April 29, 2002

To: Supervisor Zev Yaroslavsky, Chairman
   Supervisor Gloria Molina
   Supervisor Yvonne Brathwaite Burke
   Supervisor Don Knabe
   Supervisor Michael D. Antonovich

From: David E. Janssen
   Chief Administrative Officer

MOTION TO SEND A LETTER OPPOSING SB 1481 (POLANCO) - MANDATE TO PROVIDE HEALTH AND MENTAL HEALTH CARE TO INMATES IN COUNTY FACILITIES (ITEM NO. 111-B, AGENDA OF APRIL 30, 2002)

Item No. 111-B on the April 30 Agenda is a motion by Supervisor Antonovich for the Chief Administrative Officer to send a letter to the Governor, Legislative Leaders and the County’s legislative delegation in opposition to SB 1481 (Polanco).

As introduced, SB 1481 would have prohibited the use of inmate welfare funds “to pay required county expenses of confining inmates in a local detention system, such as meals, clothing, housing, or medical services or expenses.” As amended on April 23, 2002, the bill would add “medical and mental health cares services and expenses” to the list of things that the Board of Supervisors must provide the Sheriff and pay for out of the County treasury. Current law only specifies “necessary food, clothing and bedding....” In addition, we have been informed that a further amendment will be made to reference an existing provision of the Government Code, Section 29602, to suggest that the new mandate already exists under current law.

If, as the advocates of SB 1481 maintain, a mandate to provide health and mental health care to inmates already exists under current law, the bill would seem to be unnecessary. Moreover, the County already provides health care to inmates and will continue to do so, regardless of whether SB 1481 becomes law. However, by mandating that the Board
must pay for health care out of the County treasury, the bill seeks to imply that the inmate welfare fund cannot be used for this purpose. But given that the inmate welfare fund is part of the County treasury, the practical effect of the amended bill is uncertain.

On April 25, 2002, I notified the Board that our Sacramento advocates would oppose SB 1481 because it would limit your authority and discretion to budget for a County department. On April 26, 2002, I sent the attached letter to the Chair of the Senate Public Safety Committee, informing him of the County’s opposition to the bill.

SB 1481 is sponsored by the Los Angeles County Sheriff. It is supported by the California Police Chiefs Association, the California Peace Officers’ Association and the California Attorneys for Criminal Justice. The only registered opposition is Los Angeles County.

The bill will be heard in the Senate Committee on Public Safety on April 30, 2002.