

Contra Costa County supervisor says sheriff seeking revenge on another jail critic

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RICHMOND — Contra Costa Sheriff David Livingston and county Supervisor John Gioia, who clashed over the controversial West County jail expansion, are at odds again — this time over the contract renewal for a Richmond-based prisoner re-entry program.

Gioia claims the sheriff is trying to hold up the contract with Rubicon Programs Inc. because the program operator did not support the jail expansion, which was heartily supported by Livingston and opposed by Gioia and West County community activists. The sheriff, meanwhile, claims he is simply looking out for taxpayers' interests.

“It appears to be retaliation against Rubicon Programs because its executive director took a position against jail expansion,” Gioia, who represents Richmond, said Friday.

Nonsense, countered Livingston. He says he has serious concerns about Rubicon's proposed contract to keep operating the West County Reentry Resource Center, a program for inmates returning to life on the outside. He wants the matter discussed further.

Livingston questions not only what he described as a “secret process” to recommend a bid award but whether a substantial share of Rubicon's job placements are to its affiliated Rubicon Landscape business, in what Livingston described as “low-level gardening positions.” Livingston, in that same Sept. 6 letter to county Administrator David Twa, said such job placements might “constitute self-dealing at county expense.”

“Respectfully, Supervisor Gioia's assertions are absurd,” Livingston said in a statement Friday. “What (Gioia) calls ‘revenge’ I call ‘oversight’ of how the county spends taxpayers' money.”

At their regular meeting Tuesday, the supervisors are expected to approve the contract with Rubicon Programs to operate the West County Reentry Resource Center in Richmond from Oct. 1 through June 30. The contract is for \$408,750, with the money coming from state through Assembly Bill 209, the 2011 law that transferred responsibility of certain state inmate felons to the counties.

Livingston's Sept. 6 letter to Twa also said the wording of the proposed supervisors' approval motion Tuesday leaves open the possibility that the Rubicon contract could be renewed for two additional one-year terms.

“I will not stand by while the county takes steps to potentially give them (\$1.4 million) for so-called criminal ‘reentry’ services through a secret process,” Livingston said Friday. “The public deserves better.”

The Board of Supervisors approved in June a hotly debated plan for a \$25 million expansion of the West County Detention Facility in Richmond. Gioia was the lone board dissenter; also opposing were many community groups and the cities of Richmond, San Pablo and El Cerrito. One group was Services Not Cells, to which Rubicon belonged.

Jane Fischberg, CEO of Rubicon Programs, defended the county process by which Rubicon was selected for the contract as “fair and open,” and said Rubicon’s qualifications to continue with the reentry program “speak for themselves.” She also countered Livingston’s claims about Rubicon Landscape and self-dealing, saying “fewer than a handful of people” from re-entry programs have ever worked for the landscape operation.

In April, Livingston backed out of a five-year deal to provide police-dispatch services to El Cerrito, saying the city’s opposition to the jail expansion showed that city leaders “cannot be good public safety partners.” Friday, he said his stance on the Rubicon contract has nothing to do with the jail.

Gioia insists Livingston is simply looking for reasons to delay the Rubicon contract. Rubicon was selected over the competing bidder, he said, after both were ranked and scored by a panel of county and community officials. The Reentry Success Center has operated in Richmond for three years, and has done so effectively, Gioia said.

The Rubicon contract is one of 145 items on the supervisors’ Tuesday “consent calendar,” items typically approved all with one action. But such items can be flagged — by a supervisor, a county staffer or a member of the public — and set aside for public discussion, and could happen with this topic Tuesday morning.