

July 8, 2004

Sheriff Lou Blanas
Sacramento County Sheriff's Department
P.O. Box 988
Sacramento, CA 95812-0988

Dear Sheriff Blanas:

2002/2004 Biennial Inspection
Penal Code Section 6031

The Board of Corrections (BOC) has completed the 2002-2004 biennial inspections of the Sacramento Sheriff's Department detention facilities. This letter addresses the following facilities, inspected on the listed dates:

<u>Date of Inspection</u>	<u>Facility Name</u>	<u>Type</u>	<u>BOC Facility #</u>
June 2 & 3, 2004	Sacramento County Main Jail (MJ)	II	4070
June 1 & 4, 2004	Rio Consumnes Correctional Center (RCCC)	II	4080

The inspections included a site-visit of each facility and a review of applicable policies and procedures governing facility operation. The facilities were inspected for compliance with California Code of Regulations (CCR) Title 24, Minimum Standards for Local Detention Facilities: the physical plant requirements specific to each facility. The inspection included a review of the operational requirements for compliance with CCR Title 15, Minimum Standards for Local Adult Detention Facilities for Type II facilities.

The complete BOC inspection report is enclosed and consists of: this transmittal letter; cover sheets identifying each facility and listing any areas of non-compliance; a "procedures" checklist outlining applicable Title 15 sections; "physical plant evaluation" checklist outlining Title 24 requirements for design, and "living area space evaluation" forms that summarize the physical plant configurations.

We suggest maintaining a permanent file for historical copies of all inspections. This greatly improves the continuity among jail managers and provides a beginning point to prepare for future inspections.

Health and Fire Inspections

In addition to a biennial inspection by the BOC, annual inspections by the County Health Officer, and the Fire Marshal (Penal Code Section 6031.2; Health and Safety Code Sections 101045 and 13146.1) are also required. To obtain an overall view of the jail conditions, our report should be considered in conjunction with reports from the Fire Marshal and Health Officer.

Fire Inspection

Fire and Life Safety Inspections are a critical mechanism for alerting staff to potentially dangerous situations requiring correction. The State Fire Marshal last inspected the Rio Consumnes Correctional Center on September 25, 2003. The Sacramento Fire Department last inspected the Main Jail on October 17, 2003. Minor deficiencies affecting fire and life safety were noted, however, a one-year fire clearance was granted for each facility.

Health Inspection

The Sacramento County Department of Health and Human Services conducted health inspections on the dates listed in the table below. The inspections included an evaluation of environmental, nutritional, and medical/mental health requirements. The medical/mental health inspections for RCCC are past due and should be arranged as soon as possible. These reports are critical to monitoring jail issues and are reviewed by jail managers, who document steps to rectify areas of non-compliance.

There were a few issues of deferred maintenance listed in the environmental health report for both facilities (shower and plumbing repairs/cleanliness). There were areas of non-compliance in the nutritional health inspection related to the fact that Sacramento County has been without a registered dietician to approve menus and other tasks. It is my understanding that these issues are being corrected.

<u>Facility</u>	<u>Medical/Mental Health Inspection</u>	<u>Nutritional Health Inspection</u>	<u>Environmental Health Inspection</u>
Main Jail	December 5, 2003	December 17, 2003	May 16, 2003
RCCC	June 5, 2002*	August 20, 2001*	December 29, 2003

*=past due

The medical/mental health report praised the Sheriff’s Department for its suicide prevention efforts and other improvements that are the apparent result of the reorganization of health services under the Sheriff’s Department. One issue cited in the medical/mental health report that remains unresolved is the use of correctional health care staff in forensic medical services. Title 15 §1206 requires that the health authority, in cooperation with the facility administrator, set forth in writing, policies and procedures in conformance with applicable state and federal law that include provisions stating that forensic medical services, including drawing of blood alcohol samples, body cavity searches, and other functions for the purpose of prosecution shall not be performed by medical personnel responsible for providing ongoing health care to the inmates. Interviews with health care and custody staff indicate that this is still occurring.

