

**Ben Rosenfield**
Controller**Todd Rydstrom**
Deputy Controller

MEMORANDUM

TO: Members of the Board of Supervisors

FROM: Jessie Rubin, Controller
Kyle Patterson, Controller

DATE: November 20, 2015

SUBJECT: Jail Classification and Housing Options Assessment

Since 2006, the City and County of San Francisco (“the City”) has planned to replace County Jails #3 and #4, which are located in the seismically deficient Hall of Justice. These two jails include a total of 828 rated beds. The current proposal before the Board of Supervisors is to replace these jails with a new 384-bed downtown facility. This proposed reduction in bed count aligns with the recent jail population forecast produced by the City’s Office of the Controller.¹

The Office of the Controller’s jail population forecast also found that the City may not need a replacement jail if County Jail #6, a 372 bed dormitory-style jail that has been closed since 2010, is reopened and can be used at capacity. The San Francisco Sheriff’s Department (“Sheriff’s Department”) feels strongly that the dormitory design of County Jail #6 cannot safely house medium- and maximum-security inmates and other special needs populations, which made up 92 percent of the jail population in 2014. The Sheriff’s Department hopes to decommission County Jail #6 and repurpose it for another use (such as a center for training staff and/or for inmate vocational programming). Meanwhile, other relevant stakeholders in San Francisco’s criminal justice community have questioned why County Jail #6 could not be used instead of constructing a new facility.

To help address these questions, the City sought a contractor to provide an objective analysis on whether County Jail #6 could be used in lieu of constructing a new facility. In choosing an appropriate contractor, the Office of the Controller consulted with various relevant stakeholders (including the Adult Probation Department and Office of the District Attorney) for recommendations on objective experts. The common recommendation among those consulted was Dr. James Austin of the JFA Institute.

Dr. Austin has over twenty-five years of experience in correctional planning and research. He is the author of the National Institute of Corrections (NIC)² objective jail classification system.³

¹ Since 2012, the Office of the Controller has produced three jail population forecasts to inform planning for a replacement jail.

² NIC is part of the U.S. Department of Justice and is the leading national authority on prison and jail classification systems.

He has served as director for several large U.S. Department of Justice-funded research and evaluation programs. He has also served as the project director of the Bureau of Justice Assistance-funded corrections options technical assistance program, which provides a wide variety of assistance to local jails, probation, parole, and prison systems.

The attached report includes the results of Dr. Austin's analysis and his expert opinion as to whether County Jail #6 could be used to satisfactorily house San Francisco's current and future jail populations. His conclusion can be summarized as follows:

- The Sheriff's Department's inmate classification system is valid, although it is over-classifying some inmates. Dr. Austin recommends some minor modifications to the Sheriff's system to improve its ability to predict inmate misconduct.
- In its current form, County Jail #6 is not a viable replacement for County Jails #3 and #4. From a security and programmatic perspective, there are not enough inmates in San Francisco's jail system to fully utilize County Jail #6 without major renovations and increased security staffing.
- Even if County Jail #6 were renovated and staffed appropriately, opening it would place 70 percent of San Francisco's inmate population in San Bruno. Locating the majority of San Francisco's inmates out of county creates additional issues such as:
 - Significantly increasing the cost of transporting pretrial inmates to and from courts
 - Adversely impacting inmate access to legal counsel, Adult Probation assessments, and visits from family and friends

³ Objective jail classification is a process of assessing every jail inmate's custody and program needs.

JFA Institute

Conducting Justice and Corrections Research for Effective Policy Making

San Francisco Sheriff's Jail Classification and Housing Options Assessment

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Jessie Rubin, Controller's Office; and,
Kyle Patterson, Controller's Office.

Executive Summary

The City and County of San Francisco's jail population has been steadily declining since 2008 (from 2,107 to 1,139 by 2015). This remarkable decline has altered the type of people incarcerated in the jail and the associated need for jail beds. The 2009 drug lab scandal, AB 109 (re-alignment), Proposition 47, and several reforms designed to reduce jail admissions and length of stay are all responsible for the decline. The current rates of jail incarceration are well below those of California and the nation.

The JFA Institute was contracted by the City to determine the efficacy of either re-opening County Jail (CJ) #6 which is located at the San Bruno site next to County Jail #5 or construct a new jail that would be located next to the Hall of Justice. In order to make that assessment three basic questions were to be answered:

1. Is the Sheriff's Department's inmate classification system valid?
2. Which inmate classification levels can be safely housed in CJ #6?
3. How would housing inmates in CJ #6 affect the jail system overall?

To answer the questions outlined above, the JFA Institute analyzed current jail population attributes, inmate classification levels under current classification criteria, under alternative criteria as recommended by the National Institute of Corrections (NIC), and jail population trends and projections. JFA Institute also completed tours of all six jail facilities and reviewed numerous documents on the security features of each facility.

The findings regarding the three major questions can be summarized as follows:

1. Is The Sheriff's Department's Inmate Classification System Valid?

Yes, but it is over-classifying some inmates and needs to be modified. Such modifications would lower the number of inmates assigned to maximum custody, increase the number of minimum custody inmates, and improve institutional safety to staff and inmates.

