

THE NEW PRISON CONSTRUCTION PROGRAM AT MIDSTREAM

APRIL 1986

TABLE OF CONTENTS

	<u>Page</u>
LIST OF TABLES AND CHARTS.....	iv
EXECUTIVE SUMMARY.....	v
INTRODUCTION.....	vii
CHAPTER I--THE DEPARTMENT OF CORRECTIONS' PLANS FOR NEW PRISON CONSTRUCTION.....	1
Statewide Master Plans.....	2
Program Planning Report, California Department of Corrections, dated April 1, 1978.....	3
Facilities Requirement Plan, California Department of Corrections, dated April 7, 1980.....	4
1982 Facilities Master Plan, dated February 1, 1982.....	4
1983 Facilities Master Plan, dated February 1, 1983.....	5
1984-1989 Facilities Plan, dated May 7, 1984.....	5
1985-1990 Facilities Plan, dated May 1985.....	6
Changes Since the Release of the 1985 Plan.....	6
Summary.....	7
CHAPTER II--LEGISLATIVE ACTION ON NEW PRISON CONSTRUCTION.....	10
Major Policy Issues.....	10
Procedures for Legislative Review of Prison Construction Projects.....	11
Extraordinary Delegation of Authority to the Department of Corrections.....	12
CHAPTER III--THE DEPARTMENT OF CORRECTIONS' ORGANIZATIONAL STRUCTURE FOR PLANNING AND CONSTRUCTION OF NEW PRISON FACILITIES.....	14
CHAPTER IV--CURRENT STATUS OF NEW PRISON FACILITIES.....	18
Tehachapi Maximum Security Complex.....	18

TABLE OF CONTENTS--contd

	<u>Page</u>
New Folsom Prison.....	18
Maximum Security Prison, Adelanto.....	19
San Diego Medium Security Prison.....	20
Riverside Facility.....	20
Los Angeles Facility.....	21
California Medical Facility-South.....	21
Ione Prison.....	22
Northern California Women's Facility.....	23
Avenal Prison.....	23
Del Norte Prison.....	23
Corcoran Prison.....	24
"Quick-Build" Facilities.....	24
Other Projects.....	25
Summary of Project Schedules.....	25
Summary of Project Budgets.....	26
CHAPTER V--PRISON FACILITIES DESIGN STANDARDS.....	29
Inmate Housing.....	30
Facilities/Unit Size.....	32
CHAPTER VI--AN EVALUATION OF THE DEPARTMENT OF CORRECTIONS' PROGRESS IN COMPLETING NEW PRISON CONSTRUCTION.....	33
Has the Department of Corrections (CDC) Completed New Prisons on Schedule?.....	33
Has the CDC Completed Projects Within Approved Budgets?....	35

TABLE OF CONTENTS--contd

	<u>Page</u>
Are the CDC's Prison Plans Consistent with Legislative Policies?.....	35
Are the CDC's Plans Consistent with the American Correctional Association Standards?.....	37
Do the CDC's Prison Plans Reflect State-of-the-Art Technology?.....	38
Is the CDC's Planning Process Adequate?.....	39
Is the Design and Operating Strategy of the New Prisons' Staff Efficient?.....	40
CHAPTER VII--OPPORTUNITIES FOR IMPROVING LEGISLATIVE OVERSIGHT OF PRISON CONSTRUCTION.....	42
APPENDIX A--Summary of Major Legislation on New Prison Construction.....	A1

LIST OF TABLES AND CHARTS

	<u>Page</u>
<u>List of Tables</u>	
Table 1 Department of Corrections, New Prison Capacity Projects.....	2
Table 2 Department of Corrections, Planned Additional Prison Capacity.....	9
Table 3 Department of Corrections, Capital Program Management Contracts.....	17
Table 4 Comparison of Original Budget to Current Estimate.....	28
<u>List of Charts</u>	
Chart 1 Prison Population, Projected and Actual.....	8
Chart 2 Planned Capacity Versus Population, Using Acceptable Overcrowding Capacity.....	27
Chart 3 Projected Bed Shortages, Planned Capacity Versus Projected Population.....	34

EXECUTIVE SUMMARY

During the past several years, the Legislature has authorized a major expansion of the state's prison system. This expansion provides for 12 new prisons and additions to existing prisons which will cost more than \$1.5 billion to build and about \$750 million annually to operate. This report examines the Department of Corrections' (CDC) progress in bringing these prisons on line.

Our review finds that:

- Had the CDC been able to meet its original timetable for completing the new prisons, many more beds would be available today to house the inmate population.
- The cost of the two new prisons occupied to date (at Tehachapi and Vacaville) exceeded the original budget estimates by more than 20 percent.
- The CDC has yet to implement the work programs that the Legislature directed it to establish at the new prisons.
- The plans for several new prisons deviate from the design standards adopted by the American Correctional Association with respect to the type of inmate housing (dormitories) and the size of facility (over 500 inmates per facility).
- The designs for the new prisons generally do not reflect state-of-the-art technology with respect to perimeter security.
- The CDC's planning process does not adequately anticipate facilities needs, nor does it identify alternatives for the Governor and the Legislature to consider in the event population projections go awry.

- The cost of operating the new prisons will be higher than what was anticipated when new prison designs were approved.

Finally, we identify an alternative process for reviewing new prison proposals that, if adopted, would improve the Legislature's opportunity to have a meaningful voice in establishing policies for the facilities and accelerate project completion.

INTRODUCTION

In response to a sharp rise in the prison population, the state has commenced a program to construct over 24,000 new prison beds. These beds will cost more than \$1.5 billion to build and approximately \$750 million per year to operate.

Responsibility for the planning and construction of the additional beds has been assigned to the Department of Corrections. This report assesses the department's progress in carrying out its responsibilities since planning for the program began in 1978.

Obviously, a program of this scope and complexity is a major undertaking--one that would challenge the most accomplished public administrators. Any assessment of the department's performance in bringing the new prisons on line must take the magnitude of this task into account.

This report is organized as follows:

- Chapter I describes the department's past and present plans to meet prison population needs.
- Chapter II summarizes the action taken by the Legislature to authorize specific prisons and projects, as well as the policies established by the Legislature to guide the construction of new prisons.
- Chapter III discusses the organizational structure developed by the department to plan and construct new prisons.
- Chapter IV discusses the new prison plans and standards adopted by the American Correctional Association for correctional facilities.

- Chapter V summarizes the current status of prison construction projects.
- Chapter VI--the heart of this report--assesses the department's progress to date in completing the prisons and projects authorized by the Legislature.
- Chapter VII evaluates the Legislature's ability to control or influence the implementation of the program.

This report was prepared by Richard Keller under the supervision of Gerald Beavers. It was typed by Kimberly Lusk.

CHAPTER I

THE DEPARTMENT OF CORRECTIONS' PLANS FOR NEW PRISON CONSTRUCTION

To date, the Legislature has authorized construction of 15 major prison facilities having a combined capacity of 21,450 beds. It also has approved a number of projects designed to reactivate former prison facilities, add modular relocatable-type facilities at existing prisons, and expand the size and number of conservation camps. Collectively, these projects will increase the prison system's capacity by 3,100 beds. Thus, the additions to the prison system authorized since 1980 would add 24,550 beds, bringing the system's overall capacity to about 52,000 beds. Table 1 identifies the major prison projects approved by the Legislature, and shows the projected capacity of each.

Table 1
Department of Corrections
New Prison Capacity Projects

<u>Project</u>	<u>Number of Beds</u>	<u>Year Authorized</u>
I. New Institutions:		
Tehachapi.....	1,000	1980
San Diego.....	2,200	1981
Adelanto.....	1,150	1982
Los Angeles.....	1,700	1982
Folsom.....	1,700	1982
San Joaquin.....	400	1982
Riverside.....	1,700	1982
Avenal.....	3,000	1983
Vacaville.....	2,400	1983
Amador.....	1,700	1983
Del Norte.....	NA	1985
Corcoran.....	3,000	1985
Quick Builds.....	1,500	1985
II. Other Capacity:		
California Institution for Women Housing Unit.....	50	1982
Reactivate California Men's Colony, West.....	900	1982
Camps.....	1,000	1982
Modulars.....	1,000	1982
San Gabriel Camp.....	150	1985
Total.....	24,550	

Statewide Master Plans

The various proposals for expanding the state's prison capacity have evolved through a series of master plans prepared by the Department of Corrections. The initial plan, prepared in 1978, responded to the Legislature's request that the department identify prison construction needs stemming from enactment of the Uniform Determinate Sentencing Act of

1977 and other measures. Over the years, the department's building plans have changed as the impact of new laws and court orders on the correctional system became apparent.

