



**COUNTY OF SAN LUIS OBISPO
BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Administrative Office		(2) MEETING DATE 8/13/2019		(3) CONTACT/PHONE Morgan Torell/(805) 781-5011	
(4) SUBJECT Request to approve the recommended responses to the 2018-19 Grand Jury report titled "Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities"; and forward these responses to the Presiding Judge of the Superior Court by August 20, 2019. All Districts.					
(5) RECOMMENDED ACTION It is recommended that the Board adopt as the County's response to the referenced Grand Jury report titled "Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities": <ol style="list-style-type: none"> 1. The attached response prepared by Chief Probation Officer to Finding 8; and 2. The attached response prepared by the Health Agency to Findings 13 and 14, and Recommendations 7 and 8; and 3. The responses prepared by staff to Recommendations 3, 4, 5, 6, 7 and 8; and 4. Direct the Clerk to forward the approved responses to the Presiding Judge of the San Luis Obispo Superior Court and the Grand Jury by August 20, 2019; and 5. Receive and file responses from the Sheriff-Coroner. 					
(5) FUNDING SOURCE(S) N/A		(7) CURRENT YEAR FINANCIAL IMPACT \$0.00		(8) ANNUAL FINANCIAL IMPACT \$0.00	
(9) BUDGETED? N/A					
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)					
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A					
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A				(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A		(15) BUSINESS IMPACT STATEMENT? No		(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW This item was prepared by the Administrative Office.					
(18) SUPERVISOR DISTRICT(S) All Districts					



COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Administrative Office / Morgan Torell
Wade Horton / County Administrative Officer

DATE: 8/13/2019

SUBJECT: Request to approve the recommended responses to the 2018-19 Grand Jury report titled "Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities"; and forward these responses to the Presiding Judge of the Superior Court by August 20, 2019. All Districts.

RECOMMENDATION

It is recommended that the Board adopt as the County's response to the referenced Grand Jury report titled "Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities":

1. The attached response prepared by Chief Probation Officer to Finding 8; and
2. The attached response prepared by the Health Agency to Findings 13 and 14, and Recommendations 7 and 8; and
3. The responses prepared by staff to Recommendations 3, 4, 5, 6, 7 and 8; and
4. Direct the Clerk to forward the approved responses to the Presiding Judge of the San Luis Obispo Superior Court and the Grand Jury by August 20, 2019; and
5. Receive and file responses from the Sheriff-Coroner.

DISCUSSION

On June 20, 2019 the Grand Jury issued a report titled "Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities." The report covers inspections conducted of the Coroner's facility, the Sheriff's Office crime laboratory, the Sheriff's Office evidence room, the County Jail, Juvenile Hall, the County Psychiatric Health Facility (PHF), all city and county holding cell facilities, and the California Men's Colony (CMC).

The Grand Jury includes fourteen findings and eight recommendations. The Health Agency is required to respond to Findings 13 and 14 and Recommendations 7 and 8. The Chief Probation Officer is required to respond to Finding 8. The Board of Supervisors is required to respond to Recommendations 3, 4, 5, 6, 7 and 8. The Sheriff-Coroner is required to respond to Findings 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, and 14, and Recommendations 1, 2, 3, 4, 5, and 6. The Sheriff's Chief Medical Officer is required to respond to Recommendations 1 and 3. However, the Sheriff-Coroner's responses for Recommendations 1 and 3 covered the required responses.

Under California Penal Code Section 933, elected officials, including the Sheriff, must respond within 60 days and may respond directly to the Presiding Judge and Grand Jury, which the Sheriff did on July 17, 2019. The County must provide comments to the Presiding Judge no later than 90 days after the Grand Jury submits a final report. The responses from the Health Agency and the Board of Supervisors are due to the Presiding Judge by August 20, 2019 as requested by the Grand Jury.

Grand Jury Recommendations 3, 4, 5, 6, 7, and 8 and Recommended Responses from the Board of Supervisors:

Coroner's facility

Recommendation 3- Hire a full-time assistant to perform autopsy clean-up and other duties to make daily operations more efficient.

This recommendation will not be implemented at this time due to fiscal constraints. Augmentations to existing services may be considered during the budget preparation and hearing process when other needs and priorities are discussed.

