

U-T San Diego

County jails not overcrowded — yet

By [Dana Littlefield](#)

Saturday, December 24, 2011

SAN DIEGO — The state's unprecedented move to shift responsibility for some lower-level criminals to the counties is still in its infancy, but it's already causing problems in some parts of California where the jails are filling up faster than expected.

San Bernardino and Kern counties are considering releasing inmates early to make room for the influx of criminals sentenced to county jail rather than state prison, but San Diego County officials said it isn't necessary here.

At least not now.

"We are a little bit ahead of what we expected," said Sheriff Bill Gore, referring to the rate at which new inmates are being sentenced to county jails.

Gore, whose department runs the county's seven jail facilities, said he suspects many defense attorneys pushed their clients' hearing dates until after Oct. 1, when the plan — known officially as public safety realignment — went into effect.

According to department figures, the actual number of inmates added to the jail population since the plan started was about 10 percent higher than projected.

"We're hoping those numbers will come down," Gore said.

Gov. Jerry Brown approved the realignment law in April. It was intended to help balance the state budget and help California comply with a federal court order to reduce the prison population by 33,000 inmates over the next two years.

Under the new law, nonviolent and nonserious offenders can be sent to county jail instead of prison, allowing them to spend years in local custody after they've been sentenced in Superior Court. The law also allows some lower-level offenders who violated the terms of community supervision or parole to be sent to jail.

No sex offenders who would have gone to prison for their crimes before realignment are eligible for county jail time.

Capacity at local jails

As of Dec. 12, about 4,900 inmates were confined in San Diego County's jails, Gore said, about 88 percent of capacity. He said the department was looking at reaching capacity by next summer. Now, the estimate has shifted to spring.

“Clearly, if we just continued on the same course, did not expand any of our capacity or come up with any alternatives to custody, we would run out of beds before the inmates stop coming in,” Gore said. “With our plans that we’re making, we should be able to handle it,” Gore said.

To avoid an overcrowding crisis, the Sheriff’s Department is developing a home detention program, which would include electronic monitoring, and other ways to free up space.

Gore has said that about 400 additional beds will be available in 2014 when the Los Colinas women’s jail expansion is expected to be completed and another 1,000 beds the next year when the county plans to take back a jail in Otay Mesa run now by a private prison.

Even with the added beds, Gore said the early release of inmates in the county could happen eventually.

“I’m not saying we won’t get there, but we’re not there yet,” he said.

Long jail terms a concern

So far, the longest jail sentence imposed in San Diego County since realignment went into effect has been 10 years, seven of which would be served behind bars and three on mandatory supervision.

District Attorney Bonnie Dumanis said she remains concerned about inmates serving long sentences in local jails that weren’t designed to accommodate them. Before realignment, defendants typically could not be sentenced to local custody for longer than a year.

She and other district attorneys are advocating changing the law to limit jail sentences to no longer than three years.

Under the realignment law, the county Probation Department is tasked with monitoring an estimated 2,000 lower-level offenders scheduled for release from prison over the next three years. Previously, those offenders would have been supervised by state parole.

Local authorities have said that the state defines the offenders as low-level based on their most recent prison convictions, but they could have violent crimes in their past. Many have gang ties, although they may not be active.

Recidivism rates OK

Mack Jenkins, San Diego County’s chief probation officer, said less than 10 percent of the offenders released from prison and returned to San Diego after Oct. 1 have had their supervision status revoked by the courts.

That’s a good sign, Jenkins said, given that California’s recidivism rate is around 70 percent. But he cautioned against drawing any conclusions when the new law has been in place less than three months.

He and other local officials remain concerned that state won’t provide enough funding to house and supervise the offenders effectively. San Diego County is expected to receive \$25.1 million in fiscal 2012, of which \$11 million has been allotted for supervision, custody, treatment and intervention.

As of Nov. 28, Jenkins said, 580 offenders released from prison after Oct. 1 had been referred to probation, 454 of whom remained under county supervision last week. He said some of the state’s original monthly projections were off because they failed to factor in inmates whose parole was revoked before October.

“It’s definitely a workload issue, but we are managing it,” he said. About 255 offenders are expected to be released from prison and be supervised locally this month.

Jenkins said 32 new deputy probation officers have been added to his staff since August and he plans to add about 40 more within this fiscal year. He said the department also needs to purchase additional equipment, including GPS monitoring devices.

Jenkins said the county needs to do a better job of linking the offenders to the types of services they need, including drug and mental health treatment. He said 27 percent of the offenders are transients, increasing transitional housing needs.

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