



TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

JAMES W. MELE
SHERIFF-CORONER

FILED

OCT 15 2013

Superior Court of California
County of Tuolumne

BY

E. C. C. C.
Clerk

September 24, 2013

The Honorable Judge, Donald Segerstrom
Tuolumne County Superior Court
60 North Washington Street
Sonora, CA 95370

Re: Response to 2012-13 Grand Jury Findings & Recommendations

Dear Judge Segerstrom:

The following is the response related to the Tuolumne County Jail section of the 2012-13 Grand Jury Report as requested and required pursuant to Penal Code Sections 933 and 933.05. Below you will find listed each Grand Jury finding or recommendation followed by my response to each.

Tuolumne County Jail Findings

F-1 Finding: *The Tuolumne County Jail facility is outdated, dilapidated and overcrowded. The Jail Facility was not designated to house longer-term inmates as being mandated by AB109 legislation.*

Response – I agree with this finding.

F-2 Finding: *Inmate population at the jail has increased to maximum capacity due to AB109 transfers and "flash holds" at the local level.*

Response – I agree with this finding.

F-3 Finding: *Misdemeanor offenders are often released with referral to the Probation Department to make room for AB109 inmates and higher level felony offenders.*

Response – I agree with this finding.

F-4 Finding: *The Jail facility is inefficiently laid out resulting in unsafe conditions for staff and inmates.*

Subject: Response to the Grand Jury

To: Honorable Donald Segerstrom

From: Sheriff James W. Mele

Response – I agree with this finding.

F-5 Finding: *The Jail facility lacks adequate space for housing inmates according to classification systems.*

Response – I agree with this finding.

F-6 Finding: *The Jail facility lacks adequate rehabilitative program space to best serve the inmate population. The one room used to provide these services is being primarily used for court or medical videoconferencing making it difficult to provide Narcotics and Alcoholics Anonymous support for what is the vast majority of inmates.*

Response – I agree with this finding.

F-7 Finding: *The County Jail facility lacks adequate outdoor recreational facilities and space to accommodate the inmate population serving longer sentences.*

Response – I agree with this finding.

F-8 Finding: *Jail staff is exposed to a harder criminal element within the facility due to AB109 implementation which poses risks to their safety in performing their job duties.*

Response – I agree with this finding.

F-9 Finding: *Jail medical staff maintains a positive attitude in carrying out their job responsibilities while working in inadequate space and crowded conditions.*

Response – I agree with this finding.

F-10 Finding: *Inmates are properly and sufficiently medically assessed and medicated per state and local protocols and procedures upon intake.*

Response – I agree with this finding.

F-11 Finding: *The County Health Officer and Jail medical staff participates in Quality Assessment meetings to address medical issues and discuss medical care within the County Jail facility. The Sonora Regional Medical Center Emergency Room Director has attended these meetings on an annual basis.*

Response – I agree with this finding.

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F-12 Finding: *The increase in long-term incarcerated individuals at the local level poses a serious risk to the county in terms of possible future litigation concerning allegations of inadequate long term medical care for jail inmates.*

Response – I agree with this finding.

F-13 Finding: *The scope of the planned Law and Justice Center has twice been reduced to balance cost saving measures while maintaining adequate space needs of each phase.*

Response – I agree with this finding.

F-14 Finding: *The County Board of Supervisors and County Administrative staff members were acting within the best interest of the County in declining the awarded \$13 million dollars of Phase I AB900 grant funding. The State of California has failed to adequately fund the new construction of the Law and Justice Center complex.*

Response – I agree with this finding.

F-15 Finding: *The Board of Supervisors and Administrative staff are actively seeking new grants and funding opportunities to fund the Law and Justice Center.*

Response – I agree with this finding.

Recommendations

R-1 Recommendation: *The Grand Jury recommends that the jail facility be replaced as soon as funding is secured for the currently planned Law and Justice Center.*

Response: The Sheriff's Office is currently working with the Board of Supervisors and County Administrator to obtain funding through SB1022. We are working with our partners on a phased plan to build a new facility and phase out the current facility.

