

INITIAL DRAFT

El Dorado County Board of Supervisors

Response to

El Dorado County 2016-2017 Grand Jury

For Final Reports:

GJ 2016-001 El Dorado County South Lake Tahoe Jail Inspection

GJ 2016-013 El Dorado County Placerville Jail Inspection

This report contains the Board of Supervisors' response to the Findings and Recommendations of the 2016-2017 El Dorado County Grand Jury. This response has been prepared pursuant to and in conformance with Penal Code Section 933.05, which is included here for reference.

933.05.

(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 therefor.*

(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 therefor.*

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or 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 agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

El Dorado County South Lake Tahoe Jail
Grand Jury Case 16-001
Public Release May 13, 2017
(Board of Supervisors Response due as indicated on report - August 15, 2017)

Background

The 2016-2017 Grand Jury conducted its annual inspection of the South Lake Tahoe Jail on September 30, 2016. The inspection included both a physical inspection of the facilities as well as interviews with facility staff and inmates.

The Grand Jury requested responses from the El Dorado County Sheriff and the Board of Supervisors. The El Dorado County Sheriff is an independently elected official, and as such has submitted a separate response directly to the Superior Court, in accordance with Penal Code §933. Pursuant to Penal Code 933.05(c), for departments headed by an elected official, 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 Board of Supervisors supports the response by the Sheriff, and provides the following responses to those findings and recommendations of the Grand Jury that address budgetary or personnel matters, in accordance with Penal Code §933 and §933.05.

The response from the El Dorado County Sheriff is attached as Exhibit A to this report.

Finding

F4. Administrative staff appeared unaware of repairs needed in the holding area increasing the chance of further damage requiring more expensive repairs.

Response: The Board of Supervisors supports the response from the Sheriff.

Maintenance logs at the facility reflect the maintenance concerns requiring immediate attention identified by officers. The CAO Facilities Division has maintenance plans for systems and structural needs. The Division has been conducting ongoing major mechanical upgrades to replace the aging systems. Maintenance crews are at the jails daily conducting repairs and inspections.

Additionally, as reported in the Sheriff's response, additional information on the facility needs has been documented in a Jail Needs Assessment (2016). The Sheriff's Office is currently working with Facilities to address the identified needs by developing a prioritized design plan for phased construction/repairs and/or in preparation for applying for future state construction funding.

Recommendation

R5. Assign a point of contact to perform a walk through at regular intervals to ensure needed repairs are added to the maintenance log.

Response: The Board of Supervisors supports the response from the Sheriff.

Per policy and procedure, all staff are to conduct daily facility inspections and document any areas of concern on Maintenance logs. Facilities maintenance staff check the Jail Maintenance Log daily.

El Dorado County Placerville Jail
Grand Jury Case 16-013
Public Release May 13, 2017
(Board of Supervisors Response due as indicated on report - August 15, 2017)

Background

The 2016-2017 Grand Jury conducted its annual inspection of the El Dorado County Jail located in Placerville on October 5, 2016. The inspection included both a physical inspection of the facility as well as interviews with facility staff and inmates. The Grand Jury issued the following Findings and Recommendations.

The Grand Jury requested responses from the El Dorado County Sheriff and the Board of Supervisors. The El Dorado County Sheriff is an independently elected official, and as such has submitted a separate response directly to the Superior Court, in accordance with Penal Code §933. Pursuant to Penal Code 933.05(c), for departments headed by an elected official, 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 Board of Supervisors supports the response by the Sheriff, and provides the following responses to those findings and recommendations of the Grand Jury that address budgetary or personnel matters, in accordance with Penal Code §933 and §933.05.

The response from the El Dorado County Sheriff is attached as Exhibit A to this report.

Finding

F4. Tobacco controls are not effective and result in inmates setting off fire alarms when they illegally smoke.

Response: The Board of Supervisors supports the response from the Sheriff.

