

# **CAN THE BENEFITS OF WASHINGTON RIDGE CONSERVATION CAMP SURVIVE PRISON REALIGNMENT**

## **SUMMARY**

Forest fires are our worst nightmares and, especially here in the foothills, among the most expensive public disasters we face. Since July 1, 2015, California has spent close to \$300 million fighting forest fires. Locally, the Lowell Fire during the summer of 2015 is estimated to have cost in excess of \$8 million. An important asset for firefighting, and an invaluable one for keeping the costs of firefighting down, sits in the heart of our community, five miles from Nevada City. The Washington Ridge Conservation Camp, operated jointly by the California Department of Corrections and Rehabilitation and the California Department of Forestry and Fire Protection, provides five firefighting crews to operate on the front lines of forest fires in Nevada County and all over the State. It is one of 43 conservation camps maintained by the California Department of Corrections and Rehabilitation and the California Department of Forestry and Fire Protection. The inmate crews are available year round and have become California's front line forces in fighting wildfires and other public emergencies. All of the major disasters over the last few years have had the conservation camp crews present.

Washington Ridge Conservation Camp provides Nevada County and neighboring counties with tens of thousands of man-hours of service annually, including fire prevention, suppression and ground maintenance. They also work on numerous community service projects when they are not fighting fires. The California Department of Corrections and Rehabilitation estimates that the use of inmates in these camps saves the State as much as \$100 million per year responding to fires and providing other community services.

The existence of Washington Ridge Conservation Camp and other conservation camps is threatened by the implementation of the California Public Safety Realignment Act of 2011, also known as Assembly Bill 109. This bill has changed the sentencing guidelines for "low risk" inmates, moving them from state prisons, where they might be available for the conservation camps, to county jails, where, for the most part, they are not.

With the passage of the California Public Safety Realignment Act of 2011, conservation camps, including Washington Ridge Conservation Camp, have had to re-evaluate their programs. While the California Public Safety Realignment Act of 2011 has brought the state prisons into compliance with Federal District Court rulings condemning overcrowded prisons, it has had the unintended consequence of reducing the inmate population from which the conservation camps can draw inmates to keep the camps at full effectiveness. Moreover, the reimbursement provisions of the conservation camps make it unlikely that many county sheriffs will send their inmates to the camps. However, some of the funds received by the

County to implement Assembly Bill 109 could be used to move eligible inmate volunteers into the conservation camps.

The implementation of the California Public Safety Realignment Act of 2011 was appropriately designed to engage the counties to take responsibility for the inmates who will be remanded to their local authorities. The mechanism of this implementation is the establishment of community corrections partnerships in each county. The California Department of Corrections and Rehabilitation and California Department of Forestry and Fire Protection, should work together with Community Corrections Partnerships to solve the unintended consequence of losing firefighter/inmates as a result of Assembly Bill 109 realignment.

## **GLOSSARY**

**AB109** - The California Public Safety Realignment Act of 2011

**CAL-FIRE** - California Department of Forestry and Fire Prevention

**CCP** - Community Corrections Partnership

**CDCR** - California Department of Corrections and Rehabilitation

**Jury** - Nevada County Civil Grand Jury

**Washington Ridge** - Washington Ridge Conservation Camp

## **BACKGROUND**

The California Constitution of 1849 provided in Section 23 of Article 1 that a grand jury “be drawn and summoned at least once a year in each county.” Accordingly, each of the 58 counties in the State yearly impanels a civil grand jury, whose function is to investigate the operation of the various officers, departments, and agencies of local government. A civil grand jury may examine all aspects of county and city government, special districts, and other tax-supported organizations to ensure that the best interests of the citizens of the county are being served. The civil grand jury reviews and evaluates procedures, operations, and systems utilized by local agencies to determine whether more effective methods may be employed.

Moreover, California Penal Code Section 919(b) requires each county’s civil grand jury to inquire annually into the condition and management of the public prisons within each county. Washington Ridge Conservation Camp (Washington Ridge) is a public prison located within Nevada County.

## APPROACH

The Nevada County Civil Grand Jury (Jury) interviewed:

- regional California Department of Forestry and Fire Prevention (CAL-FIRE) administrators,
- California Department of Corrections and Rehabilitation (CDCR) conservation camp administrators,
- key staff members associated with Washington Ridge,
- inmates working as firefighters at Washington Ridge,
- key Nevada County Community Corrections Partnership (CCP) personnel, and
- also toured Washington Ridge on two occasions.

The Jury also researched:

- past Jury reports,
- the California Public Safety Realignment Act of 2011 (AB109),
- AB109 Response Plan Overview,
- a report by Headwaters Economics entitled *The Rising Cost of Wildfire Protection on the rising costs of wildland fires in the west*,
- local news media reports on the Lowell Fire,
- CDCR reports on conservation camps, and
- CAL-FIRE reports on conservation camps.