Initially, the department's facilities plans called for a modest number of new prison beds. The emphasis of these plans was on replacing or renovating existing prisons in order to correct physical and operational deficiencies. Since 1982, however, the department's master plans have placed less emphasis on renovations (except where court orders have mandated improvements) and greater emphasis on construction of new facilities. This change in emphasis probably was inevitable, given the fact that the inmate population in recent years has far exceeded the earlier population projections.

The balance of this chapter summarizes the evolution of the Department of Corrections' plans for the construction and renovation of prison facilities.

Program Planning Report, California Department of Corrections
(April 1, 1978)

The department's initial master plan was submitted to the Legislature in response to a directive contained in the 1977 Budget Act. The report called for:

- A statement of principle to guide the planning for construction and renovation of prisons. Among the principles suggested by the department were the following: (1) all prisons should comply with standards developed by the American Correctional Association (ACA) and (2) each prison should provide full work opportunities to inmates.

- Construction of a 400-bed institution for women in northern California.
- Construction of five 400-bed institutions for men in southern California, including one psychiatric facility.
- A total of 600 additional community beds for men and women.
- Modifications to existing prisons needed to provide smaller, more manageable substitutions.

Facilities Requirement Plan, California Department of Corrections
(April 7, 1980)

The department's second plan proposed the expenditure of over \$900 million to renovate and reconstruct existing prisons. In addition, it proposed the construction of new prisons containing 5,000 beds and costing \$300 million. These new beds were intended to accommodate the increased prison population and replace beds that would be eliminated due to renovation of existing prisons. The plan anticipated that the prison population would grow from 23,500 inmates in 1980 to approximately 27,000 inmates by 1985--an increase of 3,500 inmates (15 percent) over five years.

1982 Facilities Master Plan (February 1, 1982)

The 1982 Facilities Master Plan, which replaced the 1980 plan, was recast in light of new population projections. During 1980, the growth in the prison population reached 80 inmates per week--nearly 4,200 per year. Based on this rate of growth, the 1982 plan anticipated that the population would increase from 28,700 in 1982 to 44,800 by 1987. As a consequence, instead of emphasizing the renovation of existing prisons, this plan called for the construction of several new facilities to house a rapidly increasing population.

1983 Facilities Master Plan (February 1, 1983)

The department's fourth plan, which was prepared while the prison population continued to outdistance previous projections, anticipated a significant bed shortage in the immediate future. Because the construction of new permanent beds could not be completed soon enough to alleviate this problem, the department proposed several interim measures to accommodate the additional inmates. These measures included putting up 2,000 beds in tents at San Quentin and Chino, providing 7,200 beds in prefabricated metal buildings located at existing prison sites, adding 1,000 beds in modular housing facilities and transferring the 1,200 bed Youth Training School from the Department of the Youth Authority to the Department of Corrections. Only a portion of these interim measures was actually implemented.

The 1983 plan presumed that the prison population would climb from 37,800 to approximately 60,800 by the year 1988. With this in mind, the plan proposed construction of additional permanent beds to meet the projected long-term prison population, in addition to the short-term stop-gap measures. In total, the plan included funding requirements of over \$1 billion through 1990-91.

1984-1989 Facilities Plan (May 7, 1984)

The 1984 plan described the disparity between the number of prison inmates and the capacity of the state's prison system as "a crisis." This plan called for the use of expedited planning procedures and "fast-track" construction techniques in order to increase the system's capacity by 18,500 beds no later than June 1987. The cost of these beds was estimated

at \$1.2 billion. The plan also identified improvements needed at existing prisons where support facilities, such as sewer systems and water supply systems, were being overtaxed by the growing number of inmates. The inmate population projected for 1988 in the 1984 report was somewhat less than what had been anticipated a year earlier--57,000, rather than 60,800.

1985-1990 Facilities Plan (May 1985)

The Department of Corrections' most-recent Master Plan does not include any specific proposals for new prison beds beyond the 18,500 called for in the 1984 plan. For the second year in a row, the department reduced its projection of the 1988 prison population--this time to 54,000 inmates (6,800 inmates below the projection in the 1983 report).

Changes Since the Release of the 1985 Plan

During 1985, the Legislature, at the department's request, enacted several measures authorizing 4,650 new prison beds. These additional beds--which were not included in the department's 1985 Facilities Plan--include (1) a 3,000-bed prison at Corcoran, (2) 500-bed housing unit additions at Susanville, Jamestown and Tehachapi and (3) a 150-bed camp in San Gabriel Canyon.

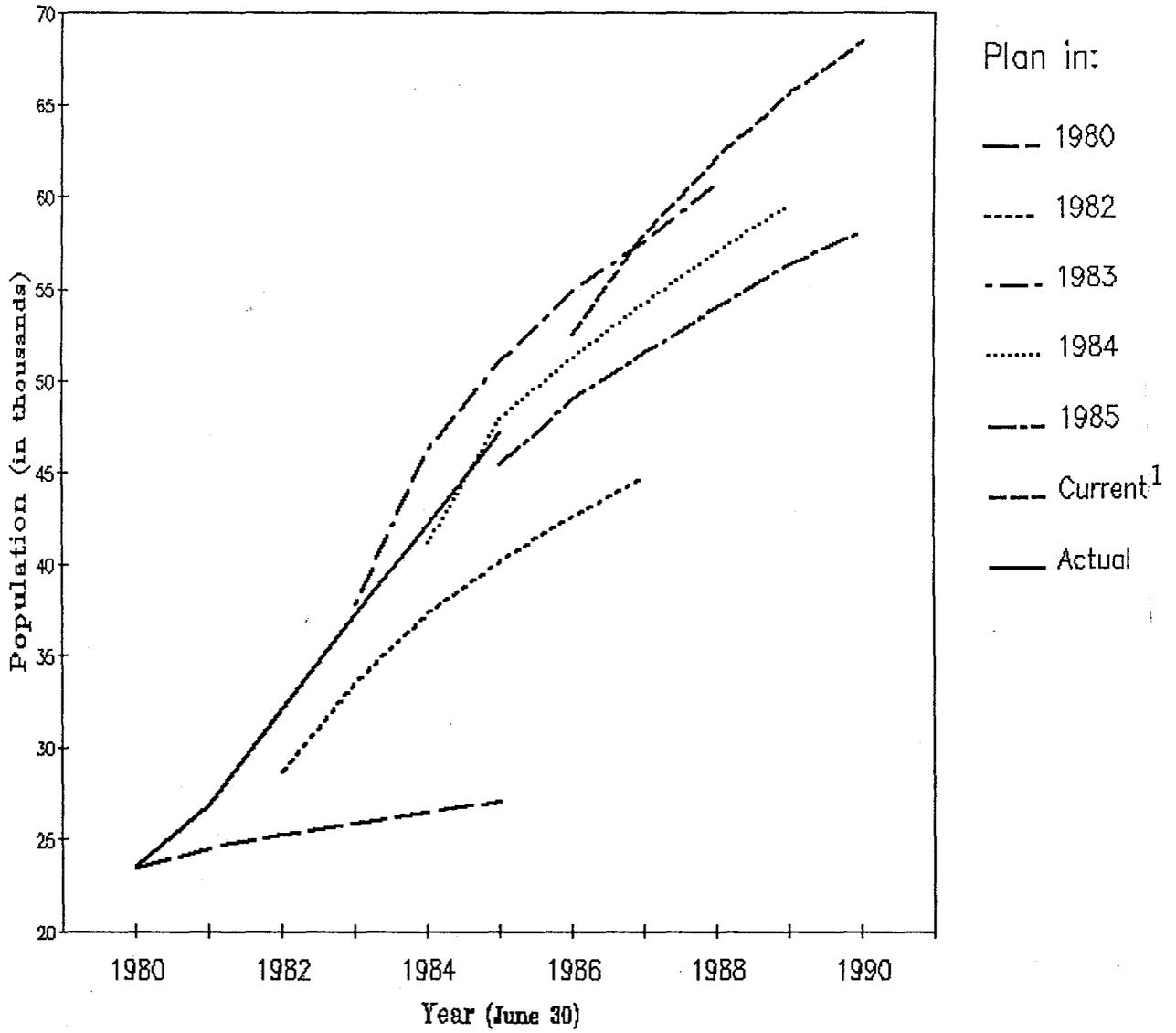
Later, in December 1985, the department released its August 1985 population projections to the Legislature. These projections anticipate a prison population of 62,095 in 1988--8,095 (15 percent) more than the number projected in the 1985 plan. The department's August projections also show the prison population rising to 68,370 by 1990. (In the balance of this report, we refer to the August estimates as the "current" population projections.)

Summary

To recap, the department's initial planning for prison construction identified the need for substantial renovation of existing prisons in California. These plans called for a moderate number of new prison cells to meet increased population and to replace cells that would be eliminated due to renovation of existing prisons. The department's 1983 report projected a dramatic increase in the inmate population and emphasized the need for new prison construction. The earlier proposals for renovating existing prisons were postponed indefinitely. The 1984 and 1985 facilities plans anticipated a moderation in the population increases. The department's latest population projections, however, show a significantly larger prison population than what had been projected in 1985.

