

County of Santa Clara

Office of the Sheriff

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MEMORANDUM

Laurie Smith
Sheriff

DATE: May 24, 2019

TO: Honorable Members of the Board of Supervisors
Jeffrey V. Smith, County Executive

FROM: Laurie Smith, Sheriff 

SUBJECT: **August 15, 2017 BOS Meeting, Item 13:**
Off-Agenda Report RE: Probation's Role in Adult Custody

At the August 15, 2017 Board of Supervisors meeting, the Office of the Sheriff presented a draft functional organizational chart designed to highlight the different roles departments perform in custody services and operations. At the request of Supervisor Chavez, the Office of the Sheriff prepared a one page draft functional organizational chart for all in-custody services, which delineates reporting structures and who performs services in the jail. This includes support services such as Procurement, Fiscal, and Technology Services and Solutions (TSS) who support jail operations. Supervisor Cortese subsequently requested a report clarifying the Probation Department's role in adult custody.

California Penal Code 1203.2 (a)- Probation and Probation Violations outlines a requirement for probation that, "At any time during the period of supervision of a person [subject to any form of probation or parole]...if any probation officer, parole officer, or peace officer has probable cause to believe that the supervised person is violating any term or condition of his or her supervision, the officer may, without warrant or other process and at any time until the final disposition of the case, re-arrest the supervised person and bring him or her before the court or the court may, in its discretion, issue a warrant for his or her re-arrest."

Probation officers are required to interview defendants in custody who are awaiting sentencing on new cases or are appearing for violations of probation. Such interviews are conducted in person via jail visits or teleconference.

The interviews are to illicit information from the defendant about the following:

- Level of remorse, culpability, and ability to take responsibility for his/her criminal actions
- Whether or not they might succeed on probation or gain insight as to why they committed the offense
- Information about any victim safety issues the court or department may need to be informed of
- Inquire about their future plans to determine probation suitability if applicable or future plans after release from prison
- Future risk of re-offending and criminogenic needs
 - Correctional Assessment and Intervention System (CAIS) assessment

Information gathered from the interviews are used by probation officers to prepare Pre-Sentence Investigations reports and/or Violation of Probation (VOP) petitions and make recommendations to the Court as to what they believe an appropriate disposition should be based on the merits of the individual case.

The Custody Programs Division intersects with Probation for individuals that are participating in the Reentry Correction Program (RCP) - Phase III. Programs may work in collaboration with Probation in assessing inmates for any type of early release program (i.e. County Parole, EMP, PSP, and RCP). Additionally, Probation may inquire about how inmates participated in programs while in-custody and will contact the Custody Bureau to place holds when a defendant under their supervision has been arrested by another law enforcement agency.

Attachments:

- **Updated Draft In-Custody Services Functional Organizational Chart**
- **Revised Jail Services Org Chart**

CC: Chief Board Aides
 James R. Williams, County Counsel
 Megan Doyle, Clerk of the Board of Supervisors
 Miguel Marquez, Chief Operating Officer
 Tiffany Lennear, Assistant Clerk of the Board of Supervisors
 Laura Garnette, Chief Probation Officer



87873

DATE: August 15, 2017

TO: Board of Supervisors

FROM: Laurie Smith, Sheriff

SUBJECT: Updated Draft In-Custody Services Functional Organizational Chart

RECOMMENDED ACTION

Receive report from the Office of the Sheriff relating to a draft functional organizational chart for all in-custody services.

COMMITTEE RECOMMENDATIONS

At the March 29, 2017 Special Finance and Government Operations Committee (FGOC) meeting, the Committee requested that the Sheriff's Office solicit input from the Board of Supervisors and to incorporate VMC, ESA, and County ISD in future iterations of the In-Custody Functional Organizational Chart in order to submit to the Board of Supervisors for full discussion.

REASONS FOR RECOMMENDATION

At the August 26, 2016 Special FGOC meeting, Supervisor Chavez requested a one page, reporting structure for people who work in the jail. This information was to be scheduled to be brought back when oversight was agendized. At the request of Supervisor Chavez, the Sheriff's Office has prepared a draft functional organizational chart for all in-custody services, which delineates reporting structures and who performs what functions in the jail.

This draft functional organizational chart is designed to provide transparency and clarity regarding in-custody services and operations, and to demonstrate the broad range of stakeholders that are involved in issues that affect the quality of life for inmates. The goal of the consolidated functional organizational chart is to provide a general understanding of in-custody operations and a clear demonstration of who is ultimately responsible for those services. The organizational chart also demonstrates the high level of collaboration that is required for effective change within the jails and coordinate inmate services.

For example, if an inmate's family member writes a letter to members of the Board of Supervisors and/or the Sheriff requesting dental services for the inmate, the intent is for someone to be able to utilize the functional organizational chart to gain a general understanding of the process for attaining dental services. In this example, Custody Health Services will answer the family member's request. Custody Health Services will schedule the appointment and provide the inmate with dental care. Custody Bureau staff (correctional deputies) will ensure the inmate arrives at his/her appointment on time. Staff from both the Sheriff's Custody Bureau and Custody Health Services must work together in coordination to ensure the inmate receives dental care. Custody Health Services will collaborate with Custody Bureau staff, but Custody Health Services will ultimately be responsible to respond and follow-up with the inmate's family member. This is one, simple example of the complex reporting structure and overlapping areas of responsibility that exist within current jail operations and this functional organizational chart is being presented to provide some clarity around this complexity.

