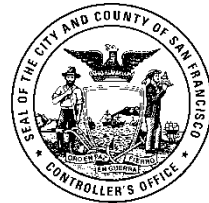


City and County of San Francisco

Office of the Controller – City Services Auditor

COUNTY JAIL NEEDS ASSESSMENT

Hall of Justice Replacement Jail



October 21, 2013

**CONTROLLER'S OFFICE
CITY SERVICES AUDITOR**

The City Services Auditor was created within the Controller's Office through an amendment to the City Charter that was approved by voters in November 2003. Under Appendix F to the City Charter, the City Services Auditor has broad authority for:

- Reporting on the level and effectiveness of San Francisco's public services and benchmarking the city to other public agencies and jurisdictions.
- Conducting financial and performance audits of city departments, contractors, and functions to assess efficiency and effectiveness of processes and services.
- Operating a whistleblower hotline and website and investigating reports of waste, fraud, and abuse of city resources.
- Ensuring the financial integrity and improving the overall performance and efficiency of city government.

The audits unit conducts financial audits, attestation engagements, and performance audits. Financial audits address the financial integrity of both city departments and contractors and provide reasonable assurance about whether financial statements are presented fairly in all material aspects in conformity with generally accepted accounting principles. Attestation engagements examine, review, or perform procedures on a broad range of subjects such as internal controls; compliance with requirements of specified laws, regulations, rules, contracts, or grants; and the reliability of performance measures. Performance audits focus primarily on assessment of city services and processes, providing recommendations to improve department operations.

We conduct our audits in accordance with the Government Auditing Standards published by the U.S. Government Accountability Office (GAO). These standards require:

- Independence of audit staff and the audit organization.
- Objectivity of the auditors performing the work.
- Competent staff, including continuing professional education.
- Quality control procedures to provide reasonable assurance of compliance with the auditing standards.

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Executive Summary

The San Francisco Sheriff's Department ("Sheriff's Department") manages six jails in San Francisco and San Mateo County. Two of the jails, County Jail #3 and County Jail #4, are located in the Hall of Justice alongside the Superior Court, Police Headquarters, the District Attorney's Office, and other City agencies. Opened in 1961, the Hall of Justice has since been found to be susceptible to severe structural damage in the event of an earthquake. The City and County of San Francisco ("City") has determined that these inadequacies cannot be remedied outside of a significant capital improvement effort. In addition, the antiquated design and space constraints of County Jail #3 and County Jail #4 create safety concerns and limit the Sheriff's Department's ability to offer in-custody programs to inmates. As a result of these existing needs, the City plans to replace County Jails #3 and #4 with a new facility ("Replacement Jail").

As part of the planning process for the Replacement Jail, the Sheriff's Department and the Jail Planning Working Group asked the San Francisco Controller's Office to complete a needs assessment of facility characteristics that would best meet incarceration needs. For this analysis, the Controller's Office interviewed 25 key stakeholders, reviewed documentation provided by the Sheriff's Department, and analyzed data on demographic and criminal justice trends in the San Francisco jail population and the City and County of San Francisco. This report forecasts future jail bed needs, discusses salient jail design features, and documents elements of the jail system such as current facilities, program offerings, and characteristics of the inmate population.

Key Findings

- The Controller's Office forecasts the need for a 481-688 bed Replacement Jail in 2019. The projection is based on forecasts by two external consultants and internal data on the impacts of state realignment.
- A podular jail design similar to County Jail #5 has many advantages over the current linear design of County Jails #3 and #4 including improved visual supervision, increased program space, and shared areas connected to the pods (e.g. exercise area, day room, exam area, etc.) to minimize the need for inmate escort throughout the jail.
- The Sheriff's Department offers robust offender programming throughout the jail system, including the newly opened re-entry pod which provides intensive services to state realignment inmates. The Sheriff's Department plans to continue the use of programs in the Replacement Jail, and therefore, the new jail will need to be constructed with more space than is currently available in County Jails #3 and #4. The Sheriff's Department should continue to increase outcome measurement and strategic planning for its system of programs.
- The design of County Jails #3 and #4 does not allow special populations such as gang dropouts and civil commitments to be housed efficiently. For example, "Sexually Violent Predators" (SVP) are civil commitments that must be housed separately from the general population. On January 29, 2013, four SVPs were housed in a 28-bed unit, leaving 24 empty beds that could only be occupied by other SVPs. The Sheriff's Department should consider jail design strategies that will mitigate these issues and increase housing flexibility.

Background

The San Francisco Sheriff's Department ("Sheriff's Department") manages six jails in San Francisco and San Mateo County. Two of the jails, County Jail #3 and County Jail #4, are Type II¹ facilities located in the Hall of Justice alongside the Superior Court, Police Headquarters, the District Attorney's Office, and other City agencies. Opened in 1961, the Hall of Justice has since been found to be susceptible to severe structural damage in the event of an earthquake. The City and County of San Francisco ("City") has determined that these inadequacies cannot be remedied outside of a significant capital improvement effort. In addition, the antiquated design and space constraints of County Jail #3 and County Jail #4 create safety concerns and limit the Sheriff's Department's ability to offer in-custody programs to inmates. As a result of these existing needs, the City plans to replace County Jails #3 and #4. The Hall of Justice Replacement Jail ("Replacement Jail") has been part of the City and County of San Francisco's 10 Year Capital Plan since the beginning of the Capital Planning Program in FY2006-2007.

The City has determined that the Replacement Jail facility should be constructed adjacent to existing Superior Court facilities at the Hall of Justice for safety, security and cost reasons. This would allow inmates in the Replacement Jail to be transported to court appearances in a timely fashion through secure elevators and corridors. The Sheriff's Department found in a 2011 estimate that the Department would need to spend at least \$6 million in one-time costs and more than \$11 million in ongoing annual costs to transport inmates to court if the Hall of Justice Replacement Jail was constructed near other San Francisco county jails in San Mateo County, California.

As part of the planning process for the Replacement Jail, the Sheriff's Department and the Jail Planning Working Group asked the San Francisco Controller's Office to complete a needs assessment of facility characteristics that would best meet incarceration needs. For this analysis, the Controller's Office interviewed 25 stakeholders including, but not limited to, representatives from the Sheriff's Department, the Superior Court of California, Adult Probation, Jail Health Services, and Five Keys Charter School. The Controller's Office also reviewed documentation provided by the Sheriff's Department and other stakeholders, and analyzed data on demographic and criminal justice trends in the San Francisco jail population and the City and County of San Francisco. This report documents elements of the jail system including current facilities, programs, classification system, staffing, and inmate population, as well as needs for a Replacement Jail.

¹ Title 15 of the California Code of Regulations defines a Type II jail facility as "a local detention facility used for the detention of persons pending arraignment, during trial, and upon a sentence of commitment." Type I facilities can only detain individuals for up to 96 hours, and Type III facilities can only detain "convicted and sentenced persons."

Overview of the Jail System

The San Francisco Sheriff's Department operates six county jails with a total of 2,515 rated and unrated² beds. Four of the jails are located in or adjacent to the San Francisco Hall of Justice, while two more are located in San Mateo County near San Bruno, California. Currently, County Jail #6 and a portion of County Jail #3 are closed because the total jail population is below the system capacity.

Visual Supervision

The Sheriff's Department has three direct supervision jails with either a podular³ or dormitory design (County Jails #2, #5, and #6). In these facilities, deputies are able to maintain visual supervision of inmates at all times. Two County Jails (#3 and #4) are constructed in a linear design characterized by tanks⁴ or dormitories on either side of a central aisle known as the "main line." These are known as intermittent surveillance facilities because Deputies patrolling the main line do not have a direct line of sight to all inmates at all times. Visual supervision would be improved if County Jails #3 and #4 were replaced with a direct supervision jail. See the Operational and Design Philosophy section of this report for a discussion of jail designs.

Elements of the System

The following is a more detailed profile of each jail and an overview of programs that divert offenders from jail.

County Jail #1

Location: Adjacent to the Hall of Justice

Year Opened: 1994

Facility Type: Type I

Number of Beds: As an intake and release facility, it has no inmate housing. However, it has a holding capacity of 298.

Description: County Jail #1 is the location where all persons are booked into and released from San Francisco county jails. No individuals are housed at County Jail #1. Arrested persons are only held at the jail for the period of time it takes to complete the booking and release process.

County Jail #2

Location: Adjacent to the Hall of Justice

Year Opened: 1994

Facility Type: Type II

² Title 15 of the California Code of Regulations defines rated beds as those that "[conform] to the standards and requirements" of the State. Unrated beds are those that are used for health care or disciplinary isolation, or do not conform to state standards.

³ In a facility with pod architecture, a semi-circle of housing units surrounds a shared day area and a central deputy station. In the San Francisco jail system, the housing units are typically double cells. See Exhibit 16 on page 27 for a photo comparison of linear and pod jail designs.

⁴ A group of cells or small dormitories connected to a shared space.

Number of Beds: 466 (392 rated)

Description: County Jail #2 is a “new generation” facility which utilizes podular architecture for the inmate housing areas. Although County Jail #2 holds both men and women, it is the sole location for housing female inmates.

County Jail #3

Location: 6th floor of the Hall of Justice

Year Opened: 1961

Facility Type: Type II

Number of Beds: 466 (426 rated)

Description: County Jail #3 is a linear facility and, along with County Jail #4, is the oldest San Francisco jail.

County Jail #4

Location: 7th floor of the Hall of Justice

Year Opened: 1961

Facility Type: Type II

Number of Beds: 439 (402 rated)

Description: County Jail #4 is a linear facility and, along with County Jail #3, is the oldest San Francisco jail. It is the Sheriff’s Department’s primary facility for housing maximum-security inmates who are considered the most disruptive, violent, and problematic.

County Jail #5

Location: San Mateo County, CA

Year Opened: 2006

Facility Type: Type II

Number of Beds: 772 (768 rated)

Description: County Jail #5 utilizes podular architecture, and is the newest and largest of the San Francisco County Jails. Although located in San Mateo County, the jail is the jurisdiction of the City and County of San Francisco. Most of the 16 pods are dedicated to offender programming.

County Jail #6

Location: San Mateo County, CA

Year Opened: 1989

Facility Type: Type II

Number of Beds: 372 (372 rated)

Description: County Jail #6 is a minimum-security facility that consists of six dormitory housing areas. There are no individual cells or safety cells within the facility. County Jail #6 is currently closed, but when open, the jail is used as a program facility.

Exhibit 1: Comparison of County Jail Features

	Design Type ^a	Kitchen ^b	Laundry	Medical Exam Area	Dental Exam Area	Recreation Area	Dedicated Program Space	Inmate Visiting Area ^c	Vehicle Sallyport
County Jail #1	Podular								x
County Jail #2	Podular	x	x	x	x	x	x	Contact	x
County Jail #3	Linear			x				Noncontact	
County Jail #4	Linear	x	x	x		x		Noncontact	
County Jail #5	Podular	x	x	x	x	x	x	Noncontact	x
County Jail #6	Dormitory			x		x	x	Contact	

^a See the Visual Supervision section on page 6 for definitions of design types.

