

# **INSPECTION REPORT FOR SAN LUIS OBISPO COUNTY LAW ENFORCEMENT AND DETENTION FACILITIES**

In this report, the 2019-2020 San Luis Obispo County Grand Jury documents the results of our inspections of the County's detention facilities and the Coroner's facility.

## **SUMMARY**

The 2019-2020 San Luis Obispo County Grand Jury (Grand Jury) inspected the Coroner's Facility, Crime Laboratory, County Jail, Juvenile Hall, Psychiatric Health Facility (PHF), city and county holding facilities, and the California Men's Colony State Prison (CMC). Grand Jury questions were addressed by supervisory staff. The Grand Jury learned many facilities were built decades ago and several have been renovated to improve safety and functionality. The County Jail has completed the remodel to buildings enabling staff to provide more rehabilitative and educational programs. The medical and psychiatric programs are also being expanded, with the County Jail outsourcing these programs to Wellpath, a national for-profit provider of jail healthcare. Wellpath operates within the jail under the supervision of the County's Chief Medical Officer. Overall, the Grand Jury was satisfied with the management of the facilities.

## **INTRODUCTION/PURPOSE**

The State of California requires county grand juries to inspect all jails and prisons within their county on a yearly basis. This report combines the results of inspecting city, county and state facilities where individuals can be detained. Additionally, the Grand Jury inspected the San Luis Obispo County Sheriff's Crime Lab, and Coroner's facility.

## **AUTHORITY**

The issuance of this report is authorized under investigative powers of the Grand Jury pursuant to California Penal Codes § 919, 921 and 925.

## METHOD/PROCEDURE

This report documents the observations, findings, and recommendations resulting from the Grand Jury inspections at the following sites:

- California Men’s Colony (CMC)
- County Jail, including:
  - Main Jail
  - West Jail Facility
  - Men’s Honor Farm
  - Women’s Jail (Kansas Facility)
  - Medical Programs Unit
- Holding cells<sup>1</sup>
  - San Luis Obispo
  - Pismo Beach
  - Paso Robles
  - San Luis Obispo County Courthouse Holding facility
  - Grover Beach
- San Luis Obispo County Coroner’s facility
- San Luis Obispo County Crime Lab facility

Separate reports were written for the following facilities:

- Sheriff Dispatch Center
- Juvenile Hall
- Psychiatric Health facility

The data for these reports came from inspecting each of the above facilities, interviewing various officials during and following those visits, as well as reviewing policies, procedures, and statistics from facility records.

This report’s Appendix contains the inspection guidelines that were utilized during the site inspections to gather the information. Representatives of the County Jail were provided written

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<sup>1</sup> Note: The cities of Arroyo Grande, Atascadero, and Morro Bay do not operate holding cells.

questions prior to the inspection. The Grand Jury interviewed individuals associated with custody, educational programming, and medical care at the County Jail and Juvenile Hall. The CMC, County Jail, and Juvenile Hall responded to additional written questions submitted after the physical inspections.

Additionally, the Grand Jury reviewed the following documents:

- The applicable written policies and procedures
- Job descriptions for correctional deputies and other employees
- Local media coverage of all the facilities during this time period

## **NARRATIVE**

### **CALIFORNIA MEN'S COLONY STATE PRISON**

The California Men's Colony (CMC) is divided into an East and West Facility. Basic design and construction of the East facility was completed in 1961 with additional buildings added through the years. The addition of an electrified security fence around the perimeter has eliminated the need for 24-hour staffing of security towers. The East Facility consists of four prison yards surrounding a central plaza. Superficial inspection of the facility suggests adequate maintenance, but the age of the facility is evident. Unlike the majority of other California State Prisons, each yard shares activities in the central plaza, such as medical, educational, commissary, work, and chapel.

Inmates are placed into security classifications by a point system that rates them as Levels 1– 4. Level 4 inmates are the highest security risks. Most high-level prisoners are housed in the Administrative Segregation Unit (ASU). Inmates who violate prison rules or who are trying to leave gangs are usually housed in the ASU as well. Construction is being completed on a medical building adjacent to the ASU for treatment of segregated inmates. This will eliminate the need for transporting them to the central clinic.