2. Which Inmate Classifications Can Be Safely Housed In CJ #6?

CJ #6 should not house any maximum or special management inmates. It can readily house minimum custody inmates. However, there are not enough minimum custody inmates in the San Francisco jail system to fill this facility even when using the NIC classification system. It would be possible to accommodate some portion of the medium custody inmates in CJ #6, but they would have to be inmates who have a good disciplinary record, are participating in a structured program, and/or have a regular work assignment. However, due to the facility's lack of programmatic space this is not a viable option.

3. *How would housing inmates in CJ #6 affect the jail system overall?*

If CJ #6 was opened, 70% of the total jail beds (and inmates) would be located at the San Bruno site. Over 40% of the jail beds would be in dorms that are best suited for minimum custody inmates, which is well above the 10-20% figure that could qualify for minimum custody. There would be a significant increase in the need and costs for transporting pretrial inmates to and from the courts. Access to legal counsel, pretrial risk and needs assessment by the Adult Probation Department, and family visitation would all be adversely impacted.

From a security and programmatic perspective, there are not enough inmates in the San Francisco Jail System to fully utilize CJ #6 without major renovations and increased security staffing. There are approximately 110 males who could be safely housed in two housing units; this means that four units, or 248 beds, would be unusable. Based on the current credible jail population projections, losing this amount of bed capacity would create a crowding situation in the other two facilities (CJ #5 and CJ #2).

San Francisco has dramatically lowered its jail population and has one of the lowest incarceration rates in the nation for cities of its size. Similarly, it will be significantly lowering its current bed capacity from 2,436 beds to a projected need as low as 1,358 beds. As the population has declined so too have the special management needs and security levels of a much smaller jail population. The remaining facilities that are available to house the current and projected jail population will not be sufficient to meet their programmatic and security needs.

Introduction

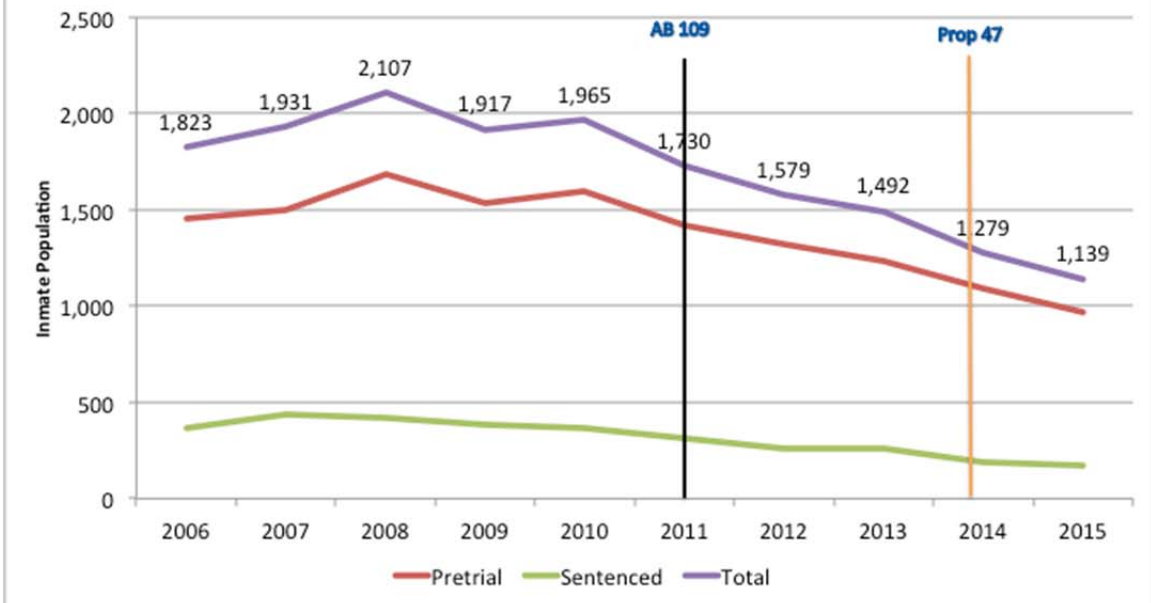
Over the past few years, there has been a significant reduction in the San Francisco county jail population. As shown in Figure 1, the population peaked in 2008 at 2,107 and has since steadily declined reaching a low of 1,139 inmates in September 2015. This decline occurred despite the expected effects of AB109 which was supposed to increase local jail populations with the housing of formerly state sentenced prisoners. Passage of Prop 47 served to further reduce the jail population.

The San Francisco jail and other forms of correctional control (probation, parole, prison and jail) are well below the rates for California and the U.S. (Figure 2). In a separate study, the JFA Institute detailed the numerous initiatives that have served to lower all forms of correctional supervision. This historic effort has also served to harden the residual jail population which is changing the number and type of prisoners to be housed.

The San Francisco Sheriff's Department (SFSD) has six facilities that are in various stages of use (Table 1). All six facilities provide for a total useable bed capacity of 2,436 inmates. Two facilities, County Jail (CJ) #3 and County Jail #6, are currently closed. Both have been closed as the jail population has declined.

