



San Mateo County Jails

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Summary

The San Mateo County Civil Grand Jury is mandated by the State of California to inquire into the condition and management of detention facilities in the County.

The Maguire Correctional Facility (Maguire), Women's Correctional Center, and the Transportation Bureau are well run facilities with professional, courteous and knowledgeable staff. At the same time, Maguire and the Women's Correctional Center are significantly overcrowded posing a risk to staff and inmates. This overcrowding is exacerbated by an increased number of mental health cases incarcerated in these facilities. The Sheriff's Office (Sheriff) is working with the courts on the experimental use of electronic monitoring devices as a way to relieve the overcrowding. In April 2004 the Maguire facility was operating at 147% of capacity, the Women's Correctional Center was at 166% of capacity.

The Grand Jury found that inmates at the Women's Correctional Center do not receive comparable treatment to the male inmates in several areas. Specifically the women do not have:

- comparable space per inmate.
- access to the same educational opportunities.
- the same opportunities for work.
- the same chance to live in a minimum security environment.
- the same amount of visiting time or childcare during these visits.

The Grand Jury believes the non-profit Service League is an integral part of the Maguire and Women's Correction Facilities with its comprehensive and successful rehabilitation programs.

Key recommendations of the Grand Jury include:

- The Board of Supervisors and the Sheriff should immediately develop and implement plans to reduce the inmate populations or expand capacity at the Maguire Correctional Facility and Women's Correctional Center.

- The Sheriff should continue to work with the courts and the Probation Department to explore expanded use of electronic monitoring.
- The Board of Supervisors should immediately develop a plan to replace the existing Women's Correctional Center.
- The Board of Supervisors and the Sheriff should immediately develop a plan that creates a minimum security facility for women.
- The Board of Supervisors and Sheriff should create a program to allow women inmates to pursue work opportunities outside the Women's Correctional Center.



San Mateo County Jails

Background

The San Mateo County Civil Grand Jury is mandated by California State Penal Code to inquire into the condition and management of detention facilities within the County. The Grand Jury visited the Maguire Correctional Facility, the Women's Correctional Center, the Transportation Bureau of the San Mateo County Sheriff's Office including the holding cells for the Superior Court in the Hall of Justice and Records. The Grand Jury interviewed staff from the San Mateo County Sheriff's Office (Sheriff), Women's Correctional Center, Maguire Correctional Facility and the Service League of San Mateo County (Service League). Documents from the California Board of Corrections including inspection reports and state regulations were reviewed.

The Maguire Correctional Facility

The California Board of Corrections rates every jail for its appropriate capacity and monitors their adherence to mandated guidelines from the amount of square feet allocated to each inmate to the minimum number of hours for exercise. The Maguire Correctional Facility (Maguire) has a rated capacity of 688¹. In April 2004 there were 1010 inmates housed there, 147% of capacity. This overcrowding has resulted in a staff to inmate ration of 1:64. The ideal ratio according to the California Board of Corrections is 1:45. The population is so high new beds are being added into a multi purpose room not designed to accommodate inmates for this purpose. Overcrowding is an ongoing, serious problem that may lead to increased assaults on staff and other inmates, increased levels of stress on staff, and increased overtime and higher turnover of staff. Documented assaults have increased dramatically. This can be attributed to the overcrowded situation or may be a result of a new policy that requires every event be documented whether significant or not.

Jail staff work 12-hour day shifts working 7 out of 14 days on a two week cycle, or a 42 hour week. The night shift works 12 hour shifts working on an 8 week cycle with 84 hours per 14 day period. But, with a 50% turnover in staff in the last five years, vacancies are being temporarily being filled by overtime work resulting in about 40% of any given shift comprised of staff who are permanently assigned to other Department programs and Bureaus. This overtime staff may be unfamiliar with the jail operating procedures and tend to have a higher than usual number of errors.

Along with overcrowding there is also a rising number of "at risk" inmates and inmates with mental illness. Inmates are classified "at risk" if they are assaultive, gang affiliated,

¹ There is also a maximum capacity of 1,083. This figure represents the number of beds available.

pose a risk of escape or are in need of protective custody. In 2002 and 2003 half the inmates were classified “at risk”.

Management at Maguire advises that mentally ill offenders are the most resource-intensive group of offenders in terms of staff, space and funds to manage. California Department of Justice statistics reveal the number of mentally ill inmates in county and state correctional facilities is growing at a rate of 8% per year. As of January 2004 Maguire was handling 144 mental health cases (16% of all inmates) with 78 new cases that month. With \$87,330 in psychotropic medication² costs last quarter, the specialized training staff needs to assess and monitor inmates, and staff needed to dispense medication, the financial impact on the Sheriff, and emotional impact on the staff to manage this facility is large and growing.

The Grand Jury was told of one readily available and cost saving option to this mounting crisis of overcrowding: significantly increase the use of electronic monitoring. Currently there are only seventeen participants in this program and seven of those are on probation. New monitors are being tested using Global Positioning System (GPS) technology to track inmates at all times. Staff can go online at anytime and learn where an inmate has been, at what times, and their current location. This type of electronic monitoring is widely used in this state with 1800 participants in the County of Los Angeles alone. The courts have been reluctant in the past to use electronic monitoring as a sentencing tool. It is the belief of the Sheriff’s staff that courts are very cautious when releasing offenders into the community, concerned that they don’t re-offend while on a modified form of custody. The Sheriff’s office demonstrated this technology for the courts in April. Another possibility to alleviate some of the over crowding at the San Mateo jails is the possible use of contract housing of prisoners at another facility such as the Alameda County Santa Rita jail facility. That facility is new and houses over 3500 men and women, some under contract with other agencies. If inmates could be housed at another facility, it could allow time to acquire budget and time to build or otherwise provide expanded facilities to house county inmates without overcrowding.