CHILD IMPACT

The recommended action will have no/neutral impact on children and youth.

SENIOR IMPACT

The recommended action will have no/neutral impact on seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

BACKGROUND

CONSEQUENCES OF NEGATIVE ACTION

The Board would not receive the report.

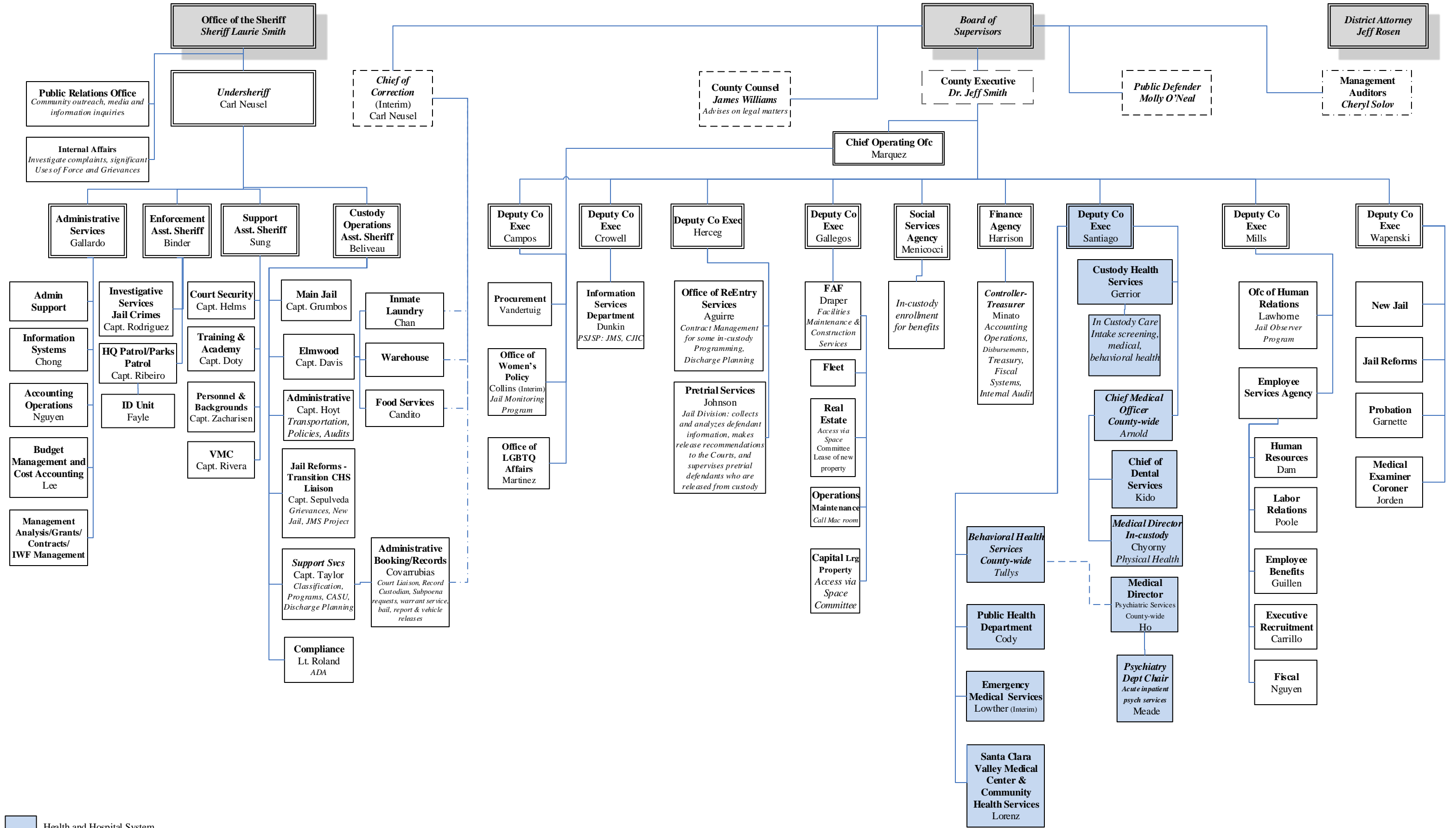
LINKS:

- Created: 85719 : 85719

ATTACHMENTS:

- Revised Jail Services Org Chart(PDF)

DRAFT IN-CUSTODY FUNCTIONAL ORGANIZATIONAL CHART



Health and Hospital System
 Elected Official
 - - - - Board of Supervisors Appointment

*****This org chart is not intended to cover all responsibilities for those included, but only their areas of responsibility that pertain to the jail**

Revision Date: August 1, 2017