



Grand Jury <grandjury@scgrandjury.org>

Jails in Santa Cruz County Sheriff response

1 message

Jeremy Verinsky <Jeremy.Verinsky@santacruzcounty.us>
To: "grandjury@scgrandjury.org" <grandjury@scgrandjury.org>

Fri, Aug 11, 2017 at 12:09 PM

Attached please find the Sheriff's response to the Grand Jury Report – Jails in Santa Cruz County. Do not hesitate to contact me if you have any questions. -Jeremy

Undersheriff Jeremy Verinsky

Santa Cruz County Sheriff's Office

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 **JailsInSantaCruzCounty_Sheriff_ResponsePacket.docx**
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**The 2016–2017 Santa Cruz County Civil Grand Jury
Requires that the
Santa Cruz County Sheriff
Respond to the Findings and Recommendations
Specified in the Report Titled
Jails in Santa Cruz County
by August 28, 2017**

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC § 933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefore, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefore.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefore.

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F1. Inmates are kept at Water Street Jail for medical reasons alone when they are otherwise eligible for the increased services and programming at Rountree. This denies programming to an otherwise-eligible inmate that may increase their ability to succeed upon community reentry.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Inmates are not denied programming because they are unable to transfer to Rountree. We currently provide 80-100 hours weekly of programming at the Main Jail. Inmates are eligible to transfer to Rountree when they are medically stable, whether they have a chronic condition or otherwise. Other criteria, such as behavior and security rating, can also affect whether or not an inmate is eligible to transfer to Rountree.

F2. The Crisis Intervention Team keeps notes in inmate records, but not minutes of meetings or a summary of daily record changes. Without a meeting summary, there is no documentation of continuum of care and context for decision making.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

General summary notes on high risk inmates are prepared each day at the meeting and forwarded to facility managers, mental health and medical personnel. These notes are general in nature to not violate HIPAA. Detailed patient care file notes are kept by Medical and Mental Health staff.

F3. The Sheriff's Custody Manual includes a general description of a safety cell's allowable use. This results in the inappropriate housing of inmates in cell O13.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Personnel must complete a placement criteria form (computerized assessment in JMS) to ensure all safety cell placements (including 013), are proper and comply with legal requirements. After an assessment is completed, the Watch Commander must approve placements in Safety or Sobering Cells. The Administrative Sergeant further reviews all placements to ensure compliance and a monthly compliance report is generated.

F4. Long term inmates at Water Street may suffer from Vitamin D deficiencies due to lack of exposure to natural sunlight. Medical staff have not tested inmates for possible Vitamin D deficiencies.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Laboratory tests are done as medically indicated based on evaluation/assessment of signs, symptoms or medical history. Inmates are provided with outside yard time that exceeds health guidelines for adequate exposure to the sun for vitamin D generation.

F5. Water Street, a maximum security facility, has no means of detecting non-metal contraband other than physically searching an inmate. This increases the chance of dangerous items being brought into the facility.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

We have reviewed various technologies for scanning inmates as they enter our facilities in the past. There were concerns about the placement of the scanners and costs as well as exposure to radiation by staff. We will continue to monitor the development of new technologies and work with our staff to implement them in the future.

F6. The empty Blaine Street facility indicates a lack of long-range facility planning and coordination.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The current facility at Blaine Street is not a fully secured facility. In the last several years, various criminal justice reforms have meant that we are no longer housing minimum security inmates in sufficient numbers. By opening up a unit at Rountree to house minimum and medium security female inmates we were able to reduce the population pressure on the female units at the Main Jail.

In February 2017, the Sheriff's Office applied for a grant to convert the Blaine Street Facility to another use. We were unsuccessful in our application and are now reviewing other options to maximize the use of the facility. These options include training in a new gender-specific classification tool, which will allow us to better classify female inmates, and upgrading the security infrastructure at the Blaine Street facility. The Sheriff's Office will report back to the Board of Supervisors on the utilization of Blaine Street in January 2018.

F7. When asked about program effectiveness and measurements of success locally, staff were unable to provide scorecards, analytics, or follow-up information on recidivism or success. This impacts their programs and future funding.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

In-custody programming is provided through a variety of sources, namely AB 109 funding and Inmate Welfare Funds (IWF). A part of AB 109 implementation mandated the creation of a Community Corrections Partnership which established committees and workgroups responsible for monitoring implementation and outcomes. All AB 109 awarded contractors including those who provide in-custody programming provide weekly data reports to the Probation Department who administers the funds. Outcomes are then reported to the Board of Supervisors. The CCP also established a System Evaluation and Data Work Group that makes recommendations to the Probation Department and the Executive Committee of the CCP regarding data collection, analysis and overall system operations. As part of the newly developed Division of Reentry, the Sheriff's Office has created a team of officers and civilian staff responsible for creating a seamless system of assessment, programming, and reentry services for inmates. A key part of the Division of Reentry is to track and report outcomes. The SCSO is scheduled to report back to the BOS in the next year.