Old Maguire

Maguire is divided into an old and new section. The newer part of Maguire relies on direct supervision with staff mingling and communicating with the inmates in the pod.³ The older section is managed with indirect supervision, considered an outdated model for management of correctional facilities. Indirect supervision at Old Maguire has two staff members at all times located in a locked room with glass through which they can observe the two separate sides of this part of the facility. One side houses inmates incarcerated for minor offenses and the other has inmates in protective custody, e.g., homosexuals and child molesters.

The inmates are housed on two floors in large dorms with showers, bathroom facilities, TV and telephone in the dorm. Outside the dorms is a large but sparse living area that is used

² Psychotropic medication is defined as a pharmacological drug used to treat a mental disorder, or any drug prescribed to stabilize or improve mood, mental status, or behavior.

³ A pod is a cluster of cells arranged around a control center. The pods consist of two floors. The ground floor is the common area and the cells are located on the second floor. The cells hold one or more inmates.

by one side at a time for 2 hours a day. That means inmates spend 22 hours of each day in their dorms. They are provided only the amount of exercise that Title 15⁴ requires - 3 hours a week. The exercise area is on the roof of the facility. Despite the drawbacks the old Maguire section is a preferred area for many prisoners. As of April 2004 one floor of these dorms was at 171% of capacity. They have exceeded their maximum capacity and staff had to inform the State Board of Corrections they are out of compliance and extra beds need to be added. The other floor is at 149% of capacity.

New Maguire

The following areas were reviewed in depth:

Security

The main security area is a large communication control room manned by two staff members at all times with housing monitors for all of the closed circuit security television systems and communications. From this room the deputies can monitor the common areas, intake area, loading and unloading docks and general common areas of the pod locations. All pod locations have a panic button, which if activated by staff, sets off the alarm in the control center. The staff member in the control center can then create a lockdown situation where all doors are locked, gates are closed, etc. Staff assigned to the communication control center are cross-trained so that in the event of an emergency, they can do any of the tasks required in the control room.

The Grand Jury observed:

- there were no cameras on the loading dock "OUT" door, which can be used for bringing in prisoners.
- not all of the Scott Packs had the protective casing around them. Scott Packs are compressed air tanks with masks for use by staff in fires or in case of foul (poison) air. The protective casing, a clear plastic shield over the mounting board protects the packs from tampering or unintentional damage. Uncovered packs were noted in the control room, intake and the briefing room areas.
- there is no security camera in the kitchen area.

Intake

The intake area processes approximately 80 inmates per day including both men and women. Here inmates are photographed, fingerprinted, classified and cataloged into the facility. At this time a brief medical assessment is also done.

The intake area has several types of padded cells, depending on the degree of safety required for the inmate. An inmate high on drugs or alcohol and/or showing signs of emotional or mental instability, is placed in a padded cell (safety cell) with nothing but a hole in the floor for the toilet facility. It is in this room that the inmate is given a protective gown, made of special material, held together by Velcro straps, so that the inmates cannot inflict injury on themselves. A nurse and/or mental health specialist then goes into the holding cell to evaluate and classify the inmate. Any inmate who is simply inebriated, but not a threat to themselves or others, is placed in a sobering cell. This room is also a padded

⁴ Title 15 sets minimum standards for jail facilities in California.

but has a 3 to 4 foot block wall behind which is a toilet and washbasin. Also in the room is a long bench serving as a cot for the inmate to lie, sleep or recover on. All of these cells are adequately sized, approximately 10 x 6 feet and well lit. Once the inmates are processed and given a medical evaluation, they are taken from the intake holding cells to their assigned pods or released.

Classifying the inmate is a time and labor intensive part of the intake process. An inmate's classification influences decisions associated with housing, education, use of the library and medical facility, and court appearances. An inmate classified with known or suspected gang affiliations will not be housed or transported to court with members of rival gangs. An inmate classified as homosexual, effeminate or arrested for child molestation must be housed separately from the general population.

The medical assessment is based on information provided by the inmate on a questionnaire. There are no forms in languages other than English. If a bilingual staff member is not available, a translator can be called if necessary. It is unclear how an inmate who cannot read would properly fill out the form. If the inmate does not indicate they have a communicable disease at intake he/she is assigned with the general population. It is up to the inmate or staff members to bring a health problem to the attention of the nursing staff once they have been housed.

Inmates are required to sign a copy of the rules for the facility. This can be a problem if the person cannot read English. Staff says there is an orientation in the pods that verbally covers the rules again. Yet, the lack of bilingual staff remains a problem.

