



CITY COUNCIL STAFF REPORT

TO: Honorable Mayor and City Council **DATE:** July 15, 2019

FROM: Matthew Bronson, City Manager

PREPARED BY: John Peters, Chief of Police

SUBJECT: Response to the Grand Jury Report Regarding “Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities”

RECOMMENDATION

Approve the response to the Grand Jury report and authorize the Chief of Police to execute a letter to the Presiding Judge of the Superior Court on behalf of the Governing Body and a separate letter on behalf of the Mayor as required.

BACKGROUND

The City has received a report from the 2018-2019 San Luis Obispo County Grand Jury regarding “Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities.” The report is attached to the staff report (Attachment 1) and is focused on various aspects of the California Men’s Colony, the Sheriff’s Office, and local Police Department detention facilities. At the end of the report, a series of findings and recommendations are made. The Police Chief and Mayor are required by law to respond to Recommendation R6 by August 20, 2019. Staff has developed the attached draft response letters (Attachment 2) for the Council’s review. Staff is recommending the Council review the letters and authorize their submittal to the Grand Jury.

The detention facility at the Grover Beach Police Department was inspected by the Grand Jury and found to be in compliance with all regulations. The Grand Jury also met with Police Department staff and reviewed the records for the jail facility. The records were also found to be complete and in compliance with regulations. During their inspections of the San Luis Obispo County Crime Lab, the Grand Jury noted the crime lab staff and sheriff deputies receive specific training related to the preservation and collection of DNA evidence. The Grand Jury determined the crime lab could provide similar training to all patrol officers in each of the San Luis Obispo County Police Departments, however it did not identify how that process would be handled.

Response to Recommendations

Below is the language for Recommendation R6 and the City’s proposed response:

Recommendation R6. “Crime Lab should provide the same training to city law enforcement agencies for handling DNA evidence as they do for Sheriff Deputies.”

Staff believes this recommendation requires further analysis. City police officers could benefit from additional training on the preservation and collection of DNA evidence and the assistance of the San Luis Obispo County Sheriff’s Office and County Crime Lab would be welcomed in developing this training. However, this would need to be discussed with the Sheriff’s Office to

work out the logistics on providing such training including the course outline and training costs and if the training will comply with Police Department policies and California Peace Officer Standards and Training requirements. The Police Department looks forward to working with our San Luis Obispo County Law Enforcement partners on accomplishing this recommendation. The time frame for an additional response and discussion of the above issues and review by the City Council shall be no later than December 20, 2019.

FISCAL IMPACT

There is no fiscal impact from this action.

ALTERNATIVES

The City Council has the following alternatives to consider:

1. Approve the response to the Grand Jury report and authorize the Chief of Police to execute a letter to the Presiding Judge of the Superior Court on behalf of the Governing Body and a separate letter on behalf of the Mayor as required; or
2. Modify the response to the Grand Jury report and authorize the Chief of Police to execute a letter to the Presiding Judge of the Superior Court on behalf of the Governing Body and a separate letter on behalf of the Mayor as required; or
3. Provide direction to staff.

PUBLIC NOTIFICATION

The agenda was posted in accordance with the Brown Act.

ATTACHMENTS

1. Grand Jury report titled "Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities".
2. Draft responses to Grand Jury report

INSPECTION REPORT FOR SAN LUIS OBISPO COUNTY LAW ENFORCEMENT AND DETENTION FACILITIES

In this report, the 2018 -2019 San Luis Obispo County Grand Jury documents the results of our inspections of the County's detention facilities and the Coroner's facility.

SUMMARY

The 2018 -2019 San Luis Obispo County Grand Jury inspected the Coroner's Facility, Crime Laboratory, Evidence Room, County Jail, Juvenile Hall, Psychiatric Health Facility (PHF), all city and county holding facilities, and the California Men's Colony State Prison (CMC). Grand Jury questions were addressed by supervisory staff. The jury learned many facilities were built decades ago and several have been renovated to improve safety and functionality. The County Jail is currently completing a remodel to buildings enabling staff to provide more rehabilitative and educational programs. The Medical and Psychiatric programs are also being expanded, with the County Jail outsourcing these programs to Wellpath, a national for-profit provider of jail healthcare. Wellpath will operate within the jail under the supervision of the jail's Chief Medical Officer. The Psychiatric Health Facility has made some physical improvements since last year's inspection and we suggest the PHF expand into other areas of the building it currently occupies. Overall, the Grand Jury was satisfied with the management of the facilities.

