

Response to Recommendations in the Grand Jury Report,
“What’s Taking So Long? County Delays Mandated Jail Improvements”

RECOMMENDATIONS

R1 The BOS should approve the funding for the design and construction of the Annex by July 1, 2024.

Board of Supervisor’s Response:

The recommendation has not yet been implemented but will be implemented in the future. The County will be delivering this project through the Design Build (DB) project delivery method. The DB method requires the development and documentation of project criteria, and this phase of the project has been approved and funded by the Board. By the end of calendar year 2024, staff will take to the Board for their consideration a recommendation for funding the project design and construction phases.

R2 The BOS should approve the funding for the design and construction of the two interim measures by July 1, 2024.

Board of Supervisor’s Response:

The recommendation has not yet been implemented but will be implemented in the future. In August of 2023, staff will recommend the Board consider funding the design of both interim projects and will return to the Board by the end of the 2024 calendar year with a recommendation to fund the construction of the projects.

R3 The SSD, in collaboration with the County, should increase the number of intake stations by at least three to reduce overcrowding in the booking area by December 31, 2023.

Board of Supervisor’s Response:

The recommendation requires further analysis. In partnership, the Sheriff’s Office and the Department of Health Services Adult Correctional Health (ACH) division has implemented a two-tier medical intake process which has reduced overcrowding and officer wait time in booking. There is an initial “fit for custody” screening. Individuals housed at the Main Jail receive a second, more comprehensive medical screening. This second screening is conducted on the medical floor away from all the distraction and pressure of the

booking area. The County remains committed, in collaboration with the Sheriff's Office, to considering whether additional modifications can be made to the booking area to reduce overcrowding if the newly established two-tier medical intake process fails to do so. By December 31, 2023, the Sheriff's Office and ACH will assess whether the two-tier model meets this objective.

R4 The SSD, in collaboration with the County, should install temporary trailer(s) located in the enclosed Main Jail parking garage to reduce continuing HIPAA and ADA violations and allow for increased acute treatment and diagnostic (lab and basic imaging) capability by December 31, 2023.

Board of Supervisor's Response:

This recommendation will not be implemented because it is not reasonable. The Department of General Services and Sheriff's Office have determined that the installation of modular trailers within the Mail Jail parking garage or adjacent dirt lot, is not feasible due to space and operational constraints.

R5 The BOS should rapidly fund and implement the construction of an additional 18 mental health treatment rooms in the Main Jail by December 31, 2023.

Board of Supervisor's Response:

The recommendation will not be implemented because it is not reasonable because the design and construction of 18 additional treatment rooms cannot be completed by December 31, 2023. County staff are working on a possible temporary solution that may address this recommendation but not in the timeframe recommended. Staff will test a modular product used to construct a temporary mental health treatment room and will determine if privacy and operational needs of the facility can be met. The first room will be constructed in July 2023 and will be operational for several months to assess and determine the viability of this temporary solution. Staff estimates having this evaluation period completed by November 2023. If viable, County staff will construct another 17 temporary mental health treatment rooms, the timing of which cannot be determined until the testing period is completed.

R6 The SSD and the BOS should quantify the costs of unnecessary “send outs” and redirect these funds to pay for the improved interim facilities by July 1, 2024.

Board of Supervisor’s Response:

The recommendation will not be implemented because it is not warranted. Multiple audits by ACH on the rationale for send-outs have not demonstrated a significant number of “unnecessary ‘send outs’”. These audits were conducted after DHS and the SSO identified, in January 2023, a need to review and determine if practices contributed to the small number of hospital send-outs.

ACH experiences high acuity patients admitted for incarceration with long-standing, untreated conditions, requiring hospital and specialty care intervention until they can be stabilized, and until a treatment plan is put in place. According to the findings from these audits, there are few and decreasing unnecessary send outs due to additional space for treatment, staffing, training, tracking and monitoring, which has improved the identification of patients that can be treated in-house or that need to be sent out for specialty hospital care.

The Intake Health Services Facility (IHSF) will provide needed medical space, which may decrease a portion of current send-outs as a result of:

- A Medical Housing Unit (infirmary) large enough for additional beds and staffing required for continual observation and monitoring.
- A complete, certified lab unit for immediate testing results to inform treatment needs.
- Telehealth evaluation exam room.
- Increasing onsite specialty care where possible – ACH as successfully increased onsite specialty care annually; however, the majority of specialty providers are unwilling to provide services within the Jail facility and some are unable (surgery, etc.).
- As noted in F5, ACH has significantly increased staffing annually to meet Consent Decree requirements and service demand, resulting in increased patient evaluations and therefore increased identification of needed hospital intervention and offsite specialty care when indicated.
- ACH has implemented efforts to monitor send-outs and decrease where possible – including, but not limited to:
 - Increasing full-time provider FTEs to provide more shift coverage.

- Placing a provider at Intake for immediate and in-person evaluations.
- Expanding provider shift hours to evenings and weekends.
- Constructing a Dialysis clinic at the RCCC to utilize current Dialysis clinic at Main Jail for additional infirmary bed space and patient observation.
- Ongoing efforts to increase onsite specialty services.
- Recent development of a Hospital Send-Out form, requiring more specific documented rationale for hospital intervention to better support timely monitoring of send-out needs.
- Provider peer review of send-outs to identify training needs if/where needed.

R7 As long as the requirement of the Mays Consent Decree remain in place, the SSD should create a non-rotating executive leadership position (non-sworn) to oversee the Mays Consent Decree compliance at the Main Jail and RCCC.

Sheriff's Response:

The Sheriff sent his response to the presiding judge in a separate correspondence per Penal Code section 933.05 and 933(c). The response has been included as part of the Board's report as Attachment 2.

R8 The BOS and SSD should develop and implement a sanitation and disinfection program at the Main Jail and RCCC in accordance with the recommendations of the EOC report by March 31, 2024.

Board of Supervisor's Response:

The recommendation has not been implemented but will be implemented in the future. Custodial services provided by the Departments of General Services and Health Services Adult Correctional Health are documented and largely effective. However, the Environment of Care Report (EOC Report) noted deficiencies within the medical areas, which the County has a plan to address.

The Environment of Care Report (EOC Report) prepared by Diane Skipworth and referenced in the Grand Jury Report states that the Department of General Services (DGS) provides custodial operations to the Main Jail and RCCC. This notation does not account for the nuances of provided custodial

services to the Main Jail and RCCC. The Departments of General Services and Health Services and the Sheriff's Office have separate custodial responsibilities for each of the facilities and the areas contained within them.

DGS and Health Services have custodial responsibilities for the non-inmate population areas and the medical areas respectively. The departments maintain written documentation for their respective responsibilities. The Department of Health Services Adult Correctional Health Infection Control and Prevention (ICP) maintains an ICP manual and sets policies that include sanitation for the medical areas. Additionally, in the Main Jail non-inmate population areas, DGS maintains program documentation for its custodial responsibilities to ensure cleaning is effective. The specific custodial services, frequency of these services, and the staff positions and shifts assigned to do the work is planned and documented in the Main Jail Custodial Task Summary. At RCCC, DGS contracts with a vendor to provide custodial services and the contracted scope of work details and documents a plan for effective cleaning of specified areas.

With respect to addressing sanitation and disinfection of Correctional Health medical areas identified in the EOC Report, a Scope of Work (SOW) was drafted based on updated policies approved by the California Department of Public Health that will be used to update the current scope with the County's contracted vendor, if the vendor is agreeable to the new SOW, or the County will contract with a new vendor to meet the SOW in all medical areas by March 31, 2024.