Strip searches may be used if the arrest involves violence, narcotics, weapons, or reasonable suspicion that the arrestee is hiding a weapon, drugs or other contraband. Reasonable suspicion is based on a variety of factors such as criminal history, suicide risk, arrested on warrant for violent crime or for distribution of controlled substances, refusal of arrestee to identify oneself or lying about their identity. Arrestees being booked into jail are afforded greater protection against intrusive searches than prisoners who are part of the general population of the facility. All probationers and parolees who are coming into custody are subjected to a visual body cavity search. A supervisory review and written approval must be obtained before a strip search or visual body cavity search is conducted and no person arrested on any charge shall be subjected to a physical body cavity search except under the authority of a search warrant issued by a magistrate specifically authorizing the physical body cavity search. Current policy is that staff members of the same sex will search arrestees in the privacy of a search room.

The Grand Jury observed:

- keys on the wall in the Housing Sergeant's office that might be accessible to a passing inmate.
- lack of bilingual staff can lead to misinformation on medical forms and lack of understanding of facility rules.

Kitchen

The kitchen area is generally very clean and, with the exception of a missing conveyer belt, well equipped for the daily preparation of 3,000 meals for the 900 plus inmates. Meals at

Maguire cost approximately \$6 per day per inmate (\$2.02 per meal), for an annual budget of \$2.1 million. These meals, consisting of a hot dinner and cold breakfast and lunch, are prepared by two shifts of inmates, 16 inmates per shift. They also prepare bag lunches to give immediate nutrition to prisoners in the intake area, who may not have eaten for some time.

A dietary specialist or nutritionist plans all the meals served at Maguire. If inmates have religious or health related dietary restrictions, the menus are adjusted to meet their needs. The Sheriff's staff is also served meals but from a separate menu, so that the guards maintain good morale.

Since inmates work in the kitchen, all utensils are logged in and out every shift so that inmates cannot take utensils to fashion them into weapons. The utensils are mounted on a shadow board⁵ for easy monitoring.

Pods

This facility has nine separate living areas referred to as pods. Most activities take place in these pods including meals, exercise and classes. This minimizes the movement of inmates and increases security. Unlike the old Maguire area, staff are in the pod mingling with the inmates. By doing so, they gain a familiarity with the inmates, facilitating communication and allowing staff to sense where trouble may be starting.

There are maximum-security areas where only one inmate at a time is allowed out for recreation, and lower risk pods where inmates can mix. During a good part of the day, the inmates are kept in their cells, with either one or two inmates to a cell. Problem inmates are always housed alone. Suicidal inmates are never housed alone. If an inmate is a known or suspected gang member, he is never housed with competing known or suspected gang members.

Adjacent to the pods is a small recreational area where one or more inmates can get physical exercise. The equipment in the recreation areas are limited in number and type so that none of the equipment or parts of equipment can be turned into weapons.

Inmates can earn privileges such as extra TV and phone time by working around the facility. This includes serving meals, cleaning rooms, and working in the kitchen. The Maguire staff stated they would like to take the inmates out in the community to work if the resources were available.

Inmates have a variety of educational opportunities. Classes offered through the Service League include Narcotics Anonymous (NA), Alcoholics Anonymous (AA), Domestic Violence counseling and AIDS education. Participation in some of these programs is voluntary while others have been court ordered. In addition to these classes, which are available to everyone, two pods have been set aside for special programs. A selected group of inmates can qualify for CHOICES , a substance abuse intervention program based on the Delancey Street model. Another pod has been set aside for literacy programs including English as a

⁵ A shadow board is a board on which is painted an outline of the utensil that should be hung there. By using this board the staff can immediately determine if any utensils are not returned.

Second Language (ESL), instruction on basic English reading and writing skills, General Education Diploma (GED) tutoring and Project READ. A newer literacy program for inmates who are fathers (Fathers and Family), tape records the inmate reading a children's book, and has the tape delivered to the inmate's child.

Not all staff emphasize the importance of attending these classes. As a result some shifts have lightly attended classes while during other shifts the classes are full. The presence of the television has also been cited as a factor in lack of attendance by inmates.

The Grand Jury observed:

- a therapy session with a large number of inmates under the supervision of one psychologist. The inmate interaction with the psychologist appeared both positive and direct.
- excessive body odor in the pod areas despite the shower requirements.

Medical

The medical area is equipped and staffed to care for minor injuries and illnesses. It is staffed by one doctor and three nurse practitioners. A dentist visits regularly, and an orthopedic surgeon is on call. Inmates with severe injuries or illnesses are transferred to a hospital.

The Grand Jury observed:

- Offices containing medications and supplies were unlocked and accessible to anyone.
- In the outer office an open bin of medications marked "Return to the Vendor," consisting of used and partially used bubble packs of prescription medications, was accessible to anyone who entered. There was not an adequate explanation for this.

Library

This facility has a recreational library and a law library. Inmates must request and receive approval to access the law library. Most of the inmates use the libraries with 2,778 inmate requests for the law library alone in the last 12 months. Carts of books for recreational reading are taken to the pods and rotated twice a month. There are currently 6000 books in the recreational library that serves both Maguire and the Women's Correctional Center.

The Grand Jury observed:

- the library is neat, clean and well run;
- there is an apparent need for more books in Spanish.

Commissary

The commissary is open 4 days a week and sells food and beverage items as well as toiletries. The staff has made an effort to provide a large variety of items with choices changing once a month. Inmates can place an order twice a week with a maximum of \$50 or 16 items per order and orders are filled within 24 hours. Each inmate may establish an account balance administered by the jail, which is debited with each purchase. Inmates with no source of funds are provided small care packages. Inmates in the CHOICES program are required to give one item from each of their personal orders to an indigent

inmate. Profits go to an Inmate Welfare Fund used for Service League programs. This commissary also services the Women's Correctional Center.