INTRODUCTION/PURPOSE

The State of California requires county grand juries to inspect all jails and prisons within their county on a yearly basis. This report combines the results of inspecting city, county and state facilities where individuals can be detained including the Psychiatric Health Facility. Additionally, the San Luis Obispo County Grand Jury inspected the San Luis Obispo County Sheriff's Crime Lab, Evidence Room and Coroner's facility.

AUTHORITY

The issuance of this report is authorized under investigative powers of the Grand Jury pursuant to California Penal Codes § 919, 921 and 925.

METHOD/PROCEDURE

This report documents the observations, findings, and recommendations resulting from the Grand Jury inspections at the following sites:

- California Men’s Colony (CMC)
- County Jail, including:
 - Main Jail
 - West Jail Facility
 - Men’s Honor Farm
 - Women’s Jail (Kansas Facility)
 - Medical Programs Unit
- Juvenile Hall
- Holding cells¹
 - San Luis Obispo
 - Pismo Beach
 - Paso Robles
 - Grover Beach
 - San Luis Obispo County Courthouse Holding Facility
- San Luis Obispo County Coroner’s Facility
- San Luis Obispo County Crime Lab Facility
- Psychiatric Health Facility

The data for this report came from inspecting each of the above facilities, interviewing various officials during and following those visits, as well as reviewing policies, procedures, and statistics from facility records.

¹ Note: The cities of Arroyo Grande, Atascadero, and Morro Bay do not operate holding cells.

This report's Appendix contains the inspection guidelines that were utilized during the site inspections to gather the information. Representatives of the County Jail were provided written questions prior to the inspection. The Grand Jury interviewed individuals associated with custody, educational programming, and medical care at the County Jail and Juvenile Hall. The CMC, County Jail, and Juvenile Hall responded to additional written questions submitted after the physical inspections.

Additionally, the Grand Jury reviewed the following documents:

- Inspection reports completed this year by the Board of State and Community Corrections
- The applicable written policies and procedures
- Job descriptions for correctional deputies and other employees
- Local media coverage of all the facilities during this time period

NARRATIVE

CALIFORNIA MEN'S COLONY STATE PRISON

The general organization of the California Men's Colony (CMC) and governing regulations has been well documented in prior reports. Little variance was seen from what has been previously reported by the grand jury. CMC has a large variety of offerings for inmates with regard to basic and vocational education and work opportunities. In addition, CMC offers cognitive behavioral treatment (CBT) including substance abuse, anger management while recognizing criminal thinking, and family relationships.

As described in prior grand jury reports, the CMC is divided into an East and West facility. Basic design and construction of the East facility was completed in 1961 with additional buildings added through the years. The addition of an electrified security fence around the perimeter has eliminated the need for 24-hour staffing of security towers. The East facility consists of four yards surrounding a central plaza. Superficial inspection of the facility suggests adequate maintenance, but the age of the facility is evident. Unlike the majority other California State Prisons, each yard shares activities

in the central plaza, such as medical, educational, commissary, work, and chapel. Mixing of inmates from different yards does not occur in most other prisons.

Inmates are placed into security classifications by a point system that rates them as Levels 1– 4. Level 4 inmates are the highest security risks. Most high-level prisoners are housed in the Administrative Segregation Unit (ASU). Inmates who violate prison rules or who are trying to leave gangs might be housed in the ASU as well. Construction is being completed on a medical building adjacent to the ASU for treatment of segregated inmates. This will eliminate the need for transporting them to the Central Clinic.

The West facility is reported to be a level 1 - 2 prison, housing inmates requiring less security than the CMC East facility and includes many inmates who are approaching the end of their sentences. Its core buildings are repurposed from Camp San Luis Obispo, a World War II Army camp, but there are also newer buildings and ongoing construction. The West facility contains extensive vocational and behavioral rehabilitation classrooms. Some West facility inmates provide assistance to Cal Fire and there is an ongoing innovative program to train service dogs for veterans and first responders with PTSD or other special needs.

Inmates assigned to the CMC are pre-screened but on arrival can opt not to participate in “programming,” the general term for vocational and educational opportunities at CMC. An effort is made to reassign prisoners to other institutions who choose to opt out of programming.

