



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

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August 17, 2009

Honorable Kim Dunning
Presiding Judge of the Superior Court of California
700 Civic Center Drive West
Santa Ana, CA 92702

Subject: Response to Orange County Grand Jury 2008-2009 Report, "Condition of Orange County Jails"

Dear Judge Dunning:

In accordance with Penal Code sections 933 and 933.05, enclosed please find the response to the Orange County Grand Jury 2008-2009 Report, "Condition of Orange County Jails." If you have any questions, please contact Assistant Sheriff Mike James at (714) 647-4590.

Respectfully,

Sandra Hutchens
Sheriff-Coroner

cc: Dennis Evans, Grand Jury Foreman
Members, Board of Supervisors
Thomas G. Mauk, County Executive Officer

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
OC PARKS • DANA POINT HARBOR • JOHN WAYNE AIRPORT • OCTA • SUPERIOR COURT





ORANGE COUNTY SHERIFF'S DEPARTMENT
GRAND JURY RESPONSE
CONDITION OF ORANGE COUNTY JAILS



Dear members of the Grand Jury,

The Orange County Sheriff's Department (OCSD) has received and reviewed the Orange County Grand Jury report titled "Condition of Orange County Jails." The Orange County Sheriff's Department has reviewed the findings in a collaborative effort with necessary personnel and has prepared the following response.

Findings

Finding 1

Both the OCSD and CEO Risk Management perform risk management activities relative to jail claims and lawsuits.

Response: Agree with the finding.

The Orange County Sheriff Department Risk Management Bureau (OCSD/RMB) does perform activities relative to jail claims and lawsuits in addition to a multitude of other duties. These duties include but are not limited to: department training, County Counsel liaison, and department policy management. The OCSD/RMB also collects information related to claims once a claim is forwarded by the CEO Risk Management office. This information includes but is not limited to jail files, logs, audio and video documentation, all related reports, and other relevant items or information that may be necessary to address the claim.

The OCSD/RMB organizes this information and returns it to CEO Risk Management for review. Upon review CEO Risk Management may request follow-up information and clarification to assist them in assessing the merits of the claim. The OCSD/RMB investigates each claim received and provides as much information as possible including recommendations to assist the CEO Risk Management office in this process. The OCSD/RMB provides a specific law



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enforcement perspective into claims (techniques, tactics, policy, procedure) that CEO/Risk Management does not possess or have specific knowledge of.

The OCSD/RMB also assists with data gathering, follow-up requests, and employee notifications for pending and ongoing litigation. Once a claim moves into litigation the information required for court preparation is extensive. The OCSD/RMB handles all requests from CEO Risk Management in this area including but not limited to: facilitating jail tours, coordinating employee depositions, document review, and responding to discovery requests and interrogatories as appropriate. The OCSD/RMB has a working knowledge of what department documents, videos and/or policies are responsive to these requests as well as access to historical policies that have been updated.

Although it may appear that the effort is somewhat redundant, OCSD/RMB performs tasks related to claims and lawsuits that the County Risk Management team cannot do. For example OCSD/RMB conducts employee follow-up interviews which the County CEO Risk Management office would not be able to accomplish at this stage of their review. OCSD/RMB has unfettered access to all OCSD facilities, reports, videos, and databases which allows the OCSD the opportunity to provide best evidence to the county to weigh the merits of any claims or lawsuits against the OCSD. Because of OCSD/RMB's unique access to Sheriff Employees and related work product, OCSD/RMB is in a better position to review and answer claims and lawsuits.

Finding 2

Holding cells could eventually present unsafe working conditions for Sheriff Personnel because needed upgrades and maintenance are being delayed.



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Response: Agree with the finding.

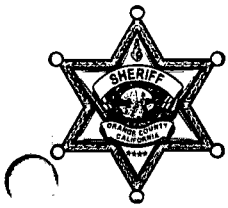
The Central Justice Center (CJC) was built in 1966. The CJC is pending transfer to the state. Until this transaction is completed, large upgrade projects have been put on hold. However, holding cells are currently being upgraded with security cameras to help mitigate safety and security concerns.

The West Justice Center (WJC) was built in 1967. The WJC's holding cell control station is slated to be remodeled and is currently in the bidding phase.

