



SHERIFF'S DEPARTMENT
Adam Christianson, Sheriff-Coroner

ADMINISTRATION
DIVISION

July 2, 2012

The Honorable Ricardo Cordova, Presiding Judge
Stanislaus County Superior Court
P.O. Box 3488
Modesto, Ca 95353

Re: Response to Grand Jury Report 12-30GJ

Dear Judge Cordova;

The Sheriff's Department is in receipt of the Stanislaus County Civil Grand Jury's completed report "2011-2012 Stanislaus County Jail, Public Safety Center, Probation Department and Juvenile Hall Inspections" dated June 27, 2012.

Pursuant to Penal Code Sections 933(c) and 933.5, the following is our response as it pertains to the Sheriff's Department Detention Facilities only.

The Civil Grand Jury included narrative sections in their report; wherein it describes in general terms each of the three detention facilities. It is important to note that all of these sections contain informational errors. Additionally, Grand Jury members failed to make contact with the Captain of the Adult Detention Division and/or at least two of the Facility Commanders, which would have been helpful in correcting the misinformation. The errors for each facility are addressed prior to addressing the findings and recommendations for each respective location.

Stanislaus County Downtown Men's Jail Narrative:

In the narrative for the Men's Jail, the Grand Jury reports that inmates are allowed two 3-hour exercise periods per week. The inmates are actually allowed a minimum of 3-hours of exercise in each 7-day period, which complies with regulatory standards established by the Corrections Standards Authority.

The report states that 28 deputies staff this facility. The correct number is 59.

The report states there are two holding cells for inmates who may be suicidal or are a danger to others, and deputies check them every 30 minutes. Inmates assigned to Safety Cells are checked twice every 30 minutes.

The report states that citizens can visit prisoners from 8:30-10:30 a.m. every day except Wednesday. The actual visiting hours are 8:00-10:30 a.m., 1:00-4:00 p.m. and 6:00-10:00 p.m. every day except Wednesday.

The Grand Jury reports being told there is an 85% recidivism rate for inmates, 15% higher than the recidivism rate reported by the California Department of Corrections and Rehabilitation for state prison inmates. This is statically impossible given the number of people the Sheriff's Department has in custody as pre-trial detainees and sentenced inmates.

With the enactment of AB 109-Public Safety Realignment, we're closely tracking the recidivism rate. Since October 1, 2011, when the legislation was enacted, the recidivism rate is currently 16%. Granted, this number only represents the first nine months since AB 109 was initiated and will likely rise but nowhere near the 85% allegedly reported.

Stanislaus County Downtown Men's Jail Findings:

- F-1. There was one death in the prison this year. A 22-year old prisoner hung himself with bed sheets in one of the two man cells. The other prisoner claimed to be asleep at the time. The deceased had been put on suicide watch after his arrest, but after an evaluation by the medical staff, he was released to a regular prison cell.

Response: The respondent agrees with the finding.

For clarification, the facility is a jail or detention facility, not a "prison".

- F-2. The 2012 SCCGJ agrees with previous SCCGJ reports that the men's jail is an outdated and aging facility. The PSC on Hatch Road has a direct supervision design that allows better monitoring of prisoners.

Response: The respondent agrees with the finding.

For clarification, the Public Safety Center is located on Hackett Road.

- F-3. An exercise period of two 3-hour periods per week for prisoners does not seem to be adequate for the restricted space some prisoners are required to live in. This is especially true of prisoners that double up in cells designed for one man.

Response: The respondent disagrees with the finding.

Exercise periods are in compliance with regulations governing detention facility operations, as mandated by the Corrections Standards Authority.

- F-4. The staff at the prison in the opinion of the SCCGJ, seem competent and professional in the conduct of their duties.

Response: The respondent agrees with the finding.

Staff is extremely competent and professional in the conduct of their duties, under extraordinarily difficult circumstances.