Inmate participation in California Prison Industries Authority (CALPIA) work activities is voluntary. Those who volunteer to work in the CALPIA earn a small salary and some time off their sentences. Yet, the percentage of prisoners volunteering is reported to be declining with many unfilled positions in the factories. Recidivism in CALPIA participants is reported to be as much as ten times less than the general population. Those who participate in CALPIA activities are a self-selected and presumably a more motivated group. However, declining participation rates suggest that the traditional character of CMC inmates is also changing in ways that could have future implications for management of the facility. Comparable results with regard to recidivism

were reported for those participating and completing basic and vocational rehabilitation programs, educational programs, and cognitive behavioral treatment programs.

Many concerns were expressed by CMC staff about a series of state mandated cutbacks in the number of guards and supervisors. The cutbacks were described as an attempt to apply a uniform staffing level at all California prisons. Concern was expressed that these cutbacks do not take into account the unique physical characteristics of the East facility. As detailed above, the East facility inherently requires mixing of prisoners with known grievances and gang rivalries as the separate yards are not self-contained units. It was reported that at the West facility, where inmates with lower classifications or near the end of their sentences are housed, staffing ratios can go as low as one guard for 180 inmates. Staff answered that “Standardized Staffing” imposed by the State of California will result in fewer officers per inmate. The State does not mandate a specific officer to inmate ratio.

The demographics of the inmate population are changing as a consequence of AB 109, which shifted inmates from state prisons to county jails. With a larger percentage of higher risk inmates combined with the reported declining numbers of prisoners participating in activities, such as the prison industries, we are seeing this change. Prison gang membership is increasing along with decreasing voluntary participation in rehabilitation programs. Although the CMC staff stated they could not attribute any incidents that may have occurred due to this change in demographics, the lowered staffing ratios could lead to a “perfect storm” where a riot like that which occurred in September 2017 is more likely and will be more difficult to control.

SAN LUIS OBISPO COUNTY JAIL FACILITY

The San Luis Obispo County Jail has four main sections: the Main Jail, the West Jail, the Men’s Honor Farm, and the Kansas Jail (Women’s Jail). As noted in prior Grand Jury reports, the county jail facilities have had to undergo considerable expansion of the physical facilities and services offered since the passage of AB 109.

The West Jail is a newer facility containing classrooms for programming and education. The Kansas Jail is the newest facility, also containing classrooms for programming and education. These facilities appear to be well maintained and staffed.

At the time of this inspection a new medical facility was under construction at the jail. This facility will operate under an outside contractor, Wellpath, a national healthcare company that specializes in providing inmate medical, mental health and dental services. Wellpath will operate under the supervision and evaluation by county personnel.

The Honor Farm contains several buildings which are used for vocational training and classrooms that also support educational programming. The Honor Farm houses inmates who have demonstrated they are low-risk and have earned the additional freedoms and responsibilities that living in barrack-style housing entails.

Deaths at the county jail, discussed in prior Grand Jury reports, are currently the subject of federal investigations and therefore will not be commented upon in this report. Policy changes made in the wake of those events can be reviewed in Sheriff's reports and news articles.

The SLO County Sheriff's Office provided answers to questions submitted by the Grand Jury regarding the health and safety of jail inmates, which we have summarized below:

- The Stepping Up Initiative is a national program aimed at reducing the numbers and improving the treatment of mentally ill inmates in American jails. The Sheriff's Office collaborates with other County Departments on this nationwide initiative. The Sheriff's Office recognized the need for more space to provide treatment for inmates suffering from mental health issues. Specific areas within the jail were identified as facilities, which could be most quickly adapted to provide additional space for a program to be developed for these types of services.
- The Sheriff's Office continues to assess the current facility layout. For inmates with mental illness, a jail Capital Improvement Project proposal was submitted to the San Luis Obispo

County Department of Public Works. In Phase II of the jail construction project the existing Women's Jail yard will be repurposed for use as an additional exercise yard. They have also adjusted the current schedules to provide more yard time by allowing access during previously unused nighttime hours.

