



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

**MICHAEL S. CARONA
SHERIFF-CORONER**

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June 25, 2004

The Honorable Frederick Horn
Presiding Judge
Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92702

Subject: Response to Orange County Grand Jury Report, "The State of the Orange County Jails, June, 2004"

Dear Judge Horn:

Per your request and in accordance with California Penal Code §933 and §933.05, enclosed please find my response to the FY 03-04 Grand Jury Report. If you have any questions, please contact Assistant Sheriff Kim Markuson at 647-1815.

Respectfully,


Michael S. Carona
Sheriff-Coroner

C: Tom Staple, Grand Jury Foreman
Jim Ruth, 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
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Response to the Grand Jury
“The State of Orange County Jails”
Final Report 2003 – 2004



Sheriff – Coroner Michael S. Carona

ORANGE COUNTY SHERIFF'S DEPARTMENT

Kim Markuson, Assistant Sheriff

Chief of Jail Operations

Santa Ana, California

June 2004

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THE STATE OF ORANGE COUNTY JAILS

California Penal Code §919 (b) mandates that the Grand Jury inquire into the state of all jails (county and city), holding cells and other detention facilities, including juvenile, located in the county and issue comments based on the findings of these inquiries. Of the 37 jails, holding cells or other detention facilities identified in Orange County, 29 (78%) were visited by the 2003-2004 Orange County Grand Jury.

FINDINGS

Under California Penal Code §933 and §933.05, responses are required to all findings. The 2003-2004 Orange County Grand Jury arrived at the following findings. Beneath each is the Sheriff's Department response to that finding:

1. The jail facilities operated by the Orange County Sheriff-Coroner Department continue to suffer from overcrowded conditions.
 1. The Sheriff-Coroner concurs with the Grand Jury finding.
2. There are insufficient short-term holding facilities for arrestees awaiting transport from the several Orange County Sheriff-Coroner contract cities to Orange County Central Jail. Arrestees must be transported individually or in small numbers up to 40 miles on-way.
 1. The Sheriff-Coroner concurs with the Grand Jury finding.

RECOMMENDATIONS

In accordance with California Penal Code §933 and §933.05, each recommendation requires a response from the government entity to which it is addressed. Based on the findings, the 2003-2004 Orange County Grand Jury developed the following recommendations. Beneath each is the Sheriff's Department response to that recommendation:

1. The Orange County Sheriff-Coroner continues to diligently pursue compliance with State standards and to address the projected growth of the inmate population by planning for the addition of jail beds. (Findings 1)
 - This recommendation has been implemented.
The Sheriff continues to pursue all options to meet State inmate capacity ratings. An assessment study predicts a need for 8,050 total beds (long and short term) by the year 2010. The Theo Lacy Facility expansion, Building A has been completed and increased the available jail bed capacity by 509 (384 regular beds, 125 medical beds). Building B is currently under construction and should be completed during 2005. Staffing for the beds at Theo Lacy (Building B) has not yet received budget approval. The James A. Musick facility is the only jail site with an approved Environmental Impact Report (EIR) for future expansion. The Sheriff will continue to utilize pre-trial custody release options (cite and release, own recognizance and Proposition 36 programs) to manage inmate counts pending the sufficient facility build out options with appropriately approved staffing levels to meet the inmate population demand.

2. The Orange County Sheriff-Coroner locate a suitable site to construct a secure detention facility for the short-term housing of inmates to eliminate the need to transport individuals or small numbers of inmates long distances from the point of arrest to the Orange County Central Jail complex in Santa Ana. (Findings 2)
 - The recommendation has been implemented.
Identifying locations for jail/inmate holding facilities has always been problematic in Orange County. No city or resident wants this type of facility in their area. The Sheriff has identified two locations that could be used for short-term housing of inmates after their arrest but both locations have their problems.

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1. The best location is the current site of the Harbor Justice Center, Laguna Niguel Facility. The County is in the planning/design phase for constructing a new and larger court facility at that site. If booking and inmate housing facilities were included, inmates who are arrested in South Orange County would not have to be transported to Santa Ana to be booked, transported back to the courthouse to be arraigned, and then transported back to Santa Ana after arraignment. This concept has been met with strong opposition from the City of Laguna Niguel based on their opposition of any jail-like facility being built in their city. Due to this opposition, booking and holding facilities are not included in the Master Plan for the site.
2. A second location is at the James A. Musick facility. The approved EIR for the expansion of the James A. Musick facility includes the ability to book inmates. Although they will still have to be transported to court and back for arraignment, this location will reduce the amount of driving time for deputies to transport inmates to Santa Ana. However, actual construction of such facilities at Musick will be dependent upon the availability of funding for design, construction, and operations of infrastructure, support facilities, jail housing facilities, and booking facilities. It could be 10 years or more before the first phase of construction at Musick is complete.

The Sheriff will continue to look for locations that can be implemented before expansion at Musick. In addition, the Sheriff is looking at other options of reducing transportation costs that may not be as effective but may be more realistic to implement. For example, the Sheriff has proposed that a central arraignment facility be constructed in the Central Jail Complex. Inmates would still be transported from South County to Santa Ana but they would not have to be transported to South County and back for arraignment.