



Superior Court of California County of Shasta

MOLLY BIGELOW
Presiding Judge

WILLIAM D. GALLAGHER
Asst. Presiding Judge

September 22, 2011

Hon. Brad R. Hill, Presiding Justice
Court of Appeal, Fifth District
2424 Ventura Street
Fresno, CA 93721

Dear Justice Hill and Members of the Court Facilities Working Group:

Thank you for the invitation to provide information on the new Redding Courthouse in Shasta County. We hope this letter will convey the urgency in moving this project forward. In order to best illustrate existing courthouse conditions, we are providing an attachment containing photographs for your review.

Background

Shasta County Superior Court currently operates six facilities, of which five exist in the City of Redding¹. The sixth facility is a small branch court in the town of Burney, which is located in the mountains east of Redding approximately 50 miles away².

The main courthouse, the largest of the six facilities mentioned above, currently serves over 300,000 people per year. Built in 1956, the structure originally housed two courtrooms with the majority of the space designed to serve as an office building for the county's services. An annex was added in 1965 and a partial remodel took place in 1994. Since the courthouse was originally constructed, the population in Shasta County has quadrupled and the number of courtrooms has grown from 2 to 14.

This project – ranked in the Immediate Need priority group in the Trial Court Five-Year Infrastructure Plan adopted by the Judicial Council on August 27, 2010 – is one of the highest priority trial court capital-outlay projects for the Judicial Branch.

¹ The AOC counts the main courthouse and annex as two facilities.

² The Burney branch court will not be consolidated into the new courthouse due to the distance and difficulties associated with the public traveling to Redding for court services.

Value of the Project

This court believes the most disturbing aspect of the current courthouse and perhaps the best justification to replace it is the lack of security for court users, members of the public and court employees.

An assessment completed in 2004 rated the current courthouse for security purposes. Possible scores ranged from a low of 0 to a high of 80. The present courthouse received an overall score of 5 in the security criterion with a combined security rating of 73, making it one of the most dangerous court facilities in the State of California.

Examples include:

- ◆ Judges use public elevators and stairs to move between floors, sometimes coming face to face with defendants or family members after proceedings have occurred. Recently, a judge was followed onto an elevator by a criminal defendant he had just sentenced.
- ◆ High volume criminal courtrooms must use the jury box in order to seat in-custody defendants as there is no separate, secure holding area for inmates.
- ◆ Inmates are moved through public corridors in waist chains as there is no secure circulation in the building.
- ◆ Entrances to some judges' chambers are only accessible through crowded public hallways.
- ◆ Judges share restroom facilities with jury deliberation rooms and at times when juries are deliberating, judges are forced to use public restrooms.
- ◆ Facilities do not have secured judges parking. Bench officers at one facility must utilize spaces within the public parking lot. Visiting judges often must resort to using metered street parking.
- ◆ The juvenile facility to be consolidated into the new building has never had metal detectors, which is of great concern to the court in light of increasingly violent juvenile matters heard in the building.

In addition to dangerous security conditions, the current building poses numerous public access issues. Examples include:

- ◆ The courthouse has two public elevators (built in 1956 and 1994) serving a three story building plus a basement. The older elevator is the only one serving the basement. The size and capacity is substandard. Breakdowns are frequent, thereby eliminating accessibility to the basement level and potentially rendering wheelchair bound employees and the public with only

the stairs to use. A wheelchair bound court employee currently works in clerical offices on the second floor.

- ✦ Due to the small elevator capacity, jurors going from the first floor jury assembly room to the second and third floor courtrooms often take the stairs. On February 6, 2007, one such juror collapsed and died from the exertion of climbing two flights of stairs.
- ✦ The current courthouse is located on a steep slope with public parking a block below the building. Paths of travel from the street frontage to the front entrance of the building are not ADA compliant.
- ✦ The courthouse hallways are small and cramped so that it is difficult for anyone to make their way through the space. Travel for handicapped individuals is sometimes impossible in congested areas.
- ✦ There is no handicap restroom on the first floor of the building. Anyone requiring a handicap restroom must travel to the basement or one of the upper floors by elevator to access a handicap restroom. There is some irony in the fact that the only elevator servicing the basement is the same one mentioned above that is reliable only in terms of the frequency with which it breaks down.
- ✦ Courtroom benches and witness stands in the main courthouse are not ADA accessible and most jury boxes are not ADA accessible.
- ✦ The current courthouse has no space left to expand or convert in order to create additional courtrooms. Courtrooms range in size from 844 square feet to 1305 square feet, which is significantly below the adopted statewide standards
- ✦ On particularly busy days, jury rooms have been used for court proceedings because the facility lacks sufficient space to accommodate the court's workload. The court's sole conference room (measuring 420 square feet) has been used for an out-of-custody criminal non-jury trial when no other space was available.
- ✦ The windows in the current courthouse are single pane. Because almost the entire front of the building is glass, the HVAC system is constantly a problem and energy consumption is far higher than it should be. The building is too cold in the winter and too hot in the summer. When temperatures soar, the air conditioning fails and judges have been forced to recess trials when courtroom temperatures approach 90 degrees and above.

