

RESPONSE TO GRAND JURY REPORT

Report Title: Assembly Bill 109: How Will It Impact Our Jail?

Report Date: **May 28, 2013**

Response by: Marin County Board of Supervisors

FINDINGS

- We agree with the findings numbered: F1,
- We disagree wholly or partially with the findings numbered: F2, F3, and F4

RECOMMENDATIONS

- Recommendations numbered R1, R2, and R4 have been implemented.
- Recommendations numbered _____ have not yet been implemented, but will be implemented in the future.
- Recommendations numbered _____ require further analysis.
- Recommendations numbered R3 will not be implemented because they are not warranted or are not reasonable.

(Attach an explanation.)

Date: 7/30/2013

Signed: _____

Number of pages attached: 3

Marin County Board of Supervisors
Response to Findings and Recommendations from Grand Jury Report
“Assembly Bill 109: How Will It Impact Our Jail” – May 28, 2013

FINDINGS

- FI. The current law allows for jail sentences of unlimited length. Such long-term commitments are ill suited to the current Marin County Jail facility.**

Response: Agree.

Marin County Jail is not suited for long-term commitments. This not only affects Marin County Jail, but all other county jails in the state. Counties are currently in negotiation with the Governor to address this issue.

- F2. The Marin County Jail staff will continue to face more sophisticated and possibly dangerous inmates. These inmates will present dangers to themselves, to other inmates, and to jail staff. Therefore, long sentences for this new kind of inmate increase the need for educational and rehabilitative programs, exercise opportunities, and the facilities to enable all such efforts.**

Response: Partially Disagree.

The Marin County Jail does anticipate concerns with parole violators, but not most of the AB109 offenders. We are trying to address this issue through the legislative process.

- F3. In the absence of future limitations upon the length of possible jail sentences, the Marin County Jail will face an aging and sedentary inmate population. These persons may initially enter the jail with compromised health. Therefore, long-term jail sentences will increase the need for healthcare services and the facilities to provide such care.**

Response: Partially Disagree.

It is unlikely that the jail will be required to deal with an aging and sedentary population. The Sheriff Association is in negotiations with the Governor to establish a policy to trade prisoners with long-term stays. For instance, instead of receiving a prisoner with a ten (10) year sentence, the County would receive ten prisoners with one (1) year sentences. Health care services are in compliance with current laws. All health concerns are addressed per Title 15 and 24 laws.

- F4. A recent Marin County Grand Jury report, “A sobering Center in Marin – One Small Step in Solving a Big Problem,” found a need for further resources to combat public inebriation. Sobering centers need greater capacity. If**

additional sobering center resources become available, then the ability of the criminal justice system to focus personnel and jail facilities on more dangerous criminals will increase.

Response: Partially Disagree.

We agree that additional sobering center resources are a better option for chronic inebriates; however, we don't agree that it would substantially change our ability to focus on more dangerous criminals. Public intoxication is a misdemeanor offense and the vast majority of people being booked into the Marin County Jail for the crime are eligible for release on their own recognizance once they've regained their sobriety. Only those inebriates charged with additional crimes where there is no mechanism to release a signed promise to appear and they are otherwise unable to post bond are held in custody beyond their original sobering time.

RECOMMENDATIONS

The Marin County Civil Grand Jury recommends that:

- R1. The Board of Supervisors must advocate for state laws to establish a maximum jail sentence for AB 109 inmates.**

Response: This recommendation has been implemented.

Marin County Jail is not suited for long-term commitments. This not only affects Marin County Jail, but all other county jails in the state. The Sheriff's Association is in negotiations with the Governor to establish a policy to trade prisoners with long-term stays. For instance, instead of receiving a prisoner with a ten (10) year sentence, the County would receive ten prisoners with one (1) year sentences.

- R2. The Board of Supervisors must increase jail funding, enabling the Sheriff to upgrade the Marin County Jail's current educational and rehabilitative programs exercise opportunities and the needed facilities to enable all such efforts, in order to satisfy the needs of long-term AB 109 inmates and enhance staff safety.**

Response: This recommendation has been implemented.

This recommendation has been implemented using AB109 realignment funds. Funding for AB 109 inmates is recommended by the Community Corrections Partnership (CCP). It is physically impossible to expand the county jail facility so most of the funds are being used to provide services outside of the jail.

- R3. The Board of Supervisors must increase jail funding, enabling the Sheriff to upgrade the current healthcare treatment, and healthcare facilities of the Marin County Jail to meet the mental health, medical, and dental needs of long-term AB 109 inmates.**

Response: This recommendation will not be implemented.

This recommendation will not be implemented at this time. Additional funding for AB 109 inmate health needs is available through a contingency fund established by the CCP. The jail provides mental health, medical, and dental care that meets requirements for county facilities. State prisons may have different requirements, but the County meets current standards for the care of its inmates.

R4. The Board of Supervisors must expand sobering center services in Marin County.

Response: This recommendation has been implemented.

This recommendation has been implemented. This past year, the County increased the funding for the number of beds at The Vine, including those identified as “sobering” beds for chronic inebriate population.