring inefficiency increases the challenge of maintaining adequate staffing. Instead, we are forced to consolidate our activities close to the jail to cut our costs so that we can provide fair administration of justice within our means.

5. Solutions: The County Can Help All Reach Consensus.

We are mindful of the concerns and objections voiced by the Public Defender, the Alameda County Board of Supervisors, the Oakland City Council, and others who having written to the Court or offered objections to the media. As a result, we have written to the President of the Alameda County Board of Supervisors to ask for help in reaching a solution that would protect the efficiencies for the Courts and still be convenient for court users.

First, we asked that the Board of Supervisors require the Sheriff to house defendants whose cases originate in North County, at the North County Glenn Dyer Jail. This jail is located next door to the Wiley Manuel Courthouse in Oakland; it is so close to that courthouse that the in-custody defendants are walked to court through a subterranean corridor. No buses are used to move people to court. If those defendants were housed in Oakland, next door to our Oakland courthouse, we would arraign them in Oakland; we would not be trying to persuade anyone to put them on a bus and drive them to a courthouse 35 miles away in Dublin. Our ask is to require the Sheriff to use the Glenn Dyer Jail for the purpose for which it was built: to house North County defendants so that they will be close to the courthouses where their cases will be heard. If this occurred, the resulting efficiencies would allow the Court to afford to continue to arraign in custody defendants in Oakland.

Second, as an alternative solution, we asked the Board of Supervisors to allocate to the Alameda County Superior Court \$2 million dollars to pay for courtroom clerks. Because we cannot operate a courtroom without a courtroom clerk, our most critical staff shortage is with our clerks. If the County invested in the Court in this manner, we would be able to continue to provide services as we do now—less efficient, but perhaps more convenient for some defendants' families and for some criminal justice partners' employees.