



## COUNTY OF SONOMA

575 ADMINISTRATION  
DRIVE, ROOM 102A  
SANTA ROSA, CA 95403

### SUMMARY REPORT

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**Agenda Date:** 11/7/2023

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**To:** Board of Supervisors

**Department or Agency Name(s):** Sheriff's Office

**Staff Name and Phone Number:** Sharon Post, 565-1119

**Vote Requirement:** Majority

**Supervisory District(s):** Countywide

**Title:**

Out-of-County Detention Facility Housing for Incarcerated Adults

**Recommended Action:**

Delegate authority to the Sheriff to execute detention facility housing agreements with neighboring and Bay Area counties to reduce the population of incarcerated adults at the Sonoma County Adult Detention Facilities. Such agreements will be based on costs the facilities incur per individual/per day and shall not exceed a term of three years. All agreements shall require approval of County Counsel.

**Executive Summary:**

As one of many efforts to effectively manage the staffing shortage at the Sonoma County adult detention facilities and provide relief from mandatory overtime requirements in excess of 40 hours per pay period, per employee, the Sheriff's Office is requesting the authority to initiate agreements with adjacent and Bay Area counties able to provide housing and care for incarcerated persons in an effort to temporarily close one or more of Sonoma County's housing units, thereby reducing mandatory staffing requirements. The Sheriff requests delegated authority to enter into agreements as needed while the mandatory overtime requirements resulting from current staffing shortages remain above 25 hours per pay period, per employee.

**Discussion:**

Since 2021, the Sheriff has been working on a variety of efforts to address critical staffing shortages, specifically in the Detention Division Correctional Deputy job class. To mitigate the impact of Detention staffing shortages, the Sheriff is seeking all possible temporary solutions. One solution includes reducing the population of incarcerated persons in Sonoma County's adult detention facilities by housing some individuals at detention facilities outside the County, reducing the minimum staffing requirements at the Sheriff's adult detention facilities. The Sheriff has been in contact with neighboring and Bay Area counties regarding the possibility of housing incarcerated persons from Sonoma County. Ideally, the Sheriff would contract with a single, adjacent county. However, if one county has limited capacity and is only able to accept a portion of incarcerated persons, the Sheriff may need multiple contracts with several counties, but will attempt to contract with as few as possible to meet the reduction goal.

In the past, the Sheriff has contracted with Lake County, Mendocino County, Marin County, Solano County, and Alameda County for similar arrangements. An agreement would be dependent on a county's capacity to accept additional individuals from Sonoma County. The Sheriff is requesting that the Board grant the flexibility needed by providing the authority to enter into these agreements using a standard contract similar to the

attached previously used agreement, which was approved by the Board and County Counsel in 2016, as an example. Some modifications may be needed to accommodate the reciprocating county's standard policies and procedures. Any such changes will be approved by County Counsel prior to the Sheriff's execution of these agreements.

The Sheriff's Office Detention Division has 179 allocated correctional deputy positions; 48.5 correctional deputy positions are currently vacant and an additional 61 correctional deputies are unavailable or on light duty due to injury, pregnancy, military leave, or the need to complete training, for a total of 109.5 or 61% unavailable positions. Correctional deputies have been working 60 hours a week (40 hours of regular time and 20 hours of overtime), continuously from FY 19-20 through FY 22-23, with the demand for overtime presently remaining at this level. The mandatory work of correctional deputies is not easy to perform. Applicants must have the right temperament and aptitude for this demanding job, and the ability to pass a rigorous background investigation. These positions have never been easy to fill, but the situation worsened with the pandemic, and the demands of maintaining personal safety while working with a difficult population in a congregate living facility. It continued to worsen with the ripple effects of the current economy and widespread desire for remote job opportunities. Mandatory overtime for correctional deputies has been excessively high since the pandemic began. The proposed measures are needed to provide some relief. By moving 75 incarcerated individuals out-of-county, the Sheriff's Office can close one housing unit; and staffing can be reduced by 26 overtime hours per day, or 780 hours per month.