The Facilities Division of the Chief Administrative Office is working to upgrade and modernize the fire alarm system. Facilities plans to replace the system with a dual sensor system. This upgrade has been an ongoing project conducted through the Facilities Division in conjunction with the State Fire Marshall. The estimated time of completion is six months.

Recommendation

R1. Installation of a full body metal detector in the main entrance of the Placerville Jail. Hand wand detectors should also be made available for screening of visitors.

Response: The Board of Supervisors supports the response from the Sheriff.

The Board of Supervisors regularly supports the Sheriff's request for funding for those facility and equipment improvements that are deemed necessary and warranted.

The County was recently awarded \$25 million in State financing through Senate Bill 844, Adult Local Criminal Justice Facility Construction Financing Program. The County will evaluate the award and proposed improvements along with estimated construction and operating costs, based on information and a recommendation to be presented by the Sheriff's Office.

R2. Develop a plan to expand the number of safety cells and present it to the Board of Supervisors for approval.

Response: The Board of Supervisors supports the response from the Sheriff.

The Board of Supervisors regularly supports the Sheriff's request for funding for those facility and equipment improvements that are deemed necessary and warranted.

The County was recently awarded \$25 million in State financing through Senate Bill 844, Adult Local Criminal Justice Facility Construction Financing Program. The County will evaluate the award and proposed improvements along with estimated construction and operating costs, based on information and a recommendation to be presented by the Sheriff's Office.



JOHN D'AGOSTINI

SHERIFF - CORONER - PUBLIC ADMINISTRATOR
COUNTY OF EL DORADO
STATE OF CALIFORNIA

July 11, 2017

The Honorable Suzanne N. Kingsbury
Presiding Judge of the El Dorado County Superior Court
1354 Johnson Blvd.
South Lake Tahoe, CA 96150

RE: Report No. GJ 2016-001 May 9, 2017 – El Dorado County South Lake Tahoe (SLT) Jail Inspection

The Honorable Suzanne N. Kingsbury,

This Office has received and reviewed a report by the 2016-2017 Grand Jury relating to the El Dorado County South Lake Tahoe (SLT) Jail Inspection. Please find the below responses to those findings and recommendations relevant to the Sheriff's Office.

Sheriff's Response to Specific Findings GJ 2016-001 SLT Jail Inspection

- F1. The foyer area of the South Lake Tahoe Jail has neither a full body metal detector nor scan/hand held wand detectors which present a serious safety issue for staff, visitors and inmates at the jail.

The Sheriff agrees with the finding.

- F2. The inoperable cameras in the indoor gym area present safety issues for the Correctional Officers and inmates.

The Sheriff disagrees wholly or partially with the finding.

This recreation area is one of two yards. It is only used for those inmates that cannot use stairs to access our main upper level recreation yard. This yard is rarely used.

Due to the location of this recreation yard, within the older portion of the facility having a linear design, the yard is supervised by an officer in the event an immediate response is necessary.

"Serving El Dorado County Since 1850"

HEADQUARTERS- 300 FAIR LANE, PLACERVILLE, CA 95667
JAIL DIVISION- 300 FORNI ROAD, PLACERVILLE, CA 95667
TAHOE JAIL- 1051 AL TAHOE BLVD., SOUTH LAKE TAHOE, CA 96150
TAHOE PATROL- 1360 JOHNSON BLVD., SUITE 100, SOUTH LAKE TAHOE, CA 96150

The officer is not stationed in the yard but in a locked monitoring room adjacent to the yard. The officer has direct audio and visual audio contact when the yard is in use by inmates. While stationed in the monitoring room, the officer is equipped with a radio as well as access to a telephone. Although, the restoration of camera function in this area is included in the current plan of the jail's camera system upgrade project, there is no additional safety concerns for Correctional Officers or inmates.

- F3. There is only one safety cell at this time limiting the necessary control/placement of at risk individuals.

The Sheriff disagrees wholly or partially with the finding.