The West Facility is a level 1 - 2 prison, housing inmates requiring less security than the CMC East Facility and includes many inmates who are approaching the end of their sentences. Its core

buildings are repurposed from Camp San Luis Obispo, a World War II Army camp, but there are also newer buildings and ongoing construction. There are currently three major ongoing construction projects within CMC's West Facility, a new main kitchen and two new dining halls. However, the World War II buildings are in poor condition and it is evident that there is a definite need for extensive repairs or replacement.

One ongoing problem mentioned by CMC staff during the inspection was the introduction of contraband into the facility. The Grand Jury's experience, upon entering the facility, was that it was relaxed, perhaps as a result of our special visitor status. However, employees entering the main portal appeared to be only subject to a cursory inspection upon entering.

Regarding the introduction of contraband, of particular interest was the fence around the exercise area near the northwest corner of the facility. There is a single fence at this location which is not easily viewable by the on-duty staff. It is easy to toss contraband over the fence which is then picked up by inmates and distributed throughout the facility.

The West Facility also contains extensive vocational and behavioral rehabilitation classrooms. Some West Facility inmates provide assistance to Cal Fire. The New Life K9 Program, which is based in San Luis Obispo, has been working with CMC for approximately four and a half years. Inmates without current disciplinary actions train service dogs that have proven to be very beneficial to the mental health of our first responders and veterans that suffer from PTSD and other physical disabilities resulting from duty-related traumas. There is also a benefit to the inmates working with the dogs. Another educational program is the Culinary Arts Program located on Facility M, which was implemented in October of 2017. The average enrollment is 17 inmates, with an average of 15 inmates graduating per class. At the time of the Grand Jury's 2019 inspection there had been seven graduations, producing approximately 105 inmate graduates from the program who are prepared for employment after release.

The mental health programs at CMC are extensive. Clinical assessments are performed by the primary clinician and the psychiatrist. These assessments are the basis of formulating a treatment plan for mental health patients at all levels of care. The assessments include clinical interviews,

record reviews and collaboration with previous clinicians where indicated. The final step in the treatment plan formulation occurs in the Interdisciplinary Treatment Team meeting. The plan is discussed with the patient and modified as needed.

The prison is monitoring the medication given to patients for their mental health conditions. There are different levels of treatment for mental health patients at CMC. At each level of care the prison is tracking and reevaluating the use of psychotropic medication for appropriateness and to be sure the medication is not over prescribed. Overall inmate mental health care is being performed in a very professional manner.

CMC staff expressed many concerns about a series of state-mandated cutbacks in the number of guards and supervisors. The cutbacks were described as an attempt to apply a uniform staffing level at all California prisons. Concern was expressed that these cutbacks do not take into account the unique physical characteristics of the East Facility. As detailed above, the East Facility, by design, allows mixing of prisoners with gang rivalries. It was reported that at the West Facility, where inmates with lower classifications or near the end of their sentences are housed, staffing ratios can go as low as one guard for 180 inmates. Reduced staffing imposed by the State of California will result in fewer officers per inmate which implies that supervision of inmate behavior may be impacted.

Since the implementation of Assembly Bill 109 (AB109) in 2011,<sup>2</sup> the demographics of the inmate population have been changing.<sup>3</sup> With a larger percentage of higher risk inmates combined with the reported declining numbers of those participating in activities, such as the prison industries, we are seeing this change. Prison gang membership is increasing along with decreasing voluntary participation in rehabilitation programs.

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<sup>2</sup> In 2011, California signed into law Assembly Bill 109 for Public Safety Realignment (AB 109), which moved responsibility for a number of offenders from state prisons to county jails.