The current bed capacity for the remaining four facilities is 1,638 beds. Due to the seismically deficient conditions at the Hall of Justice, it has been determined that both CJ #3 and C J #4 must be permanently closed. When CJ#4 closes the resulting bed capacity will be 1,238.

**Figure 1. San Francisco Jail Population by Sentence Status
2006-2015**



**Figure 2. Incarceration and Total Correctional Control Rates
Per 100,000 Adults - 2014**



Note: Total Incarceration rate represents the number of state prisoners and local jails inmates in custody as of 2014/2015 in San Francisco, California and the U.S.

Table 1. Summary of Bed Capacity by Type of Beds and Facility

| Facility | Rated Beds*** | Dorms | Cells | Med/Psych | Total Usable Beds |
|-----------------|----------------------|--------------|--------------|------------------|--------------------------|
| CJ #1 | Intake Only | 0 | 0 | 0 | 0 |
| CJ #2 | 392 | 264 | 200 | 72** | 464 |
| CJ #3* | 426 | 0 | 426 | 0 | 426 |
| CJ #4* | 402 | 0 | 402 | 0 | 402 |
| CJ #5 | 768 | 0 | 768 | 4 | 772 |
| CJ #6* | 372 | 372 | 0 | 0 | 372 |
| Totals | 2,360 | 636 | 1,796 | 76 | 2,436 |

* Denotes facilities currently closed or expected to be closed.

**These Med/Psych beds are in cells and are included in the 200 bed cell count

Source: SFSD

*** 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.

The scope of the project is to determine the efficacy of either re-opening CJ #6, which is located at the San Bruno site next to County Jail #5, or construct a new jail that would be located next to the Hall of Justice. In order to make that assessment three basic questions should be answered:

1. Is the Sheriff’s Department’s inmate classification system valid?

The SFSD utilizes an objective classification system that is modeled after the system developed by the National Institute of Corrections (NIC).¹ Is the current system producing valid custody levels for the current jail population? If not, what are the correct custody levels?

2. Which inmate classification levels can be safely housed in CJ #6?

As noted below, CJ #6 consists exclusively of dormitory style beds. Based on an evaluation of the facility’s security and program support attributes, what type of inmates (from a classification perspective) can be safely housed in CJ #6?

3. How would housing inmates in CJ #6 affect the jail system overall?

Should CJ #6 be reopened and inmates be housed there? How would the remaining inmate population be accommodated in the other two remaining facilities, County Jail #2 and CJ #5? What transportation, programmatic and special management issues would have to be addressed?

To answer these three questions, the JFA Institute was retained by the City to

¹ NIC which is part of the U.S. Department of Justice is the leading authority on prison and jail classification systems.

conduct an evaluation of the SFSD inmate classification system and a review of the three key holding facilities that may be used to house the projected inmate population in the future.

Projected Inmate Population

As noted earlier, the San Francisco County jail population has been steadily declining. This decline is the function of a number of diverse events and policy changes that have cumulatively served to lower the population to historic low numbers. There have been several attempts to project the jail population, but all have overestimated the actual population growth. This is largely due to two external and unplanned events (drug lab scandal and Proposition 47). The most recent projection was completed by the Office of the Controller (Office of the Controller, June 16, 2015. *Update to the Jail Population Forecast*, San Francisco, CA.).

In that report, two scenarios are offered. The forecast also includes an estimate of actual bed needs that takes into account classification and seasonal peaking effects. The former recognizes that on any given day all jail beds cannot be occupied due to the need to house special management inmates in segregated units. Furthermore, on any given day a number of cells are not usable due to maintenance issues. The peaking factor takes into account that jail populations have periods of fluctuations that serve to raise and/or lower the jail population on any given day.

The classification peaking factor set by the Controller ranged from 5.0% to 8.2% while the peaking factors another 4.7% to 7.5%. The total classification/peaking factor is between 9.7% and 15.7%. The most optimistic (lowest bed need is 1,358 while the highest bed need is set at 1,631 (Table 2).

With the additional closing of CJ #3 and #4, the available bed capacity in terms of raw numbers would be 1,236 beds. Based on an updated population projection and peaking factor scenario, the SFSD would have a bed deficit of either 122 or 395 beds by 2020.

Table 2. San Francisco Jail Population Forecasts and Bed Needs

| Item | Lower Range | Upper Range |
|--------------------------|--------------------|--------------------|
| Forecast Baseline | 1,235 | 1,402 |
| Peaking Factor | 4.7% | 7.5% |
| Classification Factor | 5.0% | 8.2% |
| Bed Needs | 1,358 | 1,631 |
| CJ # 2 and #5 Capacities | 1,236 | 1,236 |
| Deficits | -122 | -395 |

Source: Controller’s Office, *Updated Jail Population Forecast*, Table 7, with figures edited to reflect an updated bed count.

Description of the SFSD Objective Classification System

Background

The current inmate classification system is designed to determine the custody level of inmates and then assign them to the most appropriate housing unit. All inmates are classified into one of three custody levels (minimum, medium and maximum). There are also special management inmate populations to consider including administrative segregation, disciplinary segregation, acute mental health, acute medical, and protective custody.

