

# County of Santa Clara

Board of Supervisors

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February 16, 2017

**To:** Board of Supervisors  
Finance and Government Operations Committee

**From:** Cheryl Solov   
Board of Supervisors Management Audit Manager

**Subject:** **Status Report as of February 1, 2017**

**Finance and Government Operations Committee Special Hearings on  
Recommendations to Improve the County's Custody Operations and Facilities**

This report provides a brief summary of the status of recommendations received by the Board of Supervisors to improve the County's custody operations and facilities. Review and analysis of these recommendations was assigned to the Finance and Government Operations Committee, which commenced special hearings to consider the recommendations on August 26, 2016. The prior monthly report as of January 1, 2017 listed 644 recommendations that had been received by the Board and were under consideration by the Finance and Government Operations Committee ("Committee"). However, as a result of additional review and analysis of the 644 recommendations by the Office of the County Executive and a legal review and analysis by the County Counsel, 13 of the 644 recommendations were deemed to not be recommendations, but observations or future planned actions, and eight (8) recommendations were determined by Counsel to be illegal under current law. Consequently, these 21 recommendations were removed from consideration by the Committee, leaving a total of 623 unduplicated recommendations before the Finance and Government Operations Committee.

Excluding the adjustments above, as of the January 1, 2017 report, 416 recommendations had been reviewed by the Committee. At the Committee's January 26, 2016 special hearing, the Committee reviewed an additional 203 recommendations pertaining to Inmate Healthcare (105), Jail Facilities (38), Jail Environment and Culture (32), and Staff Accountability (28). Therefore, as of February 1, 2017, the Committee had reviewed 619 of the 623 recommendations under consideration, or 99.4 percent of the recommendations. Four recommendations (Master List Nos. 30, 31, 487, and 514) were not included in recent reports nor included in summarized recommendations. The substance of those recommendations

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was received by FGOC during the Aug. 26 and Nov. 10 FGOC meetings. The administration reports that it will provide further information at the FGOC meeting scheduled for March 23. These four will bring the total received to 623, or 100 percent. Within this total are nine recommendations about which additional legal analysis was deemed necessary. Our understanding is that this analysis is still pending.

As of February 1, 2017, the Committee had made seven formal written requests for additional information from various departments. To keep the Committee apprised of the status of these requests, we compiled the available information as Attachment 1 to this report. As of February 1, 2017, no formal actions have been taken by the Committee pertaining to any of the recommendations it has received.

Finally, attached to this memorandum are two graphs illustrating the total of 644 recommendations (in blue) by SOURCE and by CATEGORY, and the 640 recommendations that have been reviewed by the Committee (in pink) since the August 26, 2016 Special Hearing. Also attached is a numerical matrix, which reports the same information in chart format, as well as a detailed account of the status of FGOC requests relative to specific recommendations. Specific information identifying individual recommendations that have already been reviewed by the Committee is available at the County website at the following address: [www.sccgov.org/jailreforms](http://www.sccgov.org/jailreforms).

The index matrix has also been updated to reflect the January activity of the Committee. This update has been made available in electronic format. To arrange for a printed copy, please contact me.

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**Status of Committee Requests Relative to Specific Recommendations  
Monitored by the Management Audit Division**

August 26, 2016 Committee Requests For Information

On August 26, 2016, the Finance and Government Operations Committee requested materials related to eighteen Master List Recommendations numbered 181, 253-260, 297-299, 544, 640, 643-646.

**1. Regarding Master List Recommendations numbered 640 and 643-646,** the Committee made three requests for information from the Sheriff’s Office:

- 1) An estimated timeline for the completion and full implementation of a new classification system.

**Status: Complete.** Page 2 of a letter addressed to the Committee members dated December 15, 2016 contains a timeline for implementation, which is reproduced below:

December 12, 2016	Begin Pilot with women being booked into custody
January 3, 2017	Site visit with JFA Institute
February 12, 2017	First women's 60 day reclassification interviews to occur
February 20, 2017	Begin Pilot with men being booked into custody
March 13, 2017	Report to FGOC on the status of the pilot
April 20, 2017	First men's 60 day reclassification interviews to occur
May 2017	JFA Institute to complete reliability test
July 30, 2017	JFA Institute to complete six month evaluation and validate system
January 2018	Sheriff's Office to complete first reliability test and to continue annually

- 2) Explain how the system is gender responsive; and,
- 3) Confer with the Commission on the Status of Women to determine the Commission rationale for recommending a gender-specific classification tool.