Chart 1 compares the actual prison population with the projections contained in the various reports prepared by the department from 1980 to 1985. Table 2 shows the capacity included in the department's plans to accommodate the projected population.

Chart 1
 Prison Population
 Projected and Actual



1. Based on the department's August 1985 population projections.

Table 2

Department of Corrections Master Plans
Planned Additional Prison Capacity

<u>Project</u>	<u>1982 Plan</u>	<u>1983 Plan</u>	<u>1984 Plan</u>	<u>Current Plan</u>
I. Existing (Beginning) Capacity	25,531	25,531	25,958 ^a	25,958 ^a
II. New Permanent Capacity				
Tehachapi	1,000	1,000	1,000	1,000
San Diego	1,700	2,200	2,200	2,200 ^b
Adelanto	1,150	1,150	1,150	1,150 ^b
Los Angeles	1,700	1,700	1,700	1,700 ^b
Folsom	1,700	1,700	1,700	1,728
San Joaquin	200	400	400	400 ^b
Riverside	1,700	1,700	1,700	1,700 ^b
CIW SHU Unit	50	50	50	50
Vacaville	n/a	2,400	2,400	2,400
Amador	n/a	1,200	1,200	1,700
Avenal	n/a	n/a	3,000	3,034 ^b
Corcoran	n/a	n/a	n/a	2,902 ^b
Quick Bldgs.	n/a	n/a	n/a	1,500 ^c
Del Norte	n/a	n/a	n/a	n/a ^c
Totals, Permanent Capacity	9,200	13,500	16,500	21,464
III. Other Capacity				
CMC, West	900	800	900	900
Camps	1,056	480	1,000	1,000
250-Bed Modulars	1,000	1,000	1,000	1,000
108-Bed Units	432	432	0	0
Baker	300	0	0	0
Totals, Other	3,688	2,712	2,900	2,900
IV. Totals, Existing And New Capacity	38,419	41,743	45,358	50,322
V. Community Beds	2,000	1,659	2,205	1,463
VI. Total Capacity	40,419	43,402	47,563	51,785 ^d

- a. Reflects 432-bed increase for four 108-bed units that have been completed. All other completed beds are shown within plan.
b. Authorized but no schedule for completion available.
c. Authorized but no capacity or schedule for completion available.
d. Capacity from 1985 Master Plan plus new capacity authorized in legislation enacted in September 1985.

CHAPTER II

LEGISLATIVE ACTION ON NEW PRISON CONSTRUCTION

As the need to provide new and remodeled prison facilities developed, the Legislature enacted various measures that were intended to provide policy direction, authorizations and appropriations for projects included in the department's Master Plan. Appendix A provides a chronology of major legislation involving the planning and construction of new prison facilities that has been enacted since 1978.

This chapter summarizes (a) the major policy decisions made by the Legislature regarding the construction of new prisons, (b) the procedure established for providing legislative review of these projects and (c) the Legislature's extraordinary delegation of authority and responsibility to the Department of Corrections in order to expedite the program.

Major Policy Issues

In recent years, the Legislature has made several key policy decisions regarding the development of new prisons. These decisions include the following:

- New prisons will be smaller and more manageable. Initially, the Department of Corrections' plans anticipated developing prisons to accommodate no more than 400 inmates. Although more than one prison could be located at a single site, the plans called for each prison to be operated autonomously with its own programs and essential support services. In 1979, the Legislature adopted a limit of 450 inmates per unit. It raised the limit to 500

inmates in 1980. Most recently, the Legislature authorized the new prison at Vacaville to have semiautonomous prison units housing 600 inmates each.

- No new prisons were to be located in Chino (1979).
- The new prison in San Diego would be designed to (1) limit the costs per cell to \$50,000 and (2) allow operating at an inmate-to-staff ratio of not less than 4:1 (1983). These requirements, however, can be (and have been) modified with approval from the Joint Legislative Prison Committee.

Procedures for Legislative Review of Prison Construction Projects

Chapter 789, Statutes of 1978, appropriated \$7.6 million to support planning for new maximum security prisons. In making this appropriation, the Legislature required that any plans developed with these funds be submitted to the Legislature for review and approval outside the budget process. In 1980, the Legislature amended Chapter 789 to require that all new prison plans be submitted for approval.

In response to this requirement, the CDC usually submits to the Legislature the general specifications for each proposed prison, such as (1) the general location, (2) the number of inmates to be housed and (3) the security level. On this basis, the Legislature is expected to provide funding for the proposed new facility.

Even after the Legislature authorizes a new prison, a number of significant issues still must be resolved, including issues having to do with the prison's site and design. The specific site chosen for a new facility will have major implications for the economy, land-use patterns

and services (utilities, medical, judicial) of the immediate area. The design of the facility will determine staffing requirements for many years and set the tone for how prisoners are to be treated.

It is at this point in the process that the Legislature has its greatest opportunity to influence the shape of the state's prison system. Unfortunately, the Legislature generally cannot take advantage of this opportunity because of defects in the process for securing legislative approval.

Instead of requiring preliminary plans, inmate work programs and proposed staffing patterns before funds are appropriated for construction of the new facility, the Legislature has chosen to fund these projects without having this information. After the funds have been made available, the Joint Legislative Prison Committee and the fiscal committees are responsible for reviewing this information on behalf of the Legislature. This provision was added to the Penal Code (Section 7003) by Chapter 540, Statutes of 1981 and was amended in 1983 and 1984.

Extraordinary Delegation of Authority to the Department of Corrections

The Legislature has also provided the Department of Corrections with extraordinary delegations of authority and exemptions from existing laws in order to facilitate completion of the prison construction program. These include the following:

Exemption from California Environmental Quality Act (CEQA). Several new prison facilities, including the California Men's Colony (West Facility), Avenal, Ione and the three 500-bed housing unit additions at Tehachapi, Jamestown and Susanville, have been exempted from CEQA. In

addition, the Legislature has exempted the new prisons at Riverside, Corcoran and De1 Norte from the CEQA requirements, substituting in their place a requirement that an Environmental Assessment study be prepared. This in effect, makes the department solely responsible for environmental review since other responsible agencies which would normally participate in the review of environmental impact reports are not required to participate in the environmental assessment process.

Exemption from Office of State Architect Design Supervision. When the Legislature initially funded planning for new prisons, responsibility for planning and construction of the prisons resided with the Department of General Services, as usually is the case. In 1981, however, the Legislature transferred responsibility for planning and construction to the Department of Corrections. As a result, the department is able to contract directly with consulting architects and engineers for design services, manage and let construction contracts and perform other necessary administrative responsibilities associated with planning and construction activities.

Exemption from Consultant Selection Process. Under the Government Code, state agencies are required to follow a specified process in selecting consulting architects and engineers. The Legislature, however, has exempted several of the Department of Corrections' projects from this requirement. Instead of selecting new architects, the department has assigned additional work (such as the design of complete new prisons) to architects and engineers already under contract with the department.

CHAPTER III

THE DEPARTMENT OF CORRECTIONS' ORGANIZATIONAL STRUCTURE FOR PLANNING AND CONSTRUCTION OF NEW PRISON FACILITIES

In order to manage the massive prison construction program authorized by the Legislature, the Department of Corrections has greatly expanded its planning and construction division. The number of positions authorized for planning and construction activities has increased from four in 1980 to 118 in 1985-86.

In addition, the department has contracted with consultants to assist in implementing the program. These consultants provide four types of services.

Consulting Architect. A consulting architect is responsible for preparing pre-architectural design concepts, schematic designs, preliminary plans and construction documents for individual projects. The consulting architect also provides services during the construction phase to help the contractor interpret the plans and specifications.

Construction Management Consultant. The construction manager assigned to each project is responsible for assisting the department in the review of plans and estimates prepared by the consulting architect. This consultant also monitors the progress of construction and provides reports and professional advice to the department.

Inspection Services (Office of State Architect). The Department of Corrections uses the Office of State Architect (OSA) within the Department of General Services to conduct inspections of each prison while they are being constructed. The OSA is responsible for (1) on-site review of work

to insure compliance with the plans and specifications, (2) processing change orders during construction and (3) general coordination between the architect, construction manager and department.

Program Management Consultant. The program management consultant assists the department with the overall management of the capital outlay program for all planned new correctional facilities. The consultant is responsible for furnishing schedules and reports on projects, assisting the department in preparing long-range facility requirement plans, developing standards and evaluation criteria, and helping the department monitor consulting architects and construction managers.

The program management consultant has played a large and growing role in the prison construction program. Since 1982, the department has contracted for program management services costing a total of \$19.2 million. The department contracts for these services on a "lump sum" basis. The contract amount has been financed from two sources:

(1) appropriations for specific prisons and (2) appropriations for "statewide" services (that is, services not related to a specific prison).