Safety Cells are for inmates who are suicidal and in a crisis state. They are only for inmates who are actively displaying suicidal ideation or gestures; and/or display violent behavior which results in the destruction of property or reveals intent to cause harm to self or others.

The inmate in a safety cell is checked on a minimum of twice every thirty minutes and will be removed from the safety cell when they are no longer displaying behaviors which lead to their placement.

The intent of the safety cell is not only to protect the individual from self-harm but to stabilize the individual as soon as possible for removal from the safety cell.

A second safety cell in SLT would be desirable for those infrequent occasions there are two inmates in need safety observation; but it's absence does not limit our ability to place or protect at risk persons. There are additional cells in the holding area in which they can safely be observed or restrained if needed. Or, because inmates are often transported between the facilities, due to housing/ space needs, transportation to the Placerville facility is an option.

- F4. Administrative staff appeared unaware of repairs needed in the holding area increasing the chance of further damage requiring more expensive repairs.

The Sheriff disagrees wholly or partially with the finding.

Administrative staff and Management are aware of repairs needed within the facility and the expenses associated with them.

Compared to buildings used during a normal business week, wear and tear on the jail is at least three to four times that of most business structures.

The Tahoe Jail was first opened in 1973 with additions and upgrades in 1978 and again in 1994. As an older building that is subject to a harsh climate, maintaining it is sometimes problematic.

The maintenance logs at the facility reflect the maintenance concerns requiring immediate attention identified by officers. The CAO Facilities Division has maintenance plans for systems and structural needs. They have been conducting ongoing major mechanical upgrades to replace the aging systems. Their maintenance crews are at the jails daily conducting repairs and inspections.

For additional information on our facility needs a Jail Needs Assessment was conducted in 2016. We are currently working with Facilities to address these needs by developing a prioritized design plan for phase construction/ repairs and/or in preparation of applying for future state construction funding.

- F5. Lack of vocational programs does not serve the rehabilitation needs of the inmates. Availability of additional vocational training programs could lessen the chances that an inmate will reoffend upon release.

The Sheriff agrees with the finding.

Sheriff's Response to the Grand Jury Recommendations SLT Jail Inspection

- R1. Bullet resistant glass should be installed in the foyer and visitors area.

The recommendation has not been implemented, but will be implemented in the future.

The SLT Jail Lobby is currently undergoing construction for security purposes to include: Bullet resistant glass and walls, a full body metal detector, and an upgraded security door with a controlled access system leading to the visitor area.

Because of the full body metal detector and secured, controlled access to the visitor's area the bullet resistant glass will not be necessary at that location.

This project will be complete within 6-12 months.

- R2. Installation of a full body metal detector scan in the foyer. Additional hand wand detectors should also be made available for visitors screening.

The recommendation has not been implemented, but will be implemented in the future.

The installation of a full body metal detector is included as part of the current lobby improvement project to be completed within 6-12 months.

Additional hand held metal detectors with updated technology will be researched and purchased within the next month.

- R3. Installation of digital camera surveillance equipment in the indoor gym.

The recommendation has not been implemented, but will be implemented in the future.

The restoration of operational surveillance cameras in the downstairs recreation yard is included in the camera system upgrade project. This will include the conversion of the analog cameras to digital.

The anticipated time of completion for the project is 6-12 months

- R4. Develop a plan to expand the number of safety cells and present it to the Board of Supervisors for approval.

The recommendation will not be implemented, because it is not warranted.

The safety cell is an empty cell, with padded walls and, a hole in the floor for sanitation. An individual is isolated and placed in the cell because they actively pose a threat to themselves or others due to a mental disorder. Only inmates who are actively displaying suicidal ideation or gestures; and/or display violent behavior which results in the destruction of property or reveals intent to cause harm to self or others will be placed in a safety cell.

The inmate in a safety cell is checked on a minimum of twice every thirty minutes and will be removed from the safety cell when they are no longer displaying behaviors which lead to their placement.

