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January 20, 2009

James R. Perez
Grand Jury Foreperson
700 Civic Center Drive West
Santa Ana, CA 92701

*Follow up
response to
The State of OC Jailsh*

Dear Mr. Perez:

The Orange County Sheriff's Department (OCSD) has received and reviewed the Orange County Grand Jury's request for additional responses to open items in the 2007-2008 Grand Jury Report. We have reviewed those findings and recommendations and have prepared the following response.

Recommendation 4

The Orange County Sheriff's Department discontinue providing booking charges to the public if such information would affect the safety of the inmate.

Response: The OCSD completed a policy review and determined no changes were necessary. Per the California Government Code the public is entitled to information related to arrests, including booking charges. The charges are no longer available on the internet but are available to individuals who make a request in person to our Inmate Records Division. This allows the OCSD to meet the needs of our agency and comply with the California Government Code.

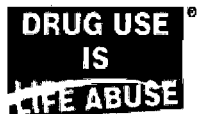
Recommendation 6

The Orange County Sheriff's Department compile and report data on the recidivism rates for former inmates enrolled in in-custody rehabilitation programs

Response: The OCSD hired a Research Analyst in July 2008 to begin this task. Inmate Services is currently developing a process to collect data to analyze the recidivism for former inmates. Inmate Services is also working with the University of California at Irvine, School of Social Ecology for future studies in this area. An exact implementation date cannot be stated at this time.

PROUDLY SERVING THE UNINCORPORATED AREAS OF ORANGE COUNTY AND THE FOLLOWING CITIES AND AGENCIES:

ALISO VIEJO • DANA POINT • LAGUNA HILLS • LAGUNA NIGUEL • LAGUNA WOODS • LAKE FOREST • MISSION VIEJO
RANCHO SANTA MARGARITA • SAN CLEMENTE • SAN JUAN CAPISTRANO • STANTON • VILLA PARK
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Recommendation 8

The Orange County Sheriff's Department purchase two additional trained narcotics dogs.

Response: The OCSD performed an analysis outlining the initial costs for two additional jail narcotics dogs. Due to the significant start up cost and annual maintenance, the OCSD cannot purchase two additional trained narcotics dogs to be used in the jail. Current County and Department budget restraints prohibit the OCSD from moving forward at this time.

Recommendation 9

The Orange County Sheriff's Department hire a full-time computer instructor to staff the computer lab at the James A. Musick facility.

Response: The OCSD hired a full-time computer instructor who is currently conducting classes at the James A. Musick facility. The computer class has been combined with the workforce development class and is taught in a 4 week block. The students attend all day long every weekday for 4 weeks. The class is offered to men and then women on a rotating basis provided the student/inmate attendance numbers meets the college requirements. These classes are offered on a voluntary basis. An inmate must be sentenced to at least 4 weeks which is needed to complete the class and attendees must understand enough English to communicate with the instructor.

Recommendation 10

The Orange County Sheriff's Department purchase four additional walk-through metal detectors for the James A. Musick facility.

Response: The OCSD is in the process of completing this recommendation. The OCSD has budgeted for additional metal detectors and anticipate the contract to be in place within the next two months. The Theo Lacy Facility (TLF) - will receive two (2) walk-through scanning devices. One scanner will be mounted in the booking loop slider area adjacent to the first floor guard station (primarily for inmates going to court). The second walk-through scanner will be mounted inside the booking loop area near the booking loop guard station. This scanner will be used for receiving inmates. Intake Release Center (IRC) – will also receive two (2) walk-through scanning devices utilized for the same purpose as the Theo Lacy Facility. The James Musick Facility - will receive four (4) walk-through scanning devices (floor mounted) for use throughout the facility.

Recommendation 11

The Orange County Sheriff's Department formulate a plan for the use of the James A. Musick as a temporary large animal evacuation site, for use in the event of a natural disaster such as a fire or flood.

