

Los Angeles Times

California jails receiving more state prisoners than expected

County sheriff's departments are scrambling to adjust. Some officials predict the situation will lead to the release of some inmates.



A cell at Men's Central Jail in Los Angeles. The number of state prisoners being transferred to county jails has been much higher than officials had predicted, prompting counties to speed up efforts to reopen shuttered jail wings and find other arrangements for some inmates. (Jay L. Clendenin / Los Angeles Times)

- Also

More than expected

Some county jails received more state prisoners in October under the state's "realignment program" than the state had projected. Examples:



[Graphic: Prisoners moved to county jails](#)



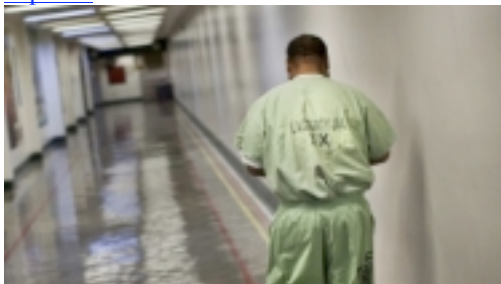
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Photos: [Men's Central Jail](#)

By Richard Winton and Andrew Blankstein,
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The number of state prisoners arriving in county jails under California's controversial prison diversion program is significantly higher than officials had estimated, adding new pressure on sheriff's departments to figure out what to do with thousands of extra inmates.

Prisoners convicted of some nonviolent crimes began serving their time in county jails last month as California complied with a [U.S. Supreme Court](#) decision requiring the state to lower its prison population by 30,000.

But the number of state prisoners being transferred has been much higher than officials had predicted, prompting counties to speed up efforts to reopen shuttered jail wings and find other arrangements for some inmates.

Los Angeles County was projected to add about 600 state prisoners by now but has booked more than 900. The tally in Orange County is running more than double what the state had estimated.

Based on the state's initial projections, Orange County officials believed their jail system would reach capacity sometime in 2013, giving them time to find more jail beds. But if the trend continues, the county could reach capacity by May, said Assistant Sheriff [Mike James](#).

In Kern County, the jail system got so full last week that the Sheriff's Department freed 50 parole violators — including thieves — because they had no jail beds for them.

"Instead of 120 inmates, we got 150 inmates extra in October. That adds up over 12 months," said Corrections Chief Kevin Zimmermann of the Kern County Sheriff's Department.

County jails are receiving extra state funding to help house the prisoners, but there are doubts about whether the money will be enough to avoid releasing some inmates. Los Angeles County Sheriff [Lee Baca](#) said he is considering a plan to release some inmates who are awaiting trial and outfit them with electronic monitors that chronicle their movements.

Other counties are also considering major expansions of house-arrest programs, as well as channeling some nonviolent inmates into mental health and [substance abuse](#) programs.

The L.A. County Sheriff's Department has the funding to open only an additional 1,800 beds, but the county is expected to receive 8,000 state prisoners in the next year, according to an internal report by the district attorney's office. That report also said the jails could reach capacity in December. Sheriff's officials said that it's unclear when the jails will be full but that it could occur in 2012.

Some counties, such as Los Angeles, are under court order preventing jail overcrowding. So officials said it's almost a foregone conclusion that some inmates will be released to make way for the state prisoners.

Orange County Sheriff [Sandra Hutchens](#) said none of the alternatives are ideal. For example, she said, she's not sure how many inmates can be trusted to serve time wearing GPS-monitored bracelets.

"The question is how many can be put out safely on electronic monitoring? We are not going to have enough money to put everyone in jail. Jail is the most costly alternative," Hutchens said. "In California, the public wants criminals to do their full time, but no one wants to build more county jails and prisons. So something has to give."

State corrections officials said they hadn't expected the plan known as realignment to be a smooth transition because it is such an unprecedented shift. They acknowledged that their estimates have been off but believe the surge will be short-lived.

"We do expect that the overall jail admissions will level out," said Dana Toyama, spokeswoman for the Department of Corrections and Rehabilitation. She added that some estimates have turned out to be correct, including the number of prisoners sent to San Francisco.

State officials and some sheriffs believe the higher-than-projected number of state prisoners being sent to jails has occurred in part because defense attorneys waited until realignment took effect to settle their clients' cases. By doing that, the attorneys were assured that their clients would receive jail time instead of prison time.

"We believe it has occurred because of publicity the realignment received. Defense attorneys delayed a lot of adjudications until after Oct. 1," when the law took effect, said Merced County Sheriff Mark Pazin, president of the California State Sheriffs' Assn. "Those persons who pleaded guilty ended up in the local facilities when under the old course of events they would have gone to prison."

Many county officials say it's just a matter of time before some inmates have to be released.

Riverside County Sheriff's Chief Deputy Jerry Gutierrez said his jail is now at 93% capacity and will be full by January. In San Bernardino County, officials are planning to significantly expand their work-release and electronic monitoring programs, certain that the influx of state prisoners will force some releases.

"We just started the biggest system change in the history of California justice," said Nick Warner, legislative director for the State Sheriffs' Assn. "Anyone who predicts with certainty failure or success is premature in that judgment."