



Central Jail Complex

Theo Lacy Facility



James Musick Facility

Preface

The Jail Security and Staffing Assessments (OCJAP) project began in July 2008 and encompassed a comprehensive assessment of one of the largest, most complex local adult detention systems in California – the Orange County Jail.

Because of the very tight time frame of 120 days for this project, the onsite portion of the OCJAP project involved the work of six (6) evaluators who spent nearly 1,000 staff hours at the five Orange County Jail facilities, including the court holding facilities and divisions and units supporting the custody mission. The onsite evaluation of jail facilities was conducted on each shift, or a portion of each shift, in order to understand the work flow and activities that occur in this 24-hour day and 7-day per week operation.

In order for the study to provide immediate value to the Orange County Sheriff's Department, a special executive summary was prepared for each individual facility assessment during the OCJAP project. These detailed documents provided the opportunity for Sheriff's jail managers to review the material, provide feedback to Crout & Sida Criminal Justice Consultants and, most importantly, served in the first step of the development of implementation plans to address many of the issues identified in the reports. Other significant items addressed in an *Interim Report*, and this final report involve near, middle and long-term planning, which in most cases will require additional work and funding through the normal county budget process.

This final report contains information that may have been presented in the executive summaries and Interim Reports dating from the beginning of the project. Time pressures did not allow CSCJC to 'circle back' to show the progress that has been made in remedying the deficiencies identified in the Interim Reports, however we have been made aware of several changes being made to the operation of the jail based upon our ongoing evaluation.

For that reason, we caution the reader to confer with the Orange County Sheriff's Department before reaching conclusions about specific elements or findings of the OCJAP Final Report. Our ongoing discussions with jail facility managers indicate that many issues identified in the Interim Reports have been vigorously attended to, and these corrections will not be reflected in the *OCJAP Final Report*. We strongly urge any interested individuals, agencies or departments to contact the Sheriff's Department to verify what actions have been taken on specific areas of the assessment since the initial recommendations were made.

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Executive Summary

On June 10, 2008, the Orange County Board of Supervisors appointed Sheriff Sandra Hutchens to lead the Orange County Sheriff's Department after the resignation of former Sheriff Michael Carona. The Orange County Sheriff's Department had been buffeted in recent years by allegations of mismanagement and with special notoriety attached to the homicide of inmate, John Derek Chamberlain who was being held in the jail.

Upon her appointment, Sheriff Hutchens, made an inquiry to hire an expert consultant to develop and complete a comprehensive assessment of the Orange County jails. Crout & Sida Criminal Justice Consultants (CSCJC) was subsequently selected by the Sheriff's Department and the County Board of Supervisors to conduct a study of the five separate jail facilities operated by the Sheriff's Department, along with an assessment of the court holding facilities and jail programs.

In accordance with the contract for consulting services, the final report was required to be completed within a 120 days in order to provide a timely and credible assessment of the jail system and enabling the Sheriff to quickly address operational issues, to effect course corrections in the jail, wherever necessary.

In order to harvest objective and credible information, CSCJC developed a template containing evaluation criteria to conduct the assessments. We trained our team of consultants on the criteria, began onsite inspections and evaluations of the jail system in July 2008 and concluded them in November 2008. To enable immediate attention to deficiencies identified during the assessment, CSCJC provided periodic executive reports to the Sheriff, executive staff and jail managers.

Additionally, Interim Reports to the Sheriff's Department describing our findings for each facility/bureau and unit that was assessed was provided to the Custody Operations Command and contains detailed observations gleaned from the evaluation instruments developed for this project. Throughout the project, the CSCJC consulting team has made **115** recommendations and provided implementation-planning tools to OCSD jail managers for further action based upon the information provided in the reports¹.

This *OCJAP Final Report* represents a compilation of data and observations made for each of the custody entities examined and is the comprehensive view of the findings and recommendations of the OCJAP.

As noted above, the catalyst that precipitated the OCJAP was the need to provide Sheriff Hutchens with an objective assessment of the jail system in order to affect new policies, procedures and directives wherever indicated. Additionally, a detailed examination of the jail operation would provide information on performance of staff to insure that it was properly aligned with statutes, regulations, policies and directives.

¹ Some recommendations while identified at each facility may be duplicated across the entire Orange County jail system.

While the CSCJC assessment team was fully apprised about a number of jail related irregularities that culminated in a homicide in the jail, it was not our mission to reopen an investigation into this matter. Given the material that we reviewed, we could not imagine what additional insights could be provided nor could we be at all critical of the action taken in the aftermath of this incident by the Sheriff's Department.

It is the reasoned conclusion of the OCJAP that the Orange County jail system is generally in good shape and effectively managed. Additionally, for the most part,

Understaffing at the facility doesn't mean that I get to duck my job. It means that I have to do my job better.

As expressed to CSCJC by a Deputy at the Musick Facility.

the Orange County jail is a relatively safe place when compared to some other jurisdictions. Despite this hopeful sign, the CSCJC evaluation team could not help but note that all of the ingredients, which include a changing inmate population, low staffing levels and outdated jail facilities, are decidedly not a good sign. CSCJC is

of the opinion that over time, these problem areas are a good predictor that jail conditions are likely to reach critical mass and will change this heretofore good safety record. Clearly, custody staff has been instrumental in maintaining jail safety. We found that custody and support staff at all levels are engaged and enthusiastic about the work they perform in the jail and openly express pride in their Department.

With only a few exceptions, the OCJAP did not identify major system wide operational flaws that caused great concern. Overall, we found staff to be relieved to have some stability in the leadership of the department and many expressed that they are looking forward to moving the department out of the glaring light of public scrutiny and regain a positive public image that has been enjoyed for many years.

Having said that, the assessment team did identify a number of areas in which a course correction is indicated. Most of the issues identified in the individual facility Interim Reports are easy fixes that involve missing or confusing policies and procedures and/or the alignment of practices in conformance to policy.

As a precursor to our onsite evaluation, based upon information obtained from the Corrections Standards Authority, periodicals and environmental scanning, we noted some of the issues that give perspective to the challenges facing the Sheriff the Department and county leaders.

1. **A More Challenging Inmate Population:** Changes in the dynamics of the inmate population are apparent, not only in Orange County, but throughout California and the nation's adult local detention facilities. Jails everywhere are struggling with the reality that today's inmate is in poorer health, more drug addicted, more mentally ill and more prone to violence than were inmates of a decade or more ago. Jail violence is also exacerbated by the influence of gang activity that has percolated up from the streets and down from state prisons.

While Orange County has been spared so far from the most serious consequences of these changes in the inmate profile, the observations,

interviews and data collected during this assessment clearly show the impact of these changes on the jail system, which contribute in a significant way to jail violence and the overall security of the jail system.

