

## **MANY UNKNOWN AS EARLY INMATE RELEASE APPROACHES**

By Tracy Manzer, Staff Writer Long Beach Telegram

Posted: 09/24/2011 04:39:57 PM PDT

Updated: 09/24/2011 05:15:20 PM PDT

An inmate at Chino State Prison, which houses 5500 inmates, walks past the double and triple bunk beds in a gymnasium that was modified to house 213 prisoners on Dec. 10, 2010 in Chino, California. Acting under a ruling from the Supreme Court to relieve overcrowding, the state is preparing for the early release or transfer to county jails of 33,000 to 46,000 inmates. (Kevork Djansezian / Getty Images)

The release of thousands of state prisoners to local counties is less than a week away, yet major aspects of the plan remain unknown to local authorities, triggering growing alarm and uncertainty.

Under legislation passed earlier this year, the number of nonviolent, nonserious, non-sex offense inmates to be transferred to local jurisdictions throughout the state has been estimated at 33,000 to 46,000.

The legislation followed a Supreme Court ruling that upheld a lower court's finding that California's prisons have become so grossly overcrowded that inmates aren't receiving proper care and supervision, and the state must act to reduce their numbers.

Los Angeles County is expected to receive 8,000 early-release state prisoners over the next nine months, with roughly 1,500 expected to be released on or about Saturday, Los Angeles County Sheriff Lee Baca told the Press-Telegram.

What is yet to be seen is the number of inmates who were once destined for state prison but who will now fall into county custody when convicted on nonviolent, nonserious and non-sex felonies.

And while all agree something had to be done to cut the prison system's bloated budget, the plan that is set to take effect Saturday with the start of the state's new fiscal year seems to have been hastily crafted with little to no input from the counties and cities that will bear the burden.

"We haven't been given a definitive number for Long Beach," Police Chief Jim McDonnell said Friday. "We're bracing for thousands of inmates to be released to the county and we're told that we will get some advance warning, but it's not clear how far in advance or if the information will be complete."

Baca said his department is developing a new database to track all the inmates being released to the region. Though the system is being designed by the Sheriff's Department it will be open to county probation and local police departments.

The database will identify where prisoners are being released based on their last known address, though both he and McDonnell noted that information can be hard to obtain due to many inmates having been taken into custody from half-way houses or while homeless.

The database won't be completed by the first of the month, Baca admitted, though it will be up and running on that day and should be finished soon afterward.

## **Resources spread thin**

It is a major undertaking from both a logistical and funding perspective.

Part of the funding is being provided by the state, which is giving money to all 58 counties in California to handle the supervision of released inmates as well as provide bed space for prisoners.

But the vast majority of local officials question whether the state funding will actually cover all of the costs that come with the added burden on services, with many calling it less of a cost savings than a cost shift. Some estimated the projected funds will provide for only 50 percent of the impending costs.

Officials said last week that L.A. County will receive about \$6 million in funding from the state for assessment, treatment, referral and recovery services for parolees turned over to the county. The money will be spread throughout the region at a number of treatment facilities that already contract with the county, though many of the facilities noted they are already at maximum capacity and may not have the space even if given funding.

Still, inmates at Chino State Prison, which houses 5500 inmates, sleep on double and triple bunk beds at a gymnasium that was modified to house 213 prisoners on Dec. 10, 2010 in Chino, California. Acting under a ruling from the Supreme Court to relieve overcrowding, the state is preparing for the early release or transfer to county jails of 33,000 to 46,000 inmates. (Kevork Djansezian / Getty Images)

some areas in need of funding have yet to be addressed. That includes administrative costs that run from shouldering the burden of lawsuits and grievances to general oversight.

Add to that the lack of a constitutional amendment guaranteeing funding for the counties, an amendment promised by the governor earlier this year when county and municipal authorities voiced concerns over the shift, and the picture appears bleak.

"The money that is being provided is going to the counties, but the parolees are coming back to the cities and there is no money for the local jurisdictions," McDonnell said. "So we now have that burden on top of the city's budget issues."

Long Beach's budget crisis has seen departments across the city slashed. The Police Department has plummeted from a high of 1,020 officers to the current budgeted ranks of 851 with no plans for an academy in the future.

"The scope of the realignment goes far beyond what was envisioned as a cost-cutting measure," the chief said. "When you look at the significant reductions of officers in the community, the dramatic reductions of parole agents in the state and this very dramatic increase of the inmate population into the community it's almost like a perfect storm."