**Status: Ongoing.** The explanation contained in the memo dated December 15, 2016 is reproduced below:

“The Sheriff’s Office has been working with the Commission on the Status of Women and the Office of Women’s Policy (OWP) to ensure a mutual understanding of what a gender responsive classification would look like. As such, we will proceed with beginning to use the tool with females and to monitor its responsiveness to female inmates. The Sheriff’s Office believes we can achieve gender responsiveness throughout the classification and programs process, while using the same classification tool for men and woman. The Sheriff’s office will continue to review the results of the pilot with the Commission on the Status of Women to ensure the new tool is responsive to the

## Appendix 1

needs of female inmates. We have dedicated staff to the Women's Facility to ensure monitoring of the pilot and consistency for women during the reclassification interviews. This will ensure a deputy who is familiar with female inmates and their personal history is making decisions regarding potential up or downclassing. The Sheriff's Office has also evaluated the Correctional Assessment and Intervention System (CAIS) assessment tool that is utilized by Rehabilitation Officers that is gender responsive and is evaluating how to increase the number of women who are assessed using the tool at an earlier stage of being in custody. On Monday, December 16<sup>th</sup> the Sheriff's Office and OWP also hosted a policy briefing from Dr. Bloom entitled 'Why Gender Matters: Addressing Gender-Responsiveness/Trauma Informed Approaches for Justice Involved Women.' The two offices will continue to work to incorporate philosophies and trainings from Dr. Bloom into operations at the jails."

**2. Regarding Master List Recommendations 181 and 544,** the Committee made one request of the Sheriff's Office:

- 1) Come back with evaluation metrics in order to better understand how a new approach makes sure that inmates have access to programs and whether the new approach aligns with reentry goals.

**Status: Pending.** According to the administration, evaluation metrics will be provided to FGOC at its next special meeting on March 23, 2017.

**3. Regarding Master List Recommendations 253-260 and 297-299,** the Committee made one request of Facilities and Fleet:

- 1) The Department was requested to provide a detailed description of the audio and video surveillance project for the County jail system in relation to how this project will facilitate monitoring of suicidal inmates and reduce and/or prevent suicides.

**Status: Pending.** According to the administration, a report back will be provided to FGOC on April 20.

### November 10, 2016 Committee Requests For Information

On November 10, 2016, FGOC requests materials related to sixteen Master List Recommendations numbered 28, 32, 34-39, 379-381, 383-384, 496, 498, 511.

**4. The Committee made one request for information from the Sheriff's Office:**

- 1) The Sheriff's Office is requested to provide a quantitative and qualitative assessment of the increased number of grievances from Q2 of 2015 to Q2 of 2016 for both the main Jail and Elmwood facilities. The analysis of this data should also be categorized based on the subject areas of grievances.

**Status: Pending.** Per the administration, a response will come to FGOC on March 23, 2017.

### December 19, 2016 Committee Requests For Information

On December 19, 2016, FGOc requests materials related to thirteen Master List Recommendations numbered 220, 221, 223-224, 226-227, 234, 236, 238-242.

**5. Regarding Master List Recommendations numbered 220, 221, 223-224, 226, and 238-240, the Committee made one request for information from the Sheriff's Office:**

1) Provide a compendium of criteria for using audio or video recordings in jail facilities, as well as description of plans with respect to recording equipment and procedures.

**6. Status: Ongoing.** A description of a proposed camera system is included as attachment 17.a of the February 7, 2017 Board of Supervisors meeting agenda packet, and attachments 17.b and 17.c provide video surveillance use policies for 2016 and 2017. These attachments provide information regarding the types of cameras and their intended purpose and describe how the resulting recorded data will be handled. In addition, the Board appropriated \$9.2 million for a video system (item 18) on the same agenda. However, the information furnished does not provide criteria for use, such as when recording would be continuous versus triggered by motion, whether and how any testing may occur to ensure that the cameras and recording systems are operating properly, who has authority to turn the devices off and when (such as for maintenance, repair or other reasons), who is responsible to ensure that the cameras are recording and how often such determinations must be made. In addition, the reports do not address audio surveillance. The Management Audit Division recommends that subsequent reports address these considerations.