R-2 *No recommendation.*

R-3 *No recommendation.*

R-4 Recommendation: *The Grand Jury finds that replacement of the current Jail facility will remedy the finding. No specific recommendation is warranted.*

R-5 Recommendation: *The Grand Jury finds that replacement of the current Jail facility will remedy the finding. No specific recommendation is warranted.*

R-6 Recommendation: *The Grand Jury recommends that the County Sheriff and the Jail Program Director find a balanced approach to providing rehabilitative inmate services to ensure that Narcotics Anonymous and Alcoholics Anonymous programs are accessible to those inmates that choose to participate in them.*

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Response: The Jail agrees with the findings and the above recommendation has been implemented. The following is a summary of the implementation actions and the continuing efforts to provide efficient and effective rehabilitative services to all of the inmates who are motivated to utilize their time in custody to improve their chances of success on their release. Alcoholics Anonymous and Narcotics Anonymous programs are provided by volunteers that have been cleared to bring their meetings into the Jail. At present, we have enough volunteers to provide weekly Alcoholics Anonymous meetings for men and women. Narcotics Anonymous can only offer meetings every other week. As noted in the Grand Jury report, one of the major impediments to the provision of such programs is that we have been limited to the one small room that is used for multiple functions such as video conferencing, psychiatric services, rehabilitation services, Chaplains services, etc. and can only accommodate groups of up to 6 inmates.

It should be noted that in addition to Alcoholics Anonymous and Narcotics Anonymous programs, we have added faith based recovery programs that have the same goals and have a significant number of participants. These programs are provided by our volunteer Chaplains and Chaplain Service's volunteers. Family Life Education and Life Skills Mentoring for women utilize the Life Recovery Bible as the basic text. Our new men's Chaplain will be offering similar program's for men. In addition, we are planning to initiate an alternative substance abuse program focused on Early Intervention that will be led by an experienced substance abuse counselor volunteer that has been cleared and approved by the Sheriff.

In order to enhance the effectiveness of the substance abuse rehabilitative services, we will be implementing the Bridging The Gap program. This program is an acclaimed Alcoholics Anonymous program that includes the "Temporary Contact Program" that greatly enhances the effectiveness of the recovery services received while in the structured environment of the correctional facility.

The Jail Administration is also negotiating with the Behavioral Interventions, Inc. program that is providing the rehabilitative services for the AB 109 Day Reporting Center program to include expanded educational, vocational, and employment programs to the in custody inmates. Those services will enhance our current GED program and provide for an orderly transition to the drastic changes in GED testing that go into effect on January 1, 2014.

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R-7 Recommendation: *The Grand Jury finds that replacement of the current Jail facility will remedy the finding. However, the Grand Jury recommends that the basketball hoop and recreation equipment be supplied to inmates during outdoor recreational periods.*

Response: The Jail agrees with the finding that The Tuolumne County lacks adequate outdoor recreational facilities and space to accommodate the inmate population serving longer sentences. The Jail currently provides two free standing exercise stations as well as space for walking, jogging and calisthenics in the recreation yard. However, approximately ten years ago the Jail did provide basketball hoops in the recreation yard however they were removed to do on going inmate injuries and fights. These activities often became very aggressive and resulted in actions such as pushing, shoving, elbowing, tripping and horseplay. Verbal altercations and physical fights became commonplace when inmates felt these actions were purposeful. We also dealt with multiple injuries almost daily. Injuries ranged from abrasions, sprains, stitches and even broken bones. The Jail also incurred additional expenses as a result of the injuries and fights. Medical and overtime expenses were incurred due to transportation of inmates by Jail Deputies to Sonora Regional Medical Center ER for treatments. Basketballs, volleyballs, handballs, etc. may also be used to damage video surveillance equipment and can be cause for safety concerns if thrown at Jail Staff.

