

**JAIL OVERCROWDING  
THE COUNTY HAS AN OPTION**

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SISKIYOU COUNTY  
CLERK'S OFFICE

**SUMMARY**

Siskiyou County is faced with a serious public safety issue: the Siskiyou County Jail remains overcrowded. The Grand Jury has, for at least the past 12 years, repeatedly reported on the overcrowding crisis at the County jail. Previous efforts to address the overcrowding problem have failed. Without a specific plan to create additional jail space, the overcrowding crisis will not be resolved.

Each day, approximately 2 to 3 suspected and/or convicted felony offenders are released back into the community because the County jail is at maximum capacity. County leadership is aware of the overcrowded jail conditions however they are not addressing the problem.

Voters in Siskiyou County share responsibility in the continuation of jail overcrowding. On two separate occasions, voters rejected ballot initiatives that would have augmented the \$27 million received from the State to build a new and modern jail. The current jail was built in 1988.

The County has an existing 40-bed correctional facility that is currently not being used for its built purpose of housing offenders.

The Charlie Byrd correctional facility was identified as the Charlie Byrd Youth Corrections Center (Juvenile Hall) while it was housing juvenile offenders. The County is now referring to it as Charlie's Place, as noted on the County website. For this report, it is referred to as the Charlie Byrd correctional facility to provide clarity that the building is a correctional facility.

The Charlie Byrd correctional facility was originally built for juvenile detention. The facility design is compatible for and meets the basic standards for housing adult offenders. The facility, whether juveniles or adults being housed within its walls, was constructed as a correctional facility. The 40 bed Charlie Byrd correctional facility could be utilized as a branch of the County jail to house adult offenders and provide relief for the current overcrowding crisis.

Presently, the Probation Department, with the approval of County leadership, is in the process of converting this vacant correctional facility into office space for their departmental staff. The funding for this conversion is set at \$250,000. The offices were framed out during our visits with an anticipated completion date by the end of 2024.

This conversion of a correctional facility is not a typical office remodel, and a transformation of this magnitude could have been publicly debated, especially when the County is in dire need of inmate bed space.

The County has other options for office space but not for adult jail space. These office space options were rejected by the Probation Department and the County leadership.

***The taxpayers built the Charlie Byrd correctional facility less than 20 years ago and the taxpayers should get an operational correctional facility in return. This is paramount to public safety for the County.***

## **GLOSSARY**

ADA – Americans with Disabilities Act

ARPA – American Rescue Plan Act

BOS – Board of Supervisors

BSCC – Board of State and Community Corrections

FTA – Failure to Appear

## **BACKGROUND**

Prior to the 2023-2024 Grand Jury initiating their annual inspection of the Siskiyou County jail, research was completed which identified the jail overcrowding crisis for the past 12 years. Previous Grand Juries have consistently reported on the overcrowding at the jail dating back to at least 2012.

During the initial tour of the Siskiyou County jail, it was verified that the jail is still overcrowded and that 2-3 suspected and/or convicted adult felony offenders are being released back into the community **EVERY DAY** due to a lack of bed space.

Further research revealed that Siskiyou County has a 40-bed correctional facility (Charlie Byrd Youth Correctional Center) that currently is not being utilized for its intended purpose. The Charlie Byrd correctional facility originally detained juveniles up until 2019, but now juveniles requiring detention housing are being contracted out to other counties. Understanding that the County jail is consistently overcrowded and that a centrally located 40-bed correctional facility remains unutilized for its intended purpose prompted this investigation.

During the first tour of the Charlie Byrd correctional facility, it was discovered that the Probation Department is converting the correctional facility into office space.

## **METHODOLOGY**

Members of the 2023-2024 Grand Jury conducted approximately two dozen in-person interviews with County staff and elected officials. Extensive research was conducted that included reviewing BOS meeting minutes for the past 8 years, annual budget reports, and a variety of documents provided by different County entities. Additionally, the Jury reviewed the 2011 Public Safety Realignment Act, State and County websites pertaining to Public Safety, California Department of Justice website, California Department of Tax and Fee Administration and local and national news articles. The Grand Jury also completed two tours, each of the Charlie Byrd correctional facility and of the County jail.