**7. Regarding Master List Recommendations numbered 227, 234, 236, 241, and 242, the Committee made one request for information from Custody Health Services:**

1) Custody Health Services should provide a report back on whether there are additional steps that could be taken to reduce inmate suicides beyond that which has already been recommended.

**Status: See attached letter dated February 3, 2017 from the Director of Custody Health Services.**

**8. Regarding Master List Recommendations numbered 227,234, 236, 241, and 242, the Committee made one request for information from County Counsel:**


1) County Counsel to provide a report back on HIPAA requirements with respect to inmate medical care, and in particular, the requirements pertaining to inmate permission for taking a photograph or video of inmate-patients.

**Status: Complete.** The County Counsel's office reports that it responded to the Board with a confidential letter on January 25, 2017.



February 3, 2017

TO: Management Audit Division

FROM: Matt Gerrior   
Director, Custody Health Services

RE: Steps Related to Inmate Suicide

Custody Health Services (CHS) received your request dated January 20, 2017 for information regarding steps taken to reduce inmate suicide.

CHS staff have consulted with Santa Clara Valley Health & Hospital System psychiatrists and psychologists, along with a suicide prevention expert, to review processes to make improvements in behavioral health services for inmates.

The following list provides details regarding the many steps and efforts that have been taken to better address mental health issues for inmates. Of note, suicide policies and procedures have been updated and implemented; the plan is to continue refining on an ongoing basis. Intake screening has been revised to address acuity and related procedure changes made. Mental health clinicians and psychiatrists have been added to the Intake Booking area.

Steps taken in:

- Booking Area
  - Triage criteria developed and implemented for screening and risk assessment of medical and behavioral health issues.
  - Two tier screening initiated in the booking area:
    - Tier 1: Basic vital signs, physical assessment and basic screening for suicide risks and recent or chronic physical and mental health issues.
    - Tier 2: If a mental health or physical health issue or both are identified during the Tier 1 screening, a more in depth and clinically appropriate Tier 2 screening is then conducted to further evaluate the identified needs.
    - For both physical health and mental health the acuity level is identified as an emergent, urgent, or routine need and the appropriate intervention is either started or scheduled.
  - Added a psychiatrist in the booking area to provide 12 - 16 hours per day of onsite psychiatric evaluations of inmates identified with mental health needs. Psychiatrists order medications for inmates right in the booking area.
- Housing Units
  - CHS collaborates with the Sheriff's Office (SO) Classification Unit and SO Administration to review housing of inmates with serious mental illness for proper placement. Inmates with serious mental illness are housed together in

cluster housing to increase support by the behavioral teams and to encourage programming together.