The Grand Jury observed the commissary to be efficiently run with an effort to meet inmate needs.

Visiting

Inmates may have visitors for 45 minutes twice a week (a maximum of 2 visits in a 7 day period). The visiting area is bleak with individual stalls and thick glass separating inmates from the visitor. In the lobby is a large childcare area available to the families of inmates on weekends, staffed by Service League volunteers.

Release

Inmates are released from as early as 4 am to as late as midnight. Upon release, inmates are given bus passes and information about the Service League location and programs.

Women's Correctional Center

In January 2004 there were 123 women incarcerated in the Women's Correctional Center (WCC). The WCC was designed in 1976 and by the time it was built in 1980, it was already outdated. Before construction was completed the California Department of Corrections had increased the amount of square footage allotted to each inmate by 10 square feet per person in dayrooms and dorms. This amounted to a 40% increase in dayroom space and a 25% increase in dorm space. Despite the new standards, the WCC is allowed to operate under the old guidelines. This facility was operating at 166% of capacity as judged by standards that are now 25 years out of date. It reached 170% of capacity in March. Even by the old guidelines, the facility is significantly more crowded than Maguire. By current space standards, the population level would be considered intolerable.

The facility is staffed at a minimum level by four officers on each shift. When even one officer calls in sick, the staff can be reduced by 25%. If a vacancy occurs an attempt is made to backfill with someone from Maguire or solicit officers for overtime duty. Since Maguire is already at a minimum staff level, there have been times when no resources were available to replace vacancies and the women's facility was forced to manage with a dangerously low number of officers.

The former Women's Honor Camp situated adjacent to the main facility was recently closed, and inmates were moved into the main facility, adding even more to the overcapacity in the WCC. The Men's Honor Camp was closed at the same time; however, the Sheriff moved some of the Men's Honor Camp inmates into the former Women's Honor Camp location, and renamed it the Minimum Security Transitional Facility. There is currently no honor camp or minimum security option for women. As a result, the women have no opportunity to work outside the facility with the exception of one person participating in an outside baking program.

The women inmates are allowed to serve meals and clean the dorms and dayrooms in exchange for extra privileges. Previously the women worked in the kitchen but now it is run by the men from the Minimum Security Transitional Facility next door.

Dormitories

The dormitories surround a day room and appear neat and clean with some exercise equipment. There are two outside areas, one of which can no longer be used by the women inmates since the Men's Transitional Facility moved next door. Although the outdoor area is much smaller than the outdoor area at Maguire it is much nicer in that it has some pleasant greenery and tables. Since a suicide occurred at the WCC last year, the common practice is to have all inmates use the outside area at one time, thereby not leaving inmates in their dorm unsupervised. The obvious negative is that the area is small so when inmates have to go outside, crowding can lead to confrontations among the inmates. The situation that existed at the time the suicide occurred has been corrected by removing shower bars from the women's shower rooms and replacing them with break-away shower rods.

The Grand Jury was informed of the following problems:

- Several complaints concerning plumbing including nonfunctional toilets and sporadic lack of hot water for long periods of time.
- The heating, ventilation and air conditioning (HVAC) system needs cleaning.

The staff is aware of these problems and said they were being addressed, but that a redesign of the water heater system caused some delays. Public Works has been contacted concerning the HVAC system, but the Grand Jury was told it was a low priority for that department.

When this facility was built it was designed strictly for warehousing individuals during their incarceration. Unlike Maguire it was never designed to incorporate rehabilitation programs and it shows. Other than a small room for the CHOICES program, there is only one communal day room that can be used for one class at a time. Inmates have access to Service League programs including NA, AA, CHOICES, GED tutoring, and Project READ, but because of space limitations, the Service League is not able to provide the variety or frequency of programs the men receive at Maguire.

The WCC shares the law library with Maguire. An inmate must submit a written request to visit this library. If approved the inmate will be accompanied there.

Security

The WCC is far less secure than Maguire. There are very few surveillance cameras. The staff indicated that they were planning to have more cameras installed in the dorm area and on the periphery. Inmates could be seen walking unescorted from the visiting room back into the main area.

The Grand Jury observed:

- the facility has "hard wired" smoke detectors but no sprinkler system.

- there are few locked doors, other than some key-locked doors from the dorm areas into the common areas and administrative areas
- there is no ability to open doors to individual cells electronically.

Holding Cells

The Grand Jury observed:

- holding cells lacked padding.
- some of the windows to the cubicles were so scratched they were almost opaque and obscured the ability to view inside or outside.

Kitchen

The small kitchen at the facility is clean and well organized. When asked about a large amount of ground meat in one of the food preparation kettles that appeared to have been sitting there for several hours, the staff explained the meat was being prepared when there was a change in shifts for the cook. It could not be determined how long the meat had been left exposed and unrefrigerated.

Medical

Mental health issues dominate the medical needs of the women inmates with 18% of the women classified as seriously mentally ill and 25% of the population on psychotropic medications. Up to 35% of the women in this facility suffer from Attention Deficit Disorder and 80%-90% have a drug or alcohol problem that may manifest itself as the inmate experiences withdrawals during detoxification. These inmates can be aggressive even violent and require a full complement of trained staff to handle all the needs associated with these conditions.