^b The kitchen in County Jail #4 is closed due to cost-cutting measures. The kitchen in County Jail #2 prepares food for inmates in County Jail #3 and County Jail #4.

^c In a “noncontact” visiting area, a secure partition, such as a window, physically separates the inmate from the visitor.

Alternatives to Incarceration

In addition to managing county jails, the Sheriff’s Department operates a range of programs which significantly reduce the number of beds needed in the county jail system. For example, the Department provides electronic monitoring for some sentenced individuals on home detention. On January 29, 2013, 949 individuals were participating in programs that diverted or released them from jail (see Exhibit 17). At that point in time, this figure represented approximately 61 percent of the number of incarcerated individuals. See the Alternatives to Incarceration section of this report for more details on these programs in San Francisco.

Inmate Classification System

The Sheriff’s Department classifies all inmates with criminal charges as “Minimum,” “Medium,” or “Maximum” security. Civil commitments, such as individuals held in contempt of court, are classified as such and housed separate from the general population. The Sheriff’s Department also assigns subcodes that may impact where inmates can be housed (Exhibit 2). For example, somebody assigned a subcode of “Psychiatric Needs” may be housed in a jail unit that provides intensive case management and other mental health services. Exhibit 2 lists all classification subcodes.

The Sheriff’s Department classifies inmates within 72 hours of booking and reclassifies them at 30, 60, 90, and 120 days following booking. In addition, a reclassification may be conducted at any time, as needed. For example, a minimum-

**Exhibit 2:
Classification Subcodes**

- Assaultive Behavior
- Combative Behavior
- Current Charge of Violence
- Disruptive Behavior
- Escape Risk or History of Escape
- Gang Affiliated
- Gang Dropout
- Medical Risk
- Protective Custody
- Psychiatric Needs
- Suicidal Issues
- Three Strikes
- Transgender

SOURCE: Sheriff’s Department

security inmate involved in a fight may be reclassified as medium-security or maximum-security depending on the circumstances of the incident. The Department's ultimate goal is to place inmates in the least restrictive setting possible while maintaining safety and security for inmates and jail staff.

The Sheriff's Department utilizes an objective point system to classify inmates based on each inmate's current charge, criminal history, and other factors. However, a classification officer can override the point system if needed. For example, an inmate with a felony robbery charge, two or more previous felony convictions, and no work or school address would be classified as maximum-security by the objective point system. However, if that inmate has no previous history of violence, is cooperative during the interview, and behaved appropriately when previously in custody, the Sheriff's Department may classify that inmate as medium-security.

Adequacy of Jail Staffing

The Board of State and Community Corrections (BSCC), formerly the Corrections Standards Authority (CSA), conducts a biennial inspection of San Francisco jail facilities. The 2010 inspection report indicates that jail staffing levels are appropriate based on BSCC standards. Furthermore, the current Collective Bargaining Agreement for the San Francisco Sheriff's Association provides the minimum staffing level required by the union; these facility and shift minimums were met in Fiscal Year 2011-12. However, meeting these standards required significant use of overtime. A 2008 Fixed Post Staffing Analysis of the Sheriff's Department by the San Francisco Budget Analyst recommended that a net increase of 62 civilian and sworn employees was needed to appropriately and efficiently staff the Department. The staffing increase was recommended in part to reduce the need for staff overtime.

The Sheriff's Department asserts that more employees are needed to adequately supervise the jails. Sheriff's Department staff interviewed by the Controller's Office report the following concerns about jail staffing:

- At the time this report was written, the Department had 46 staff on leave over 90 days and 38 job vacancies.
- Staff must work overtime to meet Collective Bargaining Agreement minimum staffing standards. The Sheriff's Department spent \$8.4 million on staff overtime in Fiscal Year 2011-12.⁵ Only four City departments spent more on overtime during that year.
- Three percent of the Sheriff's Department's sworn staff resigned or retired in Fiscal Year 2011-12. This attrition makes it difficult to maintain an appropriate staff level.
- At current staff levels, it is difficult to effectively supervise inmates while providing other services such as transporting ill or injured inmates to the hospital.
- County jails need more bilingual staff to improve communication with monolingual inmates.
- State realignment requires a considerable amount of staff time and resources due to increased paperwork requirements and supervision of higher-need inmates.

⁵ "FY 2011-12 Annual Overtime Report," San Francisco Controller's Office

- Many Sheriff's Department staff believe high-needs populations in the jail, such as gang dropouts and inmates with medical and mental health issues, are increasing. These populations require more intensive staff resources. The "Current Inmate Population" section of this report discusses trends related to inmate mental health issues. However, the Controller's Office does not have enough information to support or refute the reported increase in other high-needs populations.

An Academy class is currently under way to train new Sheriff's deputies.

Seismic Safety of the Hall of Justice

Seismic evaluations of the Hall of Justice (HOJ) in 1992 and 2012 concluded the building is susceptible to structural and non-structural damage that could pose "appreciable life hazard to occupants" following a major earthquake. The evaluations, prepared by engineering consultants to the San Francisco Department of Public Works, found that this damage would be very severe and likely to require the building be vacated during repairs, and that repairs might not be economically feasible given the damage to the building. Engineering consultants also evaluated several alternatives for seismically retrofitting the Hall of Justice, but found that each option would require a major reconfiguration of building space, significant costs, or both.

See Appendix A for more detail about the seismic evaluation.

Jail Population Study

Current Inmate Population

Exhibit 3, below, compares the entire San Francisco inmate population to inmates in County Jails #3 and #4, the facilities to be replaced by a new jail, along a number of characteristics. The

Exhibit 3: Inmate Characteristics

Based on the jail population on January 29, 2013

	All County Jails	County Jails 3 and 4 only
Current Population	1,556	598
Average age	35.9	37.1
Average days left to serve ^a	87.4	71.9
Gender		
Male	91%	100%
Female	9%	0%
Classification		
Not Classified	2%	0%
Minimum	6%	3%
Medium	37%	30%
Maximum	55%	67%
Crime classification^b		
Felony	80%	68%
Misdemeanor	6%	7%
Administrative/Other	13%	24%
Inmate Status		
Sentenced	21%	23%
Not Sentenced	78%	76%
Other ^c	1%	1%
Race/Ethnicity		
White	22%	22%
African American	56%	59%
Asian/Pacific Islander	6%	5%
Hispanic	13%	11%
Other/Unknown	2%	2%
Residence		
San Francisco	75%	75%
Other	25%	25%

^aFor sentenced inmates only. Actual length of stay may differ.

^bBased on inmate's highest charge.

^cOther includes "Criminal" and "Sexually Violent Predator"

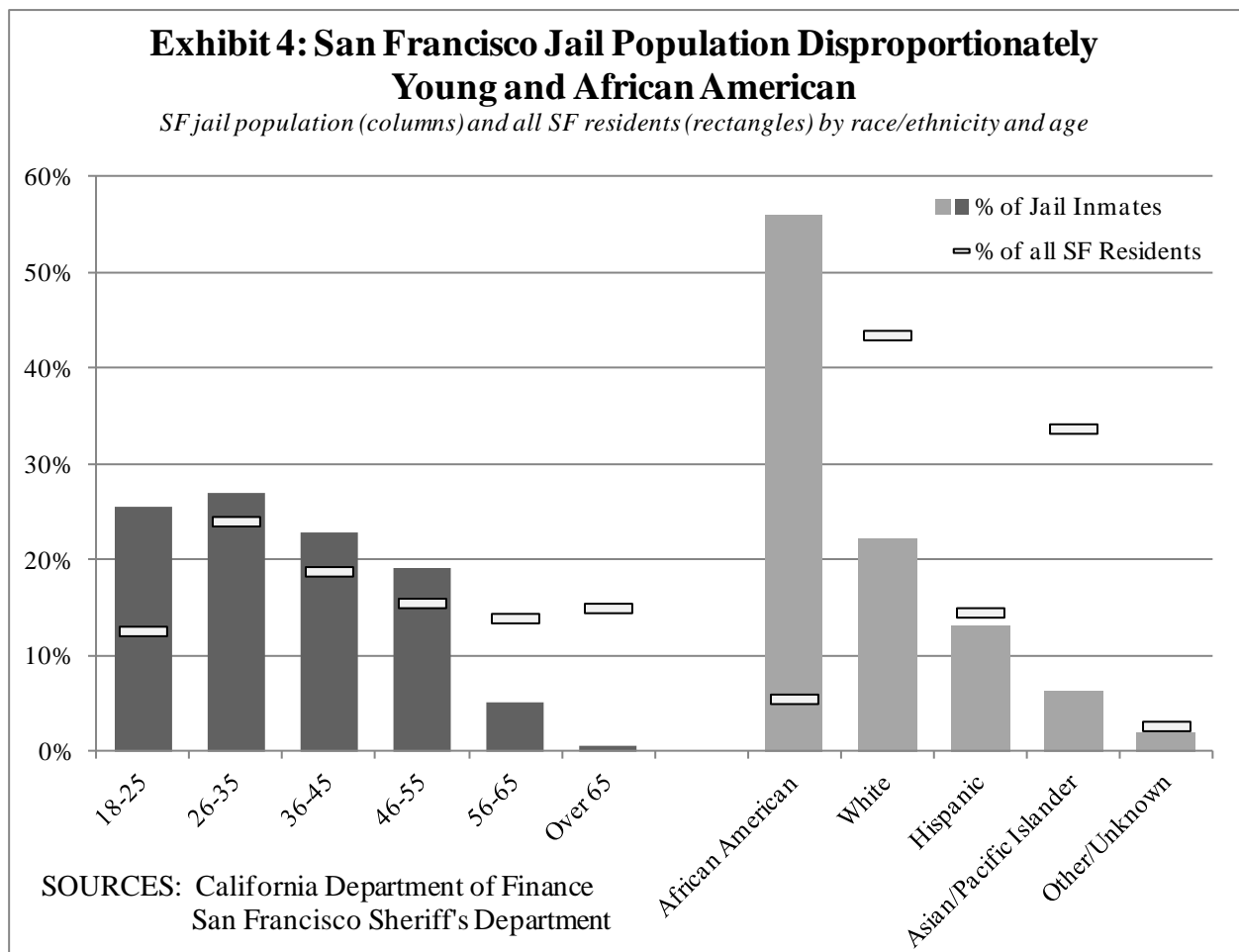
exhibit reveals that San Francisco inmates are predominantly male, residents of San Francisco, and not sentenced. It also indicates that four out of five inmates are charged with a felony. San Francisco may have a large proportion of felony offenders in part as a result of efforts to divert lower-level offenders from jail through various alternative sentencing and pretrial diversion programs. See the "Program Needs" section for more information on these programs.