- Senate Bill 10 was passed by the California state legislature intending to reduce the number of inmates who might be housed for long periods of time awaiting trial simply because they cannot afford to make bail. The Sheriff's Office has collaborated with the Probation Department, Public Defender's Office, District Attorney, and the Court on the implementation of a Pre-Trial Services Program that would allow low-level offenders to be released on their own recognizance while awaiting trial without going through a court procedure. Members of the Sheriff's office have visited counties with Pre-Trial Services in place. An assessment process will be developed to determine eligibility for this program.
- The Sheriff's Office is collaborating with Central Coast Veterans Helping Veterans to help ensure eligible veterans in custody receive all available services. This is an organization that serves the needs of veterans in Northern Santa Barbara, San Luis Obispo, and Southern Monterey Counties that have faced problems transitioning from military to civilian life.
- Safety Cells are used in the county jail to temporarily house mentally ill inmates considered a threat to themselves or others. As a result of recent deaths, the Sheriff's Department adopted a new policy in July 2017, limiting time spent in Safety Cells. Security checks are to be completed every 15 minutes. An Assessment Team consisting of the On-Duty Sergeant and a member of Jail Health Services evaluates the need for continued retention every four hours.
- Up to 15% of inmates being booked into the jail self-report using psychotropic medications. Inmates evaluated to be in a mental health crisis, (attempting to injure themselves or others), are immediately given emergency medication when appropriate. They are placed on a Welfare and Institution Code 5150 hold and transferred to the Psychiatric Health Facility (PHF). If an arresting officer requests a mental health evaluation

on a person charged with a misdemeanor, the arresting officer is required to provide the arrestee with a medical clearance prior to booking. This helps facilitate transfer to the PHF if needed.

- When mentally ill jail inmates are transferred to the PHF, there is no system in place for having a guard present at the PHF. That is because any person working onsite at the PHF, including a sheriff's deputy, would have to meet several requirements including licensing and specific background checks, training in HIPAA² confidentiality laws, and the California Medical Information Act. It would be prohibited for that guard to carry a weapon because of the potential for being used by a patient at the PHF.
- Since January 1, 2018, Jail health staff have screened each new booking for mental illness using the nationally recognized Brief Jail Mental Health Screen. The Sheriff's Office is finalizing plans for an in-house Jail Based Competency Treatment Program for persons found to be Incompetent to Stand Trial (IST) and requiring competency restoration to stand trial. The Jail Based Competency Treatment Program is a nationally recognized program being instituted in many California counties.
- Over the past two years the Sheriff's Department has instituted other mental health programs including 24 hours a day/seven days a week telephone Psychiatric coverage. They have expanded in-house mental health staff coverage with 24-hour coverage four days a week and with 16 hours per day coverage three days a week. They have increased staff training in writing Welfare and Institution Code 5150 holds for persons in danger of hurting self, others, or are gravely disabled secondary to mental illness. When necessary, inmates will be involuntarily medicated for mental health crises. A new Behavioral Health Unit is projected to be opened in May 2019, to increase programming and services for mentally ill inmates.

² **HIPAA** (Health Insurance Portability and Accountability Act of 1996) is United States legislation that provides data privacy and security provisions for safeguarding medical information.

- Correctional Deputies receive eight hours of Standard Training for Corrections approved Suicide Prevention/Mental Health training in the Core Academy, the latter a part of the training program for Deputy Sheriffs. In addition, the Sheriff's Office facilitates a 40-hour Peace Officer's Standards and Training/Standards and Training for Corrections approved Crises Intervention Training for all sworn custody and patrol personnel. The Sheriff's Office Community Action Team Deputies have an office inside the jail. They work closely with Jail Staff, Jail Medical/Mental Health Services, and several private agencies in the community to aid with at-risk inmates.
- A Level of Service Inventory is performed for inmates to classify an offender's risks of reoffending and what might be offered to try to avoid repeat offenses or recidivism. The Sheriff's Office believes inmate participation in rehabilitation programs will likely result in less recidivism and is developing methods for tracking the outcomes for inmates who participate in these programs.
- The Sheriff's Office offers many short-term programs throughout the jail. Examples cited were Grief and Loss, a six-session therapeutic course that takes place twice per week for three weeks, enabling inmates who have shorter-term sentences to participate and complete the entire course. The Pathways to Employment Workshop is conducted by Goodwill Central Coast. This workshop is scheduled as a two-day, back-to-back, three-hour workshop that can accommodate un-sentenced inmates because of the short duration. Educational programs in the fiscal year 2017-2018 resulted in 11 inmates receiving a high school diploma. Ten inmates passed the high-school equivalency test.
- In response to questions about violent activities within the jail, the Sheriff reported that in the past five years 33 correctional or non-sworn personnel have been assaulted. During that same period a total of 339 inmate assaults involving 790 inmates have occurred. The Sheriff's Office reported no fatalities as a result of altercations.
- The implementation of AB 109 has resulted in longer periods of incarceration for inmates at the county jail and has also caused an increase in gang related issues. Gang rivalries have created a "more hostile jail environment" which the sheriff's office described as a "steady

rise in sophisticated gang activity within the jail.” The sheriff noted the jail is now housing gang members with both county and out-of-county affiliation.