The Orange County Jail inmate and population data indicate that:

Inmate population has been steadily trending upward since 2001 when there was a reported system wide ADP of 4,771 inmates to the current level in 2007, where the ADP had climbed to 6,360 inmates. An analysis of other information captured in the Jail Profile Survey reveals that:

- The number of inmates who are unsentenced is steadily rising (from 2,142 in 1997 to 3,351 in 2007). As the unsentenced population rises, significant problems are created in the classification and housing of these inmates, including the high reliance on sentenced minimum security inmates to perform janitorial, food service and other required activities needed to operate the jail.
- The number of felony inmates in the jail is rising (from 64% in 1997 to 73% in 2007). As the unsentenced population rises, significant problems are created in the classification and housing of these inmates. Low-level offenders, who are vanishing from the jail system, are the easiest group to manage. Felons who have less to lose (e.g. 2nd/3rd strikers) are often more prone to violence and less cooperative and difficult to deal with.
- Orange County reported 1,561 “daily open mental health cases” to the Corrections Standards Authority (CSA) Jail Profile Survey at the end of 2007. This number is up from 1,348 reported cases in 2002. This means that many of the jail inmates need mental health services; most exhibit behavior related to their mental disorders. Mentally ill offenders pose significant problems with regard to classification, housing and supervision. Additionally, the cost of housing these inmates is very expensive due to the high cost of psychotropic medications.
- We noted that the identification of the undocumented alien population has showed a marked increase. Up until recently this data element was somewhat suspect, inasmuch as the data depended on self reporting. CSCJC evaluators credit the Sheriff’s Department with the aggressive effort in partnering with the Department of Homeland Security in the identification of criminal aliens, many of which will be sent to their country of origin by I.C.E.
- We noted in our assessment that a recent court decision that could have given the Sheriff’s Department authority to release inmates early due to overcrowding was denied. In this case the District Attorney argued that the letter of the law centers on the inmate population, vis-à-vis crowded conditions. While technically correct, what the District Attorney and the Judge did not take into account was the ever increasing demand to classify and separate greater numbers of inmates, which in turn limits space availability. Even if there is some housing capacity (based on inmate population numbers alone) legitimate classification concerns by jail staff demonstrates that filling every bed would put the safety of inmates in jeopardy, therefore many of those beds are not available under any circumstances.

2. **Outdated, Inappropriate and Insufficient Jail Facilities:** The Orange County Jail system is lacking in jail beds appropriate to the number and classifications of inmates that are currently being incarcerated at the James Musick Facility. This jail has a large number of dormitory beds in a barracks style setting that does not adequately accommodate today's inmate population.

Additionally, several jail facilities within the James Musick Facility are nearing, or have reached the end of, their useful life spans. We draw specific attention to the tents and wooden barracks that were erected on a temporary basis pending additional capacity at the Theo Lacy Facility. These tents and dilapidated wooden structures should be removed very soon. The assessment team's findings clearly indicate that many of the Musick facilities are too small and too poorly designed to afford adequate safety for inmates and custody staff.

CSCJC strongly supports the current plans for jail expansion at the James Musick Facility.

The data driving these conclusions include the following facts:

- The surge in the size of the unsentenced population is reducing the capacity to house sentenced inmates. The "worsening" of the inmate population reduces the options for housing and releasing inmates.
- All the numbers in this report are based on the "average" daily population and averages are, of course, constructed from highs and lows. Proper jail management requires that a system be able to accommodate peak demands (the highs). This is very difficult for OCSD jail managers, as there is barely enough jail capacity to handle non-peak populations.
- Effective jail management in consideration of inmate and staff safety require a certain percentage of vacant jail beds to allow for housing assignments consistent with the inmate classification system. In the current system, such beds are either not available, or at a very high premium.
- The Orange County Jail system relies on inmate labor to provide vital functions, such as food preparation, sanitation and maintenance in the jail facilities. It was appropriate to count on inmate workers when there was an abundance of very low security inmates to do jail maintenance functions. However, this classification of inmate is quickly vanishing. Ultimately what happens in jail systems is that low-level offenders are not jailed; a higher security inmate is now performing inmate labor. While the Orange County jail continues to house minimum security inmates, as the inmate profile changes, the practice of using higher security inmates to perform work assignments in the jail is antithetical to good jail management and security practices.

3. **Insufficient Jail Staffing:** Staffing shortages significantly impact the ability of the OCSD to safely operate and manage the county jail system. These shortages, including a significant gap in supervisory staff, have been the cause of the high use of overtime. We believe that adding custody staff in the jails is the most immediate, essential and expeditious step that can be taken to reduce the level of violence in the Orange County Jails. We urge that increasing staffing be acted upon swiftly.

The Theo Lacy housing unit (P, Q and R Modules) was opened lacking adequate staff (40 positions) to fully operate this addition.

It is our finding that **454.65** additional custody personnel are necessary to supplement the current staffing in the Orange County jail system in order to insure the safety and security of the county jail system. The addition of personnel will enable the Custody Operations Command to successfully accomplish all of the required activities contained in Title 15, CCR, which is the baseline used in this study. The addition of this recommended staff will significantly reduce the need for overtime in the jail. Current authorized staffing in the Orange County jail facilities is **1067**. The inclusion of a revised staffing plan with a rational shift relief factor will increase staffing system-wide to **1521.65** custody and support staff.

Above and beyond the 'big three' vital issues, there are other significant issues affecting security in the Orange County Jails. Important concerns suggest the addition of, or improvement in, the following:

- **Inmate Feeding** - Currently the Orange County Jail provides two-hot meals and one-cold meal per day to inmates at the Central Men's and Women's facilities. At the Theo Lacy facility, inmates are escorted out of their housing areas (barracks) to a central dining hall for the two meals that are served hot.

Based on the security level of inmates housed in these facilities, coupled with the need to divert large numbers of staff from other duty stations during feeding period to supervise inmates, CSCJC recommends changing the meal service to one-hot meal per day. This recommendation is consistent with many local detention systems throughout California, particularly among the larger agencies. Nothing in the minimum jail standards prohibits feeding inmate's two cold meals a day provided that the meals contain the nutritional content prescribed in minimum standards. Indeed, many individuals of every stripe in the community prefer two cold meals per day.

Costs associated with this change in practice are most likely lower or neutral than the two-hot meals. The primary advantage of making this policy change is that security is enhanced by reducing the mass movement of inmates by one third. Staff currently needed to supervise this activity can better direct their efforts in other areas of inmate management.

