

County of Santa Clara  
Department of Correction



79302

**DATE:** December 15, 2015

**TO:** Board of Supervisors

**FROM:** John Hirokawa, Chief of Correction

**SUBJECT:** Terminating Contracts for Acute Incustody Mental Health Services

**RECOMMENDED ACTION**

Ratify the termination of contracts with Alameda County, Contra Costa County, Marin County, San Mateo County, and Sonoma County relating to providing acute in-custody mental health services. (Department of Correction)

**FISCAL IMPLICATIONS**

There is an impact to the County General Fund as a result of approving the recommended actions. The Department of Correction and Custody Health Services provide acute incustody mental health services to the counties of San Mateo, Alameda, Marin, Contra Costa, and Sonoma through revenue-generating contracts. As a result of terminating these contracts, the negative fiscal impact to the County General Fund for FY 2016 is a loss of \$1,140,500. For FY 2017, the revenue loss is projected to be \$2,272,500 annually.

**CONTRACT HISTORY**

The Department of Correction has been contracting with:

- County of San Mateo for the provision of acute incustody mental health services since July 1, 2001. The most recent contract is for the period of July 1, 2015 to June 30, 2020.
- County of Alameda for the provision of acute incustody mental health services since July 1, 2001. The most recent contract is for the period of July 1, 2015 to June 30, 2017.
- County of Marin for the provision of acute incustody mental health services since July 1, 2002. The most recent contract is for the period of July 1, 2015 to June 30, 2018.
- County of Contra Costa for the provision of acute incustody mental health services since November 19, 2010. The most recent contract is for the period of July 1, 2015 to June 30, 2017.
- County of Sonoma for the provision of acute incustody mental health services since

July 1, 2010. The most recent contract is for the period of July 1, 2015 to June 30, 2016.

### **REASONS FOR RECOMMENDATION**

The County maintains a housing unit located on the 8<sup>th</sup> floor of the Main Jail North which is designed, equipped, and staffed specifically to address the needs of inmates that require full time mental health care. The housing unit is known internally as the Acute Mental Healthcare housing unit, or simply “8A”.

In addition to housing local inmates with special mental health care needs from within the Santa Clara County justice system, the department also provides mental health care to a limited number of inmates sent to Santa Clara County on a contractual basis by other nearby counties, specifically Alameda, Contra Costa, Marin, San Mateo, and Sonoma counties. Three of these contracts provide bed space on an “as available” basis. Two of these contracts, Alameda and San Mateo, provide guaranteed bed space every day, and these two counties pay the Department a fixed annual dollar amount in return for a guarantee that acute mental health care beds are available to them 365 days a year.

The County has taken many measures to address the issues in the jail system. With regard to health issues, there was an immediate need to begin the termination process for these five contracts, because the County should reserve all 8A beds for the County’s own inmates.

Given these circumstances, and pursuant to the County Executive’s authority under Board Policy 5.3.5.3(B), he decided to terminate the contracts on November 19, 2015. Per the Policy, as a limited exception, if an Agency/Department needs to have a contract terminated, and does not have sufficient time to obtain Board approval, then the Agency/Department must ask the County Executive to take the necessary action. In this case, there was a need to begin the contract termination process in late November because 4 of the 5 contracts require 30 days’ notice for termination. The department is working with the counties to facilitate the transition for any affected inmates, and all of the inmates from these contracts will be transitioned out of 8A by early January 2016.

### **CHILD IMPACT**

The recommended action will have no/neutral impact on children and youth.

### **SENIOR IMPACT**

The recommended action will have no/neutral impact on seniors.

### **SUSTAINABILITY IMPLICATIONS**

The recommended action will have no/neutral sustainability implications.

### **BACKGROUND**

For many years, the Department of Correction provided in-house medical services to male and female inmates incarcerated at Santa Clara County jail facilities. The “8A” housing unit at the Main Jail North houses inmates who are considered a danger to themselves or to others; gravely disabled due to mental illness; or diagnosed with severe mental illness, major depression, manic-depressive illness or schizophrenic disorder.

In order to assist surrounding counties that are unable to provide the level of care needed for acute mental health inmates, as well as generate revenue, the Board of Supervisors approved contracts between the Department of Correction and 5 surrounding counties to house inmates who meet the admission criteria for acute in custody mental health services.

Now, along with many other measures the County has taken to address the issues in the jail system, there was an immediate need to begin the termination process for these five contracts, because the County should reserve all 8A beds for the County's own inmates.

### **CONSEQUENCES OF NEGATIVE ACTION**

The Department of Correction would continue to provide acute in custody mental health services to the five counties.

### **STEPS FOLLOWING APPROVAL**

Notify Liza Capulong, Office of the Sheriff, following approval of the Recommended Actions.