The current system is a modified NIC jail classification system that has been widely adopted by many of the nation's jails. In its simplest terms, the NIC system is separated into two classification events, initial intake classification and reclassification. The first component is the initial or intake classification, in which newly admitted inmates are screened and assessed an initial classification level of minimum, medium or maximum custody. The factors used to score the custody level reflect the severity of the current offense, prior convictions, prior escape history, prior institutional conduct and a series of stability factors that measure age, residency and employment. The system allows for staff to override the scored level by using a set of approved override factors to either decrease or increase the scored custody level.

The reclassification instrument is designed to shift the focus of the custody from current offense, prior record, prior institutional conduct, and community stability factors to the inmate's behavior since being incarcerated. Reclassification should be completed on all inmates who have been in custody for 60 or 90 days. It uses the same offense, prior criminal conviction, prior escape and prior institutional misconduct, but adds components to measure disciplinary behavior, program and work conduct since being incarcerated. The same set of overrides can be applied to the scored reclassification custody level.

SFSD Classification Unit

The SFSD has a centralized classification unit that is well trained in the use of the objective classification system. The scoring process is fully automated and does not allow for errors in the calculation process.

Classification Simulation Test Results

Since the current SFSD classification system deviates from the NIC system, a test was conducted to determine how using the NIC system would impact the custody designations of the current inmate population. In order to do this, JFA drew a random sample (using the SPSS random sample function) of 276 inmates which was 25% of the inmates on October 22, 2015 who had a computed classification level.

A comparison was then made between the sampled cases and the entire population to ensure that the sample was representative of the entire population, in terms of their current classification levels (Table 3).

Table 3. Comparison between Total SF Jail Population and Sample

| Attribute | Total | Sample |
|------------------------|---------|---------|
| Inmates | 1,255 | 276 |
| Current Class Level | | |
| Maximum | 55% | 54% |
| Medium | 36% | 35% |
| Minimum | 9% | 11% |
| Sex | | |
| Male | 91% | 90% |
| Female | 9% | 10% |
| Race | | |
| Black | 49% | 50% |
| Hispanic | 15% | 15% |
| White | 25% | 23% |
| Other | 11% | 12% |
| Median Age | 34 yrs. | 34 yrs. |
| Median Time in Custody | 85 days | 86 days |

As Table 3 shows, the sample was representative of the jail population on October 22, 2015. SFSD classification staff were then trained on the NIC system and asked to complete either an initial classification instrument (for inmates who had been in custody for less than 60 days) or a reclassification instrument (for those who have been in custody for 60 days or more).

JFA staff worked with the SFSD classification staff over a two-day period until all of the cases were classified. Comparisons were then made between the SFSD classification level and the NIC version. The results of the simulation test are shown in Table 4.

Of the original 276 cases sampled, 272 complete classification data were located and simulated under the NIC system. The four cases that were deleted were inmates who were in the sample, but had been admitted and released prior to having a complete classification level completed. In a few cases, the inmate's current classification level had been incorrectly computed. In those cases, the current SFSD classification level was corrected and entered into the database.

Table 4 shows the differences in custody levels based on the initial classification instrument, reclassification instrument, and the combined sample. In general, the NIC system produces a higher percentage of minimum custody inmates and a lower

percentage of maximum custody inmates than the current SFSD system. The differences between the maximum and minimum custody inmates are more pronounced on the reclassification instrument than on the initial classification instrument. Overall, the SFSD system classified 10% of inmates as minimum custody, 28% as medium custody, and 62% as maximum custody. By contrast, the NIC system classified 20% as minimum custody, 33% as medium custody and 47% as maximum custody.

The following reasons account for why this is occurring:

1. The NIC classification system uses a range of 6-10 points for the medium custody range as opposed to the SFSD range of 5-9 points. Similarly, the NIC minimum range is 5 points and under while the SFSD range is 4 points and under.
2. The SFSD current age factor is a dichotomous item (“under 28 years” or “28 years and older”) while the NIC system uses an interval scale that deducts points for older inmates.
3. The NIC system grants credits for satisfactory work and program credits while the SFSD system does not.
4. The SFSD system continues to score the inmate on the prior felony factor on reclassification while the NIC system does not.

There are also a number of attributes of the SFSD system that tend to under-classify inmates which are summarized below:

1. The NIC system employs a “two-step” additive scoring system that automatically places an inmate in maximum custody if that inmate scores higher on the first four scoring items. The SFSD system does not include this component;
2. SFSD inmates are reclassified after 30 days of incarceration while the NIC system requires 60-90 days of incarceration before a reclassification event occurs. A shorter period before reclassification event is completed can allow some inmates to be placed in a lower custody level after 30 days of incarceration. This is not desirable as 30 days is an insufficient period of time to assess an inmate’s in-custody behavior. It runs the risk of inmates with recent histories of serious misconduct to be reclassified as medium or minimum custody after only 30 days of good behavior. Jails that use the NIC system have a 60-90 day period.
3. The SFSD system does not use a “highest” offense severity rating category (i.e. has only low, medium, high currently). As a result, some inmates charged or convicted of homicides, rape and kidnapping are scored the

same as inmates who are charged or convicted of less severe violent crimes.