Further analysis of the need for additional safety cells was determined not warranted. A second safety cell in Tahoe would be desirable for those infrequent occasions there are two inmates in need of safety observation; but its absence does not limit our ability to place or protect at risk persons. There are additional options as stated in Finding #3.

During further analysis of the need for converting a cell into an improved safety cell we determined it would be more cost efficient and beneficial to our inmates to convert one of our two Sobering cells into a Transitional/ Step down cell for those individuals coming out of the safety cell.

The inmate in the Transitional cell receives twice every thirty minutes checks from the Floor Officer and is also monitored via camera by the control personnel. It is also padded for safety but similar to the traditional housing cell the inmate will be returning to.

This conversion cell will provide a higher level of care for mental health inmates at SLT. This cell conversion is currently underway and expected to be in operation within six months.

- R5. Assign a point of contact to perform a walk through at regular intervals to ensure needed repairs are added to the maintenance log.

The recommendation will not be implemented, because it is not warranted.

Per policy and procedure all staff are to conduct daily facility inspections and document any areas of concern on our Maintenance Log. Facilities maintenance staff check the Jail Maintenance Log daily.

- R6. Expand the culinary program and add more vocational training opportunities for the inmates.

The recommendation has been implemented.

The Culinary program has been expanded to include the Placerville Jail inmates. Its scope has also been expanded to include catering curriculum and participation in culinary competitions. The Culinary program staff are always seeking ways to improve the program and help the inmates learn vital job skills.

The Sheriff's Office would like to offer more vocational programs and are always looking for opportunities to increase them. The challenge for the jail is the limited classroom space, security considerations, and inmate classifications.

The jail only has one classroom (for the rated capacity of 158 inmates) to provide our current programs; scheduled 7-days a week. We currently offer: MRT (Moral Reconciliation Therapy), Substance Abuse Treatment, Anger Management, Parenting Class, Pre- Release Class, HEARTS, and

Adult Education. The classroom is also used for multiple religious services and volunteer groups such as: Men's and Women's AA, Men's and Women's NA, Al-anon (women's), Spanish Speaking Ministries, Celebrate recovery, Free on the Inside, and U turn for Christ.

Vocational programs require tools, equipment and space. The culinary program is afforded these accommodations within the facility because we must maintain a kitchen and staff to feed the inmates. The equipment/potential weapons can be monitored more easily. Other vocational programs are not as easy to accommodate.

Being a small jail with the variety of classifications of inmates the number of inmates who could participate together in other vocational training would be limited and cost prohibitive.

The Sheriff's Office is currently reviewing an RFP which includes an education based tablet computer system. With this system we will be able to offer additional educational programs to all inmates. The vendor for his RFP will be chosen within the next six months.

As always, we will continue to look for additional programs and services, we may offer within the confines of our facilities limiting conditions, to assist our inmates with re-entry and recidivism reduction.

Sincerely,



JOHN D'AGOSTINI
Sheriff-Coroner
Public Administrator



JOHN D'AGOSTINI

SHERIFF - CORONER - PUBLIC ADMINISTRATOR
COUNTY OF EL DORADO
STATE OF CALIFORNIA

July 11, 2017

The Honorable Suzanne N. Kingsbury
Presiding Judge of the El Dorado County Superior Court
1354 Johnson Blvd.
South Lake Tahoe, CA 96150

RE: Report No. GJ 2016-013, May 9, 2017 – El Dorado County Placerville Jail Inspection

The Honorable Suzanne N. Kingsbury,

This Office has received and reviewed a report by the 2016-2017 Grand Jury relating to the El Dorado County Placerville Jail Inspection. Please find the below responses to those findings and recommendations relevant to the Sheriff's Office.

Sheriff's Response to Specific Findings GJ 2016-013 El Dorado County Placerville Jail Inspection

- F1. The main entrance area of the Placerville Jail is not equipped with a full body metal detector which creates a safety issue for staff, inmates and visitors at the jail.

