

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: John Brand, Senior Management Analyst 

DATE: September 10, 2008 (CC Meeting of 09/17/2008)

SUBJECT: Consider Resolution Opposing the Establishment of a Prison Hospital in Ventura County

SUMMARY

The Council is being asked to approve a resolution opposing the proposed conversion of the Ventura Youth Correctional Facility into a prison medical and mental health facility due to its adverse impacts on Ventura County.

BACKGROUND

The Ventura Youth Correctional Facility is located at 3100 Wright Road, in the county unincorporated area southwest of Somis and west of Camarillo, about half a mile from the intersection of Los Angeles Avenue (SR 118) and Santa Clara Road. The facility currently houses female wards in living units comprised of individual rooms. The Mary B. Perry High School at the site provides instruction in basic skills, high school courses, GED preparation, and vocational training. Special education services are available. Qualified wards have an opportunity to earn college credits towards an Associate of Arts Degree through Ventura Community College.

On February 14, 2006 U.S. District Judge Thelton Henderson ruled that prison healthcare in California was so bad that it constituted cruel and unusual punishment. Evidence presented at the trial showed a California prison inmate dies needlessly for lack of proper medical care about once a week. He appointed a Receiver to run the state's prison healthcare system after state officials failed to improve conditions that had been proven unconstitutionally inhumane in a class-action lawsuit. A Receivership is an extraordinary judicial remedy employed by a federal court only as a last resort when all other attempts to secure compliance with court orders have proven futile. Judge Henderson required the Receiver to "develop a detailed Plan of Action designed to effectuate the restructuring and development of a constitutionally adequate medical health care delivery system." University of the Pacific McGeorge School of Law Professor J. Clark Kelso was named as the federal Receiver in January 2008.

On June 6, 2008 the Receiver released a plan to construct seven hospitals around the state that will house 10,000 inmates. One of the new prison hospitals would be built on the existing site of the Ventura Youth Correctional Facility near Camarillo. The female wards at the Ventura Youth Correctional Facility would be relocated elsewhere in the state. The new prison medical facility would have 1,500 beds and be able to accommodate maximum-security adult male prisoners. On August 24, 2008 Prison healthcare receiver J. Clark Kelso filed legal papers seeking a court order that would force state officials to hand over \$8 billion to finance construction of the seven new prison hospitals.

DISCUSSION

The possibility that the Ventura Youth Correctional Facility, which houses a few hundred female wards, may be converted into a 1,500 bed maximum security prison medical facility has become an issue of regional concern. Community organizations and local governments have raised a number of issues not addressed in the Receiver's plan. Among the unmitigated negative impacts cited are:

- Jobs - increased shortage of medical professionals in the County
- Public Safety - site is about a mile from schools and homes
- Courts - prisoner court business will add to already congested courts
- Infrastructure - housing, roads, water, wastewater, utilities
- Environmental - earthquake and environmental hazards

Other agencies and elected officials in opposition include: the Ventura Council of Governments; the Ventura County Board of Supervisors; the City of Camarillo; Assembly members Audra Strickland, Hannah-Beth Jackson, and Cameron Smith; the Mayors of Moorpark, Simi Valley, and Santa Paula; and the Camarillo Health Care District. The Receiver has broad authority, and it is apparently only accountable to the court. The Receiver has met with local officials and community groups to hear concerns. It is believed by some observers that in this instance the court mandate may take precedence over local objections. A "Frequently Asked Questions" flyer is included as Attachment "B".

FISCAL IMPACT

None.

STAFF RECOMMENDATION

Adopt Resolution No. 2008-_____.