The North Justice Center (NJC) was built in 1974. In May/June 2009 an engineer consulted with detention staff on upgrading the holding cell electronic control panel. This security upgrade is projected to begin in March 2010.

The Harbor Justice Center (HJC) was built 1975. The HJC's holding cell control panel is currently being upgraded. Some of the holding cell safety concerns are as follows:

1. Control panel which opens and closes all security doors are 30-40 years old. Parts are not available for proper repair.
2. Door sensors do not function properly, indicating if the door is open or closed.
3. Lack of cameras to supervise inmate movement and no recording devices to capture inmate misbehavior/crimes.
4. Attorney-Inmate visiting area unsafe due to its location, lack of direct visual supervision, and inability to properly segregate inmates.
5. Lack of separation cells to properly segregate inmates.



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Finding 3

The jail system is operating within its capabilities and therefore overcrowding is not currently an issue.

Response: Disagree partially with the finding.

The respondent agrees that the jail system, at the time of the report, is currently operating within its capabilities; however, the respondent believes jail overcrowding is currently and will continue to be an issue.

Currently the OCSD jail system is operating within its means and capacities; however, the jail system faces an increase in the segment of the inmate population that requires protective custody and total separation from the general jail population. These inmates require separate housing and are confined solely in two-man cells, thus reducing available two-man cells. The growing trend of total separation inmates and associated inmate classification issues will eventually strain the inmate capacity in OCSD's jail system. In addition to the current trends in the special classification of inmates, OCSD is now experiencing increasing budgetary constraints which include the closure of the Central Woman's Jail and portions of the James A Musick Facility. The following are factors affecting jail population:

- OCSD currently transfers approximately 350 inmates to the California Department of Corrections and Rehabilitation (CDCR) per month.
- The Immigration and Customs Enforcement (ICE) 287(g) Cross Designation Program was implemented in January of 2008. OCSD transfers approximately 600 inmates to ICE per month, significantly reducing OCSD jail population.
- The Community Work Program (CWP) has been consistent in placing approximately 30 inmates into the program every week.



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- The percentage of mentally ill inmates in the overall jail population is steadily increasing every year. These inmates are housed by themselves, reducing available two-man cells.
- After the publication of the Grand Jury Report, the Central Woman's Jail was temporarily vacated due to budget constraints. The female inmates are now being housed in facilities which were predominantly or completely male facilities. Male and female inmates must be separated from each other, further creating housing difficulties and decreasing bed space efficiency.

Finding 4

Recently completed jail needs assessment reports predict a significant population increase in minimum and medium-security in-mates.

Response: Agree with the finding.

Given the current economic condition, and the jail needs assessment report, OCSD expects a continued increase in the minimum and medium security inmate population.

Finding 5

Without a Musick medium-security capacity expansion, early release of inmates may be the only option available to avoid OCSD jail overcrowding.

Response: Agree with the finding.

Budgetary constraints have limited the forward development of the Musick Master Plan.



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Finding 6

Early release of inmates through the use of alternates-to-incarceration programs (e.g. Community Work Program (CWP) have avoided gross overcrowding within OCSD jails.

Response: Agree with the finding.

The Community Work Program (CWP) does reduce overcrowding in the OCSD jail system by giving the department a placement option for low-risk and non-violent offenders.

Finding 7

Today's inmate profile is made up of more serious and mentally ill offenders who require greater segregation thus reducing bed space.

Response: Agree with the finding.

The segment of the jail population that requires special housing is growing at an alarming rate. The OCSD jail system receives large numbers of inmates from the California Department of Corrections and Rehabilitation (CDCR). Many of these inmates are classified by the CDCR as "Sensitive Needs" (SNY) which is equivalent to county level Protective Custody (PC) inmates. These inmates are classified SNY for numerous safety reasons: nature of charges (sex/violence), homosexuality, gang dropouts, potential victims due to gang affiliations/membership, informants, relatives of law enforcement or ranking government officials, high notoriety cases, former law enforcement officers, race and other miscellaneous problems (poor hygiene, age/physical size and simply being afraid). All of these factors qualify an inmate to be classified as Protective Custody. This creates an ongoing challenge of finding bed space and appropriate housing locations for these inmates.