Stanislaus County Men's Jail Recommendations:

- R-1. The suicide prevention procedures should be reviewed both in the psychological evaluations of the prisoners and changes that can be made to cells that are used for at risk prisoners. The SCCGJ observed that the cell used in the last prisoner suicide made it easy for a prisoner to stand on a bed and reach a horizontal cross bar that separated two cell segments. Prisoners are able to stand on a bed and wrap a bed sheet around the upper bars and have enough vertical space to hang themselves. It seems more modification can be made to these cells to make it more difficult for at-risk prisoners to hang themselves in this manner. Title 15 Section 1046-Inmate Death requires that a team with specified composition review each in-custody death and submit a report to the CSA.

Response: The respondent disagrees with the recommendation.

The recommendation to change cell bars to reduce the risk of suicide is untenable. The structural design and configuration of the cell bars cannot be altered. Instead, the department utilizes heightened referrals to mental health staff, increased observations by uniformed staff and enhanced utilization of beds at the Public Safety Center for mental health inmates to minimize the risk of suicide.

Per established policy, a team comprised of Adult Detention managers and medical/mental health care staff conducts a review of each in-custody death.

After the specific suicide noted in this report, the review team instituted a policy pertaining to inmates removed from the Safety Cell. With the modification, more frequent checks are made of inmates removed from the Safety Cell, in conjunction with follow-up clinical assessments. Inmates assigned to a Safety Cell are observed twice every 30 minutes, not the one time reflected in the Grand Jury's report. Outside of the Safety Cell, inmates are observed every hour.

- R-2. As many prisoners as possible should be transferred to the Public Safety Center as new construction is completed.

Response: The respondent partially agrees with the recommendation.

As new construction is completed and beds activated at the Public Safety Center, inmates will be moved as deemed appropriate by classification staff to maximize public safety, the safety and security of both staff and inmates and to comply with the security requirements of the inmates confined in our facilities. With the enactment of AB 109-Public Safety Realignment, Stanislaus County remains challenged to provide adequate jail bed space in order to retain serious criminal offenders in custody.

The expansion of inmate beds at the Public Safety Center will afford the department the opportunity to house inmates commensurate with their security needs; meet the demands of a growing population in the community and in our detention facilities but clearly will not be adequate to close the aging Men's Jail.

R-3. The SCCGJ recommends that exercise time be increased for prisoners.

Response: The respondent disagrees with the finding.

The facility is currently in compliance with Title 15 Standards adopted by the Corrections Standards Authority for inmate recreation. Any increase in exercise yard time would be untenable due to the physical limitations of this aged facility, budgetary constraints to hire additional staff needed to supervise recreation activities and the increased security risks associated with additional inmate movement to and from the recreation yard.

Stanislaus County Public Safety Center Narrative:

The report states that 40 deputies staff this facility. The correct number is 79.

The report states that visiting hours are the same as the downtown men's jail. The actual visiting hours for the Public Safety Center are 8:00-11:00 a.m., 12:30-5:00 p.m. and 8:00-9:30 p.m. In the Minimum Unit, inmates visit on Saturday and Sunday only, from 7:15-10:15 a.m., 12:00-4:00 p.m. and 5:30-7:15 p.m. The PSC inmates have non-contact visits in booths but the Minimum Unit inmates have full contact visits.

The construction of 192 beds to replace those beds lost to a fire at the Honor Farm is scheduled to begin in August of 2012. Construction will not include expansion of the current Public Safety Center or the addition of "pods" Unit #2 will be constructed adjacent to Unit #1 or what's referred to as the "Minimum Unit" and will also include programming space for educational, vocational and rehabilitative opportunities.

The last paragraph in this section refers to the \$80 million state grant the county received under the provisions of AB 900 to construct new facilities. The Grand Jury referenced the addition of 384 inmate beds and a medical/mental health wing with 72 beds. They also referenced a "central control station" and the relocation of the "morgue" to the vacant

Medical Arts Building in downtown Modesto. In fact, the Central Control/Booking Facility and Coroner's Division Facility are not funded by AB 900 but from other funding allocated by the County. All project details including funding are a matter of public record as these projects have been approved by the Board of Supervisors.

Stanislaus County Public Safety Center Findings:

- F-1. Staffing levels that were previously reduced were restored by realignment funds received from the State of California. The continued receipt of these funds is questionable. This makes future planning for staffing these facilities difficult.