BOC Inspection

This inspection process began on May 3, 2004 with a pre-inspection briefing attended by Capt. Mark Iwasa, Commander of the Main Jail, and Lt. Scott Logins, Assistant Commander at RCCC. The purpose of the pre-inspection briefing is to discuss the inspection and to make the jail commanders aware of the expectations of the inspection. The on-site inspection of RCCC began on June 1, 2004 with a subsequent on-site visit on June 4, 2004. The on-site inspection of the main jail occurred on June 2 and 3, 2004. I met with a number of staff members at each facility. They are identified below as their respective facility is discussed. Your staff assisted by answering questions and clarifying procedural issues. We recognize the added work that inspections entail and appreciate the active participation of staff in both the pre-inspection briefing and the inspection process. Staff’s involvement in the inspection process was extremely valuable; the professionalism and courtesy extended during our inspection was greatly appreciated.

Title 15, 1027 Staffing

The chart below shows staffing levels and vacancies at the two facilities as reported during the 2000/2002 and 2002/2004 inspection cycles. Management and supervision staff remained almost unchanged during each inspection. Custody staff allocation numbers have changed little; however, the vacancy rate among custody staff has increased from just under 5% to just under 10%.

	<u>2000/2002</u>		<u>2002/2004</u>	
	<u>Main Jail</u>	<u>RCCC</u>	<u>Main Jail</u>	<u>RCCC</u>
Management/Supervisors	29/0	21/0	28/1	20/1
Custody Staff	229/10	115/5	225/22	117/13
Support Personnel	174/17	62/6	111/19.5	59/8.5

(allocated staff/vacancy)

Both facilities were out of compliance with §1027 Staffing –during the previous inspection cycle. A review of randomly selected hourly safety check documentation shows that the checks at the Main Jail are generally conducted and documented at intervals of one hour or less. At RCCC, there were many checks that were greater than one hour and in most instances, it could not be determined if checks were not conducted due to other activities prohibiting them or if entries were inadvertently omitted from the log. Due to the lack of documented checks, RCCC will remain out of compliance. While staff must strive to conduct checks at least hourly, we support the process of noting the reason(s) when checks cannot be conducted pursuant to the regulation.

An on-site inspection of conditions is another way to determine the adequacy of staffing levels. For example, if all documented hourly safety checks are being made, but other assigned tasks and responsibilities are not being done in compliance with minimum standards, then the facility has not demonstrated adequate staffing levels. During the on-site inspection, the facilities were generally found to be clean and orderly, although at RCCC, there were many cells with the lights covered by paper, pictures affixed to walls and doors and one of the housing units showed an accumulation of clutter. Unkempt living units are generally an indication of insufficient staff or a lack of supervisory oversight of the staff on a unit. I interviewed a number of inmates at each facility and all reported that they received clean clothing and linen, exercise, visits and other programmatic opportunities as required. The inadequacy of “out of cell time” was a common complaint among the inmates housed

in some areas of the Main Jail; however, this does not appear to be an issue related to staffing, but rather an issue of classification. Due to classification (keep separate, administrative segregation, protective custody), the out-of-cell time for certain groups of inmates may be less than for others. There are no regulations dictating out of cell time; however, care should be taken to ensure inmates receive adequate time to make phone calls, attend to hygiene and get sufficient exercise and recreation time.

Policy and Procedures

Although it is apparent that the Sacramento County Sheriff's Department has spent time updating the policies and procedures manual, several of the policies noted in the 2000/2002 inspection as needing development or revision went unchanged. These and other areas of non-compliance with applicable Title 15 standards related to the policies and procedures manual are noted in the facility specific descriptions below.

It should be noted that the Sacramento County Sheriff's Department has vigorously responded to a number of successful suicides that occurred during 2003. Deputies have received documented training on recognizing suicidal tendencies and methods for responding to and preventing suicide. Each deputy carries a laminated card in their pocket with tips to assist them in their suicide prevention/intervention efforts. Health care services have been reorganized into the Sheriff's Department which enhances a team approach toward responding to suicide issues and allows the Sheriff's staff to hold health care staff more accountable.

Documentation

A random sampling of documentation concerning grievances, disciplinary actions, safety and sobering cells logs, and use of restraint logs was conducted. With the exception of sobering cell logs at the Main Jail, the documentation reviewed conformed to Title 15 standards. The sobering cell checks were not being documented, as there is a deputy in the area of the sobering cell at all times. Prior to completion of the inspection, the practice was changed to require *documented checks* of the sobering cell no less than once every 30 minutes.