County Jails #3 and #4, the facilities to be replaced by a new jail, house nearly 40 percent of all San Francisco inmates. Inmates in these two jails are more likely to be classified as maximum-security than the jail population as a whole. This difference exists because County Jail #4 is the Sheriff's Department's primary maximum-security facility, with more than 95 percent of jail inmates classified as maximum-security. The population in County Jails #3 and #4 is also slightly older on average (age 37.1) than the total jail population (age 35.9) and more likely to have a crime classification of "administrative," which includes parole and community supervision violations.

Inmate Demographics

Younger adults are the most likely age group to be incarcerated. The California Attorney General’s Office reports that individuals ages 18-39 accounted for approximately 70 percent of all arrests in 2009.⁶ In San Francisco, 52 percent of inmates are between the ages of 18 and 35, and approximately 75 percent are age 45 and under. By comparison, only 37 percent of all San Francisco residents are between the ages of 18 and 35, and only 56 percent are age 45 and under.

In addition, the jail population is disproportionately African American: 56 percent of San Francisco inmates are African American while approximately six percent of all adult San Francisco residents are African American. African Americans age 18 to 25 constitute the largest demographic group in jail, accounting for 16 percent of the total inmate population. See Exhibit 4, below.



⁶ As reported in the “Evaluation of the Current and Future Los Angeles County Jail Population” by the JFA Institute.

Emerging Special Populations

The Controller’s Office interviewed 18 Sheriff’s Department staff for this needs assessment. Many of those interviewed perceived that several subpopulations of inmates have grown in recent years. These subpopulations include older inmates and inmates who are gang dropouts, transgender, or have medical and/or mental health care needs. The Sheriff’s Department has limited information about the size of these subpopulations over time; however, this report will discuss two subpopulations for which some data is available: inmates with mental health care needs, and older inmates.

Mental Health Needs. The percentage of inmates seen by Jail Psychiatric Services (JPS) annually has fluctuated but decreased slightly since 2010. However, JPS staff “contacts”⁷ with clients have increased from approximately 10 contacts per client in 2010 to nearly 12 contacts per client in 2012. In addition, inmates are slightly more likely to require psychotropic medication⁸ in 2012 than they were in 2010. These trends may indicate that although the total jail population is declining, those individuals that remain in jail have more severe mental health needs, but more study is needed. See Exhibit 5 for specific figures.

Exhibit 5: Inmate Mental Health

	2010	2011	2012
Percent (number) of inmates seen by Jail Psychiatric Services (JPS)	38.3% (5,361)	39.7% (5,277)	36.0% (5,160)
Contacts per inmate seen	10.42	10.69	11.80
Percent (number) of inmates receiving psychotropic medication on the last day of December	11.9% (200)	11.3% (169)	12.2% (184)

Older Inmates. Interviewees from Jail Health Services perceive that this jail population is growing. Less than one percent of current inmates are over age 65. However, the California Department of Finance projects the over-65 population in San Francisco will more than double in size (from 112,157 to 225,338) by 2038. This could impact the number of older individuals who are in jail, a potentially high-needs population.

Trends Related to the San Francisco Jail Population

The jail population in San Francisco has decreased by 25 percent since 2008. This decrease reflects demographic and crime trends in San Francisco over the same period. Exhibit 6, on the next page, displays a number of current trends relevant to the jail population. All measures in the exhibit decreased between 2 and 41 percent since 2008, except for average length of stay in jail and total San Francisco population which grew three percent and eight percent respectively.

The two factors that directly determine the size of the jail population are admissions into jail, and the average length of stay in jail. Admissions declined by 32 percent over the past five years while average length of stay has increased slightly. The following provides more information on crime and demographic trends in San Francisco.

⁷ Contacts include mental status evaluations, individual treatment, medication planning, placement services and group therapy.

⁸ Medication used to manage behavior, including antidepressant, antianxiety, and antipsychotic medications.

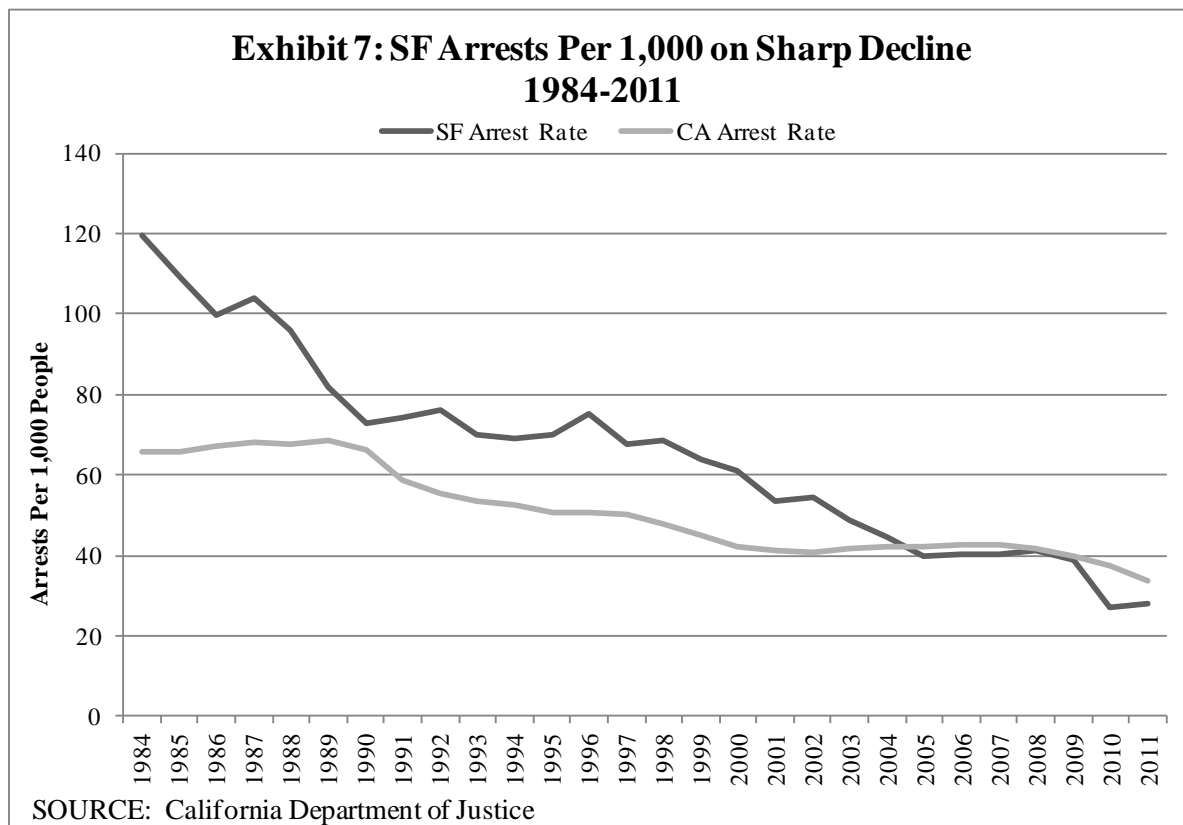
Exhibit 6: Trends in San Francisco

		2008	2009	2010	2011	2012	Trend	Percent Change
Jail Trends	Average Daily Population	2,060	1,976	1,787	1,581	1,535	↓	-25%
	Average Length of Stay in jail (days)	22.2	23.3	25.2	23.9	not available	↑	8%
	Jail Admissions	32,722	30,455	25,300	23,594	22,387	↓	-32%
Crime Trends	Arrests per 1,000 People	41.4	38.6	27.0	27.8	not available	↓	-33%
	Violent Crimes per 1,000 People	8.4	7.4	7.1	6.6	not available	↓	-21%
	Property Crimes per 1,000 People	45.8	43.5	40.6	41.1	not available	↓	-10%
	San Francisco Superior Court New Criminal Filings	13,750	12,954	11,839	9,380	8,136	↓	-41%
Demographic Trends	Total Population	798,673	801,799	806,254	813,123	820,349	↑	3%
	Population Age 18-35	263,484	260,894	262,650	260,132	258,151	↓	-2%

SOURCES: San Francisco Sheriff's Department, Jay Farbstein and Associates, California Department of Justice, San Francisco Superior Court, California Department of Finance

Crime Trends in San Francisco

Arrest rates in both San Francisco and California have decreased since 1984. In the early 1980s, San Francisco's rate of 119 arrests per 1,000 residents was nearly double that of the State of California, but San Francisco has closed that gap and now has a rate of 28 arrests per 1,000 residents.

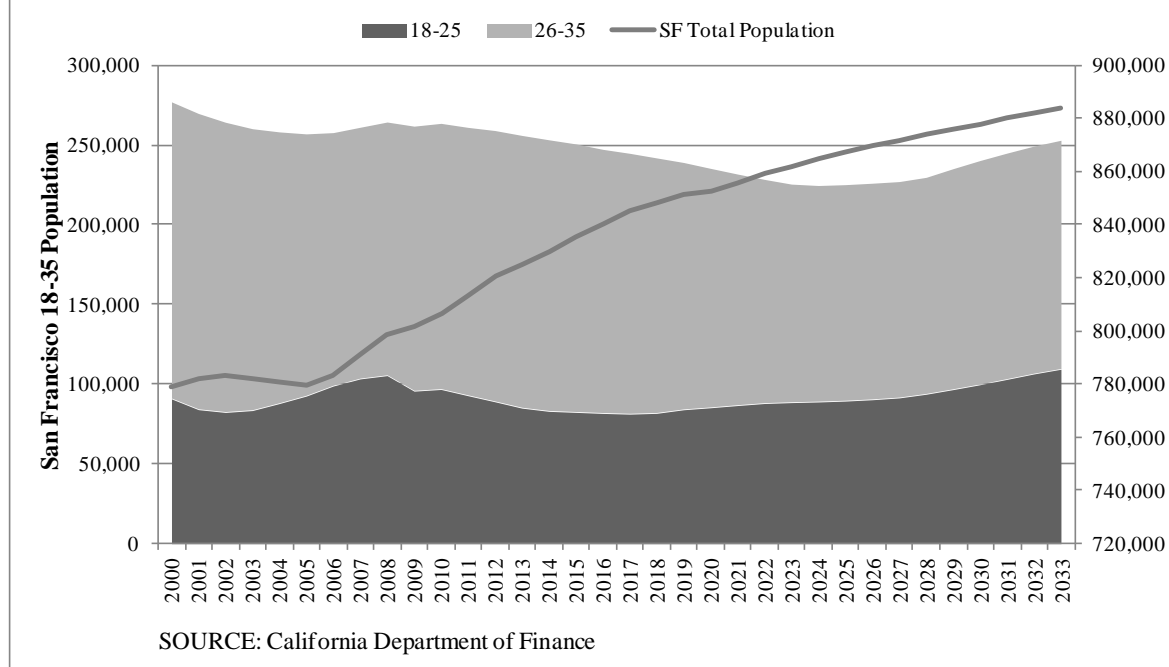


Demographic Trends in San Francisco

While the total population in San Francisco is increasing slowly, the number of adults age 18 to 35 has decreased slowly from 276,121 in 2000 to 258,151 in 2012, according to the California Department of Finance (DOF). The DOF expects this population to continue declining through 2024 and remain below current levels through 2033. In addition, the African American population in San Francisco decreased by 18 percent (59,461 to 48,870) between 2000 and 2010,⁹ and the DOF projects a continued decline through 2050 to 34,101. These population changes are relevant because, as mentioned previously, adults age 18 to 35 and African Americans are disproportionately represented in the jail population. A decline in these populations could have a downward impact on the jail population into the future.

