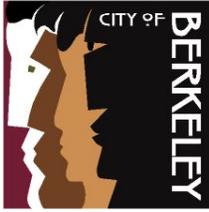


Cheryl Davila
Councilmember
District 2

TIME CRITICAL AGENDA MATERIAL

- Meeting Date:** April 14, 2020
- Subject:** Oppose the Alameda County Sheriff's Proposal to Receive an Additional \$85 million Annually to Dramatically Increase the Sheriff's Office Budgets, Especially for Santa Rita Jail During a Pandemic Crisis.
- Submitted by:** Councilmembers Cheryl Davila (Author), Kate Harrison (Co-Sponsor) and Ben Bartlett (Co-Sponsor)
- Rationale:** Find that pursuant to California Government Code Section 54954.2(b) that immediate action is required and that the matter came to the attention of the City Council after the agenda was published.



Cheryl Davila
Councilmember
District 2

CONSENT CALENDAR
April 14, 2020

To: Honorable Mayor and Members of the City Council

From: Councilmembers Cheryl Davila (Author), Kate Harrison (Co-Sponsor) and Ben Bartlett (Co-Sponsor)

Subject: Oppose The Alameda County Sheriff's Proposal to Receive An Additional \$85 Million Annually to Dramatically Increase the Sheriff's Office Budgets Especially for Santa Rita Jail During a Pandemic Crisis.

RECOMMENDATION

1. Adopt a resolution opposing the Alameda County Sheriff's proposal to receive an additional \$85 million annually to dramatically increase the Sheriff's Office budgets, especially for Santa Rita Jail; and
2. Send copies of this resolution to the Alameda County Board of Supervisors prior to their next Board meeting where the proposal will be voted on April 21, 2020.

BACKGROUND

At the March 24, 2020 meeting of the Alameda County Board of Supervisors, the Alameda County Sheriff Ahern introduced an item: "Authorize additional staffing and related costs at the Santa Rita Jail for the Sheriff's Office and Health Care Services Agency/Behavioral Health Services." Board President Richard Valle announced at the meeting that this item was tabled to the next meeting. On March 31, the item was tabled again, until April 21.

The Alameda County Sheriff is proposing a funding increase commitment of \$255 million over the course of the next three fiscal years (\$85 million/year) for the Sheriff's Office (ACSO) and Alameda County Behavioral Health (ACBH) staffing at Santa Rita Jail, including 216 deputies, 47 non-sworn ACSO staff, and 103 ACBH staff. Should the Board of Supervisors approve this item, it would be reflected in the County's Fiscal Year 2020-21 Proposed Budget. This is on top of the Sheriff's Office 2019-2020 annual budget of \$452 million.

The Sheriff's funding request is inappropriate in the midst of a climate and health crisis, and lacks documentation to substantiate the requested funding and staffing increase for the jail. In addition, there has been no discussion or analysis of the fiscal impacts on the county and cities due to the COVID-19 crisis. The proposal prioritizes jail solutions over non-custody remedies, while the jail population has been in decline for the last ten years.

This proposal comes at a time when residents throughout our city and county are being laid off and filing unemployment at unprecedented rates. The people's needs will look very differently when cities throughout the county discuss next their fiscal year budgets. The crisis has exposed fundamental faults in the nation's and the County's public health systems; addressing these should be the County's priority.

The first cases of COVID-19 at Santa Rita Jail were announced on March 26, when a nurse working in the jail confirmed positive, and on April 4, when an inmate was confirmed positive. Lack of healthcare and sanitation in Santa Rita had already led to multiple class action lawsuits. Conditions of confinement in jails and prisons in other parts of the United States have led to COVID-19 outbreaks, such as in Rikers Island, New York, and Stateville, Illinois, where 647 and 82 prisoners and staff, respectively, have been infected; prisoners have died from the virus at both jails. In light of the serious and urgent public health risks, the County should focus attention on preventing a COVID-19 outbreak in Santa Rita, including by further reducing the jail population.

County funds and resources should be directed to cities and communities to address the COVID-19 pandemic during this time of crisis. Currently, there have been numerous requests to audit the Sheriff's Office budget, but an audit has not been conducted. Increasing the Sheriff's budget prior to an audit is not fiscally responsible. An \$85 million increase during a COVID-19 pandemic is unacceptable, and is the opposite of what needs to be prioritized in the middle of a health and economic crisis.

The State of California has built twenty-one state prisons since 1980, while investments in health, education, and services were cut. Now is not the time. We must oppose this proposal by the Alameda County Sheriff's office. We must continue to divest from jails, prisons, and detention centers. The public health crisis of the COVID-19 pandemic, as well as the homelessness and affordable housing crisis, and preparation for the next pending climate-related emergencies are the priorities that deserve additional funding.

FINANCIAL IMPLICATIONS

None.

ENVIRONMENTAL SUSTAINABILITY

Opposing the use of limited taxpayer dollars for incarceration when those funds can be used to protect our communities during this climate and health crisis is an act of environmental sustainability.