Table 4. Pilot Test Results

| Current Level | Scored Custody Level | | | Total | % |
|---------------|------------------------|--------|---------|-------|------|
| | Maximum | Medium | Minimum | | |
| | Initial Classification | | | | |
| Maximum | 43 | 13 | 0 | 56 | 58% |
| Medium | 3 | 21 | 8 | 32 | 33% |
| Minimum | 0 | 1 | 8 | 9 | 9% |
| Total | 46 | 35 | 16 | 97 | 100% |
| % | 47% | 36% | 16% | 100% | |
| | Reclassification | | | | |
| Maximum | 72 | 35 | 5 | 112 | 64% |
| Medium | 7 | 18 | 19 | 44 | 25% |
| Minimum | 3 | 2 | 14 | 19 | 11% |
| Total | 82 | 55 | 38 | 175 | 100% |
| % | 47% | 31% | 22% | 100% | |
| | Total Sample Results | | | | |
| Maximum | 115 | 48 | 5 | 168 | 62% |
| Medium | 10 | 39 | 27 | 76 | 28% |
| Minimum | 3 | 3 | 22 | 28 | 10% |
| Total | 128 | 90 | 54 | 272 | 100% |
| % | 47% | 33% | 20% | 100% | |

The exercise also required the SFSD classification staff to record how many inmates had received a disciplinary report (DR) since they had been incarcerated on the current charge. Using this data we can see the relationship between the current SFSD classification level and the NIC version. This analysis shows that the NIC system does a much better job of identifying the inmates by their risk of institutional misconduct. For example, inmates who are under the initial classification process, 30% of them under the SFSD system have one or more disciplinary reports since being incarcerated. The NIC system produced a smaller number of maximum custody inmates who had a higher percentage of inmates with at least one disciplinary report. The results for the reclassification instrument are more significant as a larger number of inmates in the current jail population are under that component of the classification system. Both the percentages of inmates with at least one disciplinary report and the average number are significantly higher for NIC classified maximum custody inmates and lower for minimum custody inmates. While the SFSD's system also shows a relationship, it is not producing as strong a relationship as the NIC system.

Table 5. DRs by Custody Level by Classification System

| | SFSD System | | NIC System | |
|------------------|----------------------|------------------|----------------------|-------------|
| | % with 1 or more DRs | Average # of DRs | % with 1 or more DRs | Average DRs |
| Initial | | | | |
| Maximum | 30% | 0.6 | 47% | 0.7 |
| Medium | 6% | 0.1 | 6% | 0.1 |
| Minimum | 0% | 0.0 | 0% | 0.0 |
| Reclassification | | | | |
| Maximum | 62% | 2.7 | 89% | 3.6 |
| Medium | 29% | 1.1 | 37% | 1.1 |
| Minimum | 26% | 0.3 | 8% | 0.1 |

The policy implications of this analysis mean that while the current SFSD classification system is valid in the sense that it predicts inmate behavior, it is also over-classifying a significant proportion of the inmate population. A core principle of the NIC system is that inmates should be placed in the least restrictive custody level.

This finding has some face validity. The current percentage of inmates assigned to maximum custody (55-60%) is extremely high for a jail or prison system. Most prison and jail systems have 15-25% in maximum custody and 20 -30% in minimum custody.

However, comparing the San Francisco results to other jurisdictions is not advisable given the significant reduction in its jail population and its low incarceration rates. The evidence suggests that as the jail population declined, the percentage of high security inmates in the jail system has increased. This so-called “hardening” of the jail population can be seen in Table 6, which compares inmate classification in 2008 compared to today. The statistical analysis also showed that a large percentage of the current inmate population scored a severity level of “high” for the current offense, prior convictions, and history of institutional violence. Collectively, these data show that the jail population contains a higher risk group than one would see in other jail systems.

Table 6. San Francisco County Jail Population Custody Levels 2008 versus 2015

| Level | 2008 | 2015 |
|---------|------|------|
| Maximum | 46% | 59% |
| Medium | 41% | 33% |
| Minimum | 9% | 8% |

Source: Controller Office and SFSD

Description of the Key Facilities

The second major phase of analysis examined the six facilities under the management of the SFSD. JFA consultants assigned to this task have considerable experience in both managing and auditing local jail facilities. Their considerable years of experiences coupled with the best practices in the field helped to inform the facility analysis which is also supported and informed by the classification and population data listed above.

While on site, JFA staff conducted the following activities assess the current facilities being used by the SFSD:

1. Review of documents including:
 - a) Jail housing configuration chart;
 - b) Controller office update to jail population forecast;
 - c) Current jail population report;
 - d) Current SFSD Jail Housing Plan; and,
 - e) Board of State and Community Corrections (BSCC) inspection report for 2013 (latest available report).
2. Meetings with key staff including:
 - a) Chief Deputy Sherriff Mathew Freeman;
 - b) Kevin Lyons SFSD Rehabilitation and Detention Facility liaison; and
 - c) Kyle Patterson Controller's Office.
3. Conducted tours of County Jail facilities 1-6 during which interviews and conversations were conducted with key facility staff on current staffing levels within each housing unit, housing unit population attributes, inmate movement, and available programs.