Recommendation 4- Provide a Coroner's Facility expansion plan by the end of the fiscal year 2019-2020. This will include sources of funding and focus on future needs of the department.

This recommendation will not be implemented, at this time. The Sheriff's Office continually evaluates the need and priority for all of its facilities, including the Coroner's Office. The Sheriff's Office will continue to evaluate this facility in the future, however, at this time the facility meets its needs.

Recommendation 5- The empty airport terminal buildings be considered for additional space since there are no current plans for redevelopment.

This recommendation will not be implemented. The current Coroner's location was opened four years ago and currently meets its needs. A significant amount of equipment in this building was purchased by the Sheriff's Advisory Foundation and would be impractical to relocate. The need for additional office space will be evaluated by the Sheriff's Office on an annual basis. The recently vacated Airport Terminal is a County owned building funded using Federal Aviation support and has restrictions which include that further use be aviation related in support of the airport.

Crime Lab

Recommendation 6- Crime Lab should provide the same training to city law enforcement agencies for handling DNA evidence as they do for Sheriff Deputies.

This recommendation requires further analysis. The Sheriff's Office provides training only for its employees. Police Departments have responsibility to train their personnel. The Sheriff's Office will work with the Police Departments and examine their needs and assist them, where possible, in this area.

Psychiatric Health Facility

Recommendation 7- Continue physical improvements to the existing PHF.

The recommendation requires further analysis. Significant upgrades have been completed and the County is committed to maintaining the functionality of the Psychiatric Health Facility (PHF).

Recommendation 8 – Consider expansion into other areas of the building.

The recommendation requires further analysis. Other spaces on the same level of the Health Agency building are not suitable or are currently occupied by services for other behavioral health patients. The County is engaged in a master planning effort for the health campus and future projects may allow for moving the PHF to a different part of the building with more space and improved access to outdoor space.

OTHER AGENCY INVOLVEMENT/IMPACT

The Sheriff-Coroner’s Office, Health Agency, Chief Probation Officer and County Administrative Office drafted the recommended responses to the Grand Jury report.

FINANCIAL CONSIDERATIONS

Costs for preparing this response are included in current department budgets.

RESULTS

This response meets the legal requirements and time frames for responding to a Grand Jury report under California Penal Code Section 933.

ATTACHMENTS

1. Responses from the Sheriff-Coroner (informational only)
2. Responses from the Chief Probation Officer
3. Responses from the County Public Health Officer
4. 2018-19 Grand Jury Report: “Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities”



COUNTY OF SAN LUIS OBISPO
SHERIFF'S OFFICE
Ian Parkinson *Sheriff-Coroner*

July 17, 2019

The Honorable Judge Ginger Garrett
Presiding Judge of the Superior Court of California
1050 Monterey Street
San Luis Obispo, CA, 93408

RE: Grand Jury 2019 Report- "Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities"

Dear Judge Garrett:

I have reviewed the 2019 San Luis Obispo County Grand Jury Report regarding "Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities." My response to their findings and recommendations are attached.

Respectfully,

A handwritten signature in black ink, appearing to read "Ian S. Parkinson".

Ian S. Parkinson
Sheriff-Coroner

RESPONSE TO GRAND JURY REPORT

Report Title: "Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities"

Report Date: June 18, 2019

Response by: Ian Parkinson **Title:** Sheriff-Coroner

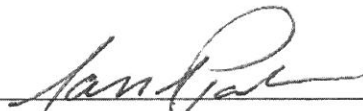
FINDINGS

1. I (we) agree with the findings numbered: F2, F3, F4, F5, F6, F7, F10, F11, F14
2. I (we) disagree wholly or partially with the findings numbered: F9, F12
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons.)

RECOMMENDATIONS

1. Recommendations numbered R1, R2 have been implemented.
(Attach a summary describing the implementation actions.)
2. Recommendations numbered _____ have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
3. Recommendations numbered R6 require further analysis.
(Attach 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.)
4. Recommendations numbered R3, R4, R5 will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 07/17/19

Signed: 

Number of pages attached: 4

Grand Jury Response to Detention Facilities in San Luis Obispo County

Findings

Finding F2- Agree

The SLO County Jail has undergone and continues to undergo expansion to the physical facilities since the passage of AB 109.