JUVENILE HALL

The San Luis Obispo County Juvenile Hall is a detention facility for males and females up to 18 years of age and in certain cases up to age 21. This is a 50-bed capacity facility. These juveniles are incarcerated for minor criminal acts or violations of probation.

Staffing at the facility consists of Juvenile Service Officers, teachers, medical staff, mental health therapists, and social services. Medical services are provided by doctors, nurses, and nurse practitioners provided by the Public Health Department. County Mental Health therapists provide services as needed. As there are no safety cells for suicidal youth, these juveniles are transferred to Ventura, Bakersfield or Santa Rosa for treatment. Youth currently at the facility who are designated as 5150 (a danger to self or others) remain at the facility until appropriate placement through Mental Health is available.

The facility has a Juvenile Justice Court with a presiding judge, stenographer, and court assistant. This Court deals with detention hearings and sentencing for incarcerated youth.

Attendance is required on a 246-day school year schedule with teachers provided by the San Luis Obispo County Office of Education. The Juvenile Court School is accredited by the Western Association of Schools and Colleges and a student can earn their high school diploma. All teachers at the Court School have both a general education credential and a special education credential. The school staff is like any public school with an administrator, a registrar, a data technician, and a school psychologist, as well as a program specialist, behavior specialist, and a Foster/Homeless counselor. This program has three classrooms and is coed. The curriculum offered can lead to a High School Diploma or a High School Equivalency Test. The behavior focus follows the Positive Behavioral Intervention Strategies (PBIS) program and youth are treated as students and not inmates. It is noteworthy that the school analyzes the incoming students’ transcripts so they can

be enrolled in the proper classes. Before the student's release, an updated transcript is sent to the student's former school to help with their transition.

The Coastal Valley Academy (CVA) is located within the facility in a separate wing that has its own recreation yard, dining area, classroom and living area. This program is for 14 to 17-year-old youth with moderate to high-risk needs requiring residential treatment and is an alternative to group homes. Coastal Valley Academy engages the family in the treatment with the goal of reunifying the family. The Family Care Network and the San Luis Obispo County Office of Education provide services. Youth are ordered to stay up to 12 months and receive intensive case management, PBIS, and educational services. Of note is that the program is set up with a family type setting and includes (earned) off-site activities, community service projects as well as home passes.

Staff at the facility are highly trained and meet weekly to review individual cases. Data collection is required for everything that occurs on a daily basis and is effective in dealing with ongoing problems.

During calendar year 2018, Juvenile Hall had a minimum of 12 and a maximum of 31 youth. There was a total of 15 occupants at the time of the Grand Jury's visit. As mentioned earlier, Juvenile Hall has a 50-bed capacity. Recent statistics show California juvenile crimes have dropped substantially, and San Luis Obispo County is no different, leaving this facility with extra space.

HOLDING CELL INSPECTIONS

Holding cells for the cities of Grover Beach, Pismo Beach, Paso Robles and San Luis Obispo, along with the County holding facility at the Courthouse were inspected by members of the 2018-2019 Grand Jury. These members met with the responsible officers and performed a physical inspection of the facilities for health and safety issues. Each of the city holding cells, as well as the County courthouse holding cells, were found to be in compliance. Prior to this year, there were

no security cameras in the stairwells that access the County courthouse holding cells. Security cameras have now been installed.

City facilities do not handle a high volume of inmates. In fact, most city holding cells are not used at all, and if they are used it is only for a short time until the detainee can be transported to jail. It is important to note that Grover Beach, Pismo Beach, and Paso Robles do not put juveniles in holding cells but keep them with an officer in a room until a parent or guardian can pick them up or they are placed in custody. In the City of San Luis Obispo, when an officer cannot be present with a juvenile, the detainee is kept in an interrogation room with a two-way mirror and surveillance cameras.

SAN LUIS OBISPO COUNTY CORONER'S FACILITY

The Coroner's Facility is located across town from the Sheriff's Office. The Sheriff-Coroner oversees the department. A sergeant, who is also responsible for the crime lab at the Sheriff's Office, supervises the office. The facility provides service to all cities and unincorporated areas of San Luis Obispo County. In 2017, the San Luis Obispo County Board of Supervisors approved the hiring of the first full-time medical examiner, a physician with more than 30 years' experience in forensic pathology.