- ✦ Many of the windows in the courthouse leak, causing damage to walls and carpet. In some cases, sunlight can be seen through the gaps between the windows and walls.

Why Move Forward Now?

Shasta County Superior Court currently operates 13 courtrooms everyday, with a 14th department operating two days per week, staffed by rotating pro tem judges.

The most recent report to the Legislature under Government Code Section 69614(c) and presented to the Judicial Council on October 29, 2010 indicates Shasta Superior Court has 13 authorized judicial positions and a need for 16.9. As these new judgeships are funded, if the new courthouse is not available the court will have to again look for either leased space or entertain the addition of another modular courtroom.

Preliminary statistics for 2009/2010 reflect total filings of 52,455 in Shasta County Superior Court. Performance Indicator Data from 2006/2007 shows the court ranked 6th in the state for jury trials per judicial position. That ranking rose to number two in the state for jury trials per judicial position for fiscal year 2007/2008.

Operational Efficiencies and Ongoing Cost Savings

The new Redding courthouse project will consolidate five unsafe, substandard and overcrowded facilities that are currently in very poor condition. Operational efficiency, access to justice and overall public service though this consolidation will be drastically improved. Some of the savings and efficiencies to be realized are as follows:

- ✦ Better use of judicial resources (including visiting judges) and greater ability to provide coverage by moving cases within one court facility, which also eliminates the inconvenience to the parties and attorneys having their cases shifted from one facility to another for lack of an available courtroom.
- ✦ Reduce Information Technology costs by eliminating T1 communication lines saving \$20,000 per year.
- ✦ Eliminate the need for courier service between facilities, eliminate staff wheeling carts of files outside in all weather conditions, and eliminate the transfer of files in trunks of cars, which currently occurs twice daily, saving \$5,000 per year.
- ✦ More efficient use of court interpreters covering proceedings in one building instead of five, decreasing the number of interpreters needed saving approximately \$15,000 per year.

- ◆ Eliminate janitorial, garbage and utility services to facilities consolidated into the new building saving \$95,000 per year
- ◆ Eliminate lease costs on existing modular building saving \$104,788 per year.
- ◆ Eliminate two weapon screening stations saving \$650,000 per year.
- ◆ Eliminate the need to acquire additional modular buildings³ when funding for SB 1150 judgeships is appropriated by the Legislature.

Current Project Status and Implications of Delay

Although the site selection and site acquisition phases proceeded slowly on the Shasta project due to the number of parcels making up the preferred site and the related assemblage issues, considerable progress has been made since the Shasta project profile was provided to the working group.

The State Public Works Board approved acquisition of the site on July 8, 2011. Escrow closed on August 26, 2011 for the 6 county owned parcels and 3 of the 4 privately owned parcels. The City of Redding Redevelopment Agency took legal possession of the 4th parcel via eminent domain on August 31, 2011 so we have complete control of the entire site. The AOC project manager is moving forward with geo-tech borings and soil analysis while we wait for approval to move into preliminary plans. If we are allowed to move forward using the advantage of continuous appropriation, the project could make up for time lost during the acquisition phase to soon become a “shovel ready” project.

The unoccupied dwellings on the recently acquired private parcels are being boarded up until such time as they are demolished. Because the site is located in a prime downtown area, extending the length of time the buildings are in this unsightly condition is a detriment to the community.

The Property Acquisition Agreement between the Administrative Office of the Courts and Shasta County requires that the county vacate the recently acquired property no later than June 30, 2012. The county is currently negotiating leases on properties that will be used to house their operations and preparations are in place for their move. The court, county and the community do not want to allow the structures they vacate to remain boarded up longer than that which is absolutely necessary.

The physical condition of the current courthouse was also assessed in 2004. The building received the highest rating (that being the worst) possible in that criterion. During the seven years since that assessment, conditions continue to deteriorate as wear and tear and climate take their toll on this aging building.

³ Shasta's first modular building was acquired in 2009 to house an AB 159 judgeship because the current courthouse is filled to capacity.

Summary

We respectfully recommend that this project move forward to preliminary plans without delay. Given the dangerous conditions and the fact that the court could realize a savings of almost a million dollars per year in operational efficiencies; this is a building that was a poster child for the expediency intended in SB 1407.

Very truly yours,


MOLLY BIGELOW
Presiding Judge


MELISSA FOWLER-BRADLEY
Court Executive Officer

Attachment



Crowded hallways



Insufficient file space



Clerks having to share cubicles



Inmates being transported in public hallways



Courtroom – 844 square feet



Crowded hallway, ADA access issue



Juvenile courtroom



Public waiting to enter courthouse, single pane windows



Front of courthouse, steep slope, stairs and ADA access



Judge's chambers door opening into public hallway