<sup>3</sup> The 2016/17 Grand Jury Final Combined Report covers the AB109 and Prop 47 legal changes extensively in the County Jail chapter. [https://drive.google.com/drive/folders/10DcnICrCm\\_4rToVYL6QDCfAo40\\_ExjLV](https://drive.google.com/drive/folders/10DcnICrCm_4rToVYL6QDCfAo40_ExjLV)

## **SAN LUIS OBISPO COUNTY JAIL FACILITY**

The San Luis Obispo County Jail is comprised of four main sections: The Main Jail, West Jail, Men's Honor Farm, and the Kansas Jail (Women's Jail). After the passage of AB109, county inmate populations have dramatically increased. In 2014, the passage of Proposition 47 (Prop 47) reduced some low-level potential felony crimes to misdemeanors in order to decrease the state prison population. The reduction of the State prison population caused an increase in San Luis Obispo County Jail population. San Luis Obispo County was faced with upgrading educational and rehabilitative programs to meet their growing inmate population. There are inmates at the jail who are serving sentences longer than a year. The completion of construction in 2019 added more room for education, recreation and counseling programs. Medical care and mental health programs have also been upgraded to meet the demands of the growing population.

Following the death of an inmate in 2017, the Sheriff's department has initiated new programs and administrative changes, which have ensured the County is in compliance with Federal Regulations. The changes have provided inmates with improved conditions and rehabilitative opportunities. In August of 2017, the Board of Supervisors adopted the Stepping Up Initiative, which is a nationwide program to reduce the number of inmates in jail with mental illness. In 2019 the Stepping Up Initiative recognized the County of San Luis Obispo as an "Innovator County."

The Federal Department of Justice (USDOJ) investigation of the California State Penal System uncovered systematic problems on a statewide basis. The investigation revealed overcrowding and a lack of proper health care resulting in four site visits from the USDOJ. A review of policies and procedures was undertaken by the Sheriff to address these issues. One result was to integrate an on-site compliance officer.

Previously there were three entities managing the jail operation. It has now been centralized under the sheriff. Safety cells are used for inmates requiring additional security. Security checks are completed every 15 minutes and an assessment team evaluates the need for continued retention every four hours.

The medical, dental and psychiatric services are contracted through Wellpath, a private company that has been hired by many jail facilities throughout the country. The in-house County Chief Medical Officer, who offers one point of contact for all medical and mental health care, oversees the operations. This increases the communication with the Sheriff's Department regarding inmates' health. Previously, the Public Health Department provided inmates' health care. In 2018, the Board of Supervisors approved the decision to contract the services to Wellpath. The services outlined in the contract include medical, behavioral health, and dental care. This is consistent with the national standard of health care defined by the National Commission on Correctional Health Care (NCCHC).

The average inmate population at the County Jail is more than double from three years ago. Between 30 and 40 percent of those inmates require mental health support. Wellpath is providing these services in a remodeled Behavior Health Unit. Additional space, resources and support are provided on an as-needed basis by the Psychiatric Health Facility in order to enable inmates to understand and participate in the legal process. Veterans are afforded help through the Central Coast Veterans Helping Veterans Program.

Another significant change has been the addition of training for sheriff deputies. Crisis Intervention Training (CIT) is provided to staff so that they will be better trained to recognize when an offender is a danger to themselves or others. Screening of offenders when they enter the jail recognizes many health and safety concerns. Based on this screening inmates may be housed where they avoid contact with the general population.

Many short-term educational programs are offered that enable inmates with short sentences to participate and complete an entire course. The Pathways to Employment Workshop is a two-day program, which can accommodate un-sentenced inmates due to the short duration. When released from the County Jail, inmates are able to continue their educational programs in the community. Inmates can acquire credits toward a GED Certificate.

Work skills learned in vocational programs, while incarcerated, can be used to obtain employment. Inmates are also provided access to county programs and local charity agencies in order to

transition into community life. In addition, released inmates receive a 30-day supply of prescribed medication.

The Honor Farm contains several buildings which are used for vocational training and classrooms for education. These facilities are for inmates who are a low security risk and have demonstrated, by their behavior, they have earned additional privileges. Among the programs is the kitchen, where the inmates prepare all the meals for the entire facility. This makes them eligible to receive a Food Handlers Certificate. The Graphics Arts program produces embroidering, decals, and engraving for use by the Sheriff and all other county departments. The Bicycle Repair Shop is used to refurbish donated bikes that are then given away to any child under the age of 15 who is in need of a bicycle.