Agreements will be based on the estimated costs other counties would incur to house incarcerated individuals from Sonoma County at their facilities. A cost-of-living increase to the FY 23-24 rates charged may be needed for the second or third year of the agreements, based on direct increases associated with the contracting facilities' costs (labor increases, meal process, healthcare increases, etc.). Based on staff research, it is estimated that other counties will charge between \$150 and \$300 per person, per day. At these rates, if 75 of Sonoma County's incarcerated individuals are transferred for six months through the end of FY 23-24, the cost will range from \$2,053,125 to \$4,106,250. For a full year in FY 24-25 with 3% COLA over FY 23-24, the cost would range from \$4,229,438 to \$8,458,875; and with another 3% COLA for FY 25-26, the cost for a full year for 75 individuals would range from \$4,356,321 to \$8,712,641.

Rates are based on the facilities' actual costs to house an incarcerated individual, or their "Average Daily Rate." Based on current projections, we believe the reduction in staff overtime plus salary savings from vacant positions in addition to savings on incarcerated persons expenses will cover the cost of a 12-month agreement. These costs will be monitored throughout the agreements as well as the savings on overtime and other expenses and shared with the County Administrator's office. The \$2.3 million restored by the Board of Supervisors during June 2023 budget hearings for critical staffing in law enforcement field services and detention will also help provide additional funding capacity to cover costs. However, even if these agreements are not cost neutral based on savings from reduced overtime and incarcerated person expenses, the extra expense is justified to alleviate the strain placed on current employees' health and welfare who have been working the arduous, unsustainable schedules since 2020. Once hiring plans become successful and vacancies are reduced, the Sheriff will no longer need the agreements.

Finally, the Sheriff is requesting a three-year term for these agreements. While the Sheriff is aiming to resolve the staffing shortage and mandatory overtime situation as quickly as possible, this very dire situation is widespread among law enforcement agencies, and it is impossible to determine how long it will take to find

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facilities that are able to help and to realize a sustained reduction in mandatory overtime from the current hiring effort. This uncertainty creates a need for the Sheriff to be able to utilize the agreements for up to three years.

**Strategic Plan:**

N/A

**Racial Equity:**

**Was this item identified as an opportunity to apply the Racial Equity Toolkit?**

No

**Prior Board Actions:**

2/4/2014- Board Authorized Sheriff to Sign Out of County Incarcerated Persons Housing Agreements

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY23-24 Adopted</b>	<b>FY24-25 Projected</b>	<b>FY25-26 Projected</b>
Budgeted Expenses	\$3,079,688	\$6,344,156	\$6,534,481
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$3,079,688</b>	<b>\$6,344,156</b>	<b>\$6,534,481</b>
<b>Funding Sources</b>			
General Fund/WA GF	\$3,079,688	\$6,344,156	\$6,534,481
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>\$3,079,688</b>	<b>\$6,344,156</b>	<b>\$6,534,481</b>

**Narrative Explanation of Fiscal Impacts:**

The intended use of these agreements will reduce daily staffing requirements, thereby generating cost savings in lower overtime expenditures and incarcerated person housing expenses to offset the anticipated costs of the agreements. The Sheriff's Office will work closely with the County Administrator's Office to project and monitor costs and available funds. If additional funds are needed to provide this overdue relief to staff, the Sheriff will return to the Board to request additional funding. If 75 incarcerated persons are transferred for six months, the costs will range from \$2,053,125 to \$4,106,250. For a full year in FY 24-25 with 3% COLA over FY 23-24, the cost would range from \$4,229,438 to \$8,458,875; and with another 3% COLA for FY 25-26, the cost for a full year for 75 individuals would range from \$4,356,321 to \$8,712,641. Mid-range estimated expenses were used in the Fiscal Summary projections above. Rates are based on the facilities' actual costs to house an individual, or their "Average Daily Rate." Based on current projections, the reduction in staff overtime plus salary savings from vacant positions will cover the cost of a 12-month agreement.

<b>Staffing Impacts:</b>
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**Agenda Date:** 11/7/2023

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<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A-I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

2016 Agreement with Solano for Housing Incarcerated Persons

**Related Items “On File” with the Clerk of the Board:**

N/A