Visiting

The women inmates have three visiting rooms. Their visiting hours are in the evenings with the exception of Saturday and Sunday. They are allowed two visits a week for 30 minutes. Because of space restrictions, there is no place for childcare. Women may not have any physical contact with their children unless approved by the court. Some staff discourage visits from children because they believe the environment is unpleasant and children should not be there.

Men's Transitional Facility

The Men's Transitional Facility is housing for male inmates who have not committed a crime of violence. The rated capacity for this facility is 46 but as of April 2004, 48 men are housed here. They are housed here in the evening and during the day they work in the kitchen, cleaning, or gardening. Many of them are also part of a fire safety crew cutting brush in different areas of the County. Men are here from a few weeks to a couple of months. Because of other job opportunities, very few participate in the Service League programs.

Transportation Bureau

The Transportation Bureau handles approximately 31,000 inmates a year. There are 58 staff members including bailiffs for each courtroom and transportation deputies responsible for moving the inmates. An outside contractor is used to pickup and transport inmates around the state and for extraditions.

Security of the Holding Cells at the Hall of Justice and Records

When inmates are scheduled for court appearances, they are transferred from the jails to holding cells located at the Hall of Justice and Records in Redwood City or the Superior Court Northern Branch in South San Francisco. A visit to the Redwood City facilities revealed that the procedures used by the deputies for holding inmates for court sessions address the safety of the inmates, staff and court officials. Security cameras are installed at strategic positions in corridors in the tunnel between the courts and Maguire, and in the general area outside of the holding cells. These cameras are monitored in a control room on an occasional basis by the Sheriff's staff. The holding cells can accommodate 15 inmates at one time, are furnished with benches and one toilet facility per holding cell. Men and women are kept in separate holding cells.

In the arraignment courtroom the inmates are separated from the judge by a glass wall. The inmates can communicate with the court via a microphone system. For security purposes high profile and/or gang members are separated from the common population in order to avoid incidents. Violent offenders are dressed in red garments and their shackles are left on throughout their court appearance. As a result of these procedures, the deputies in charge experience a very low incident rate with most of the incidents being caused by mental health cases.

Occasionally on the second floor a prisoner might be required to walk through a public area to get to the courtroom. In these cases the deputies exercise extreme care by making sure there are no people in the public area before and during the time when the prisoners are passing through.

At the present time family court is located on the sixth floor of the Hall of Justice and Records, and Transportation staff would like to see the family court moved to a more accessible area in the event an incident requires additional Sheriff's staff assistance. Deputies believe the emotion and stress associated with issues in family court, may cause otherwise calm and controlled people to turn angry and violent.

The Service League of San Mateo County

No overview of the jail facilities would be complete without discussing the Service League. This agency is present from the beginning of the incarceration process providing orientation, to the classes they teach and the services they provide inmates upon release. Volunteers are on site every day providing educational programs and facilitating communication with staff when problems arise. The Service League is a nonprofit agency funded primarily from the

Inmate Welfare Fund and the Alcohol and Drug Division of the Human Services Agency with 560 volunteers and 28 paid employees. Its primary goal is to provide rehabilitative and social services to county inmates, their families, and those recently released from jail.

Along with the programs already discussed, the Service League provides religious services in the jails for various denominations, and provides Bibles, Korans and other religious materials in both English and Spanish at no cost to the inmates.

Jury clothes for court appearances and a message/request program are also available. Last year over 98,000 inmate requests and family messages were handled. Despite the high volume of requests, these are processed within three to five business days.

After release 5%-6% of the inmates have no support system. The Service League can provide emergency, short-term lodging, food, transportation, counseling and referrals. It also offers women an option of a residential alcohol and drug treatment facility called Hope House.

The Service League meets monthly with staff from Maguire and WCC as part of the Program Review Committee. The Service League has noticed a marked improvement over the years in the treatment of inmates and has had success in bringing new programs into Maguire due primarily to the support of the Sheriff and the Captain of the Maguire Correctional Facility.

Conclusions

Overall, the Grand Jury believes both Maguire and the WCC are well run with regard given to inmate needs. Each has a professional, courteous and knowledgeable staff.

Both facilities are significantly overcrowded with the Maguire facility at 147% of capacity and the WCC at 166% of capacity. The current population levels have put both inmates and staff at emotional and physical risk. With the rise in the number of “at risk” inmates, inmates with mental health issues, and overtime staff potentially unfamiliar with jail procedures, it has become increasingly difficult for staff to properly maintain a safe environment.

Other than the potential use of electronic monitoring to move some inmates out into the community, the Grand Jury was not made aware of any potential resolution of this situation.

In addition to the concerns mentioned above, the Women’s Correctional Center presents further problems in that the women incarcerated in this County do not receive comparable treatment to the male inmates.

Specifically:

- they have significantly less space.
- they do not have the same access to educational opportunities.
- they do not have the same opportunities for work.

- they do not have the same chance to live in a minimum security environment.
- they do not have the same amount of visiting time or childcare during these visits.

There is no concrete plan for a new women's facility nor is there any move toward opening another minimum security facility for women.