## DISCUSSION

Forest fires are our worst nightmares and, especially here in the foothills, among the most expensive public disasters we face. Since July 1, 2015, California has spent close to \$300 million fighting forest fires. Locally, the Lowell Fire during the summer of 2015 is estimated to have cost in excess of \$8 million. An important asset for firefighting, and an invaluable one for keeping the costs of firefighting down, sits in the heart of our community, five miles from Nevada City. Washington Ridge, operated jointly by CDCR and CAL-FIRE, provides five firefighting crews to operate on the front lines of forest fires in Nevada County and all over the State. It is one of 43 conservation camps maintained by CDCR and CAL-FIRE. The inmate crews are available year round and have become California's front line forces in fighting wildfires and responding to other public emergencies. According to CAL-FIRE, all of the major disasters over the last few years have had the conservation camp crews present.

Washington Ridge was originally a California Youth Authority camp for juvenile correction. In 2005 it was converted into Washington Ridge. At this time there are approximately 13 CAL-FIRE employees and 10 CDCR correctional officers who run Washington Ridge. The unique cooperation between these two state agencies is very noticeable in the seamless manner in which they work together.

Washington Ridge houses 106 inmates at full capacity. At the time of the Jury's visit the count was 85. There are currently five fire crews working out of Washington Ridge with 13-17 members on each crew. The Jury was told that these crews can be assembled, outfitted, and on the road to an emergency within 30 minutes of a call. Washington Ridge has five unique response vehicles that are each equipped with all the necessary tools, provisions, and inmate seats for non-replenished deployment of up to 500 miles. The crews are managed by a CAL-FIRE crew captain who is required to conduct periodic inmate counts for the CDCR group and verify by facial recognition that all inmates are accounted for. When extended deployment is foreseen, CDCR personnel follow the crews and are present at base camps to ensure inmates are continuously monitored in accordance with CDCR policy.

Washington Ridge is also considered a base camp for large disasters. When this happens, up to one thousand more inmates and personnel can be brought in from other conservation camps. They all can be fed and housed on the grounds.

The recidivism rate from conservation camps is lower than that of the general prison and county jail population. Since this type of time in custody is considered better than being in a state prison, there have been few attempts to escape. In fact, there have only been two attempts in the past four years. One of those attempts was in February of 2016. It should be noted that, because of the system in place to handle escapes, the inmate was caught and sent to Wayne Brown Correctional Facility in less than twenty-four hours. Because of his escape, that inmate will no longer be eligible for conservation camp duty.

These fire crews are all volunteer inmates. In order to be eligible for fire camps, inmates cannot have any convictions for arson, escape, sex related offenses or show a tendency towards violence. Once they have been vetted and determined eligible for assignment they are put through very intense training at High Desert State Prison in Susanville. The training includes two weeks of classroom courses and another two weeks in the field. Once the inmates are assigned to a camp they are required to complete four hours per week of intense training in all aspects of fire suppression.

When not actively training or fighting fires, crews are used for community and Washington Ridge projects. Non-profit organizations and/or government agencies can use a full crew of inmates for a daily rate of \$225. They also provide other agencies with a labor force to perform public works service on projects pursuant to Public Resources Code Section 4951 et seq.

Washington Ridge provides Nevada County and neighboring counties with tens of thousands of man-hours of community service annually, including fire prevention/suppression and ground maintenance. CDCR estimates that the use of conservation camp firefighters saves the State as much as \$100 million per year responding to fires and providing other community services.

In 2015, Washington Ridge provided 94.5 crew-hours of service for the County of Nevada for a total cost of \$21,262. The Jury has been advised that the going rate for those same services from an outside contractor would have been \$148,212. This saved the County of

Nevada \$126,950. In the same year, Washington Ridge provided 192.5 crew-hours of service for other organizations at a cost of \$43,312. The cost of outside contractors would have been \$301,840. The savings to these organizations amounted to \$258,528. Those services were provided to:

- Deer Creek School evacuation site preparation,
- Nevada County Fairgrounds,
- Pleasant Ridge Union School District,
- United States Forest Service - Pioneer Trail,
- Nevada City Public Works, and
- City of Grass Valley.

When not on fire projects and back at Washington Ridge the inmates have numerous opportunities to better their position in life.

In a tour of the facility that included dormitories, recreational room, shops, and kitchen, the Jury observed that the inmates are able to learn many different trades and skills that may benefit them upon release. The inmates work on all their equipment under supervision. They repair the chain saws used in firefighting, which serves to extend their usefulness. They have a sawmill where they cut their own wood for repairs and sale. They currently are making durable tables and benches for sale or trade with other organizations for needed equipment and supplies. They can also learn culinary, landscaping, and equipment maintenance skills. These skills give them a much greater chance to become a productive working part of society.