#### **JUVENILE HALL FACILITY**

The review of this facility is contained in a separate detailed report.

#### **SAN LUIS OBISPO COUNTY DISPATCH FACILITY**

The review of this facility is contained in a separate detailed report.

#### **HOLDING CELL FACILITIES**

Holding cells for San Luis Obispo County Courthouse, Paso Robles, Pismo Beach, Grover Beach, and the San Luis Obispo County Jail were inspected by members of the 2019/20 Grand Jury. A physical inspection and walkthrough of these facilities with the proper authorities were conducted to ensure there are no health and safety issues. Each of these holding cells was found to be in compliance.

The sally port at the Pismo Beach holding cell facility is not being used for entry into the holding station at this time. It is being used as a vehicle and miscellaneous storage site. Although the San Luis Obispo County Courthouse holding facility is well-run, it has, at times, exceeded the maximum capacity of 77 inmates in nine cells. However, when there are more inmates waiting for court hearings, the holding area becomes overcrowded.

An important notation is that Pismo Beach and Paso Robles do not put juveniles in holding cells but keep them with a police officer in a special room until a parent or guardian can pick them up or until they are officially placed in custody. In the city of San Luis Obispo, when a police officer cannot be present with a juvenile, the juvenile is kept in an interrogation room with a two-way mirror and surveillance cameras.

### **SAN LUIS OBISPO COUNTY CORONER'S FACILITY**

The San Luis Obispo Grand Jury conducted a site inspection of the Coroner facility which is overseen by the County Sheriff Coroner. It is housed in a business park located near the San Luis Obispo County Airport, and is leased by the county. The Coroner's Office investigates the cause and manner of death, where a death occurred outside of a hospital or the presence of a physician. This includes homicides, suicides, accidental death and deaths due to suspicious circumstances. Medical inspections, review of medical records and autopsies are the procedures used to determine the cause of death. Assisted suicides are considered a natural cause of death, since they require a physician's oversight. The unit is comprised of three detectives, a forensic pathologist, a temporary forensic autopsy assistant, and a legal clerk, who conduct death investigations. The detectives are committed to work in the Coroner's Division for five years, which promotes continuity and it is the responsibility of the coroner to determine the necessary level of inquiry into any death. The refrigerated storage unit can hold 19 bodies and, in an emergency, can be doubled to hold 38. Mortuaries in the county will hold bodies at their facilities until the Coroner's Office is ready to receive them. The Evidence Room stores samples in secured lockers which can only be opened by the detective assigned to the case. Written notations are maintained in a logbook when the room is accessed.

The Coroner's facility contains a surgical room with an adjoining observation room in the center. There is an office entry with a small lobby area to access the office. The receiving bay is in the rear of the facility where the deceased are transported in and out of the building. The operations appear to flow smoothly even though there is a lack of space. To compensate for the lack of space, they have several dual-use facilities. For example, bathrooms are used to store staff belongings and the surgery observation room doubles as the break room. In addition, there is a large volume of paper records on site.

## **SAN LUIS OBISPO COUNTY CRIME LABORATORY**

The crime lab is operated by the San Luis Obispo County Sheriff's Department and is staffed by deputies and county personnel. If requested, this department does all the crime scene investigations for every law enforcement agency in the county.

All DNA samples collected are transported by the Sheriff's Office to the Department of Justice located in Goleta. Training is provided by the lab's staff to all Sheriff's deputies in avoiding contamination when collecting evidence from an incident/crime scene. They do not provide the same level of training to other law enforcement agencies that work with the crime lab. Crime Lab staff indicated a willingness to provide this training to other agencies but have no mandate or funds to provide the training. The Crime Lab is managed in a very professional manner and is well equipped.

## **PSYCHIATRIC HEALTH FACILITY**

The review of this facility is contained in a separate detailed report.