The six facilities are located on three different sites. County Jails #1 and #2 are located next to the Hall of Justice (HOJ) on 7th street. County Jails #3 and #4 are in the Hall of Justice located at Bryant Street. County Jails #5 and #6 are located outside of San Francisco County near San Bruno. As noted earlier, County Jails #3 and #6 are closed due to the declining jail population.

The type of facilities range from a linear design (CJ #3 and CJ #4) built in 1961 to more modern direct supervision (CJ #2) built in 1994 to new generation direct supervision (CJ #5) built in 2005 and a traditional dormitory style facility (CJ #6) built in 1989. CJ #1 was built in 1994 and serves as the intake unit for all bookings and releases.

Within the SFSD there is a strong core value and emphasis on engaging inmates in programs and activities during their incarceration. The design of the different facilities makes some more conducive to implementing these programs and activities. Jail # 1 is for short term intake and holding, therefore programs are

nonexistent. The linear design and lack of adequate space in jails #3 and #4 limit dramatically the ability to provide programs. There is very limited program space in Jail #6 for these activities. What follows is a more detailed description of each facility.

COUNTY JAIL #1

This facility is the receiving and holding operation. Inmates are processed in and out and/or held until they make bail or return from court and are admitted to the system. This facility does not have any beds rated for capacity nor does it have programs other than those typically seen in intake units (e.g. medical and observation).

COUNTY JAIL #2

This facility is a first generation, direct supervision jail with 6 pods. It has a rated capacity of 464, of which 264 are dormitory and 200 cells². Inmates assigned to all three custody levels of minimum, medium and maximum can be housed there. Currently one of the pods is unoccupied (Pod D).

In addition to general population inmates, there are inmates housed with special needs which include: lockup, medical, detox, acute mental health and administrative segregation. Pod C is a 72 bed dedicated medical and mental health unit.

All of the female inmates are kept in CJ #2. At the time of a facility tour, the female pods were half occupied (42 in Pod E and 44 in Pod B).

Inmate programs include the 5 Keys Charter schools which is a certified high school; Sisters, a substance abuse treatment program for women; and a variety of activities including yoga, counseling, parenting, and vocational programs. A reentry program is operated in cooperation with probation and other agencies.

COUNTY JAIL # 4

Inmates in CJ #4 are primarily assigned to maximum custody with a small number assigned to medium and minimum custody. The rated capacity is 402 and houses general population, drop outs from gangs, administrative segregation, mental health, lock-up, medical, and workers. Due to the linear design of the facility, few if any programs are offered. A large gym is used for recreation.

COUNTY Jail #5

CJ #5 is a new generation, direct supervision facility with 16 pods of 48 beds per pod for a total of 768 rated beds. These beds are all cells with no dorms. Minimum, medium, and maximum custody inmates are housed. Specialized housing units consist of lock-up and administrative segregation. There is ample program space to accommodate the following programs:

² The 200 beds in cells include 72 medical and psychiatric beds, which are unrated.

- a) 5 Keys Charter School;
- b) RSVP, a restorative justice violence prevention program;
- c) COVER, a restorative justice program for veterans;
- d) Keys to Change, a post five keys initiative;
- e) ROADS to Recovery, drug treatment and reentry effort; and,
- f) Psychiatric Sheltered Living Unit provides life skills and mental health

COUNTY JAIL # 6

CJ # 6 was built in 1989 with six dorm units with a rated capacity of 62 each for a total of 372 beds. The six dorms surround a control center with the ability to view each unit. However, distance and height in the control center from the housing unit makes supervision limited. There are only two cells under the control center for isolation. There is extremely limited space for medical and rehabilitative programs. This facility has been opened and closed several times previously as the population has fluctuated. Currently, it is being used for training purposes. Substantial physical plant upgrades and new equipment will be necessary prior to re-opening this facility for housing inmates. It could easily function as training center for new and existing staff.

Analysis

1. Is The Sheriff's Department's Inmate Classification System Valid?

Yes, but it is over-classifying some inmates and needs to be modified. Such modifications would lower the number of inmates assigned to maximum custody, increase the number of minimum custody inmates, and improve institutional safety to staff and inmates. Specifically, it would increase the number of minimum custody inmates who are disciplinary free but are now assigned to medium custody. Similarly, inmates who are now assigned to maximum custody and are disciplinary free would be assigned to medium custody. Conversely, there are inmates who have been assigned to minimum and medium custody but have disciplinary records who should be in higher custody levels.

2. Which Inmate Classifications Can Be Safely Housed In CJ #6?

The facility should not house any maximum or special management inmates. It can readily house minimum custody inmates. However, there are not enough minimum custody inmates in the San Francisco jail system to fill this facility even when using the recommended NIC classification system. This means that the majority of inmates assigned to CJ #6 would have to be male, pretrial, medium custody inmates.