⁹ Based on U.S. Decennial Census, 2000 and 2010

Exhibit 8: San Francisco 18-35 Population Projected to Decline through 2024



Forecast of the Jail Population

In September 2012, the San Francisco Controller’s Office estimated San Francisco’s future jail bed need based on previous jail population forecasting by external consultants and data regarding the impacts of state realignment. The Controller’s Office updated a portion of the analysis for this needs assessment and will provide a full updated forecast in Fiscal Year 2013-14. Based on the current forecast, the estimated need is between 2,156 and 2,370 jail beds in 2014, and between 2,090 and 2,298 jail beds in the year 2019. To meet the projected need, the replacement to County Jails #3 and #4 would require a total capacity of between 481 and 688 if constructed by 2019. This assumes the other jails in San Francisco are open and in use at their current capacity levels. See Exhibits 14 and 15 on page 22.

Elements of the Jail Forecast

There are four elements to an estimate of future jail bed needs in San Francisco.

- **Jail population baseline forecast.** Based on statistical methods, this forecasting serves as a baseline for the total estimate of jail bed needs and assumes historic trends in the jail population will continue into the future.
- **Impacts of state realignment on the jail population.** The California Criminal Justice Realignment Act (Assembly Bill 109), directed that beginning in October of 2011 some offenders previously housed in state prisons would become the responsibility of counties. The legislation, known as “realignment,” increases the number of inmates housed in county

jail facilities. At the time this analysis was completed, a baseline forecast did not capture the impact of realignment because it was a new policy. Therefore the impact of realignment was calculated separately.

- **Peaking factor.** Jail population forecasts predict the average daily population for a jail, but on some days, the actual population will exceed the average. The peaking factor provides a cushion of jail beds for those peak days.
- **Classification factor.** The realities of managing a jail require that the number of beds in a jail exceeds the number of inmates. This need arises because inmates with different security classifications must be housed separately.

The following is a discussion of each of the four elements, followed by an updated estimate of San Francisco’s future jail bed needs.

Baseline Forecast

The Sheriff’s Department contracted with two external consultants to separately forecast the jail population: Crout and Sida Criminal Justice Consultants, and Jay Farbstein and Associates. Crout and Sida used an autoregressive independent moving average model (ARIMA) to forecast future jail populations. The forecast predicted a short-term increase in the jail population followed by a long-term stagnation at 1,851 inmates.

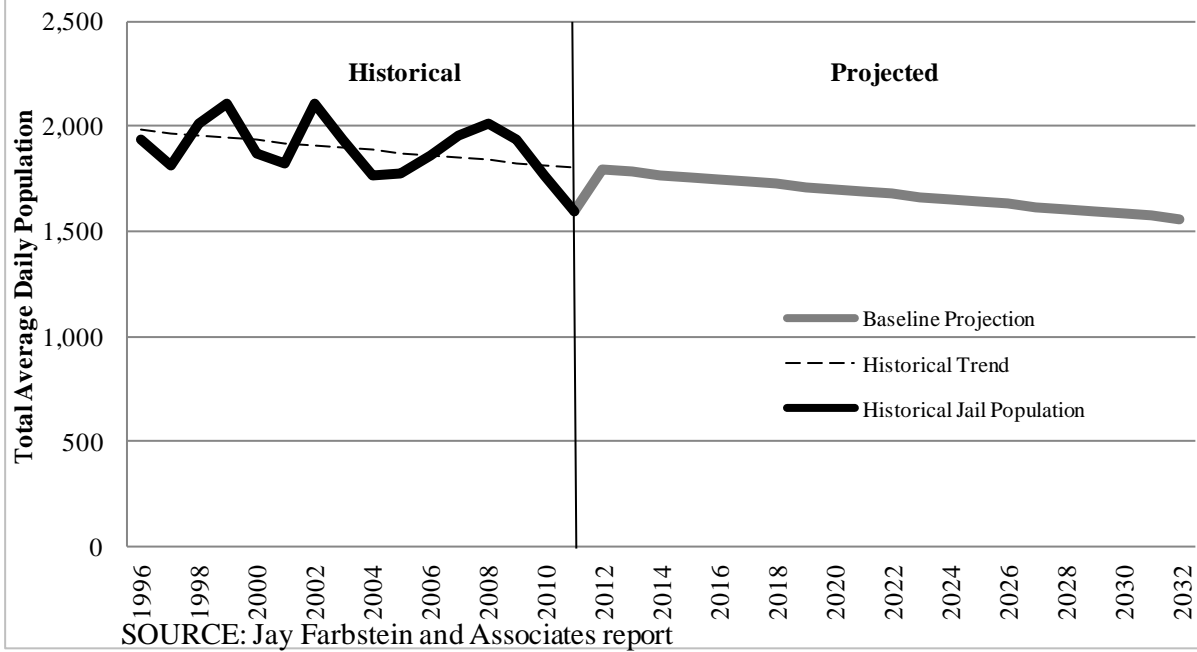
In contrast, Jay Farbstein and Associates used a linear regression model to forecast future jail populations. The model predicted a slow decline in the San Francisco jail population over the next 20 years. See Exhibit 9 below for more detail.¹⁰

The Controller’s Office used the Jay Farbstein and Associates baseline forecasting model to inform plans regarding the size of a new facility. While both consultants’ forecasting models are methodologically defensible, the Controller’s Office recommends Jay Farbstein and Associate’s model for two reasons.

- The Jay Farbstein and Associates model, which predicts a slow decline in the jail population, is consistent with the historical jail population trend. Exhibit 9 shows that the San Francisco jail population over the previous fifteen years has fluctuated from year to year but exhibited a downward trend.
- Demographic trends in San Francisco provide evidence for a decline in jail population into the future. See the “Trends Related to the San Francisco Jail Population” section of this report for more detail.

¹⁰ Historical population figures in Exhibit 9 are based on data the Sheriff’s Department reported to the California Corrections Standards Authority

Exhibit 9: Historical Jail Population and Jay Farbstein and Associates Baseline Projection



Impact of Realignment

Because state realignment was a new policy at the time of this forecast, its impacts on the jail population are not captured by the baseline forecasting models discussed in the preceding section. For this reason, both consultants estimated its impact separately. In their report, Crout and Sida use impact projections provided by both the California Department of Finance and the Community Corrections Partnership. However, these projections were made before realignment was implemented. Jay Farbstein and Associates projected realignment impacts based on a number of assumptions and only two months of partial data.

The Controller’s Office has worked in concert with the Sheriff’s Department to collect and manage robust data on realignment since implementation. Based on these data collection efforts, this report projects the impacts of realignment on jail population using the most recent five months of data available when this forecast was completed (February 2012 through June 2012). The Controller’s Office did not use data from before February 2012 because the initial several months of realignment implementation did not accurately reflect realignment’s impact into the future. For example, San Francisco housed less than 50 parole violators during the first month of realignment implementation, but has housed an average of 123 parole violators per month between February and June 2012. While a projection based on five months of data from 2012 is an improvement over the consultants’ work, it is subject to uncertainty. The Controller’s Office will update this analysis in Fiscal Year 2013-14.

Any estimate of realignment impacts must take into account inmates incarcerated under four different penal codes:

- **Penal Code 3454: Violation of post-release community supervision (PRCS).** These individuals violated the terms of their PRCS and are sentenced to a maximum 10 day “flash incarceration.”
- **Penal Code 3455: Revocation of PRCS.** These individuals violated the terms of their PRCS and are subject to penalties other than flash incarceration, including modification of PRCS conditions, returning to jail, or referral to an evidence-based program.
- **Penal Code 1170h: Elimination of a prison sentence for various felonies.** These individuals committed non-violent, non-sexual, non-serious felony offenses. Prior to state realignment they would have been housed in state prison, but are now housed in county jail. Also includes individuals who are incarcerated for violating the terms of their mandatory supervision after leaving custody.
- **Penal Code 3056: Violation of state parole.** Individuals whose parole is revoked by the State of California are remanded to county jail. Prior to state realignment they would have been housed in state prison, but are now housed in county jail.

Since five months of data is insufficient to utilize statistical methods for forecasting, the Controller’s Office instead used five months of data to calculate the average length of stay and average number of new inmates per month in each of the four categories. The average length of stay data represents time served in county jail *as a result of* state realignment. For example, a person in violation of PRCS who is arrested for a separate offense may serve time in jail for both the arresting offense and the PRCS violation—the average length of stay data used in this report includes the time an individual spends in jail for PRCS matters only.

The Controller’s Office calculated the impact of state realignment using the average length of stay and average number of new inmates per month for each of the four penal codes. The calculation, shown below, assumes the inputs remain at the same level into the future.

$$\begin{array}{l}
 \text{Average} \\
 \text{length of} \\
 \text{stay in jail} \\
 \text{(days)}
 \end{array}
 \times
 \begin{array}{l}
 \text{Projected \# of inmates per year} \\
 \left(\begin{array}{l}
 \text{Average \# of new} \\
 \text{inmates per month}
 \end{array}
 \times 12 \right)
 \end{array}
 \div
 \begin{array}{l}
 365 \text{ days} \\
 \text{per year}
 \end{array}
 =
 \begin{array}{l}
 \text{Impact on average daily} \\
 \text{population each year}
 \end{array}$$

The Controller’s Office used a slightly different methodology to calculate the impact of state parole violators (Penal Code 3056). The Sheriff’s Department estimates that the state parolee population will decline by half over the next three years as new offenders who would have become state parolees are sent to county jail instead of state prison. To reflect the decline, the Controller’s Office calculated the projected number of state parole violators per year using the available data, then divided that figure in half.

Results of the impact calculations are displayed in Exhibit 10 on the next page. The Controller’s Office recommends using 188 as an estimate of the impact of state realignment on average daily jail population. This figure will be updated in Fiscal Year 2013-14.

Exhibit 10: Estimate of State Realignment Impacts

	Average length of stay (days)	Projected number of new inmates per year	Impact on average daily population each year
Penal Code 3454	5.9	163.2	2.6
Penal Code 3455	6.3	400.8	6.9
Penal Code 1170h	94.8	220.8	57.3
Penal Code 3056	59.9	738.0	121.1
TOTAL			187.9

Peaking Factor

This factor allows a cushion of jail beds for “peak” days, or days with above average jail needs. The two consultants utilized different methodologies to calculate a peaking factor. See Exhibit 11 below for more detail.

