

LAKE COUNTY SHERIFF'S OFFICE
ADMINISTRATION

MEMORANDUM

SEP 26 2012

To: ✓ David Herrick, Judge of the Superior Court
Rob Brown, Chairman
Board of Supervisors
Matt Perry, County Administrative Officer
Anita Grant, County Counsel

From: Francisco Rivero
Sheriff

Subject: Grand Jury response

Date: September 21, 2012

Attached, please find our response to the
2011/12 Grand Jury report.

If you should have additional questions, please
Contact me at 262-4098.

Complaint # 5: Inmate Education

The Hill Road Correctional Facility (HRCF) offers several educational programs. The following is a listing of the programs currently offered to the inmates at HRCF: Life Skills, Narcotics Anonymous, Alcoholics Anonymous, Anger Management, Literacy Program and Parenting Skills. The HRCF no longer offers the JEEP program due to the monthly cost and low inmate interest.

In February 2011, the programs supervisor was removed from the programs office and placed in operations due to staffing issues. In her absence, the Life Skills and Parenting Skills were discontinued. In December of 2011 the Programs Supervisor was returned to the programs office. Since her return, she has made significant efforts in bringing programs back to the inmates. The HRCF is currently working on a General Education Development program. The programs manager has been working with a local educator to supervise the program. The anticipated start date will be early October 2012.

Inmates that violate facility rules may be secluded from programs based upon their actions. Violent inmates will absolutely be prevented from participating in any programs that require group participation. Ultimately the level of the infraction will determine whether the inmate may participate.

Complaint # 29: Legal Access

The jail contracts with a private company (Legal Research Associates) to provide inmates access to a "law Library". The inmates have the opportunity to request information from the company. The company does not provide legal advice. The inmates may request information on penal codes and case law. The inmates request a form from custodial staff and custodial staff will supply the inmate with the form. Inmates that are propria persona are allowed unlimited access to the form. Inmates that are not propria persona may submit one form every 30 days.

The Legal Research Associates form is given to the Receptionist who faxes it to the Legal Research Associates. The inmate receives a packet of the information he requested within 24 to 48 hours. The inmate signs a form indicating the received their legal material. That form is placed in the inmate's booking folder.

Complaint # 12: Vision Quest

The HRCF will provide reading glasses to an inmate at their expense. The medical department does not have the facilities to provide for eye examinations. An inmate may visit a local optometrist at their expense. Any item including eye glasses, that are altered from their originally use will run the risk of having the item seized as contraband.

Complaint # 21: Medical care Adequate or Inadequate

Every arrestee that is brought into the HRCF is asked a series of medical questions on the Pre-Booking Medical information Report. The inmate is asked if they have any medical problems, if they take medications. The correctional officer asking questions also has sections that ask for their observations of the inmate. The inmate is asked

these questions prior to being placed in the Booking Lounge. If the inmate answers yes to any of the medical questions the officer calls the nursing staff to booking to evaluate the inmate. If the nursing staff observes any medical conditions that require immediate attention they will tell the arresting officer the inmate will need medical clearance prior to the HRCF accepting the inmate. The arresting officer will be required to take the inmate to the hospital to be seen by the on duty physician. The physician is required to evaluate the inmate and send back documentation to the jail indicating the inmate is medically cleared to stay in custody.

When the inmate is being booked they are asked another series of medical questions by the booking officer. The questions asked during the booking process are a more in depth than the Pre-Booking medical questions.

The County of Lake contracts with the California Forensic Medical Group to provide medical services to the HRCF. There is nursing staff available to the inmates 24 hours a day 7 days a week. Sick call is conducted Monday thru Friday. Sick call is where the inmate speaks with the Physician Assistant regarding their medical conditions. If an inmate needs to see the P.A. they submit a sick call slip to be seen the next business day.

If an inmate is injured in the jail, the nursing staff responds immediately. The nursing staff make the determination if they inmate will need to be transported to the hospital. Once the inmate returns from the hospital any after care will be administered by the nursing staff.

Any inmate that is dissatisfied with their level of care can submit a Grievance to the medical manager. If the inmate is dissatisfied with their response they may submit an Appeal to the facility commanders.