- **Confidential Medical Screening** -There is a significant problem with the lack of confidentiality provided to inmates at the medical screening area in

IRC. Currently, confidential communication is not only nil, but broadcast via a speaker system. When inmates are reluctant to talk about medical concerns due to confidentiality issues then there is a strong likelihood that they will not reveal serious illness or contagious disease. This is a high liability issue that should be addressed quickly.

- **Strip Search Policy** - The CSCJC assessment team is of the opinion that the current strip search policy is too restrictive. Furthermore we found that there was a great deal of confusion by staff over the proper application of strip searches. Clearly, there is a legitimate penology interest in conducting strip searches in the jail. We recommend that the Custody Operations Command work with risk managers and the training division to arrive at a more effective use of this security practice.
- **Inmate Classification** - The inmate classification system, while adequate, needs at a minimum, to be validated in order to insure that too much subjectivity is not introduced into this critical process.
- **Weekender Program** - The current practice of maintaining a weekender program should be thoroughly discussed with the judiciary, District Attorney and Public Defender to assess its effectiveness. Many jails in California have discontinued housing weekenders. To the extent that this practice continues, we recommend that weekenders not be housed with the general population due to concerns about smuggling contraband or providing a communications link for gang members. Additionally, there is no need to medically screen every inmate upon their reporting for their weekend incarceration beyond the first screening. A short question by the booking deputy to inquire if there has been any change in the inmates health status since they were last booked will suffice and meet the intent of the regulations.
- **Shift Pattern Configuration** - Currently the OCSD utilizes a variety of shifts to accomplish the jail mission. We believe that the current 12-hour shift pattern that covers the 80 hour bi-weekly time period has a number of inefficiencies including one 8-hour flop day, in order to fit into the 80-hour requirement. CSCJC recommends an 84 hour, 12-hour shift plan as a better deployment of staffing resources.
- **Short Interval Training** - The Custody Operations Command should direct each facility captain to develop a short interval training curricula based upon the directives contained in the Jail Operations Manual. These training interventions lasting between 10-15 minutes should be delivered daily during the shift briefing. Furthermore, testing should be incorporated in these modules in order to document transfer of knowledge in policies and procedures.

Recommended Technology Enhancements

- Better training management data systems are needed to improve documentation and storage of staff training information. This is particularly important to glean pertinent information necessary to develop a relevant training needs assessment and will serve to support good

training practices in the event that selection and training are a part of a lawsuit.

- To support the jails' security mission, it is important that the Sheriff's Department continue with their plan to install high quality digital video systems in all of the jails. One such system, currently used at the Theo Lacy Facility, clearly demonstrates its value in the investigation of inmate violence and with regard to accusations of staff-on-inmate violence or abuse and in risk management in general.
- Another important technology that should be considered is video visiting. Video visiting enhances safety and accommodates families, who are often burdened by the time and cost of traveling long distances to visit loved ones in jail. This technology has the potential to provide better inmate visiting, save staff time by no longer moving inmates to visits, which in turn would allow for more visiting time for families and inmates. Use of this technology will enhance jail safety and security in the facilities.

We specifically recommend that a pilot program be initiated at the James Musick Facility, where the issue of contact visits was identified as a major security issue.

Challenges of Managing a Large Local Correctional System

Jails are rarely a popular subject and especially not when they are brought up in the context of competing requests for precious tax dollars. Nonetheless, operating safe and secure jails is an essential government function and must be accorded the full measure of attention and funding to be carried out appropriately. Inaction or half measures will result in continued jail violence and the potential for serious assaults or homicides in the jail, which no one – not jail staff, inmates, law abiding citizens or government leaders – wants to see happen.

Furthermore, the recent experience by the OCSD concerning the intervention of the Federal Court in the operation of the Orange County Jails is a sobering reminder of the necessity to attend to jail issues. One needs only to look at the current crisis in the California prison system to understand the unfavorable financial, control and public policy consequences of failing to proactively manage the correctional infrastructure.

Our hope is that Orange County leaders chart an assertive course to mitigate the serious problems encountered daily in the county's jails. Doing so will ultimately benefit all the people of Orange County because it will ensure that the jail system can and will operate in ways that protect both the public and people incarcerated in jail.

In conclusion, the CSCJC project team would like to thank the men and women serving in the Orange County Sheriff's Department for their openness, honesty and cooperation during the OCJAP. Their enthusiasm and dedication to public service give the people of Orange County much to be proud of.

Forward

The operation and maintenance of jails is a necessary, yet extraordinarily complex task that is, in most cases, statutorily assigned to the elected sheriff. Since the jail is usually one of the largest county expenditures, problems in the jail often become big news items that draw the sheriff and other government leaders into the spotlight. Thus, the jail, in any county, is an unavoidable and prominent concern.

While counties have some flexibility in terms of alternatives to jail programs, it remains a fact that legislators pass the laws that determine who should be locked up. Arresting agencies, including the sheriff, meet the law enforcement needs of the communities they serve, and judges' sentence people who are convicted of violating the law. The sheriff's and their custody staff are required by law to accept into custody those people sent to them and to manage those offenders as safely, constitutionally and effectively as possible.

While the Orange County Sheriff's Department has experienced a myriad of problems in its jails, it is worth noting that these problems have also been experienced in county jails throughout California and the nation. Of course the fact that the Orange County Sheriff's Department operates the second largest jail system in California magnifies those problems exponentially and draws close scrutiny from the public and press.

Nonetheless, Orange County is not alone; as a reference point, consider the following information reflecting some of the problems experienced in county jails throughout California:

- The Average Daily Population (ADP) of jail systems statewide is trending upward; however, with only very few new jail beds added since 1992.
- Jail beds needed during periods of peak jail population exceed the current rated capacity².
- Jail bookings are up.
- The number of unsentenced inmates in jails has increased dramatically.
- The ratio of felony versus misdemeanor offenders in jails has shifted statewide. Felons in the jail system have gone up, while the number of misdemeanants has gone down.
- Maximum and medium security inmates have been trending upward and minimum-security inmates have been trending downward.
- Jails have become California's de facto mental hospitals. Mentally ill people in jails create burdens in terms of both jails' costs and their ability to house people safely and securely, let alone provide them appropriate treatment interventions.
- The number of served misdemeanor warrants has plummeted over the past ten years, in large part due to the lack of available jail space to house misdemeanants if they are brought in.
- Despite the best efforts of custody staff, violence in jails throughout California is increasing.

² Jail population data is often presented as the average daily population, however peak jail population needs to be taken in account when planning or determining jail needs.

- California is short 66,385 jail beds statewide right now to meet current public safety demands.
- Looking to the future, California's inexorable population growth will require 40,943 new beds by 2050 to address population growth alone.

