

INSPECTION REPORT FOR SAN LUIS OBISPO COUNTY DETENTION FACILITIES

In this report, the 2017-2018 San Luis Obispo County Grand Jury documents the results of our inspections of the County's primary detention facilities and the Coroner's facility.

SUMMARY

As required by state penal code, the Grand Jury annually inspects all public prisons, including state prisons, county jails, juvenile halls, and holding cells for police departments and courthouses. In this year's inspection, the Grand Jury visited all detention facilities within the County: California Men's Colony (CMC), San Luis Obispo County Jail, San Luis Obispo County Juvenile Hall, San Luis Obispo County Courthouse holding cells, San Luis Obispo City holding cells, Paso Robles City holding cells, Pismo Beach City holding cells, and Grover Beach City holding cells. For each inspection, members of the Grand Jury toured the facility and inspected both the physical plant and the processes and procedures.

The following areas and processes were the primary concentration: housing, food, transportation, assessment of the medical and mental health status of the inmate, and medical/behavioral health treatment. The San Luis Obispo County Coroner's Office was also inspected this year as part of the Grand Jury's overall responsibility for monitoring County government. The Coroner's office recently went through a staffing change converting from a part-time contractor to a full-time forensic pathologist. This report focuses on the jail, holding cells, the juvenile hall, and the Coroner's office. The CMC inspection and procedural reviews have resulted in a separate report. The Grand Jury also investigated and documented jail programming in a separate report.

The Grand Jury makes multiple recommendations in this report. The most significant of these recommendations are as follows:

- reiterating the need for the addition of a behavioral health hospital unit at the jail and staffing of that unit with appropriate mental health professionals

- performing a study to determine how the excess space at juvenile hall can be repurposed to create a psychiatric hospital for juveniles and transitional-aged youth (18-25)
- formulating a long-term plan for jail facility improvements
- adding a closed-circuit TV system between the courthouse and the jail to reduce the cost and risk associated in transporting prisoners between the two facilities for hearings
- increasing the staffing level at the jail for both correctional deputies and behavioral health professionals

INTRODUCTION/PURPOSE

The primary purpose of these annual inspections is to identify potential safety problems for County employees, inmates, County contractors and volunteers at these facilities. There is also a concerted effort to identify potential future problems, so they can be addressed prior to becoming an emergency. The Grand Jury took a broad perspective and a long-term look at the needs of our County's detention and support facilities. While media focus has been on the jail due to recent deaths, other facilities need to be addressed so future needs of the County are met in a timely fashion. This report is organized by recapping the facility inspections, a brief description of the process, and results for each facility. This is followed by findings and recommendations.

AUTHORITY

The issuance of this report is authorized under the investigative powers of the Grand Jury pursuant to California Penal Code §§ 919, 922 and 925.

METHOD/PROCEDURE

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

- County Jail, including
 - Main Jail
 - West Jail facility

- Men's Honor Farm
- Women's Jail (Kansas facility)
- Juvenile Hall
- Holding cells¹ operated by the police departments in the cities of:
 - San Luis Obispo
 - Pismo Beach
 - Paso Robles
 - Grover Beach
- San Luis Obispo County Courthouse holding facility
- San Luis Obispo County Coroner's facility

The data for this report was gathered by inspecting all the above facilities, interviewing various officials during and subsequent to those visits, and reviewing policies, procedures and statistics from facility records.

During the site inspections, the inspection guidelines found in this report's Appendix were used to gather much of the information. In addition, representatives of the County Jail provided written follow-up to questions prompted by the survey or the inspections. The Grand Jury interviewed individuals associated with custody, programming, and medical care at the County Jail and Juvenile Hall. While we have no jurisdiction over this facility, the Grand Jury also toured the Atascadero State Hospital (ASH). ASH transports approximately 200 patients monthly to and from the San Luis Obispo County Courthouse holding facility.