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The increasing prevalence of gangs in the jail system also creates unique classification and housing challenges. The number of gangs is continually increasing, as well as the associated gang on gang violence. Currently there are at least three identified gangs that cannot be housed with any other inmates, thus greatly straining available housing options.

Mentally ill inmates pose even greater challenges. Not only must they have special housing, they require 24 hour medical care. Mental health housing is one of the smallest areas in the jail, and operates at maximum capacity on a daily basis.

Finding 8

Re-entry and post-release programs have reduced inmate recidivism but there exists little quantitative information and analysis to support such a conclusion.

Response: Agree with the finding.

A Research Analyst was hired in 2008. He was granted access to appropriate Sheriff's Data Systems applications containing information pertinent to recidivism rates. A software package that works with several government agencies for the purpose of data analysis was purchased to expand and enhance our existing reports.

Finding 9

The Board of Supervisors has not authorized the Musick expansion project and there is no alternative proposal. Video visitations and arraignment were features of the expansion project.



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Response: Agree with the finding.

While the Musick expansion project has not been funded, modifications to the Musick Facility have been completed to incorporate a Video Arraignment area. Courts are determining whether they want to integrate this area into their existing arraignment area currently being utilized at the Central Men's Jail.

Finding 10

Even with an immediate Musick expansion go-ahead in 2009, new beds to accommodate the projected minimum/medium inmate population growth will not be available until 2013 or 2014.

Response: Agree with the finding.

This time estimate is dependent on the County Projects process.

Finding 11

OCSD provides many correctional programs to jail inmates aimed at easing re-entry into the community. The re-entry programs utilize volunteers and have proven to be successful in assisting inmates and their families.

Response: Agree with the finding.

OCSD utilizes the services of over 1,000 volunteers to provide numerous programs for inmates. Volunteer activities focus on substance abuse and recovery, self-esteem, maintenance of family relationships, religious activities, and faith-based programming.



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Finding 12

Programs to address and solve the projected inmate population growth for the period between now and when expansion of Musick is completed have not been defined.

Response: Agree with the finding.

The current Community Work Program (CWP) does, in fact, relieve inmate population growth. The program can be expanded to inmates who reside in adjacent and neighboring cities outside of Orange County, by allowing inmates with certain disqualifying charges more than 5 years ago to be eligible for the program, by increasing the number of maximum sentence days from 150 to 200 days, and by placing inmates with disqualifying medical conditions onto a Sheriff's monitored home confinement program. The Sheriff's department is also actively developing a program to place inmates on an Electronic Home Confinement. Both of these proposals are viable but require further study prior to implementation.

Finding 13

The only location for jail expansion in Orange County is the Musick facility.

Response: Agree with the finding.

Other locations within the county have been viewed as potential sites for expansion, however due to proximity with the other jail facilities, county courthouses, hospital facilities, etc., the Musick location has been identified as the most accessible and economically prudent option.



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Finding 14

The CWP is effective for inmates who are not a threat to society and can become productive members of the community.

Response: Agree with the finding.

For low-risk and non-violent offenders, the Community Work Program (CWP) is a successful program in lieu of jail. Most inmates successfully complete the program with little or no problems. Inmates are encouraged to attend school, work, or search for employment while fulfilling their Community Work Program commitment. Inmates assigned to the Community Work Program can also attend any classes, programs, or meetings prescribed by the court or probation.

Finding 15

Statistics and data have not been analyzed in order to quantify the success and savings achieved by the CWP.

Response: Agree with the finding.

The past statistical information used to quantify the success and savings of the Community Work Program (CWP) was not accurately reflected. CWP has identified the necessary changes needed to accurately quantify the success and savings of the program and have begun to analyze and quantify the statistical information from January 2009 to the present. The statistical data collected between January and June of 2009 indicates the program has saved Orange County taxpayers over 2.6 million dollars. Calculations were based on the number of days worked, multiplied by a 10 hour work day at a minimum wage rate of 8 dollars per hour.



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Finding 16

When inmates are interviewed at the IRC medical screening area there is no privacy provided and this could result in reluctance to reveal relevant personal information.