In California's local adult system, jail facilities are bursting at the seams. Twelve percent of our jails are more than 60 years old and nearly half are 30 years old or older. Dangerous crowding is a daily fact of life in many of the state's 460 jails. Simply put, California does not have enough local detention capacity or adequate program space to meet public safety demands.

Time and experience have demonstrated that there is no natural constituency supporting jails and it is for precisely this reason that all too often, government policy makers ignore this vital yet unpopular sector of public responsibility. This was not the case in Orange County where Crout and Sida Criminal Justice Consultants found considerable interest in the county's jails throughout the OCJAP.

While sometimes an uncomfortable process, an objective assessment of the strengths and weaknesses of a jail system is important to local leaders for several reasons. The county will be called upon to make decisions about jail budgets that typically involve requests for increased funding. It is helpful, and important, for government leaders to know if there are any significant problems in the way the jail is administered that might contribute to legal problems or rising costs. In the interest of sound decision making, it is critical that the Sheriff, Board of Supervisors and other members of the criminal justice community have information that will help them sort out sometimes misguided rhetoric about jails which could cloud decision-making. It is our hope that the Orange County Jail Assessment Project will prove to be a valuable asset to Orange County leaders in this regard.

Background

The Orange County Sheriff's Department (OCSD) operates the second largest county jail system in California and eighth largest in the United States. The Sheriff is responsible for the care, custody, security and rehabilitation of all sentenced and pre-trial inmates detained or housed within the Department's five operational facilities. In 2007³, the county jail system housed an average daily population of 6,360 inmates. During that same year, the OCSD received (booked) 66,000 persons from throughout Orange County.

In addition to custody and control, the Sheriff's Department is responsible for transporting inmates to and from court and among the multiple facilities that comprise the jail system. Data collected for 2007 reports that the Transportation Bureau moved a total of 437,318 inmates throughout Orange County and the state of California.

On June 10, 2008, the Orange County Board of Supervisors appointed Sheriff Sandra Hutchens to lead the Orange County Sheriff's Department after the resignation of former Sheriff Michael Carona. The Orange County Sheriff's Department had been buffeted in recent years by allegations of mismanagement and with special notoriety concerning the homicide of inmate, John Derek Chamberlain who was being held in the jail

Upon her appointment, Sheriff Hutchens, made an inquiry to hire an expert consultant to develop and complete a comprehensive security and staffing assessment of the Orange County jails. The assessments were to study the 5 separate jail facilities operated by the OCSD, along with an assessment of the court holding facilities and jail programs.

On June 12, 2006, Crout and Sida Criminal Justice Consultants, Inc. (CSCJC) responded to the inquiry concerning the Jail Security and Staffing Assessment (OCJAP). CSCJC was subsequently selected by the OCSD and the County Board of Supervisors to conduct a system wide assessment of the jail that includes the following:

Standards Assessment – Utilizing Title 15 and Title 24, California Code of Regulations (CCR) as a baseline, CSCJC conducted an evaluation of each of the jail facilities currently in operation and observed the activities of personnel on each shift during a 24-hour period. Using these standards as the objective baseline, CSCJC was able to determine if staffing, operating policies and procedures, as well as physical space, adequately met the requirements contained in the minimum standards (e.g., are staff able to make security rounds, are directives being followed as written, are other programs and activities relating to health, sanitation, food service and inmate programs being completed as required?) CSCJC evaluated, documented and made recommendations on issues involving minimum jail standards with special emphasis on issues dealing with the safety and security and best correctional practices of each facility.

Policy Assessment – CSCJC reviewed and evaluated selected sections of the Department's Jail Operations Manual, emergency plans/duty statements, unit orders and other written directives to ensure that OCSD is in compliance with

³ Based on CSA Jail Profile Survey.

Title 15, CCR (A complete listing of documents reviewed during this assessment is contained in Appendix G). Additionally, CSCJC made recommendations designed to improve policies, procedures and other written directives that may serve to affect a course of correction in the operation of a jail or, when indicated, serve as an example to be considered for replication in other facilities operated by the department.

Security Assessment – CSCJC examined and made recommendations on current policies, procedures and other directives as they related to facility safety and security and best correctional practices. As with all other aspects of this assessment, minimum jail standards served as the objective baseline on which the evaluation was conducted. CSCJC developed a set of scenarios and drills, along with an evaluation checklist that were used in each facility for the purpose of evaluating staff's ability to respond to emergencies.

Staffing Assessment – CSCJC evaluated the existing staffing in each facility in order to develop a rational staffing model based on a shift relief factor in order to accurately and objectively determine staffing requirements. Based on this model CSCJC made recommendations for a staffing plan designed to assist the department in meeting all of the requirements contained in the California Minimum Jail Standards, with special emphasis on jail safety and security and best correctional practices.

Inmate Population and Trend Analysis – CSCJC conducted an analysis of the inmate population in the Orange County jails based on data derived from the Corrections Standards Authority (CSA) Jail Profile Survey and data from the California Department of Finance that was designed to provide information useful in jail planning. This information also provided a broad view of the Orange County Jail system and dynamics that might influence the project assessment.

The results of the individual assessment conducted by CSCJC for each facility were presented in Interim Reports and/or Executive Summaries that provide documentation, including implementation-planning tools, to assist the department's effort to improve the overall operations of the county jail system. Results of the assessments were intended to be available to assist in the remodeling and/or expansion of existing facilities and/or the construction of future jails.

OCJAP System View

In the planning stage of the OCJAP, CSCJC spent a significant amount of time identifying and/or developing the evaluation processes to be used to guide the evaluations, data collection and analysis. The goal was to provide an objective, pragmatic and credible assessment of the security and staffing of the Orange County jail system.

Early on, the CSCJC team recognized that each of the detention facilities and divisions that make up and support the Orange County Jail system is interrelated to other facilities in the system and therefore, reporting with specificity on some items identified in the assessment would be premature until all of the facilities and divisions had been studied and evaluated. In order to provide each facility command with findings, recommendations and implementation strategies, CSCJC developed an Interim Report as an aid and working document that can be useful in making course corrections or long term planning.

While the main focus of the assessment involved operation of the jails, the OCJAP contract required the review of a number of functions that provided valuable information on a wide range of issues. While some of these peripheral areas did not speak directly to jail operation, they nonetheless yielded important information to the OCJAP project overall.

Each Interim Report is a detailed evaluation of the individual jail facility or division and includes recommendations and tools to assist jail managers with planning and implementation of corrective actions. Interim Reports and staffing studies have been completed and delivered to OCSJ management and are related to the following jail facilities and bureaus, listed here in the order of completion of the OCJAP:

- CJX Complex
 - Inmate Reception Center.
 - Central Men's Jail.
 - Central Women's Jail.
- Theo Lacy Facility.
- James Musick Facility.
- Court Holding Facilities.
- Inmate Programs.

