



SHERIFF'S DEPARTMENT
Adam Christianson, Sheriff-Coroner

ADMINISTRATION
DIVISION

June 22, 2015

The Honorable Marie Sovey Silveira, Presiding Judge
Stanislaus County Superior Court
P.O. Box 3488
Modesto, CA 95353

RECEIVED
JUL 14 2015
Civil Grand Jury

Re: Response to Grand Jury Report 15-16GJ

Dear Judge Silveira;

The Sheriff's Department is in receipt of the Stanislaus County Civil Grand Jury's completed "Case # 15-16GJ Local Effects of Prison Realignment (AB 109) and Proposition 47" report, dated June 17, 2015.

The Civil Grand Jury included a narrative section in the report pertaining to the "Planning and Development of the Public Safety Center" and the "New Modesto Courthouse". Our response is included in this letter.

Pursuant to Penal Code Sections 933(c) and 933.05 (f), the following is our response as it pertains to "Case # 15-16GJ Local Effects of Prison Realignment (AB 109) and Proposition 47", "Planning and Development of the Public Safety Center" and the "New Modesto Courthouse".

Findings:

F1. AB 109 has affected County Sheriff and Probation Department most, and there have been some effects to other County departments.

Response: The Respondent agrees with the finding.

F2. The State provides funding for the implementation of AB 109 through a formula that has been developed and amended several times since AB 109 passed.

Response: The Respondent agrees with the finding.

F3. The Community Corrections Partnership, particularly the CCP Executive Committee, is responsible to allocate the funds to provided by the State for the implementation of AB 109.

Response: The Respondent partially agrees with the finding.



The CCP presents a spending plan to the Board of Supervisors for approval.

- F4. The CCP meetings are public, but not widely publicized, and the current location of the CCP meetings would not be able to accommodate a large number of public participants.

Response: The Respondent agrees with the finding.

- F5. AB 109 may have some effects to local public safety in the County, which may be compounded by budget cuts that have occurred to local law enforcement agencies.

Response: The Respondent agrees with the finding.

- F6. Proposition 47 has resulted in impacts to all levels of the County's criminal justice system, but it is difficult to quantify these impacts in the short term, and the long term impacts are unknown.

Response: The Respondent agrees with the finding.

- F7. Proposition 47, combined with the budget reductions to local law enforcement agencies, may result in an increase in property crimes throughout the County.

Response: The Respondent partially agrees with the finding.

Addiction is an epidemic and it's addiction that fuels property crime. While adequate law enforcement resources are critical in the fight against those who victimize others, early intervention, prevention and education are also critical to the promotion of a healthier, safer community. The challenge of addiction and mental illness is not exclusively a law enforcement problem. It's a community problem and we must have strong community partnerships and relationships to abate this epidemic. Speaking for the Sheriff's Office, we're supported by the Board of Supervisors who has made public safety restoration a priority.

- F8. The passage of Proposition 47 has resulted in significant unintended consequences. These include crippling Drug Court, creating holes in the state DNA database, and the reclassifying of some gun crimes.

Response: The Respondent agrees with the finding.

- F9. There have been attempts to create legislative solutions to some of the consequences of Proposition 47, but they are yet to be successful.

Response: The Respondent agrees with the finding.

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F9. (Planning and Development of the Public Safety Center).

For clarification purposes, page #15, paragraph #3 of the CGJ's report states, "The expansion financed through the Phase II AB 900 project continues with the development and construction of Unit 2, consisting of maximum security housing, medical/mental health facilities, a new Day Reporting Center, an intake/release/transportation/custody/administration facility, and a County Re-entry and Enhanced Alternative to Custody Training (REACT) Center Project."

Unit 2, a 192 bed direct observation, dormitory style housing unit with three separate 62 bed units is fully constructed and operational. Unit 2 was built in 2013 using insurance proceeds from the fire at the now closed Honor Farm. This was not a project related to AB109. Current construction on our AB900 II project will include maximum security housing, a medical/mental health care unit, centralized intake/release, statewide transportation facilities as well as administrative space. Our SB1022 project is our Re-entry and Alternatives to Custody Training center (REACT) with a projected completion date of early 2019.