Finally, the Grand Jury reviewed the following documents:

- Inspection reports completed this year by the Board of State and Community Corrections
- The applicable written policies and procedures
- ASH procedures for restoration of felons found incompetent to stand trial
- Job descriptions for correctional deputies and other employees
- Local media coverage of all of the facilities during this time period

¹ Note: the cities of Arroyo Grande, Atascadero and Morro Bay do not operate holding cells.

BACKGROUND/HISTORY

The 2016-2017 San Luis Obispo County Grand Jury investigated the health care services at the County jail and the management structure of those providing the services. During the course of the past year, the County has spent a considerable amount of effort in trying to rectify problems associated with health care at the jail. Other problems within the jail and other detention facilities must be addressed also. The large population of mentally ill inmates is a major issue that has been acknowledged at the local, state, and national levels. While initiatives, such as *Stepping Up*, are being supported to reduce the problem, the secondary impacts of this problem (e.g., overcrowding at the County Psychiatric Health Facility (PHF), long waits for state hospital beds, increased need to medicate inmates) have a negative effect on other County services and need to be addressed with more timely solutions. Additional impacts, such as the influx of state psychiatric hospital patients being served by our County Court system, also need to be addressed. None of these problems are unique to our County or new to law enforcement. The County needs to tackle these problems now before judicial intervention occurs.

NARRATIVE

HOLDING CELL INSPECTIONS

Holding cells for the cities of Grover Beach, Pismo Beach, Paso Robles, and San Luis Obispo, along with the County holding facility at the Courthouse were inspected by several members of the Grand Jury. These members met with the responsible officers and performed a physical inspection of the facilities for health and safety issues. If an issue was found that was corrected or a work order was submitted to correct it prior to the conclusion of the inspection, it was not reported. Each of the city holding cells was found to be in compliance; however, as pointed out in last year's report, these facilities generally do not handle a high volume of inmates. The only holding cells that had significant findings or any recommendations were the County Courthouse holding cells.

SAN LUIS OBISPO COUNTY JAIL FACILITY INSPECTION

The Grand Jury inspected four major components of the San Luis Obispo County Jail: the Main Jail (including the medical and behavioral health facility), the West Jail, the Kansas facility, and the Men's Honor Farm. The new medical facility was under construction and was not inspected.

SAN LUIS OBISPO COUNTY CORONER'S FACILITY INSPECTION

The Coroner's Facility is operated under the jurisdiction of the Sheriff. Due to the recent change in the office and the hiring of a full-time forensic pathologist, the Grand Jury elected to inspect the Coroner's facility. This inspection used the same basic format as the jail: jurors toured the facility, met with the staff, and reviewed the policies and procedures. This included a meeting with the newly appointed forensic pathologist.

OBSERVATIONS

County Courthouse Holding Cell

Inmates are held at the Courthouse Facility on a temporary basis. They are held there during the day of their scheduled court appearance and are transported back to the Main Jail facility each day. The inmates enter the holding facilities through the secure entrance (sally port) from the outside parking area. Cameras are located throughout the facility and are monitored from the deputy's work station. We noticed, however, there were no cameras in the stairwells leading to the courtrooms or in the parking area outside the sally port.

The facility has nine holding cells and six segregation cells. The segregation cells are used for prisoners requiring isolation, either because of potential behavior problems or mental illness. ASH transports inmates to this facility for court appearances and they must be separated from the jail inmates. This puts a strain on the use of the segregation cells. The facility was designed to house up to 77 prisoners safely. An average of 50 inmates a day are transported to the holding cells from the County jail with an average of 10 additional inmates daily arriving from ASH. The number of inmates at the facility exceeds 77 on many occasions. This requires extra staff for safety purposes. The maximum number of inmates the facility has held recently was 126.

The inmates wear restraints which often scar the facility walls requiring frequent maintenance. The facility has no employee restrooms within the holding area, thus a correctional deputy requires extra time to exit the facility and transit through the courthouse public waiting area to use a public restroom. In general, the facility has insufficient room to conduct its intended tasks, based upon its layout. The Court also has no closed-circuit TV available to allow remote hearings. In contrast, there is a closed circuit TV system between ASH and the Los Angeles County court system which reduces transportation costs and overall risks.

