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CALIFORNIA LEGISLATURE

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December 5, 2023

Sally Lukenbill, Executive Director
State Public Works Board
915 L Street
Ninth Floor
Sacramento, CA 95814-3706

Dear Executive Director Lukenbill:

On Friday, December 8, 2023, the State Public Works Board (PWB) has on its agenda a proposed scope change to the Mental Health Program and Services Unit (MHPSU) planned for Alameda County's Santa Rita Jail. As Chair of the Joint Legislative Budget Committee (JLBC), I write to raise concerns about the project.

On May 4, 2023, the Director of Finance notified the JLBC, of a request for a scope change to the new MHPSU. As Chair, I requested that the Department of Finance and the PWB send me additional information in response to a number of questions raised about the proposed project.

Based on information Alameda County provided to the PWB, the JLBC received responses to these questions in September. In reviewing the information provided by the County, it is unclear how the significant changes now proposed to the initially approved project will address the County's stated goal for the MHPSU to meet the mental health needs of the County's jail population. The initially approved MHPSU project was described to be designed to provide essential mental health space at Santa Rita Jail.

In November 2015, Alameda County was awarded \$54 million by the Board of State and Community Corrections (BSCC) to construct a facility attached to the existing jail that included medical and OB-GYN services. The initial project has not yet broken ground. In October 2021, the Alameda County Sheriff's office submitted a scope change that was approved by the BSCC the next month in November 2021, which now calls for a stand-alone building and the elimination of the medical health treatment and

OB-GYN clinic. Based on the responses JLBC received, Alameda County's investment in the revised project is estimated to increase by over 250 percent, from \$7,266,000 to \$26,663,000.

There is substantial public record that Alameda County has and continues to face considerable challenges in dealing with the mental health issues of those housed in Santa Rita Jail, specifically the federal court decision in the class action suit *Babu, et al., v. County of Alameda, et. al.*, and the 2021 U.S. Department of Justice's report that found that "Santa Rita Jail failed to provide constitutionally adequate mental health care to prisoners with serious mental health needs."

The questions submitted by the JLBC to the PWB, which required the PWB to obtain this information from the BSCC and Alameda County, asked if there would be facility improvements that would allow the jail staff to deal with individuals in mental health crises. The County's response was "the MHPSU does not include mental health or medical beds dedicated to stabilizing patients in crisis or long-term living units for persons with severe mental illness while they are in crisis."

According to the Alameda County Sheriff's October 2021 Scope Change Request letter, the square footage of the new building will be approximately 40,000 square feet with 15,500 dedicated to office space. According to the Joint Expert's *Third Status Report* on the Babu Consent Decree issued in September this year, the Alameda Forensic Behavioral Health "vacancy rate for Behavioral Health Clinician positions is currently at 75%," which raises questions about whether the facility's greater need is for office space or treatment facilities.

The most current data on the BSCC's Jail Population Dashboard shows Santa Rita Jail's average daily population well below its rated population capacity. The number of individuals housed at the jail has declined since funding was initially awarded for this project in 2015. However, while jail population numbers, as indicated above, have decreased, the mental health and other medical needs of the population have increased.

Given the time that has passed since the inception of this project, the change in Santa Rita Jail population vs jail population capacity, and the issues raised by the Babu Consent Decree and the 2021 U.S. Department of Justice report, it is recommended that prior to approving the scope change that the State Public Works Board ask Alameda County to submit a response detailing how this proposed project will address the needs of the current jail population, especially those with mental health and special medical needs, as well as the specific issues raised in the Consent Decree and the Department of Justice 2021 Report.

Sincerely,



Nancy Skinner
Chair

cc: Members of the State Public Works Board
Hon. Yesenia L. Sanchez, Alameda County Sheriff

Susan S. Muranishi, Alameda County Administrator
Alameda County Supervisor Nate Miley, Board President
Alameda County Supervisor David Haubert, Board Vice President
Alameda County Supervisor Keith Carson
Alameda County Supervisor Elisa Márquez
Alameda County Supervisor Lena Tam
Members of the Joint Legislative Budget Committee