The Grand Jury conducted a site inspection of the facility, and found it to be very clean and well maintained. The Coroner's Office investigates the cause and manner of death, where a death occurred outside of a hospital or the presence of a physician. This includes homicides, suicides, accidental death, and deaths due to suspicious circumstances. There are 1,500 to 2,000 deaths in San Luis Obispo County per year. Approximately 600 - 800 deaths require detectives assigned to the Coroner to respond. The unit is comprised of three detectives who specialize in death investigations. The assigned detectives are committed to work in the Coroner's Office for five years, which promotes continuity. It is the responsibility of the coroner to determine the necessary level of inquiry into any death. The Medical Examiner currently averages six or seven autopsies per week. The refrigerated storage unit can hold 19 bodies and, in an emergency, can be doubled up to hold 38. Mortuaries in the county will hold bodies at their facilities until the Coroner's Office

is ready to receive them. The assigned detective and at least one other person will assist in an autopsy, which averages two and a half hours depending on the complexity of the case. Homicide autopsies can take five to eight hours per case. All autopsy findings are documented. The detectives and a part-time assistant are responsible for clean-up between autopsies.

The evidence room stores samples in secured lockers which can only be opened by the detective assigned to the case. Written logs are maintained whenever the room is accessed. Toxicology samples are stored into evidence and testing is conducted at Central Valley Toxicology Lab in Clovis, California.

The facility, leased by the County, is approximately 2,500 square feet and may expand in the future. The office is well organized and makes efficient use of available resources. There are contingency plans in place to deal with a mass casualty event. In case of a power outage a generator will be transported from the Sheriff's Office.

Detectives assigned to the Coroner's Office have a high volume of cases. Performing cleaning duties takes away time they could be using on their investigations. The hiring of a full-time assistant will allow for more efficient use of the detectives' time.

SAN LUIS OBISPO COUNTY CRIME LABORATORY

The crime lab is operated by the San Luis Obispo County Sheriff's Department and is staffed by deputies and county personnel. This department does all the crime scene investigations for every law enforcement agency in the county if requested.

All DNA samples collected are transported by the Sheriff's Office to the Department of Justice located in Goleta. Training is provided by the lab's staff to all Sheriff's deputies in avoiding contamination when collecting evidence from an incident/crime scene. They do not provide the same level of training to other law enforcement agencies that work with the crime lab. Crime Lab staff indicated a willingness to provide this training to other agencies but have no mandate or funds to provide the training.

PSYCHIATRIC HEALTH FACILITY

The Psychiatric Health Facility (PHF) is a hospital facility licensed by the State Department of Health Care Services (DHCS) to treat 16 patients at any one time from 72 hours to 14 days. The PHF serves:

- Individuals who, per Welfare & Institutions code 5150 (W&I), may be involuntarily detained due to indications they are, as a result of a mental disorder, a danger to self, danger to others, or may be gravely disabled.
- Misdemeanants in custody of the County jail, determined by the court to be incompetent to stand trial (per Penal Code 1370). Inmates are treated at the PHF to restore them to competency, in order for them to participate in their legal proceedings.
- Conserved individuals (gravely disabled and permanently housed elsewhere) in need of stabilization.

The PHF is located within the former San Luis Obispo County General Hospital complex.

The building was in the process of some moderate remodeling during our inspection. The interior was being repainted in a modern hue and lighting upgrades were being added to provide a more calming atmosphere. A new main entrance to the PHF was nearing completion with the addition of a locking double door, which should make the PHF more secure. Supplies were stored in rooms formerly used by juveniles whom this facility no longer accepts.

Although County Health has made improvements to the existing facility, it remains a small cramped space for the number of staff working and patients being treated at the site. Currently inmates from the County Jail with acute psychiatric problems are transferred to the PHF and mix with other patients without any guards in attendance from the Sheriff's office.

CONCLUSIONS

San Luis Obispo County is working to have quality facilities for staff and detainees within our county. However, these efforts are constrained by the age of some facilities, as well as finances.

FINDINGS

California Men's Colony

F1. CMC offers extensive rehabilitation opportunities for inmates.

San Luis Obispo County Jail

F2. The SLO County Jail has undergone and continues to undergo expansion to the physical facilities since the passage of AB 109.

