

June 29, 2007

Honorable Judge Rodney S. Melville
Superior Court, Santa Maria Division
312-M East Cook Street
Santa Maria, California 93455-5165

County Executive Office Departmental Response to the 2006-07 Civil Grand Jury Report on:
“Law, Justice and Public Safety: Health Care within Detention Facilities”

Dear Judge Melville:

The following are the County Executive Officer’s responses to the 2006-07 Grand Jury’s report on “Law, Justice and Public Safety: Health Care within Detention Facilities.” The County Executive Officer concurs with the responses provided by the Sheriff Department and Alcohol, Drug, and Mental Health Services.

The County Executive Officer thanks the Grand Jury for its findings and recommendations on this important matter.

Finding 1

Staff is inconsistent in executing procedures for detoxification and completion of the Receiving Medical Screening Form (CO-1122).

Response: The CEO adopted the Sheriff Department’s and Alcohol, Drug, and Mental Health Services’ responses as its response. (Partially Agree)

Persons entering jail under the influence require varying degrees of detoxification treatment. What is medically necessary depends on the class of substance one is intoxicated with, the severity of intoxication, and presence of concomitant medical problems. Medically trained jail personnel review the medical status of each inmate undergoing detoxification and prescribe medically appropriate treatment.

Recommendation 1

Policies should be posted at the booking site clearly defining the procedures for detoxification and completion of the Receiving Medical Screening Form (CO-1122).

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (The recommendation has been implemented, with a summary regarding the implemented action.)

Per the recommendation, the policies were posted at the designated receiving areas and detoxification holding cells on June 12, 2007.

Finding 2

It is difficult to establish the physical and mental state of the person being booked because a trained health care professional staff person may not always be available at intake.

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (Disagree)

At the time of intake, a Receiving Medical Screening form is completed by the Receiving Officer. Other medical and mental health information is obtained by visual review and observation, as well as comments from the arresting personnel. Often arrestees have required a medical clearance from a local hospital prior to booking and that information is provided to the Receiving Officer and medical staff. The jail has 24 hour/7 day medical staff on site, which can respond to reception within 5 minutes of notification by intake staff.

Recommendation 2

A trained health care staff person should always be present at each booking.

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (The recommendation will not be implemented because it is not warranted.)

Not all bookings require immediate medical staff attention so their presence at intake represents over-utilization of medical resources. Existing protocols listed in the Response to Finding 2 should ensure that medical staff is immediately appraised when an inmate needs immediate medical / mental health attention and are available and able to respond.

Finding 3

Inmates are released at any time of day or night without consultation with Prison Health Services or Alcohol, Drug and Mental Health Services staff.

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (Partially Agree)

There are legal statutes that must be followed regarding the release of inmates; however, planned release is supported by the Sheriff's Department as described in the response to

Recommendation 3. ADMHS is a partner in the planned release of inmates and works with the Sheriff to coordinate notification of release for special needs clients.

Recommendation 3

Staff should consult with Prison Health Services and Alcohol, Drug and Mental Health Services when appropriate before releasing an inmate.

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (The recommendation has not yet been implemented, but will be implemented in the future (see text for timeline))

Planned inmate release is the best solution for this issue and this occurs on a case specific basis. Medical and mental health personnel who are aware of inmates with issues will seek to provide continued care as available. Currently the Sheriff's Department is working with the courts, attorneys and other service providers to enhance coordinated planned releases for inmates with special medical and mental health needs. The courts must approve the Planned Release Court Order form and expected implementation is on or before July 15, 2007. The key to planned release is a system of continuing care after release; however, this will require additional community resources.

Finding 4

Inmates placed into the general population of the jail might be infected with communicable diseases.

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (Agree)

Communicable diseases are prevalent in the general public and it is probable that some inmates will be admitted with such diseases. Once a communicable disease is identified or suspected, custody personnel will contact medical staff for the appropriate response and treatment.

Recommendation 4

Any person suspected of having a communicable disease at booking should be kept in isolation and tested promptly.

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (The recommendation has been implemented.)

At the time of intake, communicable disease may be detected because an inmate displays symptoms OR may become apparent as a result of inmate disclosure or because existing custody records and/or custody staff's knowledge. Once identified or suspected, the inmate is immediately referred to medical staff. The appropriate housing is based on medical and classification recommendations.

Finding 5

The Intake Screening Officer and/or medical staff person impounds all personal property including medications during the booking process.

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (Agree)

Recommendation 5

Inmates determined to be mentally incompetent by the courts should be removed from the general jail population.

Response: The CEO adopted the Sheriff Department's, Alcohol, Drug, and Mental Health Services', and County Executive Office's responses as its response. (The recommendation will not be implemented because it is not warranted.)

The lack of mental health bed space is a nationwide concern. The jail has specific housing units for those inmates with mental health issues; however, many factors are used to determine the appropriate housing area. Crime charges, past jail history, classification concerns, along with mental health and medical recommendations are some of factors used. Some mental health inmates adjust well in the general population. The housing placement should be a subjective approach utilizing all the specialized professionals within the jail environment along with any other data that can be obtained from the inmate's family, personal physician, or mental health provider. This all must be combined with safety and security protocols.

Finding 6

Inmates have a basic understanding of the procedures for sick call and filing written grievances. However, some say they are reluctant to file written grievances for fear of retribution.

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (Partially Agree)

In any situation of authority, some people are fearful of complaining. Many existing safeguards prevent or address any issue of retribution.

Recommendation 6

The county should authorize and fund a court-appointed ombudsman, beholden neither to detention authorities nor detention advocacy groups, to evaluate and report complaints.

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (*The recommendation will not be implemented because it is not reasonable.*)

The county should not bear the cost of this position as there are many existing avenues and remedies to identify and resolve grievances. Complaints by inmates are actively identified and investigated by many means. Education of inmates regarding the grievance procedure is the best course to ensure that all complaints are properly documented.

Finding 7

Mentally ill inmates are housed in the general population and many receive medications to treat their conditions. Medications are issued from the jail formulary and may differ from medication received prior to incarceration.

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (Agree)

Jail medical and mental health personnel evaluate an inmate's needs and prescribe medications which, in medical staff judgment, is most appropriate for the inmate's presenting condition and for the context of incarceration. When evaluated by mental health staff, careful effort is taken to gather the most accurate information about medications currently prescribed and careful consideration given to this information before the psychiatrist prescribes for an inmate.

Finding 8

Inmates who are determined mentally incompetent by the courts are not segregated from the general population in the Main Jail before transfer.

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (Partially Agree)

Mental health personnel, along with the jail Classification Unit determine the best housing available for each mental health inmate on a case-by-case basis. Currently there is an extended delay for admission to state mental hospitals, which adds to the difficulty in locating appropriate housing.

Finding 9

A volunteer ombudsman visits the Main Jail.

Response: The CEO adopted the Sheriff Department's and Alcohol, Drug, and Mental Health Services' responses as its response. (Agree)

Sincerely,

Michael F. Brown
County Executive Officer

cc: Grand Jury Foreperson