

Jail expansion: Counties seek millions from state

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Sacramento -- - California counties are lining up to secure millions of dollars in state funds to expand jails now that Gov. **Jerry Brown's** plan is under way to shift the incarceration of some felons from prisons to jails.

But while many county officials cheer the availability of \$600 million in state funds to add more jail beds, opponents of prison expansion say building more incarceration space will discourage prosecutors, police and other public safety officials from seeking alternatives to lockups.

"We're terrified that California ... is using realignment as a cover to push unnecessary and unneeded jail expansion projects," said Emily Harris, statewide coordinator for Californians United for a Responsible Budget, a coalition of more than 40 groups focused on limiting prison spending. "It eliminates the incentive for counties to do things differently."

Brown's program, known as realignment, took effect Oct. 1 and is designed to ease prison overcrowding by sentencing thousands of nonviolent felons to county jails instead of state prisons.

Reducing recidivism

The law that created realignment also gave judges, prosecutors and probation officers more flexibility in deciding how to punish those criminals - a change touted by Democrats and other supporters of the plan as a way to encourage more effective and creative rehabilitation programs at the county level. Brown's plan counts on rehabilitation programs to reduce the state's dismal 67 percent recidivism rate - the percentage of parolees who return to prison within three years.

Officials at the California State Sheriffs' Association, a key supporter of realignment, said they want to encourage that innovation but add that it will take time for counties to develop and implement alternatives to incarceration.

Counties say Brown's plan means they will need more space to house the 25,000 felons expected to flow into their jails over the next four years.

Sheriffs association lobbyist Nick Warner said 32 of the state's 58 counties are already under state or court-imposed population caps because of existing overcrowding, and jails currently used to house inmates for a maximum of one year are beginning to receive inmates who have 10- or even 20-year sentences.

"The notion isn't to build our way out of this," he said. "A lot of counties don't just need more beds, they need better beds, different beds. ... The people that will now be in local jails will be there dramatically longer."

The \$600 million is available under AB900, a 2007 law that authorized \$7.4 billion in bonds to expand lockups, including about \$1.2 billion for local jail beds.

State bond money

The state has already awarded \$617 million of the AB900 money to 11 counties, though just three construction projects are under way, according to state officials: a 240-bed project in Calaveras County, a 1,368-bed expansion in San Bernardino County, and a 144-bed addition in Madera County. Those counties were given the money with the agreement that they would allow within their borders state-run re-entry sites, where prisoners spend the last months of their incarceration before release.

On Oct. 6, a state board approved the release of the remaining \$602 million in local jail funds from AB900. That money has fewer strings attached, though to be eligible, counties are required to add new beds. Additionally, those that have been sending the most inmates to state custody in the past will get priority.

Counties interested in the money should have contacted the state last week. Prison officials plan to decide by Wednesday which jurisdictions are eligible to formally apply.

Interest is widespread: Representatives of at least 20 counties attended a bidders' conference last week in Sacramento to learn more about the bond money, including officials from San Mateo, Sonoma, [Monterey](#) and Napa counties.

Each county's needs are different. For example, Napa County - which has been a leader in instituting alternatives to incarceration to help curb recidivism - is trying to not only expand its capacity from 264 beds to 526, but also to replace its 36-year-old jail entirely. Some counties may simply be looking to expand existing jails; and other counties, including San Francisco, have no plans to increase the number of jail beds.

Jail exceeds capacity

Some local officials insisted that building new beds will not come at the expense of alternatives such as at-home detention, probation, drug treatment and other rehabilitation programs.

Lenard Vare, director of Napa County's Department of Corrections, said he agrees with advocates that incarceration isn't the only answer. But the rural county also anticipates an increase of at least 70 inmates per year - and its jail is already over capacity.

"The old adage 'If you build it, they will come' is true, because law enforcement in general - police officers - come with the mind-set to fight crime, and arresting people is one of the ways to fight crime," he said. "Unless we decide to simultaneously work on our overall criminal justice system ... we are not going to make a difference. Locking someone up 50 times does not deter them from committing crimes, because it becomes a way of life."