## **DISCUSSION**

### **HISTORY OF OUR JAILS:**

#### **County Jail:**

The County Sheriff operates the jail. The current Siskiyou County jail was opened in **1988** in Yreka with an operational capacity for 68 offenders. Its current location is one block from the Courthouse and the Sheriff headquarters. Since its initial opening, the jail has managed to increase its capacity to 104 inmates. Currently the jail only houses adult felony offenders. Due to its age and design, the jail faces ongoing maintenance issues, has no room to expand, has limited space for ADA inmates and lacks facilities for long term incarceration.

**Charlie Byrd Correctional Facility:**

The Charlie Byrd correctional facility is a multimillion-dollar correctional facility that was opened in 2006 as a juvenile detention center. It was operated by the County Probation Department. It sits on County property located on Sharps Road in Yreka and has a bed capacity of 40. Its location is within three miles of the County jail and the courthouse.

The design of the Charlie Byrd correctional facility is very similar to adult jail facilities built over the last 30 years and has design aspects that are found in both adult and juvenile facilities. The cells, showers, dayroom areas, exercise yard, kitchen and Health Care facilities are all consistent with an adult operation (The lead writers have decades of experience in this field). The two housing units are managed by one control booth that oversees each area. The control booth has a control panel that controls all cell doors, ingress/egress doors to and from the housing units, lighting, etc.

In 2019, the facility shut down operations as a juvenile detention center due to lack of offenders. All youth offenders requiring detention housing are now contracted out to other counties. The Charlie Byrd correctional facility is more modern (18 years newer) than the County jail and offers Siskiyou County the opportunity to operate it as a branch to the County jail. The closing of the Charlie Byrd correctional facility netted the County \$3 million in annual savings.

*Note: Currently the Charlie Byrd correctional facility is no longer certified as a Correctional Facility.*

**WHY IS THE JAIL OVERCROWDED:**

- Crime is increasing within Siskiyou County, which was validated through the crime statistics listed on the California Department of Justice website.
- The County jail has no room for expansion to create additional inmate bed space.
- The citizens of Siskiyou County failed to approve two sales tax increase measures to fund building a new jail.
- The BOS rejected funding for the staffing and operational expenditures for the expansion of the Charlie Byrd correctional facility (refer to plan B on the next page).
- Jail staff reported that there is a rise in felony offenders committing crimes while awaiting trial for their initial offense. These individuals are those who have been released back into the community due to overcrowding at the jail or by court order.
- The 2011 Public Safety Realignment Act requires that certain felony convictions are no longer sentenced to a state prison term and must serve their sentence in the county of conviction. This realignment greatly impacted local jail overcrowding.
- FTAs - Every individual that fails to appear for their court date negatively impacts the judicial process.

*Note: Siskiyou County has one of the smaller jails per capita in the State.*

**FAILED ATTEMPTS TO ADDRESS OVERCROWDING**

Siskiyou County had a Plan A and Plan B for the construction of a new jail. Both attempts failed and the \$27 million grant fund received from the State for construction of a new jail was returned.

**Plan A - Proposed new jail on Foothill Drive in Yreka:**

The County purchased land on Foothill Drive in Yreka to build a new 180 bed jail. Plans were drawn up prior to 2014 and after construction bids were received, the \$27 million State grant was not going to be sufficient to cover the costs. Ballot initiatives were presented to the voters to increase the local sales tax by .25% to cover the funding gap to build the new jail. The voters rejected the initiatives in 2014 and 2016, respectively. At some point the voters will need to decide if they want to maintain the quality of life here in Siskiyou County and rally behind changes that may include some form of tax increase to ensure public safety is a priority.

**Note: Per the California Department of Tax and Fee Administration, Siskiyou County has the lowest sales tax rate in the State (7.25%).**

**Plan B - Proposed new jail expansion of the current Charlie Byrd correctional facility:**

After the failed attempts to fund the new jail on the Foothill site, a new 120 bed jail plan was presented to the BOS by the previous Sheriff that would build onto the current 40-bed Charlie Byrd correctional facility utilizing County owned property and staying within the \$27 million grant budget. Plan B had an estimated annual budget increase of \$1.2 million in operational costs.

