

File No. 170270

Committee Item No. 4  
Board Item No. 13

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Sub-Committee

Date April 6, 2017

Board of Supervisors Meeting

Date April 18, 2017

**Cmte Board**

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

**OTHER** (Use back side if additional space is needed)

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Completed by: Linda Wong Date March 30, 2017  
Completed by: Linda Wong Date April 12, 2017

1 [Renovation of County Jail No. 2 - Supplemental Information for State Funding Application]

2  
3 **Resolution designating the construction administrator, financial officer, and project**  
4 **contact person for a proposed project to renovate County Jail No. 2; confirming the fair**  
5 **market land value of \$6,000,000 for County Jail No. 2; and conditionally assuring the**  
6 **staffing, operation and continued ownership of County Jail No. 2.**

7  
8 WHEREAS, Under Senate Bill 844, Chapter 34, Statutes of 2016 ("SB 844"), the State  
9 of California authorized the California State Public Works Board to issue up to \$270,000,000  
10 in lease revenue bonds, notes, or bond anticipation notes to finance the acquisition, design,  
11 renovation, and construction of approved adult local criminal justice facilities; and

12 WHEREAS, Under Resolution No. 42-17, adopted by this Board of Supervisors on  
13 February 14, 2017, a copy of which is on file with the Clerk of the Board of Supervisors in File  
14 No. 170270, the City and County of San Francisco ("County") was authorized to apply for SB  
15 844 funding to renovate County Jail No. 2, which is located at 425 Seventh Street (the  
16 "Proposed Renovation Project"); and

17 WHEREAS, The County determined on January 10, 2017 that the Proposed  
18 Renovation Project is exempt from environmental review as a Class 1 categorical exemption  
19 under the California Environmental Quality Act, this Board of Supervisors affirmed that  
20 determination in its Resolution No. 42-17, and the additional information included in this  
21 Resolution does not change that determination; and

22 WHEREAS, County submitted an updated application for SB 844 funding for the  
23 Proposed Renovation Project with the Board of State and Community Corrections on March  
24 10, 2017, a copy of which is on file with the Clerk of the Board of Supervisors in File No.  
25 170270 ("Application"); and

1           WHEREAS, The Application must include a resolution adopted by the this Board of  
2 Supervisors with the names, titles, and positions of certain County staff managing the  
3 Proposed Renovation Project; and

4           WHEREAS, County's construction administrator for the Proposed Renovation Project  
5 will be Jumoke Akin-Taylor, Project Manager for San Francisco Public Works ("SFPW"),  
6 Building Design & Construction - Project Management, or any other person designated by the  
7 Director of SFPW, County's financial officer for Proposed Renovation Project will be Crispin  
8 Hollings, Chief Financial Officer of County's Sheriff's Department, or any other person  
9 designated by County's Sheriff, and County's project contact person for the Proposed  
10 Renovation Project will be Jumoke Akin-Taylor, Project Manager for SFPW, Building Design &  
11 Construction - Project Management, or any other person designated by the Director of SFPW;  
12 and

13           WHEREAS, The Application must include a resolution adopted by this Board of  
14 Supervisors regarding the ownership and fair market value of County Jail No. 2, which is  
15 owned in fee simple by County, and County's Director of Property has determined the fair  
16 market value land value of County Jail No. 2 is \$6,000,000, and a copy of such determination  
17 is on file with the Clerk of the Board of Supervisors in File No. 170270; and

18           WHEREAS, If County is awarded, and this Board of Supervisors accepts and  
19 appropriates, SB 844 financing for the Proposed Renovation Project and this Board of  
20 Supervisors approves the contract for the design of the Proposed Renovation Project if such  
21 contract is for more than \$10,000,000 (the "Acceptance Conditions"), County would need to  
22 provide a matching County contribution of \$8,200,000 ("County's Cash Contribution") and  
23 fund the additional \$3,800,000 ("Additional Contribution") needed to fully fund the Proposed  
24 Renovation Project; and  
25

1           WHEREAS, Resolution No. 42-17 authorizes the Controller's Director of Public Finance  
2 to cause the issuance of not more than \$12,000,000 of County's commercial paper to fund  
3 costs for the Proposed Renovation Project on an interim basis; and

4           WHEREAS, If the Acceptance Conditions are met, the SB 844 funding awarded for the  
5 Proposed Renovation Project would be secured by a Ground Lease, Site Lease, Facility  
6 Lease, and a Facility Sublease for Jail No. 2 (collectively, the "Financing Documents") in  
7 substantially the forms on file with the Clerk of the Board of Supervisors in File No. 170065;  
8 and

9           WHEREAS, To qualify for a funding preference, the Application must include a  
10 resolution adopted by this Board of Supervisors that provides assurance of the compatibility of  
11 County's Cash Contribution with the SB 844 funding; and

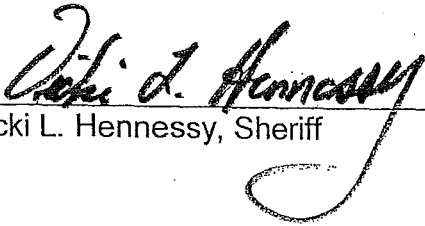
12           WHEREAS, The Application must include a resolution adopted by this Board of  
13 Supervisors that provides assurance regarding the staffing, operation, and ownership of Jail  
14 No. 2 if the Acceptance Conditions are met; now therefore be it

15           RESOLVED, County's Cash Contribution and Additional Contribution shall be  
16 compatible with the lease revenue financing that funds any SB 844 funds awarded to and  
17 accepted by County for the Proposed Renovation Project; and, be it

18           FURTHER RESOLVED, That if the Acceptance Conditions are met, County (i) will fully  
19 and safely staff and operate Jail No. 2 within 90 days after substantial completion of  
20 construction of the Proposed Renovation Project, and (ii) will not, for so long as the lease-  
21 revenue bonds secured by the Financing Documents remain outstanding, dispose of, modify  
22 the use of, or change the terms of the real property title or other interest in Jail No. 2, or lease  
23 the portion of Jail No. 2 subject to the Financing Documents, to any other public or private  
24 entity without permission and instructions for such action from the Board of State and  
25 Community Corrections.

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RECOMMENDED BY:

  
Vicki L. Hennessy, Sheriff



**SENATE BILL 844, ADULT LOCAL  
CRIMINAL JUSTICE FACILITIES  
CONSTRUCTION FINANCING PROGRAM  
PROPOSAL FORM**

*This document is not to be reformatted.*

**SECTION 1: PROJECT INFORMATION**

<b>A. APPLICANT INFORMATION AND PROPOSAL TYPE</b>				
COUNTY NAME San Francisco		STATE FINANCING REQUESTED \$ 70,000,000		
SMALL COUNTY (Below 200,000 GENERAL COUNTY POPULATION) <input type="checkbox"/>	MEDIUM COUNTY (200,000 - 700,000 GENERAL COUNTY POPULATION) <input type="checkbox"/>	LARGE COUNTY (700,001 + GENERAL COUNTY POPULATION) <input checked="" type="checkbox"/>		
TYPE OF PROPOSAL – INDIVIDUAL COUNTY FACILITY /REGIONAL FACILITY PLEASE CHECK ONE (ONLY): INDIVIDUAL COUNTY FACILITY <input checked="" type="checkbox"/> REGIONAL FACILITY <input type="checkbox"/>				
<b>B. BRIEF PROJECT DESCRIPTION</b>				
FACILITY NAME 425 7th Street Facilities (County Jail #2)				
PROJECT DESCRIPTION Renovation of current County Jail #2. Improvements will be made to inmate housing that maximize facility safety/security and expand inmate programming and treatment services.				
STREET ADDRESS 425 7th Street				
CITY San Francisco		STATE CA	ZIP CODE 94013	
<b>C. SCOPE OF WORK – INDICATE FACILITY TYPE AND CHECK ALL BOXES THAT APPLY.</b>				
FACILITY TYPE (II, III or IV) II	<input type="checkbox"/> NEW STAND-ALONE FACILITY	<input checked="" type="checkbox"/> RENOVATION/ REMODELING	<input type="checkbox"/> CONSTRUCTING BEDS OR OTHER SPACE AT EXISTING FACILITY	
<b>D. BEDS CONSTRUCTED – Provide the number of BSCC-rated beds and non-rated special use beds that will be subject to construction as a result of the project, whether remodel/renovation or new construction.</b>				
	A. MINIMUM SECURITY BEDS	B. MEDIUM SECURITY BEDS	C. MAXIMUM SECURITY BEDS	D. SPECIAL USE BEDS
Number of beds constructed, remeodeled			48	
TOTAL BEDS (A+B+C+D)	48	E. BEDS REMOVED/ DECOMMISSIONED		F. NET BEDS AFTER COMPLETED PROJECT
				48

**E. APPLICANT'S AGREEMENT**

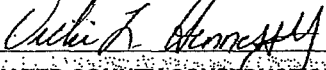
By signing this application, the authorized person assures that: a) the County will abide by the laws, regulations, policies, and procedures governing this financing program; and, b) certifies that the information contained in this proposal form, budget, narrative, and attachments is true and correct to the best of his/her knowledge.

**PERSON AUTHORIZED TO SIGN AGREEMENT**

NAME Vicki Hennessy

TITLE Sheriff

AUTHORIZED PERSON'S SIGNATURE



DATE

2/23/17

**F. DESIGNATED COUNTY CONSTRUCTION ADMINISTRATOR**

This person shall be responsible to oversee construction and administer the state/county agreements. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.)

**COUNTY CONSTRUCTION ADMINISTRATOR**

NAME Jumoke Akin-Taylor

TITLE Project Manager

DEPARTMENT

San Francisco Public Works

TELEPHONE NUMBER

(415) 557-4751

STREET ADDRESS

30 Van Ness Street, Suite 4100

CITY

San Francisco

STATE

CA

ZIP CODE

94102

E-MAIL ADDRESS

jumoke.akin-taylor@sfdpw.org

**G. DESIGNATED PROJECT FINANCIAL OFFICER**

This person is responsible for all financial and accounting project related activities. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.)

**PROJECT FINANCIAL OFFICER**

NAME Crispin Hollings

TITLE Chief Financial Officer

DEPARTMENT

Sheriff's Department

TELEPHONE NUMBER

(415) 554-4316

STREET ADDRESS

1 Dr. Carlton B. Goodlett Pl; City Hall, Rm. 456

CITY

San Francisco

STATE

CA

ZIP CODE

94102

E-MAIL ADDRESS

crispin.hollings@sfgov.org

**H. DESIGNATED PROJECT CONTACT PERSON**

This person is responsible for project coordination and day-to-day liaison work with the BSCC. (Must be county staff, not a consultant or contractor, and must be identified in the Board of Supervisors' resolution.)

**PROJECT CONTACT PERSON**

NAME Jumoke Akin-Taylor

TITLE Project Manager

DEPARTMENT

San Francisco Public Works

TELEPHONE NUMBER

(415) 557-4751

STREET ADDRESS

30 Van Ness Street, Suite 4100

CITY

San Francisco

STATE

CA

ZIP CODE

94102

E-MAIL ADDRESS

jumoke.akin-taylor@sfdpw.org

## SECTION 2: BUDGET SUMMARY

### Under 200,000 Population County Petition for Reduction in Contribution

- By checking this box the county hereby petitions for a contribution reduction request as reflected in the proposal budget.

A. Readiness to Proceed Preference

- This proposal includes a Board of Supervisors' Resolution that is attached and includes language that assures funding is available and compatible with state's lease revenue bond financing.

B. California Environmental Quality Act (CEQA) compliance

Has the county completed the CEQA compliance for the project site?

- Yes. If so, include documentation evidencing the completion (preference points).
- No. If no, describe the status of the CEQA certification.

C. Agreement Not to Lease Beds if Increasing County Capacity

- Yes. The County agrees that if the project results in a net increase in rated beds, the County will not lease capacity in the SB 844 financed adult local criminal justice facility to any other public or private entity for a period of 10 years beyond the completion date of the adult local criminal justice facility. The County further agrees to certify and covenant in writing to this requirement in future agreements as provided by the BSCC and/or SPWB.
- No. (Project not eligible for SB844 funding)



D. Budget Summary Table (Report to Nearest \$1,000)

LINE ITEM	STATE REIMBURSED	CASH CONTRIBUTION	IN-KIND CONTRIBUTION	TOTAL
1. Construction	\$62,000,000	\$5,600,000		\$67,600,000
2. Additional Eligible Costs				
3. Architectural	\$5,400,000	\$1,100,000		\$6,500,000
4. Project/Construction Management	\$2,600,000	\$3,271,000		\$5,871,000
5. CEQA		\$10,000		\$10,000
6. State Agency Fees		\$932,000		\$932,000
7. Audit			\$165,000	\$165,000
8. Needs Assessment				
9. Transition Planning			\$600,000	\$600,000
10. County Administration			\$322,000	\$322,000
11. Land Value				
<b>TOTAL PROJECT COSTS</b>	<b>\$70,000,000</b>	<b>\$10,913,000</b>	<b>1,087,000</b>	<b>\$82,000,000</b>
<b>PERCENT OF TOTAL</b>	<b>85.4%</b>	<b>13.3%</b>	<b>1.3%</b>	<b>100.00%</b>

1. **Construction (includes fixed equipment and furnishings) (state reimbursement/cash match):** The total construction budget estimate of \$67.6 million is based on historical data from similar capital projects and was prepared by a professional cost estimating consultant in collaboration with San Francisco Public Works.
2. **Additional Eligible Costs (specified allowable fees, moveable equipment and furnishings, and public art)**
  - a) Define each allowable fee types and the cost of each: N/A
  - b) Moveable equipment and moveable furnishings total amount: N/A
  - c) Public art total amount: N/A
3. **Architectural(state reimbursement/cash match):**
  - a) Describe the county's current stage in the architectural process: The City has worked with consultants to develop a conceptual scope for this project to apply for SB 844 funding.
  - b) Given the approval requirements of the State Public Works Board (SPWB) and associated state reimbursement parameters (see "State Lease Revenue Bond Financing" section in the RFP), define which portions/phases of the architectural services the county intends to seek state dollar reimbursement: The estimated cost for architectural services is approximately \$6.5 million. The City intends to seek reimbursement for the design development, construction/contract documents and construction administration phases, which will occur after project establishment. San Francisco Public Works developed the budget for architectural services using industry standard rates and leading practices for architectural and engineering services for projects with a similar size and scope.
  - c) Define the budgeted amount for what is described in b) above: The City intends to seek reimbursement for \$5.4 million of the \$6.5 million budgeted for architectural services.
  - d) Define which portion/phases of the architectural services the county intends to cover with county contribution dollars: The City will cover costs associated with program verification and schematic design, which occur before SPWB establishment of project scope.  
Define the budgeted amount for what is described in d) above: The City will contribute \$1.1 million to cover costs described in d) above.
4. **Project/Construction Management - Describe which portions/phases of the construction management services the county intends to claim as:**
  - a) **Cash:** The City intends to contribute approximately \$3.3 million in cash, which will fund project management services. The City will seek state reimbursement to fund construction management services. San Francisco Public Works developed this budget based on historical data from capital projects of a similar size.
  - b) **In-Kind:** N/A
5. **CEQA – may be state reimbursement (consultant or contractor) or cash match:** CEQA approval has been completed for this project and the City is not seeking

reimbursement for the \$10,000 cost.

6. **State Agency Fees – Counties should consider approximate costs for the SFM review which may be county cash contribution (match). \$16,000 for the due diligence costs which may be county cash contribution (match) or state reimbursement.** San Francisco Public Works estimated these costs at \$932,000 using historical data and the fee structures published by state agencies and other authorities with review jurisdiction. This estimate includes \$16,000 for real estate due diligence. The City is not seeking reimbursement for these costs.
7. **Audit of Grant - Define whether the county is intending to use independent county auditor (in-kind) or services of contracted auditor (cash) and amount budgeted:** San Francisco Public Works' standard policy is to estimate audit costs as 0.2 percent of the total project cost. The audit will be provided in house by the City's Office of the Controller. The City is not seeking reimbursement for these costs.
8. **Needs Assessment - Define work performed by county staff (in-kind), define hired contracted staff services specifically for the development of the needs assessment (cash match):** The City engaged a consultant to prepare one of the two jail population studies that formed the basis for the needs assessment prepared by the City's Office of the Controller. The City has not included costs associated with the development of the needs assessment in the project budget.
9. **Transition Planning – Define work performed by county staff (in-kind), define the staff hired specifically for the proposed project (cash match):** The City plans to hire a staff person to act as the Sheriff's Department liaison for the project and assist with transition planning. Over the life of the project, this staff person's salary will total approximately \$600,000; this estimate is based on salaries for similar positions in the City. The City is not seeking reimbursement for this in-kind contribution.
10. **County Administration – Define the county staff salaries/benefits directly associated with the proposed project.** The City estimated administration costs based on the salaries and benefits of already existing staff members that will be involved in project administration. The City is not seeking reimbursement for costs associated with administrative services.
11. **Site Acquisition - Describe the cost or current fair market value (in-kind):**  
N/A. The project is a renovation of an existing facility owned by the City.

### SECTION 3: PROJECT TIMETABLE

KEY EVENTS	START DATES	COMPLETION DATES	COMMENTS
Site assurance/comparable long-term possession <u>within 90 days of award</u>			N/A – Renovation of existing facility owned by City.
Real estate due diligence package submitted <u>within 120 days of award</u>			N/A – Renovation of existing facility owned by City.
SPWB meeting – Project established <u>within 18 months of award</u>	5/23/2018	9/11/2018	
Schematic Design with Operational Program Statement <u>within 24 months of award</u> (design-bid-build projects)	11/7/2018	2/12/2019	
Performance criteria with Operational Program Statement <u>within 30 months of award</u> (design-build projects)			N/A – Not a design build project
Design Development (preliminary drawings) with Staffing Plan	12/12/2018	4/30/2019	
Staffing/Operating Cost Analysis approved by the Board of Supervisors	12/12/2018	4/30/2019	
Construction Documents (working drawings)	5/1/2019	9/11/2019	
Construction Bids or Design-Build Solicitation	9/12/2019	4/30/2020	
Notice to Proceed <u>within 42 months of award</u>	2/7/2020	7/23/2020	
Construction (maximum three years to complete)	8/7/2020	08/20/2022	
Staffing/Occupancy <u>within 90 days of completion</u>	08/21/2022	11/15/2022	

## SECTION 4: FACT SHEET<sup>1</sup>

**Table 1: Provide the following information**

1.	County general population	852,469
2.	Number of detention facilities	6
3.	BSCC-rated capacity of jail system (multiple facilities)	2,360
4.	ADP (Secure Detention) of system	1,319
5.	ADP (Alternatives to Detention) of system	929
6.	Percentage felony inmates of system	94.4%
7.	Percentage non-sentenced inmates of system (this is not for the pretrial information that is requested in the rating criteria Section 5)	84.5%
8.	Arrests per month	3,348 <sup>2</sup>
9.	Bookings per month of system	1,523
10.	“Lack of Space” releases per month	0

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

	Facility Name	RC	ADP
1.	County Jail #1 (intake and release – no beds)	N/A	19
2.	County Jail #2 (combination of dorm and cell beds)	392	260
3.	County Jail #3 (To be replaced – linear design; seismically deficient)	426	Jail Closed
4.	County Jail #4 (To be replaced – linear design; seismically deficient)	402	350
5.	County Jail #5	768	678
6.	County Jail #6 (minimum security housing)	372	Jail Closed
7.	San Francisco General Hospital (Ward 7D/7L)	N/A	7

**Table 3: List of the offender assessments used for determining programming**

	Assessment tools	Assessments per Month
1.	Pre-trial Risk Assessment Tool (Pre-Trial Diversion)	594.
2.	Internal Screening Process (San Francisco Sheriff Department)	1,059

<sup>1</sup> Unless otherwise indicated, the data for the tables included in this section came from the San Francisco Sheriff Department's internal Jail Management Database.

<sup>2</sup> Data source: California Department of Justice, Criminal Justice Statistics Center

## SECTION 5: NARRATIVE

### 1. Statement of Need:

The City and County of San Francisco (the "City") seeks SB 844 financing to renovate one of its current facilities (County Jail #2) to re-house up to 48 inmates currently residing in County Jail #4, a seismically unsafe facility that lacks adequate program and treatment space. The proposed renovations will ensure that County Jail #2: (1) is seismically safe; (2) provides safe podular housing for up to 48 high-security and mentally ill inmates currently housed in County Jail #4; (3) includes improved space for visits with family and friends; and (4) includes additional flexible program and treatment space to meet the needs of inmates moved to County Jail #2 and those that must remain in County Jail #4 for the near term. The City did not receive AB 900, SB 1022, or SB 863 funding.

County Jail #4 is located in the City's Hall of Justice. County Jail #3 is also located in the Hall of Justice and is currently closed. The City originally planned to replace County Jails #3 and #4 with a new Rehabilitation and Detention Facility (RDF) and submitted a proposal for SB 863 funding based on this plan. However, members of San Francisco's community voiced strong opposition to the construction of the RDF, and the City's Board of Supervisors ultimately decided not to pursue the project. Instead, the Board of Supervisors convened a work group of City and community leaders to plan for the permanent closure of County Jails #3 and #4. The work group recommended many strategies including the renovation of County Jail #2. It is for this reason that the City is now pursuing the renovation project described herein. The City

plans to renovate County Jail #2 to provide safe housing, programming, and treatment for up to 48 inmates currently located in County Jail #4.

The reasons why the City needs to permanently close County Jails #3 and #4 are described in detail below:

### **County Jails #3 and #4**

The City's need to replace County Jails #3 and #4 is imperative. According to the BSCC's most recent biennial inspection, the "aged design [of County Jails #3 and #4] is not conducive to safety, programming, or efficiencies in jail operation overall."<sup>3</sup> The County Jail Needs Assessment (Appendix C) echoes these concerns.<sup>4</sup> The City cannot safely house inmates or provide robust programming and treatment to inmates at County Jails #3 and #4 for the following reasons:

**Seismic deficiencies.** County Jails #3 and #4 are located in the City's Hall of Justice, a building with a Seismic Hazard Rating (SHR) of three (i.e., seismically deficient).<sup>5</sup> The U.S. Geological Survey predicts a 63 percent probability of at least one magnitude 6.7 or greater earthquake in the three-decade interval of 2007-2036 within the San Francisco Bay Area.<sup>6</sup> The City is in the process of relocating all departments from the Hall of Justice. The Sheriff's Department closed County Jail #3 in 2013 to

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<sup>3</sup> 2012-2014 Biennial Inspection, Board of State and Community Corrections, p 9.

<sup>4</sup> See the "Weaknesses in County Jails #3 and #4" (p. 16) section of the Jail Needs Assessment.

<sup>5</sup> County Jail Needs Assessment (Appendix C)

<sup>6</sup> 2008 Uniform California Earthquake Rupture Forecast Fact Sheet, U.S. Geological Survey.

begin the inmate relocation process. However, the City does not have a suitable alternative location to house the high-security and mentally ill inmates currently housed in County Jail #4. In the event of a serious earthquake, the inmates currently housed in County Jail #4 would face significant threat to their health and safety. Moreover, it is likely that inmates would lose access to in-custody programming and the City would bear significant financial cost if inmates had to be housed temporarily in a different facility due to structural damage at the Hall of Justice.

**Inefficient and unsafe linear design.** The 1950's era linear design of County Jails #3 and #4 leads to challenges in supervising inmates.<sup>7</sup> Deputies must walk the "main line" hallway between housing units to visually supervise inmates. Gaps of time between deputy supervision allow certain inmates to exercise authority over, and potentially harm or exploit, more vulnerable inmates.<sup>8</sup> The linear design also impedes the ability of Jail Health Services (JHS) to provide high quality care to inmates in need. Low visibility hinders suicide prevention efforts and does not help to dissuade inmates from engaging in verbal, physical, and sexual assaults.

**Lack of program space.** The program space in County Jails #3 and #4 is unsafe, outdated, and inadequate. There is very limited space for providing programming to inmates which results in only 20 percent of inmates participating in programming. Programs are held in rooms converted from holding cells and other spaces intended for different functions. For example, a property room will occasionally

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<sup>7</sup> See Appendix A for photos of housing units in County Jails #3 and #4 compared to the vision for County Jail #2.

<sup>8</sup> County Jail Needs Assessment, p 17 (Appendix C)



be converted into a classroom and two holding cells have been converted into program space. These spaces lack basic resources such as outlets, audio/visual wiring, and internet access. In some cases, services are brought directly to inmates in housing units, but otherwise there is no space available for programming. As a result, program offerings are limited both in quantity and in the number of inmates that can be accommodated.<sup>9</sup>

**Lack of appropriate housing.** The majority of the inmates living in County Jail #4 are housed in tanks that hold up to 12 inmates each. This housing configuration does not help to promote prosocial behavior or limit inmate-on-inmate violence.

County Jails #3 and #4 are also improper for housing mentally ill inmates. While the overall jail population is declining, the population of inmates with mental illness continues to increase: from 2005 to 2015, the number of beds for the mentally ill increased 30 percent despite a 26 percent decrease in the jail population. JHS is concerned that as this trend continues; there will be insufficient beds available to house mentally ill inmates. Moreover, there are not enough single and double bed cells in County Jails #3 and #4, which limits the Sheriff Department's ability to separate inmates as appropriate or accommodate inmates with special needs.

**Lack of appropriate treatment space.** Currently, County Jails #3 and #4 are ill-equipped to properly provide medical and mental health care to inmates. The infirmary is limited to one exam bed and offers little to no charting space for clinicians. Nurses use hallways to prepare inmates for clinical visits and medical staff must monitor

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<sup>9</sup> County Jail Needs Assessment, p 29 (Appendix C)

inmates placed in safety cells that are not located near the clinic.<sup>10</sup> In County Jail #4, the only space for group treatment is in a central area surrounded by six person cells and is not private enough to provide adequate treatment confidentiality. The lack of adequate treatment space results in inefficient care for patients.

**Limited visiting area.** County Jails #3 and #4 do not include ideal visiting spaces, making it difficult for families and friends to spend time with their loved ones in custody. The screened visiting rooms are dilapidated, noisy, and hot in the summer and cold in the winter. Inmate/child visitations take place in a converted shower room within the secure area of the jail, exposing children to the often unpleasant sights and sounds of the facility.

The City needs to renovate County Jails #2 to replace part of County Jail #4's high-security capacity. The reasons why are described in detail below:

### **County Jail #2**

The renovations described in the scope of work (starting on page 7) represent the changes that County Jail #2 will undergo to extend its useful life and provide replacement capacity for up to 48 high-security inmates currently housed in County Jail #4. The City cannot safely house high-security inmates or provide robust programming and treatment to inmates at County Jails #2 in its current state for the following reasons:

**Lack of appropriate housing.** County Jail #2 is not currently suitable to house the inmates residing in County Jail #4. County Jail #2 was originally designed and constructed as a work furlough facility with dormitory style beds and a commercial grade interior (including gypsum board separation walls, an acoustical ceiling, and surface-

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<sup>10</sup> County Jail Needs Assessment, pp 17-18 (Appendix C)

mounted light fixtures). For these reasons, County Jail #2 is only appropriate for housing low- to medium-security inmates, and the City's jail population has housed an increasing proportion of maximum-security inmates since 2008.<sup>11</sup>

**Lack of safety features.** The pods in County Jail #2 do not protect against suicide attempts in their current form (they are missing suicide barriers and appropriately configured shower stalls). The facility's security systems are also outdated and the facility will likely require additional egress routes and smoke evacuation systems to ensure the safety and security of those in its custody.