Response: Agree with the finding.

This issue has been identified as a potential problem in both the Jail Needs Assessment Report and an internal survey of the medical screening area. The medical staff does conduct private interviews with inmates when necessary.

Finding 17

An inmate is identified by wristband or module card. Other than color, the only information on the card or wristband is first and last name and booking number. This is grossly deficient and can lead to significant medical, safety or legal problems.

Response: Agree with the finding.

The Orange County Sheriff's Department will soon be implementing a new Policy and Procedure for both wristbands and module cards. Wristbands will be computer generated to enhance legibility and include the inmate's name, booking photo, booking number, and correlated barcode. Module Cards will also have the inmate's correlated barcode printed on them.

Finding 18

An audit report issued in October, 2008, concluded that the previous administration mismanaged the use of overtime in the OCSD, and lacked clear policy guidelines and protocols for managing it. OCSD has taken steps to remedy the



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situation and this has resulted in reduced costs, however, as of the time of this report, a new policy has yet to be approved.

Response: Disagree partially with the findings.

The Orange County Sheriff's Department (OCSD) disagrees that the previous administration mismanaged the use of overtime. The OCSD assigned overtime as necessary to fulfill department operational needs. The OCSD realizes however that some adjustments in overtime practices were necessary and to that end, updated the department overtime policy outlining clear and specific guidelines on overtime usage, documentation, and reporting. The policy changes allow the OCSD to ensure overtime is utilized efficiently, within budgetary guidelines, and in a manner that is most effective to accomplish the mission of the organization.

Finding 20

The booking/receiving loop at Theo Lacy is outdated, inadequate and inefficient for the handling of the increased inmate population.

Response: Agree with the finding.

The Orange County Sheriff's Department recognized that the Theo Lacy Booking Loop had deficiencies in its design. In November of 2007, OCSD commissioned a space study of the Theo Lacy Booking Loop to address these issues.



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Recommendations

Recommendation 1

The OCSD should provide CEO Risk Management with Captains' logs on a daily basis. (F.1)

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

The Orange County Sheriff's Department (OCSD) currently does not have a log generated by Captains. There are 24-hour logs maintained and updated as serious calls or significant events occur in field operations and in our jail facilities. The information contained in these logs may contain Law enforcement sensitive information some of which may be protected by the California Penal Code, Government Code and Evidence Code. The OCSD however wishes to provide the CEO Risk Management office with all necessary and/or relevant information so they may be apprised of significant events as soon as practical. To that end, the OCSD will work with the CEO Risk Management office to determine the most efficient way to accomplish this while maintaining the integrity of Law Enforcement sensitive information.

Recommendation 2

A detailed study should be conducted to determine whether risk management activities for OCSD claims and lawsuits would be better and more efficiently performed in OCSD. (F.1)

Response: The recommendation requires further analysis.

The goal is how to best serve the citizens of the County of Orange. In the opinion of the Sheriff's Risk Management Bureau (RMB) the claims process can



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be more effectively accomplished if the process is moved closer to the originating agency, the Sheriff's Department.

At times the claims process is excessively delayed due to the "middleman" style process currently being utilized. Even when a claim is simplistic in nature, it may take months, pass through numerous hands, and increase investigative cost exponentially before a proper determination can be made on the validity of the claim. These delays are not the fault of anyone in particular, but due to the antiquated system currently in place, which does not appear to serve the public or the Department as well as it could. Based on contemporary theories and practices currently utilized by the larger county law enforcement agencies, as well as other public entities, it may be in the best interest of the County for the OCSD/RMB to take a more active role in the claim and/or lawsuit process as suggested by the Grand Jury's report.

To accomplish these recommendations the OCSD/RMB is willing to perform several functions currently managed by CEO/Risk Management including settlement authority, case management including acceptance and denial of claims, an active role in contract attorney selection, attend arbitration and mediation conferences, and information dissemination throughout the department. The current process does not allow for an immediate resolution of a small claim when it is clear, after an investigation, that the claim should be denied or the claimant should be compensated for their loss. Additionally, the lack of involvement and familiarity of final claim disposition makes it difficult to identify risk, establish mitigation plans, and report risk issues to executive-level command. Moving these functions alone; in theory, would reduce cost to the County and the OCSD by reducing the number of hours and individuals involved in handling and reviewing a claim. Additionally, it will allow the OCSD the opportunity to proactively manage necessary change in the department.



