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April 14, 2017

Contra Costa County Board of Supervisors
Board Chambers Room 107
Administration Building
651 Pine Street
Martinez, California 94553-1229

Dear Contra Costa County Supervisors,

I write to respectfully ask the Board to not move forward with expanding the West County Detention Facility. If the state awards the grant for this project, the County can reverse course by not appropriating General Fund dollars, and not accepting the grant award. I urge the Board to take this course of action.

I stand in support of Supervisor John Gioia, the Contra Costa Racial Justice Coalition and the many residents, advocates and community organizations who oppose Contra Costa County's plan to build 416 new high-security beds at the County jail facility in Richmond.

The County is proposing to spend \$25 million in county resources, and has asked the state for \$70 million to pay for construction of the proposed jail expansion.

We are at a point in California's history of rethinking past criminal justice policies that too quickly resorted to incarceration with little to no focus on crime prevention, community impact, or rehabilitation. We have also had to confront the fact that our "incarceration only" mindset has disproportionately and unfairly impacted our impoverished and minority residents.

As a result, California's voters and the Legislature have made reforms to sentencing practices, decreased commitments to state prison and increased the number of people housed and rehabilitated in county jails and local criminal justice systems. Given the State's emphasis on housing and rehabilitating more people in local facilities, an argument to invest resources in county jail beds may appear to make sense. However, there are numerous evidence based policies and practices available to both the State and Contra Costa County that can reduce the need for more beds in either state prison or county jails.

Advocates in opposition to the Richmond jail expansion have correctly highlighted the fact that the majority of those currently being held in Contra Costa County jail, approximately 70%, haven't been convicted of a crime. To the contrary, many are simply awaiting trial for non-serious offenses. In fact, their inability to afford bail is the key factor for many of them being held.


Bail reforms like The California Money Bail Reform Act of 2017 (SB 10) will drastically reduce the number of pretrial inmates in all of California's county jails. SB 10 was recently approved by the Senate's Committee on Public Safety (which I chair) with my support. Specifically, SB 10 is a measure that seeks to move California away from its over-dependence on incarceration to the use of evidence based risk assessments when determining whether an individual should be held in jail prior to trial.

An additional concerning factor is that nearly 20% of the existing bed capacity at the West County facility is under a contract with the U.S. Department of Justice Immigration and Customs Enforcement (ICE). These beds and the associated space could be repurposed to meet the needs described in the county's request to the Board of Community Corrections for state funding, rather than spending significantly more money to build new facilities.

My final concern is with the fiscal prudence of this proposal. Specifically, the county is committing to expend \$25 million over the next four years to construct the new facility and an additional \$5.1 million per year into perpetuity to support jail operations at a time when many economists are predicting an economic downturn within the next few years. If these predictions prove true, Contra Costa County could be in the middle of constructing a new jail facility at a time when fiscal constraint would be essential.

I am in the process of developing legislation that would limit state funding for the expansion of county jail capacity in those circumstances where existing capacity is in use for purposes other than housing inmates under the jurisdiction of the local government. I ask that you reject the proposal to expand the West County Detention Center and invite you to join with me as a partner in identifying appropriate and thoughtful alternative solutions.

Thank You,



Nancy Skinner
State Senator, District 9

cc: Sheriff David O. Livingston
Chairperson, Linda Penner, Board of State and Community Corrections
Supervisor John Gioia, District 1
Supervisor Candace Andersen, District 2
Supervisor Diane Burgis, District 3
Supervisor Karen Mitchoff, District 4
Supervisor Federal Glover, District 5