***The proposed budget increase was summarized at the December 8, 2020, BOS meeting. \$960,000 to the Sheriff's budget to operate a new facility and \$267,000 for the Public Health Division.***

The BOS on December 8, 2020, rejected the plan due to the \$1.2 million increase in the Sheriff's annual budget. The \$27 million State grant fund was returned to the State.

During this investigation and specific to this jail expansion plan (Plan B), numerous items of interest were uncovered:

- The \$3 million annual savings from closing the juvenile operation at the Charlie Byrd correctional facility was not reserved as a jail funding source nor was it considered as an offset to the projected \$1.2 million increase in annual operating costs.
- The projected \$1.2 million increase in annual operating costs would not have been necessary until the Charlie Byrd correctional facility expansion was completed and operational (approximately three years to construct).
- After the rejection of Plan B, the BOS have had no further discussion on jail overcrowding as recorded in their meeting minutes since the December 2020 rejection. In the three plus years since the December 2020 rejection, there has been NO mention of the jail NOR any discussion of jail overcrowding in BOS minutes.

**HOW DOES JAIL OVERCROWDING AFFECT THE COUNTY:**

Felony offenders who should be in jail are released back into the community due to a lack of bed space. This has a direct effect on public safety, negatively impacting citizens and businesses alike. Many felony offenders who are released from custody are failing to show up for their court dates and this negatively impacts the entire Judicial process. Parole/probation violators and individuals with warrants often serve little or no time in jail because of the overcrowding crisis.

An example of the impact on the Judicial process:

- Many inmates being released from custody due to overcrowding are provided a court date and sign a 'Notice to Appear' agreement.
- The court date is logged into the Court and District Attorney's calendars.

- The Judge, Court staff, Prosecutor and possibly a Public Defender are required to be in attendance for the scheduled court hearing. When an inmate fails to appear (FTA), these resources are wasted.
- A new court date is provided, and a warrant is issued.
- Each FTA delays the Judicial process for everyone involved, adds additional costs, and slows down the cycle of getting offenders through the courts.

The above-listed inefficiencies brought on by jail overcrowding are costing the County taxpayers money.

*Note: The courts are assisting in reducing overcrowding by utilizing sentencing guidelines such as split sentences where applicable. A split sentence involves combining variables such as time already served, and possible probation.*

#### **POST CONVICTIONS AND HOW THEY AFFECT THE COUNTY:**

Post convictions are described as individuals that are convicted in a court of law for a felony crime and sentenced to a specific amount of confinement time. Due to the numerous changes in California sentencing laws, many felony convictions are no longer sent to State prison to serve the sentence. Counties where the felony crime was committed are now responsible to fulfill the Court's order. Unfortunately, some of those felony convictions that require a jail sentence are not being fulfilled here in Siskiyou County due to the lack of available bed space for long term confinement. This results in convicted felons being released back into the community without having to serve the term of their conviction. This investigation revealed that if the Charlie Byrd correctional facility were utilized as a branch of the County jail, it would create additional jail space to house more convicted felons sentenced to County time.

#### **IS THERE A LEGAL IMPACT FOR THE COUNTY IF JAIL OVERCROWDING IS NOT RESOLVED?**

There is the possibility of court intervention. The US Supreme Court ruling in Plata v. Brown states that the court has ordered that inmate populations in California prisons must be reduced due to overcrowding. This ruling may impact County jail conditions as well.

#### **DOES THE COUNTY HAVE A PLAN TO ADDRESS THE JAIL OVERCROWDING CRISIS?**

**The answer is no.** There is currently no proposed plan to address the issue. Many of those interviewed for this investigation openly acknowledged that jail overcrowding is an issue. There has not been any public discussion among the County leadership since December 2020 regarding the crisis.

Jail space is at a premium for most counties within California. Siskiyou County is one of the few, if not the only county, which has a 40-bed correctional facility already built and not being used for its intended purpose.