Complaint #17: Counting the days

Every inmate sentenced to county jail is awarded good time/work time credits per 4019 of the California Penal Code. 4019 (c) states: *For each four-day period in which a prisoner is confined in or committed to a facility as specified in this section, one day shall be deducted from his or her period of confinement unless it appears by the record that the prisoner has not satisfactorily complied with the reasonable rules and regulations established by the sheriff, chief of police, or superintendent of an industrial farm or road camp.*

Essentially every inmate receives half off of their sentence. Every inmate that is sentenced to county jail receives a time configuration sheet that breaks down their sentence and credits. The court liaison clerk processes the time configurations. Once the time configuration is completed, a sergeant reviews time configuration and either approves the calculation or sends it back for correction. Once the sergeant has approved the time configuration, a copy is provided to the inmate. I have included an example below:

If an inmate is sentenced to 90 days with no credit for time served. In accordance with the provisions of Penal Code 4019 (c); 90 days will be divided by four (4) for good time and 90 days will be divided by four (4) for work time for a total of 44 days of credit. You subtract 44 days of credit from the 90 day sentence leaving a total of 46 days left to serve.

Complaint #22: Was Legal Mail Illegally opened?

The HRCF receives hundreds of letters for the inmates each week. The HRCF does not have a dedicated mail room. The officer supervising the Male and Female Dorms processes all the incoming mail on the graveyard shift. Each letter (non-legal) has to be opened and inspected for contraband. Legal mail is only opened and inspected in front of the inmate. The officer processing the legal mail completes an Inmate Mail Notification Letter to the receiving inmate. The letter notifies the inmate they have received legal mail. The notification is signed by the officer giving the legal mail to the inmate. The inmate also signs the notification indicating they have received the legal mail unopened. The Inmate Mail Notification Letter is placed into their booking file.

On rare occasions due to human error; legal mail has been opened outside the presence of the inmate. When this does occur the officer that opened the mail will complete an Inmate Mail Notification Letter. They officer will mark the section that reads "*You have received legal mail. It was inadvertently opened by mistake for the following reasons:*". The officer will write their explanation as to why they inadvertently opened the inmate's legal mail.

Complaint # 11: No ordinary Meatloaf

Recommendations:

R1. Lake County Correctional Facility staff create a new form specific to the kitchen for medical treatment orders for dietary needs.

When an inmate has a dietary restriction and is seen by medical staff they issue a Medical Treatment Order (MTO). One copy will go into the inmate's booking file under the medical section. The nurse that completes the MTO also enters it in into the In-Custody system (the jail management software).

In this case the nurse entered the information in the Authorized Items section under the "special meals" tab. She put in the date the inmate was placed on the dietary restriction and the date it expired. Unfortunately the In-Custody system does not have an option for "Length of Stay". The nurse chose a date in the future and picked a day for the expiration as she did not know how long the inmate would be in custody.

The inmate was obviously in custody longer than the "special meals" MTO in the computer lasted. When he was placed on the disciplinary loaf the kitchen staff checked his medical log in the In-Custody system and saw the MTO for no onions was expired and provided him a disciplinary loaf with onion.

The current MTO forms are adequate as they address all medical needs that may occur in the jail setting. In order to prevent future errors in the In-Custody system the nursing staff has been instructed to type in "Length of Stay" in the comments section of the authorized items section. Whenever a staff member looks into the authorized item section they will immediately see the item or restriction is for the "Length of Stay". The staff member will know by the "Length of Stay" verbiage the inmate's medical restriction will be in effect until he/she is released from custody.

Lake County Holding Facilities "The Waiting Rooms"

Recommendations:

R1. Install a video and audio system in holding cells at Southlake Holding Facility and Main Court Holding Facility.

R2. Pursue brighter lighting options for the holding cells at Southlake Holding Facility.

R3. Remove exposed water pipes in the holding cells at Southlake Holding Facility.

On August 6, 2012, the Southlake Department Four courtroom will be relocated to the main courthouse in Lakeport. After August 6th, the Southlake Holding Facility will no longer be utilized to hold inmates waiting to be seen in court.

The Lake County Jail has recently had the Northlake Holding Facility inspected for a camera installation. The jail will have to secure funding and enter a bidding process to find a suitable contractor to install the cameras.

Jail Oversight

Recommendations:

- R1. The Sheriff's Office increase recruiting and hiring of correctional staff.*
- R2. The Sheriff's Office ensure roof repairs are completed in 2012.*
- R3. The jail staff issue eating utensils at each meal with accountability.*

The Lake County Sheriff's Office recently went to the Board of Supervisors (BOS) and asked for six unfunded correctional officer positions be refunded. The BOS only agreed to refund the positions if the Community Corrections Partnership Committee (CCP) would agree to use AB109 funds to cover the six positions. The CCP agreed to provide funding for the six positions.

The Lake County Sheriff's Office recently closed recruiting for correctional officers. The Lake County Sheriff's Office is tentatively looking to conduct written examinations in August 2012.

All roof repairs have been completed by maintenance staff.

Each inmate is issued a plastic "Spork" when they are housed in the facility. The inmates have the ability to wash their own eating utensil after their meals. When an inmate's "Spork" is no longer usable he/she may ask an officer for a new one.