Response: The respondent agrees with the finding.

- F-2. The jail in the opinion of the SCCGJ appears to be well run and managed.

Response: The respondent agrees with the finding.

Stanislaus County Public Safety Center Recommendations:

- R-1. The SSCGJ recommends that the Board of Supervisors and Community Corrections Partnership Executive Committee for Stanislaus County (1) update the realignment Plan for Stanislaus County, and (2) proactively work with professional organizations (including the California State Sheriff's Association, California State Association of Counties, Chief Probation Officers of California, and County Mental Health Directors Association) to lobby the governor and legislators representing Stanislaus County for adequate and reliable multi-year funding for county level corrections and rehabilitation.

Response: The respondent agrees with the recommendation.

The Community Corrections Partnership Executive Committee completed a plan to allocate additional staffing and resources under AB 109-Public Safety Realignment, Phase II. The plan will be submitted to the Board of Supervisors for approval in July 2012. County leaders, including the Sheriff and Chief Probation Officer, are actively engaged with professional organizations like the California State Sheriff's Association of which Sheriff Christianson is currently the 2nd Vice President and Chief Probation Officer's Association to ensure adequate, sustainable and protected funding to support AB 109-Public Safety Realignment in future years. Stanislaus County is recognized as a leader in collaboration.

Stanislaus County Honor Farm Narrative

In the report, the Grand Jury referenced a fire that destroyed two of the inmate barracks and that prior to the fire; the Honor Farm inmate housing capacity was 300. The capacity was actually 370 inmates.

The Grand Jury summarized the staffing at the Honor Farm as one supervisor, two compound deputies, one transportation deputy and one operations deputy. For clarification, this staffing is only for the day shift. On the Swing shift and Graveyard shift, the facility also has a supervisor and two compound deputies. In total, there are 12 deputies and 4 sergeants assigned to the Honor Farm.

Stanislaus County Honor Farm Findings:

- F-1. The Honor Farm is an outdated facility; however it does have the capacity to house prisoners. It could continue to be used as an overflow facility until construction of future prison facilities is complete.

Response: The respondent disagrees with the finding (see comments below).

Stanislaus County Honor Farm Recommendations:

- R-1. The SCCGJ recommends the Sheriff keep the Honor Farm open and functional even after the expansion of the Public Safety Center. The Honor Farm will give the County space for 86 inmates that may be needed until the ramifications of AB 109 are fully realized.

Response: The respondent disagrees with the recommendation.

Presently, the Honor Farm houses 86 inmates in an outdated facility with major challenges to infrastructure and a very limited security design. Since the enactment of AB 109-Public Safety Realignment in October 2011, the inmate population has not only accelerated beyond the capacity of our detention facilities to house all individuals who should be in custody, but the security level of these same inmates exceeds the safety and security design of this aged facility.

In June 2010, a major fire destroyed two barracks or half of the Honor Farm inmate living units. The County successfully negotiated a settlement with the insurance provider and plans were developed to replace the beds lost in the fire with a modern design facility, to be located on the site of the existing Public Safety Center. This facility is currently scheduled to break ground in August 2012, with an estimated completion date in the Fall 2013. The new facility will enable the department to house 192 inmates in a safe and secure environment and vacate the Honor Farm.

With the Board of Supervisor's approval of the Phase II plan under AB 109, 72 additional beds will be activated at the Honor Farm, resulting in a total inmate population of 158 inmates. When the new facility is completed next fall, the 158 inmates and all staff will be moved to that location, and we will realize a net increase in inmate beds from 158 to 192. Lastly, when the new facility is fully activated, the County will have insufficient funding to support the staffing, resources and physical plant modifications needed to sustain the Honor Farm operation beyond that time frame. With the construction of replacement beds, the operation of the Honor Farm is no longer cost effective.

Sincerely,



ADAM CHRISTIANSON
Sheriff-Coroner
Stanislaus County

cc: Supervisor Bill O'Brien, Chairman
Stanislaus County Board of Supervisors

Monica Nino, Chief Executive Officer
Stanislaus County Chief Executive Office

Benny Del Re, Foreperson
Stanislaus County Civil Grand Jury 2011-2012