Throughout the many interviews conducted, we heard only one mention about utilizing the Charlie Byrd correctional facility as a branch of the County jail. In a response to the 2021/2022 Grand Jury jail inspection report, the current Sheriff spoke to the utilization of the Charlie Byrd correctional facility as a secondary facility to house adult offenders. The Sheriff stated in his response that a feasibility study should be completed by November 1, 2022. No record of a feasibility study could be located during this investigation.

The Sheriff is responsible for mitigation of jail overcrowding and should be pro-active in developing a plan to address the jail overcrowding. The Sheriff, and the Board of Supervisors should be strong advocates to ensure that a plan is brought to realization. The citizens need to be included and supportive of an appropriate solution.

**COUNTY OPTIONS FOR REDUCING or ELIMINATING OVERCROWDING AT THE JAIL:**

The options for reducing or eliminating overcrowding are limited. The County could build a new jail, expand, or rebuild the deteriorating current jail, contract to house offenders in other counties, or open the Charlie Byrd correctional facility as a branch of the County jail.

**WHY IS THE CHARLIE BYRD CORRECTIONAL FACILITY THE BEST OPTION FOR THE SHERIFF TO ADD ADDITIONAL JAIL SPACE?**

The Charlie Byrd correctional facility was originally constructed to house youth offenders. The construction design is compatible to the housing of adult offenders (The lead writers of this report have decades of experience in this field). Built in 2006, this correctional facility sits on County property located on Sharps Road in Yreka and has a bed capacity of 40. Its location is within three miles of the County jail and the courthouse. The proximity could allow for certain shared services between the County jail (cost savings).

The Charlie Byrd correctional facility also offers the ability for future expansion if needed. It has areas within the facility that could be used for rehabilitation and mental health programs. It could also accommodate long-term sentences requiring a county commitment.

Although there may be costs associated with bringing the facility into State compliance to house adult inmates, those costs cannot be identified nor realized until a thorough inspection is completed by the Board of State and Community Corrections (BSCC) for the facility to be re-certified as a correctional facility.

Additionally, the facility could provide space for the Sheriff to establish a central location for all vehicles under his command. Possibilities could include placing the patrol division there, open office space for the detectives who currently operate out of the County Administration building or with future planning, move the entire Sheriff operation to the facility.

**WHY ISNT THE COUNTY USING THE CHARLIE BYRD CORRECTIONAL FACILITY AS A JAIL?**

The County is in the process of converting the Charlie Byrd correctional facility to office space for the Probation Department. The County has other options for office space, but they do not have any options for additional jail space other than the Charlie Byrd correctional facility. **The Grand Jury investigation did not uncover any justification to alter a fully functional multi-million-dollar correctional facility from its intended purpose.** Further, the County offered the use of modular buildings, on county owned land, with necessary utilities, for new office space. This offer was rejected by the Probation Department.

The Charlie Byrd correctional facility is constructed of all steel and concrete and includes the required fire sprinkler system. The current modifications being made at the Charlie Byrd correctional facility involve building a fully enclosed office space using lumber (flammable

material) in each housing unit's dayroom areas. In addition, office cubicles will be utilized for additional office space outside of the wood structures. The office units and cubicles will be wired for electricity and lights will be installed. The construction of the wood framed office units could compromise the existing fire sprinkler system.

The Grand Jury learned that the construction modifications occurring at the Charlie Byrd correctional facility are being performed by the County General Services Division. The investigation further revealed that no building inspection has been completed for the remodel of the Charlie Byrd correctional facility. The primary purpose of an inspection by a certified building inspector per the California Code of Regulations, Title 25, Section 1018 is to ensure the work being completed is safe and in compliance with building, electrical, plumbing and fire codes.

### **FUNDING FOR CHARLIE BYRD CORRECTIONAL FACILITY AS A BRANCH OF THE COUNTY JAIL:**

The Grand Jury recognizes that the annual budget to operate a branch jail will be significant, but necessary. It may require a joint approach to funding including general funds, grants, or additional taxes, which the citizens would need to support.