Response: The OCSD has not begun the analysis for the James A. Musick Facility to act as a large animal evacuation site. The OCSD has 4 temporary non-roofed pipe stalls to care for large animals. The OC Fairgrounds has over 400 private stalls and the ability to provide better care for large animals in the event of an evacuation. OCSD staff is often called upon to evacuate animals leaving the stables at the Musick Facility understaffed. Additionally, there are security clearance concerns regarding the animal's owner having

access onto the jail site. Once a large animal is evacuated to the facility property, OCSD becomes liable for its custody and care with minimal staff.

Recommendation 12

The Orange County Sheriff's Department hire five Employment Specialist positions in the Orange County jails.

Response: Due to a hiring freeze implemented by the County, these positions have not been filled. The Employment Specialist positions will be filled once a recruitment is authorized by the County.

Recommendation 13

Orange County Sheriff's Department install closed circuit television cameras in all "blind" areas of the jails.

Response: The Orange County Sheriff's Department completed the installation of closed circuit televisions in the G, F and H Barracks at the Theo Lacy Facility. Currently, all jail facilities are undergoing analysis of the electrical and air conditioning to determine what modifications are required for installation of additional new equipment. This analysis is scheduled to be complete in March 2009. Once completed, OCSD will be able to begin the process of completing this installation at all jail facilities.

Recommendation 14b

The Orange County Sheriff's Department convene an independent panel of experts to examine the use of tasers as it relates to deaths after their use.

Response: The OCSD has not changed its position on this recommendation. A study was completed by the U.S. National Institute of Justice relating to this issue.

Finding 14

In the last year, three deaths occurred after the use of a taser device by law enforcement personnel in Orange County.

Response: Three deaths occurred in Orange County, after a Taser was used. One of these deaths involved the Anaheim Police Department and a domestic violence suspect who was not in Sheriff's custody. The other deaths involved inmate Michael Lass, who died October of 2007 and inmate Jason Gomez, who died in April of 2008. Both inmates were in OCSD custody at the time of their death. The Orange County District Attorney's office has completed their investigation into the death of Michael Lass. The investigation found no criminal culpability on the part of OCSD employees. The investigation into the death of Jason Gomez has not been completed.

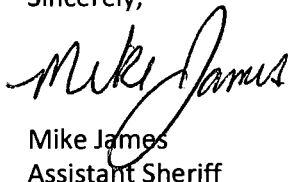
Additional questions posed by the 2008-2009 Grand Jury relating to horses stabled at Musick:
Could not additional animals be accommodated during a temporary emergency situation?

- While the Musick facility has the ability to house animals for a short period of time the following factors must be considered:
 - Other than the stalls that are the homes for the County horses, the facility has four temporary, non-roofed pipe stalls, one non-roofed large arena and one non-roofed round pen. The County horses use the arena and round pen routinely to keep them in a state of readiness for law enforcement assignments. Housing visiting horses in one of our arenas, pipe stalls or round pen would subject the animals to harm as not all horses get along, inclement weather conditions the stalls are not covered, and an uncertainty in care as the animal area is not always staffed. Additionally, housing horses out of their routine environment is always risky and when herded together, the risk of fighting and injury is high.

Within the last 5 years has the Musick Facility accommodated large animals during an emergency and were such "liabilities" incurred?

- The James A. Musick Facility (JAMF) has never accommodated large animals during an emergency or natural disaster. The fire storms of 2007 and 2008 have necessitated OC Animal Control to request Sheriff's Mounted Enforcement Unit (MEU) staff to leave the Musick Facility and either stage or transport animals from areas at immediate risk of fire or flood. When this occurs, no staff is left at the Musick facility to care for the County horses. OC Animal Control has very little, if any, equipment for the emergency transportation of at-risk animals and always contacts the MEU for this purpose. With only two employees to supervise the care of the animals on a 24/7 cycle, anyone leaving their horse at the JAMF would have an expectation that the animal would receive adequate care, which may not be the case. We are currently providing minimal (but adequate) care to the 11 County horses, any additional large animal responsibility would soon over-burden the staff.

Sincerely,



Mike James
Assistant Sheriff