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OCSD faces several obstacles before assuming a more effective role in conducting risk functions. A Board Resolution adopted April 7, 1992 prevents OCSD from having check writing authority or weighted input into claim resolution. This resolution would need to be amended for OCSD to authorize claim payment or at least be consulted during this process. To truly assess the feasibility of the Grand Jury's recommendation an in-depth study would be appropriate. Due to the severe budget cuts of the County and OCSD, a realistic timeframe for this study cannot be established. The OCSD would recommend however, that this feasibility study begin within 6 months. The OCSD/RMB team has performed many practices associated with establishing sound and capable risk management processes, but deficiencies remain due to OCSD/RMB's inability to be more intricately involved in the process.

The risk management process provides a clear and structured approach to identifying risks. Having a clear understanding of all risks would allow OCSD to measure and prioritize these risks and take the appropriate actions to reduce losses. Risk management has other benefits for OCSD, including:

- Saving resources: Time, assets, income, property and people are all valuable resources that can be saved if fewer claims occur.
- Protecting the reputation and public image of the organization.
- Preventing or reducing legal liability and increasing the stability of operations.
- Protecting personnel and the public from harm.
- Enhancing the ability to prepare for various circumstances.



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- Reducing liabilities.

To strengthen risk management activities, the OCSD/RMB recommends the following items be included in the feasibility study:

- Provide input on the resolutions of claims and lawsuits to CEO Risk Management and contract attorneys.
- Ensure CEO Risk Management provides timely updates on final claim dispositions including payouts and status of claims.
- Allow unlimited contact with contract attorneys.
- Allow contract attorneys to provide regular briefings on significant risks to OCSD/RMB staff, so they can play a role in mitigating these risks.
- Consider publishing the outcome of claims/lawsuits for department dissemination and training.
- Review the April 7, 1992 "Resolution of the Board of Supervisors". The review would include a new resolution seeking permission to allow RMB staff the authority for check writing payments to claimants where the department is liable.



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Recommendation 3

The OCSD and the Board of Supervisors should pursue with the AOC needed facility upgrades and maintenance to avoid future safety issues at courthouse holding facilities. (F.2)

Response: The recommendation has not yet been implemented, but will be implemented in the near future.

The Central Justice Center (CJC) was built in 1966. The CJC is pending transfer to the state. Until this transaction is completed, large upgrade projects have been put on hold. However, holding cells are currently being upgraded with security cameras to help mitigate safety and security concerns.

The West Justice Center (WJC) was built in 1967. The WJC's holding cell control station is slated to be remodeled and is currently in the bidding phase.

The North Justice Center (NJC) was built in 1974. In May/June 2009 an engineer consulted with detention staff on upgrading the holding cell electronic control panel. This security upgrade is projected to begin in March 2010.

The Harbor Justice Center (HJC) was built 1975. The HJC's holding cell control panel is also currently being upgraded.

Sheriff's Administration has been working with the OC Superior Court on the construction and implementation of a courtroom located at the Orange County Central Jail Complex. This courtroom will eliminate the need to transport and temporarily house a large portion of inmates at the courthouses thus freeing up holding cells. The Custody Operations Command has prioritized this program.



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Recommendation 4

Funding should be authorized for immediate expenditure in 2010 or earlier for the preparation of the Musick expansion design/construction documents. The estimated cost is \$9.2 million. These documents can be used to address the concerns of the surrounding communities, avoid future debate, litigation and project delay. (F.3, F.4, F.5, F.7, F.9, F.10, F.13)

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

This recommendation has not been implemented due to county budgetary constraints.

Recommendation 5

The OCSD and the Board of Supervisors should pursue discussions with the State and local communities regarding the Musick expansion to resolve any outstanding issues and objections. (F.3, F.4, F.7, F.9, F.10, F.13)

Response: The recommendation has been implemented.

