



**SHERIFF-CORONER DEPARTMENT
COUNTY OF ORANGE
CALIFORNIA**

**SANDRA HUTCHENS
SHERIFF-CORONER**

OFFICE OF SHERIFF-CORONER

August 24, 2011

Honorable Thomas J. Borris
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Subject: Response to Orange County Grand Jury 2010-2011 Report, "Review of Orange County Detention Facilities"- Supplemental Response to Recommendation Three

Dear Judge Borris:

In accordance with Penal Code sections 933 and 933.05, enclosed please find the response to the Orange County Grand Jury 2010-2011 Report, "Review of Orange County Detention Facilities" supplemental response to Grand Jury recommendation #3. If you have any questions, please contact Assistant Sheriff Mike James at (714) 647-4590.

Respectfully,

Undersheriff John Scott

on behalf of Sandra Hutchens
Sheriff-Coroner

cc: Roy B. Baker III, Grand Jury Foreman
Members, Board of Supervisors
Thomas G. Mauk, County Executive Officer

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

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



ORANGE COUNTY SHERIFF'S DEPARTMENT
GRAND JURY RESPONSE
CONDITION OF ORANGE COUNTY JAILS
SUPPLEMENTAL ANALYSIS TO RECOMMENDATION #3



Dear members of the Grand Jury,

The Orange County Sheriff's Department (OCSD) previously submitted a response to the 2010/2011 Orange County Grand Jury report titled "Review of Orange County Detention Facilities". The Grand Jury Recommendation #3 required a study to better understand the possible cause of the current reduced inmate population in Orange County Jail.

Please see the analysis below.

(Grand Jury) RECOMMENDATIONS 3

Develop a study to better understand the causes of the reduced inmate population that currently exist in Orange County detention facilities.

(OCSD) Response: *The recommendation requires further analysis.*

Analysis:

The average monthly inmate population in custody of the Orange County Sheriff Department during 2010 was 5,180 inmates. During the 4th qtr of 2010, through the first half of 2011, the average daily inmate population eclipsed 5,800. This period included approximately 700 Federal Detainees entering the system. The average monthly inmate population for the past decade was 5690 inmates, without any Federal Detainees. The highest inmate population occurred during the three years from 2005-2007 in which the average number of inmates in custody was 6,432 per month.



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New inmate bookings at the Orange County Jail likewise fluctuated during the past ten years, the average booking per year was 63,200. Total booking numbers peaked from 2004-2007 with an average of 66,137 per year (see figure #1). Bookings into the Orange County Sheriff Department are conducted at the Intake Release Center (IRC) in Santa Ana. Arresting officers are employed at agencies across the county including the California Highway Patrol and the Orange County Probation Department. Bookings remanded into Sheriff's custody from court are also booked into the IRC. Inmates housed in Sheriff's custody include pre-trial and sentenced inmates.

