



ORANGE COUNTY SHERIFF'S DEPARTMENT

SHERIFF-CORONER DON BARNES

OFFICE OF THE SHERIFF

August 4, 2021

Honorable Erick L. Larsh, Presiding Judge
Orange County Superior Court
Central Justice Center
700 Civic Center Drive West
Santa Ana, CA 92701

RE: Response to 2020-21 Orange County Grand Jury report, "*A Look Behind the Bars of the Orange County Jails.*"

Dear Presiding Judge Larsh:

In accordance with Penal Code sections 933 and 933.05, enclosed please find my response to the 2020-21 Orange County Grand Jury report, "*A Look Behind the Bars of the Orange County Jails.*"

If you have any questions, please do not hesitate to contact my office. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Don Barnes".

Don Barnes
Sheriff-Coroner

cc: Grand Jury Foreperson
Members, Orange County Board of Supervisors
Frank Kim, County Executive Officer

550 N. FLOWER STREET, SANTA ANA, CA 92703 | 714-647-1800

www.ocsd.org

Integrity without compromise | Service above self | Professionalism in the performance of duty | Vigilance in safeguarding our community

Orange County Sheriff's Department
Response to Findings and Recommendations
2020-2021 Orange County Grand Jury Report
"A Look Behind the Bars of the Orange County Jails"

FINDINGS

F1.

There is a security risk at the Theo Lacy Facility where it is separated from the vacant Orange County Animal Shelter facility by a chain link fence.

Response: *Partially agrees with finding.*

The fence separating the Theo Lacy Facility from the vacant Animal Shelter is a double fence (essentially two layers of fencing) with razor wire atop both fences. The area adjacent to the fence is a restricted area, utilized only by lower security inmates who are monitored and do not pose a significant escape risk.

While there is currently no security risk at this site, if the vacant Orange County Animal Shelter were repurposed for private development it would be necessary to have a stronger barrier.

F2.

Security at the Attorney Bonds Entrance area at the Central Men's Jail is inadequate to prevent trafficking of contraband through contact visits.

Response: *Partially agrees with finding.*

Sheriff's Department personnel work to prevent the trafficking of contraband at all jail locations. The physical layout of the Attorney Bonds area at the Central Men's Jail does pose unique security challenges that do not occur at the Theo Lacy facility.

F3.

The front desk at the main entrance of the Theo Lacy Facility does not provide enough separation between OCSA personnel and the general public.

Response: *Agrees with finding.*

An additional physical barrier at the front desk located in the Theo Lacy Facility lobby would enhance security for OCSA personnel.

F4.

Lack of mandatory COVID testing for jail personnel creates a high risk of infection to inmates and others.

Response: *Disagrees with findings.*

The department follows CDC guidelines and has put several protocols in place to protect the jail population against COVID-19.

F5.

Due to the lack of trained OCSD personnel, the Intake and Release Center’s scanning device is not used consistently to prevent contraband from entering the facility.

Response: *Disagrees with finding*

The ability to use the scanning device is not a result of insufficient training. The availability of staff can at times impact the use of the scanning device.

F6.

Orange County jail and detainee transportation systems lack computer integration with the Court holding facilities, creating a need for a hard copy trail of documents.

Response: *Agrees with finding*

Deputies maintain a hard copy trail of documents in order to ensure a proper accounting of information on each inmate.

F7.

AB-109 reimbursements do not cover actual costs for Orange County inmates.

Response: *Agrees with finding*

AB-109 has significantly changed the nature of local jail populations. Reimbursements have not adequately covered all costs associated with the impacts of this legislation.

F8.

The Grand Jury has found the jails and facilities to be acceptable and in overall compliance with state and federal standards.

Response: *Agrees with finding.*

RECOMMENDATIONS:

R1.

Construct a wall consistent with the existing wall, securing the area of the Theo Lacy Facility adjacent to the vacant Orange County Animal Shelter by June 30, 2022. (F1)

Response: *This recommendation has not been implemented but may be implemented in the future.*

There is currently not a need for a wall in the area of the Theo Lacy Facility adjacent to the vacant Orange County Animal Shelter. If the Shelter site is repurposed for private use it will be necessary to implement this recommendation.

R2.

Install security booths and video surveillance cameras in the Attorney Bonds entrance at the Central Men’s Jail by June 30, 2022. (F2)

Response: *This recommendation will not be implemented because it is not reasonable.*

Security booths and limited video surveillance may be implemented as funding allows, but will not be completed by June 30, 2022. Cameras will not be used in areas where attorney client communication takes place.

R3.

Construct an eight-foot-tall plexiglass shield to maintain security at the front desk entrance of the Theo Lacy Facility by December 31, 2021.

Response: *This recommendation will not be implemented because it is not reasonable.*

An additional security barrier at the front desk entrance is identified as a capital improvement project. Due to limited funding and the need to complete higher priority projects, construction of the plexi-glass shield will not take place prior to December 31, 2021.

R4.

Require mandatory COVID testing for all OCSD Jail personnel, effective immediately

Response: *The recommendation is being implemented.*

As of August 23, 2021 the California Department of Public Health requires regular testing of all non-vaccinated personnel who work in a custodial setting. The Sheriff’s Department will comply with this order.

R5.

During the intake process at the Intake and Release Center all inmates should be subject to a full body scan to enhance security and reduce contraband coming into the jail, effective immediately. (F5)

Response: *This recommendation will be implemented in the future.*

This recommendation will be fully implemented as staffing allows.

R.6.

Implement integrated software that allows the Court’s holding facility to communicate electronically with Orange County jails and detainee transportation by June 30, 2022.

(F6).

Response: *This recommendation will not be implemented because is not reasonable.*

The Sheriff's Department is planning to transition to an Enterprise Content Management System for the Department's databases/IT programs. Integration of software that allows the Court's holding facility to communicate electronically with Orange County jails and detainee transportation could be done once this transition occurs. This will not likely be accomplished by June 30, 2022.

R7.

Make all reasonable efforts to seek an increase in the daily bed rate for AB 109 inmates to cover OCSD actual costs by December 31, 2021. (F7).

Response: *This recommendation has been implemented.*

The Sheriff's Department continues to advocate for full reimbursement of unfunded mandates, however funding of those mandates is ultimately a decision to be made by the State Legislature and Governor.