

Jails

Jail Vote Now Open

By PAUL BEATTY
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Santa Cruz County supervisors should agree not to build a new jail, or put the issue up for popular vote, a state appellate court ruled today.

The First Appellate Court ruling out of San Francisco came from an appeal of the Citizens Against A New Jail—the organization that presented county supervisors with more than 8,500 valid signatures in June asking the board to decide against building a new jail, or put the issue on the Nov. 2 ballot.

If the county does not appeal the decision, and/or the board does not drop its plans for building a new jail at the county center site, then a special election would have to be ordered.

County Counsel Clair Carlson said this morning that any decision to appeal the appellate court finding would have to be approved by the county board of supervisors.

Mitchell Page, attorney for the citizens group against a new jail, told The Sentinel this morning, "What can I say? I'm happy."

He added, "From the time of the oral argument (in the San Francisco court), I felt they were going to rule in our favor."

The decision, or indecision, of the county to fight out the petition's request in court came in August when county supervisors took no action after discussing the petitions.

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Jail Vote Is Open

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On Sept. 21, after years of discussion about what to do concerning the need for county detention facilities, the board agreed on a 3-2 vote to build a new jail at the county center.

Architects had informed the board it would be cheaper to build a new facility than permanently renovate the Front Street jail. Cost estimates were given in August as from \$4.8 million about \$6 million for renovation and \$4.34 million to \$5.54 million for a new facility.

Voting against the new jail were Supervisor Gary Patton, who opposed it on the principle there should be a lessening of the jail population, and Supervisor Dan Forbus.

Forbus said he did not oppose building a new jail—in fact, supported it—but he wanted it located on Water Street, across from the county center.

A further problem came in October when the state told the county that an expected \$2 million in state-federal money may not be available this coming year for the new jail.

In reporting the court decision, the Associated Press stated that the appellate court ruled, "the location and nature of municipal buildings generally is a legislative matter and is subject to the initiative and referendum power.

"Whatever our view as to factors of cost and practicality, the decision must be left to the voter taxpayer, to whom we must and do commit it (and supervisors are) to proceed as *required by law and in conformity with this opinion*," the court ruled.

It leaves Santa Cruz County three options: appeal the decision, renovate the old jail and drop plans for a new one, or order an election.

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