The County has been comprehensive and forward thinking in the planning of the Public Safety Center and has maximized the County's ability to respond to changing criminal justice facility needs and to qualify for state funding for the construction, expansion and modification of facilities particularly in response to AB 109.

Response: The Respondent agrees with the finding.

F10. The construction of the New Modesto Courthouse and the development of the PCS raise significant questions concerning the future use/reuse of the downtown block containing the existing Courthouse and Downtown Men's Jail.

Response: The Respondent defers to Stanislaus County.

F11. The transportation of offenders from the existing Downtown Men's Jail to the New Modesto Courthouse would pose logistical, financial and public safety challenges.

Response: The Respondent partially agrees with the finding.

The Sheriff's Office moves nearly 120 criminal offenders everyday through the criminal justice system, the Courthouse, other hearing locations, medical appointments etc., from four different housing units. Our team of deputy sheriffs and other support staff, responsible for the supervision, housing, movement, transportation of those inmates, along with the safety and security of the process, do an outstanding job and accept the

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challenges they face. What we do now, very efficiently and effectively, will be the very same job we will do, if and when a new Courthouse is built.

- F12. It is imperative that the New Modesto Courthouse contain adequate holding facilities for detainees awaiting court proceedings.

Response: The Respondent agrees with the finding.

- F13. Consistent with the original goals of the development of the PSC, the opportunity will never be better to eliminate the outdated facilities at the Downtown Men's Jail once the new courthouse is completed.

Response: The Respondent partially agrees with the finding.

The Men's Jail is, in fact, an outdated facility that will close with the activation of the SB1022 Jail Expansion Project at the current site of the PSC, which is projected for late 2018 or early 2019. At that time, the Men's Jail will continue to serve as a Court Holding Facility, due to its contiguous location to the existing Courthouse, and until a new Courthouse is constructed in downtown Modesto.

- F14. The 800 block of 11th Street will need to be redeveloped once the new courthouse is completed.

Response: The Respondent defers to Stanislaus County and the City of Modesto.

Recommendations:

- R1. None.

- R2. The Stanislaus County Sheriff and Chief Probation Officer should continue to be active, both individually and through their statewide organizations, to ensure that Stanislaus County receives its fair share of funding for the implementation of AB 109.

Response: The Respondent agrees with the recommendation.

- R3. None.

- R4. The CCP should develop strategies to increase public awareness of its mission and to encourage more public participation at meetings.

Response: The Respondent agrees with the recommendation.

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- R5. The Stanislaus County Board of Supervisors and the City Councils of all nine incorporated cities within the County should take action to restore budgets and expand police services, particularly community-oriented and problem-oriented policing, to respond to the potential challenges of AB 109.

Response: The Respondent agrees with the recommendation speaking ONLY for the Sheriff's Office and the four cities of Patterson, Waterford, Riverbank, and Hughson where we provide contractual law enforcement services.

The Board of Supervisors has made public safety restoration one of their highest priorities. We have a three year public safety restoration plan that is a fiscally conservative plan, Board supported and Board funded. The Sheriff's Regional Training Center is again offering the Peace Officer Standards and Training (POST) Regular Basic Course and is currently hosting Class #174-15 with recruits representing the Sheriff's Office, the Modesto Police Department and other law enforcement agencies.

The idea of community oriented policing and problem oriented policing isn't a new idea. The Sheriff's Office has used both models for years with great success. We've previously received the "James Q. Wilson" award for our efforts.

- R6. None.

- R7. The Stanislaus County Board of Supervisors and the City Councils of all nine incorporated cities within the County should take action to restore budgets and expand police services, particularly community-oriented and problem-oriented policing, to respond to the potential challenges of Proposition 47.

Response: The Respondent agrees with the recommendation speaking ONLY for the Sheriff's Office and the four cities of Patterson, Waterford, Riverbank, and Hughson where we provide contractual law enforcement services.