Exhibit 11: Peaking Factor Calculations by Consultant

<i>Crout and Sida</i>			
(Peak jail population day in the year	-	Average Daily Population for the year
)			÷
			Average Daily Population for the year
			=
			13.7%
<i>Jay Farbstein and Associates</i> ¹¹			
(Average of peak days for each month	-	Average Daily Population for the year
)			÷
			Average Daily Population for the Year
			=
			5.1%

The Jay Farbstein and Associates calculation asserts the average monthly peak for San Francisco jails was 5.1 percent above the average daily population for the period of time studied. According to a representative from the firm, based on this methodology the actual jail population remains within the calculated peaking factor approximately 93 percent of the time. In other words, over the period studied, the San Francisco jail population exceeded the peak factor for seven out of every 100 days.

The Crout and Sida study shows the peak daily population for San Francisco jails was 13.7 percent above the average daily population for the period studied. Based on this methodology, over the period studied the San Francisco jail population never exceeded the peak factor.

Both consultants calculated the peaking factor over a period of time with a declining jail population trend. Therefore, the peaking factors calculated captured both the trend and population peaks. The Controller’s Office updated calculations for both methodologies based on data for 2012, a year with a more stable jail population. See Exhibit 12, next page.

¹¹ While Jay Farbstein and Associates used this methodology to calculate a peaking factor, they settled on a factor of five percent for not sentenced and a 15 percent combined peaking and classification factor for sentenced inmates because it was more conservative.

Exhibit 12: Peaking Factor Range

<i>Crout and Sida Methodology</i>			
Peak jail population day in the year	Average Daily Population for the year	Average Daily Population for the year	Peaking Factor
(1,716 - 1,535)	÷	1,535	= 11.8%
<i>Jay Farbstein and Associates Methodology</i>			
Average of peak days for each month	Average Daily Population for the year	Average Daily Population for the year	
(1,609 - 1,535)	÷	1,535	= 4.8%

The Controller’s Office recommends using a peaking factor of 11.8 percent for a conservative estimate of future jail bed needs and a peak factor of 4.8 percent for a moderate estimate.

Classification Factor

Both external consultants used a classification factor of five percent in their jail population estimates. In practice, a factor of five percent means a jail with 100 inmates should have 105 jail beds to accommodate the different security classifications of inmates. **However, the Sheriff’s Department has asserted that five percent is an underestimate of actual need. No accepted or standard methodology exists for calculating a classification factor.**

Exhibit 13: Classification Factor Calculation

Based on SF jail population on January, 29 2013

Inmate Classification	Unoccupied Beds
Sexually Violent Predators (SVPs)	24
Gang dropouts	8
Transgender	21
Psychiatric Needs	31
Medical	11
Lock-up	17
Psychiatric Needs/Admin Segregation	7
House alones	9
Total Empty Beds	128
Total Jail Population	1556
Classification Factor 128÷1556=	8.2%

The Controller’s Office estimated a factor using a tally of all beds in the jail system that must remain empty due to classification. For example, “Sexually Violent Predators” (SVP) are civil commitments that must be housed separately from the general population. On January 29, 2013, four SVPs were housed in a 28-bed unit, leaving 24 empty beds that could only be occupied by other SVPs. The Controller’s Office worked in concert with the Sheriff’s Department to tally unoccupied beds for all relevant inmate subpopulations, and estimated a classification factor of 8.2 percent (see Exhibit 13).

A classification factor of 8.2 percent exceeds the previously used five percent classification factor. Two caveats are important to note. First, the classification calculation is based on a single snapshot of the jail population. The classification factor could

vary over time. Second, a well-designed jail could mitigate many classification issues. For example, if the special populations in Table 1 were instead housed in separated 16 bed units within a pod, the classification factor would drop well below five percent.

The Controller’s Office recommends using five percent as a moderate estimate of the classification factor and 8.2 percent as a conservative estimate.

Forecast Results

Exhibit 14 below summarizes the Controller’s Office best estimate of future jail bed needs for San Francisco based on the analysis in this report. The estimate is based on projected jail bed needs in 2014 and 2019. 2019 is the tentative completion date provided by the Department of Public Works for construction of a new jail. The estimate for 2019 is below the estimate for 2014 due to the projected decline in the jail population.

Exhibit 14: Estimate of Jail Bed Needs for 2014 and 2019

	2014		2019	
	Moderate Estimate	Conservative Estimate	Moderate Estimate	Conservative Estimate
Forecast baseline	1,771		1,712	
Impact of state realignment	188		188	
Peaking Factor	4.8%	11.8%	4.8%	11.8%
Classification Factor	5.0%	8.2%	5.0%	8.2%
TOTAL	2,156	2,370	2,091	2,298

The current jail capacity in San Francisco, inclusive of all six county jails, is 2,515 with County Jails #3 and #4 together accounting for 905 of those beds. **To meet the jail population need estimated by this analysis, the replacement to County Jails #3 and #4 would require a total capacity of between 481 and 688 if constructed by 2019. This assumes the other jails in San Francisco are open and in use at their current capacity levels, including the currently closed County Jail #6.**¹²

Exhibit 15: Current and Recommended Jail Capacity for 2014 and 2019

	Current	2014		2019	
		Moderate Estimate	Conservative Estimate	Moderate Estimate	Conservative Estimate
County Jails 3 and 4	905	546	760	481	688
All other county jails	1,610	1,610	1,610	1,610	1,610
TOTAL	2,515	2,156	2,370	2,091	2,298

¹² However, the Sheriff’s Department has concerns about future use of the facility due to its operational and design limitations. The Department plans to address the building’s deficiencies as part of its master planning process in 2014.

Operational and Design Philosophy

Mission and Core Values

The mission of the San Francisco Sheriff's Department is to:

- Provide for the safe and secure detention of persons arrested or under court order;
- Operate the county jail facilities and alternative sentencing programs;
- Provide security for city facilities including the Superior Courts; and
- Carry out criminal and civil warrants and court orders.

The Sheriff and command staff also emphasize the Department's focus on reducing the use of incarceration wherever possible, guiding inmates through reentry into society, and reducing recidivism.

The Department's efforts on these fronts are supported by the emergence of shared philosophies among other agencies in the San Francisco criminal justice community, according to the Sheriff. For instance, the Sheriff's Department and agencies such as the Office of the Mayor, the San Francisco Police Department, the San Francisco Adult Probation Department, the San Francisco Public Defender, and the San Francisco District Attorney coordinate their efforts to support adults leaving incarceration through the Reentry Council of the City and County of San Francisco. This council has identified shared guiding principles that include addressing inequalities throughout the criminal justice system, providing a continuity of care to individuals, investing in alternatives to incarceration, and ensuring public safety and welfare.

San Francisco's Jail Design Philosophy

The Sheriff's Department seeks to replace the linear intermittent surveillance County Jails #3 and #4 with a podular direct supervision jail facility. The following sections document weaknesses in the current design of County Jails #3 and #4, and the strengths of podular direct supervision jails such as County Jail #5, according to Sheriff's Department leadership and staff. The Department's program space needs in the Replacement Jail are discussed in the Program Needs section of this report.

Weaknesses in County Jails #3 and #4

The Sheriff's Department finds that the linear design of County Jails #3 and #4 leads to challenges in supervising inmates and difficulty in assigning inmates to appropriate housing. As a result, this design increases risks of inmate violence and suicide, and limits the Department's ability to provide programs to inmates.

Large Housing Units. Most housing units in County Jails #3 and #4 are tanks of twelve individuals. The Sheriff's Department finds that this housing type leads to more frequent conflicts between inmates and more difficulty in managing assaults that occur. As one deputy indicated, "one problem can quickly become twelve" when individuals cannot be separated from

one another into single or double bed cells. Because of the number of individuals in these tanks, handling assaults also requires the participation of more deputies.

Large tanks also challenge the ability of the inmate classification unit to place inmates into appropriate housing in County Jail #3 and #4. For instance, certain inmates with disabilities who use canes may be placed into tanks with nondisabled maximum-security inmates. While the objective classification system may permit this arrangement, the Department would prefer not to house maximum-security inmates where they could access canes that could be used as weapons.

Intermittent Surveillance. In a linear jail, deputies must periodically walk the “main line” hallway between housing units to visually supervise inmates. The Sheriff’s Department finds that the gaps of time between deputy supervision allows certain inmates to exercise authority over, and potentially harm or exploit, other more vulnerable inmates. As a result, tanks in County Jails #3 and #4 are perceived to be more unruly than direct supervision pods in other county jail facilities.

Needs for Inmate Movement. In County Jails #3 and #4, deputies must escort inmates to program spaces, exercise areas, medical appointments, and other services. This need for movement increases safety risks and demands higher staffing to escort inmates throughout the facility. For example, when deputies at County Jail #3 and #4 must leave their watches to transport an inmate to the hospital during a medical emergency, a lack of deputies to escort inmates may lead to the cancellation of exercise activities and programs.

Lack of Holding and Safety Cells. Sheriff’s Department staff also report that County Jails #3 and #4 lack holding cells and safety cells in adequate numbers and locations through the facility, challenging effective management of the jails. Holding cells allow the deputies to temporarily hold inmates while they await court appearances, while housing assignments are changed, and during housing searches, but there are too few of these types of cells. County Jails #3 and #4 must hold 100 to 200 inmates from County Jail #5 each day, as those inmates await court appearances, but County Jails # 3 and #4 have a maximum holding cell capacity of 159. Furthermore, inmate classification can limit the number of inmates that can be held in a holding cell at any given time. More, smaller holding cells may be advantageous to better accommodate classification issues.

Sheriff’s deputies also lack easy access to safety cells in County Jails #3 and #4. As a result, when an incident occurs in a tank and inmates must be separated, these individuals must be escorted by deputies to a safety cell some distance away. When inmates are angered after an assault or argument, deputies may be at risk of assault while escorting an inmate to the safety cell.

Inadequate Health Services Space. County Jails #3 and #4 have limited space to provide medical and mental health services to inmates. For example, nurses currently use the hallway to prepare inmates for doctor visits, and the jails’ x-ray machine is stored in an inmate visitation area. Jail Health staff also report a deficiency of space for storing biohazards, medical supplies, medical records, medication carts, and office supplies.

Jail design and a lack of space in County Jails #3 and #4 result in inefficient care for inmates. Medical professionals are required to monitor inmates placed in safety cells on a regular basis; however, the safety cells in County Jail #4 are not located near the clinic, making inmate monitoring difficult. Also, the Jail Health clinic has only one clinician's room for medical care. After seeing a patient, the doctor must wait for that inmate to be returned to his housing unit before another inmate can be escorted to the clinic.

Finally, no dedicated space exists for mental health services. As a result, psychiatric groups are conducted in holding cells, and when interview rooms are in use, psychiatric staff must interview inmates in the jail hallway.



Medical area in County Jail #3 (left) compared to medical area in County Jail #5 (right).

Lack of Technological Infrastructure. Built more than 50 years ago, the Hall of Justice lacks the wiring and ports needed to support modern jail features and office equipment. County Jails #3 and #4 lack electronic door locking mechanisms and closed circuit television (CCTV) security cameras, features which are used throughout County Jail #5 to improve the safety and security of the facility. The deficiency of wiring, combined with space constraints, also limits the Sheriff's Department's ability to provide computer access to Deputies for work purposes, and technology-based education for inmates. For example, County Jail #5 offers computer classes to inmates, but County Jail #3 and County Jail #4 cannot due to the limited technological infrastructure.