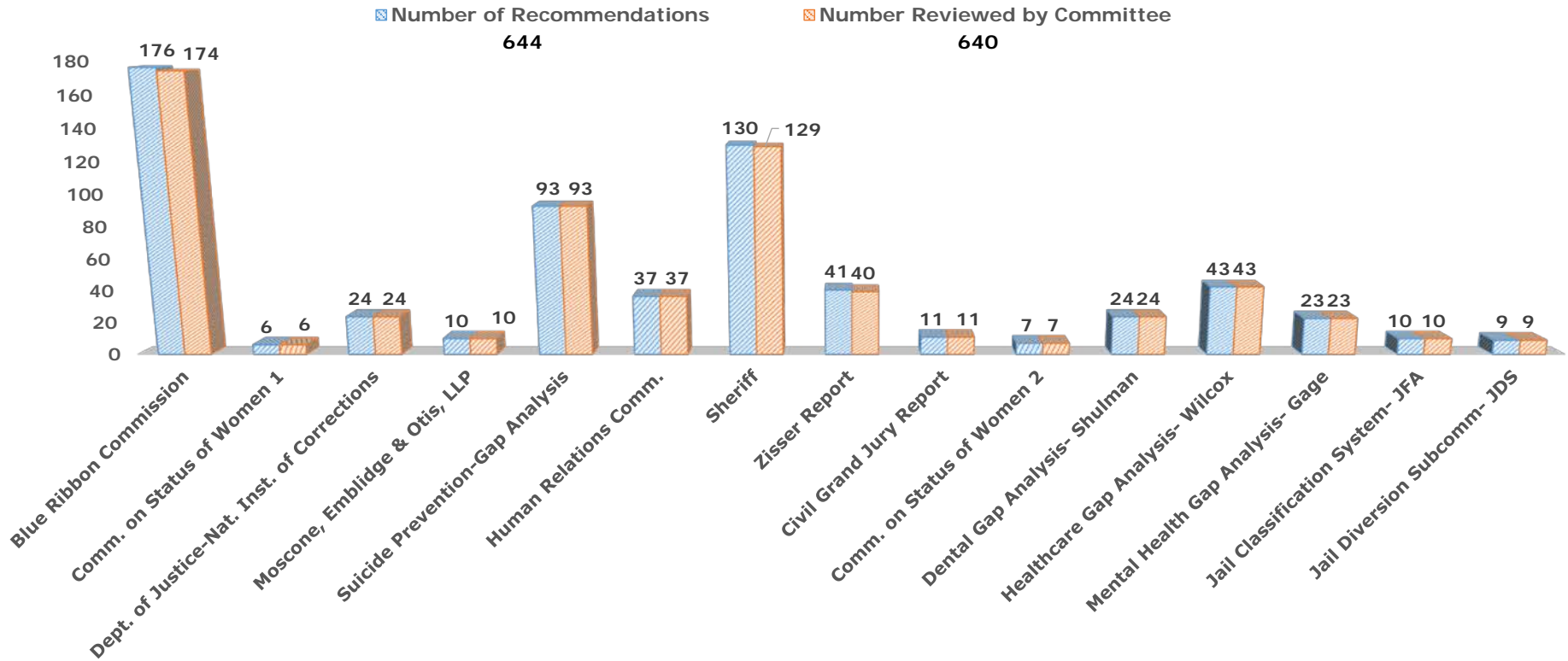
- Mental Health staff have begun weekly visits to areas where inmates may have less time out of their cells, to check on those inmates and make mental health services more readily available to them.
  
- Behavioral Health Teams
  - There are 6 Behavioral Health Teams: three teams at the Main Jail and three teams at Elmwood.
  - Decrease the wait time for patients to receive an initial face to face psychiatric evaluation by an “outpatient” psychiatrist from 6 to 8 weeks to 2 – 4 weeks. Of note, patients who have verified medications from community based programs can have the medications “bridged” on the first day of incarceration prior to seeing a psychiatrist to maintain continuity of treatment.
  - Psychologists provide both individual and group therapy.
  - Implementation of therapy group sessions on the housing units, bringing CHS Behavioral Health staff and inmates into more frequent contact, allowing for additional opportunities to identify changes in condition. The group sessions provide additional out of cell time for inmates.
  - Clinicians work on discharge planning for patients with significant mental health needs and linkages with community behavioral health providers.
  - Substance use counselors provide support and linkages to community providers.
  - In addition to staff from behavioral health teams, crisis clinicians provide additional mental health support to inmates requiring more frequent mental health visits and those who are discharged from the acute unit.
  
- Training:
  - Clinical staff has been trained to use the suicide risk evaluation to conduct suicide risk assessment of inmates deemed at risk for suicide.

CHS will continue to collect data related to suicide attempts and refine processes in order to continue to improve services.

If you have any questions, please let me know.