It would be feasible to accommodate some portion of the medium custody inmates in CJ #6, but they would have to be inmates who have a good disciplinary record, are participating in a structured program, and/or have a regular work assignment. There would also be a need to increase the number of deputies to properly supervise and manage inmates in the large dorm spaces.

3. *How Would Housing Inmates In CJ #6 Affect The Jail System Overall?*

Re-opening CJ #6 would add 372 dormitory beds to the overall jail system. Table 7 summarizes the overall bed capacity for the entire system were this to occur. The overall capacity would be 1,608 which is well above the current and projected inmate population. However, the number of beds that are dormitory style beds would be 636 or 40% of all beds.

Table 7. Summary Bed Capacity with Proposed Use of CJ #6

| Facility | Year Built | Location | Beds in Cells | Beds in Dorms | Types of Inmates | Types of Programs |
|----------|------------|-----------|---------------|---------------|------------------|-------------------|
| CJ #1 | 1961 | Downtown | 0 | 0 | Intake/Releases | None |
| CJ #2 | 1994 | Downtown | 200 | 264 | All Types | Wide Array |
| CJ #5 | 2005 | San Bruno | 772 | 0 | All Types | Wide Array |
| CJ #6 | 1989 | San Bruno | 0 | 372 | Min/Med | Limited |
| Totals | | | 972 cells | 636 dorms | 1,608 beds | |

Table 8 attempts to develop an operational capacity for each of the remaining three facilities. This was done by assuming that special management housing units need to be at 85% of their bed capacity to properly function. Units that house general population inmates were set at 90% (medium and maximum) or 95% (minimum custody) of their bed capacity. Using these assumptions, the entire jail system population could not exceed 1,469 inmates at any given time

Using the 4.5% peaking reported in the Controller’s report, these three facilities would provide sufficient bed space to house both the current and projected jail populations (Table 9). The question that remains is whether the type of beds in this configuration would match the security and special population attributes of the current and projected populations.

To address this issue, we assessed which inmates in the current and projected jail population could be transferred to CJ #6 from the other jail facilities. We first looked at 331 inmates now housed in CJ #4.

Table 8. Detailed Housing Plan by Operational Bed Capacity

| Housing Unit | BED TYPE | # of Beds | % Capacity | Operational Capacity |
|----------------|-----------------|-----------|------------|----------------------|
| County Jail #5 | | | | |
| 5M1A | WORKERS | 48 | 95% | 46 |
| 5M1B | PSYCH GP | 48 | 85% | 41 |
| 5M2A | LOCK-UP | 48 | 85% | 41 |
| 5M2B | AD SEG | 48 | 85% | 41 |
| 5M3A | AD SEG PSYCH | 48 | 85% | 41 |
| 5M3B | AD SEG LOCK-UP | 48 | 85% | 41 |
| 5M4A | INTAKE GP | 48 | 90% | 43 |
| 5M4B | INTAKE GP | 48 | 90% | 43 |
| 5M5A | KEYS TO CHANGES | 48 | 95% | 46 |
| 5M5B | COVER | 48 | 95% | 46 |
| 5M6A | GP/5KEYS | 48 | 95% | 46 |
| 5M6B | GP/5KEYS | 48 | 95% | 46 |
| 5M7A | ROADS | 48 | 95% | 46 |
| 5M7B | RSVP | 48 | 95% | 46 |
| 5M8A | GP/5KEYS | 48 | 95% | 46 |
| 5M8B | GP/5KEYS | 48 | 95% | 46 |
| TOTAL | | 768 | 95% | 701 |
| County Jail #2 | | | | |
| 2MA | MALE-Re-Entry | 56 | 95% | 53 |
| 2FB | FEMALE - GP | 88 | 95% | 84 |
| 2MC/SFC | MEDICAL/MH | 72 | 85% | 61 |
| 2MD | MALE | 56 | 95% | 53 |
| 2FE | FEMALE | 88 | 90% | 79 |
| 2MF | MALE | 104 | 90% | 94 |
| TOTAL | | 464 | 91% | 424 |
| County Jail #6 | | | | |
| A | GP - Min | 62 | 95% | 59 |
| B | GP - Min | 62 | 95% | 59 |
| C | GP - Min | 62 | 95% | 59 |
| D | GP-Medium | 62 | 90% | 56 |
| E | GP-Medium | 62 | 90% | 56 |
| F | GP-Medium | 62 | 90% | 56 |
| Totals | | 372 | 93% | 344 |
| Grand Totals | | 1,604 | 92% | 1,469 |

GP = General Population
 PSYCH = Acute Mental Health
 AD SEG = Administrative Segregation

Table 9. Summary of Available Beds

| Facility | Beds | Operational Beds |
|-----------------------|-------|------------------|
| CJ #2 | 464 | 424 |
| CJ #5 | 768 | 701 |
| CJ #6 | 372 | 344 |
| Totals | 1,604 | 1,469 |
| Projected Populations | | |
| Low Projection | | 1,235 |
| With 4.5 % Peaking | | 1,291 |
| Surplus(+)/Deficit(-) | | +178 |
| High Projection | | 1,402 |
| With 4.5% Peaking | | 1,465 |
| Surplus/Deficit | | +4 |