County Juvenile Hall

The Juvenile Hall, including its new building and the Coastal Valley Academy (CVA), can house up to 65 detainees. Fifteen of these beds are in a part of the facility that is primarily used for storage or training, thus only 50 beds are available. The CVA uses one wing of the older facility to provide an intensive rehabilitation program in a family type environment, with the ability to house up to 15 detainees. There were nine juveniles at the CVA when inspected. The main detention facility had 22 detainees. Youths convicted of very serious violent crimes are sent to the state facility near Stockton.

The Juvenile Hall is staffed with medical personnel from 7:00 A.M. to 10:30 P.M. daily. If a detainee requires outside medical treatment, a nurse accompanies the detainee, if possible, to ensure continuity of care. Behavioral Health staff is on site from 8:00 A.M. to 9:00 P.M. weekdays and 9:00 A.M. to 7:00 P.M. on weekends. No safety cells are available for suicidal detainees. The drug and alcohol therapist can see patients at weekly appointments. A community partner under contract, The Family Care Network, provides the CVA programming. The Juvenile Services Officers (JSO) have a relatively high turnover rate, but the interactions observed indicate that the staff has a good rapport with the detainees.

The CVA, in particular, had a family type atmosphere including the dining area and the outside recreational area. The outside recreational area in the new facility was unavailable to the detainees at the time of the inspection due to an unsafe choice of fencing materials by the building contractor. This is expected to be repaired soon.

County Jail

The San Luis Obispo County Jail has four main sections: The Main Jail, the West Jail, the Men's Honor Farm, and the Kansas Jail (Women's Jail). The first thing that is noticed upon arriving at the jail is that there are very few parking spaces for visitors. Currently, visitors must apply (for visitation) online, and when they enter the facility there is no metal detector or search performed. The Main Jail is about 50 years old and is designed for short term detention. The Main Jail has numerous roof leaks and, in spite of constant efforts, is not well maintained.

The current medical and behavioral health facilities are located within the Main Jail. The medical facility has same-day appointments for most inmate issues; however, the behavioral health therapists and psychiatrists have an appointment wait list of up to five days. Emergency situations are handled in a more-timely manner.

The West Jail is a newer facility and appears to be better maintained. It contains a single classroom for programming and education with another room that can be used for classes. The Kansas Jail is the newest facility and is well laid out for its intended purpose. It is also well maintained and contains classrooms for programming.

The Honor Farm is a WWII-era facility but is well maintained and subject to much less abuse from the inmates than the Main Jail. The Honor Farm also contains several outbuildings, which are used for vocational training and classrooms that also support programming. The Honor Farm houses inmates who, through demonstrated behavior, are low risk and have earned the additional freedoms and responsibilities that living in the barrack-style housing entails.

There are currently over 30 classes, services, and activities offered to inmates at the jail. The overall recidivism rate for the County jail is approximately 30%.

Jail realignment (AB109) has removed all limits on how long an inmate can be sentenced in the County jail. The longest sentence of any current inmate is 12 years. The average length of sentence is over 450 days with 20 to 25% of inmates serving sentences of one year or more. Approximately one-half of the inmates in the County jail have not been sentenced and are awaiting trial.

At the time of our inspection, the jail was operating with nine unfilled correctional deputy positions with the staff required to work overtime to fill this gap. Completion of the correctional officer academy requires 220 hours of training. All correctional deputies must complete a minimum of 24 hours additional training each year. The jail staff training is transitioning from the current 14-hour crisis intervention training to a 40-hour course. This is designed to aid in dealing with the large population of inmates suffering from some form of mental illness. Last year four assaults on correctional deputies by inmates occurred. Recent years have seen this number vary between 2 and 14.