R-8 Recommendation: *The Grand Jury recommends that the Sheriff's Office continue with safety training for all personnel to ensure that staff is well educated and prepared to deal with increasingly violent detainees serving longer sentences in conjunction with AB109 mandates.*

Response: The Sheriff's Office is continuing to educate and train jail personnel in safety and security issues regarding AB109 Inmates. Jail personnel are mandated by the Board of State and Community Corrections to have a minimum of 24 hours of training per year. During our 2012-2013 training cycle, in addition to our core courses such as Defensive Tactics, Cell Extraction, High Security Transport, Impact Weapons, Pepperball, Firearms, and Taser we added several courses specifically geared toward AB109 inmates. These included Prison Gangs/AB109, Gangs on the Street and Prison, Objective Jail Classification, Dealing with Change in AB109 Times, AB109 Realignment One Year Later. Already scheduled for our 2013-2014 training cycle related to AB109 inmates include The Jail Inmate Verses The Prison Inmate, Tactical Communication, and Reading Body Language. We will continue to seek out and attend future AB109 specific trainings as they become available.

R-9 No recommendation.

R-10 No recommendation.

R-11 Recommendation: *The Grand Jury recommends that the County Health Officer, Jail medical staff and the Sonora Regional Medical Center Emergency Room Director continue to attend all QA meetings scheduled in the future. The Grand Jury acknowledges that the Sonora*

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Regional Medical Center facility is a private organization that is not operated by the County, but does receive County funds for inmate emergency room care.

Response: Defer to Tuolumne County Health Officer and Sonora Regional Medical Center.

R-12 Recommendation: *The Grand Jury recommends that the County Health Director and County Administrator continue to pursue available state funding for the health care and rehabilitative services of transferred AB109 inmates. The Grand Jury further recommends that they secure long term catastrophic liability insurance to protect the County from possible future litigation resulting from inmate medical suits.*

Response: Defer to Tuolumne County Board of Supervisors, County Administrator and County Health Officer.

R-13 Recommendation: *The Grand Jury recommends that as state or local funding becomes available, that the construction of the new jail, the Sheriff's Office and Probation Department expansion phases remain the top priority to the Board of Supervisors and County Administrator. The County Administrative staff and analytical team should be commended for their efforts to reduce the scope and cost of the originally planned Law and Justice Center.*

Response: The Sheriff's Office is currently working with the Board of Supervisors and County Administrator to obtain funding through SB1022. We are working with our partners on a phased plan to build a new facility and phase out the current facility.

R-14 No recommendation.

R-15 Recommendation: *The Grand Jury recommends that state or local funding for jail replacement continues to be aggressively pursued by County Administrative staff.*

Response: Defer to Tuolumne County Board of Supervisors and County Administrator.

Public Safety Realignment Act AB109 **Recommendations**

R-4 Recommendation: *The Grand Jury recommends that the Community Corrections Partnership continue to work with key stakeholders to identify creative methods for managing the changes that will result from AB109 and develop coordinated responses as needed.*

Response: As part of the Community Corrections Partnership, the Sheriff's Office is and will, continue to work with the CCP, the custodial arm of the justice system and community members to identify new management methods to deal with the challenges of prison realignment.

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Behavioral Health Programs and Services
Care, Custody, and Control in "5150" Incidents
Recommendations

R-3 Recommendation: *It is suggested that all involved agencies and appropriate staff receive annual training relating to various aspects of "5150".*

Response: The Commission on Peace Officer Standards and Training (POST) currently requires academy recruits to complete a minimum of six hours of classroom instruction, and the successful completion of a related scenario. The total number of hours could vary depending on the specific academy.

POST recommends, but does not currently require any updated or continuous training for law enforcement officers. (13515.25 P.C. & 13519.2 P.C.)

The Tuolumne County Sheriff's Office provides newly hired Deputies with training during their Field Training period. Sheriff's Office Corporals provide briefing training through POST videos as well as discussions of actual incidents on a regular basis.

The Sheriff has met with Behavioral Health, both parties have agreed that Behavioral Health will provide training to Sheriff's Office staff on "5150" evaluations. Curriculum, dates are being worked out so that this training may take place as soon possible.

Sincerely,



James W. Mele
Sheriff-Coroner

Cc: Craig Pedro, County Administrator