To establish the annual funding requirements for operating Charlie Byrd correctional facility as a branch jail, a staffing package along with an operational expenditures budget will need to be developed. Siskiyou County, like most rural counties, has funding obstacles different from those counties in large metropolitan areas. While the general fund revenue over the past three fiscal years has increased by about 22%, adding additional operational costs to future budgets could be a challenge to accommodate, but not impossible. The County could again explore available State funding options related to public safety/jails.

Another option to fund the annual operating costs could be through a district tax designated for operating the Charlie Byrd correctional facility as a branch jail. A clear and concise statement with countywide exposure would be required for any future ballot initiative regarding public safety to be successful.

### **CONCLUSION:**

The citizens of Siskiyou County SHOULD get involved in addressing the jail overcrowding crisis. On average, 2 to 3 felony offenders are released back into the community each day from the County jail due to lack of bed space. The Sheriff should be a strong advocate for additional jail space.

Siskiyou County is a beautiful area with a unique quality of life. There is something special about the small-town atmosphere, knowing your neighbors and the willingness to help and support each other that you do not find in metropolitan cities. Yet, we have the same types of crime being committed here as those found in larger cities. Those committing serious crimes need to be detained in a jail environment. If they are released back into the community due to overcrowding, it places public safety at risk.

The economy in Siskiyou County was crippled when the large lumber mills closed, and the related jobs disappeared. Much of the revenue for the County's general fund is provided through property taxes. The voters will need to decide at some point if they want to maintain the quality of life here in Siskiyou County and rally behind changes that may include some form of tax increase to ensure public safety is a priority.

On two separate occasions (2014 and 2016), Siskiyou County voters have rejected ballot initiatives that would have augmented the \$27 million from the State grant given to build a new and modern jail. The ballot initiatives would have increased the sales tax by .25%. To put that in perspective, the tax increase on \$100 spent would have been an additional 25 cents. Residents of Siskiyou County need to recognize the importance of housing felony offenders in jail pre-trial and post-conviction.

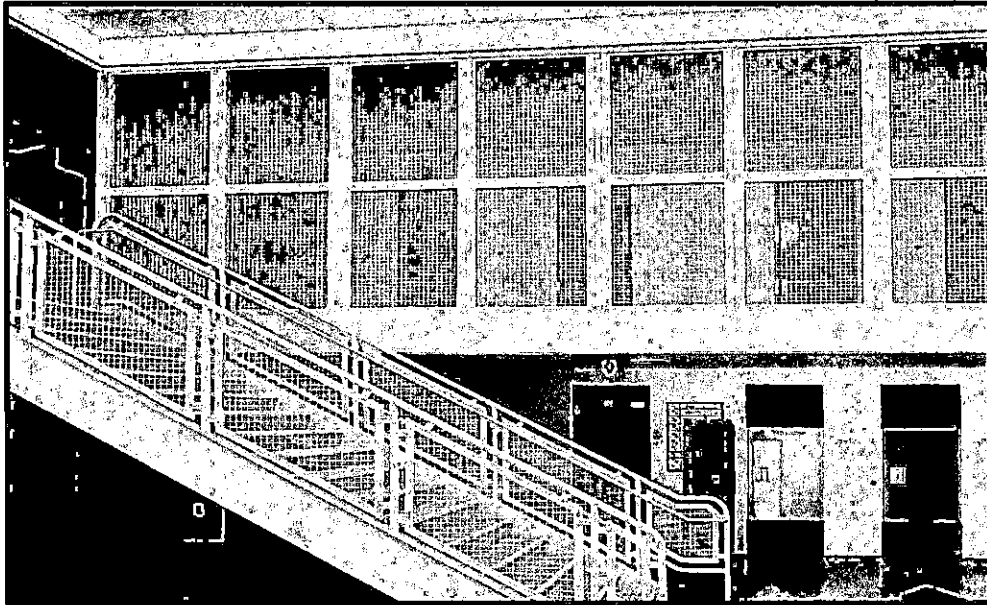
The County is allowing an already built correctional facility to be altered to provide office space. The Charlie Byrd correctional facility has 40 beds for offenders and is more modern (18 years newer) than the County jail. This investigation identified a lack of future planning to correct the overcrowding crisis on behalf of the County.