The Sheriff agrees with the finding.

- F2. There are only two safety cells at this time, limiting the placement of at-risk individuals.

The Sheriff disagrees wholly or partially with the finding.

Safety Cells are for inmates who are suicidal and in a crisis state. They are only for inmates who are actively displaying suicidal ideation or gestures; and/or display violent behavior which results in the destruction of property or reveals intent to cause harm to self or others.

"Serving El Dorado County Since 1850"

HEADQUARTERS- 300 FAIR LANE, PLACERVILLE, CA 95667
JAIL DIVISION- 300 FORNI ROAD, PLACERVILLE, CA 95667
TAHOE JAIL- 1051 AL TAHOE BLVD., SOUTH LAKE TAHOE, CA 96150
TAHOE PATROL- 1360 JOHNSON BLVD., SUITE 100, SOUTH LAKE TAHOE, CA 96150

The inmate in a safety cell is checked on a minimum of twice every thirty minutes and will be removed from the safety cell when they are no longer displaying behaviors which lead to their placement.

The intent of the safety cell is not only to protect the individual from self-harm but to stabilize the individual as soon as possible for removal from the safety cell; not just a placement for at risk individuals.

A third safety cell in Placerville would be desirable for those infrequent occasions when there are more than two inmates in need of safety observation; but its absence does not limit our ability to place or protect at risk persons. There is a Transition/ Stepdown cell and additional cells in the holding area in which inmates can safely be observed or restrained if needed.

- F3. Lack of vocational programs does not serve the rehabilitation needs of the inmates. Availability of additional vocational training programs could lessen the chances that an inmate will reoffend upon release.

The Sheriff agrees with the finding.

- F4. Tobacco controls are not effective and result in inmates setting off fire alarms when they illegally smoke.

The Sheriff disagrees wholly or partially with the finding.

The Sheriff has effective controls in place to ensure tobacco and other contraband smuggling is minimized. Additionally, the fire alarms are rarely set off by tobacco use.

The fire system is dated and Facilities staff are working to upgrade and modernize it. Currently, the alarm can be set off and charged by just smoke detection; which can occur even when there is no smoke. Through the years the charging of the system has added to the wear and tear causing more frequent false activations of the alarm system. Facilities plans to replace the antiquated system with a dual sensor system, which would require smoke and heat, to set off and charge the system.

This upgrade has been an ongoing project being conducted through CAO Facilities Division in conjunction with the State Fire Marshall. The estimated time of completion is six months.

Sheriff's Response to the Grand Jury Recommendations GJ 2016-013 EI
Dorado County Placerville Jail

- R1. Installation of a full body metal detector in the main entrance of the Placerville Jail. Hand wand detectors should also be made available for screening of visitors.

The recommendation has not yet been implemented, but will be implemented in the future.

Research is currently being conducted to determine the cost, requirements, and timelines to implement the recommendation through the County budgeting process.

El Dorado County was recently awarded \$25,000,000.00 of State financing through Senate Bill (SB) 844, Adult Local Criminal Justice Facilities Construction Financing Program. Pending Board of Supervisor (BOS) approval, the award would be used for an expansion of the Placerville jail. The jail expansion will affect the lobby and administrative areas and will be able to accommodate the recommendation.

Implementation for either option may take 1-3 years. The BOS decision regarding SB 844 is expected within the next six months.

Hand held metal detectors are already available to the Officers.

- R2. Develop a plan to expand the number of safety cells and present it to the Board of Supervisors for approval.

The recommendation will not be implemented, because it is not warranted.

The safety cell is an empty cell, with padded walls and, a hole in the floor for sanitation. An individual is isolated and placed in the cell because they actively pose a threat to themselves or others due to a mental disorder. Only inmates who are actively displaying suicidal ideation or gestures; and/or display violent behavior which results in the destruction of property or reveals intent to cause harm to self or others will be placed in a safety cell.

