

JAIL MORATORIUM COALITION APRIL 1977

JMC

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At last. It has been difficult getting something written to send to the readers of 'Jail Brake'. When we wrote our last newsletter, in November, we had a feeling of victory. The state court of appeals had recognized the people's right to vote on the jail issue. The supervisors were calling public hearings on SWAT and a majority favoring community-based alternatives to jails were about to be elected to sit on the Board. With 'victory' came relief, and we felt we would have time to direct our energy into creating alternative programs to deal with the real problems behind crime within the community.

A lot has changed since then. Those supervisors who campaigned on the platform of no new jail are now a majority on the Board. Not only are they planning a new jail and are allowing the sheriff to have SWAT teams; they are refusing to put either issue on the ballot and are telling those who signed and worked on the initiative that it was the "people's decision" to build a new jail.

The Board of Supervisors used a loophole in the jail initiative to vote unanimously for a new jail in December, 1976. The community struggle to stop the proposed new county jail was severely set back by that loophole. We had made a real serious mistake in writing the initiative ten months before. We purposely put in a loophole which said that even with the passage of our initiative the supervisors by unanimous vote could build a new jail. We had put in this loophole just so no one would oppose the initiative for not providing an easy solution in the event that the old jail really could not be brought up to standards. We had mistakenly assumed that at least one of the five members of the board would agree with our position that alternatives to incarceration would make a new jail unnecessary. Instead the supervisors decided to use that loophole and vote unanimously both to pass the initiative and then subvert its intention and build a new jail. That decision came as a shock to most of us, many of whom were busy with holiday affairs and assured that the jail issue would soon be on the ballot. The events leading up to that decision were and are mystified.

In the beginning of December, a deal was made between Board members to rush the decision on the jail before the new supervisors took office. Architects were brought in to discuss the feasibility of renovating the Front Street jail with county officials and interested community members. There was little time: the few informed people made a feeble attempt to contact

others. These meetings would later be used by the supervisors to justify their decision not to put the issue on the ballot. They would claim their actions were justified by their giving the community a chance to be heard at these meetings, compared to the thousands that signed the jail initiative. Little did the community realize that the supervisors were about to decide on the jail issue without allowing a vote of the people. The supes concluded that renovation would be more costly than new construction for the following reasons: Front Street is a “tight sight” making construction difficult for lack of space; the insides of the jail would have to be torn out to meet building codes, LEAA standards, and provide single cells; and prisoners would have to be constantly bussed to out of county jails during the work of renovation. We had difficulty fighting these explanations – We could only argue that it was not necessary to bring Front Street up to such standards and that the push for a clean, sleek, sparkling jail as a reflection of the LEAA (Law Enforcement Assistance Administration), rather community consideration. Still, we knew that the allegations of higher costs for renovation were incorrect, and the figures corresponding to new construction were far too low.

A final meeting was called between Gary Patton (the supervisor whom we had counted on to uphold the initiative) and concerned citizens. Again few people were informed in time. We argued that renovation was feasible and that the jail issue be put to the vote. Gary wasn’t convinced, and he had made a promise (to Dale Dawson, supervisor) that if renovation seemed infeasible he would vote for a new jail limited to 92 cells. That vote occurred on December 14, 1976, and the jail initiative was buried. We could only ‘shrug our shoulders’ to the architect’s arguments, because we did not have control over issues such as jail population and which architectural standards were to be used. We were not demanding because we had run out of the energy needed to get large numbers of people putting input into the supervisor’s decision. The supervisors would later hold us accountable for this lack of energy and say that the Jail Moratorium Coalition, as representatives of the community, agreed with that decision; that is false.

Last year we had the strength to build a broad base coalition (Citizens Against a New Jail), to get 10,000 signatures on the jail initiative. We had the strength to make newspaper and TV headlines when the supervisors illegally refused to recognize that initiative. We had the strength to win a court battle and set a legal precedent that the question of whether to build a new jail could be voted in an election. We had the strength to elect a majority to the board who favored alternatives to incarceration. But we did not have the strength, in the middle of holiday season, after a hard election campaign, to stop the old supervisors from deciding to build a new jail. We should have demanded that the decision making process be halted to allow time for concerned citizens to meet and discuss new developments and possible strategies. Instead, feeling flustered and insecure, we allowed ourselves to be “bulldozed” by fast talking architects and demanding officials. We made a grave mistake in the name of 8500 people. We should have

been stronger. We can be stronger, we will be, only with the community's continuing support and an ongoing criticism of our own process.

The board can in no way legitimate its decision by calling it "community support." The community was generally unaware of the loophole and assured that the passage of the petition meant a forthcoming vote of the people. JMC can be said to have given tacit approval to that decision by their relative silence, but it should be clear that the JMC at that point in no way represented the people of Santa Cruz county.

We must analyze that process of the jail decision and learn from our mistakes. First, don't give the government any latitude where they can observe the letter, but not the spirit and the purpose of your initiative. In other words, no loopholes, no confidence in county officials. Second, the community as well as the JMC, must be constantly prepared to have the tables turned on us by overzealous bureaucrats. The ties between our group and our supporters must be held continuously taut. Third, a community group such as ours should not attempt to win a battle only on technical, administrative grounds. We should always concentrate on organizing around rights and needs of people inside and out of jail.

The Jail Moratorium Coalition continues to be fervently opposed to the construction of a new jail in Santa Cruz. We demand that the new Board reconsider the December decision and put the jail issue back on the ballot. Most importantly, we know that renovation is the only way to assure a limitation on the number of people incarcerated in Santa Cruz and thereby, force the implementation of alternative programs. Certainly, the funding of alternatives to incarceration would be far less expensive than new jail construction and expansion.

Another "deal" was made between supervisors last December. After the 92 cell jail is built, an attempt will be made to implement release programs. In the event that these programs do not reduce the jail population, the new jail is being designed with "100% expansion capacity," i.e. there are dotted lines on the blueprints to show how the jail could be expanded to 184 cells instead of 92. The Board is turning to the administrative officer's criminal justice staff to develop these alternatives – this staff has already proved itself to be more concerned with bureaucratic efficiency than people's needs. JMC has to decide how much we want to involve ourselves in the planning of alternatives to incarceration.

Whether the planned new jail gets built in this county remains to be seen. The county has no money to build it and the city government is considering refusing the necessary permits to build it on the county building's parking lot site. Some of us are considering another initiative to prohibit expansion or construction of any detention facilities without voter approval.

We want, need, your support and criticism. For more information, call or write. We are now Xeroxing notes of our Tuesday JMC meeting – let us know if you want copies.

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