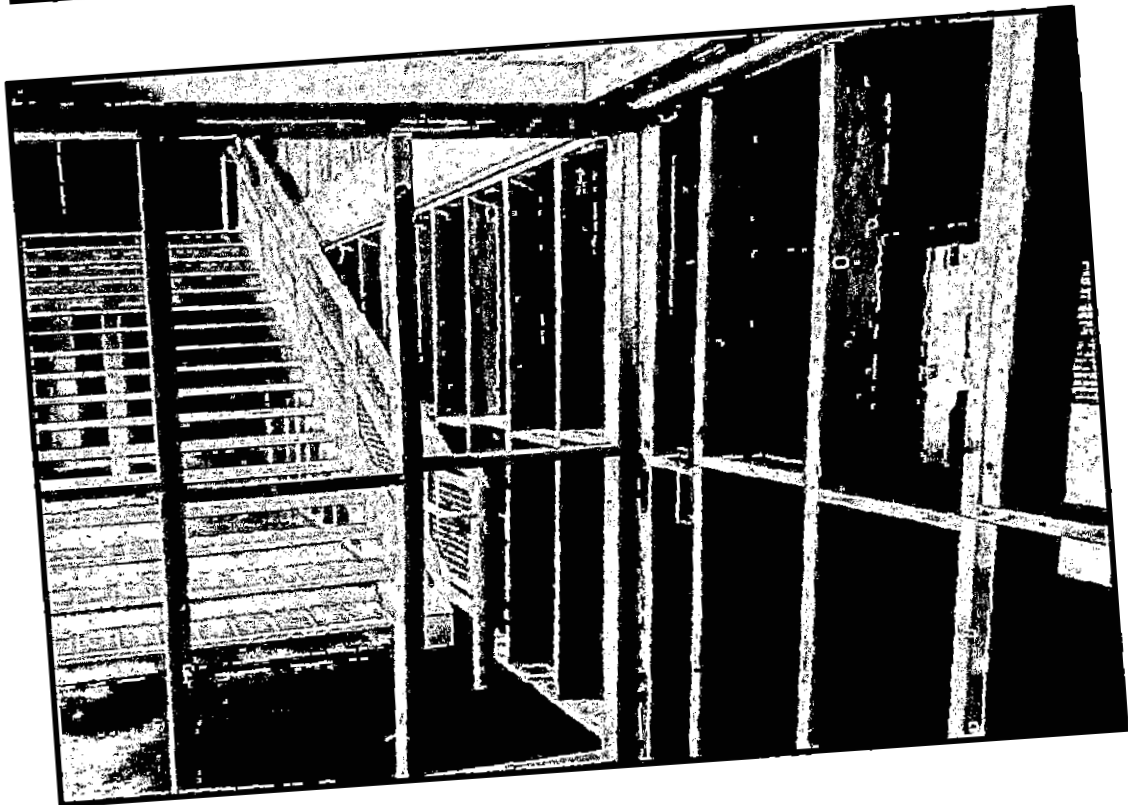
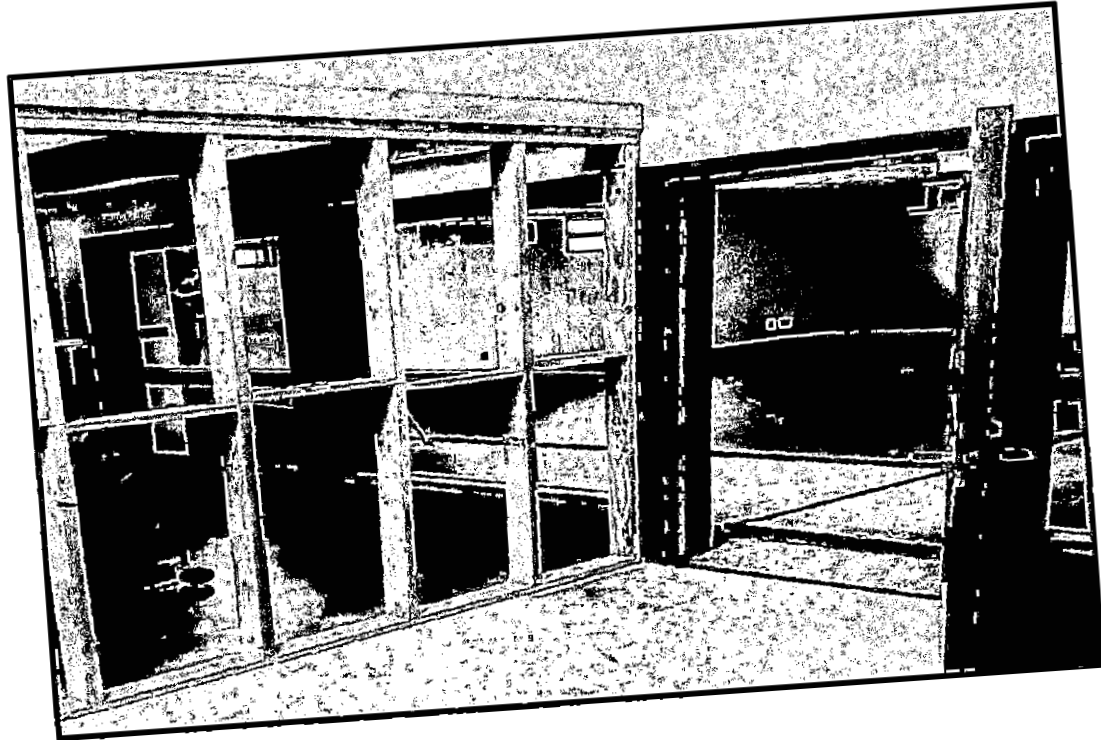
***Even if all the recommendations within this report are fulfilled, the County is still faced with an aging County jail that at some point in the future will need to be replaced.***