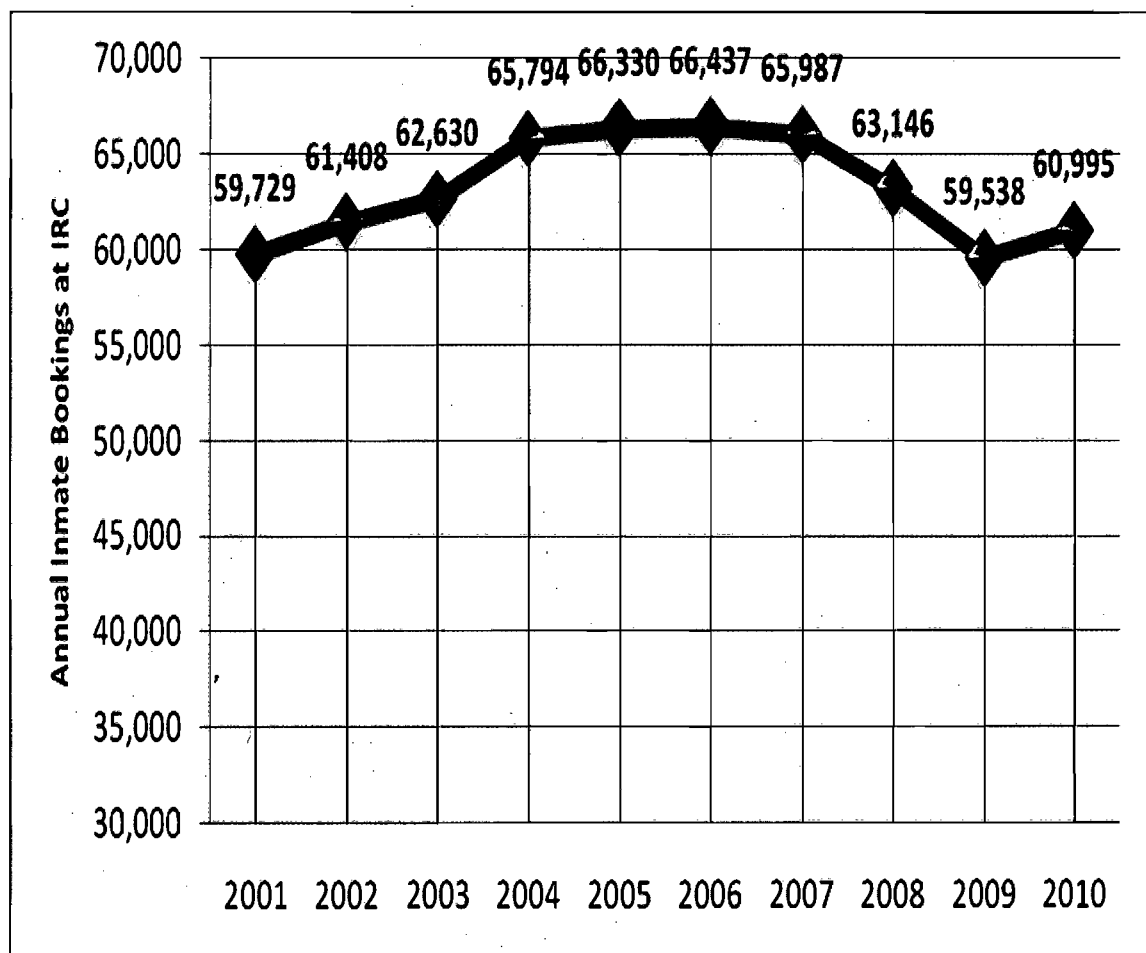


Figure 1. Annual bookings 2001 through 2010



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Over the past decade the population of inmates housed in the custody of the Orange County Sheriff Department has fluctuated in a bell shaped pattern with current inmate population numbers similar to those from ten years ago, approximately 26% below the highest daily average (see figure #2). The reduction in inmate population in Orange County is fairly consistent with a statewide trend (California Department of Corrections, Fall 2010 Adult Population Projections, pg 5).