The inmate in a safety cell is checked on a minimum of twice every thirty minutes and will be removed from the safety cell when they are no longer displaying behaviors which lead to their placement.

Further analysis of the need for additional safety cells was determined not warranted. The current safety cells meet all Title 15 and Title 24 requirements of a safety cell, including monitoring.

Through our analysis it was determined it would be more beneficial to our inmates, and cost efficient, to convert one of our two Sobering cells into a Transitional/ Step down cell for those individuals coming out of the safety cell.

This Transition cell provides a higher level of care for mental health inmates in the Placerville jail. The inmate in the Transitional cell receives twice every thirty minutes checks from the Floor Officer and is also monitored via camera by the control personnel. It is also padded for safety but similar to the traditional housing cell the inmate will be returning to.

The cell conversion is complete and fully operational.

Additionally, the County was recently awarded \$25,000,000.00 of State financing through Senate Bill (SB) 844; to address medical, mental health and programing needs. Pending BOS approval, the jail will be expanded to include a new medical wing, which will include cells to better treat those suffering from mental illness.

If approved the timeline for this project is 3-4 years.

- R3. Expand the culinary program and add more vocational training opportunities for the inmates.

The recommendation has been implemented.

The Culinary program has been expanded to include the Placerville Jail inmates. Its scope has also been expanded to include catering curriculum and participation in culinary competitions. The Culinary program staff are always seeking ways to improve the program and help the inmates learn vital job skills.

The Sheriff's Office would like to offer more vocational programs and are always looking for opportunities to increase them. The challenge for the jail is the limited classroom space, security considerations, and inmate classifications.

The Placerville jail only has two classrooms (for the rated capacity of 303 inmates) to provide our current programs; scheduled 7-days a week. We currently offer: MRT (Moral Reconciliation Therapy), Substance Abuse Treatment, Anger Management, Parenting Class, Pre- Release Class,

HEARTS, and Adult Education. The classroom is also used for multiple religious services and volunteer groups such as: Men's and Women's AA, Men's and Women's NA, Al-anon (women's), Spanish Speaking Ministries, Celebrate recovery, Free on the Inside, and U turn for Christ.

Vocational programs require tools, equipment and space. The Culinary program is afforded these accommodations within the facility because we must maintain a kitchen and staff to feed the inmates. The equipment/potential weapons can be monitored more easily. Other vocational programs are not as easy to accommodate.

Being a small jail with the variety of classifications of inmates, the number of inmates who could participate together in other vocational training would be limited and cost prohibitive.

The Sheriff's Office is currently reviewing an RFP which includes an education based tablet computer system. With this system we will be able to offer additional educational programs to all inmates. The vendor for his RFP will be chosen within the next six months.

Also, if SB844 is approved by the BOS, the jail expansion will include programming and classroom space. Additionally, two existing dormitory style housing units will be taken off line and converted into programming/classroom space. With this plan additional vocational opportunities such as: Waste Water Treatment Plant certification and Job Skill/ Employment Success (available through the El Dorado County Office of Education (EDCOE)) may be added to the curriculum.

Timeline for the SB 844 project is 3-4 years.

R4. Implement an effective plan to prevent unauthorized smoking by inmates.

The recommendation will not be implemented, because it is not warranted.

Through the mere nature of the jail environment and the inmates within, contraband to include cigarettes and drugs, will always be an issue for jail staff to combat.

Policy and procedures require all inmates who are housed in locations other than holding cells to be visually strip searched and given jail clothing and bedding. Although the strip searches are thorough it is still possible for inmates to conceal contraband within their bodies without detection.

The inmates will often conspire with friends or family to plant contraband so they may try to bring it into the facility.

No plan is fool proof, but with the diligence of the Officers in their oversight of workers and searches upon their return, supervision of inmate activities, safety checks, and cell inspections the introduction of contraband in the facility has been/ and will be greatly minimized.

Sincerely,



JOHN D'AGOSTINI
Sheriff-Coroner
Public Administrator