The Sheriff's department is building a new medical facility with three additional classrooms for inmate programming. The new medical facility will be 8000 square feet and will provide medical, dental, and routine mental health treatment. No psychiatric hospital facilities are currently available within the jail. Medical staff is currently present at the jail facility 24 hours a day. Behavioral Health staff is present 19 hours a day, and they currently see approximately 600 inmates per month.

At any one time, there are between 200 and 300 inmates receiving maintenance medications for psychological disorders. The costs for both medical and mental health services are borne by the County. The County is required by the state to house all inmates declared incompetent to stand trial (Penal Code 1370) in the jail until a bed in a state or county facility is available. This wait for a bed can take months for inmates charged with a felony. (PC 1370 inmates charged with a misdemeanor are treated at the County PHF.) The number of PC 1370 beds available at ASH is going to be reduced by 10% this year as the hospital is remodeling to be able to absorb more difficult patients. In 2017, the jail bed competency treatment facility in San Bernardino was used for most of the felony PC 1370 patients. The San Bernardino facility is now at capacity and will be able to take fewer patients in the future; thus, wait times for PC 1370 felons at the jail will rise above the current average of two-to-three months.

The jail transports approximately one inmate a day to local hospitals and approximately 1000 inmates a month to the County courthouse. The jail has no closed-circuit TV capability to allow

inmates to participate in hearings remotely. Other inmate transportation requires an additional 500 transports monthly, which can include transportation to the County Psychiatric Health Facility (PHF), and other county or state facilities.

County Coroner Facility

The County Coroner facility was clean and well maintained. All health and safety inspections were up to date. The staff includes both sworn deputies and civilians and includes a full-time Forensic Pathologist. This position was recently transitioned from a part-time contract position to a full-time employee. The staff was knowledgeable of the health and safety requirements as well as the legal requirements of the office. The Coroner's office must rule on all deaths within the County, approximately 2000 annually, and perform approximately 250 autopsies per year.

The process for recording an autopsy is cumbersome and requires extra time from the pathologist and assisting deputy to record. Medical transcription duties following the autopsies fall to the administrative assistant.

The Coroner's office is in a leased building with no back-up generator or other auxiliary power source available on site in the event of a long-term power outage. The current procedure is to bring a generator from the Kansas Avenue Corporation Yard in the event of an emergency.

CONCLUSIONS

The inspections have identified several problem areas that could be corrected in multiple ways. In addition, there is a lack of long-term planning for the jail facilities.

FINDINGS

County Courthouse Holding Cells

- F1. The use of a closed-circuit video system would cut the transportation cost to the County and State (ASH) while relieving overcrowding within the facility.

- F2. The facility does not provide enough segregated cells to deal with the number of ASH inmates requiring court appearances and the changing jail population.
- F3. The lack of internal restroom facilities for the employees can cause an unnecessary temporary shortage of staff.
- F4. The facility often exceeds the 77-inmate capacity and should be expanded if another way to reduce the number of inmates is not implemented.

County Juvenile Hall

- F5. The CVA provides an effective alternative to normal incarceration.
- F6. The greater focus on programming and education leads to a less contentious and more stable relationship between officers and detainees.
- F7. The turnover in JSO positions leads to younger officers and may improve rapport with the detainees.
- F8. The staffing is based upon the 65-detainee capacity, not the average daily population which is approximately 30. Therefore, the facility does not have the staff shortage problems that plague other facilities.
- F9. The facility has significant excess capacity.

San Luis Obispo County Jail

- F10. The entire jail complex appears to have been built piecemeal with no master plan.
- F11. The parking for jail visitors is inadequate.
- F12. Scheduling visitation appointments is difficult for people without access to a computer or without computer skills.
- F13. The lack of a metal detector or other screening at the lobby presents an unnecessary risk to visitors.
- F14. The lack of a closed-circuit TV system between the jail and the courthouse results in trips to the courthouse for hearings where the direct presence of the inmate is not mandatory.
- F15. The jail has a strong need for a psychiatric hospital facility on-site for both felon and misdemeanor PC 1370 inmates as well as inmate WIC 5150 cases.
- F16. The addition of behavioral health staff would reduce the wait time for non-crisis service and could provide 24-hour capabilities.