The camp is self-contained. It has an area for visitation including a playground. Religious services are available. Counseling is provided for alcohol and drug addiction.

While interviewing inmates at Washington Ridge, the Jury ascertained that the inmates feel they are treated fairly and given a chance to learn while performing their assigned jobs, which in turn allows them the opportunity to be promoted to better jobs within the camp with higher pay. They appreciated the chance to learn trades and better themselves. By working and learning together they have more of a chance to find employment and avoid falling back into old life styles after release. While some inmates interviewed had been at other camps, they felt that Washington Ridge was by far the best. The inmates stated that there is no fear of violence from other inmates as there is in state prison.

The passage of AB109 changed the sentencing guidelines for many “low risk” inmates, moving them from state prisons, where they might be available for conservation camps, to county jails or probation, where, for the most part, they are not. CDCR is willing to accept inmates from county jails for service in conservation camps. However, it requires reimbursement of costs. Hence, if a county jail is at or over capacity, a sheriff might be willing to pay the additional charge to relieve the capacity problem. However, when the county jail is not at capacity, as is the case in Nevada County, there is no incentive for the sheriff to incur the additional expense associated with sending inmates to conservation

camps. Some of the funds received by the County to implement AB109 might be used to move eligible inmate volunteers into conservation camps.

Based on the numbers provided, if AB109 realignment is fully implemented, approximately 50% of the 4,300 current inmates assigned to conservation camp programs would be returned to jails in the counties from which they came or be placed on parole. The consequence, according to information supplied by Washington Ridge administrators, could be the closure of approximately 13 conservation camps throughout the State. That means the State **could lose as many as 90 fire crews**. Both CAL-FIRE and CDCR are struggling to find solutions to this reduced source of inmates to staff the camps.

The implementation of AB109 was appropriately designed to engage the counties to take responsibility for the inmates who will be remanded back to their local authorities. The mechanism of this implementation is the establishment of community corrections partnerships (CCPs) in each county. The funding for AB109 implementation, made available from the State to the counties, is administered by the CCPs. The funding provided to the CCP might be used as a resource to design the process for assignment of county inmates to the conservation camps. It also should be noted that, for security reasons, inmates cannot be assigned to conservation camps in their own county. These and other issues, such as screening the inmates as they are remanded back to the County jail, placement in training facilities, security, transportation, training locations and other pressing issues would have to be addressed. The Jury recommends that CDCR and CAL-FIRE connect with the Nevada County CCP to explore the possibility of utilizing Nevada County Jail inmates who can pass the rigors of qualification as a source of volunteer candidates for conservation camps statewide and as a model to the State to remedy the unintended consequences of AB109 realignment.

## FINDINGS

The following are findings made by the Jury during the current investigation through testimony from witnesses, including inmates, and tours of Washington Ridge.

- F1.** Washington Ridge supplies fire suppression crews in and around Nevada County at significant savings to Nevada County and the State.
- F2.** Washington Ridge supplies low cost labor for non-profit organizations and government agencies.
- F3.** Washington Ridge teaches life skills along with job training and promotes rehabilitation to reduce recidivism.
- F4.** Washington Ridge is well maintained and managed by CAL-FIRE and CDCR.

- F5.** An unintended consequence of AB109 implementation is that the number of “low risk” inmates at California State Correctional Facilities has declined and assignment to conservation camps has decreased.
- F6.** Full implementation of AB109 could result in closure of approximately 13 conservation camps.
- F7.** CDCR needs to find a source of qualified inmates to staff conservation camps.
- F8.** Conservation camps save the State as much as \$100 million a year.
- F9.** The recidivism rate from conservation camps is lower than that of general prison and county jail population.
- F10.** Washington Ridge saved the County of Nevada and other local agencies \$385,478 in 2015.
- F11.** CDCR and CAL-FIRE along with CCPs, working with AB109 funds, could work together to solve the unintended loss of firefighter/inmates caused by AB109.

## **RECOMMENDATIONS**

- R1.** California Department of Corrections and Rehabilitation should continue working with California counties in searching for a plan to keep the conservation camps fully staffed.
- R2.** California Department of Forestry and Fire Prevention should continue working with California counties in searching for a plan to keep the conservation camps open.
- R3.** Local agencies and the County of Nevada should continue working with Washington Ridge Conservation Camp to save money.
- R4.** California Department of Corrections and Rehabilitation and California Department of Forestry and Fire Prevention, should work together with CCPs to solve the unintended consequence of losing firefighter/inmates as a result of AB109 realignment.

## **REQUIRED RESPONSES**

None required nor requested.

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.