**FEBRUARY 1, 2017**

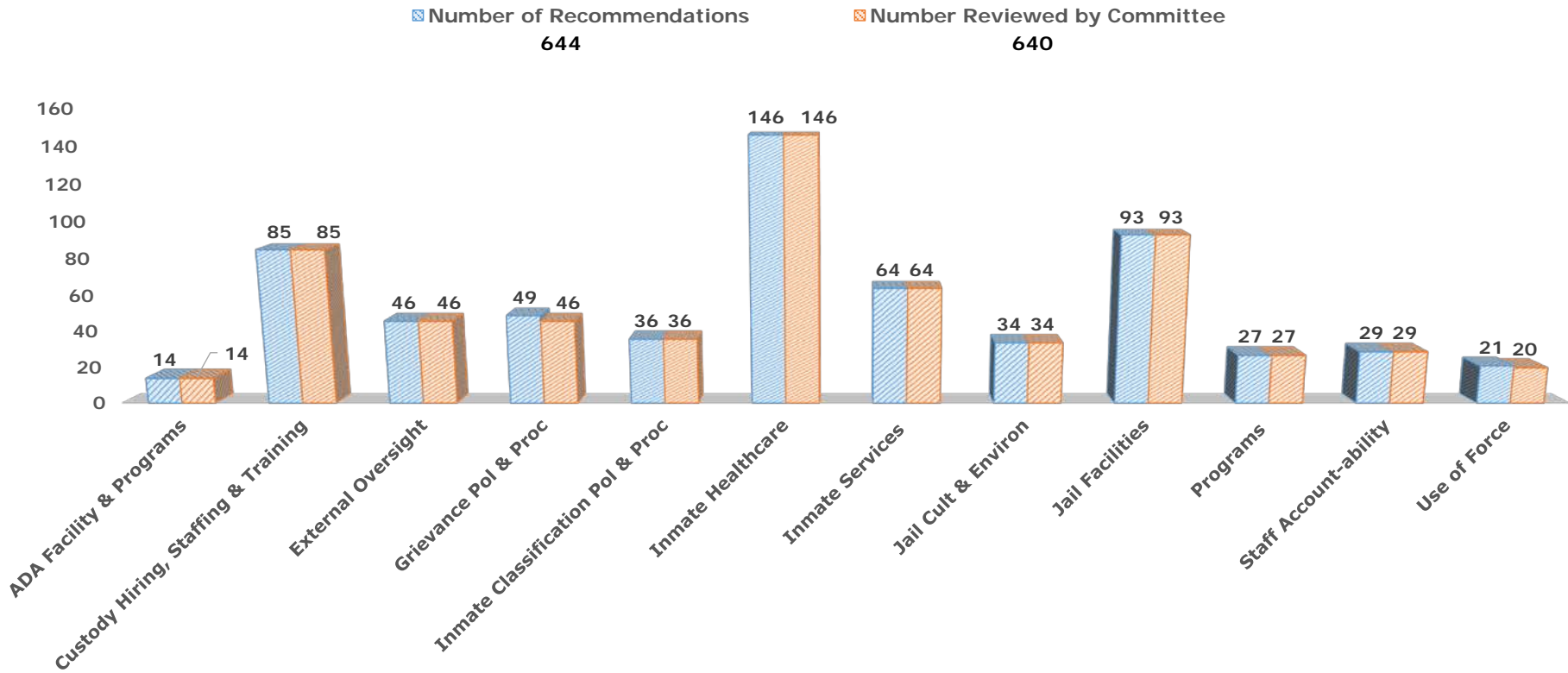
**FGOC STATUS REPORT  
REVIEW OF 644 CUSTODY RECOMMENDATIONS BY  
SOURCE**





**FEBRUARY 1, 2017**

**FGOC STATUS REPORT  
REVIEW OF 644 CUSTODY RECOMMENDATIONS BY  
CATEGORY**



# February 1, 2017

## FGOC Status Report 644 Custody Improvement Recommendations by SOURCE and CATEGORY 640 Recommendations Reviewed

Source		Category												Total			
		ADA Facility & Programs	Custody Hiring, Staffing & Training	External Oversight, Reporting & Organ	Grievance Pol & Proc	Inmate Classification Pol & Proc	Inmate Healthcare	Inmate Services (religious, education, support)	Jail Culture & Environ	Jail Facilities	Programs (rec & voc)	Staff Account-ability	Use of Force	Total Number of Recom	Total Percent	Total Number Reviewed	Percentage Reviewed
1-Blue Ribbon Commission	Recs Reviewed	0	20	18	19	5	21	48	9	8	15	11	0			174	27.0%
	Total Recs	0	20	18	21	5	21	48	9	8	15	11	0	176	27.3%		
2-Commission on Status of Women 1	Recs Reviewed	0	1	0	0	1	0	0	0	1	2	0	0			6	0.9%
	Total Recs	0	1	0	0	1	0	0	0	1	2	1	0	6	0.9%		
3-Dept of Justice-Nat Inst. of Corrections	Recs Reviewed	0	8	0	0	2	0	2	10	1	0	0	1			24	3.7%
	Total Recs	0	8	0	0	2	0	2	10	1	0	0	1	24	3.7%		
4-Moscone, Emblidge & Otis, LLP	Recs Reviewed	0	1	0	2	2	1	1	0	2	0	1	0			10	1.6%
	Total Recs	0	1	0	2	2	1	1	0	2	0	1	0	10	1.6%		
5-Suicide Prevention Gap Analysis	Recs Reviewed	0	6	0	0	0	36	0	0	51	0	0	0			93	14.4%
	Total Recs	0	6	0	0	0	36	0	0	51	0	0	0	93	14.4%		
6-Human Relations Commission	Recs Reviewed	1	5	7	2	2	3	3	6	5	2	1	0			37	5.7%
	Total Recs	1	5	7	2	2	3	3	6	5	2	1	0	37	5.7%		
7-Sheriff	Recs Reviewed	13	22	4	8	12	12	8	3	12	8	8	19			129	20.0%
	Total Recs	13	22	4	8	12	12	8	3	12	8	8	20	130	20.2%		