***The lead writers of this report have extensive Law Enforcement/Peace Officer experience specializing in auditing/reviewing operations of State Prisons, Youth Facilities and County Jails.***



**PICTURES OF THE CHARLIE BYRD CORRECTIONAL FACILITY (Before and during construction).**





## **FINDINGS**

- F1 The Siskiyou County jail does not have sufficient bed space for adult felony offenders.
- F2 The County leadership has not addressed jail overcrowding since 2020.
- F3 Siskiyou County owns a modern multi-million-dollar 40 bed jail available to house adult offenders.
- F4 The County failed to keep the Charlie Byrd correctional facility certified as a correctional facility.
- F5 The Charlie Byrd correctional facility is being converted to office space, eliminating its ability to operate as a correctional facility.
- F6 Office space options exist within the County to accommodate the Probation Department elsewhere.
- F7 The County did not get documented required inspections by certified building inspectors for work completed on Charlie Byrd correctional facility by County staff.

## **RECOMMENDATIONS**

- R1 The Sheriff should present a plan to reduce/eliminate overcrowding at the Siskiyou County Jail to the Board of Supervisors by February 2025.
- R2 The BOS, in conjunction with the Sheriff, should identify and decide on a plan for funding the operational costs for Charlie Byrd correctional facility as a branch jail facility by January 2025. This may entail new grants, new taxes and/or shifts in funding from other priorities.
- R3 Utilize the Charlie Byrd correctional facility as a branch of the County jail operated by the Sheriff by July 2025.
- R4 The County should have the Charlie Byrd correctional facility recertified by June 2025.
- R5 By December 2024, the Board of Supervisors should act to remove the building modifications at the Charlie Byrd correctional facility to have it returned to its original design build.
- R6 Relocate the Probation Department out of the Charlie Byrd correctional facility by March 2025.
- R7 Develop a policy and procedure by January 2025 whereby General Services work gets building department review and inspections on projects involving occupancy changes, significant structural changes, electrical work, plumbing and any changes that compromise fire sprinkler coverage.

**REQUEST FOR RESPONSES**

The following responses are required pursuant to Penal Code sections 933 and 933.05:

From the following individuals:

- Siskiyou County Sheriff R1, R2, R3

From the following governing bodies:

- Board of Supervisors R2, R3, R4, R5, R6, R7

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.