Inadequate Building Materials. County Jails #3 and #4 use building materials that the Sheriff's Department finds inadequate for the safety and wellbeing of both inmates and staff. The Hall of Justice jails have concrete surfaces and metal bars for cell doors, which reflect sounds and create a noisy jail environment. As a consequence of this noise, Sheriff's deputies may be unable to detect criminal behavior and may also feel increased stress, according to Sheriff's Department staff. Even the more recently constructed County Jail #2, though an improvement over the linear design of the Hall of Justice jails, has walls made of sheetrock that can easily be damaged by inmates.

Replacement Jail Facility Needs

Podular Design Similar to County Jail #5. Sheriff’s Department management and staff point to the podular direct supervision model used in San Francisco County Jail #5 and other jail facilities in California as examples of how a Hall of Justice Replacement Jail should be constructed. In particular, podular direct supervision jails feature:

- Pods that connect cells, dayroom space, exercise space, interview rooms, and other spaces into a single area;
- A deputy station placed in the dayroom with limited physical barriers between the supervising deputy and inmates; and
- Clear and unobstructed sightlines from the deputy station to cells and dayroom space.

The outcome of these features is a superior ability to supervise and manage inmates as compared to linear design facilities like County Jails #3 and #4. In addition, services and programs can be provided to inmates in the pod while being observed by a single deputy, decreasing the need for inmate transportation, and therefore, staffing needs.

Other features of County Jail #5 endorsed by Sheriff’s Department staff include:

- A plumbing chase behind cells to allow maintenance staff to fix plumbing without entering pods;
- Designated space for medical facilities, classrooms and programming inside or adjacent to pods; and
- Single- or double-occupancy cells with doors that permit deputies to secure inmates in their cells if needed.

Video Camera Coverage. As a modern facility, County Jail #5 contains a number of cameras throughout the building. The Sheriff’s Department believes a Replacement Jail should be similarly equipped with CCTV video cameras with recording abilities to maximize the safety and security of the facility.

Segregating Special Populations. While direct supervision jails allow for various inmate classifications to be intermingled more easily, the need to separate vulnerable and dangerous populations continues. For example, an individual who dropped out of a gang may be targeted for violent acts by other inmates. The Sheriff’s Department must segregate these individuals from the general inmate population for their own safety. However, using a 48 bed pod to house 20 to 30 gang dropouts would be an inefficient use of space.¹³

A Replacement Jail should be designed so as to efficiently accommodate special populations. One strategy could take the form of a pod physically separated into quadrants. With this design, a deputy could maintain visual supervision of inmates but keep them segregated.

¹³ See the “Forecast of the Jail Population” section for a discussion of inmate classification issues.

Exhibit 16: Photo Comparison of Linear (County Jails #3 and #4) and Podular (County Jail #5) Jail Designs

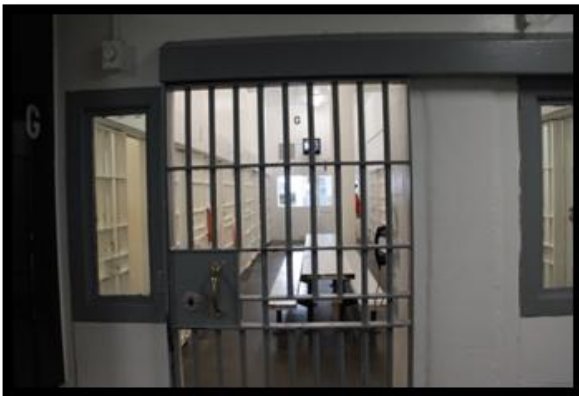
Linear Design Jails

Podular Direct Supervision Jail



Main line in County Jail #3

Housing pod in County Jail #5



Housing Unit in County Jail #3

Housing pod in County Jail #5



Cell in County Jail #3

Cell in County Jail #5

Location of the Hall of Justice Replacement Jail

In 2009, consultants to the Department of Public Works identified a number of potential sites for the Hall of Justice Replacement Jail, with the Sheriff's Department, Public Works, and City leadership ultimately electing to construct the jail at a site adjacent to County Jails #1 and #2 and the Hall of Justice, which houses Superior Court facilities. Beyond considerations of site assembly, risk, and cost, the Hall of Justice location was selected because of the need for direct connections between the Hall of Justice Replacement Jail Facility, County Jails #1 and #2, and the Superior Court. These connections serve to minimize cost, safety, and security risks.

Currently, inmates in County Jails #3 and #4 can be transported through secure elevators and corridors to court appearances within the Hall of Justice. This connectivity also serves to minimize the costs of transporting inmates to court appearances. Were a new facility to be constructed near other San Francisco county jail facilities in San Mateo County, the Sheriff's department estimates it would need to spend at least \$6 million in one-time costs and more than \$11 million in ongoing annual costs to transport inmates to court. Additionally, the transportation of inmates would lead to risks to the safety of staff.

A new Hall of Justice Replacement Jail at a site proximate to County Jails #1 and #2 may also serve to minimize operational costs such as food service, laundry, and administration by allowing for the sharing of facilities between the Replacement Jail and existing facilities.

Considerations for Future Use of County Jail #6

County Jail #6 has been closed since 2010 due to the falling jail population, but the Sheriff's Department has concerns about future use of the facility due to its operational and design limitations. These concerns are discussed below. The Sheriff's Department plans to address the building's deficiencies as part of its master planning process in 2014.

Design weaknesses. Opened in 1989, County Jail #6 was intended to house inmates sentenced with misdemeanors, and was therefore built with low-security design features appropriate to that population. The jail consists of six dormitory-style housing units of sixty-two beds each. These dormitories lead to jail management challenges as the Sheriff's Department cannot house inmates with incompatible classifications in the same housing unit. The Department also finds it difficult to control inmate populations in this facility because of the relatively few numbers of holding cells and the absence of single or double-bed cells. Additionally, the recreation area in County Jail #6 cannot accommodate inmates with incompatible classifications and would need fencing modifications before it could be securely used by inmates.

Construction style. County Jail #6 was built using the "tilt up" type of construction. The Sheriff's Department has some seismic concerns about a building of this construction type that require evaluation by an engineer.

Transportation issues. Because County Jail #6 is located in San Mateo County, the Sheriff's Department would need to transport inmates to and from court facilities in San Francisco. Inmate transportation can be costly and increases safety and security risks for inmates and

deputies alike. See the previous section, “Location of the Hall of Justice Replacement Jail,” for more information.

Program Needs

Overview

The San Francisco Sheriff's Department operates a comprehensive offering of programs for inmates and community members with the primary goal of reducing inmate recidivism, though the availability of program space in County Jails #3 and #4 is a constraint. Under the leadership of retired Sheriff Mike Hennessey, the Department created a wide variety of programs targeted to the needs of the County's inmate population, among them substance abuse, anger management/violence prevention, job readiness, and education. Since taking office, Sheriff Ross Mirkarimi has made vocational programs for inmates a top priority. In addition, the Department has recently begun directing more attention to evaluating the efficacy of its programs, targeting programs at the specific and evolving needs of its population, and coordinating the delivery of services with the San Francisco Adult Probation Department.

Notable program achievements include:

- Five Keys Charter High School became the first public high school to open inside a jail in 2003. In the last two years, it has served more than 250 individuals in custody each day, 60 percent of whom went on to pass the California High School Exit Exam.
- Resolve to Stop the Violence (RSVP) received the Innovations in American Government award from the Harvard Kennedy School's Ash Institute in 2004. The program is the first of its kind to rehabilitate violent offenders through a restorative justice program that includes victim-offender mediation, job training, and counseling.
- The Re-Entry Program Pod opened in February 2013 in partnership with the Adult Probation Department. Developed in response to Realignment, this program provides services to ensure seamless reentry of inmates into society.

Current Programs

The Sheriff's Department program offerings fall into three general categories: alternatives to incarceration, in-custody programs, and community programs for community members and ex-offenders. Notably, a number of programs will serve individuals both while in custody and when they re-enter society. For instance, the 5 Keys Charter High School serves individuals both in county jails and at satellite facilities throughout San Francisco. For inmates who do not serve probation, 5 Keys Charter High School and other community programs ensure that the benefits of these programs do not end when an individual leaves the Sheriff's Department's custody.

The Sheriff's Department and contractors maintain current and historical data on programs, such as the number of participants and the recidivism rate of individuals who complete these programs. However, due to time constraints and the limited availability of data, the possible double-counting of participants, and other data quality concerns, the Controller's Office did not conduct a detailed analysis of the outcomes of these programs for this needs assessment.

Alternatives to Incarceration

The City and County of San Francisco employs a wide range of pretrial release and alternative sentencing programs that serve to decrease the number individuals in San Francisco county jails.

These alternatives are not limited to misdemeanor offenders only; San Francisco's Collaborative Justice Courts (CJC), which include drug courts and youth courts, now primarily hear felony cases.

Exhibit 17: Alternatives to Incarceration Operated by the Sheriff's Department and Contractors. Populations as of January 29, 2013.

Type	Description	Number of Participants/ Jail Beds Saved
Pretrial Release Programs		
Own Recognizance (OR)	Facilitation of the Court's review process to determine whether an individual can be released without bail prior to trial.	243
Pretrial Diversion	Provision of programs and other court requirements that, when successfully completed, result in a dismissal of charges.	416
Supervised Pretrial Release (SPR)	Monitoring and placement into treatment programs during pretrial release to ensure that individuals appear at court dates.	141
Court Accountable Homeless Services (CAHS)	Case management for homeless individuals referred by the Court.	24
Pre-Trial Electronic Monitoring (PTM)	Electronic monitoring for some pre-trial individuals on home detention.	28
Alternative Sentencing Programs		
Electronic Monitoring (EM)	Electronic monitoring for some sentenced individuals on home detention.	42 ^a
Sheriff's Work Alternative Program (SWAP)	Supervision of work crews of individuals not in custody.	55
Total		949

SOURCE: Sheriff's Department

^aIncludes 20 individuals on probation that are under electronic monitoring by the Sheriff's Department.

Of San Francisco's pretrial release programs, the vast majority are operated by the non-profit San Francisco Pretrial Diversion Project (SFPDP) through contracts with the Sheriff's Department. Through case management, counseling and other services, SFPDP works to ensure individuals meet court requirements. For instance, its Supervised Pretrial Release (SPR) program provides monitoring and treatment programs for individuals, and maintained a roughly five

percent failure to appear in court rate among its clients in 2012. The ability of SFPDP and the Sheriff's Department to make use of less restrictive alternatives such as pre-trial electronic monitoring is supported by the willingness of Superior Court judges and the District Attorney's office to allow these alternatives to incarceration.