There are a number of factors that would preclude most of the inmates now housed in CJ #4 to be simply relocated to CJ #6. As noted earlier, all of the inmates in CJ #4 are now housed in cells and not dorms. Furthermore, of the 331 inmates that are now housed in CJ #4, 163 (nearly 50%) are in special populations categories (administrative segregation, medical, mental health) that preclude placement in CJ #6 (Table 10). Of the remaining 196 inmates who are assigned to the general population, 106 are classified as maximum custody and could not be assigned to the CJ #6 dorms. That would leave only 68 inmates who are general population and are classified as medium or minimum custody. Even if the SFSD modifies its classification system, it would not produce a sufficient number of inmates to occupy the CJ #6 dormitory beds.

Table 10. Current Inmate Housing Designations for County Jail #4

| Housing | Inmates | % |
|---------------------|---------|------|
| Total Inmates | 331 | 100% |
| Special Populations | 163 | 49% |
| General Population | 168 | 51% |
| Maximum | 106 | 32% |
| Medium | 58 | 18% |
| Minimum | 4 | 1% |

Source: SFSD Inmate Data file 10/21/2015

This would mean that a large number of inmates (approximately 275) now housed in CJ #2 and CJ #5 would have to be relocated from their current housing units and placed in CJ #6. Here again there are a number of operational and security factors that would negate the viability of using the CJ #6 facility.

For CJ #2, it is assumed that the women could not be assigned to CJ #6 due to their diverse security, medical, and mental health needs which are being adequately served at CJ #2. Furthermore, of the remaining 130 males, there are 56 that are in the acute medical and mental health unit, 33 are assigned to the re-entry program, and 23 are assigned to maximum custody. All of these factors would preclude assignment to CJ #6 (Table 11).

Table 11. Current Inmate Housing Designations for County Jail #2

| Housing | Inmates | % |
|-----------------------|---------|------|
| Total Inmates | 252 | 100% |
| Females | 122 | 48% |
| Males | 130 | 52% |
| Medical/Mental Health | 56 | 22% |
| Re-Entry | 33 | 13% |
| General Population | 41 | 16% |
| Maximum | 23 | 9% |
| Medium | 13 | 5% |
| Minimum | 5 | 2% |

Source: SFSD Inmate Data file 10/21/2015

The remaining CJ #5 facility also has sizeable inmate population attributes that would preclude their placement in CJ #6 (Table 12). It has a large administrative segregation population (111), step down mental health inmates (41) and newly admitted inmates in the intake unit (21). There is a small group of workers but placing them in a 62 bed dorm in CJ #6 would be an inefficient use of that space.

Table 12. Current Inmate Housing Designations for County Jail #5

| Housing | Inmates | % |
|----------------------------|---------|------|
| Total Inmates | 638 | 100% |
| Administrative Segregation | 111 | 17% |
| GP - Mental Health | 41 | 6% |
| New Intake | 21 | 3% |
| Workers | 28 | 4% |
| Programs | 370 | 58% |

Source: SFSD Inmate Data file 10/21/2015

The inmates now participating in the various programs operated at CJ #5 would be suitable candidates for placement in CJ #6 from a pure housing perspective. But, as noted above, there is virtually no program space at CJ #6; inmates would have to be transported back and forth between CJ #5 and CJ #6 on a daily and even hourly basis to access the required program space. Such frequent movement would be costly (requires additional escort officers) and potentially unsafe as inmates from different housing levels with different custody levels can interact and confront each other during movement.

Summary

Based on this analysis, from a security and programmatic perspective there are not enough inmates in the San Francisco Jail System to fully utilize CJ #6. It is estimated that there are approximately 110 males who could be housed in two units, meaning that four units (or 248 beds) would be unusable. Losing this amount of bed capacity would result in overcrowding system wide.

Finally, even if CJ #6 could be fully occupied, it would not be a viable option due to several significant issues.

1. Virtually all of the male population would be in the pretrial status with the need to continue to make periodic appearances in court, thus increasing the transportation costs for SFSD. Access by both public and private service groups which provide services, programs and activities would also be limited.
2. As noted in the Office of the Controller's June 2015 report (pp. 21-22), the utilization of dormitories for a predominately pretrial population is highly discouraged by national correctional organizations such as the National Institute of Corrections, American Correctional Association and the American Jail Association. CJ # 6 lacks adequate space for programs. Significant renovation or new construction to provide program space would be essential to operate this facility.
3. Re-opening CJ #6 would result in approximately 70% of the SFSD Jail population being housed at the out-of- county San Bruno site.

San Francisco has dramatically lowered its jail population and has one of the lowest incarceration rates in the nation for cities of its size. Similarly, it will be significantly lowering its current bed capacity from 2,436 beds to a projected need as low as 1,358 beds. As the population has declined so too have the special management needs and security levels of a much smaller jail population. The remaining facilities that are available to house the current and projected jail population will not be sufficient to meet their programmatic and security needs.