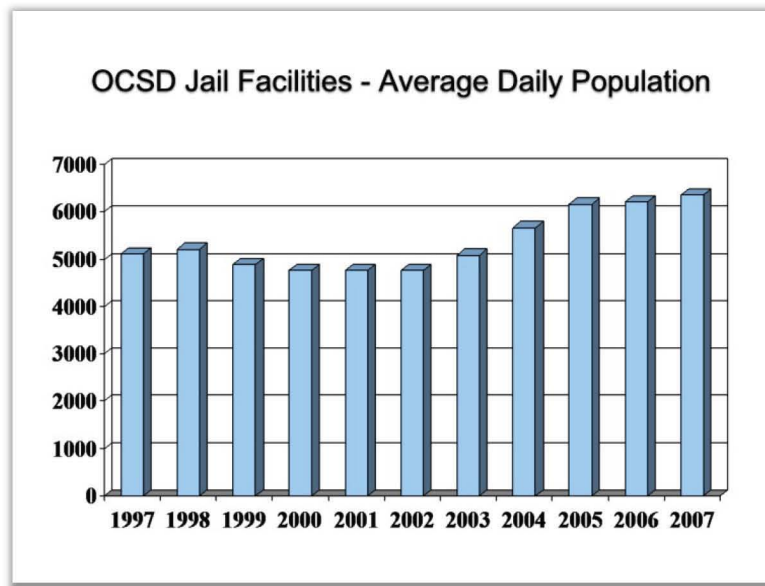
OCJAP FINDINGS

After the completion and analysis of all of the Interim Reports, CSCJC evaluators conclude the following concerning the Orange County Jail system:

Inmate Population – In 2007, the average daily population (ADP) of all OCSD jail facilities was 6,360. Obviously, the size of the population, changing demographics, classification and gang affiliation are impacting security and staffing within the Orange County Jail System.

A review of the jail population data derived from the CSA Jail Profile Survey (Appendix F) indicates that for quite some time the OCSD has been experiencing growth in the inmate population. Efforts to adjust to the demands placed upon it have included moving low security inmates out of the jail system and into alternative programs. Consequently, inmates who would not be considered for housing in low security settings are now occupying those spaces. This is a phenomenon that we describe as “classification creep”, which occurs over time as a result of more serious offenders representing an ever growing population in the jail. Our research into the OCSD jail population, along with our observations and interviews with OCSD staff, have made it apparent that dynamics related to the inmate population and classification are driving many of the security issues impacting the department.

ADP fluctuations are illustrated in the following chart and table.

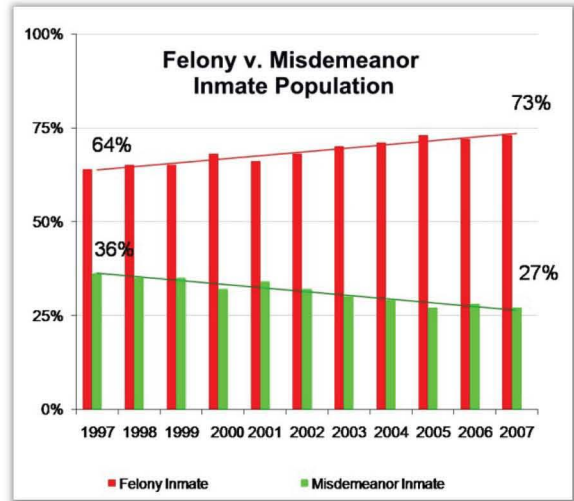


	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
ADP	5,116	5,210	4,890	4,770	4,771	4,772	5,084	5,665	6,165	6,218	6,360

Orange County Jail Assessment Project

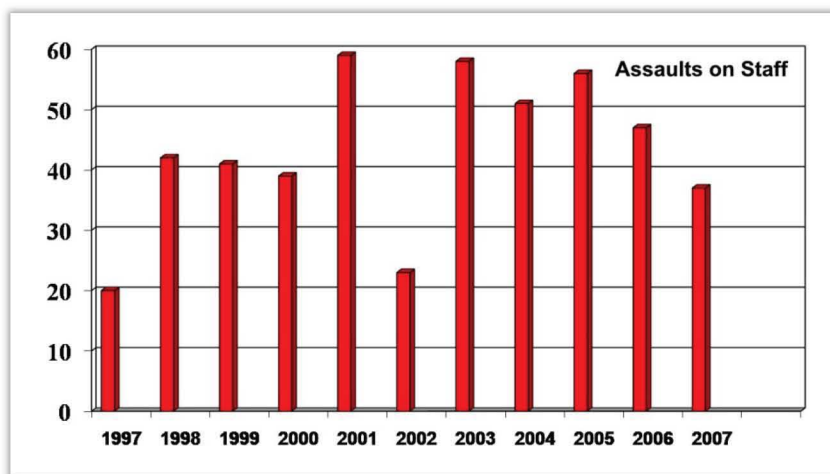
In 1997, the ADP was 5,116, by 2007 the ADP had risen to 6,360 inmates. Another remarkable change involved inmate classification as a result of more serious offenders being housed in the jail. For example, since 1997, the percentage of felony inmates requiring higher security housing has dramatically increased. Conversely, lower security inmates entering the system have had a corresponding decrease in numbers.

Obviously such extreme changes do not reflect the actual outcomes of a standardized classification system, but rather an attempt to cope with deficits in terms of system design and capacity.



Given these radical swings in the inmate population and classification, one could speculate that the “demands for jail space” tail is wagging the “good corrections policy” dog. In other words, the Sheriff’s Department is forced into reactive mode to deal with the responsibility of incarcerating individuals who have been arrested, while at the same time attempting to avoid legal scrutiny from the Federal Court. The data indicates that these, and other forces, are impacting jail policy and are creating a host of unintended consequences.

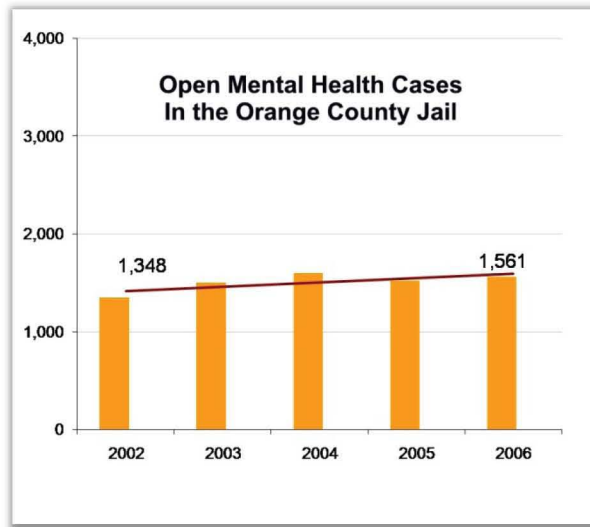
Assaults on staff appear to be decreasing; there were an average of 41 assaults per quarter in 1997 and spiking to 58, 51 and 56 per quarter between 2001 thru 2003. Assaults have steadily decreased since 2005 with the number of reported assaults per quarter at 37 in 2007.



