

New Yolo courthouse will benefit residents

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By David Rosenberg

Under the headline “Courthouse plans straining budget,” your columnist Rich Rifkin (April 13) challenged the new Yolo courthouse project. His column is so full of misstatements and misconceptions that I felt compelled to respond.

In fact, a new courthouse project was approved (years ago) for Yolo County, costing about \$173 million. The land already has been identified and acquired, the design phase is now under way, leading to the start of construction, hopefully, at some point next year.

However, even the headline of Rifkin’s column is inaccurate. This project is not straining any budget — state, county or local. Not one penny of taxpayer money is used for the courthouse project. No state general fund money is used for the project. The project is completely funded by a statewide surcharge assessed against everyone convicted of a violation of the criminal law.

Rifkin’s column asserts that the money for the new courthouse could better be used elsewhere. He says “with that much largesse, Yolo County could pay off almost all of its \$175.5 million unfunded pension liability to the miscellaneous employees.” Interesting theory.

But Rifkin ignores several facts. First, to do so would violate state law, which requires that the money collected from people who violate the law should be used for court facilities. Second, to do so would ignore the constitution, which would mandate some sort of nexus between the fee and the expenditure — using the funds from those convicted of crime to pay off a county’s debt has no nexus; using the funds to pay for court facilities certainly does.

Finally, pursuing Rifkin’s “logic” to the ultimate conclusion, government should not pay for capital projects but should divert its money to pay for debt service or operations. I suppose the city of Davis should not have built or repaired roads, or parks or pools, or the Veterans’ Memorial Center or the Senior Center — per Rifkin, the money would have been better spent in operations.

The reality is that it is never easy to accommodate long-range projects such as roads, bridges, canals or buildings. The immediate demands for operations are always great. Kudos to the governor, the Legislature and the judicial branch for recognizing this and for creating a logical funding source for new courthouses in California: a fee charged only to persons convicted of crimes. Who better to pay for court facilities?

Rifkin goes on to say that Davis City Councilwoman Sue Greenwald mentioned to him that the price of the new Yolo courthouse is almost three times the price of the “luxurious” Mondavi Center. But surely Greenwald and Rifkin understand that a courthouse is not a theater.

A courthouse is a complex structure, unlike any other building. The current Yolo courthouse facilities see more than 300,000 separate trips of users and visitors each year. A courthouse has special security needs, the requirement for three separate pathways (for the public, for in-custody defendants, and for judicial officers and staff), unique courtrooms, public-serving counters, jury assembly space, holding cells, interview rooms and numerous other requirements.

Further, the new Yolo courthouse will be a LEED-certified (Leadership in Energy and Environmental Design) building, using the latest energy-saving technologies.

Certainly, \$173 million is a great deal of money — but it is what it costs to build a courthouse. The new courthouse planned for Sacramento County is pegged at about \$510 million.

The main thrust of Rifkin’s column is that in these difficult times, the money for courthouse construction could be better spent by being diverted for other purposes. Whether true or not, Rifkin fails to mention that the state Legislature last year borrowed a substantial portion of this fund for “other purposes” and is poised to divert a substantial amount of this fund again this year.

So, clearly, the Legislature — which thrashes around for available pots of money in difficult times — has, in fact, diverted courthouse construction funds for “other purposes” already. Fortunately, the Yolo courthouse project is so high on the list of critical projects that it will be unaffected by this diversion.

Rifkin’s column then goes on to denigrate courthouse projects as “Taj Mahals.” That is inaccurate and unfair. Courthouses are important public buildings that last many generations. The current historic courthouse in Yolo County has lasted almost a century. The new Yolo courthouse will be a courthouse for the next hundred years.

It will not be an insubstantial building — it will house 14 courtrooms, a jury assembly area to accommodate more than 300 prospective jurors, clerks’ offices and counters for the public, holding cells for in-custody defendants, security stations and many other features unique to courthouses.

In addition, the new courthouse will be a LEED building, built to the best standards of environmental efficiency that we can muster. The Yolo court facilities are among the busiest — perhaps the busiest — public buildings in the county.

Rifkin's criticism even goes so far as to challenge the five-story projection for the new courthouse. Five stories, while clearly substantial, will not be out of place on Main Street in downtown Woodland. The historic Hotel Woodland — just down the street from the proposed courthouse — has four stories and roof facades. The current historic courthouse on Court Street has four stories. There is a processing plant on Main Street just four blocks east of the proposed courthouse that is more than five stories in height.

The point is that the new courthouse must hold 14 courtrooms and attendant court uses. While the courthouse could be four stories, or even three stories, that would be poor planning. A shorter courthouse would have a larger footprint, taking much more of the land and thus restricting future expansion in 10 or 20 years.

One problem with state buildings is that the state builds only for today's needs, not for tomorrow's requirements. The current needs for Yolo County are 14 courtrooms. In 10 years we will need more. By using less of the land, the court has the ability to expand on site.

Rifkin then criticizes the 14 courtrooms planned in the new courthouse by asserting that each will be twice the size of the current courtrooms. It is certainly correct that the new courtrooms will be twice the size of current courtrooms. But what Rifkin fails to say is that current courtrooms are less than half the size of a standard California courtroom per state minimum standards.

Our current courtrooms were built in prior generations — our historic courthouse was built to house two courtrooms and we currently have eight courtrooms shoehorned into the building. We have two courtrooms in trailers, and others in rented buildings and in converted holding areas.

When the new courthouse is built, Yolo County will finally have standard-size courtrooms like other counties in the state.

The need for a new Yolo County Courthouse is manifest. Our current facilities are scattered throughout the city of Woodland. The historic courthouse is ancient, and seismically unsafe. Every single one of the existing courtrooms is substandard.

We have inadequate space for jurors, who often have to sit on stairways. We have no space for children. The wiring, plumbing and electrical systems are ancient. Hallways are shared by in-custody defendants, witnesses, victims, jurors, members of the public, judges and staff. It is truly medieval.

That's why Yolo wound up at the very top of the food chain in terms of critical needs for a new state-of-the-art courthouse. The citizens of Yolo County deserve no less.

— *David Rosenberg of Davis is president judge of the Yolo Superior Court.*