## **FINDINGS**

### ***California Men's Colony***

- F1. There is an ongoing problem with introduction of contraband into the facility via the West Facility fence near the exercise yard.
- F2. The WWII era buildings that are used to house the fire crews in the West Facility are in poor repair.

### ***San Luis Obispo County Jail***

- F3. The Sheriff's Department has done an exceptional job of improving the overall quality of care for inmates.
- F4. The use of Wellpath, being overseen by the County Chief Medical Officer, to provide the medical, dental and mental health care for the inmates, has improved the recognition of potential problems before they become major issues.

## COMMENDATION

We commend the Sheriff and his staff, who have worked diligently to meet and improve conditions for the additional inmate population issues.

### *San Luis Obispo County Coroner's facility*

- F6. It is the observation of the Grand Jury that the space is inadequate and insufficient and needs to be addressed.

## RECOMMENDATIONS

### *California Men's Colony State Prison*

- R1. The State should consider additional security measures to monitor blind spots in the security fence in the West Facility.
- R2. The State should plan for the rehabilitation or replacement of the WWII era buildings in the West facility.

### *San Luis Obispo County Coroner's facility*

- R3. Plans for additional space should be developed to expand the working area.
- R4. Coroner's records should be digitized to save space.

## REQUIRED RESPONSES

The following people are required to respond to the findings and recommendations within the timeframe shown and in accordance with the California Penal Code Section 933.05:

Sheriff's Department is required to respond to R3, R4

Board of Supervisors is required to respond to R3, R4

The responses shall be submitted to the Presiding Judge of the San Luis Obispo County Superior Court by December 20, 2020. Please provide a paper copy and an electronic version of all responses to the Grand Jury.

## **AGENCY RESPONSE REQUIREMENTS**

The Penal Code Section 933.05 that specifies the format and methodology for agency responses is listed below. All agency respondents are required to respond to all findings and recommendations in the following manner:

- If the respondent disagrees wholly or partially with an item, the respondent must elaborate on the portion of the item that they disagree with, and provide an explanation.
- If a respondent notes that an item will be implemented in the future, the response must include a timeframe for implementation.
- If a respondent notes that an item requires further analysis, the agency must include in the response an explanation of and the scope of what will be studied and the timeframe needed for the study. The timeframe for follow-up from the agency cannot exceed six months.
- If the item will not be implemented or is not reasonable, the respondent is required to provide a detailed explanation.

### **933.05. Findings and Recommendations**

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) 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 therefore.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) 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 head 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 publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

Presiding Judge	Grand Jury
Presiding Judge Jacquelyn H. Duffy Superior Court of California 1035 Palm Street, Room 355 San Luis Obispo, CA 93408-1000	San Luis Obispo County Grand Jury P.O. Box 4910 San Luis Obispo, CA 93403-4910

# APPENDICES

## INSPECTION GUIDELINES

The following is a summary of the key data sought by the Grand Jury prior to or during each inspection.

- 1) Population
  - a) Current census
  - b) Average daily census
  - c) Capacity
  - d) Average time a person is held
  - e) Are people ever held without charges
  - f) Significant changes in inmate population
- 2) Disciplinary actions taken against staff for inmate-related issues
- 3) Escapes
  - a) Details
  - b) Remedial actions
- 4) Use of force incidents
- 5) Health services
  - a) How delivered
  - b) Common medical problems
  - c) Public health concerns
- 6) Injuries
  - a) Injuries to inmates due to aggression/agitation
  - b) Accidental injuries to inmates requiring medical attention greater than first aid
  - c) Injuries to staff by inmates due to assault or managing inmate aggression/agitation
- 7) Suicide
  - a) Suicide attempts/deaths
  - b) Serious self-injury incidents requiring medical attention beyond first aid
- 8) Drugs
  - a) Drug overdoses
  - b) Drug deaths by overdose

9) Deaths

- a) Other deaths

10) Training (title, hours, and instructor credentials for each type)

- a) Managing inmate violence
- b) Handling mental health behaviors
- c) Responding to drug/alcohol related problems