**Lack of secure programming space.** County Jail #2 currently includes multipurpose rooms in each pod, dayroom spaces in each pod, and a corridor for educational programming. These spaces are not appropriate for delivering programs to high-security inmates in their current form, nor are they adequate for delivering as many programs as are available to inmates housed in other City jail facilities.

**Lack of appropriate in-person visitation space.** County Jail #2 does not currently include adequate space for in-person visitation. Most of the facility's housing pods use a multipurpose room on the lower level for visits with family and friends. The rooms are noisy and it is hard for inmates and visitors to hear one another. In addition, there is an increased risk of exchange of contraband during visits since visits are not audio recorded and there is no screen separating inmates and visitors.

**Dilapidated building features.** County Jail #2's roof and HVAC systems are in need of repair. Rain water currently seeps into the facility and has damaged the jail's

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<sup>11</sup> Between 2008 and 2015, the proportion of San Francisco's inmates classified as maximum security increased from 46 percent to 59 percent.

electronic security systems. The HVAC systems do not currently provide proper air circulation throughout the facility. The facility's kitchen has been dormant since 2010 and is need of a complete remodel.

**2. Scope of Work:**

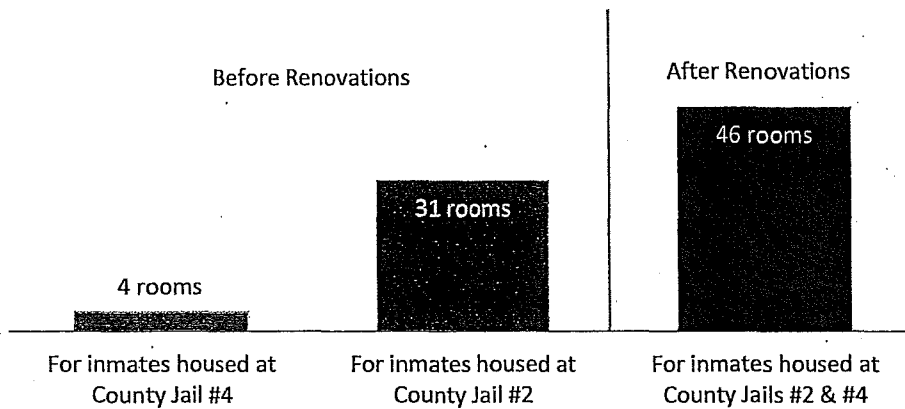
Unlike County Jails #3 and #4, County Jail #2 has six housing pods that allow for direct supervision. County Jail #2 also includes appropriate treatment space and some space for program delivery. However, County Jail #2's 466 (392 rated) open bay beds are not suitable for housing maximum security or mentally ill inmates. County Jail #2 also lacks space appropriate for in-person visitation and the wide variety of programs available to inmates located in the City's other jail facilities. During this first phase of renovations, the City intends to retrofit two pods in County Jail #2 (Pods A and D) to (1) house up to 48 high-security or mentally ill inmates currently located in the seismically deficient and dilapidated County Jail #4, (2) improve opportunities for in-person visitation at County Jail #2, and (3) provide more programming space at County Jail #2 for high-security inmates housed in County Jails #2 and #4.

The following figures demonstrate the ways in which County Jail #2 renovations will provide safer housing and more program and treatment space:

**Figure 1: Renovations will create safer housing for high-security inmates**

County Jail #2	Before Renovations		After Renovations	
	Upper Level Pod A	Upper Level Pod D	Upper Level Pod A	Upper Level Pod D
Open bay beds	24	24	0	0
Beds in double occupancy cells	0	0	24	24

**Figure 2: Renovations will provide access to more program space for high-security inmates<sup>12</sup>**



**Figure 3: Renovations will provide access to more treatment space for inmates transferred to County Jail #2**

	County Jails #3 & #4	County Jail #2	Difference
Holding Cells	4	11	+7
Exam Rooms	3	4	+1
Treatment Rooms	0	1	+1
Dental Rooms	0	1	+1
X-ray Rooms	0	1	+1
Lab Rooms	0	2	+2
Staff/Support Rooms	3	4	+1
<b>TOTAL</b>			
Rooms	10	24	+14

This first phase of County Jail #2 renovations will fulfill the needs described in Question 1 in the following ways:

**Seismic safety.** County Jail #2 will undergo selective structural strengthening to ensure it meets seismic safety requirements.

<sup>12</sup> Program space includes exercise areas, classrooms, multipurpose rooms, and vocational training rooms.

**Safe and efficient housing.** Unlike County Jails #3 and #4, County Jail #2 is a podular, direct-supervision housing unit. This design allows for greater visibility, and, thus, improves staff's ability to efficiently monitor inmates to ensure their safety. It also improves staff's ability to securely move inmates between sections of the facility.

For this project, two of County Jail #2's housing pods (Pods A and D) will undergo renovations to ensure the safety of the high-security and mentally ill inmates to be housed in the facility. These renovations include: replacing commercial grade elements with detention grade features, installing sally ports at pod entrances, installing mezzanine level barriers to prevent suicidal inmates from jumping over existing railings,<sup>13</sup> and installing classification separation barriers in open day rooms to separate inmates from those that have been deemed predatory or prone to being sexually abusive. These renovations will allow high-security inmates to spend more time outside of their cells in flexible recreation space; those housed in County Jail #4 lack access to this type of flexible space. In addition, the 48 open bay beds in both pods will be converted into double occupancy cells to create 48 beds appropriate for high-security or mentally ill inmates.

Moving up to 48 high-security inmates to County Jail #2 will not eliminate the need to keep County Jail #4 open in the near term. A jail population forecast conducted by the City's Office of the Controller in 2015 (Appendix C) indicates that County Jail #2 would need between 129 and 429 additional beds to replace County Jail #4. However, the City is in the process of implementing a series of strategies designed to reduce San

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<sup>13</sup> Budget permitting, the project scope may be enhanced to include the installation of additional mezzanine-level suicide barriers in Pods B, E, and F.

Francisco's jail population over time. If these strategies do not reduce the jail population sufficiently, the City may consider a second phase of this renovation project to create additional bed capacity for high-security and mentally ill inmates in County Jail #2.

**Sexual abuse mitigation.** The double occupancy cells planned for County Jail #2 will be safer than housing available at County Jail #4, as inmates are less likely to fall victim to sexual abuse when they live in smaller groups of similarly classified inmates and sleep in single or double occupancy cells. The Sheriff's Department is committed to ensuring that inmates are classified and housed appropriately to guard against sexual abuse<sup>14</sup>; the department has especially focused on protecting the transgender population from such trauma.

**Expanded and improved programming space.** As Figure 2 on page 8 suggests, there are currently more rooms available to conduct programs in County Jail #2 than in County Jail #4. Although County Jails #2 and #4 are located in adjacent buildings, inmates at County Jail #4 cannot access programming space in County Jail #2 because County Jail #2 is currently not appropriate for high-security inmates. The renovations as proposed will create a safer space for program delivery in County Jail #2

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<sup>14</sup> The Sheriff's Department is committed to compliance with the Prison Rape Elimination Act (PREA) and does not tolerate sexual abuse of any kind in its facilities. All uniformed personnel assigned to work in the jails receive PREA training and inmates are provided with information during orientation on how to protect themselves against sexual abuse. Posters in jail housing areas encourage inmates to report sexual abuse by alerting staff or calling the department's PREA hotline.

and expand the facility's available programming space by 1,500-3,000 square feet<sup>15</sup> to allow inmates at County Jail #2 (and those remaining in County Jail #4 for the near term) access to more of the programs delivered to inmates at other facilities. The project will also renovate County Jail #2's kitchen, which will allow inmates to participate in vocational training in the food service industry. The suicide barriers to be installed on the mezzanine levels of Pods A and D will also help to buffer sound and improve the environment for program delivery. Finally, the project will construct four ADA compliant beds to ensure that programmatic offerings are available to inmates with disabilities.

**Improved access to treatment space.** County Jail #2 currently includes a full service infirmary with exam and charting rooms, a dental suite, and a housing pod specifically designed to monitor and treat the mentally ill. This infirmary is far superior to the inadequate infirmary at County Jail #4. Those inmates that are relocated from County Jail #4 to a renovated County Jail #2 will benefit from access to these spaces. This project also includes the creation of a Psychiatric Sheltered Living Unit in one of the pods to enhance the delivery of treatment and therapeutic services to inmates housed at County Jail #2. See Figure 3 on page 8 for more information on treatment space comparisons between County Jails #3 and #4 and County Jail #2.

**Improved and expanded visiting area.** While inmates at County Jail #2 now receive the minimum number of visits required by state regulations, the Sheriff's

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<sup>15</sup> County Jail #2 was built with two open atriums that could be infilled to create this additional space. The current project scope includes the infill of one of these atriums for an additional 1,500 square feet of program space. Project budget constraints may not allow for the infill of the second 1,500 square foot atrium.



Department anticipates the ability to expand visiting opportunities as a result of this project. The project will expand available programming and multipurpose space in County Jail #2 by 1,500-3,000 square feet<sup>16</sup> and install screens to safely allow for face-to-face visits between visitors and inmates; these changes will create more opportunities for inmates to visit with families and friends during their time in custody.

**Building repairs.** To ensure the safe and efficient operation of County Jail #2, this project will partially repair the building's roof to prevent water leakage and replace the building's HVAC systems to ensure proper air flow throughout the facility.

### **3. Programming and Services:**

#### **Alternatives to Incarceration and Current In-Custody Programming**

The City has a strong record of decreasing the total number of incarcerated individuals in its custody by providing three types of programming: alternatives to incarceration, in-custody programs, and community based re-entry services.

**Alternatives to incarceration.** In December 2016, an average of 1,034 individuals participated in alternatives to incarceration in San Francisco each day. (By comparison, 1,330 individuals made up San Francisco's average daily population that same year.) The Sheriff's Department operates two types of these programs:

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<sup>16</sup> County Jail #2 was built with two open atriums that could be infilled to create this additional space. The current project scope includes the infill of one of these atriums for an additional 1,500 square feet of program and multipurpose space. Project budget constraints may not allow for the infill of the second 1,500 square foot atrium.

**1) For pretrial defendants. In 2015, 81 percent<sup>17</sup> of the average daily inmate population was pretrial (i.e., unsentenced) in San Francisco jails.** Pretrial release programs are designed to shorten the length of stay of these defendants. The Sheriff's Department contracts with the San Francisco Pretrial Diversion Project (SFPDP), an organization which has a 40-year history of providing effective pretrial supervision. SFPDP recently began using the Arnold Foundation's Public Safety Assessment – an actuarial validated tool – to assess the risks associated with releasing a given defendant awaiting resolution of his or her case. The results of the tool are then submitted for judicial review. An individual granted pretrial release in San Francisco falls under one of the following three levels of supervision: (1) No Active Supervision (these individuals are granted release on their own recognizance and are sent reminders by the court); (2) Minimum Supervision (these individuals are granted release on their own recognizance, are sent reminders by the court, and report by phone twice a week; or (3) Assertive Case Management (these individuals are granted release on their own recognizance to a case manager from SFPDP). Orientations and individual case assessments are conducted with each client and reporting conditions may include two to four in-person contacts with staff each week:

Clients may also be required to participate in group sessions ranging from dual diagnosis, anger management, and Thinking for a Change.<sup>18</sup> High needs Assertive Case Management clients are also referred to mental health services. The Sheriff's Department also provides funding for emergency stabilization housing, transportation,

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<sup>17</sup> Based on numbers submitted to BSCC for quarterly reports..

<sup>18</sup> Thinking for a Change is an evidence-based, cognitive-behavioral group treatment modality.

hygiene, and cold weather clothing. In December 2016, 94 percent of clients participating in pretrial release programs appeared for their court dates.

**2) For sentenced population.** Alternatives to incarceration for the sentenced population include: residential treatment, work alternatives, or home detention with electronic monitoring.

**In-custody programs.** In-custody programs focus on 1) substance abuse and mental illness, 2) batterers intervention and violence prevention, and 3) education and job readiness. The Sheriff Department's rehabilitative program coordinators help direct inmates to the most suitable programs and support internal planning regarding which programs to offer.

The Sheriff's Department currently operates 14 housing units that are devoted to education and programming. Inmates in these housing units participate in a minimum of five hours of programming per day. The Sheriff's Department also offers groups (such as substance abuse reduction, trauma recovery, parenting classes, and independent studies) to inmates that are not living in dedicated program housing. Many of these programs and services are nationally recognized. For example, the Five Keys Charter High School was the recipient of the 2015 Pioneer Institute Better Government Competition, the 2014 Hart Vision Award for Charter School of the Year (for Northern California), and the 2015 Harvard Kennedy School Innovations in American Government Award.

The core in-custody programs that the Sheriff's Department currently offers are outlined and described in Figures 4 and 5 on pages 15 and 16. Only the first five programs listed in Figure 4 are currently offered in County Jail #4.

**Figure 4: In-Custody Programs in San Francisco Jails**  
 (Programs listed in *italics* offered at County Jail #4; all programs could be offered at renovated County Jail #2)

Program	Evidence-Based Practices	Rate of Recidivism <sup>1</sup>	Description
<i>Five Keys Charter School</i>		28% <sup>2</sup>	<i>Offers a high school education and K-12 resources. Over 1,000 graduates with high school diplomas, GEDs, and certificates of completion since 2003.</i>
<i>Alcoholics Anonymous</i>	12 Steps		<i>Program serving inmates suffering from chronic alcoholism.</i>
<i>Narcotics Anonymous</i>	12 Steps		<i>Program serving inmates who are trying to break the cycle of dependency from drugs and narcotic and chronic addiction.</i>
<i>One Family</i>	Parenting Inside Out		<i>Provides parent/child contact visits within the jails, individual therapeutic support, and restorative justice interventions. Also teaches Parenting Inside Out classes throughout the jails and in the community.</i>
<i>Psychiatric Sheltered Living Unit (PSLU)</i>	Wellness Recovery Action Plan		<i>Serves the chronically mental ill, including those with co-occurring disorders.</i>
Programming for Transgender, Gender Variant, and Intersex Inmates			Substance abuse and trauma recovery groups. Individual case management and re-entry planning.
<i>Sisters in Sober Treatment Empowered in Recovery (SISTERS)</i>	Criminal Lifestyles; Relapse Prevention; Successful Reentry into Society; Skills Training for Dialectical Behavioral Therapy; Anger Workbook for Women	48%	Helps women develop the tools needed to live healthy, drug free lives. Program activities include: group and individual substance abuse counseling, and classes on parenting, life skills, and healthy relationships. Provides opportunities to continue treatment following release.
<i>Resolve to Stop the Violence (RSVP)</i>	Manalive	57%	Violence intervention and prevention program for men focusing on anger management, violence prevention, survivor impact, and restorative justice.
<i>Community of Veterans Engaged in Restoration (COVER)</i>	Living in Balance	25%	Provides veterans with educational, vocational, legal, and therapeutic services. The program utilizes a holistic, trauma-informed approach in working to heal the harm caused by the experiences of war, crime and violence.
<i>Roads to Recovery</i>	Relapse Prevention; Criminal Addictive Thinking; Coping with Stress Triggers; Successful Re-entry into Society	43%	Offers substance abuse treatment and group/individual counseling. Also offers classes and training in life skills and specialized topics such as Kingian non-violence and other conflict resolution training.
<i>Keys to Changes</i>	Thinking for a Change; Cognitive Behavioral Interventions for Substance Abuse; Seeking Safety	26%	Combines substance abuse and anti-violence education. Includes group counseling, case management, and reentry preparation.
<i>Women's Intake Pod</i>	Seeking Safety; Helping Women Recover; Coping with Stress		Includes writing workshop, child support services, women's health, reentry services, services for domestic violence survivors, substance abuse, life skills, peer support groups, education counseling, parenting, and yoga/exercise.
<i>Reentry Pod</i>	Cognitive Behavioral Interventions for Substance Abuse; Manalive		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.
<i>Keys to College</i>	Thinking for a Change; Cognitive Behavioral Interventions for Substance Abuse; Seeking Safety		Student inmates participate in both college classes and treatment groups.
<i>Thinking for a Change</i>	Thinking for a Change		Developed by the National Institute of Corrections, a cognitive-behavioral therapy (CBT) program that includes cognitive restructuring and the development of social and problem-solving skills.

<sup>1</sup> Unless otherwise indicated, recidivism rates based on inmates who spent 30 or more days in a program, were released to the community between January 1, 2015 and June 30, 2015, and were arraigned on new offense or held on probation or parole in San Francisco within 12 months of release.

<sup>2</sup> Based on a sample of 75 randomly selected graduates from 2010-2013.

**Figure 5: In-Custody Vocational Programs in San Francisco Jails**

Program	Description
Culinary Arts (Serve Safe Certification)	A collaborative effort involving the Five Keys School, Aramark Corporation, and community-based organizations that provides inmates with the opportunity to obtain certification for entry level employment in the restaurant industry.
Computer Literacy	Teaches computer literacy for employment.
Aquaponics	San Francisco Sheriff's Department has partnered with Hunters Point Family, Five Keys Charter School, and Our Foods to offer this aquaponics training program. The program provides academic and hands-on training using onsite systems to plan, plant, and harvest produce. The partnership will ultimately grow to include post-release employment opportunities at a farm in San Francisco.

A 2011 analysis of all persons released from the San Francisco jail system found that 63 percent were re-arrested within three months.<sup>19</sup> Those that have participated in the Sheriff Department's in-custody programming have fared better: from July 1, 2015 to June 30, 2015, 107 inmates were released after having spent thirty or more days as a program participant. Of these, 39 percent were found to have recidivated.<sup>20</sup>

<sup>19</sup> This data came from a study conducted in 2011 by San Francisco City Hall Fellows in collaboration with the Sheriff's Department.

<sup>20</sup> Recidivism is defined as arraigned on new offense or held on probation or parole in San Francisco within 12 months post release.

**Community based re-entry services.** The Sheriff's Department also offers community based programming for survivors of violence and the formerly incarcerated as outlined in Figure 6 below.

**Figure 6: Out-of-Custody Programming**

<b>Program</b>	<b>Description</b>
<b>Five Keys Charter School</b>	High school classes and vocational training.
<b>No Violence Alliance</b>	Case management providing wraparound services and housing to individuals with a history of violence.
<b>Post-Release Education Program (PREP)</b>	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.
<b>Survivor Restoration Program (SRP)</b>	Support and resources for survivors of domestic violence and human trafficking. Coordinate the victim component of the Resolve the Stop the Violence (RSVP) program. Client recruitment focuses on the victims of RSVP and NoVa.
<b>Women's Re-Entry Center (WRC)</b>	Provides counseling and a wide variety of services to women, including: education, vocational training, domestic violence interventions, trauma recovery, parenting and family services, acupuncture therapy, nutrition, substance abuse programs, and other transitional services.

**Programming at Renovated County Jail #2**

The proposed renovations to County Jail #2 build on the City's commitment to programming services in the following ways:

**More in-custody programming opportunities.** Renovations to County Jail #2 will expand available program space and ensure that the programming spaces in Pods A and D are suitable for high-security inmates. Once renovations are complete, inmates relocated to County Jail #2 and those remaining in County Jail #4 for the time being will all have access to this additional program space (see Figure 2 on page 8 to compare the program space currently available to inmates in County Jail #4 with the space that will be available to them once County Jail #2 is renovated to accommodate high-security inmates). The additional space will also allow the Sheriff's Department to offer more frequent and varied educational and treatment programs than currently available to inmates housed in County Jail #4 (see Figures 4 and 5 on pages 15 and 16

to compare current program offerings at County Jail #4 with the expanded list of possible program offerings at a renovated County Jail #2).

Inmates will also have a chance to partake in vocational training in the food service industry once County Jail #2's kitchen is remodeled. Preparing inmates for post-incarceration employment helps to reduce recidivism, and San Francisco has extensive job opportunities in the food industry. Inmates at County Jail #2 and those remaining in County Jail #4 for the near term will have access to the Sheriff Department's culinary arts program once renovations are complete.

Finally, groups at County Jail #2 would not be cancelled due to lack of staffing as they are at County Jail #4; fewer staff will be required to run programs at County Jail #2 due to the facility's direct supervision design.

**Additional housing for reentry programming.** The Sheriff's Department will leverage a renovated County Jail #2 to allocate more housing dedicated to reentry preparation and continue to build upon existing relationships with criminal justice partners to share risk assessment information and create joint transitional out-of-custody treatment and programming plans for inmates.

**Modeled after program success at County Jail #5.** The proposed renovations to County Jail #2 are based in large part on the design of County Jail #5. The Sheriff's Department has been extremely successful in delivering programmatic content to the majority of the population in this modern direct supervision facility. It is with a renovated County Jail #2 that the Sheriff's Department will seek to offer in-custody programming to the high risk and maximum-security inmates in the City's system. Moreover, County Jail #5 is in San Bruno, CA, approximately 20 miles away

from County Jail #2 in San Francisco. There is a need to increase the Sheriff Department's programming capacity within San Francisco to facilitate collaboration with the rest of the City's criminal justice partners and community based organizations that are also delivering services to pretrial inmates.

### **Current Treatment Services**

Medical and mental health care is provided to inmates in the City's custody by Jail Health Services (JHS), a program run by the City's Department of Public Health.

**Jail Health Services (JHS).** JHS has been providing a comprehensive and integrated system of medical, psychiatric, and substance abuse care to inmates in the San Francisco County Jail System for over three decades. The program is recognized nationwide as a model forensic healthcare delivery system. JHS staff identifies, treats, and monitors prisoners' medical needs throughout their incarceration. Physician/nurse practitioner coverage is provided on a daily basis, and a physician provides 24/7 on-call coverage for all facilities. There are also twenty-four hours a day, seven days a week nursing services, which include patient screening, assessments, treatment, medication administration, and patient monitoring and education.

JHS provides a model of HIV services to address the needs of the clients and ensure that the most up-to-date HIV/AIDS prevention and treatment and case management services are offered. It also offers assistance with alternative placement, compassionate release, post-release planning, housing referral, substance abuse and mental health placements, and advocacy and community follow-up. Dental services include x-rays, sedative fillings, permanent fillings, and extractions. Tuberculosis and sexually transmitted infection screenings are also performed.



**JHS's Behavioral Health Services.** This program is responsible for the provision of mental health and co-occurring substance use disorder services. Services provided by the program's multidisciplinary staff of psychiatrists, psychologists, therapists, counselors, and case managers include crisis intervention; screening and assessment; evidence-based individual and group psychotherapy; medication evaluation and administration; post-release placement and referral services; consultation with the Sheriff's Department to determine appropriate housing; daily monitoring of the segregated housing unit for chronically impaired prisoners; and hospitalization of prisoners with acute mental illnesses. Other program offerings may include enhancing living skills, learning stress reduction techniques, and developing anger management skills. JHS staff also performs routine welfare checks on prisoners housed in administration segregation.

Behavioral Health Services' Psychiatric Sheltered Living Units (PSLU) are designed to mirror a community treatment program that addresses consumer mental health and substance abuse issues from a recovery model and trauma-informed perspective. The PSLU offers a variety of evidence-based groups treatment modalities based on the needs of the patients including: Wellness and Recovery Action Plan, Thinking for a Change, Seeking Safety, Illness Management and Recovery, and the Matrix Model approach to substance use disorder treatment. Additionally, all individual treatment interactions utilize motivational interviewing and cognitive behavioral therapy techniques. When PSLU patients leave jail, many of them will continue treatment in community residential programs, day treatment programs, and dual-diagnosis programs.

The ultimate objectives of the PSLU programs are to develop and embrace the client's strengths in order to prepare clients to re-enter the community with the necessary skills that will allow them to function at their full potential, and to increase the client's probability of retention and treatment success in community programs. At any given time, there are 32 serious mentally ill patients housed in the County Jail #4 PSLU. An additional 17 (B1 +A6) individuals in psychiatric overflow housing tanks and 40 in non-psychiatric housing areas are also monitored by Jail Behavioral Health for varying levels of mental health issues. The average length of the waitlist for entry in to the PSLU is five to six patients deep and can often take weeks for space to open. In the meantime, 50-60 patients with serious mental health issues (who are often more vulnerable) are forced to either be in a housing unit with limited treatment or be in a general population setting.

Currently, all inmates receiving mental health services through JHS' Behavioral Health program are provided with reentry planning assistance, which, depending on the individual's level of need may include providing information about community based resources, making referrals and linkages to community based programs (outpatient treatment, residential treatment, primary care, and case management), conducting eligibility assessments for mental health court, initiating Lanterman Petris Short Act and Murphy conservatorships, providing case management services and competency restoration treatment to individuals who have been found to be incompetent to stand trial on a misdemeanor, and coordinating the transition from jail to the community.

**JHS's current challenges at County Jail #4.** JHS continuously strives to meet the unique challenges associated with serving patients in custody, but their efforts are

significantly undermined in County Jail #4 by the physical structure of this substandard facility. Sufficient space and privacy do not exist and safety is a constant challenge. Lack of appropriate clinical space requires nurses who are performing patient triage functions, medication delivery, wound care and phlebotomy to share one exam room with the medical provider who is also actively engaged in patient care in this space. It is a violation of patient confidentiality to provide care to more than one patient at a time in this room, and yet operations require that these activities occur simultaneously. This physical plant limitation also compromises infection control and patient and medical staff safety. Biologic specimens and medications are stored in this same exam room, which is accessed by many people throughout the day resulting in risk of compromise to the integrity of these items. In addition, there is no space for dental equipment or services, no location to perform radiologic studies, and no designated area to perform EKGs or treatments such as nebulizer therapy or complex dressing changes.

The ability to treat patients in their housing units is essential to creating a therapeutic environment, as it allows for informal socialization and modeling of healthy behaviors and coping skills. However, visibility at County Jail #4 is poor, which means it is unsafe for JHS staff to treat patients in the facility's housing units.

The PSLU at County Jail #4 is cold in the winter and hot in the summer. Patients often do not want to get out of bed when it is cold and suffer in the heat. County Jail #4 is also noisy, which is not conducive to mental wellness and is stressful for both patients and staff. Additionally, the lack of adequate space to safely house and treat all mental health patients significantly increases the risk for adverse outcomes including suicide, hospitalization, and decompensation.