Main Jail

This site-visit occurred on June 2 and 3, 2004. Lt. Steve Bunce, Sgt. Ray Raute and Deputy Scott Ryman accompanied me during the visits and assisted by answering questions. The Main Jail has a BRC of 2,380 beds (plus an additional 43 non-rated beds for medical/mental health and disciplinary needs) and on the day of the inspection there were 2,352 inmates in custody. The facility is inspected under the 1980 Title 24 physical plant standards that were in effect at the time of construction.

The jail was clean and orderly; the inmates were aware of rules and appeared to conform, indicating staff is enforcing the rules. Sacramento County is doing a good job of managing the population of the Main Jail; there were no extra or non-compliant beds in the facility and all inmates were assigned to a bed. During the fall of 2003, sentenced female inmates were moved from the Main Jail to RCCC, resulting in more beds to house male inmates at the Main Jail and expanding the classification opportunities. The court holding area of the jail was crowded on the day of the

inspection, although an accurate count of inmates could not be conducted due to the continual movement of inmates to and from court and among cells in the court holding area. There is an area that appears to have been designed as a large sally-port in which inmates were staged (staff referred to this as the "Super-Tank"). This area is not equipped with seating or plumbing fixtures and does not meet the requirements for a holding cell or a temporary staging cell. Staff explained that the population in the court holding area fluctuates throughout the day and the cells in court holding are sometimes crowded and the super-tank is used to alleviate the crowding. Efforts should be taken to better schedule inmates in the court holding area to prevent crowding and the use of the super-tank.

During part of the on-site inspection, we were joined by Supervising Registered Nurse Shelley Jordan who provided an overview of the intake process as it relates to medical/mental health needs, the sick call process and other health related issues. Ms. Jordan was very knowledgeable and provided additional information concerning procedural issues.

As noted above, the policies and procedures manual has been revised since the last inspection; however, there are several policies that are in need of revision or development in order to gain compliance with applicable Title 15 standards. The need for these policies resulted in **non-compliance with Title 15 §1029 – Policy and Procedures Manual**. The policies in need of revision or development are §1053 – Administrative Segregation, §1055 – Use of Safety Cell, §1071 – Voting, §1081 – Plan for Inmate Discipline. The deficiencies related to these regulations are as follows:

§1053 Administrative Segregation Policy - This section requires each facility administrator to develop written policies and procedures which provide for the administrative segregation of inmates who are determined to be prone to escape; assault staff or other inmates; disrupt the operations of the jail, or likely to need protection from other inmates, if such administrative segregation is determined to be necessary in order to obtain the objective of protecting the welfare of inmates and staff. Administrative segregation shall consist of separate and secure housing but shall not involve any other deprivation of privileges than is necessary to obtain the objective of protecting the inmates and staff. We were unable to locate such a policy.

§1055 Use of Safety Cell Policy - Procedures must be established to assure administration of necessary nutrition and fluids and for inmates to be allowed to retain sufficient clothing, or be provided with a suitably designed "safety garment," to provide for their personal privacy unless specific identifiable risks to the inmate's safety or to the security of the facility are documented. The current policy on the use of the safety cell is silent on these issues.

§1071 Voting Policy - This section requires the facility administrator to develop written policies and procedures whereby the county registrar of voters allows qualified voters to vote in local, state, and federal elections, pursuant to election codes. A policy on voting could not be located. Jail management staff have since notified me that they are in the process of developing a policy for inmate voting.

§1081 Plan for Inmate Discipline – This section requires each facility administrator to develop written policies and procedures for inmate discipline which shall include, but not be limited to, the following elements:

- Charges pending against an inmate shall be acted on no sooner than 24 hours after the report has been submitted to the disciplinary officer and the inmate has been informed of the charges in writing.
- A violation(s) shall be acted on no later than 72 hours after an inmate has been informed of the charge(s) in writing. The inmate may waive the 24-hour limitation.
- The hearing may be postponed or continued for a reasonable time through a written waiver by the inmate or for good cause.
- The time limits required by this regulation were not reflected in the jail policy manual.