8-Zisser Report	Recs Reviewed	0	5	8	15	0	1	1	5	2	0	3	0			40	6.2%
	Total Recs	0	5	8	16	0	1	1	5	2	0	3	0	41	6.4%		
9-Civil Grand Jury Report	Recs Reviewed	0	5	2	0	1	1	1	0	0	0	1	0			11	1.7%
	Total Recs	0	5	2	0	1	1	1	0	0	0	1	0	11	1.7%		
10-Commission on Status of Women 2	Recs Reviewed	0	3	1	0	1	1	0	1	0	0	0	0			7	1.1%
	Total Recs	0	3	1	0	1	1	0	1	0	0	0	0	7	1.1%		
11-Dental Gap Analysis – Shulman	Recs Reviewed	0	1	1	0	0	12	0	0	7	0	3	0			24	3.7%
	Total Recs	0	1	1	0	0	12	0	0	7	0	3	0	24	3.7%		
12-Healthcare Gap Analysis – Wilcox	Recs Reviewed	0	8	5	0	0	26	0	0	4	0	0	0			43	6.7%
	Total Recs	0	8	5	0	0	26	0	0	4	0	0	0	43	6.7%		
13-Mental Health Gap Analysis-Gage	Recs Reviewed	0	0	0	0	0	23	0	0	0	0	0	0			23	3.6%
	Total Recs	0	0	0	0	0	23	0	0	0	0	0	0	23	3.6%		
14-Jail Classification System-JFA	Recs Reviewed	0	0	0	0	10	0	0	0	0	0	0	0			10	1.6%
	Total Recs	0	0	0	0	10	0	0	0	0	0	0	0	10	1.6%		
15-Jail Diversion Subcommittee-JDS	Recs Reviewed	0	0	0	0	0	9	0	0	0	0	0	0			9	1.4%
	Total Recs	0	0	0	0	0	9	0	0	0	0	0	0	9	1.4%		
<b>Total Number of Recommendations</b>		<b>14</b>	<b>85</b>	<b>46</b>	<b>49</b>	<b>36</b>	<b>146</b>	<b>64</b>	<b>34</b>	<b>93</b>	<b>27</b>	<b>29</b>	<b>21</b>	<b>644</b>	<b>100.0%</b>	<b>640</b>	<b>99.4%</b>
<b>Total Percent</b>		<b>2.2%</b>	<b>13.2%</b>	<b>7.1%</b>	<b>7.6%</b>	<b>5.6%</b>	<b>22.7%</b>	<b>9.9%</b>	<b>5.3%</b>	<b>14.4%</b>	<b>4.2%</b>	<b>4.5%</b>	<b>3.3%</b>	<b>100.0%</b>			
<b>Total Number Reviewed</b>		<b>14</b>	<b>85</b>	<b>46</b>	<b>46</b>	<b>36</b>	<b>146</b>	<b>64</b>	<b>34</b>	<b>93</b>	<b>27</b>	<b>29</b>	<b>20</b>	<b>640</b>			
<b>Percentage Reviewed</b>		<b>2.2%</b>	<b>13.2%</b>	<b>7.1%</b>	<b>7.1%</b>	<b>5.6%</b>	<b>22.7%</b>	<b>9.9%</b>	<b>5.3%</b>	<b>14.4%</b>	<b>4.2%</b>	<b>4.5%</b>	<b>3.1%</b>	<b>99.4%</b>			