



**COUNTY OF SAN LUIS OBISPO
SHERIFF'S OFFICE**

Ian Parkinson Sheriff-Coroner

March 11, 2019

San Luis Obispo Grand Jury
Attn: Henry Rible, Foreperson
San Luis Obispo, CA 93405

RE: 2017-18 Inspection Report for San Luis Obispo County Detention Facilities

Foreperson Rible,

On June 19, 2018, I responded to the 2018 San Luis Obispo County Grand Jury Report regarding inspection of the San Luis Obispo County Jail and Courthouse Holding Facility. We had multiple responses which required further analysis. As a follow-up, below are all recommendations we initially required further analysis on, along with updates on each.

RECOMMENDATIONS

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.

Following the release of the Grand Jury recommendations Sheriff's Office staff met with the presiding judge of the Superior Court to discuss video arraignments.

The Superior Court has previously used video arraignments for county jail inmates, however, they encountered several problems in the procedure that led to their discontinuing the practice in 2009.

Under the 6th Amendment to the United States Constitution all criminal court proceedings must be open to the public and the defendant must have access to legal counsel at the time of the proceeding, this requires that a courtroom that is accessible to the public be used for the proceeding and that counsel for the people and for the defendant be present for the proceeding to be lawful.

At the time that video arraignment proceedings were used by the court an available courtroom existed at the San Luis Obispo Courthouse. In 2009 the volume of family law cases required that this courtroom be placed into fulltime service and video arraignments were discontinued, due in part, to a lack of available courtrooms.

A second problem that was encountered by the court was that legal counsel for the accused and a deputy district attorney were often not available to be present in the courtroom during video arraignments because their presence was required in other courtrooms where defendants were appearing in person.

A third problem that was identified was that because the arraignment was done by video, defense counsel did not have any way to hold confidential communications with their client to discuss their plea or to gather mitigating facts that might allow defense counsel to negotiate a plea agreement with the district attorney at that proceeding. Because all the members of the defense bar work as private attorneys the court cannot compel them to go to the county jail on Kansas Avenue to meet with their clients, either before or after a video arraignment.

Because of the problems the court encountered with the practice of video arraignments, the court discontinued them, and they have expressed that they have no interest in resuming the process at this time.

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.

Following the Grand Jury recommendation regarding the addition of cameras to the stairwells leading to the courtrooms and to the fenced area outside the sally port the Sheriff's Office

requested the Board of Supervisors approve the expenditure of funds to be used for the replacement of existing analog surveillance camera equipment and the installation of additional digital IP based cameras in the stairwells leading to the courtrooms and in the area outside the courthouse near the sally port entrance that is used to transport inmates to the courthouse.

The Board of Supervisor's approved the expenditure of \$125,000 for this project and it is currently underway. The project will replace existing analog cameras with digital and add 10 digital cameras to the secured stairwells, the sally port and the exterior areas outside of the sally port to improve the safety and security of both the inmates and the correctional staff working at the court holding facility.

The project is managed by the County's Information Technology Department. At this time ITD and the County's Central Services Department are reviewing bids for both the cabling work to be performed and for the camera hardware to be purchased. ITD expects the project will be completed by June 30, 2019.

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.

In 2017 the Sheriff's Office opened the Kansas Facility to take the place of an overcrowded and antiquated Female Jail. The Kansas Facility is a 194-bed facility with 2 safety cells. The Medical Program Unit was constructed in 2018 to combat the increasing number of high risk medical and mental health inmates. The Kansas Facility and MPU accumulated 25 million dollars in construction costs and an additional 17 million in associated cost. In short, the Kansas and MPU facilities totaled 46 million in expenditures.

The main jail has a Board Rated Capacity of 162 beds. The Sheriff's Office has worked diligently on the upkeep of the Main Jail which was constructed in 1971. At the last State inspection, the Field

Representative noted in his report that, “The jail was clean, and despite its age, no issues of deferred maintenance were apparent.” However, the county jail is plagued with overcrowding issues in the inmate population. The Sheriff’s Office continues to make minor capital improvements on the main jail to ensure the facility is maintained. To replace the main jail would most likely require approximately 20-30 million in construction and associated costs. The Sheriff’s Office monitors state grants for funds associated with new construction. These grants on a competitive need basis with other counties in the State and are not guaranteed. The Board of Supervisors would need to approve tax payer funds from the county to begin construction of a new Jail.

R7. The Sheriff should construct a psychiatric hospital (jail bed competency treatment facility) on the jail campus or elsewhere within the County.