## Treatment Services at Renovated County Jail #2

Moving inmates from County Jail #4 to County Jail #2 will improve the provision of services to inmates in the following ways:

**Improved efficiencies.** County Jail #2 is adequately configured to provide treatment space that is separated by function (e.g., nursing assessment rooms, provider exam rooms, treatment room, and dental clinic). This configuration allows for the provision of patient services in an efficient manner throughout the day. The fact that nursing stations are located in inmate housing areas in County Jail #2 also means that sheriff deputies will not need to transport every patient to medical to be seen as they must in County Jail #4; this change will result in improved operational efficiencies. Similarly, the infirmary at County Jail #2 has holding cells in the medical clinic area which allows for the safe housing of patients who are waiting to be seen by a clinician. Finally, the infirmary at County Jail #2 acts as a central location for medical supplies and the collection of blood, stool, and urine specimens. Providing care within the walls of County Jail #2 affords JHS the opportunity to maximize the number of patients to be seen by a clinician every day. Since JHS operates in a more streamlined and efficient fashion at County Jail #2, those inmates moved from County Jail #4 to County Jail #2 will benefit from improved patient care and more timely access to treatment.

**Improved safety.** Clinician examination rooms at County Jail #2 are well equipped for providing safe and critical health care to patients. Safety cells are located near medical offices to allow for efficient monitoring of patients. Showers in Pods A and D will be renovated to reduce suicide risk. If there is room in the project budget, County Jail #2 will also be outfitted with functional medical isolation rooms; these rooms would

allow medical staff to directly observe patients with respiratory infectious diseases and provide critical medical care as required.

**Improved access to dental care.** County Jail #2 has a dental clinic equipped with appropriate dental equipment and supplies. Those inmates that are moved from County Jail #4 to County Jail #2 will benefit from improved access to dental care; inmates are currently transported from County Jail #4 to County Jail #2 for dental visits, which takes considerable time and staffing for the Sheriff's Department and limits the number of patients that can be seen on any given date.

**Improved protection of patient privacy.** County Jail #2 is adequately configured to provide safe and confidential clinical space. This allows for the delivery of effective patient services while preserving the dignity and privacy of patients. Possible enhancements to the project scope include creating additional space in County Jail #2 for confidential group therapy and private interview rooms to conduct assessments and ongoing individual counseling.

**Faster provision of service.** Using telemedicine at County Jail #2 will also improve medical/mental health treatment services. Inmates requiring transport to Zuckerberg San Francisco General Hospital (ZSFG) for diagnostic purposes and follow-up clinic appointments strain the Sheriff's Department resources. Using telemedicine appropriately at County Jail #2 will alleviate the need to transport some inmates to ZSFG and it will help deliver faster medical/mental health services.

**Improved therapeutic capacity.** County Jail #2's overall pod design is significantly more conducive to creating a therapeutic environment due to the opportunities it presents for patients to socialize with one another. Additionally,

therapists can safely participate in milieu activities and address issues (such as conflict, negative social behaviors, and symptoms management) as they occur. County Jail #2's design will also allow for closer monitoring of inmates who may be at risk for suicide. Moreover, unlike County Jail #4, County Jail #2 does not suffer from changes in temperature with the seasons, and inmate living space is not as noisy – this makes County Jail #2 a healthier setting for patient treatment. The Sheriff's Department plans to move County Jail #4's Psychiatric Sheltered Living Unit (PSLU) to a renovated County Jail #2, which would significantly improve the conditions in which these patients receive treatment. Under the right conditions, PSLUs have proven to be effective in the treatment and stabilization of mentally ill participants. Furthermore, the PSLU environment is similar to a community program environment, which helps prepare inmates for a smooth transition. When community programs learn that inmates are housed in an environment that more closely resembles a community program, JHS has found that they are more likely to accept these individuals into services.

Finally, if the project's budget allows for the infill of County Jail #2's second atrium, the renovated facility will provide more abundant and available meeting areas for community providers to assess and begin treatment with clients, facilitating and potentially decreasing the length of time to release, and reducing the isolation and disconnection that so often occurs with incarcerated individuals who are suffering from a mental illness.<sup>21</sup> Currently, it is very challenging for community providers to access an

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<sup>21</sup> The Sheriff's Department is interested in working with JHS to include family members in these meetings to help them understand the issues their loved ones are facing and involve them in executing treatment plans.

interview room because only one interview room exists in the mental health area of County Jail #4, and it is almost constantly in use by attorneys. This often results in delayed placements and longer jail stays.

**Improved housing design.** County Jail #2's direct supervision design paired with proposed renovations (i.e., the installation of double occupancy cells, mezzanine barriers, and flexible classification separators) will allow patients to receive treatment in a safe setting and facilitate JHS' ability to create an environment that models a community based treatment setting. This ensures that the treatment people receive at County Jail #2 will be as similar as possible to what they would receive in the community, and it prepares those individuals for their eventual release. These changes will significantly impact JHS' ability to make the transition from jail to the community more seamless for medically and psychiatrically impaired inmates, resulting in reduced stress, enhanced continuity of care, and improved health outcomes.

#### **Staffing Plan (RDF)**

The renovations as proposed will allow the Sheriff's Department to significantly expand programming and provide improved mental health services to the inmates housed in its custody. The City is prepared to adequately staff a renovated County Jail #2 to meet the goal of providing improved access to programming and treatment.

#### **4. Administrative Work Plan:**

#### **PROJECT SCHEDULE<sup>22</sup>**

<sup>22</sup> As this project progresses, the Sheriff's Department is committed to soliciting input and feedback from members of the Work Group to Re-Envision the Jail Replacement Project and interested parties from the community.

I. **Planning and Design (2016-2018)**

- ***April 2016:*** San Francisco Public Works comprehensively analyzes Sheriff's Department functions and operations in existing facilities. Project consultant develops conceptual program cost plan.
- ***June 2016:*** San Francisco Public Works conducts general conditions assessment of County Jail #2. San Francisco Public Works and project consultants develop various cost scenarios for renovation project.
- ***November 2016-January 2017:*** San Francisco Public Works performs structural evaluation and analysis of County Jail #2.
- ***June 2017:*** BSCC notifies San Francisco of conditional award.
- ***July 2017-February 2018:*** Project Manager and Senior Contract Analyst from San Francisco Public Works solicit and procure consultants to provide architectural and engineering services and construction management support services.
- ***April-May 2018:*** Project Manager from San Francisco Public Works submits draft project scope to BSCC.
- ***May-September 2018:*** Project Manager from San Francisco Public Works requests meeting with State Public Works for project establishment.
- ***September-December 2018:*** Architectural and engineering consultants refine schematic designs.
- ***December 2018:*** Project Manager from San Francisco Public Works submits schematic design to authorities for review.



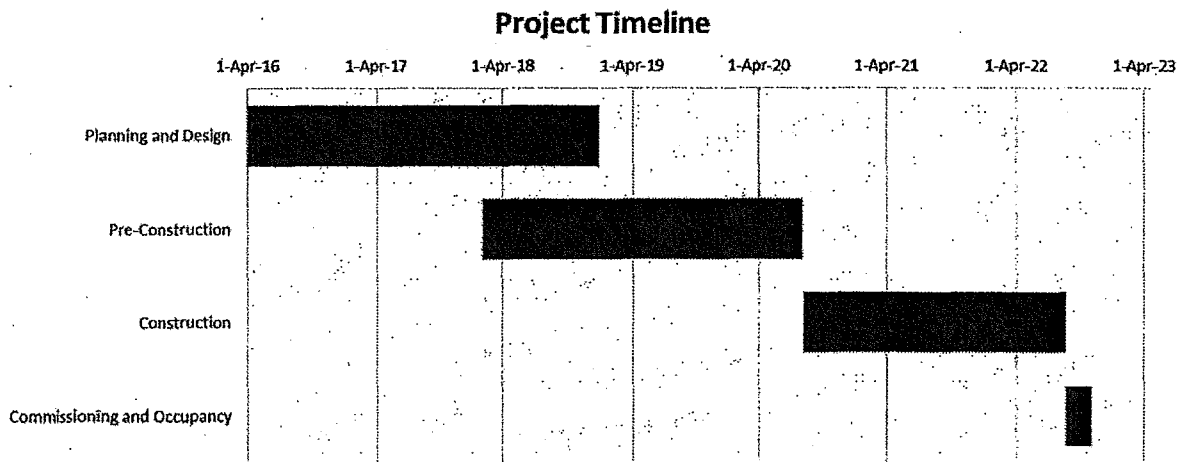
## II. Pre-Construction and Construction (2018-2022)

- **February-March 2018:** Project Manager from San Francisco Public Works and construction management support services establish budget and schedule for schematic design.
- **January 2019-February 2020:** Project Manager and Senior Contract Analyst from San Francisco Public Works solicit and procure construction contract.
- **July-August 2019:** Project Manager from San Francisco Public Works and consultant providing construction management support services establish Guaranteed Maximum Price.
- **July 2019-September 2019:** Project Manager from San Francisco Public Works submits construction drawings and contract documents to State Public Works for review and approval.
- **February-June 2020:** Project Manager and Senior Administrative Analyst from San Francisco Public Works request loan from State Public Works.
- **July-August 2020:** Project Manager from San Francisco Public Works and construction management support services work with general contractor to start construction.
- **August 2020-August 2022:** Construction begins and completes.

## III. Commissioning and Occupancy (2022)

- **August-September 2022:** Commissioning completed by third party commissioning agent, Design Builder, Project Manager from San Francisco Public Works, and Facilities Manager from Sheriff's Department.
- **September-November 2022:** Address and resolve punchlist items.

- **November 2022:** Move-in and occupancy completed by Project Manager from San Francisco Public Works in collaboration with Chief Deputy of Custody and Facilities Manager from Sheriff's Department.



**JAIL RENOVATION PLANNING GROUP**

The core team behind the project's planning and development is known as the "Jail Renovation Planning Group." This group is made up of representatives from various City agencies (each agency and its role in the group are outlined on the following page). The Jail Planning Group meets regularly to make recommendations on the size, operating impacts, feasibility, scope, and schedule of the County Jail #2 renovation project.



**San Francisco Sheriff's Department:** Sheriff, Chief of Capital Planning & Special Projects, Chief Deputy of Custody, Sheriff's Bureau of Building Services Facilities Manager, Chief Financial Officer, Director of Programs

Role: Ensure that the project meets the operational and programming requirements of the department, review planning and design documents, manage transition planning, and manage Furniture Fixture and Equipment (FF&E) procurement planning in conjunction with San Francisco Public Works.

**Office of the Controller:** Project Manager, Performance Analyst, Director of Finance

Role: Manage the City's application for SB 844 funding and verify project funding.

**Office of the City Administrator:** Deputy Director (Capital Planning Program)

Role: Coordinate interdepartmental activities and ensure project compliance with the City's 10-year Capital Plan.

**Mayor's Budget Office:** Budget Manager, Fiscal and Policy Analyst

Role: Review and approve project's budget and determine its fiscal feasibility within the City's budget.

**San Francisco Public Works:** Program Manager (Justice Facilities Improvement Program), Project Manager

Role: Lead project delivery effort, manage project design, and oversee project construction.

**Department of Public Health:** Medical Director of Jail Health Services, Director of Jail Behavioral Health and Reentry Services

Role: Ensure that the project addresses patient treatment needs and operational requirements of Jail Health Services.

## 5. Budget Narrative

**County cash contribution.** The county cash contribution required for the proposed renovations to County Jail #2 is 10 percent of total estimated project cost, or \$8.2 million. The City would, upon receipt of conditional intent to award, submit authorizing legislation for \$8.2 million in commercial paper<sup>23</sup> debt instruments for the proposed project. Similar to a cash contribution, commercial paper can be issued immediately to underwrite project costs.

The City plans to fund this required match (\$8.2 million) plus a supplement to support the scope (\$3.8 million) with the use of General Fund supported Certificates of Participation (COPs). All issuances of COPs are authorized by resolution or ordinance and then, if necessary, validated by the Superior Court of San Francisco. The approval and issuance process takes approximately four to six months.

**Efficient budget development and cost allocation.** The total project cost of \$82 million is based on a design-to-budget project scope given the City's available funding capacity beyond an SB 844 award. Not including the potential \$70 million in SB 844 funds, the City's COP program has a maximum remaining capacity of \$12 million available to contribute to the project at this time. Per the City's Capital Plan policy, total aggregate debt as a result of the COP program must be maintained at or below 3.25 percent of the City's discretionary revenues. A \$12 million COP for this project will

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<sup>23</sup> Commercial paper is an alternative form of short-term (or interim) financing for capital projects that permits the City to pay project costs as project expenditures are incurred. Commercial paper notes are issued and short-term debt is incurred only when needed to pay project costs as they are incurred.

cause the City to reach this 3.25 percent threshold, and therefore will utilize all remaining capacity allowable under City policy.

San Francisco Public Works (SFPW) worked closely with the Sheriff's Department, Jail Behavioral Health, and a professional cost estimator hired by the City to prioritize County Jail #2's immediate needs to fit within this \$82 million budget. The comprehensive and efficient budget they developed together (see Section 2d) is lower cost than if the City were compelled to provide equivalent functionality in an ancillary new construction project – the only practicable, but much more expensive alternative.

Moreover, the City is soliciting state reimbursement for costs most directly linked to SB 844's goals to use state funds as intended. If the City were to receive a \$70 million award, \$62 million would be used for strategic renovations to ensure the long-term sustainability of housing inmates in County Jail #2 instead of County Jail #4, \$5.4 million would be used to ensure the project's design aligns with the City's objectives of providing appropriate housing, programming, and treatment space for inmates, and \$2.6 million would be used to help ensure that the execution of that design also aligns with the same objectives.

**Cost estimation.** The City is confident in the appropriateness and accuracy of the estimations outlined in the Budget Summary Table (Section 2d). The City solicits and involves highly reputable and experienced third-party estimators who have reliable insights into the market conditions that influence the construction cost of projects. SFPW assembles the total project budget by authoring the project control/soft costs that provide for all development costs. SFPW also developed the administrative work plan outlined in the previous narrative section and included the costs involved in the

execution of planned tasks in the Budget Summary Table (Section 2d). Through its approach to estimating and budgeting, SFPW has established a sound track record for successfully defining total project budgets (it has recently completed a number of major capital projects and all were delivered within budget). Costs associated with debt and debt payment amounts were made by the Controller's Office of Public Finance, a unit comprised of public finance and debt professionals who issue and manage the City's \$1.2 billion dollar debt portfolio.

The City is also confident that the project's budget appropriately matches the objectives outlined in this proposal. The Sheriff's Department and Jail Behavioral Health carefully prioritized the renovations to be included in the project's scope based on the safety, programmatic, and treatment needs of those to be housed in County Jail #2. The renovations accounted for in the budget and described throughout this proposal will allow the department to protect and serve San Francisco's highest risk and maximum-security inmates in a more efficient, secure, and therapeutic environment.

**Operational costs.** This project is renovating an existing space, therefore operational costs for the facility are already funded by the City's existing budget. These costs will be sustained over time via the routine annual budget appropriation process of the City, with the General Fund (or special revenue funds, as applicable) paying for any additional building maintenance, utilities, staffing, programming or other operating expenses as necessary. The City is committed to appropriating adequate funding for County Jail #2's ongoing operational and programming costs over the long term.

## **6. Readiness to Proceed**

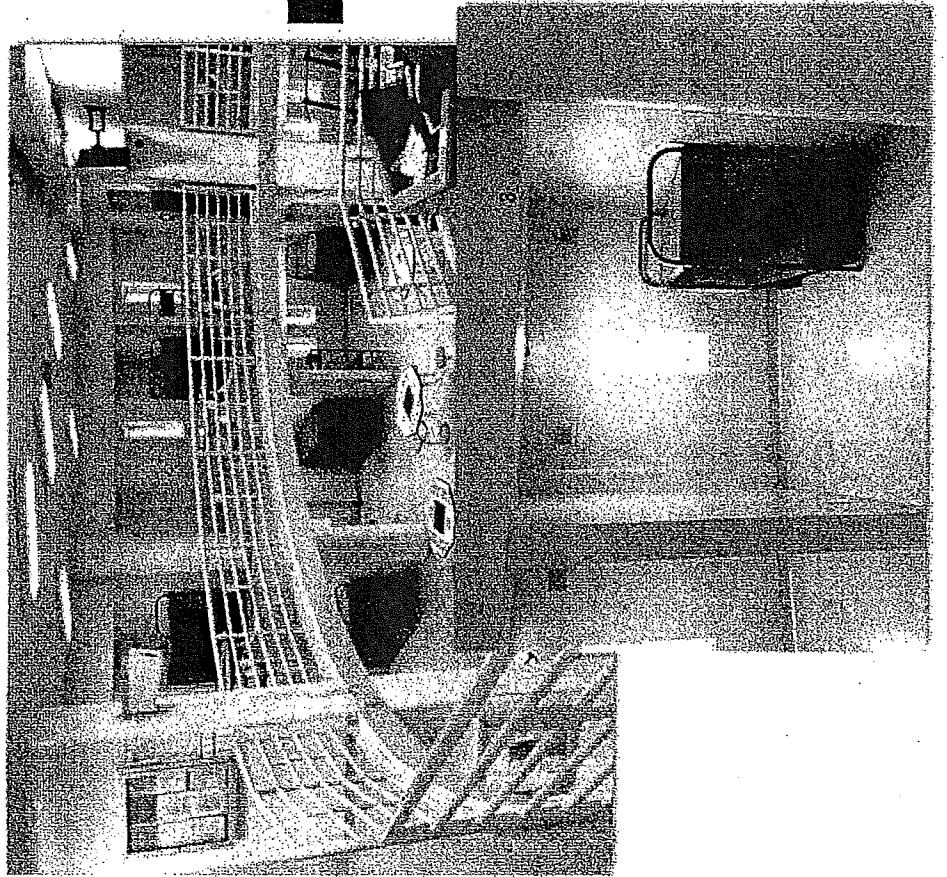
Please see Appendix B.

## **APPENDIX A: Current Facilities v. Renovated Facility in Photos**

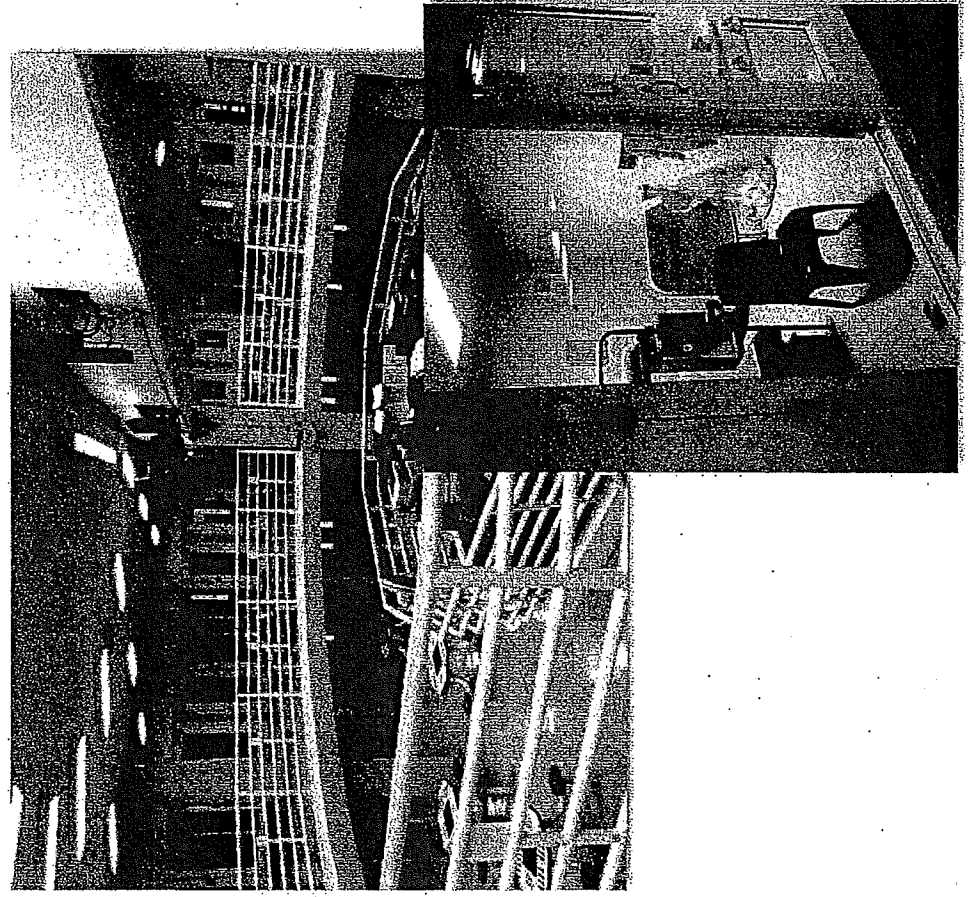
The following photos compare the inappropriate and inadequate facilities of County Jails #2, #3, #4 with the modern housing, program, and treatment spaces that will be available to high-security inmates at a renovated County Jail #2.

# Upgrade two open dormitory-style rooms by adding two-person rooms to the mezzanine levels

Open dormitory pods



Enclosed rooms on upper level





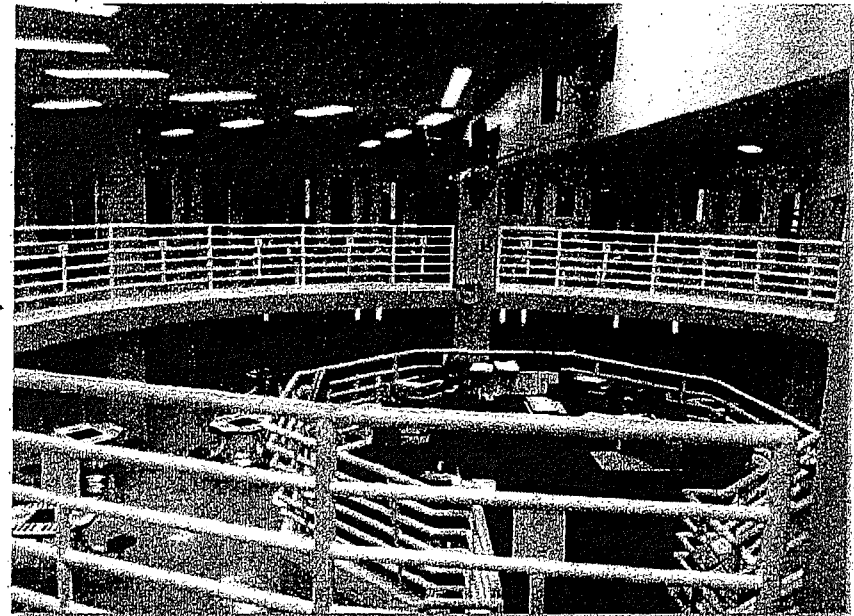


**Up to 48 high-security inmates can transfer from seismically unsafe and dilapidated County Jail #4 to a renovated County Jail #2**

**Unsafe County Jail #4**



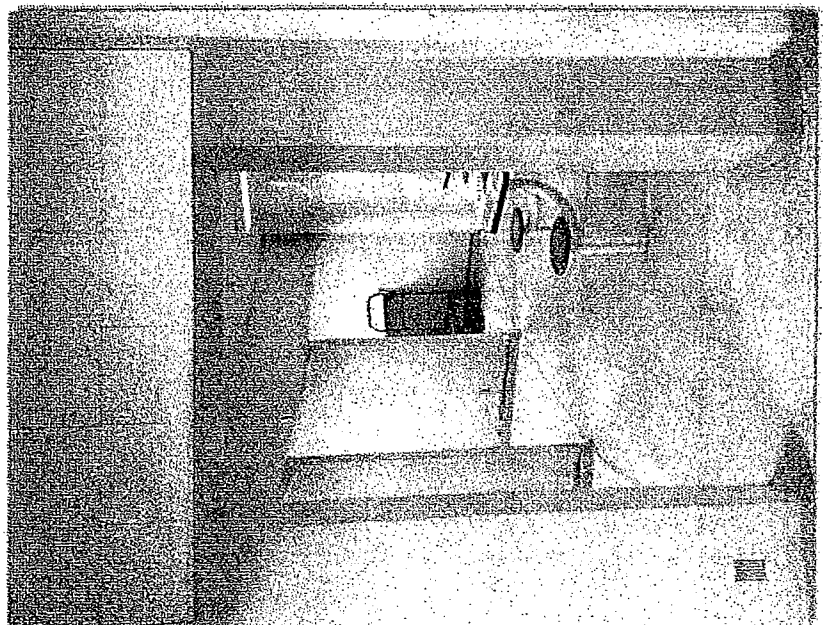
**Renovated County Jail #2**



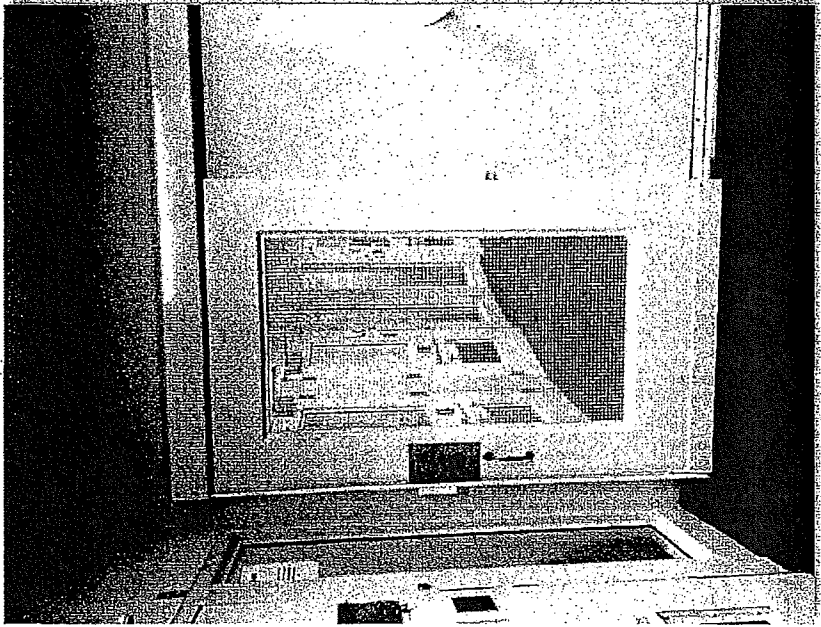
755

## Install flexible classification dividers A and D Pods

No dividers

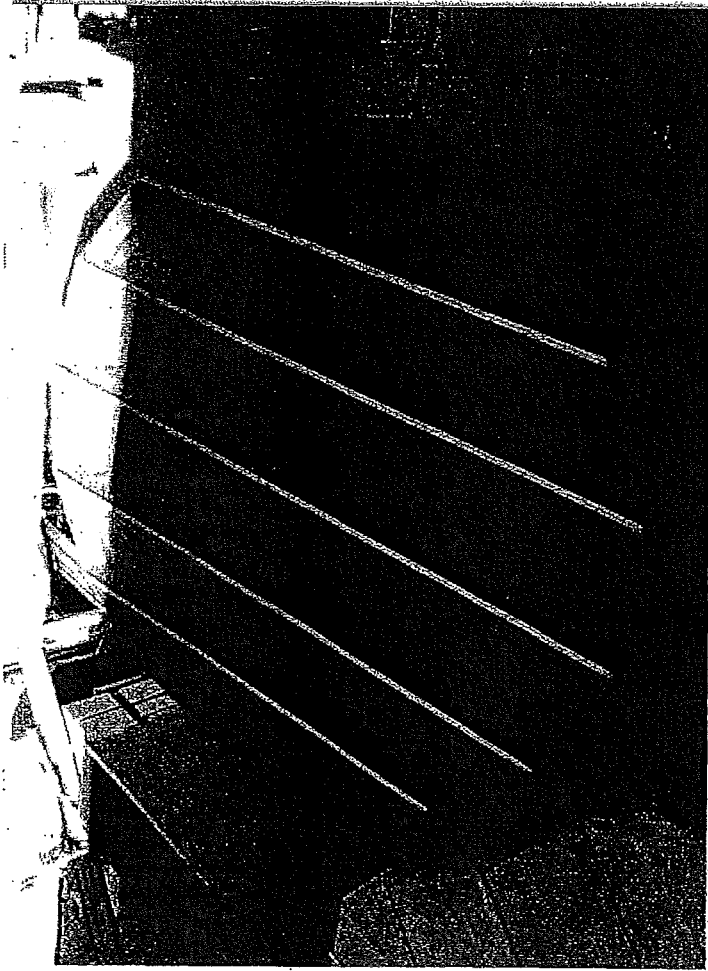


Can be left open or closed

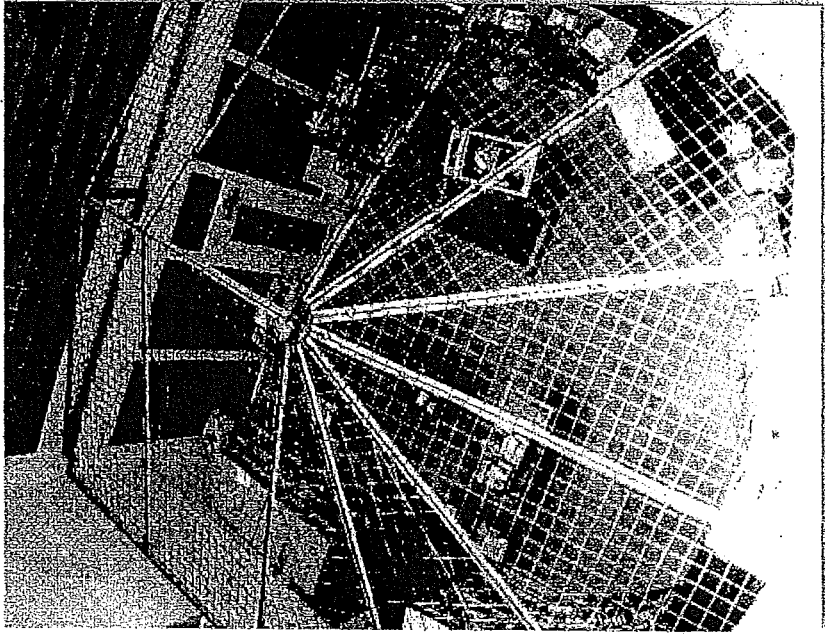


**Infill atrium to create additional program space**

**Open atrium space from floor 2 to 6  
as seen from roof**



**Create additional floors for  
program space**



## **APPENDIX B: Readiness to Proceed**

This appendix includes the following documents:

- 1) Board of Supervisors' Resolution**
- 2) Notice of Exemption**
- 3) Letter from County Counsel re: CEQA compliance**



**CITY AND COUNTY OF SAN FRANCISCO**  
**OFFICE OF THE CONTROLLER**

**Ben Rosenfield**  
**Controller**

**Todd Rydstrom**  
**Deputy Controller**

Board of State and Community Corrections  
County Facilities Construction Program  
2590 Venture Oaks Way, Suite 200  
Sacramento, CA 95833

Attn: Sharon Coleman, Capital Outlay Analyst

Re: San Francisco's SB 844 Proposal – Pending Board of Supervisors' Resolution

Dear Ms. Coleman,

Your technical review alerted us to the fact that required elements A, F, G, and H from the SB 844 Proposal Instructions are missing from the attached Board of Supervisors' Resolution. We are currently processing a new resolution that addresses these missing components. We understand from email correspondence with you and Deputy Director John Prince that the BSCC is willing to include this new resolution in our proposal package as long as it is received before final ratings occur in May. We expect to send the new resolution before then.

Sincerely,

A handwritten signature in black ink that reads "Jessie Rubin". The signature is written in a cursive style with a large, looping initial "J".

Jessie Rubin  
Performance Analyst

AMENDED IN COMMITTEE

2/9/17

FILE NO.170065

RESOLUTION NO. 42-17

1 [Funding Application - Board of State and Community Corrections - Renovation of County Jail  
2 No. 2 - \$70,000,000 of State Funding - \$12,000,000 of Additional City Funding]

3  
4 **Resolution authorizing the Sheriff's Department to submit a funding application to the**  
5 **Board of State and Community Corrections pursuant to California State Senate Bill 844**  
6 **(2016) for \$70,000,000 for a proposed project to renovate County Jail No. 2; outlining**  
7 **the matching cash contribution of \$8,200,000 and additional funds of \$3,800,000 for a**  
8 **total of \$12,000,000 needed for the proposed project; and conditionally approving the**  
9 **form and execution of associated financing and construction documents.**

10  
11 WHEREAS, Under Senate Bill 844, Chapter 34, Statutes of 2016 ("SB 844"), the State  
12 of California authorized the California State Public Works Board ("SPWB") to issue up to  
13 \$270,000,000 in lease revenue bonds, notes, or bond anticipation notes to finance the  
14 acquisition, design, renovation, and construction of approved adult local criminal justice  
15 facilities; and

16 WHEREAS, On December 30, 2016, the Board of State and Community Corrections  
17 ("BSCC") issued a Request for Proposals for Construction of Adult Local Criminal Justice  
18 Facilities ("SB 844 RFP"), a copy of which is on file with the Clerk of the Board of Supervisors  
19 in File No. 170065, and is incorporated herein by reference; and

20 WHEREAS, In 1992, the City and County of San Francisco ("County") developed  
21 Seismic Hazard Ratings for over 200 of its public buildings on a scale from one to four, with  
22 four representing the most seismically deficient, and County's Hall of Justice building at 850  
23 Bryant Street ("HOJ") is a seismically deficient building that received a rating of three; and

24 WHEREAS, County Jail No. 3 and County Jail No. 4 are located in the HOJ and have a  
25 combined total of 905 (826 rated) bed facilities; and

1           WHEREAS, If the HOJ sustains significant damage due to a major seismic event, the  
2 estimated cost to relocate and transport inmates housed in County Jail No. 3 and County Jail  
3 No. 4 is estimated to be tens of millions of dollars, and replacing County Jail No. 3 and County  
4 Jail No. 4 has been a high priority of the County's Ten-Year Capital Plan since its inception in  
5 2006; and

6           WHEREAS, If County Jail No. 2, which is located at 425 Seventh Street, is renovated  
7 to house higher security classifications, it could house some prisoners who otherwise need to  
8 be housed in County Jail No. 3 or County Jail No. 4; and

9           WHEREAS, Renovating County Jail No. 2 to house higher security classifications (the  
10 "Proposed Renovation Project") is currently estimated to cost \$82,000,000; and

11           WHEREAS, The County is qualified to receive up to \$70,000,000 of SB 844 funds for  
12 the Proposed Renovation Project, which would substantially offset its cost; and

13           WHEREAS, The County would need to apply for the SB 844 funds by submitting a  
14 Proposal Form in substantially the form on file with the Clerk of the Board of Supervisors in  
15 File No. 170065 ("Proposal Form"), which is incorporated herein by reference; and

16           WHEREAS, If County receives the SB 844 funds, it would need to provide a matching  
17 County contribution of \$8,200,000 ("County's Cash Contribution") and fund the additional  
18 \$3,800,000 ("Additional Contribution") needed to fully fund the Proposed Renovation Project;  
19 and.

20           WHEREAS, If the County receives a conditional intent to award SB 844 financing and  
21 elects to perform the Proposed Renovation Project, County staff will cause the issuance of not  
22 more than \$12,000,000 of commercial paper to fund on an interim basis the remainder of the  
23 County's Cash Contribution and the Additional Contribution to this Board of Supervisors for  
24 consideration, such commercial paper to be refunded with cash or the issuance of the  
25 County's long-term bonds; and

1           WHEREAS, The submitted application for SB 844 financing must include a resolution  
2 that is adopted by this Board of Supervisors and authorizes an adequate amount of available  
3 funds for County's Cash Contribution; and

4           WHEREAS, The submitted application for SB 844 financing must include a resolution  
5 that is adopted by this Board of Supervisors and authorizes the execution of a Project Delivery  
6 and Construction Agreement, a Jail Construction Agreement, and a Right of Entry for  
7 Construction and Operation (collectively, "Construction Documents"), and a Ground Lease,  
8 Site Lease, Facility Lease, and a Facility Sublease (collectively, the "Financing Documents"),  
9 which are substantially the forms on file with the Clerk of the Board of Supervisors in File No.  
10 170065, and the Construction Documents and the Financing Documents are hereby declared  
11 to be a part of this resolution as if set forth fully herein; and

12           WHEREAS, The Planning Department determined the Proposed Renovation Project is  
13 categorically exempt from the California Environmental Quality Act, California Public  
14 Resources Code Sections 21000 et seq., and issued a CEQA Categorical Exemption  
15 Determination with respect to such determination, which is on file with the Clerk of the Board  
16 of Supervisors in File No. 170065 and is incorporated herein by reference, and the Board  
17 adopts such determination as its own; now therefore be it

18           RESOLVED, The County is authorized to submit an application for \$70,000,000 of SB  
19 844 funds in response to the SB 844 RFP; and, be it

20           FURTHER RESOLVED, The County Sheriff is authorized to execute and submit the  
21 Proposal Form to the BSCC; and, be it

22           FURTHER RESOLVED, The County will be authorized to proceed with the Proposed  
23 Renovation Project if County is awarded, and this Board of Supervisors accepts and  
24 appropriates, the SB 844 financing for the Proposed Renovation Project and this Board of  
25



1 Supervisors approves the contract for the design of the Proposed Renovation Project, if such  
2 contract is for more than \$10,000,000 (the "Acceptance Conditions"); and, be it

3 FURTHER RESOLVED, This Board of Supervisors does hereby approve the form of  
4 the Construction Documents and the Financing Documents, as may be modified by mutual  
5 agreement of County and BSCC to allow County Jail No. 2 to be encumbered with the  
6 Financing Documents for the SB 844 funds awarded for the Proposed Renovation Project and  
7 the financing documents related to the issuance of County's General Fund certificates of  
8 participation for the Proposed Renovation Project if necessary; and, be it

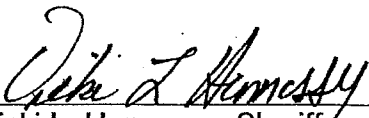
9 FURTHER RESOLVED, If the Acceptance Conditions are fully satisfied, the  
10 Controller's Director of Public Finance is hereby authorized and directed to cause the  
11 issuance of not more than \$12,000,000 of County's commercial paper to fund on an interim  
12 basis costs for the Proposed Renovation Project, such commercial paper to be refinanced on  
13 a long term basis from available County funds or certificates of participation or other forms of  
14 indebtedness, the security documents of which shall be submitted to this Board of Supervisors  
15 for its consideration and approval; and, be it

16 FURTHER RESOLVED, If the Acceptance Conditions are fully satisfied, the following  
17 persons (collectively, the "Authorized Officers"), will be authorized to execute the Construction  
18 Documents and the Financing Documents as specified below for and in the name of the  
19 County at such time and in such manner as is required for the awarded SB 844 financing,  
20 modified as may be necessary for a design-build project, with such additions thereto and  
21 changes therein as are required by the BSCC or the SPWB to effectuate the financing  
22 program for the SB 844 financing, if the applicable Authorized Officers, determine, in  
23 consultation with the County's City Attorney, such changes are in the best interest of the  
24 County, do not materially increase the obligations or liabilities of the County, are necessary or  
25 advisable to effectuate the purposes of the Construction Documents, the Financing

1 Documents or this resolution, and are in compliance with all applicable laws, including the  
2 County's Charter, and approval of such changes shall be conclusively evidenced by the  
3 execution and delivery thereof by the applicable Authorized Officers, with (i) County's Director  
4 of Property or his or her designee, acting alone, authorized to sign the Financing Documents,  
5 (ii) County's Director of Property or his or her designee, authorized to sign the Right of Entry  
6 for Construction and Operation and the Facilities Sublease on behalf of the County, (iii)  
7 County's Controller or his or her designee, County's Sheriff or his or her designee, and the  
8 Director of San Francisco Public Works or his or her designee, acting together, authorized to  
9 sign the BSCC Jail Construction Agreement, and (iv) County's Controller or his or her  
10 designee, and County's Sheriff or his or her designee, acting together and with the  
11 recommendation of the Director of San Francisco Public Works or his or her designee,  
12 authorized to sign the Project Delivery and Construction Agreement.

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RECOMMENDED BY:

  
\_\_\_\_\_  
Vicki L. Hennessy, Sheriff



City and County of San Francisco

Tails  
Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

File Number: 170065

Date Passed: February 14, 2017

Resolution authorizing the Sheriff's Department to submit a funding application to the Board of State and Community Corrections pursuant to California State Senate Bill 844 (2016) for \$70,000,000 for a proposed project to renovate County Jail No. 2; outlining the matching cash contribution of \$8,200,000 and additional funds of \$3,800,000 for a total of \$12,000,000 needed for the proposed project; and conditionally approving the form and execution of associated financing and construction documents.

February 09, 2017 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

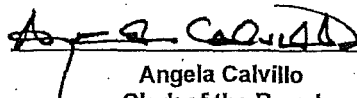
February 09, 2017 Budget and Finance Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

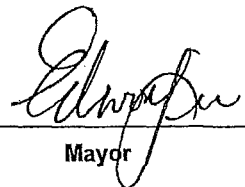
February 14, 2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 170065

I hereby certify that the foregoing Resolution was ADOPTED on 2/14/2017 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

  
Mayor

2/22/2017  
Date Approved



# SAN FRANCISCO PLANNING DEPARTMENT

2017-019  
**FILED**  
SAN FRANCISCO County Clerk

MAR 07, 2017

by: **SONYA YI**  
Deputy County Clerk

## Notice of Exemption

MAR 07 2017  
POSTED  
TO

*Approval Date:* February 14, 2017  
*Case No.:* 2017-000401ENV  
*Project Title:* 425 7<sup>th</sup> Street  
*Zoning:* P [Public]  
105-J Height and Bulk District  
*Block/Lot:* 3759/042  
*Lot Size:* 212,677 square feet  
*Lead Agency:* San Francisco Planning Department  
*Project Sponsor:* Jumoke Akin-Taylor, SFDPW  
415-557-4751  
Jumoke.akin-taylor@sfdpw.org  
*Staff Contact:* Joy Navarrete  
415-575-9040  
joy.navarrete@sfgov.org

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

To: County Clerk, City and County of San Francisco  
City Hall Room 168  
1 Dr. Carlton B. Goodlett Place  
San Francisco; CA 94102

Pursuant to the California Environmental Quality Act (CEQA), the Guidelines of the Secretary for Resources, and San Francisco requirements, this Notice of Exemption is transmitted to you for filing. At the end of the posting period, please return this Notice to the Staff Contact with a notation of the period it was posted.

*Attached fee:* \$62 filing fee

### PROJECT DESCRIPTION:

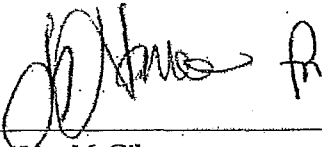
Renovation of County Jail #2 would entail: Selected demolition of the Heating Plant System, HVAC replacement, and roof repair; Interior HVAC upgrade, interior plumbing upgrades, fire-protection system upgrades; Electrical lighting, power, and communications systems upgrades, including light-fixture replacement; Main Point of Entry retrofit to cells' Trussbilt and related components; Pod upgrades - Visiting facilities, suicide barriers, inmate toilets and showers (antiligature); Kitchen rebuild and laundry; Facility-wide security-systems upgrades, including cameras, intercom, door controls for upgraded pods, Prison Rape Elimination Act of 2003 (PREA) upgrades; Infill atrium for inmate programs, inmate recreation, and screened visiting rooms; Basement works - wrapping of existing columns; and Upgrades to court holding and storage area; Re-entry offices (for displacement from existing workspaces, no additional capacity).

**DETERMINATION:**

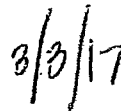
The City and County of San Francisco decided to carry out or approve the project on February 14, 2017 under Board of Supervisors File No. 170065 Resolution No. 42-17. A copy of the document(s) may be examined at 1650 Mission Street, Suite 400, San Francisco, CA, 94103 in file no. 2017-0004ENV.

1. An Exemption from Environmental Review has been prepared pursuant to the provisions of CEQA under:
  - Ministerial (Sec. 21080(b)(1); 15268)
  - Declared Emergency (Sec. 21080(b)(3); 15269(a))
  - Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
  - X Categorical Exemption. State type and section number: Class 1
  - Statutory Exemption. State code number: \_\_\_\_\_
  - Community Plan Exemption (Sec. 21083.3; 15183)
  
2. This project in its approved form has been determined to be exempt from environmental review because it is the interior renovation of an existing building.

John Rahaim  
Planning Director



By Lisa M. Gibson  
Acting Environmental Review Officer



Date

cc: Jumoke Akin-Taylor, Public Works Project Manager  
Oliver Iberien, Public Works

CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA  
City Attorney

OFFICE OF THE CITY ATTORNEY

KATE HERRMANN STACY  
Deputy City Attorney

Direct Dial: (415) 554-4617  
Email: kate.stacy@sfgov.org

March 8, 2017

Board of State and Community Corrections  
County Facilities Construction Program  
2590 Venture Oaks Way, Suite 200  
Sacramento, CA 95833

Attn: John Prince, Deputy Director (A)

Re: San Francisco Proposed Renovation of Jail No. 2 at 425 – 7th Street;  
San Francisco's SB 844 Proposal

Dear Mr. Prince:

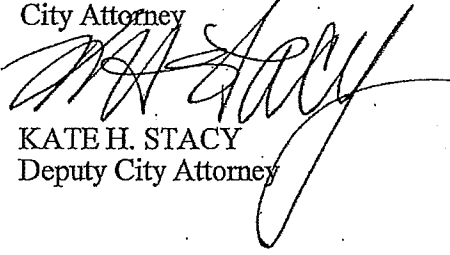
This letter provides information about the City and County of San Francisco's analysis of the application for the above-referenced Renovation Project of Jail No. 2 located at 425 – 7th Street ("Renovation Project") under the California Environmental Quality Act ("CEQA"). The City determined on January 10, 2017 that the Renovation Project is exempt from environmental review as a Class 1 categorical exemption under CEQA.

On February 22, 2017, the City and County of San Francisco ("City") approved the Renovation Project by Board of Supervisors Resolution Number 42-17. The City filed a Notice of Exemption, as permitted under CEQA, with the County Clerk on March 7, 2017. Filing that Notice of Exemption commences a 35-day statute of limitations to file a lawsuit against the City challenging the CEQA review. Since there was no testimony about the CEQA exemption determination, we do not anticipate any litigation. We will update the Board of State and Community Corrections following completion of this 35-day statute of limitations period.

Please let me know if I may be of further assistance.

Very truly yours,

DENNIS J. HERRERA  
City Attorney

  
KATE H. STACY  
Deputy City Attorney

## **APPENDIX C: County Jail Needs Assessment**

The following document is the Updated County Jail Needs Assessment, published by the City's Office of the Controller on August 21, 2015.

**City and County of San Francisco**

**Office of the Controller – City Services Auditor**

# **UPDATED COUNTY JAIL NEEDS ASSESSMENT**

## **Rehabilitation and Detention Facility**



*August 21, 2015*



**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.

Project Team: Peg Stevenson, Director  
Kyle Patterson, Project Manager

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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.

County Jail #6 may also need to be replaced. County Jail #6 is a dormitory-style housing facility in San Mateo County that has been closed since 2010. Reopening County Jail #6 and using it in its current configuration would create a number of issues and jail management challenges due to the facility's structural, operational and design limitations. The facility was built very quickly (10 months) in 1989 to relieve overcrowding in the jail system. If only minimum-security inmates can be housed safely in County Jail #6, it is not a useable facility given San Francisco's current and expected inmate classification. In addition, the facility has virtually no program space and lacks the spaces needed to provide adequate mental health services to inmates. As a result of these existing needs, the City plans to replace County Jails #3 and #4, and potentially County Jail #6, with a new Rehabilitation and Detention Facility (RDF).

In 2013, as part of the planning process for the RDF, 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 represents an updated needs assessment, reflecting changing needs and using the most recent data available. The updated needs assessment 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 replacement jail with up to 429 beds in 2019.
- 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 award-winning Five Keys Charter High School and Resolve to Stop the

Violence (RSVP) program, and the Reentry Pod in partnership with Adult Probation. The Sheriff's Department plans to continue and expand the use of programs in the RDF, 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. 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 II<sup>1</sup> 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 with a new or remodeled Rehabilitation and Detention Facility (RDF). The RDF 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 RDF should be constructed adjacent to existing Superior Court facilities at the Hall of Justice for efficiency, safety, security and cost reasons. This would allow inmates in the RDF to be transported to court appearances in a timely fashion through secure elevators and corridors. If the RDF was constructed near other San Francisco county jails 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. In addition, San Mateo County is not easily reached by public transit, making visitation difficult for the families of inmates who do not own private vehicles.

In 2013, as part of the planning process for the RDF, 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 represents an update to the needs assessment, reflecting emerging needs and using the most recent data available. The updated needs assessment documents elements of the jail system including current facilities, programs, classification system, staffing, and inmate population, as well as needs for an RDF.

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<sup>1</sup> 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 2,360 rated beds.<sup>2</sup> 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 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 podular<sup>3</sup> 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 tanks<sup>4</sup> 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

**Number of Beds:** 466 (392 rated)

<sup>2</sup> 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.

<sup>3</sup> 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 8 for a photo comparison of linear and pod jail designs.

<sup>4</sup> A group of cells or small dormitories connected to a shared space.

**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:** 6<sup>th</sup> 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 #3 is currently closed.

### **County Jail #4**

**Location:** 7<sup>th</sup> 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. The Sheriff’s Department would like to repurpose this building as a training facility.

**Exhibit 1: Comparison of County Jail Features**

	Design Type	Kitchen	Laundry	Medical Exam Area	Dental Exam Area	Recreation Area	Dedicated Program Space	Inmate Visiting Area	Vehicle Sallyport
County Jail #1	Intake								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	

<sup>a</sup> See the Visual Supervision section on page 6 for definitions of design types.

<sup>b</sup> The kitchen in County Jail #2 is closed due to cost-cutting measures. The kitchen in County Jail #4 prepares food for inmates in County Jail #2.

<sup>c</sup> 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. In June of 2015, an average of 825 individuals participated in programs that diverted or released them from jail each day (see Exhibit 9). This is equivalent to 68 percent of the number of individuals incarcerated in county jails. 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 2014 inspection report indicates that jail staffing levels are in compliance with BSCC standards but "appear to be at the very minimum levels." 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 2014-15. 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 40 staff on leave over 90 days and 122 job vacancies.
- Staff must work overtime to meet Collective Bargaining Agreement minimum staffing standards. The Sheriff's Department spent \$10.7 million on staff overtime in Fiscal Year 2012-13.<sup>5</sup> Only four City departments spent more on overtime during that year.
- Twenty-six individuals resigned or retired from the Sheriff's Department's in Fiscal Year 2014-15. 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.

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<sup>5</sup> "FY 2012-13 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 provides information on inmate characteristics in San Francisco during 2014. The percentages listed for inmate sentencing status, security classification, crime classification, and

**Exhibit 3: San Francisco Jail Demographics (2014)**

		Percent of Total ADP
Sentencing Status	Unsentenced	85%
	Sentenced	15%
Security Classification	Maximum Security	57%
	Medium Security	35%
	Minimum Security	8%
Crime Classification	Felony	92%
	Misdemeanor	8%
Gender	Male	90%
	Female	10%
Age	18-29	30%
	30-39	29%
	40-65	40%
	66+	1%
Race/Ethnicity	Black	50%
	White	30%
	Hispanic	13%
	Asian	6%
	Other	1%

SOURCES: Board of State and Community Corrections, San Francisco Sheriff's Department

Note: Age and Race/Ethnicity calculations are based on all of 2014. The remaining calculations are based on June 2014 only.

validated.

**Crime Classification.** The majority of inmates in June 2014 was either facing felony charges or had been convicted of felony charges. A given crime is classified by law as either a felony or a misdemeanor depending on its severity. Most severe crimes are generally classified as felonies. 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.

gender are based on the total average daily population (ADP) in June 2014, as this was the most recent data available from the Board of State and Community Corrections. The percentages listed for inmate age and race/ethnicity are based on the average daily population for the calendar year. The data on inmate age and race/ethnicity was provided by the San Francisco Sheriff's Department.

**Sentencing Status.** The notable majority of inmates in June 2014 had not yet been sentenced. These inmates are also known as pretrial, meaning that they are awaiting resolution of their case. Those that are sentenced have either been found guilty or pled to a crime.

**Security Classification.** Ninety-two percent of the average daily population in June 2014 was classified as medium or maximum security. The Sheriff's Department determines which inmates fall under which security classifications by using an assessment tool during booking. These classifications help the department determine how to house inmates appropriately. The interview and scoring method that the department uses to determine these security classifications has not been independently

**Gender.** The high majority of inmates in June 2014 were male. There is only one jail in San Francisco for women and four that are currently open for men.

**Age.** Fifty-nine percent of the average daily population in 2014 was between the ages of 18 and 39. This statistic is unsurprising given that younger adults are more likely to be incarcerated (see discussion under “Demographic and Economic Trends” on page 12).

**Race/Ethnicity.** Seventy percent of the average daily population in 2014 was made up of people of color, half of whom were black.

### Emerging Special Populations

The percentage of inmates seen by Jail Behavioral Health Services (BHS) annually has fluctuated but increased slightly since 2010. BHS staff “contacts”<sup>6</sup> with clients have increased by 19 percent from 10.42 contacts per client in 2010 to 12.45 contacts per client in 2014. In addition, inmates are more likely to require psychotropic medication<sup>7</sup> in 2014 than they were in 2010. These trends indicate that although the total jail population has declined in recent years, those individuals that remain in jail may have more severe mental health needs. See Exhibit 4 for specific figures.

**Exhibit 4: Inmate Mental Health**

	2010	2011	2012	2013	2014
Percent of inmates seen by Jail Behavioral Health Services (BHS)	38.3%	39.7%	35.6%	40.1%	43.4%
Contacts per inmate seen	10.42	10.69	11.93	12.43	12.45
Percent of inmates receiving psychotropic medication on the last day of December	11.9%	11.3%	12.2%	15.1%	14.3%

### Trends Related to the San Francisco Jail Population

Exhibit 5 gives a seven year look at jail population trends, crime trends, and demographic and economic trends. All of the jail and crime metrics reported in Table 3 have fallen during this period, with the exception of reported property crimes and violent crimes.