The Sheriff-Coroner continues to meet with representatives from the cities of Lake Forest and Irvine. Currently, the three parties are working on points of cooperation that can be added to the Environmental Impact Report (E.I.R) addendum to resolve outstanding issues and objections. Additionally, department and county staff continue to monitor progress of AB900 and AB320 in support of future funding opportunities to support Musick expansion.



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Recommendation 6a

Video visitation capability should be authorized, funded and implemented at the Musick facility and, if possible, the other jail facilities. (F.9)

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

This recommendation has not been implemented due to county budgetary constraints and a lack of resources (staffing, video visitation "booths", systems integration, etc).

Recommendation 6

In order to achieve cost savings, CCTV should be placed in all city jails where feasible to be utilized for all court appearances where inmates do not have to be personally present. (F.9)

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

The Orange County Sheriffs Department does not have control over any city jail and therefore cannot require city jails to implement CCTV. However, video arraignment is currently being utilized at the Central Jail Complex (CJX). CJX is currently performing approximately 130 video arraignments per week.

OCSD Research and Development has recently completed a project at the Musick Facility to convert space into an area acceptable for video arraignment. With this facility infrastructure in place, Musick Facility staff is working with the Courts to implement video arraignment.



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Recommendation 7

Develop a way to calculate recidivism rates to adequately measure the effectiveness of re-entry and post-release programs provided by Inmate Services Division. (F.8)

Response: The recommendation has been implemented.

For the past 12 months, the Inmate Services Division (ISD) has collected data related to inmate programming participation, which will be used to track and assess inmate recidivism. A research analyst was hired to work along with the UCI School of Criminal Justice Graduate program to develop appropriate and meaningful guidelines for gathering and analyzing this data. Currently, ISD tracks all inmates who have participated in programs while in custody, been released and re-offend. This allows ISD staff to reassess these individuals to determine why they re-offended in hopes of providing them the necessary tools to succeed in the future. ISD has also developed partnerships with the Orange County Probation Department and the University of Irvine (UCI) Center for Evidence Based Corrections. The Orange County Probation Department has an extensive research unit that will assist OCSD in developing and sharing data to reflect the impact that in custody and post custody programming has on reducing recidivism rates. UCI Center for Evidence Based Corrections has agreed to assist ISD in developing and publishing studies to reflect the impact that in custody and post custody programming has on reducing recidivism rates. By collaborating with both of the aforementioned departments, ISD will be able to provide quantitative information to support its programs.



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Recommendation 8

Programs that provide alternatives to incarceration should be developed, funded and implemented and existing programs expanded to meet inmate population growth. (F.6, F.10, F.12)

Response: The recommendation requires further analysis.

As previously stated, the Community Work Program can be expanded to inmates who reside in adjacent and neighboring cities outside of Orange County, by allowing inmates with certain disqualifying charges more than 5 years ago to be eligible for the program, by increasing the number of maximum sentence days from 150 to 200 days, and by placing inmates with disqualifying medical conditions onto a Sheriff's monitored home confinement program. However each of these proposals needs to be fully studied to be certain any impact to public safety is kept to a minimum prior to making these changes. Proposals for expanding the current alternatives to incarceration programs will be evaluated by December 2009.

Recommendation 9

Volunteers are critical to the success of the Inmate Services Division/Inmate Re-Entry Unit and the OCSD should continue supporting the recruitment of these key contributors. (F.11)

Response: The recommendation has been implemented.

Orange County Sheriff's Department (OCSD) and Inmate Services Division (ISD) understand that volunteers are vital to providing in-custody and post-custody programs. In 2008, ISD had over 1,000 community volunteers participating in programs for inmates. In the same year, community volunteers provided over 7,400 hours of service. OCSD and ISD will continue to recruit volunteers for both



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in-custody and post-custody services. OCSD will also continue to be the lead agency of the Orange County Reentry Partnership (OCREP), which meets bimonthly to examine Orange County's inmate re-entry practices and to improve the community-based services provided to persons who are released from jail or prison into Orange County communities. OCREP currently has over 50 government, private, non-profit, and faith-based members. Two volunteer programs aimed directly at assisting inmates successfully transition into their communities are the faith-based parenting class and faith-based mentoring program. The faith-based mentoring program is currently being offered to inmates housed in the Intake Release Center (IRC). This is an eight-week course designed to help inmates understand how to become better parents. The faith-based mentoring program allows inmates to be matched with a mentor prior to release who will provide leadership, guidance, and support that many of these individuals are lacking.