Finding F3- Agree

The SLO County Jail has instituted new educational programs since the passage of AB 109.

Finding F4- Agree

General and Mental Health facilities and programs have undergone expansion over the last several years. The new Behavioral Health Unit (BHU) and Medical Program Unit (MPU) were both opened recently.

Finding F5- Agree

Medical, mental, and dental services have been outsourced to Wellpath, an independent contractor.

Finding F6- Agree

Procedures for dealing with acute mentally ill inmates have been revised since in-custody deaths.

Finding F7- Agree

Gang activity is increasing in the county jail.

Finding F9 - Disagree

Detectives assigned to the Coroner's Office have high caseloads.

In 2018 San Luis Obispo County had 1,648 deaths referred to the Coroner's Office. This was not the total number of deaths reported in the county, only those that were referred to the Coroner's Office to determine if they fell under the coroner's jurisdiction. Of the 1, 648 death cases, 853 were determined to fall under the jurisdiction of the coroner, requiring investigation by our staff.

602 death cases were investigated in the field by deputy sheriff/coroners assigned to patrol activities. Upon completion of the field investigation the coroner's detectives reviewed the decedent's medical history and depending on that history, requested the decedent's physician state a probable cause of death and sign the death certificate.

251 death cases were determined to fall under the coroner's jurisdiction, either because of the circumstances of the death or the lack of an attending physician able to sign a death certificate. These 251 cases fell to the coroner's detectives to investigate. Out of these 251 death cases, 188 resulted in an autopsy being performed to determine the cause of death.

These 251 death investigations occupied most of the coroner's detective's time and although the numbers are not spread out evenly over the course of a year, with a staff of three detectives sharing the workload, the number equates to approximately 83 death investigations per detective, per year, or approximately 8 death investigations per month for each coroner's detective.

While these investigations can take time due to the scheduling of autopsies, preparation of the pathologist's reports and waiting for toxicology reports, the workload is not insurmountable with adequate staffing and in fact is lower than the workload carried by detectives assigned to other parts of the detective division.

Finding F10- Agree

Detectives are performing clean-up duties after autopsies as well as working their caseloads.

The completion of an autopsy requires a team effort between the forensic pathologist, the autopsy technician and the coroner's detective. When an autopsy is completed the cleanup of the autopsy suite is the responsibility of the autopsy technician. The technician is frequently assisted by the coroner's detective to save time in the completion of the task. The autopsy technician is a position requiring specialized training and cannot be backfilled with untrained personnel, such as a janitor or a records clerk, therefore if the technician is absent, such as for illness, the coroner's detective must fill in with the cleaning duties following an autopsy.

Finding F11. - Agree

The Coroner's Office does not have a facility expansion plan.

The Sheriff's Office continually evaluates the need and priority for all our facilities, including the Coroner's Office.

Finding F12- Disagree Partially

City law enforcement agencies do not receive the same training as Sheriff's deputies in handling DNA evidence

The Sheriff's Office provides training only for our employees. Police Departments have the responsibility for training their personnel. The Sheriff's Office will work with the Police Departments and examine their needs and assist them, where possible, in this area.

Finding F14- Agree

According to the Sheriff's office, placing a deputy at the PHF is not an option because of existing county policies and procedures.

This question is more appropriately answered by Behavioral Health.

Recommendations

Recommendation R1- Has been implemented

Monitor and report clinical outcomes from medical treatment provided by Wellpath.

Monitoring of all treatment provided by Wellpath (medical, behavioral health, and dental) is done on a continual basis by the Chief Medical Officer and her team. On September 10, 2019, Dr. Mulkerin will present to the Board of Supervisors an update on Wellpath's transition and performance.

Recommendation R2- Has been implemented

Implement a best practices study of ways to manage increasing gang activity.

The Sheriff's Office has increased in training, awareness and responses to increased violence within the Custody Division. Increased training has been provided to new officers during the Core academy mandated by Standards of Training and Corrections. Increased collaboration with detectives in the Gang Task Force has also increased identification of, and prosecution of, gang offenses within the custody environment. This network will continue to be instrumental in prevention efforts in the future. Current efforts to institute programming that addresses criminalistic thinking will continue to be in the forefront to meet the gang mindset.