Orange County Jail Assessment Project

Another major issue that impacts jail security and staffing involves the very large number of individuals who are severely mentally ill being booked into the jails. The number of “open mental health cases” at the end of 2006 was reported by the Sheriff’s Department to be 1,561.

Mental illness impacts, not only the affected individuals and their families, but also local corrections and society as a whole. In a costly cycle of incarceration, release and re-incarceration, mentally ill people come to jail facilities time and time again for crimes that grow out of their mental illnesses.



According to the Pacific Research Institute, California’s annual jail and probation costs for mentally ill offenders exceed \$300 million a year.⁴ Nationally it is estimated that at least 16 percent of jail inmates are mentally ill. This translates into more than 12,000 seriously mentally ill inmates in California’s jails.

Statewide, jails do their best to address these issues through the current stock of 1,002 medical treatment beds and 3,095 mental health treatment beds, as well as in-house programming and treatment services that are offered in liaison with community providers. But much more is needed; nearly every jail in the state needs more treatment, program space and professional support to appropriately work with the people in custody.⁵ And so it goes for the Orange County jails that inmates with severe mental illness are creating significant management and operational concerns related to safety, security, classification, housing and the provision of mental health care that is consistent with community standards.

Undocumented Aliens – Analysis of the number of undocumented aliens housed in the Orange County jail indicates a great deal of variability, particularly as it relates to data from 2007.

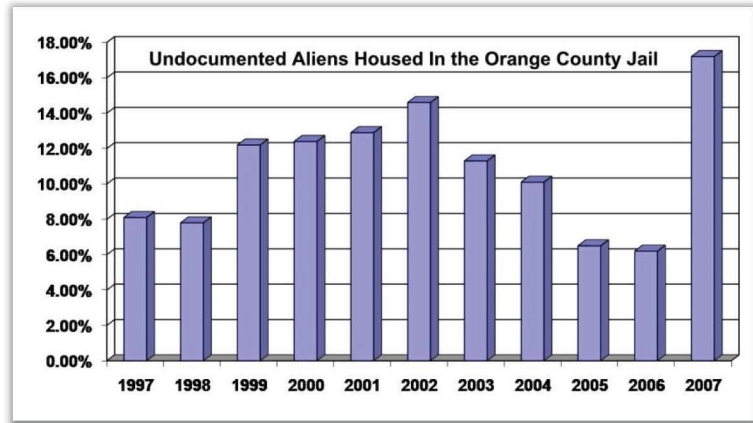
What may appear as an increase in undocumented aliens is more likely a result of better screening and data collection. The data elements concerning undocumented aliens harvested in the CSA Jail Profile Survey, while valuable, have been historically problematic, due to the fact that most of the data collected relied on self-reporting, in which undocumented aliens were reluctant to do. CSCJC attributes the increase in undocumented aliens in 2007 as a result of efforts to train staff to identify individuals who are illegally in the county as a part of a partnership with the Federal Department of Homeland Security.

⁴ California Board of Corrections, *Mentally Ill Offender Crime Reduction Grant Program, Report to the Legislature*, December 2004, page 2.

⁵ California State Sheriff’s Association, *Do the Crime, Do the Time? Maybe Not in California*, June 2006, pages 4-19, and California Board of Corrections, *Mentally Ill Offender Crime Reduction Grant Program Report to the Legislature*, December 2004, pages 15-56.

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The Orange County Sheriff's Department has engaged in a Cross-Designation Program in accordance with Section 287(g) Immigration and Nationality Act that lays the groundwork for the Department of Homeland Security



to enter into agreements with local law enforcement agencies to train and certify deputies to perform limited immigration functions.

Between January 2007 and August 2008, Orange County custody staff conducted approximately 111,227 interviews that resulted in 7,041 immigration holds being placed on individuals believed to be undocumented aliens. More importantly, as it relates to criminal activity, the department reports that 4,421 of these individuals were in jail on felony charges and 2,620 were incarcerated on misdemeanor charges.

While the effective identification of persons in the United States illegally is a good thing, there may be a corresponding consequence of increasing pressure on the overall jail capacity depending on how fast I.C.E removes this population from the county jail to Federal facilities.

Inmate Classification – All inmate classification and facility housing is centralized and assigned to the IRC. The Classification Unit uses an objective classification system and most importantly is designed to ensure the appropriate housing and programming of inmates and is intended to maintain the security of the facility and the safety of inmates and staff.

The classification plan must be defensible in litigation, so it should be based on objective criteria and be uniformly understood and applied. The requirement for objective criteria does not necessarily require a “point system;” rather, it means the information on which classification is based is repeatable, documented and substantive, as opposed to subjective and arbitrary. Information for classification is gleaned from the receiving screening, intake observations, record checks and any other appropriate sources available for use in classification.

A facility's classification plan should consider:

- The physical layout of the facility.
- The security levels available in the facility.
- The programs available.
- The criteria used for classification.
- The appeal process for both staff and inmates.
- The time frames for periodic review and reclassification.
- The composition and training of the classification staff and the facility divisions they represent.

- Other personnel issues such as who makes classification decisions and the lines of communication for classification information.

While there is an objective classification system used in the OCSD jail, it is important to note that it has been modified to create a new classification of R3. This R3 classification was developed in the aftermath of the Chamberlain incident⁶ and identifies individuals whose background might otherwise indicate housing in protective custody is needed. In the case of individuals classified as R3, our assessment finds that, for all intents and purposes, they are treated in a similar manner as inmates held in protective custody, however are not readily recognized by wearing a blue wristband.

When asked about the rationale behind this newly created classification, CSCJC evaluators were told that limitations in the ability to segregate an ever increasing micro-classification of the inmate population. The individuals who are classified as R3 have a background that is often considered borderline when making classification decisions. Additionally, physical plant limitations make the classification of these individuals as protective custody more difficult.

While we understand why the decision was made to create this classification, the CSCJC team could not help but notice that upon examination of the way R3 inmates were handled in the facility that it made little sense to continue to assign this classification. It appeared that the R3 classification entailed too much subjectivity on the part of the classification unit.

