

# California State Senate

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March 19, 2021

The Honorable Nancy Skinner, Chair  
Senate Committee on Budget  
State Capitol, Room 5019  
Sacramento, California 95814

The Honorable Maria Elena Durazo, Chair  
Senate Budget Subcommittee 5  
State Capitol, Room 5019  
Sacramento, California 95814

## **RE: Budget Control Language Request for the City of Shafter**

Dear Chairwoman Skinner and Chairwoman Durazo:

I am writing to bring to your attention the difficulty the small city of Shafter, a poor farmworker community, which I represent, is having in moving forward on its economic development efforts due to an impractical contractual obligation with the California Department of Corrections and Rehabilitation (CDCR).

I think you can appreciate the challenges local governments face in developing their economies and creating employment opportunities for their residents.

### **Request:**

I seek your intervention by placing the following budget control language in the state budget that I believe is consistent with the state's general goal of completely closing unused correctional facilities:

Department of Corrections and Rehabilitation Section 6259.1 is added to the Penal Code, to read:

6259.1. The Department of Corrections and Rehabilitation shall release the department's lease options for the Shafter Modified Community Correctional Facility as specified within the

Settlement Agreement and Mutual Release executed by the department on December 4, 1996, no later than January 31, 2022.

**Background:**

In 1996, the City of Shafter and CDCR entered into an agreement for the operation of the Shafter Modified Community Correctional Facility to house state inmates. The agreement grants the Department 99 one-year lease options. After 24 years of service, in March 2020, CDCR officials informed the city that the Department would cease operations and close the facility by the end of the year. The facility was effectively closed on October 31, 2020.

Even though the facility now stands empty, and the likelihood of repopulating it with inmates diminishes as the inmate population continues to dwindle statewide, the city of Shafter, to ensure that the facility does not fall into disrepair while vacant, is carrying all maintenance costs. City officials estimate that maintaining the facility alone is draining the city's general fund of at least \$120,000 per year – not to mention the economic impact of the lost correctional jobs.

Because of the 99 one-year lease options, which CDCR has thus far refused to relinquish, the city is in the unusual position of having to maintain an empty and relatively costly facility solely for CDCR's convenience. While state government is experiencing, or at least has the potential of experiencing somewhat of a "corrections peace dividend" as incarceration costs fall with fewer state prisoners behind bars, Shafter residents are not sharing in this dividend, and, rather, are experiencing a deficit.

Given these circumstances, I am requesting your intervention by including control language in the state budget revision in May that would release the City of Shafter of the lease options, and therefore, allow the city to re-purpose a facility that the state no longer utilizes. It seems inconsistent for the state to tie the hands of a local government from creating economic development opportunities while saddling it with costs to maintain an unused facility.

If you have any questions, please do not hesitate to contact Elizabeth Hess, at [Elizabeth.Hess@sen.ca.gov](mailto:Elizabeth.Hess@sen.ca.gov) or by calling at (916) 651-4014. Thank you for your consideration of this request.

Sincerely,



Senator Melissa Hurtado  
14<sup>th</sup> Senate District

CC: Senator Melissa Hurtado, author  
Senator Nancy Skinner, Chair, Senate Committee on Budget  
Senator Maria Elena Durazo, Chair Sub 5: Corrections, Public Safety, Judiciary, Labor  
and Transportation