Recommendations

1. The Board of Supervisors and the Sheriff should develop and implement plans for reducing the populations or expanding capacity at the Maguire Correctional Facility and the Women's Correctional Center.
2. The Sheriff should investigate the possibility of housing inmates at another facility such as Santa Rita during times when overcrowding exists at San Mateo County facilities.
3. The Sheriff should continue to work with the courts and the Probation Department to explore expanded use of electronic monitoring including the use of GPS technology to allow low risk inmates to live outside the jail facilities.
4. The Board of Supervisors and the Sheriff should immediately develop a plan to replace the existing Women's Correctional Center with a new facility with adequate space to meet the California Board of Corrections standards and incorporating room for multiple classes, more opportunities for work inside the facility, and childcare in an expanded visiting area.
5. The Board of Supervisors and the Sheriff should create a program to allow women inmates to pursue work opportunities outside the facility.
6. The Board of Supervisors and the Sheriff should develop a plan for a minimum security facility for women.
7. The Sheriff should continue to work with the Service League to offer additional programs and educational opportunities that would be both beneficial and interesting to both male and female inmates.
8. The Sheriff should educate the corrections facilities staff regarding the importance of educational opportunities for inmates and implement a policy for staff to encourage inmate participation in the available programs and classes.
9. The Sheriff should provide training for all staff members regarding handling inmates with mental illness.
10. The Sheriff should immediately correct the following conditions at Maguire:
 - 10.1.1 Assure the protective casing is around all "SCOTT" packs
 - 10.1.2 Move keys in intake area to a secure location.
 - 10.1.3 Develop medical assessment and facility rules forms in Spanish and other languages, and offer verbal assistance as needed.
 - 10.1.4 Increase use of ventilation in Pod areas.
 - 10.1.5 Secure medicines set aside for return to vendors.
 - 10.1.6 Install cameras near the loading dock "out" door and in the kitchen.

11. The Sheriff should immediately correct the following conditions at the Women's Correctional Center:
 - 11.1 Work with Public Works to raise the priority of the HVAC system upgrade.
 - 11.2 Address all plumbing and toilet problems.
 - 11.3 Replace scratched windows in the holding cells.

12. The Sheriff's office should work with the courts to explore moving the family court from the sixth floor to the second floor in the Hall of Justice and Records in Redwood City.



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

County Manager's Office

DATE: August 16, 2004

BOARD MEETING DATE: August 31, 2004

TO: Honorable Board of Supervisors
FROM: John L. Maltbie, County Manager
SUBJECT: 2003-04 Grand Jury Responses

Recommendation

Accept this report containing responses to 2003-2004 Grand Jury recommendations on the following: Narcotics Arrests, San Mateo County Jails, and Food Inspection in San Mateo County.

Discussion

The 2003-2004 Grand Jury issued reports on Narcotics Arrests on June 2, 2004; San Mateo County Jails on June 3, 2004; and Food Inspection in San Mateo County on June 10, 2004. The County is mandated to respond to the Grand Jury within 90 days from the date that reports are filed with the County Clerk and Elected Officials are mandated to respond within 60 days. The report pertaining to Narcotics Arrests requires direct responses from the Sheriff and the District Attorney. The report pertaining to San Mateo County Jails requires a direct response from the Sheriff.

Vision Alignment

This response to the Grand Jury's findings and recommendations keeps the commitment of responsive, effective and collaborative government through goal number 20: Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

San Mateo County Jails

Findings:

We generally agree with the findings of the Grand Jury and share its concern about jail overcrowding. To address this problem, the Board has initiated a Task Force with representatives from Court, Sheriff's Office, District Attorney's Office, Probation Department, Private Defender Program and the County Manager's Office to study the reasons for the rise in jail population and identify solutions. The Task Force will study jail population trends, explore alternatives to incarceration utilized in other counties, and evaluate the need for a new Women's Correctional Center. The Board will consider the results of the Task Force study and take steps to improve the living/working environment in the County's jail facilities. We share the Grand Jury's opinion regarding the professionalism and effectiveness of jail staff and appreciate the Grand Jury's remarks.

Recommendations:

- 1. The Board of Supervisors and the Sheriff should develop and implement plans for reducing the populations or expanding capacity at the Maguire Correctional Facility and the Women's Correctional Center.**

Response: Disagree in part. Such a plan can only occur with the active involvement and support of the Courts. The Board has established a Task Force on Jail Overcrowding composed of representatives from the Court, Sheriff's Office, District Attorney's Office, Probation Department, and Private Defender Program. One component of the Task Force charge is to examine the need for a new Women's Correctional Center.

- 4. The Board of Supervisors and the Sheriff should immediately develop a plan to replace the existing Women's Correctional Center with a new facility with adequate space to meet the California Board of Corrections standards and incorporating room for multiple classes, more opportunities for work inside the facility, and childcare in an expanded visiting area.**

Response: Disagree. There are currently insufficient resources available for such an undertaking. However, the Jail Overcrowding Task Force will be examining the need for replacement of the Women's Correctional Center and should such need be identified steps will be taken to begin planning for the replacement.

- 5. The Board of Supervisors and the Sheriff should create a program to allow women inmates to pursue work opportunities outside the facility.**

Response: Concur. The Board supports the commercial baking program the Sheriff has put in place to help female inmates prepare for and pursue work opportunities outside the facility. The Board-established Jail Overcrowding Task Force will evaluate both the physical space needs and Court support for a work furlough program for female inmates as part of its study.