The Behavioral Health Unit is due to be opened for staff to move in on March 29th. Once construction, office set-up and staff are trained; The Sheriff’s Office will begin using the Unit to program and treat the mentally ill starting May 1st, 2019. The Sheriff’s Office has also converted two modular units into additional office space for Mental Health Staff and Community Action Team members. The Sheriff’s Office plans on utilizing part of the Kansas Facility to house JBCT eligible inmates. Minor capital improvements will need to be made to the Kansas Facility to accommodate these inmates. The Sheriff’s Office is currently researching companies that specialize in staffing this type of Treatment Facility. No concrete date has been set for the opening of the JBCT but is currently in progress and on-going.

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.

Now that a contract with Correctional Medical Group Companies has been finalized, we are requesting an update on staffing levels and wait times.

Wellpath, formerly Correctional Medical Group Companies, took over health care responsibilities at the SLO County Jail on 2/1/2019. Mental health staff has increased as per the table below, which is also included in the staffing matrix in the contract:

Staff member	Jail Psych Services staff hours/wk	Wellpath hours/week
Psychiatrist / Psych NP	20	40
MH Supervisor	40	40
Licensed Psych Tech	200	120
Substance Abuse Counselor	0	40
LCSW/LMFT	40	100
Total	300	340

Patients with mental health diagnoses or symptoms will be seen according to the standards outlined in the contract, which are consistent with the national standard set by the National Commission on Correctional Health Care (NCCHC). Details can be found in the signed contract (available for download on the SLO County Board of Supervisors website from 12/11/2018) and include universal mental health screening at intake and a face to face encounter within 24 hours for any mental health symptom.

2017-18 Moving the Dial at the County Jail: The Goal of Reducing Recidivism:

Recommendation 1: Jail administration should intensify efforts to make the investment and access the funding to provide behavior change programming across classification and housing boundaries, e.g., one-on-one services (or “virtual participation” using distance learning technology) where needed. The three million dollars in AB 109 reserves currently available is an obvious source. The Sheriff should develop a plan during fiscal year 2018-2019 to address this recommendation and request funds for this purpose from the Community Corrections Partnership as part of his budget for fiscal year 2019-2020.

Have continued areas of improvement been identified since the opening of the Medical Programming Unit?

Yes, two key developments will lead to a vast improvement in behavior change programming across classification and housing boundaries. First, Wellpath recently took over control of Medical and Mental Health care of the inmates. The Jail Programs Unit met last week with leadership of Wellpath and a plan has been put into place to begin programming with inmates who are placed in restrictive housing (limited to access to dayroom). The Jail Programs Unit ordered the materials for the class last week and the classes will start soon. This will be the first type of programming that will be offered to this classification of inmate.

Second, the opening of the Behavioral Health Unit is right around the corner. A Correctional Sergeant has been selected to lead the unit and meetings have been conducted on how the Behavioral Health Unit will operate. When the Behavior Health Unit opens even more programming for our most high need inmate population will be available. Both of these are exciting opportunities which are a vast improvement of programming across classification and housing issues that came up in the past.

Recommendation 2: Jail administration should re-examine how to offer programs inside housing units which can be more effective, e.g., sentenced-only housing units, as some who spoke with the Grand Jury have suggested. Sheriff’s Office Custody Manual Policy 516 should be updated to reflect legal status (pre-trial vs. sentenced) is not used as a criterion for housing assignments if these two inmate statuses continue to be mixed.

We are requesting results of further analysis, specifically of the assessment of the feasibility of sentenced-only housing, which was to be completed by December 31, 2018.

The Jail Programs Unit submitted a recommendation in regard to sentenced-only housing in December of 2018 up the chain of command. There has been no official response from administration about the recommendation.

Recommendation 8: Rehabilitative programming should be developed and delivered which specifically targets young adult inmates, by replicating or adapting, for example, the evidence-based programs and interventions employed by the San Luis Obispo County Probation Department at the nearby San Luis Obispo County Juvenile Hall. Planning should occur during fiscal year 2018-2019, and programming specifically targeting this population should be put in place by July 1, 2019.

We are requesting results of further analysis, related to the Jail Program Unit staff's evaluation of a variety of programs that are functional in other counties/institutions.

With the exception of Chess Club, all of the programs currently being offered in the Juvenile Hall are also being offered in the jail, and many more additional. The challenge of providing interventions to 18-25 year olds in the jail lays not so much with program content or volume of services, as with isolating that (or any) particular target population together for the purpose of programming. 18-25 year olds housed throughout the facility can avail themselves of any classes or services offered in their housing unit-so they are not without some assistance.

However, in an effort to ensure that the San Luis Obispo County Jail is providing high-quality programs that are cost-effective and results driven, the Jail Programs Unit contacted the California Association of Counties (CSAC) in September 2018 to request training and technical assistance in implementing the Results First evidence-based program evaluation process. Through this process, we will be able to better assess our programmatic choices to meet our populations needs.

Respectfully,

A handwritten signature in black ink, appearing to read 'Ian S. Parkinson', written in a cursive style.

Ian S. Parkinson
Sheriff-Coroner