Recommendation 10

While being booked at the IRC medical screening area, privacy should be afforded to the inmates for security and medical reasons. (F.6)

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

An initial survey of the medical screening area was conducted on April 29, 2009. Due to budgetary constraints, the engineering and architectural (E&A) planning has not been conducted. A complete E&A analysis must first be completed before construction planning and cost analysis can be made. The medical staff has the ability to conduct confidential interviews when necessary.



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Recommendation 11

Bar codes on wristbands should include booking number, photo, medical needs and special issues, which would allow greater control, accountability and security. The bar code could be scanned, thus saving the County a considerable amount of dollars in reducing medical errors, the risk of mistaken releases and special protection needs. (F.17)

Response: The recommendation has not been implemented, but will be implemented in the future.

The Orange County Sheriff Department will soon be implementing a new Policy and Procedure for both wristbands and module cards. Wristbands will be computer generated to enhance legibility and include the Inmate's name, booking photo, booking number, and correlated barcode. Module Cards will also have the Inmate's correlated barcode printed on them. Barcode technology provides access to enhanced information, as well as improved control, tracking, records, accountability and security. OCSD Divisions to benefit from this technology include but are not limited to: Custody Operations, Court Services, Medical Services, Inmate Services/Commissary, Records and Transportation. The projected date for implementation will be September, 2009.

Recommendation 12a

Statistics and data should be quantified and analyzed to measure the success of the CWP. (F.14, F.15)

Response: The recommendation has been implemented.

The Community Work Program (CWP) staff is currently analyzing and computing numbers to measure the success of the program. The Orange County Sheriff's Department Information Systems Unit is currently implementing new software to



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automate as many of CWP statistics as possible. Necessary changes have been identified to accurately quantify the success and savings of the program and have begun to analyze and quantify the statistical information from January 2009 to the present. CWP data collected and quantified between January and June of 2009 indicates the program saved Orange County taxpayers over 2.6 million dollars.

Recommendation 12b

In order to increase savings, the OCSD should identify ways to expand the CWP for minimum-risk inmates who are currently not participating in the program. (F.14, F.15)

Response: The recommendation requires further analysis.

The Community Work Program can be expanded to inmates who reside in adjacent and neighboring cities outside of Orange County, by allowing inmates with certain disqualifying charges more than 5 years ago to be eligible for the program and by increasing the number of maximum sentence days from 150 to 200 days. However each of these proposals needs to be fully studied to be certain any impact to public safety is kept to a minimum prior to making these changes. Proposals for expanding the current alternatives to incarceration programs will be evaluated by December 2009.

Recommendation 13

The OCSD should finalize the draft overtime policy, resolve any outstanding issues with the employee unions, and approve the new overtime policy as soon as possible. (F.18)



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Response: The recommendation has not been implemented, but will be implemented in the near future.

The OCSD recently updated the department overtime policy outlining overtime usage. The updated policy addresses issues noted in the 2008 overtime audit. This includes but is not limited to clarification on overtime usage, the parameters for overtime justification, scheduling, and review of overtime budgets. The updated overtime policy has tentative approval but did change some of the past overtime practices, and therefore requires the OCSD to meet and discuss this policy with affected labor unions. The OCSD is preparing for labor union negotiations and will address this updated policy and any associated concerns of the unions at that time. It is anticipated this will occur by December 2009. Once this review is completed by OCSD Administration and the affected labor unions, the updated policy will be finalized and published. It should be noted that many portions of the updated overtime policy have been implemented and personnel are working within many of the recommendations from the overtime audit report.

Recommendation 15

A study should be conducted to reconfigure and remodel the booking/receiving loop at Theo Lacy. (F.20)

Response: The recommendation has been implemented.

In April of 2009, a space study of the Theo Lacy Booking Loop was completed. Recommendations contained in the study have not been implemented due to budget constraints. Note: The Musick Jail expansion project will include booking/receiving operations that will take these recommendations into account.