F3. The SLO County Jail has instituted new educational programs since the passage of AB 109.

F4. General and Mental Health facilities and programs have undergone expansion over the last several years.

F5. Medical, mental, and dental services have been outsourced to Wellpath, an independent contractor.

F6. Procedures for dealing with acute mentally ill inmates have been revised since in-custody deaths.

F7. Gang activity is increasing in the county jail.

Juvenile Hall

F8. The excess space in Juvenile Hall is not utilized to its full potential.

San Luis Obispo County Coroner's facility

F9. Detectives assigned to the Coroner's Office have high caseloads.

F10. Detectives are performing clean-up duties after autopsies as well as working their caseloads.

F11. The Coroner's Office does not have a facility expansion plan.

San Luis Obispo County Crime Lab facility

F12. City law enforcement agencies do not receive the same training as Sheriff's deputies in handling DNA evidence.

Psychiatric Health Facility

F13. The PHF has made minor upgrades to its small, antiquated facility.

F14. According to the Sheriff's office, placing a deputy at the PHF is not an option because of existing county policies and procedures.

RECOMMENDATIONS

County Jail

R1. Monitor and report clinical outcomes from medical treatment provided by Wellpath.

R2. Implement a best practices study of ways to manage increasing gang activity.

San Luis Obispo County Coroner's facility

R3. Hire a full-time assistant to perform autopsy clean-up and other duties to make daily operations more efficient.

R4. Provide a Coroner's Facility expansion plan by the end of the fiscal year 2019-2020. This will include sources of funding and focus on future needs of the department.

R5. The empty airport terminal buildings be considered for additional space since there are no current plans for redevelopment.

Crime Lab

R6. Crime Lab should provide the same training to city law enforcement agencies for handling DNA evidence as they do for Sheriff Deputies.

Psychiatric Health Facility

R7. Continue physical improvements to the existing PHF.

R8. Consider expansion into other areas of the building.

REQUIRED RESPONSES

The San Luis Obispo County Sheriff is required to respond to: F2, F3, F4, F5, F6, F7, F9, F10, F11, F12, F14, R1, R2, R3, R4, R5, and R6.

The San Luis Obispo County Chief Probation Officer is required to respond to: F8.

The San Luis Obispo County Health Department Director is required to respond to: F13, F14, R7, and R8.

The San Luis Obispo County Sheriff's Chief Medical Officer is required to respond to: R1 and R3.

Police chiefs from city law enforcement agencies (San Luis Obispo, Pismo Beach, Paso Robles, Grover Beach, Arroyo Grande, Atascadero, and Morro Bay) will respond to R6.

The responses shall be submitted to the Presiding Judge of the San Luis Obispo County Superior Court within 60 days of receipt of this report. Please provide a paper copy and an electronic version of all responses to the Grand Jury.

The San Luis Obispo County Board of Supervisors is required to respond to: R3, R4, R5, R6, R7, and R8.

The responses shall be submitted to the Presiding Judge of the San Luis Obispo County Superior Court by August 20, 2019. Please provide a paper copy and an electronic version of all responses to the Grand Jury.

933.05. Findings and Recommendations

(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 disputed and shall include an explanation of the reasons therefore.

(b) For purposes of subdivision (b) of Section 9ss, 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 implanted in the future, with a timeframe for implantation.
- (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 implanted because it is not warranted or is not reasonable, with an explanation therefore.

Presiding Judge	Grand Jury
Presiding Judge Ginger Garrett Superior Court of California 1035 Palm Street, Room 355 San Luis Obispo, CA 93408-1000	San Luis Obispo County Grand Jury P.O. Box 4910 San Luis Obispo, CA 93403-4910

APPENDICES

INSPECTION GUIDELINES

The following is a summary of the key data sought by the Grand Jury prior to or during each inspection.