- 6. The Board of Supervisors and the Sheriff should develop a plan for a minimum security facility for women.**

Response: Concur. Agree to study.



July 26, 2004

Honorable Jonathan E. Karesh
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Grand Jury Report : SAN MATEO COUNTY JAILS

Dear Judge Karesh:

Thank you for the opportunity to comment on the Grand Jury's findings and recommendations in the above referenced report.

The report of the San Mateo County Grand Jury, concerning the San Mateo County Jails is quite thorough and comprehensive. There are areas, however, where clarification may be helpful. The panel went to great effort to accurately capture information and observations in their review of the facility.

We are pleased they recognized and noted the facility was "well run with professional, courteous and knowledgeable staff". Their focus on overcrowding within the system, as a major issue, supports the many comments I have made publicly over the past year. Their recognition that the crowding issues are exacerbated by an increased number of mental health cases shows great insight understanding the difficulties the County's correctional facilities are experiencing. I appreciate their recognition of the Service League's importance and the collaborative nature of our relationship.

Correctional Health Services responses are included with my comments in the order in which they arise in the Grand Jury's report.

I believe we are philosophically in agreement with all five of the Key Recommendations and would welcome the assistance of the Board of Supervisors, the Court and Probation Department in addressing each of the issues.

Response to Grand Jury Recommendations:

Recommendation #1. The Board of Supervisors and the Sheriff should develop and implement plans for reducing the populations or expanding capacity at the Maguire Correctional Facility and the Women’s Correctional Center.

Response: Concur. On June 29, 2004 I made a presentation to the Board of Supervisors regarding our budget for the upcoming fiscal year. In part, my budget presentation focused on our inmate populations and overcrowding in both the Maguire Correctional Facility and the Women’s Correctional Center.

As a result, the Board of Supervisors will be forming a sub-committee with the participation of the President of the Board, Mark Church, and Supervisor Mike Nevin. It will also include representatives from the Sheriff’s Office, Probation, District Attorney’s Office, Private Defender’s Office and the Courts to address this important issue.

Recommendation #2. The Sheriff should investigate the possibility of housing inmates at another facility such as Santa Rita during times when overcrowding exists at San Mateo County facilities.

Response: Disagree. Consideration may need to be given to this suggestion in the future should the population climb beyond the level it reached last month. If it continued climbing by another 50 inmates, we would physically run out of beds. Fortunately, this does not seem likely today. Our population has leveled off close to 100 less than last month. Still almost 300 over the Board rated capacity, but so far a manageable number. We have beds (not legal beds, but beds) for an additional 150 currently.

Recommendation #3. The Sheriff should continue to work with the courts and the Probation Department to explore expanded use of electronic monitoring including the use of GPS technology to allow low risk inmates to live outside the jail facilities.

Response: Concur. A pilot program is currently under way with Juvenile Probation and the Courts. Upon satisfactory completion of this process, we will meet with Probation and the Courts to identify any issues that may need modification, after which it is our desire to expand our current Electronic Monitoring Program to provide an alternative to incarceration.

Recommendation #4. **The Board of Supervisors and the Sheriff should immediately develop a plan to replace the existing Women’s Correctional Center with a new facility with adequate space to meet the California Board of Corrections standards and incorporating room for multiple classes, more opportunities for work inside the facility, and childcare in an expanded visiting area.**

Response: Concur. As addressed in Recommendation #1.

Recommendation #5. **The Board of Supervisors and the Sheriff should create a program to allow women inmates to pursue work opportunities outside the facility.**

Response: Concur. We have actively participated in a program preparing women for commercial baking off site. It would be a great relief, in addressing this issue, if the Sheriff’s Office had the physical ability to establish a Work Furlough program for our female population. This will be addressed in the planning for a new Women’s Facility.

Recommendation #6. **The Board of Supervisors and the Sheriff should develop a plan for a minimum security facility for women.**

Response: Concur. The loss of a minimum security facility for women occurred when the Sheriff’s Office closed the Men’s Honor Camp in La Honda to meet the fiscal requirement for F/Y 2003-2004 which displaced the female population when we established the Minimum Security Transitional Facility for the male population.

Exploratory meetings are taking place between the Sheriff’s Office and interested groups that would reopen the Men’s Honor Camp for a drug and alcohol rehabilitation program for our male inmate population. This interested coalition is looking to state and federal funding to run this program. Should this occur our expectation would be to vacate the use of the men’s Minimum Security Transitional Facility, thus returning it to use for our female inmate population.

Recommendation #7. The Sheriff should continue to work with the Service League to offer additional programs and educational opportunities that would be both beneficial and interesting to both male and female inmates.

Response: Concur. We should strongly support this recommendation. Providing educational opportunities benefits those who seriously wish to change their patterns of behavior and provides increased job opportunities upon release which furthers successful rehabilitation. Along with the potential for rehabilitative benefits is the everyday benefit to staff of additional inmate management tools. Inmates who can focus on projects and programs tend to keep themselves out of trouble while in custody permitting a safer jail environment.