The Board of Supervisors has made public safety restoration one of their highest priorities. We have a three year public safety restoration plan that is a fiscally conservative plan, Board supported and Board funded. The Sheriff's Regional Training Center is again offering the Peace Officer Standards and Training (POST) Regular Basic Course and is currently hosting Class #174-15 with recruits representing the Sheriff's Office, the Modesto Police Department and other agency sponsored recruits.

The idea of community oriented policing and problem oriented policing isn't a new idea. The Sheriff's Office has used both models for years with great success. We've previously received the "James Q. Wilson" award for our efforts.

- R8. See R9.

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- R9. The criminal justice leaders of Stanislaus County should continue to be active, both individually and through their professional organizations, in California's legislative challenges to salvage the unintended consequences of Proposition 47.

Response: The Respondent partially agreed with the recommendation.

There are currently efforts underway in the State Legislature with the support of the California State Sheriffs' Association that is focused on the "unintended consequences" of Proposition 47. The fact is that much of what the voters of California approved cannot be changed by the State Legislature and any recommended changes would have to go back to the ballot for the People to decide. The changes the Sheriffs of California seek are not widely accepted by the State Legislature as they're determined to decriminalize criminal conduct and behavior in an attempt to reduce the State's dependency upon incarceration as a deterrent to crime. The "unintended consequence" of stripping accountability and consequence out of our criminal justice system is that you're doing a disservice to the victims of crime and you continue to promote personal irresponsibility.

- R9. (Planning and Development of the Public Safety Center).

The County Board of Supervisors should continue to update the master plan for the Public Safety Center on a periodic basis and provide adequate review under the California Environmental Quality Act (CEQA).

Response: The Respondent agrees with the recommendation.

It has been the Respondent's experience that the Board of Supervisors, County Representatives, the CEO's Office and the Sheriff's Office have always been proactive in following a well laid out comprehensive plan that has always included the CGJ's recommendation as described.

- R10. The City of Modesto and Stanislaus County should begin immediate negotiations with the State of California to gain control of the old courthouse property by the time the new courthouse is completed and operational.

Response: The Respondent defers to Stanislaus County and the City of Modesto.

- R11. The City of Modesto, Stanislaus County Board of Supervisors, and the Stanislaus County Sheriff, should vigorously advocate in these early planning and design stages that the State of California provide adequate holding facilities in the New Modesto Courthouse.

Response: The Respondent agrees with the recommendation.

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In fact, the Sheriff's Office has a strong relationship with the local Court Administrator and we've been actively engaged in discussions about offender holding areas inside the new Courthouse which must also meet strict State guidelines and statutory mandates such as Title 15 and Title 24 of the California Government Code, recognizing that there will be insufficient space to accommodate the large number of offenders we move through the local criminal justice system. The Sheriff's Office moves nearly 120 criminal offenders everyday through the criminal justice system, the Courthouse, other hearing locations, medical appointments etc., between four different housing units. Any new Courthouse construction cannot accommodate holding space for that many offenders and still maintain a safe/secure environment thus the reason the Men's Jail will no longer be used as a traditional detention facility, but a Court holding facility until all construction projects are complete on the Hackett Road Campus/Public Safety Center.

R12. See R11

Response: The Respondent agrees with the recommendation.

R13. See R14

Response: The Respondent defers to Stanislaus County and the City of Modesto.

R14. Prior to the opening of the New Modesto Courthouse in 2019, the City of Modesto and Stanislaus County, with considerable public participation, should partner to develop a comprehensive plan for the reuse and redevelopment of the old courthouse and Downtown Men's Jail.

Response: The Respondent defers to Stanislaus County and the City of Modesto.

Sincerely,



ADAM CHRISTIANSON
Sheriff-Coroner
Stanislaus County

cc: Supervisor Terry Withrow, Chairman
Stanislaus County Board of Supervisors

Judy Navarro, Foreperson
2014-2015 Civil Grand Jury

Stan Risen, Chief Executive Officer
Stanislaus County

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