Table 3 displays the cost of program management services that the department has allocated to capital outlay appropriations for individual projects. It also shows the amounts included in the annual budget act for statewide program management services.

Table 3 reveals that a substantial portion of the funds provided for program management services has been spent on projects which currently do not have completion schedules. In some cases, the amount spent on these projects exceeds the amounts spent on projects that are considerably

further along in development. For example, the amounts spent on Riverside and Los Angeles are about equal to the amounts spent on the Folsom and Amador projects yet there are no architectural plans for the former while the design of the latter is substantially complete. Any additional program management services needed during the design of the Los Angeles and Riverside prisons will push these costs significantly higher.

Table 3
Department of Corrections
Capital Program Management Contracts
1982 to 1986

<u>Project</u>	<u>1982-83</u>	<u>1983-84</u>	<u>1984-85</u>	<u>1985-86</u>	<u>Totals, 7/82 to 6/86</u>
Tehachapi.....	\$50,000	0	0	0	\$50,000
Vacaville.....	10,000	\$502,115	\$1,212,629	\$568,270	2,293,014
Amador.....	0	200,000	700,000	320,580	1,220,580
Frontera Housing Unit..	10,000	0	0	0	10,000
New Folsom.....	400,000	200,000	459,598	236,990	1,296,588
Adelando.....	300,000	100,000	400,000	0	800,000
San Diego.....	300,000	200,000	761,441	1,061,630	2,323,071
Riverside.....	200,000	200,000	400,000	430,000	1,230,000
Los Angeles.....	100,000	100,000	350,000	739,010	1,289,010
Avenal.....	0	517,000	800,000	924,530	2,241,530
San Joaquin Women's Facility.....	0	100,000	145,000	169,720	414,720
Del Norte.....	0	0	0	209,000	209,000
Other.....	<u>367,292</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>367,292</u>
Subtotals.....	\$1,737,292	\$2,119,115	\$5,228,668	\$4,659,730	\$13,744,805
Statewide.....	<u>971,208</u>	<u>1,500,000</u>	<u>1,505,000</u>	<u>1,500,000</u>	<u>5,476,208</u>
Totals.....	\$2,708,500	\$3,619,115	\$6,733,668	\$6,159,730	\$19,221,013

CHAPTER IV
CURRENT STATUS OF NEW PRISON FACILITIES

This chapter examines the Department of Corrections' record to date in completing the planning and construction of new prison facilities. It does so by comparing the current completion schedule for each authorized project with the original schedule which the department used to justify its request for funding. This comparison shows that other than the women's prison near Stockton, all new prisons are behind the schedule originally presented to the Legislature. In some cases, there is no schedule for occupancy of the new facility, leaving the status of the project in doubt.

Tehachapi Maximum Security Complex

The 1,000-bed maximum security prison at Tehachapi was authorized by Chapter 1122, Statutes of 1980. The original budget for the project (contained in the 1980 Facilities Plan) was \$74.6 million. The department currently estimates that the project will cost \$89.9 million--21 percent more than the original estimate.

This facility was partially occupied in November 1985. Full occupancy of the prison's 1,000 maximum security beds is expected to be completed in April 1986--more than one year after the original March 1985 completion date.

New Folsom Prison

The Folsom project includes three 500-bed maximum security units and a 200-bed minimum security support service unit located on the grounds of the existing prison. The project was authorized by Chapter 1548, Statutes of 1982. The original budget for the project was \$160 million. The

current estimate puts the project's cost at \$155.2 million--3 percent less than the original amount.

The original schedule for this project, which appeared in the department's 1983 Master Plan, anticipated occupancy of the entire complex in February 1986. The project currently is under construction, and the department expects that 256 beds will be activated in October 1986. The remaining maximum security beds are expected to be occupied in February 1987, with the support service unit expected to come on line in April 1987. Thus, this project is 14 months behind schedule.

Maximum Security Prison, Adelanto

The Adelanto project, authorized by Chapter 1548, Statutes of 1982, provides for construction of two 500-bed maximum security units and a 150-bed minimum security support service unit. The approved budget for this prison was \$92 million.

The department's 1983 Master Plan indicated that this project would be completed in April 1986. In the 1984 Plan, the department anticipated that the project would move ahead more rapidly, with occupancy of 650 beds anticipated in April 1985 and occupancy of the remaining 500 beds expected in July 1985. Currently, there is no schedule for completion of this facility. Due to environmental problems with the site acquired for the prison, legislation has been enacted (Chapter 933, Statutes of 1985) authorizing the department to sell the site. To date, however, the department has not identified an environmentally acceptable alternative site.

San Diego Medium Security Prison

The new prison at San Diego will consist of 2,000 medium security beds and a 200-bed support service unit. The project was authorized by Chapter 540, Statutes of 1981, which provided for a 1,700-bed complex costing \$135 million. Chapter 958, Statutes of 1983, amended the prior authorization to add 500 beds, increasing the prison's capacity to 2,200 beds. The current cost estimate for the 2,200-bed complex is \$150 million.

The department's 1983 Master Plan anticipated occupancy of this facility in August 1986. The project schedule was accelerated in 1984 to reflect "fast-track" construction, with initial occupancy of 700 beds expected in March 1985 and additional 500-bed increments expected to come on line in June, September and December. The department's current schedule shows 1,000 beds being occupied in November 1986, with an additional 500 beds to be occupied in January 1987 and the remaining 700 beds coming on line in April 1987. Occupancy of the facility's support service units is planned for August 1987. Thus, completion of this facility is one year behind schedule based on the department's original (1983) schedule, and 18 months behind the department's 1984 "fast-track" schedule.

Riverside Facility

The 1,700-bed complex planned for Riverside envisions three 500-bed medium security prisons and a 200-bed support service unit. The project was authorized by Chapter 1549, Statutes of 1982.

The department's 1983 Plan indicated that this facility would be completed in April 1987, at a cost of \$141.4 million. The 1984 "fast-track" construction schedule accelerated completion of the project,

with occupancy expected in July 1985 (700 beds), October 1985 (500 beds) and January 1986 (500 beds). At the present time, the department has no schedule for completion of this facility, pending environmental studies of a proposed site. Until the project has moved forward, the reliability of the latest (May 1985) estimate of project cost (\$116.2 million) is not clear.

Los Angeles Facility

Chapter 1549, Statutes of 1982, authorized three 500-bed medium security prisons and a 200-bed support service unit in Los Angeles County.

The department's 1983 Plan anticipated completion of the facility in May 1987, at a cost of \$141.4 million. The completion date was moved up to March 1987 in the 1984 Plan. At the present time, the department indicates that there is no schedule for completion of this project. A schedule will be developed once environmental impact reports on the proposed site selected by the department in March 1985 are completed. Until this project has moved forward, the reliability of the department's latest (May 1985) cost estimate--\$148.5 million--is not clear.

California Medical Facility-South

Chapter 957, Statutes of 1983, authorized the construction of two 600-bed medium security units and two 600-bed low-medium security units on the grounds of the existing California Medical Facility, Vacaville. The original project budget was \$122.5 million. The current estimate of costs to complete the project is \$147.4 million--20 percent more than the original estimate.

The department's original schedule anticipated completion of the first 600 beds in May 1984, with the remaining units to be completed in July 1984 (600 beds), November 1984 (600 beds) and February 1985 (600 beds). The department finished construction of the initial 600 beds in October 1984, approximately five months after the original scheduled completion date. An additional 600-bed unit was occupied in March 1985. Occupancy of the remaining beds is anticipated for May 1986 with completion of all necessary support facilities in August 1986. Thus, this facility is 18 months behind schedule.

Ione Prison

The Ione project envisions construction of three 500-bed medium security prisons and a 200-bed support service unit. Chapter 957, Statutes of 1983, authorized construction of a 1,200-bed low-medium security facility at Ione, at an estimated cost of \$57.8 million. Chapter 931, Statutes of 1985, increased the number of beds to 1,700, and upgraded the security level to medium security. The estimated cost of the 1,700-bed prison is \$113.4 million.

The department's original schedule anticipated occupancy of the first 300 beds in November 1984, with occupancy of the remaining beds expected in February 1985, May 1985 and August 1985. The department's current schedule shows initial occupancy of one 500-bed unit in February 1987, with the other 500-bed units expected to be occupied in June 1987. The support service unit also is to be completed in June 1987. Thus, the project (as currently proposed) is now scheduled to be completed about two years after the original completion date.

Northern California Women's Facility

A new 400-bed medium security facility for women was authorized by Chapter 1549, Statutes of 1982. The 1983 Plan anticipated completion of the facility in April 1987, at a cost of \$26 million. The estimated project cost is now \$31.5 million--21 percent above the 1983 estimate.