**Jail Trends.** There are two factors that directly determine the total jail population: the number of people being admitted into jail and the length of their stay in custody. Jail admissions fell by an average of 6 percent per year from 2008 to 2014.

<sup>6</sup> Contacts include mental status evaluations, individual treatment, medication planning, placement services and group therapy.

<sup>7</sup> Medication used to manage behavior, including antidepressant, antianxiety, and antipsychotic medications.

**Exhibit 5: Trends in San Francisco**

	2008	2009	2010	2011	2012	2013	2014	2008-2014 Trend Line	Avg. Annual % Change
Jail Trends	Total Average Daily Population (ADP) in Jail	2,061	1,976	1,788	1,563	1,560	1,428	1,285	-7%
	Jail Admissions	33,037	30,322	25,396	23,914	22,125	23,766	21,774	-6%
	Realignment (AB109) Average Daily Population	n/a	n/a	n/a	n/a	495	310	177 (Jan-Sept)	-40%
	Alternative to Sentencing Programs Average Daily Population	243	257	183	140	89	133	117	-8%
	Average Days from Booking to Release if >3 days	not available	not available	53	49	47	30	28	-13%
State Prison Trends	Parolees in San Francisco (December 31st)	1,360	1,379	1,417	1,418	992	825	not available	-9%
	Felon Admissions to Prison from San Francisco	630	632	569	420	201	161	not available	-22%
Crime Trends	Arrests per 1,000 People	41.9	39.2	27.4	28.1	24.7	25.3	not available	-9%
	Drug Arrests per 1,000 People	9.5	8.6	3.6	2.2	2	1.7	not available	-26%
	Violent Crimes per 1,000 People	8.5	7.5	7.2	6.7	7.1	8.6	not available	1%
	Property Crimes per 1,000 People	46.4	44.1	41.1	41.6	48.5	59.5	not available	6%
	San Francisco Superior Court New Criminal Filings	13,750	12,954	11,839	9,380	8,136	7,531	6,605	-11%
	Superior Court Active Felony Cases (January 1st)	3,287	3,202	2,995	2,504	1,823	1,930	1,877	-8%
	Superior Court Active Felony Drug Cases (January 1st)	1,849	1,738	1,586	1,095	566	570	479	-18%
	Total Active Adult Probation Caseload (In December)	6,554	6,800	6,423	6,129	5,696	5,054	4,084	-7%
	Youth Referred to the Juvenile Probation Department	3,446	3,296	2,814	2,196	1,871	1,569	1,392	-14%
	Sworn FTE Police Staff (fiscal years)	2,344	2,372	2,300	2,208	2,132	2,140	2,109	-2%
Demographic and Economic Trends	Total San Francisco Population	798,673	801,799	807,177	812,826	825,863	830,956	837,831	1%
	San Francisco Population Age 18-35	263,484	260,894	260,786	260,132	258,151	255,092	245,323	-1%
	Unemployment Rate	5.2%	8.9%	9.5%	8.5%	7.2%	5.7%	4.7%	2%
	Per Capita Income	\$71,760	\$66,894	\$68,555	\$74,425	\$80,014	\$84,356	not available	3%

SOURCES: San Francisco Sheriff's Department, California Department of Justice, San Francisco Superior Court, California Department of Finance, San Francisco Juvenile Probation Department, San Francisco Adult Probation Department, US Bureau of Labor Statistics, US Bureau of Economic Analysis, SFOpenBook, California Department of Corrections & Rehabilitation

Average length of stay has also fallen. A portion of the jail population is booked and released within the same day, and therefore does not require a jail bed. Those in custody for more than three days are likely to have a significant impact on the total jail population and have involvement with the court system. In 2010 those in custody for at least three days made up 74 percent of the total jail population.<sup>8</sup> Their average length of stay—the time between booking and release—has fallen by an average of 13 percent per year since 2010. The largest decline in average length of stay came in 2013, which coincides with the formation of the San Francisco Sentencing Commission. That year the average length of stay fell by 56 percent.

**State Prison Trends.** Individuals sent to prison from San Francisco are ultimately released to parole in San Francisco. If a parolee in San Francisco is found out of compliance with parole terms, he or she could serve a violation in one of San Francisco's county jails.

On average, the number of parolees in San Francisco has fallen sharply (22 percent per year) since 2008. The number of people that San Francisco sends to state prison has also fallen since 2008 (by an average of 9 percent per year).

**Crime Trends.** From 2008 to 2013, arrests per 1,000 people in San Francisco fell by an average of 9 percent per year. A significant component of this decline was a reduction in drug crime arrests, which dropped from 9.5 per thousand people in 2008 to just 1.7 per thousand people by 2014. The largest drop came in 2010 when drug arrests decreased by 58 percent. This is the year the drug lab incident occurred, which resulted in hundreds of drug cases being dismissed or discharged and may also have impacted future drug arrests. The number of active felony cases in San Francisco Superior Court also fell by eight percent per year on average, while active felony drug cases decreased at more than twice that rate.

While arrests and felony cases have dropped, property crimes have increased by an average of six percent per year, with a 23 percent increase occurring in 2013. The largest driver of the spike in property crime is theft valued under \$50, which increased by 30 percent in 2013.

**Demographic and Economic Trends.** While the total population in San Francisco has risen in recent years, the number of residents ages 18-35 has decreased by an average of one percent per year since 2008. The California Department of Finance projects this decline will continue through 2023. This trend is relevant because 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 California in 2009.<sup>9</sup>

The unemployment rate in San Francisco rose from 5.2 percent in 2008 to a high of 9.5 percent in 2010. San Francisco's recovery from the economic recession reduced this rate to 4.7 percent just four years later. Average per capita income has increased steadily during this period, rising from \$71,760 to \$84,356.

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<sup>8</sup> Provided by Lt. Dave Hardy, Unit Commander, Information Technology Support & Services, San Francisco Sheriff's Department.

<sup>9</sup> As reported in the "Evaluation of the Current and Future Los Angeles County Jail Population" by the JFA Institute.

## Forecast of the Jail Population

In 2012, the Controller's Office first completed a forecast of San Francisco's jail population to inform planning for a Hall of Justice replacement jail. The forecast was based on the work of two external consultants who utilized jail population data through 2011. In June 2015, the Controller's Office published a report providing an updated forecast of the jail population using the most recent data available. The full forecast report can be found in Appendix B of this document.<sup>10</sup> Below is a summary of findings from the forecast.

### Jail Population Expected to Plateau

Between 1994 and 2009 the average daily jail population declined gradually, falling by an average of less than one percent per year. Over the last five years, that decline accelerated to eight percent per year. However, since 2012 the decline in the jail population has largely been driven by two policy changes: state realignment and Proposition 47. Absent these policy changes, the jail population remained relatively flat over that period. This suggests the jail population may plateau near current levels unless other policy changes are enacted.

The average daily jail population in 2014 was the lowest since 1982. Despite the historically low population there are still too many inmates to be housed in the current jail system if County Jails #3, #4 and #6 are all closed. If County Jail #6 is reopened, the jail system will become overcrowded if the population returns to its level in 2012, which was a 27 year low.

### Forecast Elements

The Controller's Office estimate of San Francisco's future jail need is based on three elements. These elements are described briefly below. For more details on the forecast, consult the complete forecast report in Appendix B of this document.

**Forecast Baseline.** The Controller's Office used two models to predict the average daily jail population in 2019. The first forecast is a linear regression model that has been used previously in San Francisco and at least one other county. The model incorporates historical trends from 1993 through 2014. The second forecast is a demographic model that uses California Department of Finance (DOF) projected population changes in San Francisco and applies those changes to the current jail population. This model is based on a jail forecasting model used by the Public Policy Institute of California (PPIC).<sup>11</sup>

The linear trend model represents the upper-bound of our forecast and predicts San Francisco will have an average daily population of 1,433 inmates in the year 2019. The demographic

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<sup>10</sup> While the Needs Assessment reports a forecast for 2019 to adhere to state requirements, the forecast in Appendix B reports a forecast for 2020, because that is the year the proposed RDF is expected to open. However, both forecasts utilize the exact same methodology and are provided by the San Francisco Controller's Office. The only difference is the forecast horizon year.

<sup>11</sup> The PPIC model is based on projected population changes within the 15-39 age group, whereas the Controller's Office model takes into account population changes by age and race.

model represents the lower-bound of our forecast and predicts an average daily population of 1,243 in the year 2019.

**Peaking Factor.** While the forecast baseline predicts the average daily jail population for a given year, the actual population will exceed the average on some days. The peaking factor provides a cushion of jail beds for those peak days. The Controller’s Office calculated a peaking factor between 4.7 and 7.5 percent for the San Francisco jail system.

**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 Controller’s Office assumed a peaking factor of between 5.0 and 8.2 percent for the San Francisco jail system.

**Exhibit 6 Estimates of Total County Jail Bed Needs in 2019**

	Lower Bound	Upper Bound
Forecast Baseline	1,243	1,433
Peaking Factor	4.7%	7.5%
Classification Factor	5.0%	8.2%
<b>TOTAL</b>	<b>1,367</b>	<b>1,667</b>

Combining these three elements, the Controller’s Office estimates that San Francisco will need between 1,367 and 1,667 jail beds in the year 2019.

**Jail Bed Need in 2019**

In addition to the replacement need for County Jails #3 and #4, San Francisco may also need to replace County Jail #6, which has been closed since 2010. See the “Weaknesses in County Jail #6” section of this report for more information on the issues with that facility. Because of the significant concerns related to future use of County Jail #6, the Controller’s Office presents the recommended replacement jail capacity in the year 2019 based on two scenarios.

Scenario one assumes County Jail #6 is used at capacity in its current configuration. In that scenario, the upper bound of the Controller’s Office forecast indicates the need for a new or reconfigured replacement facility with 57 beds, and the lower bound forecast indicates no need for a replacement facility.

Scenario two assumes that County Jail #6 is not in use as a detention facility in its current configuration. In that scenario, the Controller’s Office forecast indicates the need for a new or reconfigured replacement facility with between 129 and 429 jail beds.<sup>12</sup> See the table below.

<sup>12</sup> Current designs for the RDF include housing units with 64 beds each. Based on this design, the forecast range in Scenario 2 would translate to an RDF with between 128 beds (two - 64 bed housing units) and 384 beds (six - 384 bed housing units).



**Exhibit 7: Recommended Replacement Jail Capacity in 2019**

	Forecasted Bed Range (A)	Number of Useable Beds in the System (B)	Replacement Jail Bed Need (A-B)
Scenario 1: Replace County Jails 3 and 4	1,367 to 1,667	1,610	-243 to 57
Scenario 2: Replace County Jails 3, 4, and 6	1,367 to 1,667	1,238	129 to 429

\*The tally for Scenario 1 includes all useable beds in County Jails #1, #2, #5 and #6. The tally for Scenario 2 includes all useable beds in County Jails #1, #2 and #5.

## 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 RDF 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 some infrastructure that is not optimal for a high-security environment.

## Weaknesses in County Jail #6

County Jail #6, which has been closed since 2010, consists of six dormitory-style housing units of sixty-two beds each, for a total of 372 beds. Reopening County Jail #6 and using it in its current configuration would create a number of issues and jail management challenges due to the facility's operational and design limitations.

A number of publications advise that dormitory-style housing should be used with caution and only for inmates with appropriate classifications. The Sheriff's Department asserts that, based on their experience in the San Francisco jail system, a jail built in this style cannot safely house medium- or maximum-security inmates. However, conversations with other corrections professionals with experience outside of San Francisco indicate that at least some medium-security inmates could be safely housed there.

If County Jails #3 and #4 are closed and County Jail #6 is reopened in its current configuration, 40 percent of the useable beds in the jail system (636<sup>13</sup> of 1,610) will be located in a dormitory setting. Under this scenario, the Controller's Office forecast for 2019 suggests that all minimum- and most medium-security inmates would need to be housed in dormitory-style jails.<sup>14</sup> Furthermore, if the Sheriff's Department's assertion that only minimum-security inmates can be safely housed in a dormitory setting is correct, the forecast suggests County Jail #6 would not serve the jail system's needs. More detailed analysis may be needed to determine which inmate classifications could be securely housed at County Jail #6.

There are a number of other limitations to using County Jail #6 in its current configuration:

- 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 is costly and creates safety risks.
- County Jail #6 is not easily reached by public transit, making visitation difficult for the families of inmates who do not own private vehicles.
- The Sheriff's Department offers a number of in-custody programs focused on reducing recidivism including a charter school for inmates and programs related to substance abuse treatment, violence prevention, parenting skills and veterans services. According to the Sheriff's Department, reopening County Jail #6 in its current configuration will make it difficult to deliver rehabilitative programs to inmates in that facility and result in a reduction of the number and proportion of inmates who can take advantage of programs during their time in jail.
- County jail inmates receive an array of mental health services through Jail Health Services. According to Tanya Mera, Director of Behavioral Health and Reentry Services for Jail Health Services, there are too few interview rooms and multi-purpose rooms in County Jail #6 to deliver adequate mental health services, and dormitory housing creates safety issues and service challenges.

<sup>13</sup> County Jail #2 has 264 dormitory beds and County Jail #6 has 372 dormitory beds

<sup>14</sup> If the security classification breakdown of inmates remains constant into the future, the Controller's Office forecast suggests 779-950 beds will be needed for maximum-security inmates in 2019. That would leave only 24-195 non-dormitory beds for the remaining 588-717 minimum- and medium-security inmates.

- County Jail #6 would require a number of significant and costly repairs and modifications before reopening, including, but not limited to, work on the security system, camera system and recreation areas.
- The proposed RDF includes space for the Sheriff's Department's warrants and records unit, court holding cells, storerooms, medical records storage, and other non-jail spaces currently located in the Hall of Justice. If the City chooses to reopen county Jail #6 rather than construct the RDF, the City would need to build, renovate or lease space near the Hall of Justice for these functions.
- There could be opposition from neighboring communities if the Sheriff's Department houses more inmates and higher security inmates on the jail campus in San Mateo County. This opposition could delay the project, leading to construction escalation costs in the millions of dollars per year.

### **Rehabilitation and Detention 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 the RDF 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:

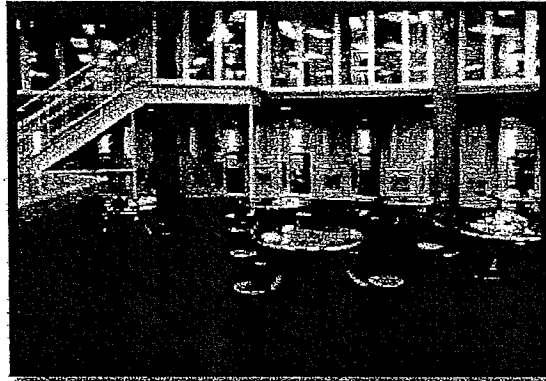
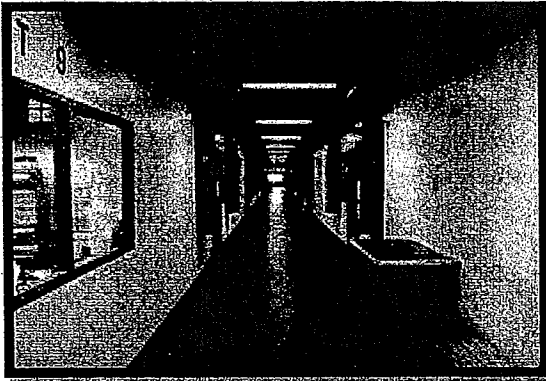
- A plumbing chase behind cells to allow maintenance staff to fix plumbing without entering pods;
- Designated space for medical facilities, classrooms and programming inside or adjacent to pods; and
- Single- or double-occupancy cells with doors that permit deputies to secure inmates in their cells 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 the RDF should be similarly equipped with CCTV video cameras with recording abilities to maximize the safety and security of the facility.

**Exhibit 8: Photo Comparison of Linear (County Jails #3 and #4) and Podular (County Jail #5) Jail Designs**

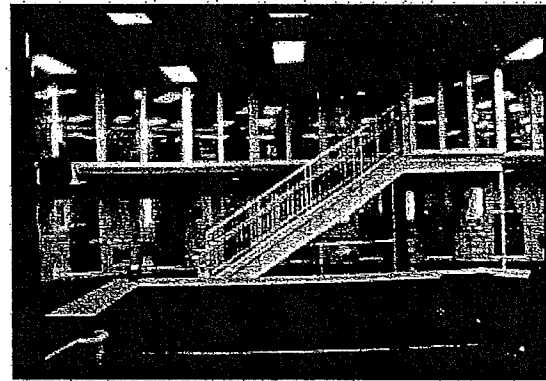
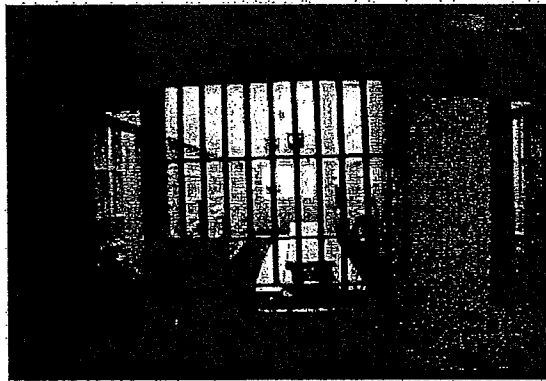
**Linear Design Jails**

**Podular Direct Supervision Jail**



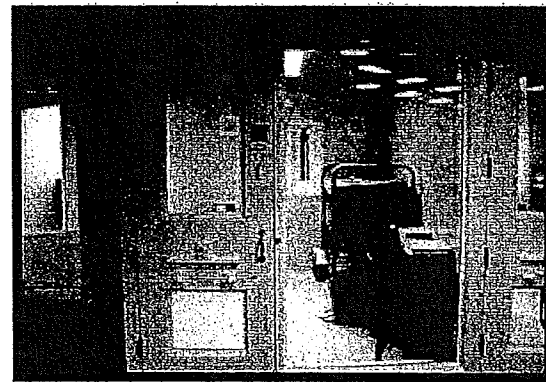
**Main line in County Jail #3**

**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**

**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.<sup>15</sup>

The RDF 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.

### **Location of the Rehabilitation and Detention Facility**

In 2009, consultants to the Department of Public Works identified a number of potential sites for the RDF, 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 RDF, 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 \$1.4 million in one-time costs and \$1.7 million in ongoing annual costs to transport inmates to court, and the transportation of inmates would lead to risks to the safety of staff. Additionally, San Mateo County is not easily reached by public transit, making visitation difficult for the families of inmates who do not own private vehicles.

Constructing the RDF 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 RDF and existing facilities.

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<sup>15</sup> See the "Forecast of the Jail Population" section for a discussion of inmate classification issues.



## 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. This year it has served an average of 146 inmates in San Francisco jails each day. Named as the recipient of the 2015 Pioneer Institute Better Government Competition and the 2014 Hart Vision Award for Charter School of the Year (for Northern California), Five Keys is one of the five finalists for the Harvard Kennedy School Innovations in American Government Award.
- Resolve to Stop the Violence (RSVP) received the Innovations in American Government award from the Harvard Kennedy School 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. As of September 2014, 247 inmates had served sentences in the Re-Entry Program Pod.

### 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 and serve hundreds of clients per year, now primarily hear felony cases.

**Exhibit 9: Alternatives to Incarceration Operated by the Sheriff's Department and Contractors, Average Daily Population for June 2015**

Type	Description	Number of Participants Jail Beds Saved
<b>Pretrial Release Programs</b>		
Own Recognizance (OR)	Facilitation of the Court's review process to determine whether an individual can be released without bail prior to trial.	228
Pretrial Diversion	Provision of programs and other court requirements that, when successfully completed, result in a dismissal of charges.	300
Supervised Pretrial Release (SPR)	Monitoring and placement into treatment programs during pretrial release to ensure that individuals appear at court dates.	149
Court Accountable Homeless Services (CAHS)	Case management for homeless individuals referred by the Court.	38
Pre-Trial Electronic Monitoring (PTEM)	Electronic monitoring for some pre-trial individuals on home detention.	24
<b>Alternative Sentencing Programs</b>		
Electronic Monitoring (EM)	Electronic monitoring for some sentenced individuals on home detention.	45
Sheriff's Work Alternative Program (SWAP)	Supervision of work crews of individuals not in custody.	41
<b>Total</b>		<b>825</b>

SOURCE: 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.. 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, in June of 2015, an average of 825 individuals participated in programs that diverted or released them from jail each day (see Exhibit 9). This is equivalent to 68 percent of the number of individuals incarcerated in county jails.

### 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 7B 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 10 provides a list of programs offered within San Francisco's county jails.

**Exhibit 10: Program Types by Jail and Pod<sup>a</sup>**

Jail	In-Custody Programs	Description
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 Violence (RSVP) Program Pod	A restorative justice anti-violence program, including: group 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

<sup>a</sup> As the intake facility for the County Jail system, County Jail #1 does not offer any programs.

<sup>b</sup> 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.

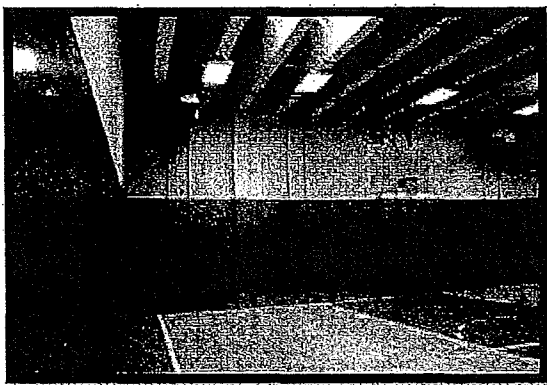
Other in-custody programs include:

**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.<sup>16</sup> 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 up to 800

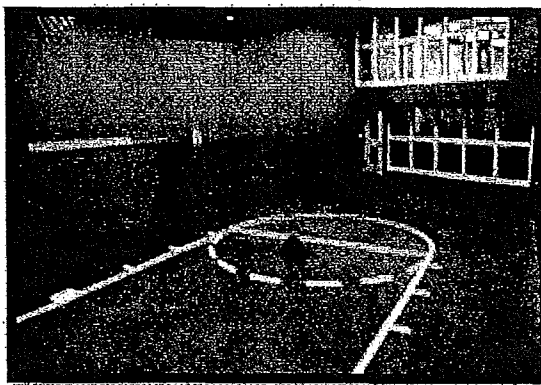
<sup>16</sup> California Code of Regulations, Title 15 § 1065 states that facility administrators at Type II and III facilities must develop policies and procedures that "allow a minimum of three hours of exercise distributed over a period of seven days."

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.

In the RDF, 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 an inmate/child visitation program to facilitate the reunification of incarcerated parents and their children. The Sheriff's Department contracts with Community Works West to operate the One Family program – a combination of classroom parenting classes and supervised contact visits between incarcerated parents and their children. The lack of safe and secure space to facilitate the program at County Jail #3 and #4 has negatively impacted the program.

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.

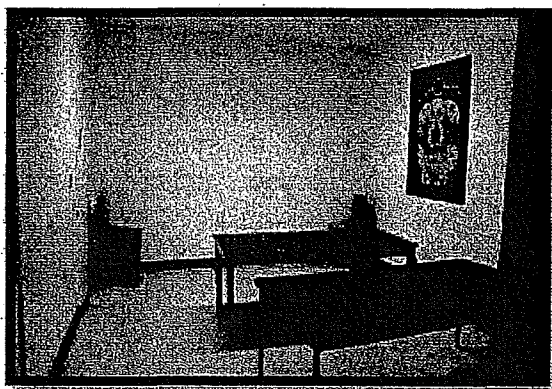
**Exhibit 11: Community Programs for Post-Release Individuals and Community Members**

<b>Program Name</b>	<b>Description</b>
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 10)
Treatment on Demand	Provides substance abuse counseling and case management services. Part of the Roads to Recovery program (see Exhibit 10).
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.

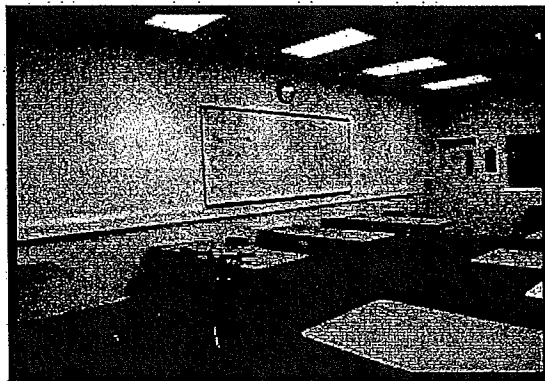
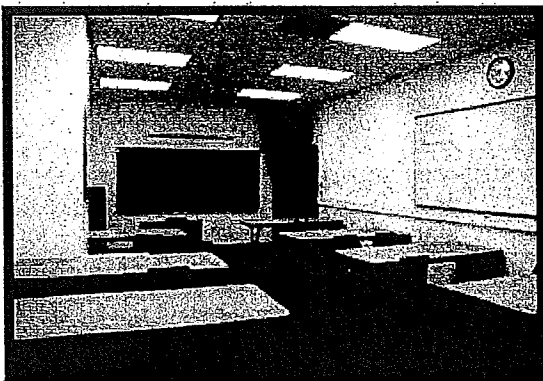
SOURCE: Sheriff's Department

**Rehabilitation and Detention Facility 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 RDF 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 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).<sup>17</sup> 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.

### **Inadequacy of Existing Spaces**

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<sup>17</sup> County Jail #1 is an intake and release center and does not provide programming. County Jail #6 is currently closed.

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.



## Standards Compliance

**BSCC Biennial Inspection.** In its 2014 biennial inspection, the BSCC noted that some single occupancy cells in County Jails #3 and #4 were not compliant with Title 24 because they were used as double occupancy cells or had two beds. The Sheriff's Department has agreed to house only one person in each of those cells to comply Title 24 standards.

**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 12: Inspection Dates**

Facility	Environmental Health	Nutritional Health	Medical/Mental Health	Fire & Life Safety	Fire Clearance
CJ #1	4/7/14	6/17/14	6/27/14	10/7/14	Yes
CJ #2	4/7/14	6/17/14	6/27/14	10/7/14	Yes
CJ #3	4/7/14	closed	closed	10/7/14	Yes
CJ #4	4/7/14	6/17/14	6/26/14	11/5/14	Yes
CJ #5	4/10/14	6/18/14	6/25/14	11/5/14	Yes
CJ #6	4/10/14	closed	closed	11/5/14	Yes

In 2014, only minor deficiencies were noted in the environmental 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 Jails #2, #3 and #4 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.