Alternative Sentencing programs operated by the Sheriff's Department include Electronic Monitoring (EM) of individuals serving home detention and the Sheriff's Work Alternatives Program (SWAP), which supervises work crews of out-of-custody sentenced individuals.

Through the programs operated by the Sheriff's Department and contractors, the number of beds needed in the county jail system is significantly reduced. For instance, on January 29, 2013, 949 individuals were participating in programs that diverted or released them from jail (see Exhibit 17). At that point in time, this figure represented approximately 61 percent of the number of incarcerated individuals.

In-Custody Programs

The Sheriff's Department offers a broad array of in-custody programs. Most of the 16 pods in County Jail #5 are dedicated to offender programming. For example, up to 48 inmates in Pod 5B receive the Resolve to Stop the Violence restorative justice anti-violence program, while 250 inmates or more receive high school and vocational instruction in the jail's 10 classrooms. Offerings are more limited in County Jails #3 and #4 due to a lack of program space. Exhibit 18 provides a list of programs offered within San Francisco's county jails.

Exhibit 18: Program Types by Jail and Pod^a

Jail	In-Custody Programs	Description ^b
2	Women's Intake Pod	Includes writing workshop, child support services, women's health, re-entry services, substance abuse, life skills, peer support groups, education counseling, parenting, and yoga/exercise
	Sisters in Sober Treatment Empowered in Recovery (S.I.S.T.E.R.S.) Program Pod	Includes writing workshop, child support services, re-entry services, substance abuse, life skills, peer support group, guest speakers, employment, anger management, sexual assault survivors, and meditation/exercise
	Re-Entry Pod	Research-based group and individual interventions including cognitive behavioral programs, substance abuse treatment, classes for educational credit, parenting classes, restorative justice programs, and many other services designed to address offenders' criminogenic risks and needs
3	Miscellaneous programs	Parenting, life skills, acupuncture, LGBT peer support group, substance abuse, high school independent study, yoga
4	Miscellaneous programs	Parenting, peer support group, restorative justice healing circle, acupuncture, LGBT peer support group, substance abuse, yoga
5	Resolve to Stop the	A restorative justice anti-violence program, including: group

Violence (RSVP) Program Pod	and individual counseling, re-entry preparation, and survivor and community restoration
Community of Veterans Engaged in Restoration (C.O.V.E.R.) Program Pod	Serving Veterans on a program modeled after RSVP. Includes: education, vocational skills, legal services, therapy
Roads to Recovery Program Pod	Comprehensive substance abuse treatment program, including: group and individual counseling, life skills, re-entry preparation
Keys to Changes Program	Combines substance abuse and anti-violence education. Includes group counseling, case management, and re-entry preparation
5 Keys Charter School Program Pods	High school classes and vocational opportunities.
Psychologically Sheltered Living Unit	Program serving the chronically mental ill, including those with substance abuse issues.

SOURCE: Sheriff's Department

^a As the intake facility for the County Jail system, County Jail #1 does not offer any programs.

^b Specific offerings vary by month, and may not be available to all inmates housed in each location.

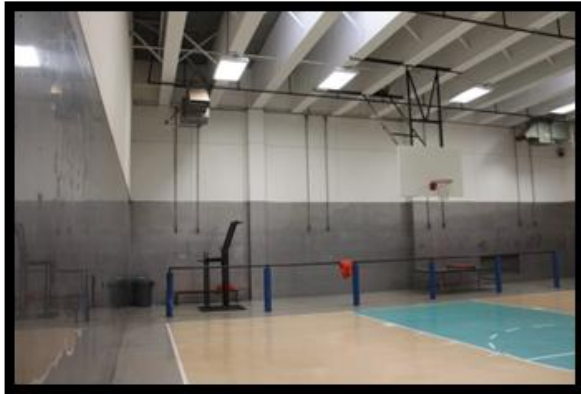
In February 2013, the Sheriff's Department opened a Re-Entry Pod in County Jail #2 in partnership with the San Francisco Adult Probation Department. Developed in response to state realignment, inmates are assigned to the Pod 60 days before leaving custody and provided with research-based behavioral health services, educational classes, restorative justice programs and many other services designed to help prepare them to leave jail. Each inmate receives an individualized treatment and rehabilitation plan, and continues to receive services after their release from jail. The goal of the program is to reduce recidivism for offenders by providing them the resources they need to reenter society.

Other in-custody programs include:

Exercise. The Sheriff's Department provides exercise opportunities to inmates to enhance inmate well-being and reduce inmate idleness, as well as to comply with state requirements.¹⁴ Providing recreation to inmates in County Jails #3 and #4 is challenging due to the design of the facility. Deputies are needed to move inmates throughout the facility to an enclosed gym area on the roof of the facility, but when deputies are not available to move inmates, exercise opportunities may be cancelled. The varied classifications of inmates in County Jails #3 and #4 further constrain the ability of the Sheriff's Department to provide recreation time for between 400 and 900 inmates in the single gymnasium area. As a result, the Sheriff's Department finds it challenging to comply with state requirements for exercise and recreation in County Jails #3 and #4.

¹⁴ California Code of Regulations, Title 15 § 1065 states that facility administrators at Type II and III facilities must develop policies and procedures that "allow a minimum of three hours of exercise distributed over a period of seven days."

In a Replacement Jail, the Department would like to expand the ability of inmates to obtain exercise by connecting gym areas directly to the housing pods, allowing inmates to exercise without the need for a deputy escort.



Recreation area in Hall of Justice



Recreation area in County Jail #5

Visitation. The Sheriff’s Department has historically supported parent-child visitation, in addition to the state-required visiting programs offered by the Department. Since 1989, the Sheriff’s Department has operated a Children’s Center to facilitate the reunification of incarcerated parents and their children. This facility is supported by the Prison MATCH program, which assists in the development of parenting skills for inmates at County Jail #5. However, due to space restrictions, inmates in this parenting program can only attend parent-child visits once every two weeks. In addition, County Jail #3 does not have space for parent-child visits. Inmates must be escorted to County Jail #4 for a contact visit with their child or children. This reduces the number of visiting opportunities for prisoners of both facilities.

Religious Programs. The Sheriff’s Department offers a variety of religious programs for inmates across religions and denominations. The Sheriff’s Department Religious Services Coordinator reports that limited space at County Jail #3 and #4 restricts how many inmates can attend services and how often they may participate. For example, religious services such as Catholic mass are offered in a holding tank that is temporarily repurposed for the event. The need to separate certain inmate groups (e.g. individuals from rival gangs) further restricts access to religious services.

Community Programs

Because not all individuals will be released from custody with supervision requirements, the Sheriff’s Department has historically offered its own community programs to post-release ex-offenders. These offerings are largely centralized at the Sheriff’s Department facility at 70 Oak Grove and the Women’s Re-Entry Center at 930 Bryant Street. At these locations, Sheriff’s Department Rehabilitative Program Coordinators work with inmates to design individual pre- and post-release re-entry plans.

Exhibit 19: Community Programs for Post-Release Individuals and Community Members

Program Name	Description
5 Keys Charter School	High school classes and vocational training.
No Violence Alliance	Case management providing wraparound services to individuals with a history of violence.
Post-Release Education Program (PREP)	Provides for re-entry needs of individuals including: education, vocational training, domestic violence interventions, parenting and family services, substance abuse programs and other transitional services.
Survivor Restoration Program (SRP)	Support and resources for survivors of domestic violence. Part of the Resolve to Stop the Violence (RSVP) program (see Exhibit 18)
Treatment on Demand	Provides substance abuse counseling and case management services. Part of the Roads to Recovery program (see Exhibit 18).
Women's Re-Entry Center (WRC)	Provides counseling and a wide variety of services to women, including: education, vocational training, domestic violence interventions, parenting and family services, anti-violence programming, substance abuse programs and other transitional services.

SOURCE: Sheriff’s Department

Replacement Jail Program Needs

While the Sheriff’s Department already operates services that target a wide range of needs, a lack of program space and the inadequacy of program spaces are the primary constraints on the Department’s programs. The Department wishes to address these issues by ensuring the Replacement Jail includes program space comparable to County Jail #5, which has more program space than is currently available at County Jails #3 and #4.



Repurposed program/education space in County Jail #3 (left) and County Jail #4 (right).



Program/education space in County Jail #5.

Lack of Program Space

While classrooms, multi-use spaces, gymnasiums, and interview rooms are in high demand throughout the county jail system, there are few of these spaces at County Jails #3 and #4. In County Jail #3, a property room and two holding cells are repurposed into program spaces when needed, while in County Jail #4 the only program space available is a conference room that is also used for other purposes. In a few cases, services are brought directly to inmates in housing units, but otherwise no space is available for programs.

As a result, the program offerings in County Jails #3 and #4 are limited in quantity and in the number of inmates that can be accommodated. The Controller's Office reviewed current program schedules for each facility and interviewed Sheriff's Department staff to determine the availability of programming. County Jails #3 and #4 offer between 9 and 10 hours of programming each week, while program pods in County Jails #2 and #5 offer between 20 and 52 hours of programming each week (see Appendix C for details).¹⁵ One consequence of these limitations is that 5 Keys Charter High School currently offers only independent study courses in these jails, though the Sheriff's Department would like to offer more in-class instruction. Group instruction would provide inmates the opportunity to learn from and with each other while practicing the pro-social skills promoted by jail programs.

While the dayroom spaces in County Jail #5 have been adequate for programs such as Resolve to Stop the Violence, the Sheriff's Department reports that these spaces are not adequate for all programming. As a result, the Sheriff's deputies must move approximately 240 inmates four times a day to program spaces and classrooms throughout County Jail #5. The use of shared program spaces is complicated by the need to separate rival gangs and other classifications that cannot be mixed. As a result, these program spaces cannot be used by the same groups at once.

¹⁵ County Jail #1 is an intake and release center and does not provide programming. County Jail #6 is currently closed.

Inadequacy of Existing Spaces

While the Sheriff's Department has adapted a variety of spaces for program use, in some cases the Department's facilities are ill-equipped for program activities. In County Jails #3 and #4, program spaces are difficult to supervise because there are few lines of sight into these rooms. Throughout the county jail system, program staff have also indicated that more spaces need to be properly equipped with outlets, projectors, computers, and internet access to facilitate in-custody programs. More specialized types of rooms are also requested by program staff, such as interview rooms for therapeutic sessions, conference rooms, rooms appropriate for parent-child visitation, and a space to conduct a 5 Keys Charter High School graduation ceremony (the police auditorium currently used for this ceremony will be demolished with the rest of the Hall of Justice).

The lack of in-jail office space, conference room space, and staff bathrooms further complicate the ability of community-based organizations (CBOs) and Sheriff's Department staff to develop curricula, manage programs, store materials, and communicate amongst each other. Currently, Department and CBO staff based at 70 Oak Grove must transport all materials to and from the jails for programs and classes. Additionally, inmates leaving custody must be transported to 70 Oak Grove to receive an exit orientation and to meet with probation officers.