Title 15, 1061 Inmate Education

An additional area of procedural non-compliance relates to educational opportunities for non-sentenced inmates. Title 15 §1061 requires the facility administrator to plan and request of appropriate public officials an inmate education program. Such a plan shall provide for the voluntary academic and/or vocational education of **both sentenced and non-sentenced inmates**. Reasonable criteria for eligibility shall be established and an inmate may be excluded or removed from any class based on sound security practices or failure to abide by facility rules and regulations. I spoke to custody and education staff during the site visit and found that non-sentenced inmates are not provided the opportunity to engage in educational activities. Jail management has informed me that since the inspection, negotiations have begun with the Elk Grove School District to expand the delivery of educational services to non-sentenced inmates.

I spoke to your staff concerning options in meeting compliance with these standards and found them receptive to the suggestions. A summary of non-compliance issues can be found at the end of this report, on page two of the facility face page, and on the procedural checklists enclosed with this letter.

Rio Consumnes Correctional Center (RCCC)

This site-visit occurred on June 1 and 4, 2004. Lt. Scott Loggins, Sgt. Wayne Choate, Sgt. Jean Thuotte, and Deputy Kelli Sutliff accompanied me during the visits and assisted by answering questions. The RCCC has a BRC of 1,625 beds (plus an additional 23 beds for medical needs) and on the day of the inspection there were 1,708 inmates in custody. We are in the process of re-rating the living area space for the Sandra Larsen Facility which re-opened as an adult detention facility in the Fall of 2003 after being used as a juvenile detention facility for several months prior to that. The numerous buildings on the RCCC campus are inspected under the 1963, 1976, 1980, 1988, and 1994 Title 24 physical plant standards that were in effect at the time of construction and/or renovation.

Due to the various standards applied to different areas of the jail and issues related to different areas, following is a brief description of each housing area:

Honor Barracks: Honor Barracks A, B, J and K¹ are inspected under the 1980 standards while C, D, G, H and M are inspected under 1963 standards. Although all of the barracks appear to have been constructed around the same time, more current regulations have been applied to some of the units

¹ Barracks J & K are not honor barracks but are medium security housing located in the honor barracks area.

due to renovation projects. All of the honor barracks were in suitable condition; however, all contained more beds (and more inmates on the day of inspection) than the BRC. The BRC of the honor barracks is 561 while the barracks contain 960 beds; on the day of the inspection, there were 780 inmates in custody. **This situation results in an area of non-compliance with Title 24 § 2.8 - Dormitories.**

Medical Housing Unit (MHU): The MHU is inspected under the 1963 physical plant standards and is comprised of a dormitory and 6 single occupancy cells. Four of the cells are undergoing construction to convert them to negative pressure isolation rooms and are currently unoccupied. The beds in MHU are not rated due to being special use cells; however, there are currently 25 beds in this unit; on the day of the inspection there were six inmates housed in the MHU.

Roger Bauman Facility (RBF): RBF is inspected under the 1963 standards and has a BRC of 228. There are currently 285 beds in RBF comprised of dormitory, multi-occupancy cells and single occupancy cells; however, on the day of the inspection, there were no inmates housed in this facility. The facility is used intermittently to house overflow inmates, for overnight en route detainees and other special uses. The facility has some deferred maintenance issues regarding plumbing in some of the cells, but inmates are not housed in those cells.

Chris Boone Facility (CBF): CBF is inspected under 1980 physical plant standards and is comprised of single and double occupancy cells. The BRC of CBF is 120 and there are 120 bunks in this unit. On the day of the inspection there were 100 inmates housed in CBF.

Stewart Baird Facility (SBF): SBF is inspected under 1988 physical plant standards and is comprised of single and double occupancy cells. SBF has a BRC of 151 inmates and contains 151 beds. On the day of the inspection, there were 133 inmates housed in SBF.

448 Facility (448): The 448 facility is inspected under the 1994 physical plant standards and is comprised of 24 and 40 person dormitories. The BRC for this unit is 448 and contains 448 beds. On the day of the inspection there were 444 inmates housed in this unit.