## 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 (2014), 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.

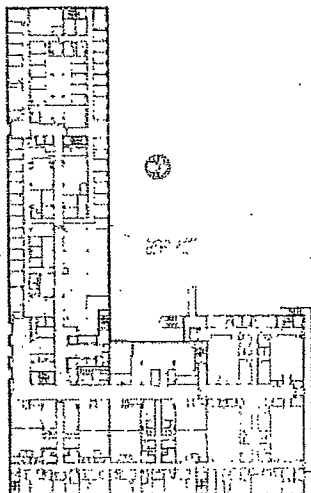
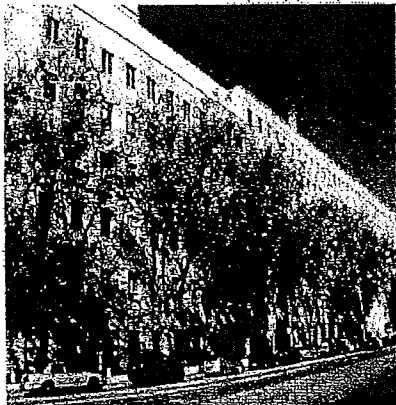
Furthermore, the Sheriff's Department recently upgraded and replaced aging network equipment linking together county jails, the inmate Hospital Ward, and Sheriff's Department satellite offices.<sup>18</sup> The network is a vital part of the City's criminal justice system, as the Sheriff's case management 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.

The new infrastructure significantly reduces the risk of intrusion or network failure, (2) allows for network redundancy in mission critical areas such as booking and the Warrant Bureau to ensure that essential services are not interrupted, (3) allows Sheriff's information technology staff to detect tampering or attempted intrusion, and (4) increases productivity and data sharing within the department and between its criminal justice partners by using City-standardized network architecture. Overall, it provides 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

<b>Landslide:</b> Low	<b>Fault Rupture:</b> Low
<b>Liquefaction:</b> Low	<b>Shaking Intensity:</b> Strong
<b>Settlement:</b> Low	<b>Adjacent Hazards:</b> 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 corner'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 Population Forecast

See next page.

Note: While this Needs Assessment reports a forecast for 2019 to adhere to state requirements, the document below reports a forecast for 2020, because that is the year the proposed RDF is expected to open. However, both forecasts utilize the exact same methodology and are provided by the San Francisco Controller's Office. The only difference is the forecast horizon year.

**CITY & COUNTY OF SAN FRANCISCO**

**Office of the Controller**

City Services Auditor

# **Update to the Jail Population Forecast**

**June 16, 2015**



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## **Executive Summary**

The San Francisco Sheriff's Department ("Sheriff's Department") manages six jails.<sup>1</sup> Two of the jails, County Jail #3 and County Jail #4, are located in the Hall of Justice, a facility that may be vulnerable in a major seismic event. As part of the Hall of Justice Replacement Project, the City and County of San Francisco ("the City") plans to construct a new facility or reconfigure existing space to replace County Jails #3 and #4. In addition, the Sheriff's Department has concerns about the future use of County Jail #6 due to its operational and design limitations. Consequently, this facility may need significant remodeling to be useable.

In 2012, the Controller's Office first completed a forecast of San Francisco's jail population to inform planning for a replacement jail. The forecast was based on the work of two external consultants who utilized jail population data through 2011. In 2014, the Controller's Office updated its analysis with more recent data and recommended that the forecast be updated again in 2015. This report serves as a final updated forecast of the jail population using the most recent data available.

### ***Jail Population Trends***

Between 1994 and 2009 the average daily jail population declined gradually, falling by an average of less than one percent per year. Over the last five years, that decline accelerated to eight percent per year. However, since 2012 the decline in the jail population has largely been driven by two policy changes: state realignment and Proposition 47. Absent these policy changes, the jail population remained relatively flat over that period. This suggests the jail population may plateau near current levels unless other policy changes are enacted. See the "Trends Related to the San Francisco County Jail System" section for more information.

The average daily jail population in 2014 was the lowest since 1982. Despite the historically low population there are still too many inmates to be housed in the current jail system if County Jails #3, #4 and #6 are all closed. If County Jail #6 is reopened, the jail system will become overcrowded if the population returns to its level in 2012, which was a 27 year low.

### ***Previous Forecasts***

Outside of previous work done by the Controller's Office, at least five separate organizations have conducted forecasts of the San Francisco jail population since 2011. The organizations include two consultants funded by the Sheriff's Department, one federally funded consultant, one independent non-partisan think tank, and the Budget and Legislative Analyst. The Controller's Office forecast articulated in this report represents the lowest forecast published by any organization to date.

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<sup>1</sup> County Jail #3 and County Jail #6 are currently closed.

### **Question of County Jail #6**

County Jail #6, which has been closed since 2010, consists of six dormitory-style housing units of sixty-two beds each, for a total of 372 beds. Reopening County Jail #6 and using it in its current configuration would create a number of issues and jail management challenges due to the facility's operational and design limitations.

A number of publications advise that dormitory-style housing should be used with caution and only for inmates with appropriate classifications. The Sheriff's Department asserts that, based on their experience in the San Francisco jail system, a jail built in this style cannot safely house medium- or maximum-security inmates. However, conversations with other corrections professionals with experience outside of San Francisco indicate that at least some medium-security inmates could be safely housed there.

If County Jails #3 and #4 are closed and County Jail #6 is reopened in its current configuration, 40 percent of the useable beds in the jail system (636<sup>2</sup> of 1,610) will be located in a dormitory setting. Under this scenario, the Controller's Office forecast for 2020 suggests that all minimum- and most medium-security inmates would need to be housed in dormitory-style jails.<sup>3</sup> Furthermore, if the Sheriff's Department's assertion that only minimum-security inmates can be safely housed in a dormitory setting is correct, the forecast suggests County Jail #6 would not serve the jail system's needs. More detailed analysis may be needed to determine which inmate classifications could be securely housed at County Jail #6.

There are a number of other limitations to using County Jail #6 in its current configuration:

- 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 is costly and creates safety risks.
- County Jail #6 is not easily reached by public transit, making visitation difficult for the families of inmates who do not own private vehicles.
- The Sheriff's Department offers a number of in-custody programs focused on reducing recidivism including a charter school for inmates and programs related to substance abuse treatment, violence prevention, parenting skills and veterans services. According to the Sheriff's Department, reopening County Jail #6 in its current configuration will make it difficult to deliver rehabilitative programs to inmates in that facility and result in a reduction of the number and proportion of inmates who can take advantage of programs during their time in jail.
- County jail inmates receive an array of mental health services through Jail Health Services. According to Tanya Mera, Director of Behavioral Health and Reentry Services for Jail Health Services, there are too few interview rooms and multi-purpose rooms in

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<sup>2</sup> County Jail #2 has 264 dormitory beds and County Jail #6 has 372 dormitory beds

<sup>3</sup> If the security classification breakdown of inmates remains constant into the future, the Controller's Office forecast suggests 774-930 beds will be needed for maximum-security inmates in 2020. That would leave only 44-200 non-dormitory beds for the remaining 584-701 minimum- and medium-security inmates.



County Jail #6 to deliver adequate mental health services, and dormitory housing creates safety issues and service challenges.

- County Jail #6 would require a number of significant and costly repairs and modifications before reopening, including, but not limited to, work on the security system, camera system and recreation areas.
- The proposed replacement jail includes space for the Sheriff's Department's warrants and records unit, court holding cells, storerooms, medical records storage, and other non-jail spaces currently located in the Hall of Justice. If the City chooses to reopen county Jail #6 rather than construct a replacement jail, the City would need to build, renovate or lease space near the Hall of Justice for these functions.
- There could be opposition from neighboring communities if the Sheriff's Department houses more inmates and higher security inmates on the jail campus in San Mateo County. This opposition could delay the project, leading to construction escalation costs in the millions of dollars per year.

### **Current Forecast**

Because County Jail #6 may need significant remodeling to be useable, the Controller's Office presents the recommended replacement jail capacity in the year 2020 based on two scenarios.

Scenario one assumes County Jail #6 is used at capacity in its current configuration. In that scenario, the upper bound of the Controller's Office forecast indicates the need for a new or reconfigured replacement facility with 21 beds, and the lower bound forecast indicates no need for a replacement facility.

Scenario two assumes that County Jail #6 is not in use as a detention facility in its current configuration. In that scenario, the Controller's Office forecast indicates the need for a new or reconfigured replacement facility with between 120 and 393 jail beds.<sup>4</sup> See the table below.

### **Recommended Replacement Jail Capacity in 2020**

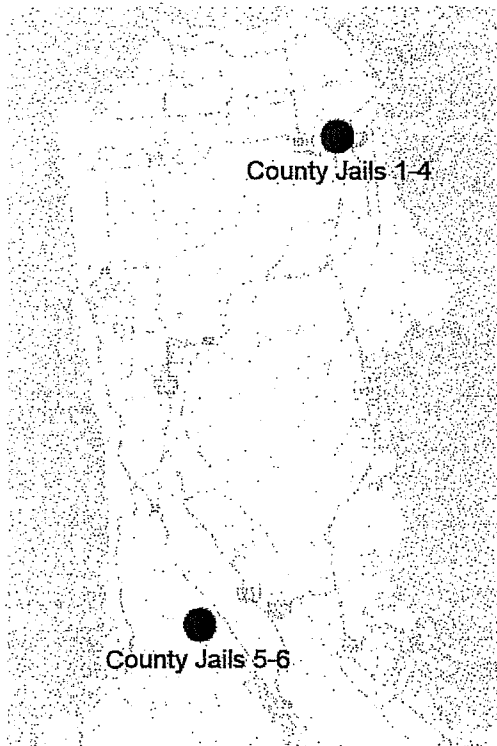
	Forecasted Bed Range (A)	Number of Useable Beds in the System* (B)	Replacement Jail Bed Need (A-B)
Scenario 1: Replace County Jails 3 and 4	1,358 to 1,631	1,610	-252 to 21
Scenario 2: Replace County Jails 3, 4, and 6	1,358 to 1,631	1,238	120 to 393

\*The tally for Scenario 1 includes all useable beds in County Jails #1, #2, #5 and #6. The tally for Scenario 2 includes all useable beds in County Jails #1, #2 and #5.

<sup>4</sup> Current designs for a replacement jail include housing units with 64 beds each. Based on this design, the forecast range in Scenario 2 would translate to a replacement jail with between 128 beds (two - 64 bed housing units) and 384 beds (six - 384 bed housing units).

## Background

The San Francisco Sheriff's Department ("Sheriff's Department") manages four jails in San Francisco and two in San Mateo County.<sup>5</sup> 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. The Hall of Justice, which opened in 1961, has 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.<sup>6</sup> In addition, the Sheriff's Department has concerns about the future use of County Jail #6 due to its operational and design limitations. Consequently, this facility may need significant remodeling to be useable.



In 2012, the Controller's Office first completed a forecast of San Francisco's jail population to inform planning for a replacement jail. The forecast was based on the work of two external consultants who utilized jail population data through 2011. In 2014, the Controller's Office updated its analysis with data through 2013. This report serves as a final updated forecast of the jail population using the most recent data available.

In preparation for the forecast update, the Controller's Office met with representatives from the Adult Probation Department, District Attorney's Office, Public Defender's Office, Superior Court, the Police Department and the Sheriff's Department to better understand how current and planned policies and programs by those agencies may impact the jail population into the future.

## Beds in the County Jail System

Jail beds in San Francisco can be divided into two categories: rated and unrated. 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 medical and psychiatric patients, or do not conform to state standards. Table 1 shows that the county jail system in San Francisco has a total of 2,515 beds, including 2,360 rated beds and 155 unrated beds. Of those 155 unrated beds, 77 cannot be legally used to house inmates because they do not conform to

<sup>5</sup> County Jail #3 and County Jail #6 are currently closed.

<sup>6</sup> The replacement may take the form of a new building or reconfiguration of existing space.

state standards for minimum cell size.<sup>7</sup> The remaining 78 unrated beds are in spaces designed to serve inmates with specific medical and mental health needs and are in regular use. Including the 2,360 rated beds and 78 beds for inmates with psychiatric and medical needs, San Francisco has a total of 2,438 beds that can be used to house inmates.

**Table 1: Breakdown of Beds by Jail and Type**

	Rated Beds	Unrated Beds		Totals	
		Medical or Psychiatric	Below Current Standards	All Beds (Rated + Unrated)	Useable Beds (Rated + Med/Psych)
County Jail #1	0	0	0	0	0
County Jail #2	392	74	0	466	466
County Jail #3	426	0	40	466	426
County Jail #4	402	0	37	439	402
County Jail #5	768	4	0	772	772
County Jail #6	372	0	0	372	372
	<b>2,360</b>	<b>78</b>	<b>77</b>	<b>2,515</b>	<b>2,438</b>

If the Sheriff's Department permanently closed County Jails #3 and #4, the number of useable beds in the system would drop to 1,610. And if the Sheriff's Department also permanently closed County Jail #6, the number of useable beds in the system would drop to 1,238.

## Current Population

Table 2 provides information on inmate characteristics in San Francisco during 2014. The percentages listed for inmate sentencing status, security classification, crime classification, and gender are based on the total average daily population (ADP) in June 2014; as this was the most recent data available from the Board of State and Community Corrections. The percentages listed for inmate age and race/ethnicity are based on the average daily population for the calendar year. The data on inmate age and race/ethnicity was provided by the San Francisco Sheriff's Department.

**Sentencing Status.** The notable majority of inmates in June 2014 had not yet been sentenced. These inmates are also known as pretrial, meaning that they are awaiting resolution of their case. Those that are sentenced have either been found guilty or pled to a crime.

**Security Classification.** Ninety-two percent of the average daily population in June 2014 was classified as medium or maximum security. The Sheriff's Department determines which inmates fall under which security classifications by using an assessment tool during booking. These classifications help the department determine how to house inmates appropriately. The

<sup>7</sup> These beds are in cells that were originally designed to fit two inmates in bunk beds. However, since the jail was constructed, the Board of State and Community Corrections has increased the minimum cell space required per inmate. As a result, those cells are only large enough to house one inmate – the second bed in each cell is not in use.

interview and scoring method that the department uses to determine these security classifications has not been independently validated.

**Table 2: San Francisco Jail Demographics (2014)**

		Percent of Total ADP
Sentencing Status	Unsentenced	85%
	Sentenced	15%
Security Classification	Maximum Security	57%
	Medium Security	35%
	Minimum Security	8%
Crime Classification	Felony	92%
	Misdemeanor	8%
Gender	Male	90%
	Female	10%
Age	18-29	30%
	30-39	29%
	40-65	40%
	66+	1%
Race/Ethnicity	Black	50%
	White	30%
	Hispanic	13%
	Asian	6%
	Other	1%

SOURCES: Board of State and Community Corrections, San Francisco Sheriff's Department  
 Note: Age and Race/Ethnicity calculations are based on all of 2014. The remaining calculations are based on June 2014 only.

**Crime Classification.** The majority of inmates in June 2014 was either facing felony charges or had been convicted of felony charges. A given crime is classified by law as either a felony or a misdemeanor depending on its severity. Most severe crimes are generally classified as felonies.

**Gender.** The high majority of inmates in June 2014 were male. There is only one jail in San Francisco for women and four that are currently open for men.

**Age.** Fifty-nine percent of the average daily population in 2014 was between the ages of 18 and 39. This statistic is unsurprising given that younger adults are more likely to be incarcerated (see discussion under "Demographic and Economic Trends" on page 12).

**Race/Ethnicity.** Seventy percent of the average daily population in 2014 was made up of people of color, half of whom were black.

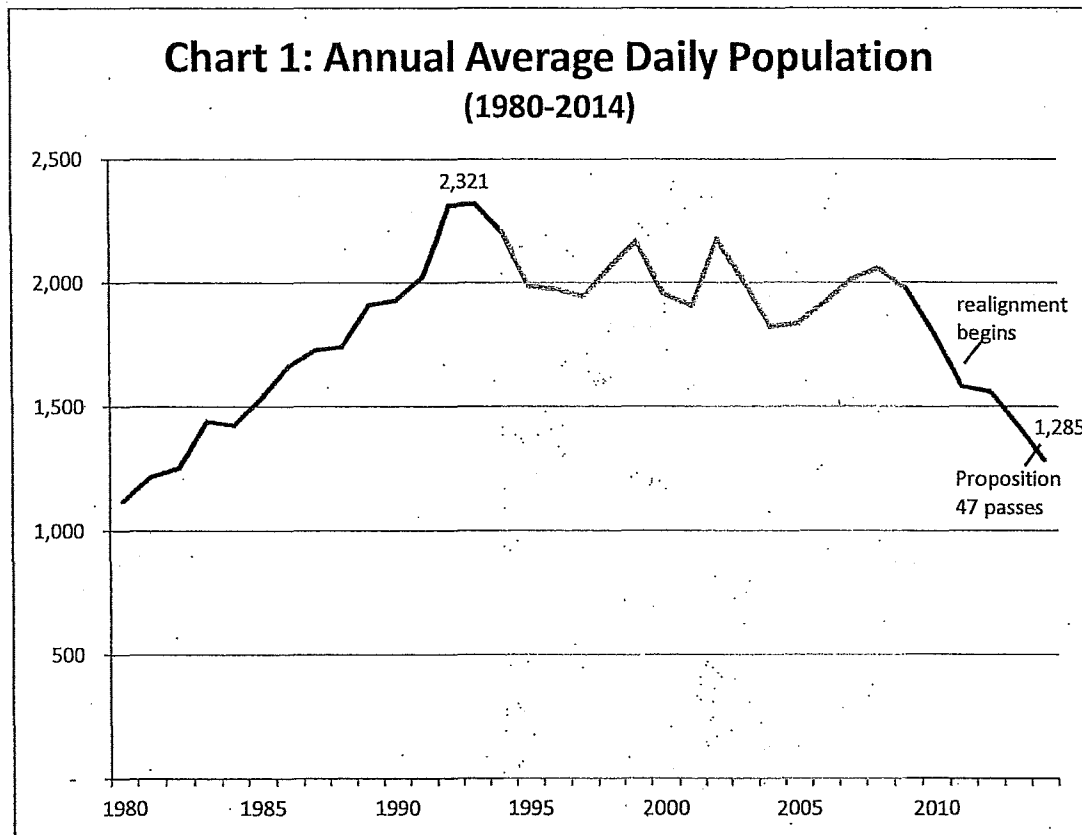
## Trends Related to the San Francisco Jail Population

### *Average Daily Jail Population*

Chart 1 shows the annual average daily population of the San Francisco County jail system from 1980 through 2014. There are three distinct phases of change over this 35 year period.

- **Phase 1: 1980-1993.** During this period, the average daily population increased from 1,121 to 2,321, an average annual growth of six percent.
- **Phase 2: 1994-2009.** Over the next 16 years, average daily population saw a gradual decline, falling by an average of less than one percent per year.
- **Phase 3: 2010-2014.** Over the last five years, average daily population declined by an average of eight percent per year, a faster rate than in the previous phase. The average daily population in 2014 was the lowest since 1982. Since 2012 the decline in the jail

population has largely been driven by two policy changes: state realignment and Proposition 47. Absent these policy changes, the jail population remained relatively flat over the three year period. This suggests the jail population may plateau near current levels unless other policy changes are enacted. See the sections below for more information.



In conversations with the Controller’s Office, representatives from the City’s public safety agencies highlighted certain key events that may have had an effect on the jail population’s upward and downward trends between 2010 and 2014. These events include:

- March 2010** San Francisco Police Department drug lab technician Deborah Madden admitted to taking amounts of cocaine from evidence samples. The testing unit of the police department lab was shut down on March 9, 2010. As a result, hundreds of drug cases were either dismissed or discharged due to evidentiary requirements.
- January 2011** George Gascón was appointed District Attorney of San Francisco.
- April 2011** Greg Suhr was appointed Police Chief of San Francisco.
- October 2011** Effective October 1, 2011, the Public Safety Realignment Act (Assembly Bill 109) changed how the state government deals with low level felonies. The

law now stipulates that certain low-level felonies carry a condition of incarceration in county jails, as opposed to state prisons. Parole violations can also now be served in local jails. See the next section for more information on the impact of Realignment on San Francisco's jail population.

**November 2011** Ross Mirkarimi was elected Sheriff of San Francisco.

**November 2014** On November 4, 2014, the voters of the State of California passed Proposition 47, which converted many nonviolent offenses, such as drug and property offenses, from felonies to misdemeanors. See page 10 for more information on the impact of Proposition 47 on San Francisco's jail population.

### ***The Impact of State Realignment***

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. Chart 2 shows the impact of state realignment inmates on the county jail system. The blue line depicts the number of inmates in county jail not attributed to realignment, while the shaded area shows the average number of inmates attributed to realignment. Together these two numbers sum to the total jail population.

The average daily population of realignment inmates increased over the first five months of realignment to a peak of 328 inmates in February 2012. The population then dropped by 68 percent between February 2012 and September 2014 to a level of 106 inmates. According to Chief of Adult Probation Wendy Still, this is due primarily to a policy change beginning July 1, 2013, which moved parole revocation hearings from the State Board of Parole to the San Francisco Superior Court.<sup>8</sup> See Appendix A for a chart displaying the realignment population by type of offender over time.

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<sup>8</sup> Interview with Chief of Adult Probation Wendy Still, 12/5/13. At the time of the interview Wendy Still was the Chief of the Adult Probation; however she has since retired. The current Chief of Adult Probation, Karen Fletcher was not interviewed for this report.

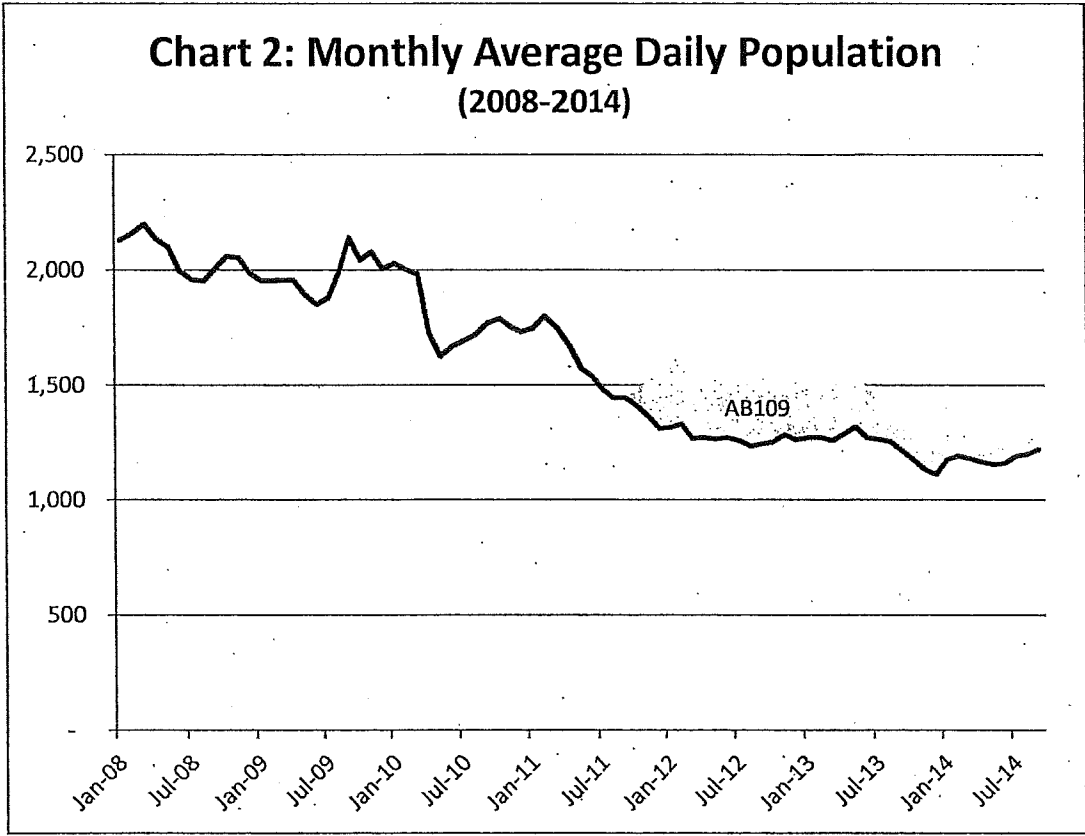
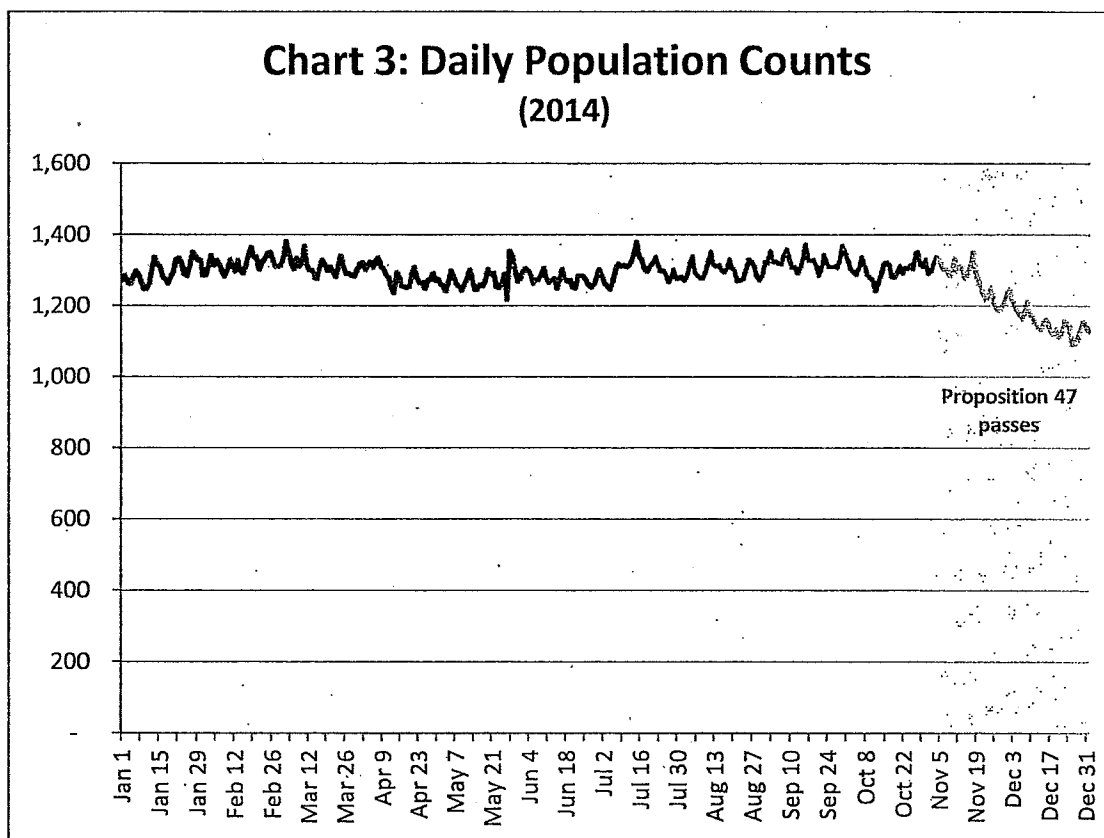


Chart 2 also depicts two distinct trends in the non-realignment inmate population (i.e. the blue line). From January 2008 to December 2011, the non-realignment inmate population declined by one percent per month, but from January 2012 to September 2014 the population remained nearly constant. This evidence suggests the jail population may be plateauing near current levels unless other policy changes are enacted.