Gaps in Program Offerings and Management

In addition to expanding program space in the new jail to a higher level than currently exists in county Jails #3 and #4, the Sheriff's Department wishes to ensure its program space is flexible and adaptable as programs evolve to meet inmate needs. In particular, the Department hopes to expand its vocational programming, which could require the use of outdoor space or indoor space different from a traditional classroom design. Across all types of programs, the Department also seeks to increase its use of evidence based programming and the number of programs available to inmates in evening hours. Areas for future growth include:

- Vocational training programs, including new culinary skills training programs for women at County Jail #2, a horticultural program, and bicycle repair.
- Additional alternatives to incarceration targeted to women.
- Tracking of inmate program completion to provide appropriate programs for inmates returning to custody.
- Improved case management across pre- and post-release services.
- Expanded post-release offerings to accommodate immediate re-entry needs, such as food, shelter, and health care.
- Mental healthcare services and programs, as the Department expects the population of inmates with mental health needs to increase.
- Monolingual education and programs for non-English speakers.
- Gang dropout services including tattoo removal, family reunification, and other related needs.

Strategic planning to address these needs remains a work in progress. In FY2008-09, the Department put forth open-ended requests for proposals from community partners for curricula to meet the needs of the Department's diverse population. More recently, the Department formed a working group to identify program needs. As the Sheriff's Department begins using the Correctional Offender Management Profiling and Alternative Sanctions (COMPAS)¹⁶ assessment tool to determine the criminogenic needs of inmates, this individualized information can be used to direct inmates to the most suitable programs and support strategic planning of program offerings.

¹⁶ In a 2009 fact sheet, the California Department of Corrections and Rehabilitation described COMPAS as a "research-based, risk and needs assessment tool for criminal justice practitioners to assist them in the placement, supervision, and case management of offenders in community and secure settings."

Standards Compliance

BSCC Biennial Inspection. In its 2008 biennial inspection, the BSCC’s primary recommendations were to (1) clarify the policies and procedures manual, (2) increase staffing to an acceptable level from the 2006 review, and (3) improve communication amongst the custody, medical, and mental health staff. In the most recent biennial inspection in 2010, the policies and procedures were properly updated to meet the Title 15 Standards, staffing was deemed appropriate, and the communication amongst the custody, medical, and mental health staff improved as evidenced by a significant reduction in inmate medical grievances.¹⁷

Health and Fire Inspections. All six county jails have completed a required fire and life inspection as well as a local health inspection related to environmental health, nutritional health, and medical/mental health. The table below provides the most recent health and fire inspection completion dates:

Exhibit 20: Inspection Dates

Facility	Environmental Health	Nutritional Health	Medical/Mental Health	Fire & Life Safety ^a	Fire Clearance
CJ #1	4/17/13	4/23/13	2/27/13	8/14/12	Yes
CJ #2	4/17/13	4/23/13	2/27/13	8/14/12	Yes
CJ #3	4/17/13	4/23/13	2/27/13	8/14/12	Yes
CJ #4	4/17/13	4/23/13	2/27/13	8/14/12	Yes
CJ #5	4/18/13	3/22/13	3/6/13	8/14/12	Yes
CJ #6	4/18/13	3/22/13	3/6/13	8/14/12	Yes

^aFire and Life Safety inspections are biennial.

In the 2012 review, no deficiencies were noted in the nutritional health review and only minor deficiencies were noted in the environmental and medical/mental health review. Those deficiencies were immediately corrected, repair work was approved and scheduled, and required policy changes planned. All facilities received a fire inspection and all were granted fire clearance. County Jail #2 had minor deficiencies that have since been corrected.

As illustrated above, the San Francisco Sheriff’s Department ensures compliance with local, state, and federal laws and standards through the use of detailed and enforced policies and procedures, independent third-party audits and inspections, and follow-through on audits and inspection recommendations.

¹⁷ At the time this report was prepared, 2012 biennial inspection results were not yet available.

Record Keeping

The San Francisco Sheriff's Department complies with all record retention, storage, and destruction laws and guidelines at the local, state, and federal levels. In its most recent biennial inspection (2010), BSCC found the Department to be in full compliance of all recordkeeping and related training for employees per Title 15 of the California Code of Regulations.

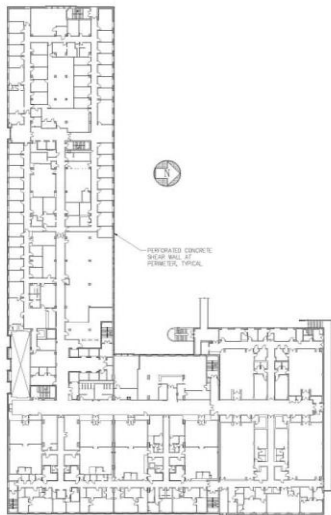
Furthermore, the Sheriff's Department has partnered with the San Francisco Department of Technology, the Mayor's Office, and the Committee on Information Technology to identify funding to upgrade and replace aging network equipment linking together county jails, the inmate Hospital Ward, and Sheriff's Department satellite offices. The network is a vital part of the City's criminal justice system, as the Sheriff's case management system houses information on all criminal defendants. The data from this system is used to create the court schedule for incarcerated criminal defendants for court appearances. The network also provides the Sheriff's Department's users with statewide criminal justice system information consisting of warrant and criminal history information. If this system is breached or becomes inoperative, the booking jail must close until the system can be restored, as no jail processing can occur without these critical connections in place. A shutdown would have a significant downstream impact on public protection.

This proactive approach by the Department will (1) result in significantly reducing the risk of intrusion or network failure, (2) allow for network redundancy in mission critical areas such as booking and the Warrant Bureau to ensure that essential services are not interrupted, (3) allow Sheriff's information technology staff to detect tampering or attempted intrusion, and (4) increase productivity and data sharing within the department and between its criminal justice partners by using City-standardized network architecture. The Sheriff's Department expects this new, modern infrastructure will be in place by October 2014. It will provide an added layer of assurance that records are maintained and safeguarded according to department, local, state, and federal standards.

APPENDIX A: Summary of Seismic Evaluation

The summary below was produced and provided by the Department of Public Works, Infrastructure Design & Construction, Structural Section.

SEISMIC EVALUATION SUMMARY



Facility: Hall of Justice
 Address: 850 Bryant, San Francisco, CA 94103
 Year Constructed: 1958
 Year Retrofitted: Not been retrofitted
 Total Footprint: 610,000 sq ft
 No. of Stories Above Ground: 7
 No. of Levels Below Ground: 1
 Maximum Occupancy: 3,027
 Function: Offices for SFPD, Medical Examiners, and District Attorneys, Superior Courts, County Jails.

Site Assessment
 Soils: Dense sand over stiff silt over dense silty and clayey sands, stiff clays

Landslide: Low	Fault Rupture: Low
Liquefaction: Low	Shaking Intensity: Strong
Settlement: Low	Adjacent Hazards: None

Building Performance at 10%/50 Year Earthquake SHR: 3
 Collapse Potential: Moderately Low
 Safety Hazard: Moderately High

Building Description: 7-story L-shaped reinforced concrete building with full-story basement. Floors constructed of concrete tube slabs. Slabs are supported on perforated concrete bearing walls at the perimeter and square concrete columns on the interior. The foundation system consists of concrete step tapered piles. The lateral system comprises perforated concrete shear walls. A two-story addition on top of the coroner's office at the north wing was constructed circa 1979.

Structural Condition: Generally good.

Structural Deficiencies: Significant torsional behavior due to building geometry; concrete piers, walls, and floor slabs are severely overstressed; diaphragm discontinuities; lack of adequate ties and collectors throughout the building, particularly at the re-entrant corner; geometric and vertical irregularities of concrete shear walls; inadequacy of the existing foundation system to resist wall overturning; lack of redundancy; shear walls do not have boundary elements with confining reinforcement; the coupling beams in the perforated shear walls do not have adequate anchorage.

Non-structural Deficiencies: Tall, narrow storage racks, bookcases, file cabinets, or similar heavy items are not anchored to the floor slab or adjacent walls; cabinet drawers do not have latches to keep them closed during shaking; breakable items stored on shelves and laboratory chemicals in breakable containers are not restrained from falling by latched doors, shelf lips, wires, or other methods; gas cylinders are not restrained against motion; window glazings along the building perimeter are not tempered.

Expected Building Performance at 10%/50 Year Earthquake: The stated deficiencies will contribute to poor building performance during a major earthquake. The building was found to be highly vulnerable to severe structural and non-structural damage. Significant cracking of the wall piers and floor diaphragms is likely to occur. As a result of the torsional behavior and severe structural damage, vertical load bearing columns may be damaged along with interior partitions. Large inelastic displacement of the west end of the building is possible due to the lack of lateral capacity coupled with inadequate diaphragm chord capacity at the re-entrant corner. Because the building is relatively well-detailed, it is judged that collapse of the building is unlikely. However, the expected structural and non-structural damage would be very severe and pose appreciable life hazards to occupants. The building is likely to have to be vacated during repairs, or possibly not repairable.

APPENDIX B: Jail Bed Needs by Classification and Gender

County Jails #3 and #4: Breakdown by Classification and Gender

Classification	Male	Female
Minimum	3%	0%
Medium	30%	0%
Maximum	67%	0%

County Jails #3 and #4 Only

Moderate Jail Bed Need: 481

Classification	Male	Female
Minimum	13	0
Medium	146	0
Maximum	322	0

Conservative Jail Bed Need: 688

Classification	Male	Female
Minimum	18	0
Medium	209	0
Maximum	461	0

All Jails: Breakdown by Classification and Gender

Classification	Male	Female
Minimum	5%	1%
Medium	34%	4%
Maximum	52%	4%

All County Jails

Moderate Jail Bed Need: 2,091

Classification	Male	Female
Minimum	98	24
Medium	704	85
Maximum	1,093	87

Conservative Jail Bed Need: 2,298

Classification	Male	Female
Minimum	108	26
Medium	773	94
Maximum	1,201	95

APPENDIX C: Weekly Hours of Programming Offered by Jail and Pod

Jail	In-Custody Program Pods ^a	Hours of Programming ^b
2	Women's Intake	20
	Sisters in Sober Treatment Empowered in Recovery (S.I.S.T.E.R.S.)	29
	Re-Entry	52
3	Miscellaneous	8.75
4	Miscellaneous	10
5	Resolve to Stop the Violence (RSVP)	26
	Community of Veterans Engaged in Restoration (C.O.V.E.R.)	22
	Roads to Recovery	27
	Keys to Changes & 5 Keys Charter School	28
	Psychologically Sheltered Living Unit	25

SOURCE: Sheriff's Department

^a For program descriptions, please see Exhibit 18.

^b Methodology:

- To preserve comparability, religious programming, Title 15 exercise, meals, visiting and weekend program hours were excluded;
- Not all programming is mandatory, and an inmate may not be eligible to participate in every available hour of programming provided;
- Where two program activities occur at the same time, hours for both activities are included in this table;
- Meetings that occur biweekly are represented as half-time;
- Calculation based on program schedules for time periods between February and March 2013. These schedules may change from week to week.