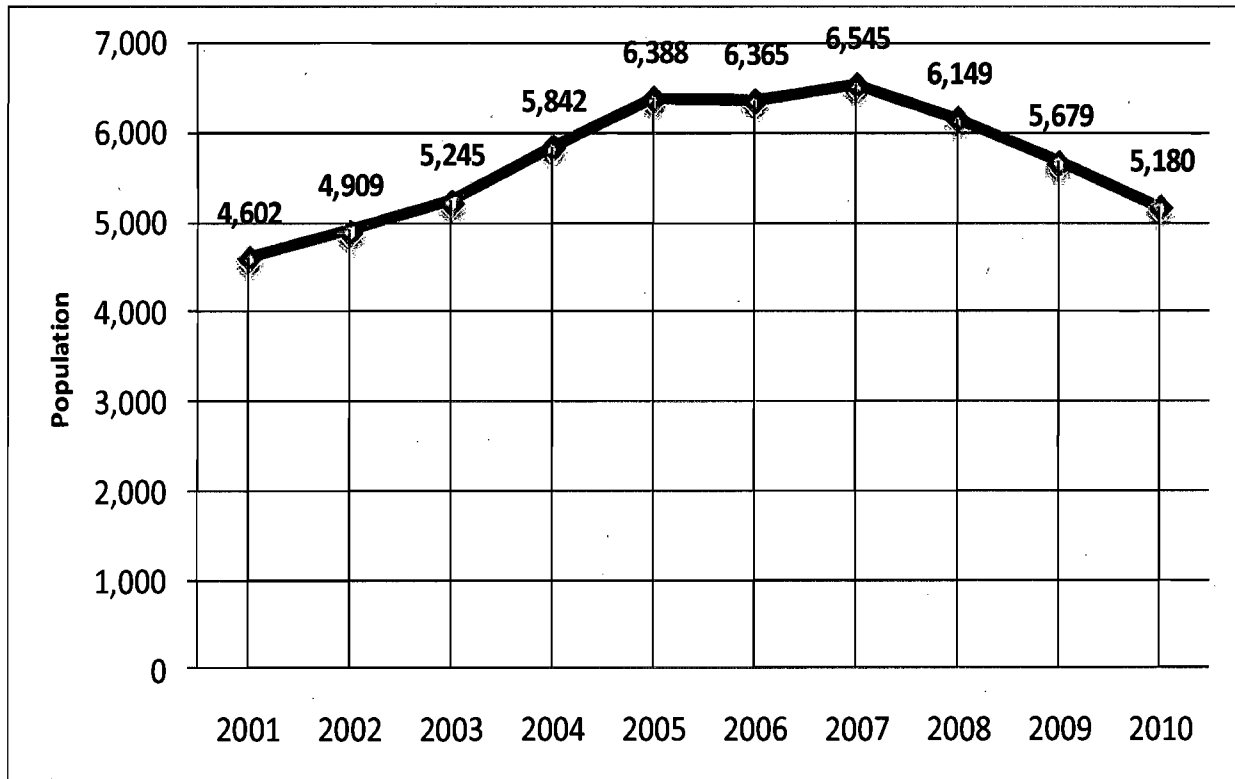


Figure 2. Average Daily Inmate Population by year

The Orange County Sheriff's Department supports reasonable alternatives to incarceration as well as programs that help former prisoners gain a footing toward a jail free life. Programs directly managed by the Orange County Sheriff's Department and programs in which we collaborate with allied agencies are equally important and lead to safer communities.

The exact reason for the reduced daily inmate population in the custody of the Sheriff's Department is not known. It is our belief that programs such as those contained in this report contribute to the reduction in our jail population. The following are several of the current programs operated or supported by the Sheriff's Department:



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- **The Inmate Re-Entry Program** is managed by the Inmate Services Division of the Orange County Sheriff Department, Custody Operations Command. This program began in concept in 2005 with development into a comprehensive system involving dozens of entities all focused on helping the newly released inmate stay out of jail. Government agencies, non-profit organizations and private companies collaborate to offer the former inmate options to gain education, life skills and employment skills. The process begins with an assessment, interview and counseling while the inmate is incarcerated and continues after release. Inmate Re-Entry Partnership maintains a resource center available to all clients (former inmates) upon their release from custody. The resource center is in the Civic Center area. The resource center provides facilitators to assist the clients with locating job opportunities, job applications, and the most important key- follow-up. The facilitator also assists the client with contacting community assistance providers

The Inmate Re-Entry program has received national recognition by the United States Department of Justice and the National Institute of Corrections and has received a grant for staff training. The preliminary records maintained by the Inmate Re-Entry program determined the recidivism rate for participants is less than 10%. A full study period and report will be concluded in early 2012. As comparison, the recidivism rate for the California Department of Corrections is over 50% (California Department of Corrections, Fall 2010, Adult Population Projections, pg 11).

- **Orange County Collaborative Courts** are a compilation of specialized court programs designed to offer therapeutic, life changing alternatives to incarceration. According to the Orange County Collaborative Courts Report for 2010, the many programs available have diverted the equivalent of 142 full-time inmates from custody in 2010. The following are some of the programs offered in the Collaborative Courts:
 - **Adult Drug Court** is a collaboration of several County agencies: the Court, the Probation Department, the Health Care Agency, the Public Defender's office, the District Attorney's office, the Sheriff's Department and other local law enforcement agencies.