***The Impact of Proposition 47***

On November 4, 2014, California voters approved a state measure known as Proposition 47, the Reduced Penalties for Some Crimes Initiative. This initiative, which became law immediately after passage, reduced the classification of most "nonserious and nonviolent property and drug crimes" from felonies to misdemeanors. Proposition 47 impacted the San Francisco jail population in at least two ways. First, when officers make felony arrests they typically admit arrestees into jail, but when officers make misdemeanor arrests they are more likely to cite and release arrestees without a jail admission. Second, officers may be less likely to arrest individuals for misdemeanors than for felonies. In both situations, the reclassification of some felonies to misdemeanors has a downward impact on the jail population.

Following Proposition 47's approval, inmate populations began to fall across the state of California, including in San Francisco.<sup>9</sup> Chart 3 shows that the San Francisco jail population remained stable over the first 10 months of 2014,<sup>10</sup> then dropped by more than 100 inmates soon after the passage of Proposition 47. While only limited data is available for 2015, the available data suggests the jail population has stabilized near 1,200 inmates.



### Other Relevant Trends

Table 3 gives a seven year look at jail population trends, crime trends, and demographic and economic trends. All of the jail and crime metrics reported in Table 3 have fallen during this period, with the exception of reported property crimes and violent crimes.

**Jail Trends.** There are two factors that directly determine the total jail population: the number of people being admitted into jail and the length of their stay in custody. Jail admissions fell by an average of 6 percent per year from 2008 to 2014.

Average length of stay has also fallen. A portion of the jail population is booked and released within the same day, and therefore does not require a jail bed. Those in custody for more than

<sup>9</sup> "County jail populations dip after Prop 47." Southern California Public Radio  
<http://www.scpr.org/news/2015/02/02/49608/county-jail-populations-across-california-dip-afte/>

<sup>10</sup> This provides more evidence that the jail population may be plateauing absent major policy changes.



**Table 3: Trends in San Francisco**

	2008	2009	2010	2011	2012	2013	2014	2008-2014 Trend Line	Avg. Annual % Change
Jail Trends	Total Average Daily Population (ADP) in Jail	2,061	1,976	1,788	1,563	1,560	1,428	1,285	-7%
	Jail Admissions	33,037	30,322	25,396	23,914	22,125	23,766	21,774	-6%
	Realignment (AB109) Average Daily Population	n/a	n/a	n/a	n/a	495	310	177 (Jan-Sept)	-40%
	Alternative to Sentencing Programs Average Daily Population	243	257	183	140	89	133	117	-8%
	Average Days from Booking to Release if >3 days	not available	not available	53	49	47	30	28	-13%
State Prison Trends	Parolees In San Francisco (December 31st)	1,360	1,379	1,417	1,418	992	825	not available	-9%
	Felon Admissions to Prison from San Francisco	630	632	569	420	201	161	not available	-22%
Crime Trends	Arrests per 1,000 People	41.9	39.2	27.4	28.1	24.7	25.3	not available	-9%
	Drug Arrests per 1,000 People	9.5	8.6	3.6	2.2	2	1.7	not available	-26%
	Violent Crimes per 1,000 People	8.5	7.5	7.2	6.7	7.1	8.6	not available	1%
	Property Crimes per 1,000 People	46.4	44.1	41.1	41.6	48.5	59.5	not available	6%
	San Francisco Superior Court New Criminal Filings	13,750	12,954	11,839	9,380	8,136	7,531	6,605	-11%
	Superior Court Active Felony Cases (January 1st)	3,287	3,202	2,995	2,504	1,823	1,930	1,877	-8%
	Superior Court Active Felony Drug Cases (January 1st)	1,849	1,738	1,586	1,095	566	570	479	-18%
	Total Active Adult Probation Caseload (In December)	6,554	6,800	6,423	6,129	5,696	5,054	4,084	-7%
	Youth Referred to the Juvenile Probation Department	3,446	3,296	2,814	2,196	1,871	1,569	1,392	-14%
	Sworn FTE Police Staff (fiscal years)	2,344	2,372	2,300	2,208	2,132	2,140	2,109	-2%
Demographic and Economic Trends	Total San Francisco Population	798,673	801,799	807,177	812,826	825,863	830,956	837,831	1%
	San Francisco Population Age 18-35	263,484	260,894	260,786	260,132	258,151	255,092	245,323	-1%
	Unemployment Rate	5.2%	8.9%	9.5%	8.5%	7.2%	5.7%	4.7%	2%
	Per Capita Income	\$71,760	\$66,894	\$68,555	\$74,425	\$80,014	\$84,356	not available	3%

SOURCES: San Francisco Sheriff's Department, California Department of Justice, San Francisco Superior Court, California Department of Finance, San Francisco Juvenile Probation Department, San Francisco Adult Probation Department, US Bureau of Labor Statistics, US Bureau of Economic Analysis, SFOpenBook, California Department of Corrections & Rehabilitation

three days are likely to have a significant impact on the total jail population and have involvement with the court system. In 2010 those in custody for at least three days made up 74 percent of the total jail population.<sup>11</sup> Their average length of stay—the time between booking and release—has fallen by an average of 13 percent per year since 2010. The largest decline in average length of stay came in 2013, which coincides with the formation of the San Francisco Sentencing Commission. That year the average length of stay fell by 56 percent.

**State Prison Trends.** Individuals sent to prison from San Francisco are ultimately released to parole in San Francisco. If a parolee in San Francisco is found out of compliance with parole terms, he or she could serve a violation in one of San Francisco's county jails.

On average, the number of parolees in San Francisco has fallen sharply (22 percent per year) since 2008. The number of people that San Francisco sends to state prison has also fallen since 2008 (by an average of 9 percent per year).

**Crime Trends.** From 2008 to 2013, arrests per 1,000 people in San Francisco fell by an average of 9 percent per year. A significant component of this decline was a reduction in drug crime arrests, which dropped from 9.5 per thousand people in 2008 to just 1.7 per thousand people by 2014. The largest drop came in 2010 when drug arrests decreased by 58 percent. This is the year the drug lab incident occurred, which resulted in hundreds of drug cases being dismissed or discharged and may also have impacted future drug arrests. The number of active felony cases in San Francisco Superior Court also fell by eight percent per year on average, while active felony drug cases decreased at more than twice that rate.

While arrests and felony cases have dropped, property crimes have increased by an average of six percent per year, with a 23 percent increase occurring in 2013. The largest driver of the spike in property crime is theft valued under \$50, which increased by 30 percent in 2013.

**Demographic and Economic Trends.** While the total population in San Francisco has risen in recent years, the number of residents ages 18-35 has decreased by an average of one percent per year since 2008. The California Department of Finance projects this decline will continue through 2023. This trend is relevant because 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 California in 2009.<sup>12</sup>

The unemployment rate in San Francisco rose from 5.2 percent in 2008 to a high of 9.5 percent in 2010. San Francisco's recovery from the economic recession reduced this rate to 4.7 percent just four years later. Average per capita income has increased steadily during this period, rising from \$71,760 to \$84,356.

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<sup>11</sup> Provided by Lt. Dave Hardy, Unit Commander, Information Technology Support & Services, San Francisco Sheriff's Department.

<sup>12</sup> As reported in the "Evaluation of the Current and Future Los Angeles County Jail Population" by the JFA Institute.

## Potential Impacts of Planned Policy or Program Changes

In conversations with the Controller's Office, representatives from the City's public safety agencies highlighted certain policy and program changes on the horizon that could affect the number of people incarcerated in San Francisco. These changes include but are not limited to the following:

**Repeal of certain Proposition 47 provisions.** Some state lawmakers have introduced bills to amend Proposition 47. If any of these bills are passed and signed by the governor, the changes will go on a 2016 ballot for constituents to vote on. Some of the proposed changes would reclassify certain misdemeanors as felonies again. For example, Senate Bill 333 and Assembly Bill 46 would allow felony charges to be filed against suspects accused of possessing certain date-rape drugs and Assembly Bill 150 would make stealing a gun a felony crime. Changes such as these could increase the size of San Francisco's jail population.

**Increase in police staffing.** The Mayor's Budget for fiscal years 2015-16 and 2016-17 includes funding to hire 400 new police officers. With this additional staffing, Chief Greg Suhr expects that the Police Department will increase the number of arrests it makes and that the jail population will increase as a result.<sup>13</sup>

**Use of new risk-assessment tool.** The Superior Court of San Francisco plans to implement a new tool designed to assess which inmates in the pretrial jail population are likely to recidivate; those at low-risk of recidivism are to be released from custody while they await trial or resolution of their cases. The District Attorney's Office expects use of this risk-assessment tool to lead to a decrease overall in the pretrial jail population (which currently makes up approximately 85 percent of the total jail population).<sup>14</sup> However, the Court Executive Officer for the Superior Court, Michael Yuen asserts that there is insufficient information to determine whether use of the tool will have any impact.

**Shortening of probation sentences.** The Adult Probation Department has proposed a shortened probation term scheme that, if adopted, would result in fewer people returning to custody on probation violations and a reduction in the jail population overall.<sup>15</sup> As of December 14, 2014, the Adult Probation Department found that 27 percent of their clients would potentially be eligible for release from probation under the proposal.<sup>16</sup>

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<sup>13</sup> Interview with Chief of Police Greg Suhr, 2/12/15

<sup>14</sup> Interview with Chief of Staff Cristine DeBerry, District Attorney's Office, 1/28/15

<sup>15</sup> Interview with Chief of Adult Probation Wendy Still, 1/21/15

<sup>16</sup> As reported in the document entitled "Population by Risk Level and Length of Probation Sentence Completed," provided by Leah Rothstein, Research Director, Adult Probation Department.

## Other Potential Impacts Mentioned by Public Safety Stakeholders

Representatives from public safety agencies also mentioned that the following policy changes could affect the number of people incarcerated in San Francisco. It is unknown if and when the following changes will come to pass:

**Increased access to support services.** Those that are released from custody while awaiting resolution of their cases are often referred to Pretrial Diversion, a non-profit funded by the Sheriff's Department. According to Director Will Leong, those that are currently eligible for pretrial release tend to be in need of more support services (such as housing and mental health resources) than Pretrial Diversion can currently access. If such services were funded at a higher level, he predicts that his organization could do more to help people stay out of custody.<sup>17</sup>

**Bail Reform.** The Public Defender's Office is in the midst of working to increase the number of people that are released from custody because of bail motions and bail hearings. The office is also advocating for bail reform to ensure that people do not unnecessarily remain in custody simply because they cannot afford to pay their bail. However, the Sheriff's Department counters that few inmates could take advantage of bail reform. According to the Sheriff's Department, a significant percentage of inmates are not eligible for bail, but no specific statistic was available at the time this report was written. In addition, more than 90 percent of inmates are charged with felony offenses. The Sheriff Department asserts that these individuals often have very high bails due to the seriousness of these offenses. More study would be needed to determine the impact of bail reform on the jail population.

## Jail Population Forecast

The Controller's Office estimate of San Francisco's future jail population is based on three factors:

- 1) **Jail population forecast baseline:** This is a forecast that serves as a baseline for the total estimate of average jail beds needed on a given day. The forecast assumes a steady state, meaning the model cannot predict unexpected future events or policy changes.
- 2) **Peaking factor:** While the forecast baseline predicts the average daily jail population for a given year, the actual population will exceed the average on some days. The peaking factor provides a cushion of jail beds for those peak days.
- 3) **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.

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<sup>17</sup> Interview with Will Leong, Director of Pretrial Diversion, 5/7/15

## ***Forecast Baseline***

In September 2012, the Controller's Office released a forecast of the jail population using a baseline forecast estimated by the consulting firm Jay Farbstein and Associates. The forecast uses a linear regression model and historical data from 1996 to 2011. The Controller's Office then updated the jail population baseline forecast in May 2014 using the same linear regression model and historical data from 1993 to 2013.

This report, which represents the final updated forecast, uses two separate models to predict the average daily jail population in 2020.<sup>18</sup> The first forecast is a linear regression model that has been used previously in San Francisco and at least one other county. The model incorporates historical trends from 1993 through 2014. The second forecast is a demographic model that uses California Department of Finance (DOF) projected population changes in San Francisco and applies those changes to the current jail population. This model is based on a jail forecasting model used by the Public Policy Institute of California (PPIC).<sup>19</sup> The linear trend model represents the upper-bound of our forecast, and the demographic forecast represents the lower-bound.

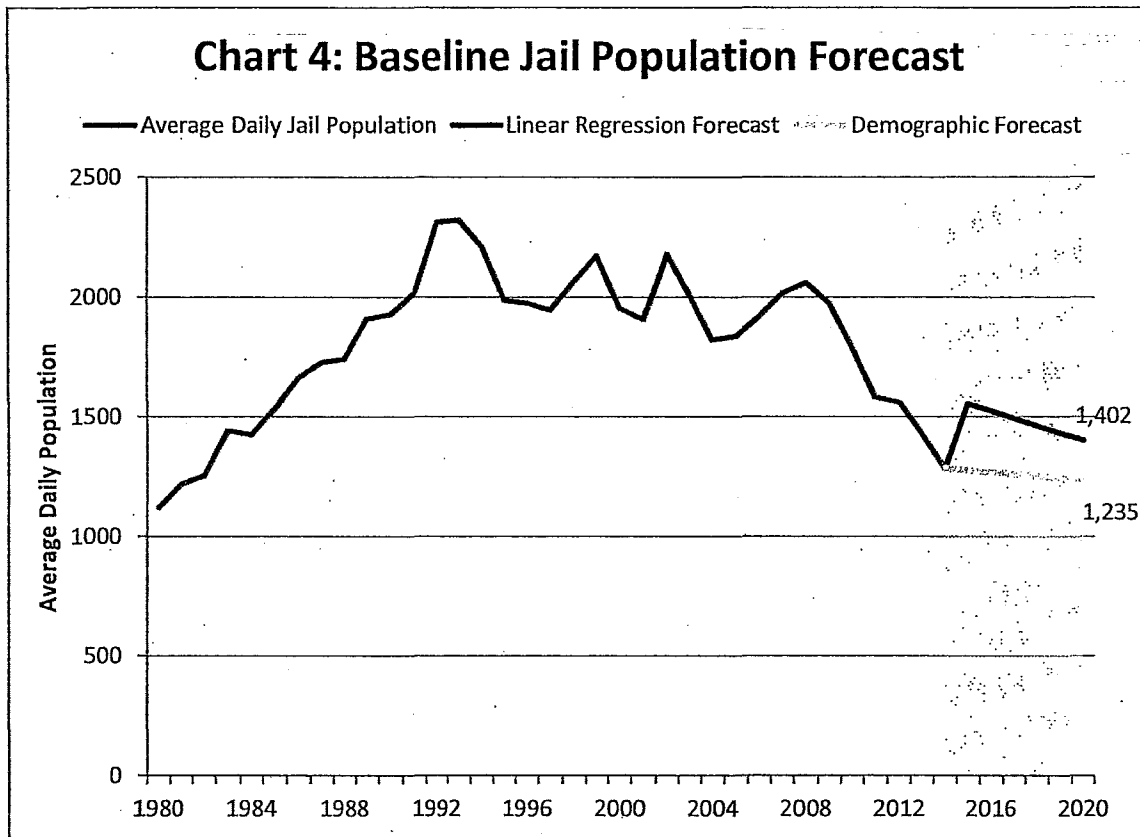
In 2014, San Francisco had an average daily jail population of 1,285 inmates. The linear regression model predicts that by 2020, the jail population will grow to 1,402, a nine percent increase, while the demographic model predicts the population will fall to 1,235, a decline of four percent.

Each model has advantages and disadvantages. The linear model incorporates more than two decades of historical data. As a result, the slope of the linear regression model reflects the downward trend of the jail population. However, events like the 2010 drug lab incident, which saw hundreds of drug cases dismissed and convictions vacated, are treated by the model as part of the trend rather than as one-time events. Including this incident in the model may overstate the jail population's rate of decline. While the linear regression model reasonably represents the general trend of the jail population, the actual forecast level for 2015 is higher than would be expected.

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<sup>18</sup> The proposed replacement jail project is expected to open in 2020.

<sup>19</sup> The PPIC model is based on projected population changes within the 15-39 age group, whereas the Controller's Office model takes into account population changes by age and race.



The advantage of the demographic model is that it incorporates projected changes to race and age in San Francisco. For example, young adults are more likely to be incarcerated than older adults, but the DOF projects the number of young adults in San Francisco will decline over the next several years. The demographic model takes this shift into account when predicting the jail population. However, the demographic model is based on jail incarceration rates in 2014. If a previously enacted policy has not run its course and will continue to impact incarceration rates into the future, those impacts would not be taken into account by this model. Despite not incorporating recent historical trends, the demographic forecast predicts small annual declines in the jail population, which is more likely than the increase in the jail population predicted by the linear trend model.

A final disadvantage of both models is that neither is capable of predicting future legislative or leadership changes that could affect the size of the jail population. For example, policies such as state realignment and Proposition 47 would not have been predicted by our models. Regardless of their relative advantages and disadvantages, the two baseline models represent the best forecast range possible based on the data available.

#### **Peaking Factor**

This factor allows a cushion of jail beds for “peak” days, or days with above average jail needs. As mentioned previously, the Controller’s Office original forecast drew from the work of two

external consultants. The two consultants utilized different methodologies to calculate a peaking factor. See Table 4 for more detail.

**Table 4: Peaking Factor Range**

<u>Crout and Sida Methodology</u>			
(	Peak jail population	- Average Daily Population	) ÷ Average Daily Population = <b>Upper Estimate</b>
<u>Jay Farbstein and Associates Methodology</u>			
(	Average of peak days for each month	- Average Daily Population	) ÷ Average Daily Population = <b>Lower Estimate</b>

The Crout and Sida methodology uses the peak jail population day in a given year to calculate its peaking factor. Based on this methodology, over the period studied the San Francisco jail population never exceeded the peak factor.

The Jay Farbstein and Associates methodology averages the peak jail population day from each month to calculate its peaking factor. 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.

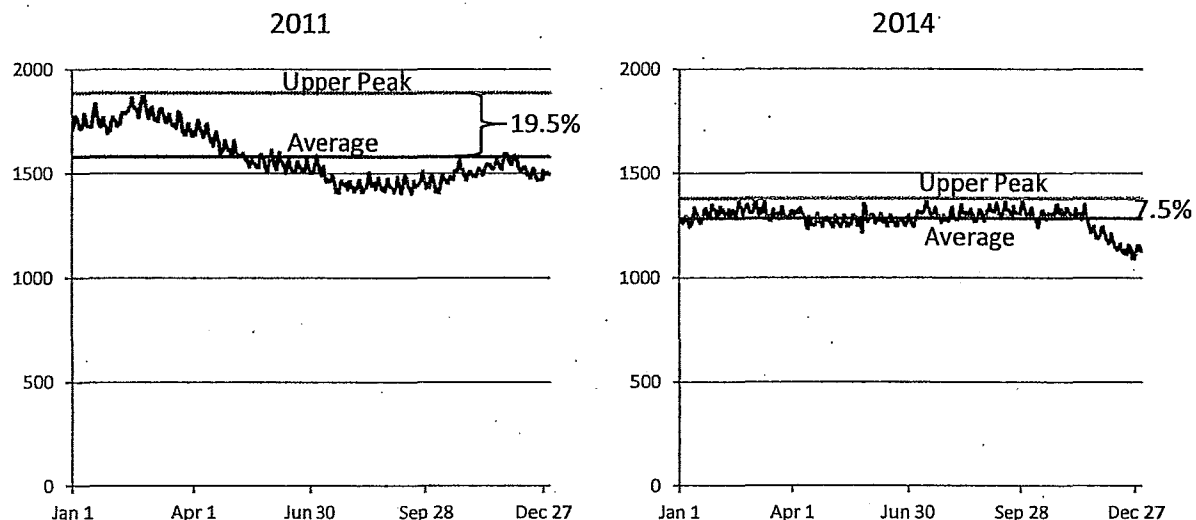
**Table 5: Peaking Factor by Year**

Year	Peaking Factor	
	Lower	Upper
2010	4.8%	18.2%
2011	5.0%	19.5%
2012	4.8%	11.8%
2013*	4.8%	12.5%
2014	4.7%	7.5%

\*The Controller's Office did not have daily population data for September 2013 at the time of this analysis.

Table 5 presents peaking factors over the past five years based on the two methodologies. While the lower bound peaking factor has remained consistent since 2010, the upper bound peaking factor has decreased by 59 percent. This occurred as a result of the declining jail population. When a peaking factor is calculated in a year with a downward trend the factor captures both the trend and the annual peak, falsely exaggerating the peaking factor. See Chart 5 for an example. The Controller's Office recommends using 2014 estimates for the upper and lower bound peaking factor due to that year's flat population trend.

**Chart 5: Daily Jail Population (blue) and Upper Peaking Factor in 2011 and 2014**



**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. 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 Table 6).

**Table 6: 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
<b>Total Empty Beds</b>	<b>128</b>
<b>Total Jail Population</b>	<b>1556</b>
<b>Classification Factor</b>	<b>8.2%</b>
<small>128÷1556=</small>	

The Controller’s Office recommends using five percent as a lower bound estimate of the classification factor and 8.2 percent as an upper-bound estimate.



It is important to note that the actual classification factor for a jail system is dependent on the configuration of jail housing and the types of inmates housed. A jail composed entirely of double-bed cells may have a lower classification factor than a dormitory-style jail because it can house and segregate inmates in a more flexible manner. In addition, a majority minimum-security inmate population will present fewer classification concerns than a majority maximum-security inmate population.

Therefore, changes to the physical infrastructure of the jail system or the makeup of the inmate population over time can impact the system’s overall classification factor. For example, male-to-female transgender individuals in jail are currently segregated into their own housing unit. However, the Sheriff’s Department is considering whether to integrate these inmates into units housing other inmates who identify as female in County Jail #2. This decision could have a small downward impact on the system’s overall classification factor. Conversely, if the Sheriff’s Department reopened dormitory housing units in County Jail #6, it could have an upward impact on the classification factor.

**Forecast Summary**

Table 7 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 2020, the expected completion date for construction of the proposed replacement jail.

**Table 7: Estimates of Total County Jail Bed Needs in 2020**

	Lower Bound	Upper Bound
Forecast Baseline	1,235	1,402
Peaking Factor	4.7%	7.5%
Classification Factor	5.0%	8.2%
<b>TOTAL</b>	<b>1,358</b>	<b>1,631</b>

**Previous Forecasts**

Table 8 presents results from all known forecasts of the San Francisco County Jail Population completed since 2011, including forecasts from six individual organizations and three separate forecasts from the Controller’s Office. Consultants hired by the Sheriff’s Department completed the first two forecasts in 2011. The JFA Institute forecasted the jail population in 2012 as part of the federally-funded Justice Reinvestment Initiative.<sup>20</sup> The Budget and Legislative Analyst completed its forecast in 2014 at the request of the Board of Supervisors. And finally, the non-partisan think-tank Public Policy Institute of California (PPIC) forecasted the

<sup>20</sup> The Justice Reinvestment Initiative is a “data-driven approach that enhances public safety, reduces corrections spending and redirects savings to alternative criminal justice strategies.” See: [http://www.cri.org/cji/entry/project\\_justicereinvest](http://www.cri.org/cji/entry/project_justicereinvest)

jail population in each California county as part of its report on “Key Factors in California’s Jail Construction Needs,” released in 2014.<sup>21</sup>

The table shows that forecasts have declined significantly since 2011, reflecting the large drop in the jail population over that period. For this reason, the Controller’s Office has always recommended updating the forecast with the most recent data available. The table also shows that Controller’s Office estimates are similar to estimates provided by other internal and external organizations. However, the forecast articulated in this report represents the lowest forecast published to date.

**Table 8: Previous Forecasts of County Jail System**

Organization	Year	Forecast for 2020	
	Completed	Inmates	Total Bed Need
Crout and Sida	2011	2,076	2,435
Jay Farbstein and Associates	2011	1,897	2,090
Controller's Office	2012	1,712	2,097-2,292
JFA Institute	2012	1,576	1,735
Controller's Office	2014	1,520	1,673-1,839
Budget and Legislative Analyst	2014	1,279-1,497	1,547-1,811
Public Policy Institute of California	2014	1,401	n/a
Controller's Office	2015	1,235-1,402	1,358-1,631

### **Question of County Jail #6**

County Jail #6 has not been used to house inmates since 2010 because the total jail population in San Francisco is below the system capacity. Reopening County Jail #6 and using it in its current configuration would create a number of issues due to the facility’s operational and design limitations. These issues are discussed below.

**Ability to House Expected Inmate Population.** County Jail #6 consists of six dormitory-style housing units of sixty-two beds each, for a total of 372 beds. The facility has no holding cells or safety cells. This design creates significant jail management challenges for the Sheriff’s Department. A number of publications advise that dormitory-style housing should be used with caution. For example, the National Institute of Corrections’ Jail Design Guide notes that dormitory-style housing:<sup>22</sup>

- “reduces the staff’s ability to prevent physical or sexual assaults, especially during night-time lockdown or other times when staffing levels tend to be reduced”

<sup>21</sup> The report is available at: [http://www.ppic.org/main/publication\\_quick.asp?i=1098](http://www.ppic.org/main/publication_quick.asp?i=1098) The appendix which references the forecast is available at:

[http://www.ppic.org/content/data/Current\\_and\\_Projected\\_Jail\\_Capacity\\_and\\_Needs.pdf](http://www.ppic.org/content/data/Current_and_Projected_Jail_Capacity_and_Needs.pdf)

<sup>22</sup> This report is available at <https://s3.amazonaws.com/static.nicic.gov/Library/024806.pdf>

- “reduces the staff’s ability to control inmates during disturbances because the staff cannot fully separate the inmates and achieve a fully secure lockdown until the emergency passes”
- “reduce[s] flexibility and the ability to subdivide the population into distinct groups [based on classification]”

In addition, a 2011 study of the San Francisco County jail system by criminal justice consultants states, “the administration of the jail system should be cautioned that they must resist the urge to fill these dormitory beds unless the classification of the inmate allows being housed there.”<sup>23</sup>

As a result of the potential safety and security issues stated above, the Sheriff’s Department asserts that a jail built in this style cannot safely house medium- or maximum-security inmates. Some other corrections professionals disagree. According to Jeanne Woodford, former Undersecretary of the California Department of Corrections and Rehabilitation, maximum-security inmates should not be housed in dormitories as a general rule. However, some medium-security inmates may be appropriate for dormitory housing. For example, medium-security sentenced inmates are in jail for longer periods which allows jail staff to develop relationships with the inmates and better manage their behavior.<sup>24</sup>

The Sheriff’s Department has used County Jail #6 to house medium- and maximum-security inmates in the past. Resolve to Stop the Violence (RSVP) is a program offered to violent offenders while they are in county jail. A 2005 evaluation of RSVP published in the *Journal of Public Health* indicates that the program was previously delivered to inmates in County Jail #6. RSVP participants are typically medium- and maximum-security inmates due to their violent histories, yet the evaluation reports that the program “exhibited an instantaneous, dramatic decrease of violent episodes in-house.”<sup>25</sup> This suggests it is possible to mitigate the safety concerns posed by housing medium- and maximum-security inmates in a dormitory-style jail if the population is managed appropriately. However, the Sheriff’s Department responds that it has only housed medium- and maximum-security inmates in County Jail #6 when a lack of available jail beds did not allow for those inmates to be housed elsewhere.