Going forward, we are in the process of reviewing the Classification system that is currently in place and explore systems that are having success in other counties in order to identify best practices that could be replicated in our facility. A focus will be to look at counties with significant gang presence to leverage practices that work for a heavier gang population.

Recommendation R3- Will not be implemented, at this time

Hire a full-time assistant to perform autopsy clean-up and other duties to make daily operations more efficient.

The Sheriff's Office would like to add a full-time position for these duties, however at this time it the County does not have the economic ability.

Recommendation R4- Will not be implemented, at this time

Provide a Coroner's Facility expansion plan by the end of the fiscal year 2019-2020. This will include sources of funding and focus on future needs of the department.

The Sheriff's Office continually evaluates the need and priority for all our facilities, including the Coroner's Office. The Sheriff's Office will continue to evaluate this facility in the future however, at this time the facility meets our needs.

Recommendation R5- Will not be implemented

The empty airport terminal buildings be considered for additional space since there are no current plans for redevelopment. The current Coroner's location was just opened four years ago and currently meets our needs. A significant amount of equipment in this building was purchased by the Sheriff's Advisory Foundation and would be very impractical to relocate. The need for additional office space will be evaluated on an annual basis. The recently vacated Airport Terminal is a County Owned building but was funded using Federal Aviation support and has numerous restrictions which include that further use be "aviation" related in support of the airport. This option, at present, would not be a reasonable financial option.

Recommendation R6- Requires further analysis

Crime Lab should provide the same training to city law enforcement agencies for handling DNA evidence as they do for Sheriff Deputies.

The Sheriff's Office provides training only for our employees. Police Departments have responsibility to train their personnel. The Sheriff's Office will work with the Police Departments and examine their needs and assist them, where possible, in this area.



COUNTY OF SAN LUIS OBISPO
PROBATION DEPARTMENT
James E. Salio *Chief Probation Officer*

TO: Kristin Eriksson, Administrative Analyst
FROM: Jim Salio, Chief Probation Officer
SUBJECT: Response to 2018/2019 Grand Jury Report "INSPECTION REPORT FOR SAN LUIS OBISPO COUNTY LAW ENFORCEMENT AND DETENTION FACILITIES"
DATE: June 18, 2019

The 2018-2019 Grand Jury Report "INSPECTION REPORT FOR SAN LUIS OBISPO COUNTY LAW ENFORCEMENT AND DETENTION FACILITIES" requested a response by the Probation Department to Finding number eight. "The excess space in Juvenile Hall is not utilized to its full potential"

The Probation Department disagrees partially with Finding number eight.

The Juvenile Hall does have empty rooms due to the low detention population. However, the empty space is being utilized within the legal parameters of how the space within juvenile hall's may be used. Any different use of space within the Juvenile Hall would require significant renovation and additional licensing and certification.



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY

Michael Hill, MPH, MPA, FACHE *Health Agency Director*

To: Morgan Torell, Administration Analyst

From: Mike Hill, Health Agency Director

Date: July 15, 2019

Re: Department Response to the 2019 Grand Jury Report "Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities"

The County of San Luis Obispo Grand Jury requested that the Health Agency respond to two findings and two recommendations from the recently released Grand Jury Report titled "Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities." The following are the required responses.

Finding 13: The PHF has made minor upgrades to its small, antiquated facility.

Response: We disagree partially with the finding. The County has invested significant work and funding into updating the Psychiatric Health Facility over the past year. Updates include painting, updated lighting, updated security camera system and a secure sally-port entry to allow safe entry to the facility.

Finding 14: According to the Sheriff's office, placing a deputy at the PHF is not an option because of existing county policies and procedures.

Response: We disagree partially with this finding. Placing a deputy in the PHF is not an option due to state rules and condition of our licensure. The Health Agency is in the process of securing unarmed security guards for the facility to increase the safety of both patients and staff.

Recommendation 7: Continue physical improvements to the existing PHF.

Response: The recommendation requires further analysis. Significant upgrades have been completed; additional improvements may not be possible within the footprint of the facility.

Recommendation 8: Consider expansion into other areas of the building.

Response: The recommendation requires further analysis. Other spaces on the same level of the building are not suitable or are currently occupied by services to other behavioral health patients. The County is engaged in a master planning effort for the health campus and future projects may allow for moving the PHF to a different part of the building with more space and improved access to outdoor space.