The four-phase Drug Court program consists of intensive supervision by a Drug Court probation officer, individual and group counseling provided by the Health Care Agency's Division of Alcohol and Drug Abuse Services, frequent court appearances, random drug and alcohol testing, and regular team meetings to discuss the participant's progress.

As participants progress through the phases they are held accountable to program requirements, if they are non compliant they can receive sanctions ranging from an essay, community service, jail sanction, and program termination. Participants are also rewarded with incentives for positive behavior, such as phase advancements, decreased program requirements, drawings for movie tickets, and program graduation.



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In order to graduate participants are required to obtain their high school diploma or a GED; to be gainfully employed or attending a training/academic program; to attend regular self-help meetings, and to have maintained consistent attendance at all court hearings, probation and counseling appointments.

- **DUI Court** has been established to target second and third-time drunk driving offenders. These voluntary programs provide participants with professional assistance to address substance abuse issues.

In addition to sobriety, the DUI Court program emphasizes rebuilding family ties, maintaining employment and a stable living environment, and pursuing educational goals.

The program is a partnership that includes the Superior Court, the Probation Department, the Health Care Agency, the Public Defender's Office, the District Attorney's Office, the Sheriff's Department, MADD, and local law enforcement agencies.

- **The Homeless Outreach Court** is convened at four community locations. The goal of the Court is to resolve the infractions, low-level misdemeanor offenses, and outstanding warrants of homeless individuals, while providing them with links to necessary supportive services.

The program is a collaborative effort of the Superior Court, the Public Defender, the Public Law Center, the Veterans Administration, the Health Care Agency, the County Department of Housing and Community Services, local law enforcement agencies, and several homeless services providers from the community.

Participation in agency programs and community service are substituted for the traditional court sanctions of fines and custody.



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- **Veterans Court** offers a therapeutic alternative and support services to US military service personnel who become involved with the criminal justice system, and who are in need of effective mental health treatment to address issues such as Post Traumatic Stress Disorder "PTSD", Traumatic Brain Injury "TBI" and other serious mental health problems. Veterans Court, which opened in November 2008 at the Community Court building, is a collaborative partnership with the Veterans Administration, which has funded a full-time case manager, and with other State and local veteran service providers.
- **WIT "Whatever It Takes" Court** is a voluntary program for non-violent offenders who have been diagnosed as chronically, persistently mentally ill and are homeless or at risk of homelessness. The participants must have a diagnosis of schizophrenia, bi-polar disorder, or major depressive disorder.

Through services funded by the Mental Health Services Act (Proposition 63) the participants are provided with mental health counseling, psychiatric services, drug and alcohol abuse counseling, residential treatment, safe housing, family counseling and peer mentoring.

Clients are also assisted in accessing medical services, employment counseling, job training and placement, government benefits, and housing.

The program involves frequent court appearances, regular drug and alcohol testing, meetings with the WIT Court support team, and direct access to specialized services.

In summary:

The exact reason for the reduced inmate population in Orange County custody facilities is difficult to pinpoint with verifiable accuracy. This report does not claim to provide a evidence based conclusion that could be used to justify budgeting, bed space or staffing levels into the future. This report contains historical data showing past inmate population levels and booking rates. This report also explains some of the programs currently available to persons arrested in Orange County that are designed to create alternatives to incarceration and lead to independence for former inmates. The training, counseling and direction provided by these programs are believed to lead to fewer inmates in custody.



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Monthly Orange County Jail inmate population totals have fluctuated during the past decade by as much as 51% (July 2001 vs September 2005). There are many other possible explanations for the reduced inmate population that are not included in this report including pairing the reduction in the inmate population as a natural outcome of reduced booking, which may be attributed to possible staff reduction in law enforcement departments countywide or the statewide reduction in the crime and arrest rate (CA DOJ-Crime in California 2009), a weakened economic outlook, population migration trends and many others.

The Orange County Sheriff's Department is committed to alternatives to incarceration that improve the communities we serve and supports programs that reduce crime, decrease rates of incarceration and promotes responsible, law abiding behavior.