The ability of classification officers to change an inmate's classification based on subjective criteria is problematic. We recommend that the department send a team to NIC/Jails Division training, or seek NIC technical assistance for a thorough review of the current system and clarify the need to label someone an R3, but not consider that grounds for protective custody status. While the classification system is a useful tool in the management of the jail the CSCJC team agreed that the classification system in use was shaded a bit too much toward a subjective assessment.

Racial compatibility and gang affiliation are some of the complex considerations that must be made as staff puts a fine point on the classification of inmates. Inmate classification is a dynamic process, needing constant updating. The transient nature of the inmate population throughout the system challenges the ability to classify inmates to available housing as well as to provide appropriate assignments to those who serve as a part of the jail system's labor pool.

An issue that CSCJC evaluators have encountered in other jurisdictions involves a new classification of inmate identified as Southsiders. Southsiders are primarily, although not exclusively, Hispanics who are native to California. The inmates who identify themselves with the Southsider group are at odds with African-Americans, and other groups, who are incarcerated in the jails.

Numerically superior, Southsiders have been known to suddenly and violently attack other (non-Southsider) inmates without provocation. Southsiders also

⁶ John Chamberlain, a Mission Viejo software engineer arrested for possession of child pornography, was murdered Oct. 5, 2006 while incarcerated at the Theo Lacy Facility.

have a fairly complex command and control system that regulates the behavior of group members.

Generally speaking, because of their hierarchy of so-called “shot-callers,” Southsiders, as a group, are relatively easily managed and well behaved in the jail as long as they are segregated. OCSD custody staff is aware of the dynamics of this group as it becomes a greater issue for the personnel assigned to the jail system.

While CSCJC assessment team understand there is a legitimate penological reason to segregate this group, we are troubled that Southsiders are yet another micro-group that must be classified and separated from others when there are too few facilities in which to appropriately house these potentially dangerous, groups. We suggest that OCSD staff continue to monitor this complex issue and the activities of the Southsider group and seek to better understand the Southsider phenomenon. It is possible that this is a problem that might resolve itself over time.

In July 2007, the National Institute of Corrections, an agency with the U.S. Department of Justice, conducted an operational technical assessment of the Orange County Jail System at the request of the department. The emphasis of the assessment was the classification system, intake process, records system, inmate housing plan and supervision. It is recommended that, at a minimum, the current classification system in place be validated to insure that the classification system is valid and reliable.

Facilities – Some of the jail facilities (physical plants) in the Orange County Jail system are reaching the end of their useful life span and over time will become inadequate to manage the inmate population if current inmate population trends continue. Despite some of the challenges of older linear and barrack style facilities the OCSD has done a very good job of maintaining the facilities.

During the assessment of the jail facilities, CSCJC evaluators were impressed by the overall cleanliness and order in each facility. Even in the older linear facilities it was noted that items that might otherwise obscure the observation into the cells were free and clear of clutter.

One issue plaguing the maintenance of the Men's and Women's Central Jail facilities involved the aging cell door and locking mechanisms. Spare parts are currently not available and must be fabricated by county staff. The continued use of these jail facilities will require expensive and time consuming machining of parts, which in turn drive up the cost of maintenance.

With only a few exceptions, the jail facilities are operating in ways for which they were not originally intended. The inmate population is now comprised mostly of individuals who are confined for felony offenses and who are generally more violent and more likely to be gang affiliated than those for whom Orange County jails were originally designed.

Another design-related problem plaguing the system is that the original design philosophy was highly dependent on low security inmates providing labor to operate the facilities. Low security inmates were expected to help in the preparation of inmate meals, laundry, facility sanitation and maintenance. Since

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fewer minimum-security inmates are now being detained in jail, jail managers would expect that inmates classified as low-medium to medium security will most likely be performing the “inmate worker” labor in the facilities.

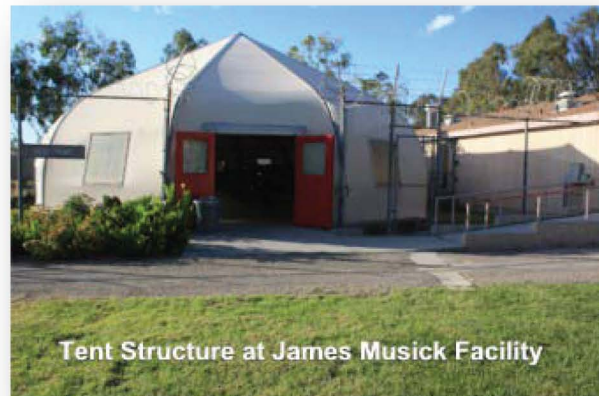
The inmate profile of days gone by, when it was appropriate for minimum security inmate workers to provide facility maintenance and other services required in the daily operation of the jail, are diminishing in the Orange County jail system. Therefore, any new construction planning should adopt a design that insures greater security. A physical plant design for greater security can be effectively used for higher security inmates and provide much needed flexibility in housing.

Facilities in Need of Replacement – While the Men’s and Women’s Central Jail facilities are aging, the keen attention to maintenance will elongate their use for some time in the future. Expansion of new jail facilities should focus on the conditions at the James Musick jail facility.

The Musick Facility is located in an unincorporated area near the City of Irvine and Lake Forest and serves the County as a minimum security detention facility. The Musick Facility is commonly referred to as the “Farm” due to its historical use of inmates to grow food crops on the facility grounds. While this activity continues to take place, the classification of individuals housed at this facility has been changing over the years and like many minimum security facilities in the state, Orange County is witnessing a gradual change in the type of inmates housed in the Musick Facility.

This is a phenomenon that we call “classification creep” in which the ever expanding inmate population is incarcerated in the jail are felons and therefore, as a matter of prioritization and consideration of public safety, those inmates who were classified as minimum security are increasingly being shoved out of the system and onto out of custody alternative work programs.

The safety and security of any given detention facility is dependent on two basic factors, the design of the facility and the number of staff assigned to the facility to supervise the activities of the inmates. A better facility design economizes on the number of staff needed to supervise inmates; even a poorly designed facility, given the inmate classification, can be safely operated provided that there is a corresponding staffing level to properly supervise the inmates that are in custody. The task at hand for any correctional entity is to maintain a balance between facility design, classification of inmates and staffing levels.



All too often, with respect to “classification creep”, the agency operating the detention facility continues to staff the facility at the same level when a lower classification of inmate was housed in the facility. What should occur, but often

doesn't, is that custody staff should be increased, commensurate with the classification of the inmate.