In 1984, the department revised the schedule for this project to allow for occupancy in March 1986. The department's current schedule indicates that occupancy of the facility will occur in December 1986--four months ahead of the original schedule and nine months later than the 1984 "fast-track" construction schedule.

Avenal Prison

A 3,000-bed minimum/medium security facility was authorized at Avenal in Kings County by Chapter 958, Statutes of 1983. The 1984 Plan indicated that the project would cost \$168.7 million. The current estimate is \$154.5 million--8 percent less than the original estimate.

The 1984 Plan anticipated "fast-track" phased occupancy of the facility with the first 600-bed unit to be occupied in March 1985 and the remaining 600-bed units to be occupied in June 1985, September 1985, December 1985 and March 1986. The department now anticipates occupancy of 440 beds in December 1986. The balance of the prison would be occupied in phases, beginning in March 1987, with full occupancy scheduled for January 1988. Thus, this project is 21 months behind schedule.

Del Norte Prison

Chapter 237, Statutes of 1985, authorizes construction of a new prison in Del Norte County, provided the results of a feasibility study are

favorable. No bed capacity or security level has been established for this facility. Consequently, a project budget and schedule have not been developed for the Del Norte facility.

Corcoran Prison

A 2,902-bed complex at Corcoran (Kings County) was authorized by Chapter 930, Statutes of 1985. As currently planned, this complex will provide 1,008 maximum security beds, 1,500 medium security beds and 394 minimum security beds. The medium security portion of the prison is scheduled to be occupied by January 1988. No schedule has been developed for the maximum security portion of the prison. The estimated cost of this prison is \$225.1 million.

"Quick-Build" Facilities

Chapter 933, Statutes of 1985, authorized the department to construct 500-bed housing unit additions to the prisons at Tehachapi, Jamestown and Susanville. It also appropriated \$70.9 million for construction of the units. The projects are under construction, and are scheduled to be completed in August 1986, two months later than the original June 1986 completion date.

When the Legislature authorized construction of these facilities, no plans had been developed for construction of necessary support service buildings. The authorizing legislation, therefore, permits the department to postpone implementation of inmate work programs until July 1, 1988. The cost and schedule for completing support service facilities to make these additions autonomous 500-bed prisons have not been developed.

Other Projects

Besides the major projects discussed above, the department's plans have included various proposals to reactivate, or temporarily add, capacity at existing prisons. In October 1984, the department occupied the California Men's Colony, West Facility. The project was delayed several months because of environmental issues. The department also has added 1,432 beds through construction of modular facilities at several existing prisons.

Summary of Project Schedules

The department's plans for accommodating projected inmate population have had to be revised from what was presented to the Legislature in 1982 and 1984. Chart 2 compares the current population projections with:

1. The prison system's design capacity, as shown in the department's 1982 Master Plan.
2. The 1984 Master Plan capacities (reflecting the department's "fast-track" construction plans).
3. The current planned capacity (scheduled projects only).
4. The current planned capacity (all authorized projects, including those projects for which there is no schedule at this time).

(The capacity data shown in Chart 2 includes both design capacity and overcrowded capacity. Overcrowded capacity represents what the department considers the maximum acceptable capacity when more inmates are assigned than the design capacity. In 1984, the Department of Corrections determined that overcrowding equal to 20 percent of the systemwide capacity is acceptable. Therefore, the capacity shown in Chart 2 for 1984 and 1985

reflects 120 percent of design capacity. In the 1982 plan, the department's acceptable overcrowding capability represented about 37 percent of design capacity.)

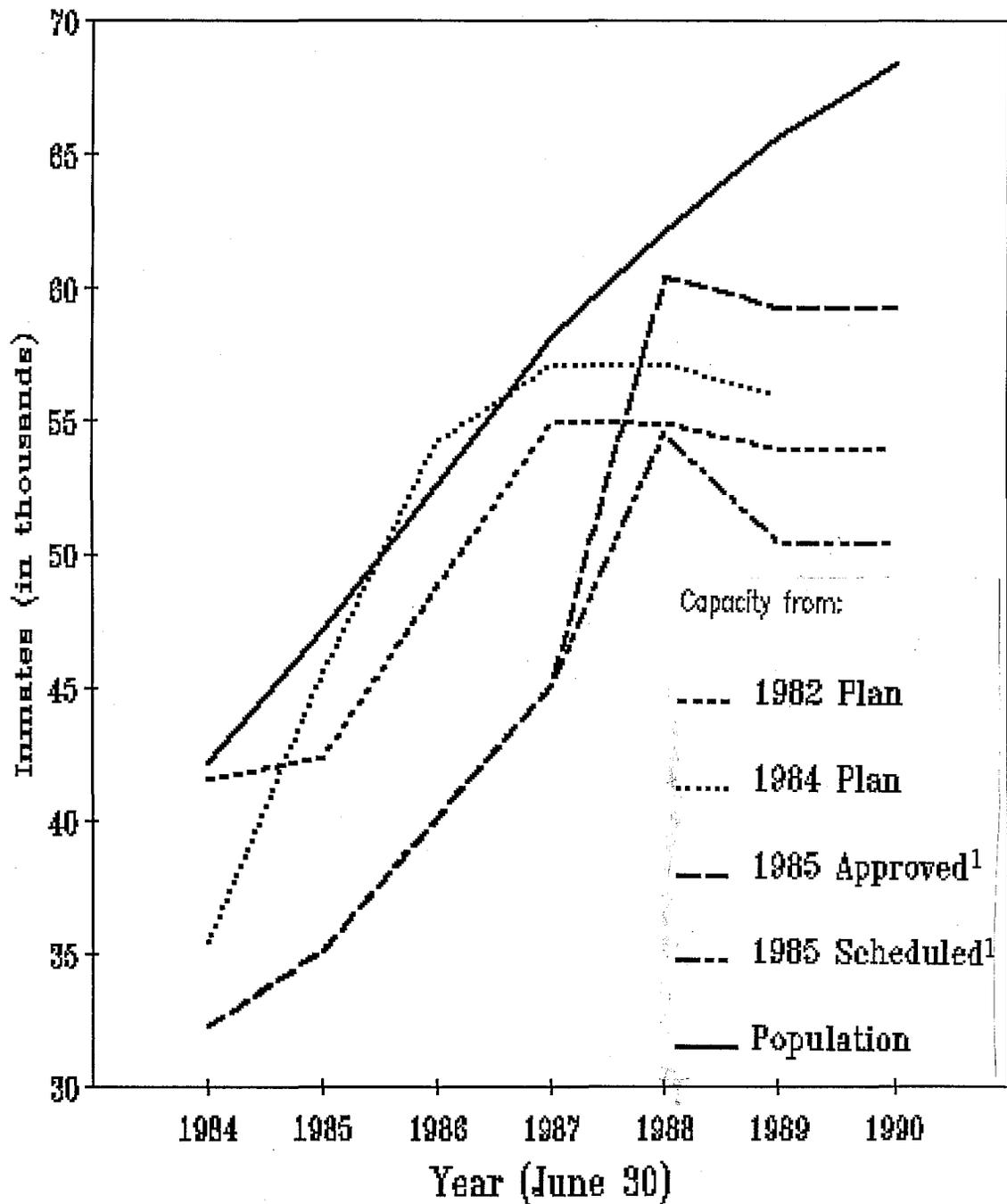
Chart 2 shows that:

- The projects approved to date will provide capacity (including 20 percent overcrowding) for 59,000 inmates in the year 1990--about 9,000 less than the inmate population projected for that year.
- The projects scheduled to date will provide capacity (including 20 percent overcrowding) for 50,000 inmates in the year 1990--about 18,000 less than the projected inmate population of 68,000.

Summary of Project Budgets

Table 4 compares the initial budget for each authorized project with the actual cost or current estimate for the project.

Chart 2
Planned Capacity vs. Population



1. 1985 Plan revised by September 1985 Legislation

Table 4

Comparison of Original Budget
to Current Estimate
(dollars in millions)

Project	Number Of Beds	Year of Original Approp.	Original Budget	Current Estimate	Over(+) Under(-) Budget
1. Tehachapi	1,000	1980	\$74.6	\$91.0	\$16.4
2. San Diego	2,200	1981	135.0	150.0 ^a	NMF
3. Adelanto	1,150	1982	92.0	113.4	21.4
4. Los Angeles	1,700	1982	135.0	148.5	13.5
5. New Folsom	1,728	1981	160.0	155.2	-4.8
6. San Joaquin	400	1983	26.0	29.7	3.7
7. Riverside	1,700	1982	135.0	116.2	-18.8
8. CIW Special Hsg.	50	1982	2.0	1.7	-0.3
9. Vacaville	2,400	1983	122.5	148.0	25.5
10. Amador	1,700	1983	71.6	132.2 ^b	NMF
11. Avenal	3,034	1983	168.7	154.5	-14.2
12. Corcoran	2,902	1985	230.0	230.0	N/A
13. Quick Builds	1,500	1985	70.9	70.9	0.0
14. Del Norte	N/A	1985	N/A	N/A	N/A
15. CMC West	900	1982	4.9	5.7	0.8
16. New Camps	1,000	1982	18.0	30.0	12.0
17. Modulars	1,000	1982	3.0	3.0	0.0
18. San Gabriel Camp	150	1985	N/A	N/A	N/A
Totals	24,514		\$1,428.2	\$1,547.0	\$43.2

a. Reflects increase in capacity from 1,700 beds to 2,200 beds.

b. Reflects increase in capacity from 1,200 beds to 1,700 beds, and change in housing design from dormitories to cell.