Sandra Larsen Facility (SLF): The SLF is the women's housing unit and is comprised of dormitory and single occupancy cells inspected under the 1963 and 1980 physical plant standards. At the time of the inspection this facility had a BRC of 120 and contain 254 beds. On the day of the inspection there were 245 inmates housed in SLF. At the request of the RCCC management, the living area space of SLF is undergoing a reassessment by BOC to determine if applying more current physical plant standards will allow an increase in the BRC. The BRC under this reassessment is tentatively set at 161, which is still far below the number of inmates housed in this facility. **The number of beds and inmates housed in this area result in an area of non-compliance under Title 24, §2.8 – Dormitories and §2.6 – Single Occupancy Cells.**

As noted earlier in this report, the hourly cell checks at RCCC were often conducted at intervals greater than one hour. Due to this, an area of **non-compliance is noted for Title 15, §1027 – Staffing** which requires an adequate number of staff to conduct safety checks at least hourly. A memo from RCCC management was distributed to staff following the inspection to reinforce the importance of safety checks and the need for supervisory review of documentation to ensure that the

checks were being noted in the logbooks. I expect that this will serve to improve the documentation of safety checks and will be reviewed during the next inspection.

In addition, in some of the housing units, safety checks are often conducted from the deputies control station, particularly in J and K Barracks. There is a view to most areas of the barracks from the control station but there are also areas that cannot be seen. It is recommended that a deputy conduct a walk-through of each housing area as a part of the documented hourly safety checks.

Policy and Procedures

In reviewing applicable policies and procedures, a few policies were noted to be in need of revision or development in order to gain compliance with Title 15 regulations. Although interviews with staff indicated that practice is fairly consistent with regulations, the need for these policies resulted in **non-compliance with Title 15 §1029** – Policy and Procedures Manual. The policies in need of revision or development are as follows:

§1044 Incident Reports Policy – This section requires that each facility administrator develop written policies and procedures for the maintenance of written records of all incidents which result in physical harm, or serious threat of physical harm, to an employee or inmate of a detention facility or other person. Such records shall include the names of the persons involved, a description of the incident, the actions taken, and the date and time of the occurrence. Such a written record shall be prepared by the staff assigned to investigate the incident and submitted to the facility manager within 24 hours of the event of an incident. While there was policy requiring reports for specific situations, there was not a policy requiring a report in all situations described in the regulation. Further, the time limit required in the section was not addressed.

§1063 Correspondence – This section requires the facility administrator to develop written policies and procedures for inmate correspondence which provide (in addition to others) that there is no limitation on the volume of mail that an inmate may send or receive. A policy concerning this requirement could not be located.

§1061 Inmate Education – A procedural non-compliance issue was identified (the same as at the Main Jail) related to educational opportunities for non-sentenced inmates. Title 15 §1061 requires the facility administrator to plan and request of appropriate public officials an inmate education program. Such a plan shall provide for the voluntary academic and/or vocational education of **both sentenced and non-sentenced inmates**. Reasonable criteria for eligibility shall be established and an inmate may be excluded or removed from any class based on sound security practices or failure to abide by facility rules and regulations. I spoke to custody and education staff during the site visit and found that non-sentenced inmates are not provided the opportunity to engage in educational activities. Jail management has informed me that since the inspection, negotiations have begun with the Elk Grove School District to expand the delivery of educational services to non-sentenced inmates.

I spoke to RCCC staff concerning options in meeting compliance with these standards and found them receptive to the suggestions.

Summary of Non-Compliance**Main Jail**

- Title 15, §1029 – Policy and Procedures Manual
- Title 15, §1061 – Inmate Education

RCCC

- No current medical/mental health inspection
- No current nutritional health inspection
- Title 15, §1027 – Staffing
- Title 15, §1029 – Policies and Procedures Manual
- Title 15, §1061 – Inmate Education
- Title 24, §2.6 – Single Occupancy Cells
- Title 24, §2.8 – Dormitories

Corrective Action

Please advise me of the status of correcting the deficiencies outlined in this report by August 15, 2004. Upon correction, we will update our records to reflect compliance. Please provide me with copies of any policies that were modified or created in order to comply with the issues discussed in this report, and explain how staff was informed to abide by these new policy and procedures.

This concludes our inspection report. We look forward to working with you during the next biennial inspection cycle. Please contact us to discuss any questions and keep us advised as areas of non-compliance are addressed so we can update our records.

Sincerely,

Jerry A. Read, Field Representative
Facilities Standards and Operations Division
(916) 445-9435; jread@bdcorr.ca.gov

Enclosures

cc: Sacramento County Administrator*
Presiding Judge, Sacramento County Superior Court*
Foreman, Sacramento County Grand Jury*
**Copies of this inspection report are available upon request.*