

TUOLUMNE COUNTY EARLY RELEASE PROGRAM

The Tuolumne County Grand Jury would like to explain for the citizens the process the Tuolumne County Sheriff uses for an early release program designed to control the population of the county jail. It should be noted that this report was not complaint generated.

METHODOLOGY

Members of the Grand Jury made an unannounced visit to the County Jail. During that visit the Grand Jury requested a supervisor perform "a simulated early release evaluation" using actual data from jail records.

REMARKS

The jail maintains a State regulated inmate capacity of 149 beds. When current arrests are made, the jail staff frequently needs to release inmates serving time to make room for those new arrests that cannot be released to citation and or bail. Examples of those individuals that cannot be automatically released are those with outstanding warrants from other jurisdictions.

The evaluation process is as follows: Supervising jail staff first reviews those inmates that have the least amount of time remaining on their sentence. The second criterion reviewed is whether the individual was sentenced for a misdemeanor or felony conviction. The third item reviewed is whether the individual has any violence on their record. The ideal early release candidate would be an inmate sentenced for a misdemeanor with just a relatively short time remaining on their sentence. Examples of those felon early releases would be an inmate convicted of multiple petty thefts, an inmate that was convicted of forgery, or an inmate that had been convicted of grand theft.

FINDINGS

After reviewing a "simulated early release evaluation" the Grand Jury found the Sheriff's policy to be subjective but sound. Supervising jail staff assured the Grand Jury no inmates with violence on their record would be released without completing their entire court ordered sentence.

A SPECIAL NOTE REGARDING EARLY RELEASE

The Grand Jury would like to emphasize the difference between the Sheriff's early release program and the early release program currently in process for the State of California Correctional Facilities.

The State of California Correctional Facilities will be releasing as many as 40,000 inmates over the next few years. The State of California is releasing inmates early due to budget constraints and Federal Court Orders regarding health care issues in the State's correctional facilities.

The State early release program continues to change on a weekly basis depending on State and Federal Court decisions. There is a public concern this state program will have a major effect on public safety no matter what actions the State eventually takes. On the other hand, the Tuolumne County Sheriff's Department's early release should have a minimal effect on the citizens of the county.

RECOMMENDATIONS

There are no recommendations for the Sheriff's early release program.

ADDITIONAL REMARKS

It is the opinion of the Grand Jury this system is not ideal, but it is necessary for the Sheriff to maintain a legal and manageable jail population. Although not measurable, the early release program practiced by the Sheriff may have a minor yet undetermined effect on the crime rate in Tuolumne County, but the early release program is necessary. The Grand Jury commends the Sheriff and the staff at the jail for balancing the safety of the citizen's of Tuolumne County with the need for additional space in the jail.