NMF=No meaningful figure.

N/A=Not applicable.

CHAPTER V

CALIFORNIA'S NEW PRISON FACILITIES DESIGN STANDARDS

Over the past several years, the Department of Corrections has developed standards and criteria to govern the design of new prison facilities. These standards and criteria seek to provide for some continuity and consistency among the new facilities. Except for those standards incidental to the master plans, however, the department has not submitted these standards to the Legislature for its review and approval.

The standards developed by the American Correctional Association's (ACA) commission on accreditation for corrections generally are recognized as comprehensive and reasonable standards for use in the design of correctional facilities. In fact, the courts frequently have cited these standards as an acceptable benchmark for use in evaluating the conditions of confinement within correctional systems.

The Department of Corrections has pursued accreditation of its existing prison facilities through the ACA. In the original 1980 Facilities Requirement Plan, the department indicated that standards adopted by the department satisfy the following requirements:

- "(1) The standards should support California's policies governing the Department of Corrections' responsibilities to fulfill its legislatively mandated and funded mission.
- (2) The standards should draw on the experience of other States where litigation to test constitutionality has been a factor.

(3) The standard should enable California's policymakers to make objective fiscal decisions regarding funding needs related to specific levels of performance expectations."¹

Through the evolution of the department's facilities master plans, the standards in some areas have been changed significantly. This chapter summarizes the evolution of some major design standards adopted by the department.

Inmate Housing

The ACA standard calls for 60 square feet (sf) in cells occupied by one inmate where the inmate spends no more than ten hours per day locked up in the cell. Where inmates are locked in for longer periods of time, the standards require 80 sf per cell.

For maximum security facilities, the department has adopted a standard of 80 sf. Consequently, the state's new maximum security prisons will exceed ACA guidelines where they are operated as work-based prisons (prisons in which inmates spend most of their time working) and will meet ACA standards where they are operated as lockup prisons.

For medium security prisons, the department has adopted a standard of 60 sf per cell. The medium security prisons are intended to be work-based, and inmates are not expected to be in their cells over ten hours per day. These prisons, however, include housing units intended for use as "administrative segregation" units. These units house inmates who are awaiting the results of a disciplinary action, or inmates who have been removed from the general population for disciplinary reasons. According to the department, inmates are not to be housed in administrative segregation

1. 1980 Facilities Requirement Plan, page 4-4.

units for over 29 days. In general, the inmates assigned to administrative segregation units will be confined to their cells for more than ten hours per day.

The ACA recommends that new institutions of any security level include individual rooms or cells. Where dormitories are used, such as in camps or small support service units, dormitories are to house no more than 50 inmates per unit. The Department of Corrections, however, is constructing 172-bed dormitory-style housing units at both Vacaville and Avenal, and plans to use this design as a "prototype" for all new level II prisons. This decision was made by the department in May 1985 and ratified by the Joint Legislative Prison Committee.

The problems that may arise in large dormitory units are discussed in the department's 1980 Facilities Requirement Plan. This plan states that:

"The continuation of dormitory housing, because of its inherent adverse affects on the inmates who live there, provides a better than average opportunity for group disturbances that could expand to riot proportions. The potential for this happening stems from many factors including:

- (1) Large groupings that cannot be adequately supervised.
- (2) No provision for rapid isolation of any one inmate or subgroup of inmates from the total group in the event of disturbances.
- (3) No provision for preventing sexual assault.
- (4) No provision for personal property security.

- (5) Generally unhealthy conditions that encourage the spread of communicable diseases because of the numbers of persons sharing the same sleeping areas and sanitation facilities.
- (6) Difficulty of control over qualitative environmental factors such as noise levels.
- (7) No control over the informal prison "grapevine" through which a strong leader can incite others to action.
- (8) Dormitories are excellent "classrooms" for younger or first offenders to learn the way of prison life from the more seasoned inmates."²

With these drawbacks in mind, the 1980 Plan cited ACA's standard number 4148 that "new prison planning precludes use of dormitories as part of the main line population housing."³

Facility/Unit Size

The ACA standards state that "...where an institution houses more than 500 inmates, there are decentralized units of no more than 500 inmates each." This standard has evolved through correctional programming aimed at establishing the "unit management" concept. Under this concept, prisons are physically organized into manageable units of 400 to 500 inmates according to security levels, behavioral profiles, work assignments, education and training requirements. The unit management concept has been shown to be effective in improving prison life for both the inmate and correctional staff. The department's 1980 Facilities Plan adopted the ACA standard of 500 inmates per management unit. The department, however, has requested authorization for new prisons which exceed the 500-bed/unit standard.

2. Ibid., page 4-14.

3. Ibid., page 4-15.

CHAPTER VI

AN EVALUATION OF THE DEPARTMENT OF CORRECTIONS' PROGRESS IN COMPLETING NEW PRISON CONSTRUCTION

The previous chapters of this report provide background information on how plans for new state prisons have developed over the past several years. This chapter evaluates the Department of Corrections' performance in implementing its plans. It does so by assessing the department's performance in seven key areas.

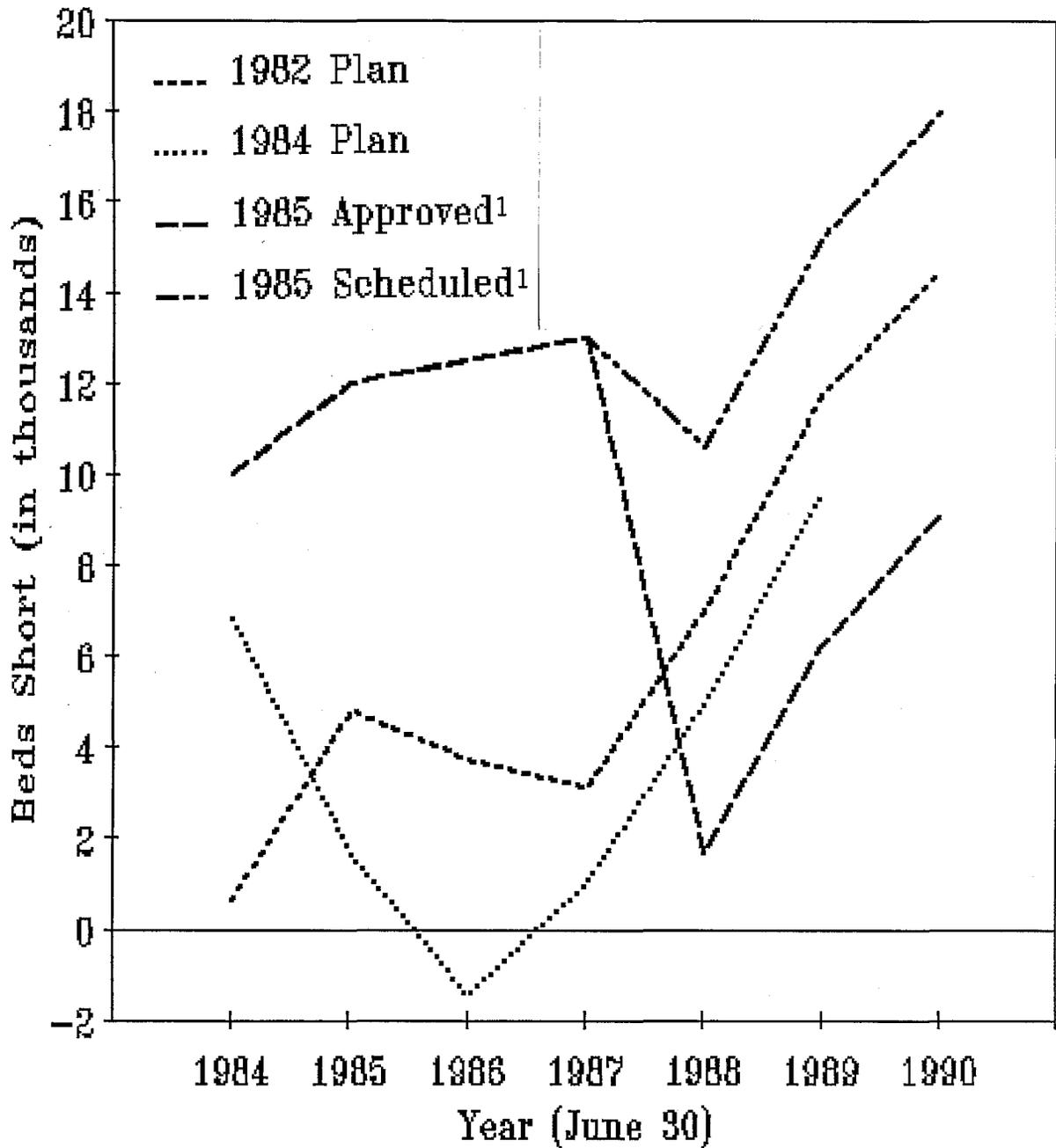
1. Has the Department of Corrections Completed New Prisons on Schedule?