Attachment "A"	Resolution
Attachment "B"	Proposed Prison Hospital 'Frequently Asked Questions'

Attachment "A"

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, OPPOSING A PRISON HOSPITAL AT THE SITE OF THE VENTURA COUNTY YOUTH CORRECTIONAL FACILITY

WHEREAS, the Moorpark City Council recognizes that it is necessary and in the public interest for the state of California to provide a comprehensive and appropriate correctional system, including prison medical facilities; and

WHEREAS, the Ventura County medical and health services community is currently experiencing a significant shortage of nursing and medical staff; and

WHEREAS, the proposed prison hospital, through compensation competition, would significantly and negatively contribute to the availability of medical staff, both short- and long-term; and

WHEREAS, any such shortage would immediately, significantly and negatively impact the availability, timeliness, and safety of appropriate medical services for Ventura County residents; and

WHEREAS, the introduction of this proposed maximum security prison population would compromise the overall security of Ventura County, resulting in a threat to the stability of existing infrastructure; negative environmental impacts; significant classroom impaction; housing shortages with consequential supply and demand price hikes; loss of sense of well-being, and a overall loss of quality of life.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Moorpark is opposed to the proposed placement of a maximum security prison hospital within Ventura County, and hereby requests that Ventura Youth Correctional Facility be removed from the list of potential sites.

SECTION 2. The City Council of the City of Moorpark respectfully suggests that a more appropriate location for a facility of this type be considered.

SECTION 3. The City Clerk shall certify to the adoption of the resolution and shall cause a certified resolution to be filed in the book of original Resolutions.

PASSED AND ADOPTED this 17th day of September, 2008.

Patrick Hunter, Mayor

ATTEST:

Deborah S. Traffenstedt, City Clerk

Proposed Prison Hospital for Ventura County

Q) How did we get here?

- A) Following much litigation, CA's prison healthcare system found "inadequate" in U.S. District Court in September 1995

CA legislature fails to comply with court order to correct deficiencies

Federal Receiver Kelso appointed to make changes in system in January 2008

Estimated cost for Californians = \$7 billion

Q) Receiver's Proposed Solution?

- A) 6/16/08 court approved the Receiver's overall plan to construct 7 prison hospitals throughout California. Upgrades to existing prisons are also included.

Receiver Kelso has **broad** authority: hire/fire, negotiate contracts, acquire/dispose of property, purchase/dispose of tangible goods, follow CEQA guidelines, if possible (these costs not included in the \$7 billion)

Costs are borne by the state and local governments

Q) Potential Sites?

A) Northern California

Tracy – Deuel Vocation Inst.

Sacramento – CA State Prison

Stockton – Northern CA Youth Correctional Center

Southern California

Camarillo – Ventura Youth Correctional Facility

San Diego – Donovan Correctional

Chino – CA Institute for Men

Whittier – Nelles Juvenile Correctional Facility

Los Angeles – CA State Prison

Fact	Effect
<ul style="list-style-type: none"> • Current VYCF on Wright Road to be razed • 1500-bed prison hospital to be built to provide medical & mental health care for inmates with long-term needs • Construction tentatively scheduled to begin Spring 2009 	<ul style="list-style-type: none"> • County-wide healthcare system will be devastated. • New prison hospital will create critical staffing shortages of nurses and medical technicians across the county • Substantial decrease in availability of medical services for all Ventura County residents

Fact	Effect
<ul style="list-style-type: none"> • Prison hospital location would require infrastructure improvements in the surrounding area; roads, utilities, water, and sewage treatment. 	<ul style="list-style-type: none"> • Site will be a burden to the County and Oxnard/Camarillo taxpayers. • Federal Gov. would not contribute funds to pay for these state expenses. • Estimated as high as 5000 additional employees on surrounding roads and highways each day.

Fact	Effect
<ul style="list-style-type: none"> • Proposed facility would replace the current VYCF • VYCF services required to support juvenile needs are not found in any other Dept. of Juvenile Justice facility in the CA system 	<ul style="list-style-type: none"> • VYCF staff face relocation or loss of jobs • Recent facility improvements (\$10M) paid by taxpayers will be lost

Fact	Effect
<ul style="list-style-type: none"> • Level 3 & 4, high-risk adult male inmates, will be housed • Facility within: <ul style="list-style-type: none"> 0.4 mile from residences 1.2 mile from Mesa Elementary School 1.7 mile from Rio Mesa High School 	<ul style="list-style-type: none"> • School and residential security compromised by daily trips to/from prison hospital and local hospitals for immediate care needs, several times each day