If County Jails #3 and #4 are closed and County Jail #6 is reopened in its current configuration, 40 percent of the useable beds in the jail system (636 of 1,610) will be located in a dormitory setting.<sup>26</sup> By comparison, 43 percent of inmates in the county jail system in 2014 were classified as minimum- or medium-security. Under this scenario, the Controller’s Office forecast suggests that all minimum- and most medium-security inmates would need to be

<sup>23</sup> Crout and Sida Criminal Justice Consultants, Inc. “Jail Population Study: City and County of San Francisco.”

<sup>24</sup> Interview with Jeanne Woodford, 5/14/15. The Controller’s Office does not have data on the number of medium-security sentenced inmates currently in jail, but in June 2014 only 15 percent of jail inmates were sentenced, regardless of security classification. See Table 2.

<sup>25</sup> James Gilligan and Bandy Lee. “The Resolve to Stop the Violence Project: reducing violence in the community through a jail-based initiative.” *Journal of Public Health*. Vol. 27, No.2, pp 143-148.

<sup>26</sup> County Jail #2 has 264 dormitory beds and County Jail #6 has 372 dormitory beds

housed in dormitory-style jails in 2020.<sup>27</sup> Furthermore, if the Sheriff's Department's assertion that only minimum-security inmates can be safely housed in a dormitory setting is correct, the forecast suggests County Jail #6 would not serve the jail system's needs. More detailed analysis is needed to determine which inmate classifications could be securely housed at County Jail #6.

**Transportation Costs and 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. Additional transit costs would be accrued by Public Defender's Office staff who need to visit their clients at County Jail #6.

**Access to Family Visitation.** County Jail #6 is not easily reached by public transit, making visitation difficult for the families of inmates who do not own private vehicles.

**Impacts on Service Delivery.** The Sheriff's Department offers a number of in-custody programs focused on reducing recidivism including a charter school for inmates and programs related to substance abuse treatment, violence prevention, parenting skills and veterans services.<sup>28</sup> County Jail #6 has only three multi-purpose rooms, which is insufficient space to accommodate the programs currently offered in other jails. According to the Sheriff's Department, reopening County Jail #6 in its current configuration will make it difficult to deliver rehabilitative programs to inmates in that facility and result in a reduction in the number of inmates who can take advantage of programs during their time in jail.

County jail inmates also receive an array of mental health services through Jail Health Services. According to Tanya Mera, Director of Behavioral Health and Reentry Services for Jail Health Services, there are too few interview rooms and multi-purpose rooms in County Jail #6 to deliver adequate mental health services such as one-on-one and group treatment. Also, providing mental health services in a dormitory housing unit can create service and safety challenges because there are no secure cells in which to place unstable or agitated inmates. Issues with one inmate could impact service delivery for all inmates in the housing unit. Finally, because the facility is located in San Mateo County, clients could become isolated and disconnected from their families. Ms. Mera is concerned that this disconnection will negatively impact mental health outcomes.

This reduction in programs and services would come at a time when Jail Health Services is witnessing an increase in mental health needs among inmates. For example, between 2011 and 2014, referrals to mental health services increased from 5,361 to 5,763 and contacts per client increased from 10.42 per year to 12.45 per year. The service reduction would also come at a time when the State of California is providing financial incentives for expanding program

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<sup>27</sup> If the security classification breakdown of inmates remains constant into the future, the Controller's Office forecast suggests 774-930 beds will be needed for maximum-security inmates in 2020. That would leave only 44-200 non-dormitory beds for the remaining 584-701 minimum- and medium-security inmates.

<sup>28</sup> These programs are administered by community based organizations.

and treatment space in jails. Senate Bill 863 provides \$500 million in state funding to counties for this purpose.

**Repairs and Modifications Needed to Reopen.** County Jail #6 is a 26 year old facility which was built quickly in response to jail overcrowding, and has not been used as a detention facility in five years. According to the Sheriff's Department, a number of significant and costly repairs and modifications need to be made before the facility could be reopened. Some of these modifications are discussed below, but more study is needed to determine a comprehensive list of facility needs and associated costs.

- The Prison Rape Elimination Act (PREA) requires that all detention facilities comply with certain standards with the goal of eliminating the occurrence of sexual assaults. County Jail #6 would require a number of modifications to become compliant with these requirements.<sup>29</sup> For example, the camera system at County Jail #6 has limited coverage and would need to be upgraded.
- The existing security system (perimeter alarms, intercom system, door control system, etc.) is antiquated and may need to be replaced. County Jail #2 has a similarly aged system which failed last year and had to be replaced.
- The facility's data system would need to be upgraded to allow for video visitation, an inmate phone system, emergency radio system, Wi-Fi in classrooms, etc.
- Recreation areas need to be modified to prevent escape. For example, roof enclosures need to be added.
- A 2013 seismic evaluation report of County Jail #6 from the Department of Public Works encourages the Sheriff's Department to perform minor retrofitting prior to re-occupying the facility.
- County Jail #6 has no kitchen or laundry facilities. While the neighboring County Jail #5 does have kitchen and laundry facilities, it may be necessary to install additional equipment to allow those facilities to serve both buildings.
- Life safety systems (e.g. fire alarms and smoke removal systems) would need to be inspected and potentially replaced.

**Other Construction and Remodeling Required.** The proposed replacement jail includes space for the Sheriff's Department's warrants and records unit, storerooms, medical records storage, and other non-jail spaces currently located in the Hall of Justice. If the City chooses to reopen county Jail #6 rather than construct a replacement jail, the City would need to build, renovate or lease space near the Hall of Justice for these functions. The City would also need to replace holding cells currently located in the Hall of Justice which are used when transporting inmates to and from court. Finally, the proposed replacement jail provided an opportunity to address issues related to County Jail #2. For example, the proposed replacement jail is designed to include kitchen and laundry facilities that would serve the new jail and County Jail #2. If the replacement jail is not constructed, kitchen and laundry facilities in County Jail #2 would need to be refurbished.

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<sup>29</sup> PREA was passed by Congress in 2003, but new standards did not go into effect until 2012.

**Potential Opposition from Neighboring Communities.** There could be opposition from neighboring communities if the Sheriff's Department houses more inmates and higher security inmates on the jail campus in San Mateo County. This opposition could delay the project, leading to construction escalation costs in the millions of dollars per year. Previous construction efforts on the campus required significant negotiation with the surrounding community. Also, government representatives from San Mateo County have appeared at San Francisco Board of Supervisors meetings on the jail replacement project to voice concerns over moving more inmates to San Mateo County.

## Replacement Jail Need

Because County Jail #6 may need significant remodeling to be useable, the Controller's Office presents the recommended replacement jail capacity in the year 2020 based on two scenarios.

Scenario one assumes County Jail #6 is used at capacity in its current configuration. In that scenario, the upper bound of the Controller's Office forecast indicates the need for a new or reconfigured replacement facility with 21 beds, and the lower bound forecast indicates no need for a replacement facility. If no replacement facility is constructed and County Jails #3 and #4 are closed but County Jail #6 is in use at capacity, the jail system would become overcrowded if the population returns to its level in 2012, which was a 27 year low.<sup>30</sup>

Scenario two assumes that County Jail #6 is not in use as a detention facility in its current configuration. In that scenario, the Controller's Office forecast indicates the need for a new or reconfigured replacement facility with between 120 and 393 jail beds.<sup>31</sup> If no replacement facility is constructed and County Jails #3, #4 and #6 are closed, the jail system would not be able to house all inmates in the system if the population stays at or above its level for 2014, which was a 32 year low (see Table 9).<sup>32</sup>

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<sup>30</sup> For scenario one, the threshold below which San Francisco could close the Hall of Justice jails and not need a replacement facility is between 1,384 and 1,464 inmates. Calculation: useable beds in system (1,610) ÷ classification factor (1.05 to 1.082) ÷ peaking factor (1.047 to 1.075) = 1,384-1,464.

<sup>31</sup> Current designs for a replacement jail include housing units with 64 beds each. Based on this design, the forecast range in Scenario 2 would translate to a replacement jail with between 128 beds (two - 64 bed housing units) and 384 beds (six - 384 bed housing units).

<sup>32</sup> For scenario two, the threshold below which San Francisco could close the Hall of Justice jails and not need a replacement facility is between 1,064 and 1,126 inmates. Calculation: useable beds in system (1,238) ÷ classification factor (1.05 to 1.082) ÷ peaking factor (1.047 to 1.075) = 1,064-1,126

**Table 9: Recommended Replacement Jail Capacity in 2020**

	Forecasted Bed Range (A)	Number of Useable Beds in the System* (B)	Replacement Jail Bed Need (A-B)
Scenario 1: Replace County Jails 3 and 4	1,358 to 1,631	1,610	-252 to 21
Scenario 2: Replace County Jails 3, 4, and 6	1,358 to 1,631	1,238	120 to 393

\*The tally for Scenario 1 includes all useable beds in County Jails #1, #2, #5 and #6. The tally for Scenario 2 includes all useable beds in County Jails #1, #2 and #5.

## Risks and Repercussions

There is inherent uncertainty involved with forecasting the jail population. The number of individuals in jail is impacted by demographics and economic factors, but also by policy changes (e.g. state realignment, Proposition 47) and individual actors (e.g. enforcement decisions by the Chief of Police and District Attorney) which can be very difficult to predict. In addition, the forecast in this report assumes a steady state, but in reality the jail population has been dynamic in recent years.

Given the uncertainty of jail forecasting, it is important to consider the risks and repercussions involved with a decision between building a new facility or reconfiguring existing space to replace the Hall of Justice jails, or doing nothing. The section below describes these risks and repercussions in two scenarios:

**1. If the City builds or renovates a replacement facility, but the population continues to drop and no such facility is needed:**

- The City would have developed a replacement facility using funds that could have financed other capital projects.
- The new facility would allow the Sheriff's Department to transfer inmates currently housed in San Mateo County into a facility near the Hall of Justice. This transfer has multiple benefits.
  1. Inmate transportation between the Hall of Justice and San Mateo County is costly and increases safety and security risks for inmates and deputies. Housing inmates in San Francisco eliminates these concerns.
  2. Housing inmates in San Francisco makes them more accessible for family visitation, especially for families without private vehicles.
  3. Housing inmates in San Francisco reduces transportation time and costs for Public Defender staff who currently have to travel to San Mateo County to visit their clients.
- County Jail #6 is currently used for deputy training, storage space and occasional vocational programs. The Sheriff's Department could continue to use the facility for these purposes.

**2. If the City does not build or renovate a replacement facility, but one is needed:**

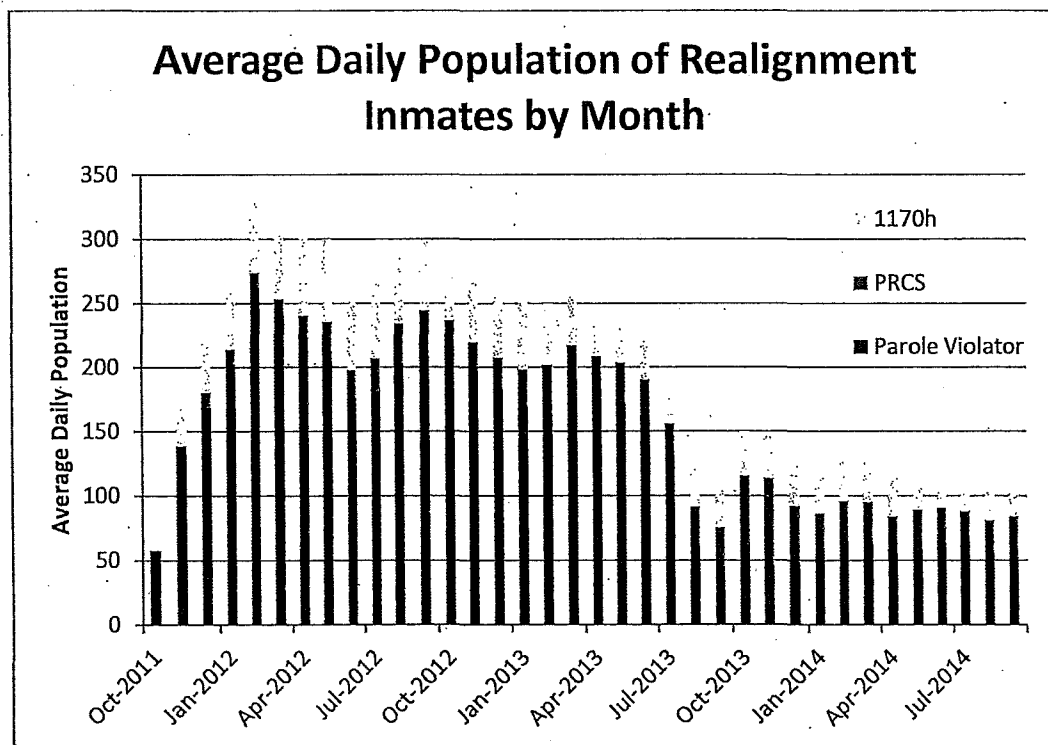
- The City would need to fund a replacement facility, but likely at a higher cost.
  - The City would have lost an opportunity to receive up to \$80 million in funding from the State of California to finance jail construction.<sup>33</sup>
  - Capital Planning estimates that construction costs will escalate by five percent per year, outpacing the City's expected revenue growth. For a \$278 million project, a five percent escalation rate amounts to a \$13.8 million cost increase each year the project is delayed.
- If a major earthquake strikes while inmates are still housed in the Hall of Justice, the jail would likely need to be vacated and closed permanently. In addition to the safety concerns of transporting inmates immediately after a major disaster, it would be costly to house inmates elsewhere while a new facility is constructed.
- The City's jail system may experience overcrowding, which can lead to unsafe and inhumane housing conditions. The City has been sued at least twice since 1980 due to subpar jail conditions resulting from overcrowding.
- If it isn't already at capacity, County Jail #6 could be used as an overflow facility in the case of a major earthquake or overcrowding but may need significant repairs.
- The proposed replacement jail includes space for the Sheriff's Department's warrants and records unit, storerooms and other non-jail spaces currently located in the Hall of Justice. When the Hall of Justice closes, the City would need to build, renovate or lease space near the Hall of Justice for these functions. The City would also need to replace holding cells currently located in the Hall of Justice which are used when transporting inmates to and from court.

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<sup>33</sup> State funding is available via Senate Bill 863. County proposals for funding are due on August 28, 2015.



## Appendix A: Realignment Inmates by Type Over Time



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. The chart above shows the impact of state realignment inmates on the average daily jail population broken down into three groups of inmates.

- **State Parole Violators:** Individuals whose parole is revoked by the State of California may be remanded to county jail. Prior to state realignment they would have been housed in state prison, but are now housed in county jail.
- **Post-Release Community Supervision (PRCS) Violators:** These individuals violated the terms of their PRCS and are subject to penalties including modification of PRCS conditions, returning to jail, or referral to an evidence-based program.
- **Non-violent, Non-sexual, Non-serious Felony Offenders:** Prior to state realignment they would have been housed in state prison, but are now housed in county jail. This category also includes individuals who are incarcerated for violating the terms of their mandatory supervision after leaving custody.

### **About the Controller's Office City Services Auditor**

The City Services Auditor was created within the Controller's Office through an amendment to the City Charter approved by voters in 2003. Under Appendix F of 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, and
- Ensuring the financial integrity and improving the overall performance and efficiency of city government.

For more information visit our website at:

<http://www.sfcontroller.org/index.aspx?page=42>

Project Team: Peg Stevenson, Director  
Kyle Patterson, Project Manager  
Jay Liao, Budget Analyst  
Jessie Rubin, Performance Analyst

For more information, please contact:

Kyle Patterson  
Office of the Controller  
City and County of San Francisco  
(415) 554-5258 | [Kyle.Patterson@sfgov.org](mailto:Kyle.Patterson@sfgov.org)

## **CITY & COUNTY OF SAN FRANCISCO**



### **Office of the Controller**

1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102  
(415) 554-7503

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

Jail	In-Custody Program/Pods <sup>a</sup>	Hours of Programming <sup>b</sup>
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

<sup>a</sup> For program descriptions, please see Exhibit 10.

<sup>b</sup> 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.

AMENDED IN COMMITTEE

2/9/17

FILE NO. 170065

RESOLUTION NO. 42-17

1 [Funding Application - Board of State and Community Corrections - Renovation of County Jail  
2 No. 2 - \$70,000,000 of State Funding - \$12,000,000 of Additional City Funding]

3 **Resolution authorizing the Sheriff's Department to submit a funding application to the**  
4 **Board of State and Community Corrections pursuant to California State Senate Bill 844**  
5 **(2016) for \$70,000,000 for a proposed project to renovate County Jail No. 2; outlining**  
6 **the matching cash contribution of \$8,200,000 and additional funds of \$3,800,000 for a**  
7 **total of \$12,000,000 needed for the proposed project; and conditionally approving the**  
8 **form and execution of associated financing and construction documents.**  
9

10  
11 WHEREAS, Under Senate Bill 844, Chapter 34, Statutes of 2016 ("SB 844"), the State  
12 of California authorized the California State Public Works Board ("SPWB") to issue up to  
13 \$270,000,000 in lease revenue bonds, notes, or bond anticipation notes to finance the  
14 acquisition, design, renovation, and construction of approved adult local criminal justice  
15 facilities; and

16 WHEREAS, On December 30, 2016, the Board of State and Community Corrections  
17 ("BSCC") issued a Request for Proposals for Construction of Adult Local Criminal Justice  
18 Facilities ("SB 844 RFP"), a copy of which is on file with the Clerk of the Board of Supervisors  
19 in File No. 170065, and is incorporated herein by reference; and

20 WHEREAS, In 1992, the City and County of San Francisco ("County") developed  
21 Seismic Hazard Ratings for over 200 of its public buildings on a scale from one to four, with  
22 four representing the most seismically deficient, and County's Hall of Justice building at 850  
23 Bryant Street ("HOJ") is a seismically deficient building that received a rating of three; and

24 WHEREAS, County Jail No. 3 and County Jail No. 4 are located in the HOJ and have a  
25 combined total of 905 (826 rated) bed facilities; and

1           WHEREAS, If the HOJ sustains significant damage due to a major seismic event, the  
2 estimated cost to relocate and transport inmates housed in County Jail No. 3 and County Jail  
3 No. 4 is estimated to be tens of millions of dollars, and replacing County Jail No. 3 and County  
4 Jail No. 4 has been a high priority of the County's Ten-Year Capital Plan since its inception in  
5 2006; and

6           WHEREAS, If County Jail No. 2, which is located at 425 Seventh Street, is renovated  
7 to house higher security classifications, it could house some prisoners who otherwise need to  
8 be housed in County Jail No. 3 or County Jail No. 4; and

9           WHEREAS, Renovating County Jail No. 2 to house higher security classifications (the  
10 "Proposed Renovation Project") is currently estimated to cost \$82,000,000; and

11           WHEREAS, The County is qualified to receive up to \$70,000,000 of SB 844 funds for  
12 the Proposed Renovation Project, which would substantially offset its cost; and

13           WHEREAS, The County would need to apply for the SB 844 funds by submitting a  
14 Proposal Form in substantially the form on file with the Clerk of the Board of Supervisors in  
15 File No. 170065 ("Proposal Form"), which is incorporated herein by reference; and

16           WHEREAS, If County receives the SB 844 funds, it would need to provide a matching  
17 County contribution of \$8,200,000 ("County's Cash Contribution") and fund the additional  
18 \$3,800,000 ("Additional Contribution") needed to fully fund the Proposed Renovation Project;  
19 and

20           WHEREAS, If the County receives a conditional intent to award SB 844 financing and  
21 elects to perform the Proposed Renovation Project, County staff will cause the issuance of not  
22 more than \$12,000,000 of commercial paper to fund on an interim basis the remainder of the  
23 County's Cash Contribution and the Additional Contribution to this Board of Supervisors for  
24 consideration, such commercial paper to be refunded with cash or the issuance of the  
25 County's long-term bonds; and

1           WHEREAS, The submitted application for SB 844 financing must include a resolution  
2 that is adopted by this Board of Supervisors and authorizes an adequate amount of available  
3 funds for County's Cash Contribution; and

4           WHEREAS, The submitted application for SB 844 financing must include a resolution  
5 that is adopted by this Board of Supervisors and authorizes the execution of a Project Delivery  
6 and Construction Agreement, a Jail Construction Agreement, and a Right of Entry for  
7 Construction and Operation (collectively, "Construction Documents"), and a Ground Lease,  
8 Site Lease, Facility Lease, and a Facility Sublease (collectively, the "Financing Documents"),  
9 which are substantially the forms on file with the Clerk of the Board of Supervisors in File No.  
10 170065, and the Construction Documents and the Financing Documents are hereby declared  
11 to be a part of this resolution as if set forth fully herein; and

12           WHEREAS, The Planning Department determined the Proposed Renovation Project is  
13 categorically exempt from the California Environmental Quality Act, California Public  
14 Resources Code Sections 21000 et seq., and issued a CEQA Categorical Exemption  
15 Determination with respect to such determination, which is on file with the Clerk of the Board  
16 of Supervisors in File No. 170065 and is incorporated herein by reference, and the Board  
17 adopts such determination as its own; now therefore be it

18           RESOLVED, The County is authorized to submit an application for \$70,000,000 of SB  
19 844 funds in response to the SB 844 RFP; and, be it

20           FURTHER RESOLVED, The County Sheriff is authorized to execute and submit the  
21 Proposal Form to the BSCC; and, be it

22           FURTHER RESOLVED, The County will be authorized to proceed with the Proposed  
23 Renovation Project if County is awarded, and this Board of Supervisors accepts and  
24 appropriates, the SB 844 financing for the Proposed Renovation Project and this Board of  
25

1 Supervisors approves the contract for the design of the Proposed Renovation Project, if such  
2 contract is for more than \$10,000,000 (the "Acceptance Conditions"); and, be it


3 FURTHER RESOLVED, This Board of Supervisors does hereby approve the form of  
4 the Construction Documents and the Financing Documents, as may be modified by mutual  
5 agreement of County and BSCC to allow County Jail No. 2 to be encumbered with the  
6 Financing Documents for the SB 844 funds awarded for the Proposed Renovation Project and  
7 the financing documents related to the issuance of County's General Fund certificates of  
8 participation for the Proposed Renovation Project if necessary; and, be it

9 FURTHER RESOLVED, If the Acceptance Conditions are fully satisfied, the  
10 Controller's Director of Public Finance is hereby authorized and directed to cause the  
11 issuance of not more than \$12,000,000 of County's commercial paper to fund on an interim  
12 basis costs for the Proposed Renovation Project, such commercial paper to be refinanced on  
13 a long term basis from available County funds or certificates of participation or other forms of  
14 indebtedness, the security documents of which shall be submitted to this Board of Supervisors  
15 for its consideration and approval; and, be it

16 FURTHER RESOLVED, If the Acceptance Conditions are fully satisfied, the following  
17 persons (collectively, the "Authorized Officers"), will be authorized to execute the Construction  
18 Documents and the Financing Documents as specified below for and in the name of the  
19 County at such time and in such manner as is required for the awarded SB 844 financing,  
20 modified as may be necessary for a design-build project, with such additions thereto and  
21 changes therein as are required by the BSCC or the SPWB to effectuate the financing  
22 program for the SB 844 financing, if the applicable Authorized Officers, determine, in  
23 consultation with the County's City Attorney, such changes are in the best interest of the  
24 County, do not materially increase the obligations or liabilities of the County, are necessary or  
25 advisable to effectuate the purposes of the Construction Documents, the Financing

1 Documents or this resolution, and are in compliance with all applicable laws, including the  
2 County's Charter, and approval of such changes shall be conclusively evidenced by the  
3 execution and delivery thereof by the applicable Authorized Officers, with (i) County's Director  
4 of Property or his or her designee, acting alone, authorized to sign the Financing Documents,  
5 (ii) County's Director of Property or his or her designee, authorized to sign the Right of Entry  
6 for Construction and Operation and the Facilities Sublease on behalf of the County, (iii)  
7 County's Controller or his or her designee, County's Sheriff or his or her designee, and the  
8 Director of San Francisco Public Works or his or her designee, acting together, authorized to  
9 sign the BSCC Jail Construction Agreement, and (iv) County's Controller or his or her  
10 designee, and County's Sheriff or his or her designee, acting together and with the  
11 recommendation of the Director of San Francisco Public Works or his or her designee,  
12 authorized to sign the Project Delivery and Construction Agreement.  
13  
14  
15

16 RECOMMENDED BY:

17   
18 \_\_\_\_\_  
19 Vicki L. Hennessy, Sheriff  
20  
21  
22  
23  
24  
25





City and County of San Francisco  
Tails  
Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

File Number: 170065

Date Passed: February 14, 2017

Resolution authorizing the Sheriff's Department to submit a funding application to the Board of State and Community Corrections pursuant to California State Senate Bill 844 (2016) for \$70,000,000 for a proposed project to renovate County Jail No. 2; outlining the matching cash contribution of \$8,200,000 and additional funds of \$3,800,000 for a total of \$12,000,000 needed for the proposed project; and conditionally approving the form and execution of associated financing and construction documents.

February 09, 2017 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

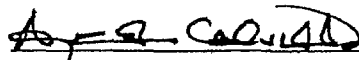
February 09, 2017 Budget and Finance Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

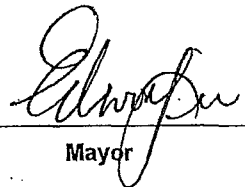
February 14, 2017 Board of Supervisors - ADOPTED

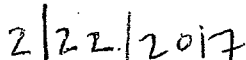
Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 170065

I hereby certify that the foregoing Resolution was ADOPTED on 2/14/2017 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

  
Mayor

  
Date Approved



Edwin M. Lee, Mayor  
Naomi M. Kelly, City Administrator

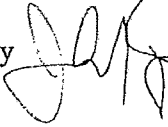


John Updike  
Director of Real Estate

## MEMORANDUM

DATE: March 14, 2017

TO: Honorable Sheriff Vicki Hennessy

FROM: John Updike, Director of Property 

SUBJECT: Valuation of City Jail Land at 425 7<sup>th</sup> Street

I have been asked to opine as to the value of the underlying fee title interest in the land upon which the Jail at 425 7<sup>th</sup> Street is situated. We have approximated the land area to be 20,000 square feet, and the property is a portion of Lot 042 in Block 3759. The property is zoned P (Public). It is surrounded by SALI zoning which contains exemptions for office uses not otherwise permitted by code, associated with the Hall of Justice. Highest and Best Use of the property is assumed to be for office development. Any primary non-public use would require a re-zoning.

We have completed a review of recent comparable sales of like properties in the area which ranged in value from \$165/square foot to \$600/square foot. Six sales were analyzed, and after adjustments to the subject property for size, lack of zoning, configuration and time, we concluded with a valuation of \$6,000,000 for the subject property.