CONTACT PERSON

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Councilmember District 2
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ATTACHMENTS:

1. Resolution

REFERENCES

1. Alameda County Board of Supervisor March 24 Meeting Agenda

2. Agenda Item 32.5 from County Sheriff: "Authorize Additional Staffing and Related Costs at the Santa Rita Jail for the Sheriff's Office and Health Care Services Agency/Behavioral Health Services"
http://www.acgov.org/board/bos_calendar/documents/DocsAgendaReg_03_24_20/PUBLIC%20PROTECTION/Regular%20Calendar/Sheriff_HCSA_293354.pdf
3. March 24 Video Meeting of Alameda County Board of Supervisors
<https://www.acgov.org/board/broadcast.htm>
4. City Council Resolution No. 68,463–N.S, approved May 29, 2018
5. <https://www.mercurynews.com/2020/04/04/santa-rita-jail-reports-first-inmate-case-of-COVID-19-19/>
6. <https://www.mercurynews.com/2020/03/26/alameda-county-jail-reports-first-coronavirus-case-a-nurse/>
7. <https://chicago.suntimes.com/coronavirus/2020/4/5/21208643/2nd-stateville-prison-inmate-dies-of-COVID-19-19>
8. <https://www.nytimes.com/2020/04/05/nyregion/coronavirus-new-york-update.html>

RESOLUTION NO. XXXX

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF BERKELEY OPPOSING THE ALAMEDA COUNTY SHERIFF PROPOSAL TO RECEIVE AN ADDITIONAL \$85 MILLION ANNUALLY TO DRAMATICALLY INCREASE THE SHERIFF'S OFFICE BUDGET ESPECIALLY FOR SANTA RITA JAIL DURING A PANDEMIC CRISIS

WHEREAS, At the March 24th and March 31, 2020 meetings of the Alameda County Board of Supervisors, the County Sheriff introduced an item: "Authorize additional staffing and related costs at the Santa Rita Jail for the Sheriff's Office and Health Care Services Agency/Behavioral Health Services," which was rescheduled for consideration on April 21; and

WHEREAS, The County Sheriff proposes a funding increase commitment of \$255 million over the course of the next three fiscal years (\$85 million/year) for the Sheriff's Office (ACSO) and Alameda County Behavioral Health (ACBH) staffing at Santa Rita Jail, including 216 deputies, 47 non-sworn ACSO staff, and 103 ACBH staff at Santa Rita Jail which, if approved by the Board, would be reflected in the County's Fiscal Year 2020-21 Proposed Budget, in addition to the Sheriff's Office annual \$452 million budget; and

WHEREAS, The State of California has built twenty-one state prisons since 1980, while investments in health, education, and services were cut; and

WHEREAS, This proposal comes at a time when residents throughout our city and county are being laid off and filing for unemployment at unprecedented rates, and community needs will look very different when the County and cities throughout the County discuss next fiscal year budgets; and

WHEREAS, Although the crisis has exposed fundamental faults in the nation's and the County's public health systems, and the fiscal impacts on the county and cities as a result of the COVID-19 pandemic are rapidly growing and are likely to be severe, yet to date there has been little analysis by the County of these fiscal impacts; and

WHEREAS, The City Council adopted a resolution in 2018 supporting community requests for a performance and financial audit of the Sheriff's Office to examine jail costs, staffing, as well as policies and practices that have led to a large number of in-custody deaths; and

WHEREAS, Lack of healthcare and sanitation in Santa Rita Jail has led to multiple class action lawsuits, while conditions of confinement in jails and prisons in other parts of the United States make social distancing impossible and have led to COVID-19 outbreaks, such as in Rikers Island, NY, and Stateville, Illinois, where 647 and 82 prisoners and staff, respectively, have been infected, and prisoners have died from the virus at both jails, and in light of the serious and urgent public health risks, there is an urgent need to prevent a COVID-19 outbreak in Santa Rita, including by further reducing the jail population, and

WHEREAS, County funds and resources should be focused on helping cities to address our communities' needs during the health and economic crisis resulting from the COVID-19 pandemics; and

WHEREAS, Our communities have an imperative to reinvest many resources currently dedicated to jails, prisons, detention centers, and policing, in order to address critical needs related to public health, homelessness, and climate emergencies; and

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Berkeley hereby adopts this resolution opposing the Alameda County Sheriff's office proposal to receive an increase of \$85 million annually for the Santa Rita Jail budget; and

BE IT FURTHER RESOLVED, After reviewing the proposal by the County Sheriff, the Berkeley City Council finds that this funding request is inappropriate and lacks documentation to substantiate the requested funding and staffing increase for the Sheriff's Office and the jail, and that the proposal prioritizes jail solutions over non-custody remedies, although jail staffing needs are in flux; and

BE IT FINALLY RESOLVED, The Berkeley City Council will send copies of this resolution to the Alameda County Board of Supervisors prior to their next Board meeting where the proposal will be considered on April 21, 2020.