- 1) Population
 - a) Current census
 - b) Average daily census
 - c) Capacity
 - d) Average time a person is held
 - e) Are people ever held without charges
 - f) Significant changes in inmate population
- 2) Disciplinary actions taken against staff for inmate-related issues
- 3) Escapes
 - a) Details
 - b) Remedial actions
- 4) Use of force incidents
- 5) Health services
 - a) How delivered
 - b) Common medical problems
 - c) Public health concerns
- 6) Injuries
 - a) Injuries to inmates due to aggression/agitation
 - b) Accidental injuries to inmates requiring medical attention greater than first aid
 - c) Injuries to staff by inmates due to assault or managing inmate aggression/agitation
- 7) Suicide
 - a) Suicide attempts/deaths
 - b) Serious self-injury incidents requiring medical attention beyond first aid
- 8) Drugs
 - a) Drug overdoses
 - b) Drug deaths by overdose

9) Deaths

- a) Other deaths

10) Training (title, hours, and instructor credentials for each type)

- a) Managing inmate violence
- b) Handling mental health behaviors
- c) Responding to drug/alcohol related problems

[Draft letter – for review by City Council 07/15/2019

July 15, 2019

Presiding Judge Ginger Garrett
Superior Court of California
1035 Palm Street, Room 355
San Luis Obispo, CA 93408-1000

SUBJECT: RESPONSE TO GRAND JURY REPORT – “INSPECTION REPORT FOR SAN LUIS OBISPO COUNTY LAW ENFORCEMENT AND DETENTION FACILITIES”

Dear Judge Garrett:

I have reviewed the June 20, 2019, Grand Jury report regarding “Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities” and have prepared the following response to the recommendation listed in the report.

Response to Recommendation R6

Crime Lab should provide the same training to city law enforcement agencies for handling DNA evidence as they do for Sheriff Deputies.

The recommendation requires further analysis. City police officers could benefit from additional training on the preservation and collection of DNA evidence and the assistance of the San Luis Obispo County Sheriff’s Office and County Crime Lab would be welcomed in developing this training. However, this would need to be discussed with the Sheriff’s Office to work out the logistics on providing such training including course outline and the training costs and if the training will comply with Police Department policies and California Peace Officer Standards and Training requirements. The Police Department looks forward to working with our San Luis Obispo County Law Enforcement partners on accomplishing this recommendation. The time frame for an additional response and discussion of the above issues and review by the City Council shall be no later than December 20, 2019.

Please feel free to contact me should you have any questions or concerns regarding the response contained herein.

Respectfully Submitted,

Jeff Lee
Mayor

Enclosure: Agency Response Form and Chief of Police Response

c: San Luis Obispo County Grand Jury
via first-class mail: P.O. Box 4910, San Luis Obispo, CA 93402
via e-mail: GrandJury@co.slo.ca.us

RESPONSE TO GRAND JURY REPORT

Report Title: “Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities”

Report Date: June 18, 2019

Response by: John Peters **Title:** Chief of Police

FINDINGS

1. I (we) agree with the findings numbered: N/A
2. I (we) disagree wholly or partially with the findings numbered: N/A
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons.)

RECOMMENDATIONS

1. Recommendations numbered N/A have been implemented.
(Attach a summary describing the implementation actions.)
2. Recommendations numbered N/A have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
3. Recommendations numbered R6 require further analysis.
(Attach 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 director 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 the publication of the Grand Jury report.)
4. Recommendations numbered N/A will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: July 15, 2019

Signed: _____

Number of pages attached: 1



GROVER BEACH POLICE DEPARTMENT

John Peters
Chief of Police

Grover Beach Police
711 Rockaway Ave
Grover Beach, CA 93433

Phone (805) 473-4511
Fax (805) 473-4515
jpeters@gbpd.org

July 15, 2019

Presiding Judge Ginger Garrett
Superior Court of California
1035 Palm Street, Room 355
San Luis Obispo, CA 93408-1000

Dear Judge Garrett,

The Grover Beach City Council and I have received the 2018-2019 San Luis Obispo County Grand Jury report titled "Inspection Report for San Luis Obispo County Law Enforcement and Detention Facilities" and have prepared the following response to the recommendation.

Response to Recommendation R6

R6. *Crime Lab should provide the same training to city law enforcement agencies for handling DNA evidence as they do for Sheriff Deputies.*

The recommendation requires further analysis. City police officers could benefit from additional training on the preservation and collection of DNA evidence and the assistance of the San Luis Obispo County Sheriff's Office and County Crime Lab would be welcomed in developing this training. However, this would need to be discussed with the Sheriff's Office to work out the logistics on providing such training including course outline and the training costs and if the training will comply with Police Department policies and California Peace Officer Standards and Training requirements. The Police Department looks forward to working with our San Luis Obispo County Law Enforcement partners on accomplishing this recommendation. The time frame for an additional response and discussion of the above issues and review by the City Council shall be no later than December 20, 2019.

Sincerely,

John Peters
Chief of Police

Committed to Our Community