## **Will crime rise?**

McDonnell said the move will most certainly have a negative impact on crime rates, which until now have steadily dropped locally and nationwide.

He was not alone in that view.

A number of local judges said they have been provided with new sentencing and parole guidelines for offenders who now fall into county supervision and custody, but they have received little information on the extent of the supervision of those being paroled and the percentage of the terms they can be expected to serve in county custody.

A large number of inmates are expected to be released on parole under the new program with no tail, a judicial term referring to a lack of oversight and ability to revoke parole.

For those inmates who are sentenced to time in the county jail, questions abound as to how long the inmates will actually spend behind bars.

Many judges give the example of an inmate convicted on a burglary charge with enhancements who could qualify for a six-year sentence.

Under the current rules, that inmate would be turned over to the state prison system where he would likely serve 50 percent of his term, assuming good behavior and work time credits.

As of Oct. 1, such an inmate would be turned over to the Los Angeles County Sheriff's Department jail system, where nonviolent offenders frequently serve less than 10 percent of a sentence, several local judges said.

Baca notes the problem of bed space is hardly new to the L.A. County jail system. Early release has been de rigueur due to an overcrowded and over-burdened system, yet crime has continued to decline, the sheriff said.

"We have right now about 4,000 empty beds in the system, which is unusual for us because we're generally filled (to capacity) all the time," Baca said.

The sheriff said the empty beds and closed facilities were triggered by \$128 million in budget cuts the Sheriff's Department suffered in the past 18 months.

His department has been ramping up for the Oct. 1 change, however, and though the issue poses a serious challenge it doesn't automatically spell disaster.

"We're trying to establish a wait-and-see attitude as opposed to a foregone conclusion attitude," the sheriff said. "We have to play this out as it occurs, and I think we're capable of doing that."

Baca said he doesn't expect the number of inmates convicted under the new guidelines to trigger a sudden spike in the jail population post Oct. 1.

The sheriff defended Gov. Brown's vow of providing a constitutional amendment for funding, noting that the issue was blocked and turned into a partisan battleground by other state politicians.

Brown is now pursuing a ballot measure that would allow voters to decide next year if they are willing to pay an additional tax to provide funding for prisoners housed in the counties.

Baca said he is pushing for legislation to provide ankle monitors and other technology to allow for more effective monitoring of released inmates.

### **Domino effect feared**

While many other authorities agreed with Baca's assessment that the inmate population won't immediately materialize, several local judges and law enforcement members said the community could feel the effects of that increased population in as little as six to 12 months.

With the felony inmates taking priority in the jails, judges and police officers said they worry misdemeanor inmates and other low-level offenders will serve even less time than they do now.

There has already been a growing trend of inmates opting for jail time rather than probation because of the over-crowding situation, several local judges said.

Inmates are realizing an 18-month sentence will more likely turn out to be a 180-day sentence. That has created a revolving door for petty criminals who can create serious problems for residents and businesses with little deterrence, authorities said.

"It is a system, and a drain on one part of the system turns out to be a drain on all other parts of the system," McDonnell said. "It may seem isolated, but it impacts everything ... from the community and businesses to health services, fire services and legal services."

Also not known is the extent of the burden the courts face with the new system. The Los Angeles Superior Court has limped through the past two years with a crippled budget, slashing millions of dollars via furloughs, layoffs and the shuttering of courtrooms.

Criminal cases will always be the priority, judges assured, leaving family law, litigation and other civil matters to suffer further.

In an interview with the Press-Telegram at the start of the year, Los Angeles Superior Court Judge Tim McCoy warned the courts' budget cuts would translate to even longer delays in the

resolution of lawsuits and family court matters. Some local judges predict the new system could further affect those areas.

And though the potential for serious problems exists, few in the community seem to understand or care about the pending change.

"It's been labeled 'realignment,' it's been talked about as a cost-cutting measure (and) everybody is behind reducing the state deficit," the chief said. "This is something that goes far beyond the prison budget."

"To the community it might seem like it's someone else's problem, but it's going to be everyone's problem."

### **Early inmate release by the numbers**

Number of state inmates slated for early release or transfer to county jails - 33,000 to 46,000

Number of early release parolees headed to Los Angeles County - 8,000

Number of early release parolees coming to Long Beach - unknown

Funds being sent to L.A. County to oversee early release inmates - \$6 million

Funds being sent to Long Beach to oversee early release inmates - None