Unfortunately, programs and educational opportunities require funding. The County budget has limited funding for substance abuse programs and does not fund educational programs. I do routinely support programs and education through the Inmate Welfare Fund, but as with the rest of the economy, these limited funds are no longer sufficient to meet even current levels of support. The Inmate Welfare budget must impose cuts to current programs. Although the department aggressively seeks the means to increase the fund there are limited avenues to do so.

Recommendation #8. The Sheriff should educate the corrections facilities staff regarding the importance of educational opportunities for inmates and implement a policy for staff to encourage inmate participation in the available programs and classes.

Response: Concur. This is an ongoing issue as new staff becomes part of our workforce in the correctional facilities and is part of the orientation process at Women's Correctional Center.

Recommendation #9. The Sheriff should provide training for all staff members regarding handling inmates with mental illness.

Response: Concur. Agree. This is part of the annual curriculum for staff's recurrent training under the guidelines for Standards for Training in Corrections, (STC).

Training is on-going and is only limited by sufficient staffing. Correctional Health Services Mental Health Staff provide training on an ongoing basis during STC training on suicide prevention, mental illness recognition and other topics such as utilizing behavior management plans. This education meets STC and Title 15 requirements for correctional officer training.

This training, however, can never replace having adequate skilled forensic mental health nursing and doctors available for treatment of these individuals.

There may have been a misunderstanding with Captain Trindle's response to one of the Juror's questions. Captain Trindle was trying to make the point that inmates with mental illness are often better served in a hospital. They require treatment not necessarily incarceration. A jail is ill-equipped to "treat" many of our clientele because this is not a hospital and we lack that level of expertise. Many inmates remain here because adequate treatment options are not available elsewhere.

Recommendation #10. The Sheriff should immediately correct the following conditions at Maguire:

10.1.1 Assure the protective casing is around all "SCOTT" packs

Work orders were submitted to better secure the current plastic covers on the air packs.

10.1.2 Move keys in intake area to a secure location.

This was done.

10.1.3 Develop medical assessment and facility rules forms in Spanish and other languages, and offer verbal assistance as needed.

The nursing assessment forms in the Booking Intake area are not in Spanish as they are a form completed by nursing staff and not a form that inmates receive or fill out. Translators are available both via bilingual staff and the AT&T operator. The facility and Correctional Health Services have procedures in place for obtaining translators when there is no bilingual staff on duty. The facility supplies the Inmate Rules to inmates in both English and Spanish. The health care information brochure that inmates receive at booking is in both English and Spanish. The Health Care Request form is written in both English and Spanish.

10.1.4 Increase use of ventilation in Pod areas.

Ventilation was identified in 3 West as a problem when the Grand Jury toured. Research revealed a combination of factors contributes to the "ventilation"

problems, few of which are actually related to the facility's ventilation system. Heating and cooling issues are responded to by the County Facilities Maintenance. Their usual response is within 24 hours or less.

In 3 West a significant proportion of inmates are on suicide watch and are in special protective gowns. The special gown, although heavy, is not as warm as would be expected. This caused the complaints attributed to ventilation. We experimented with alternatives and believe we have located a product which will solve the problems and provide the necessary protection from self inflicted injury. Staff has also been cautioned to be sensitive to the issues when raised by inmates and we are working with Facility Maintenance to improve ventilation cleaning and air quality.

10.1.5 Secure medicines set aside for return to vendors.

Pharmaceuticals are stored in the Medication Room on the 2nd floor in the Clinic, which is a locked and secure area, until they are left, in a taped box, at the LOS desk in the lobby for pick up by UPS or Fed Ex. Medical staff was reminded to keep the pharmacy door locked even with a deputy stationed outside the door.

10.1.6 Install cameras near the loading dock "out" door and in the kitchen.

I confirmed with a spokesperson that the issue was not the 'loading dock' door, but the Sally Port exit doors . (Six cameras are in place at the loading dock "out" door.) We are investigating the possibility of adding cameras to both the Sally Port exit and the kitchen. Both these suggestions have merit and would increase security.

Recommendation #11 The Sheriff should immediately correct the following conditions at the Women' Correctional Center:

11.1 Work with Public Works to raise the priority of the HVAC system upgrade.

During the Months of March, April and May 2004 Sheriff's Office personnel engaged in briefings relating to the HVAC system we discovered that the HVAC system is adequate, but was in dire need of a full cleaning. This project was expedited during the month of April and work has begun to clear and clean all air ducts and vents in June, 2004.

11.2 Address all plumbing and toilet problems.

This is a continuous maintenance problem. A system or work order tracking has been developed between the Sheriff's Office and Public Work's Facilities and Maintenance team.

11.3 Replace scratched windows in the holding cells.

The Facilities and Maintenance personnel are meeting with Women's Correctional staff to identify and replace damaged holding cell windows at the writing of the report.

Recommendation #12. The Sheriff's office should work with the courts to explore moving the family court from the sixth floor to the second floor in the Hall of Justice and Records in Redwood City.

Due to the existing space limitations of the second floor it is not feasible to establish the Family Law Court on that floor. It should be noted that when the plans were made to remodel the sixth floor offices and the Family Law Court, the Sheriff's Office was involved in the security planning of that courtroom. The Sheriff's Office has the ability to respond to an incident in the court via enhanced radio systems, alarm and camera systems monitored in the Court Security Transportation Office and physical response by uniform staff within 1 ½ minutes of an alarm.

Respectfully Submitted,

Don Horsley
Sheriff