F17. Addition of correctional deputies, beyond filling the nine current vacancies, would decrease the impact of transporting prisoners within the jail for medical, behavioral health, or programming reasons as well as reduce the burden of mandatory overtime now placed on all of the correctional staff.

County Coroner's Facility

F18. The lack of on-site back-up electrical power presents an unnecessary risk.

F19. The use of an administrative assistant as a medical transcriptionist places an uncompensated burden on the employee.

F20. The lack of a foot control for the audio recording system causes unnecessary delays during autopsies.

RECOMMENDATIONS

County Courthouse Holding Cells

R1. The Sheriff should petition the court for the addition of a closed-circuit AV system between the courthouse and the jail (potentially ASH can tie into the system) to reduce transportation cost and resolve overcrowding at the holding facility.

If the court approves the use of a closed-circuit AV system between the jail and the court, for hearings, additions or modifications in R2 are no longer recommended.

R2. The facility needs an expansion to house the current inmate traffic. The expansion should add segregation cells (for ASH patients or mental health jail inmates), employee restrooms, and a regular holding cell. This would improve the safety of both inmates and staff. In light of the increase in mental health jail inmates coming to the courthouse, this expansion is needed immediately.

R3. In addition to either of the first two alternatives, the Grand Jury also recommends that cameras be added in the stairwells leading to the courtrooms and to the fenced area outside the sally port.

County Juvenile Hall

- R4. The Grand Jury recommends the Board of Supervisors commission a study to investigate repurposing the juvenile hall wing currently being used as a recreational/storage/training area as a juvenile and transitional aged youth PHF with separate exterior access. This could be a better use of the facility and fill an urgent County need. For better outside access, the study should consider using the current CVA space and moving the CVA to the unused area.

County Jail

- R5. The Sheriff should formulate a long-term plan to deal with the problems associated with the condition and layout of the main jail. This plan should include the replacement of the current main jail facility.
- R6. The jail administration should improve the visitor process including adding more parking, the ability to register for visits over the phone or on-site, and screening of visitors as they enter the facility.
- R7. The Sheriff should construct a psychiatric hospital (jail bed competency treatment facility) on the jail campus or elsewhere within the County.
- R8. The Sheriff should increase the staffing for the jail mental health workers to reduce the wait time for appointments from five days to one day or less.
- R9. The Sheriff should increase the staff in excess of the nine positions currently unfilled.

County Coroner's Facility

- R10. The County should procure and install a back-up generator (fixed or portable) on site to provide back-up power in case of an outage.

COMMENDATIONS

1. The management and staff of Juvenile Hall should be commended for their forward-looking approach to rehabilitating the County's troubled youth.

REQUIRED RESPONSES

The San Luis Obispo County Sheriff is required to respond to: F1, F2, F3, F4, F10, F11, F12, F13, F14, F15, F16, F17, F18, F19, F20, R1, R2, R3, R5, R6, R7, R8, R9, R10.

The San Luis Obispo County Board of Supervisors is required to respond to: F10, F17, R4, R5, R7, R9.

The San Luis Obispo County Chief Probation Officer is required to respond to: F9, R4.

The Superior Court of San Luis Obispo County is invited to respond to F1, F2, F3, F4, R1, R2, R3

The responses shall be submitted to the Presiding Judge of the San Luis Obispo County Superior Court by July 13, 2018. Please provide a paper copy and an electronic version of all responses to the Grand Jury

Presiding Judge	Grand Jury
Presiding Judge Ginger E. Garrett Superior Court of California 1035 Palm Street Room 355 San Luis Obispo, CA 93408	San Luis Obispo County Grand Jury P.O. Box 4910 San Luis Obispo, CA 93403

APPENDIX

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 great 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 require 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