F9. The county “Boarder Program” at the Ben Lomond Conservation Camp is less costly to the county than housing inmates in the county jail system.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The boarder program has been utilized in the past for qualifying inmates with a desire to attend. The Division of Re-Entry will continue to use this program as a re-entry opportunity for those interested in this type of program and those who’s risk and needs assessments favor the program.

Recommendations

R1. The Sheriff's Office should make the necessary changes to allow inmates with chronic medical problems to be housed at Rountree. (F1)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe
(not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

Once the new Re-entry & Rehabilitation facility is opened in late December 2017, the population of inmates will be analyzed to determine medical needs and medical staffing will be provided to meet those needs. Inmates with chronic medical conditions can be housed at Rountree now as long as they are medically stable and do not require 24 hour a day medical observation.

R2. The Crisis Intervention Team should produce and review minutes of their meetings. (F2)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe
(not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

The morning CIT meetings are multi-disciplinary meetings that provide an opportunity to review information on critical inmates between the Corrections, Medical and Mental Health personnel. The meeting notes are not meant to take the place of accurate medical and mental health treatment records, which are stored in accordance with HIPPA regulations by the respective treatment providers.

R3. The Sheriff's Custody Manual Policy sections 517.1 and 517.2 should be modified to avoid inappropriate housing of inmates in detox or medically at risk. (F3)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

The policy manual has been updated to reflect the language in Title 15. As noted in our response to Finding F3, there were many steps in the approval and review process of placing inmates into safety cells that would have prevented improper placement of inmates.

The majority of inmates under our detoxification protocol are treated and housed in the general population units. Only inmates that are medically at risk are moved to the Observation Unit for closer monitoring or transferred to the hospital as may be medically indicated. Per our policy and procedures, only inmates that pose a risk to themselves or others or are destroying property are placed into safety cells.

R4. The Sheriff's Office should test whether any long-term or at-risk inmates at Water Street are Vitamin D deficient. (F4)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

Inmates are evaluated and seen regularly by medical staff during their stays. Additionally, inmates can request medical check-ups any time they would like by submitting a request form. An inmate who began to exhibit symptoms of vitamin D deficiency would be evaluated by our medical staff on a case-by-case basis.

Inmates are provided with outside recreation time daily for most security classifications and almost daily for all classifications. According to medical research, exposure of the arms and legs to sunlight between 5 and 30 minutes a day, two times a week, is sufficient to meet the body's needs for vitamin D. Other sources of vitamin D occur naturally in some foods, such as fish and egg yolks, and other foods are fortified with vitamin D, like milk and breakfast cereals, all of which are served as part of our inmate meal plan.

R5. The Sheriff's Office should review and implement current technology available for contraband detection. (F5)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

We have reviewed various technologies for scanning inmates as they enter our facilities in the past. There were concerns about the placement of the scanners and costs, as well as exposure to radiation by staff. We will continue to monitor the development of new technologies and identify funding to pursue them.

R6. The Sheriff's Office should create a strategic long-range facilities management plan, including management of multiple funding sources. (F6)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

While the Sheriff's Office has input on facility usage, County properties are managed by other County departments. The Sheriff's Office is aware of and working with those departments to plan for future building utilization and needs assessments throughout our corrections system.

In keeping with the recommendations of the Gender Matters study by Dr. Susan Green on issues of females in custody, we currently have a plan in place to re-populate Blaine Street after upgrading the security systems at the facility.

R7. Law enforcement should create, use, and publish scorecards to measure the local success of inmate programs. (F7)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

We already have processes in place where the effectiveness of programming is evaluated regularly by various working groups of the Community Corrections Partnership. As part of the newly developed Division of Reentry, the Sheriff's Office has created a team of officers and civilian staff responsible for creating a seamless system of assessment, programming, and reentry services for inmates. A key part of the Division of Reentry is to track and report outcomes.

R8. The Sheriff needs to be proactive with placing Boarders, qualified inmates from the county jail system, at the fire camp when appropriate. (F8, F9)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

The boarder program has been utilized in the past for qualifying inmates with a desire to attend. The Division of Re-Entry will continue to use this program as a re-entry opportunity for those interested in this type of program and those whose risk and needs assessments favor the program.

Penal Code §933.05

1. For Purposes of subdivision (b) of §933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. the respondent agrees with the finding,
 - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of §933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a. the recommendation has been implemented, with a summary regarding the implemented action,
 - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
 - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**