As Chapter IV demonstrates, the Department of Corrections has not been able to complete new prison projects in accordance with the schedules submitted to the Legislature.

Chart 3 displays the gap between the latest population projections and the bed capacity proposed in the 1982, 1984 and 1985 plans. (We use two measures of capacity for the 1985 plan--one that includes all authorized projects, and one that includes only those projects for which the department has a completion schedule.) Chart 3 reveals that:

- had the department successfully implemented either its 1982 or its 1984 plans, emergency overcrowding (bed shortage) would have been less than 5,000 beds during 1985 and 1986.
- successful implementation of the 1982 plan would have produced a surplus of beds in 1986.
- successful implementation of the current plan will leave the prison system with a shortage of over 10,000 beds during 1986 and 1987.

Chart 3
 Projected Bed Shortages
 Planned Capacity vs. Projected Population



1. Based on 1985 Master Plan as revised by September 1985 legislation

- even if all approved projects are completed by 1990, the prison system will face a shortage of about 9,000 beds in that year.

2. Has the CDC Completed Projects Within Approved Budgets?

As indicated in Table 4, the current estimated total project cost of the 18 projects intended to provide 24,514 new beds is \$1.5 billion. Of the new prison projects, the department has occupied two so far: the Southern Maximum Security Complex at Tehachapi and the California Medical Facility, South at Vacaville. The ultimate cost of the Tehachapi facility exceeded original budget estimates by about \$16 million, or 22 percent. The cost of the Vacaville complex exceeded the original estimates by \$25.5 million, or approximately 21 percent. Since the department has not completed construction of any other new prison projects, we are not able to draw firm conclusions regarding the overall cost of the program.

We note that the estimated cost of several projects is less than the original estimate. If these estimates prove to be valid, the savings will offset a portion of the cost overruns experienced to date.

3. Are the CDC's Prison Plans Consistent with Legislative Policies?

As discussed in Chapter II, the Legislature's efforts to establish policy direction for the design and construction of new prisons have been relatively limited. For the most part, legislative policy has centered on the location, size and security level of the new prisons, as well as on the cost per cell, inmate work programs and staffing plans.

Cost Per Cell for New Prison Construction. The Legislature has directed that new medium security prisons, such as the one at San Diego, be designed so that costs do not exceed \$50,000 per cell excluding off-site

development and equipment. The Department of Corrections has submitted partial preliminary plans for this project to the Joint Legislative Prison Committee. These plans indicate that the current design of the prison will cost more than \$50,000 per cell. The committee has approved an increase in the per cell costs to \$58,000--an increase of 16 percent over the target originally established by the Legislature.

Work Programs. The Legislature has established a policy which calls for all inmates capable of working to be given work opportunities. The department has identified a combination of Prison Industry Authority work programs, vocational/education training programs and institutional based work programs that provide sufficient opportunities to meet this requirement.

Although the inmate work program plan proposed for each new prison has identified a sufficient number of work assignments for all inmates, the department has not been successful in actually providing the needed assignments. The new prisons at Vacaville and Tehachapi have been activated without adequate work programs for inmates. As a result, many inmates assigned to these institutions are idle during the day. Moreover, the department's current schedule calls for new prison housing units to be occupied before support facilities have been completed. Consequently, these facilities will not be able to provide work opportunities for all prisoners until a later date.

At this point, it is not clear whether the work program plans for the new prisons are realistic.

4. Are CDC's Plans Consistent With the American Correctional Association Standards?

As discussed in Chapter V, the standards developed by the American Correctional Association (ACA) Commission on Accreditation for Corrections generally are recognized as reasonable standards for use in designing new prison facilities.

The Department of Corrections' plans for the new prisons deviate from the ACA standards in two important areas--inmate housing and size of facility.

Inmate Housing. The Department of Corrections' plans for maximum and medium security facilities generally comply with the ACA standards regarding the size of prison cells except with respect to administrative segregation units in medium security facilities. The ACA calls for these cells to be at least 80 square feet--one-third larger than the 60-square foot cells that the department is planning for these units.

In the case of minimum and low-medium security prisons, however, the department's plans deviate significantly from the ACA standards. This is because the department's plans provide for dormitory housing units, while the ACA recommends that dormitory-type housing not be used at major institutions (although it can be used at satellite facilities and camps). Moreover, the size of the dormitories planned by the department exceeds ACA standards for dormitories at smaller facilities. The CDC plans include 172-bed dormitory housing units, while the ACA standard suggests that individual dormitory-style living units house no more than 50 inmates each.

Facility/Unit Size. Generally, new prison plans adhere to the 500-bed maximum unit size suggested by the ACA. Nevertheless, the department has constructed 600-bed units at Vacaville. While a 20 percent increase above the ACA standard might not be a matter for great concern, we note that when these facilities are operated with overcrowding of 20 percent or more, the housing units actually will house 720 inmates--nearly 50 percent more than the ACA standard calls for. Consequently, even though the design capacity is not unreasonable, planned overcrowding will erode some of the advantages anticipated from smaller prison units.

5. Do CDC's Prison Plans Reflect State-of-the-Art Technology?

The new prison construction program provides the department with a rare opportunity to upgrade its facilities and operational strategies to reflect state-of-the-art technologies. To the extent technological advancements can be incorporated in these facilities, operational and staff efficiencies can be achieved.

Our review of the prison construction program reveals that the department has not taken advantage of state-of-the-art technologies in a number of areas where significant staff savings could be achieved without compromising security. Most notably, the Department of Corrections' system for perimeter security relies upon armed perimeter towers staffed on a 24-hour basis. Since the annual cost to provide staffing for one perimeter tower is approximately \$200,000, the perimeter security systems for each new prison are very costly to operate.

The recent advances in electronic technology have provided a broad array of security devices which could reduce personnel requirements for

perimeter security. Other states, as well as the federal government, rely upon perimeter barriers, detection systems and mobile patrol units to provide perimeter security at a cost that is considerably below the cost of fixed towers. The CDC's perimeter security systems generally do not include electronic detection systems because the department has determined that such systems are "unreliable."

6. Is the CDC's Planning Process Adequate?

Any major construction program must have a master plan which identifies facility needs relative to program objectives and policies. In the case of new prison construction, the program objective is to provide sufficient beds at appropriate security levels to accommodate the projected inmate population's requirements. The master plan should seek to identify alternative means for achieving program objectives and should identify the policy and financing requirements associated with each of these alternatives.

The department's recent master plans have not been adequate in this regard. For example, the 1985 Master Plan, which was issued in May 1985, did not include contingency plans for any new prison beds. The failure of the plan to anticipate needs and identify alternatives became apparent, within a few months, when the department found it necessary to request (1) emergency authorization for significant modifications at existing prisons to increase capacity and (2) authorization for nearly 5,000 new permanent prison beds. In neither case was the request based on the master plan.

A meaningful master plan would have anticipated the possibility that the prison population could exceed "projected" levels and therefore would have included a "contingency plan" designed to deal with the problem. Without such a contingency plan, the Legislature can do little more than rubber-stamp the department's plans--plans which probably were prepared hastily.

7. Is the Design and Operating Strategy of the New Prisons' Staff Efficient?

One of the Legislature's goals is to develop new prison facilities that minimize the number of staff needed to operate them. This goal has major fiscal ramifications because over time, the cost to operate the facility will far exceed the cost to build it. The staffing requirements for a new prison, however, are largely determined during the design phase, when most of the attention is given to construction costs. These requirements also are influenced by the policies adopted to govern the operation of the facilities.

There have been instances in which the department's design objectives have been inconsistent with its policies for operating the new prison facilities. For example, the staffing packages prepared by the department to accompany preliminary plans for the new prisons have indicated that one officer per shift would be needed to operate each housing unit control room. Later on, the department has requested budget augmentations to provide for a second officer in each control room. The cost of providing this additional staff at the Vacaville prison, and at those prisons for which Vacaville is a prototype, will be nearly \$9 million

annually. Thus, in this case the department's operational policies have not been consistent with its planning objectives, causing the costs of operating new prisons to be higher than what the Legislature anticipated when it approved the project's design.

The department's plan for activating new prisons also has called for additional staffing beyond what the Legislature anticipated when it approved plans for the prisons. Specifically, the department has requested and received \$2.3 million additional funding due to "early occupancy" of the Vacaville facility.

CHAPTER VII
OPPORTUNITIES FOR IMPROVING LEGISLATIVE OVERSIGHT OF
PRISON CONSTRUCTION

It is clear that although the Legislature has given the Department of Corrections nearly carte blanc authority to construct new prison facilities, the department has not been successful in completing them in a timely manner. For this reason, we believe the Legislature needs to reassess the current process used to authorize and monitor the construction of new prison projects. In revising the process, the Legislature also needs to build in sufficient opportunities for it to influence policy decisions regarding the new prisons and provide for a reasonable level of accountability on the department's part for meeting project schedules and costs.

In the 1986-87 Budget Bill: Perspectives and Issues we outline an alternative means for legislative oversight of prison construction projects. The process involves establishing three milestones in the planning and development of new prison projects at which point the Legislature would have the opportunity to review and evaluate progress on the project. These milestones include:

- (1) Conceptual Approval of New Prison Projects
- (2) Approval of Site Acquisition Proposals
- (3) Design/Cost Approval

Our analysis indicates that the total time between authorization for a conceptual plan and occupancy of a new prison using this alternative process would be approximately 42 months. This is less than the time it

takes the Department of Corrections to bring projects to completion under the current process. In addition, use of the alternative process would yield the following advantages:

- It would place key policy decisionmaking with the elected officials of the state rather than with department officials.
- It would clearly establish legislative intent for each project with respect to scope, cost and schedules for implementation.
- It would place responsibility for project implementation squarely on the administration.
- It would give the Legislature the opportunity to reassess its policies regarding prison size, location and security level if the Department of Corrections could not meet specific time frames established by the Legislature.
- It would allow projects to be completed sooner than other existing procedures.

If this process had been followed when those new prisons now in the development stage were authorized, some of the delays that have plagued the program could have been minimized. This is especially true in the case of the following projects which have been unable to proceed:

- Los Angeles Prison. Although this prison was authorized in 1982, no site has been approved to date. Under the alternative procedure for approving new prison projects, the Legislature would have had an opportunity to review site acquisition problems in 1983 and take steps to insure that the needed beds would be made available. It might have done so by expanding the site

search area or abandoning this geographical location in favor of a site in a different area.

- San Bernardino County Prison. The state acquired a site near Adelanto for a new 1,150-bed prison in San Bernardino County. The project has not proceeded because of environmental issues concerning the existing site. Under the alternative process, the department would have been required to provide the Legislature with completed preliminary plans by a specific date sometime after acquiring the site. In the absence of these plans, the Legislature would have been able to assist in resolving the environmental issues, or alternatively it could have directed the department to abandon the existing site and search for a new site. Under the existing procedures, however, this project is dead in the water.
- San Joaquin Women's Facility. When the Legislature authorized this prison, the department indicated that 400 beds would be sufficient to meet the projected population for female inmates. The projections, however, have proved to be far too low, and a substantial number of additional women's beds will be needed to meet future population needs. When this information became available, the Legislature could have altered the size of the new prison to accommodate a larger number of inmates. This would have improved the overall efficiency of the prison, since the CDC now indicates that operation of a 400-bed unit on the single site will be costly.

These are simply examples of how the alternative process we recommend could have speeded up the prison construction program.

APPENDIX A

LEGISLATION	AUTHORIZATION/APPROPRIATION	POLICY
Chapter 789/78 (SB1342-Presley)	Appropriates \$7.6 million for planning of additional maximum security prisons and razing of San Quentin and possibly Folsom.	Legislature to review plans developed by the California Department of Corrections (CDC). CDC to make greater use of community placement authority.
Chapter 1135/79 (SB196-Presley)	Appropriates \$11.9 million for various purposes including \$2,250,000 for overcrowding modifications, \$4,250,000 for site acquisitions and \$2,500,000 for preliminary planning of new prisons.	No new prisons in Chino. Each prison not to exceed 450 inmates and new prisons to be south of the Tehachapi Mountains. Maximize inmate work opportunities in new prisons.
Chapter 1122/80 (SB1340-Presley)	Authorizes two maximum security prisons at Tehachapi.	Each prison not to exceed 500 inmates.
Chapter 273/81 (SB153-Presley)	Authorizes \$495 million General Obligation Bond issue for new prisons.	
Chapter 540/81 (SB176-Presley)	Authorizes CDC to plan and construct new prisons.	Transfers responsibility for prison planning and construction from the Dept. of General Services to CDC.
	Authorizes a 3 prison complex in San Diego County.	

LEGISLATION

AUTHORIZATION/APPROPRIATION

POLICY

Chapter 1547/82
(AB3786-La Follette)

Razing or rehabilitation of San Quentin upon completion of new prisons at Tehachapi to be subject of a cost-benefit analysis.

Chapter 1548/82
(SB1609-Presley)

Authorizes maximum security complexes at Folsom and Adelanto.

Chapter 1549/82
(SB1574-Presley)

Authorizes 6 medium security prisons in Los Angeles and Riverside Counties.

Establishes the Joint Legislative Prison Committee.

Authorizes 400-bed women's prison in San Joaquin Co.

Design capacity of Deuel Vocational Institution in Tracy shall not exceed 2,500 inmates.

Chapter 956/83
(AB436-Sher)

Authorizes 1,000 additional camp beds and 1,000 beds at an abandoned industrial plant.

Chapter 957/83
(AB1841-Baker)

Authorizes two, 1,200-bed complexes on the grounds of the California Medical Facility in Vacaville.

Authorized facilities to be constructed using inmate labor to the extent feasible.

Authorizes one 1,200-bed facility in Ione or an alternative site.

Each facility to be divided into units of not more than 600 inmates each.

LEGISLATION

AUTHORIZATION/APPROPRIATION

POLICY

Chapter 958/83
(SB422-Presley)

Authorizes an additional prison in San Diego County.

Authorizes a 3,000-bed prison complex in Avenal.

Appropriates \$169.4 million for new prisons at Vacaville, Ione, Avenal and Baker. Also includes funds to alter existing prisons and establish new camps.

For the San Diego prison:
 1. Cost per cell is not to exceed \$50,000 (excluding certain costs).
 2. Inmate-to-staff ratio not to be below 4:1.
 3. Funds for occupying this prison not to be allocated until Los Angeles and Riverside prison sites are approved.

Exempts reopening of California Men's Colony, West

Facility from CEQA.

Chapter 4/84
(SB310-Presley)

Authorizes additional General Obligation Bond issue of \$300 million for prisons.

Chapter 1743/84
(SB450-Presley)

Authorizes \$300 million to lease-purchase finance certain prison projects.

Appropriates \$18.5 million for Vacaville, Riverside and San Diego prisons. Also provides statewide planning funds.

LEGISLATION

AUTHORIZATION/APPROPRIATION

POLICY

Chapter 237/85
(SB95-Keene)

Authorizes a new prison
in Del Norte County sub-
ject to results of a
feasibility study.

Chapter 930/85
(AB1910-Stirling)

Appropriates an additional
\$2.5 million for San Diego.

Chapter 931/85
(AB2251-Costa)

Authorizes a 3,000-bed
prison near Corcoran and
appropriates \$5 million.

Authorizes a specific site
for Avenal prison.

Increases the number of
beds authorized at Ione
from 1,200 to 1,700.

Corcoran prison is exempt
from CEQA, with alternative
procedure established--Envir-
onmental Assessment Study (EAS).

Avenal and Ione prisons
exempt from CEQA.

Chapter 932/85
(AB487-Robinson)

Revises prior lease-purchase
authorization (Ch 1743/84)
to allow sale of Tehachapi
prison.

Reverts \$50 million in
prior appropriations.

Appropriates \$138 million for
Avenal and Corcoran prisons.

Appropriates \$2.5 million for
Riverside.

Allows appointment of
architect for Corcoran
without formal selection
process.

LEGISLATION

AUTHORIZATION/APPROPRIATION

POLICY

Appropriates \$650,000 for a feasibility study for a prison near Yuba City and Marysville.

Chapter 933/85
(SB253-Presley)

Authorizes 500-bed housing unit additions to prisons at Tehachapi, Jamestown and Susanville.

Authorizes new camp in Los Angeles County.

Authorizes sale of Adelanto prison site.

Exempts 500-bed additions from CEQA.

Exempts Del Norte, Riverside and new Los Angeles camp from CEQA, and instead requires an EAS.

Exempts 500-bed additions from inmate work requirement until July 1988.

Exempts new Tehachapi prison from inmate work requirement.