Upon evaluating the Musick Facility, CSCJC concludes that despite "classification creep" at the facility, the staffing level remains pretty much the same as when the facility housed lower level inmates. In our view, while not at a critical stage, it bears evaluating the changing inmate population with staffing levels. Once again, balance must be maintained in order to diminish the extent and severity of inmate-on-inmate or inmate-on-staff violence.

It is worth noting that shifts in inmate classification (classification creep) are oftentimes quite insidious because it happens slowly over time. While there is a level of awareness of the change, balance is not maintained until after some unhappy event or hopefully after a third party assessment, such as this project. The housing units and support buildings located at the Musick Facility vary in age and design is described as follows:

The James A Musick Facility is an adult detention facility occupied by sentenced and unsentenced males and females. The facility sits on approximately 100 acres located in an unincorporated area of Orange County in an urban environment very close to light industrial and residential areas next to the incorporated communities of Irvine and the Lake Forest. This facility was first opened in 1964 and the facility was designed (capacity of 200) for the detention of males sentenced for misdemeanor crimes in a minimum security environment.

Over time, additional low security housing units were added on the facility grounds and in 1986, as a temporary measure to ease crowded jail conditions, four 90-bed tents and wooden barracks were added to the facility. The inclusion of these tents and wooden housing units were approved as an alternative means of compliance to ease crowded conditions, however they are not counted as part of the Corrections Standards Authority bed rated capacity.

There is a common observation that in the bureaucratic parlance to describe something as temporary, it is sure to become the most permanent word in the government dictionary — And so it is with the tent and wooden barracks at the Musick Facility that were supposed to be removed upon additional jail space being constructed at the Theo Lacy site. Unfortunately, due to the ever increasing incarceration rate in Orange County the tents and wooden barracks continue to be occupied.

The current CSA rated inmate housing capacity at the Musick Facility is 713 beds and 360 non-rated beds (tents). Combined, the total available beds at the Musick Facility is 1073. During the 2007 calendar year the Musick Facility held and ADP of 1027 inmates. The facility also supports two-kitchens, as well as providing medical/mental and dental services.

Because of the assignment of lower security inmates at the facility, a substantial number of educational, vocational and lifestyle programs are offered to individuals sentenced to the Musick Facility. As mentioned in other facility summary reports, the Orange County Sheriff's Department is committed to providing both in custody and post custody programs aimed at providing a range of services designed to reduce recidivism. It was noted that like many of the activities at the Musick Facility, the changing (higher security) classification of

inmates being housed there is impacting the number and type of programs offered.

At the time of the OCJAP, CSCJC evaluators were aware of planning efforts to construct a new facility at the Musick site that would accommodate minimum and medium security inmates, while at the same time provide a higher level of security. Once this construction is complete, the OCSD has set a course to eliminate the so-called temporary tents and wooden barracks that currently house inmates.

Staffing Analysis and Findings

Classification of Personnel Working in the Orange County Jail Facilities

In accordance with the contract to provide consulting services related to the assessment of the Orange County Jail system, CSCJC agreed to study issues related to any proposed transition from deputy sheriff to public officer, or other appropriate classification; and/or an expanded ratio of public officer to deputy to work in the county jail system. Our objective in this analysis is to provide information that can be used to determine if a shift in employee classification is a sound business decision and describe the public policy implications, agency culture and legal and organizational requirements involved in any shift in correctional employee classifications.

In order to understand the current state of local corrections workers in California, it is helpful to understand the historical events that have driven local entities to shift from using a generic deputy sheriff classification to a dedicated correctional officer (public officer) position in the jails throughout the State.

For the past 30-years, California's elected Sheriffs have struggled with the use of a professional correctional officer (public officer) or a traditional deputy sheriff (peace officer) to staff local jail facilities in the state. This discussion has continued for many years mostly juxtaposing the staffing philosophy of the large urban departments in contrast to the medium and small local jurisdictions around the State.

First and foremost, the primary factor that has driven this change has been economics. The use of a non-sworn classification to work in the jails started in the rural counties, mostly in Northern California, a number of years ago. Unlike their larger counterparts in the populous, Southern and Bay Area locations, smaller rural counties have at times, struggled with solvency. In order to stay in business (literally) and remain solvent, these counties shifted from deputy sheriffs to a lower cost public officer to operate their jails.

For the most part, given the dynamics of daily life in less populated areas of the state, the use of public officers as opposed to sworn deputy sheriffs has worked reasonably well. The fiscal realities that were faced by many of the rural counties, has in the past, been so dismal that local leaders were able to transition with little or no opposition from labor or other interest groups. For many jurisdictions it simply came down to making a fundamental shift in personnel practices or risk closing the jail.

Over the years, much of the cost savings envisioned by operating of the jail with non-sworn staff (public officers) has evaporated in order to be competitive in the recruitment of qualified jail personnel. Over the years, counties have begun to provide public officers with safety retirement and other benefits usually reserved for sworn peace officers.

This is not to say that there are not savings to be had in the use of public officers to work in the jail; clearly there are cost savings or cost avoidance inherent with this change that mostly relate to some differential in salaries, benefits, training and equipment. Given the differences in counties and differing populations,

these cost savings do not necessarily provide an overwhelming case to change the classification of individuals who work in the jail.

Based upon our observations and many years of experience working with local agencies, personnel cost is almost always the driving force that initiates the discussion, and oftentimes the decision, to change course with regard to using a public officer class as opposed to a deputy sheriff to work in the jail. To the extent that personnel costs are the driving force in Orange County, our analysis points to the fact that cost savings alone is a poor justification to move in this direction.

The fact that large highly populated urban sheriff's departments continue to utilize a sworn deputy sheriff in the jail is no accident. Clearly, these local entities have the same fiscal challenges as any other county in the State and would like to enjoy the lower employee costs. However, these departments by virtue of the populous areas that they serve take a much broader view of the law enforcement mission based upon the impact of a major disaster or catastrophic event that potentially puts many hundred thousands of citizens and property at risk.

As we have previously mentioned, it is rare that the significant cost savings envisioned is realized over the long term by the local agency, given the fact that there are a number of complex issues that must be considered during the decision making process. Our analysis is intended to shed some light on some of the intricacies that should drive this discussion, and any decision to make adjustments in the classification of jail worker, beyond the notion of cost savings.

What are the Legal Classifications of Personnel who can Perform Jail Duties?

Currently there are four statutorily defined classifications that can be utilized to supervise inmates in a county jail. Each of these classifications provides a greater legal authority over the other. The evolution of these classifications of jail workers have been a matter of compromise mostly driven by agencies who serve a large urban area as opposed to suburban and rural localities.⁷ The tell tale signs of this evolution are revealed in the statute language that almost always ties the population of any given county to the type of worker that can be used in the jail and the scope of authority that those workers can engage in, e.g. arming, use of force, transportation, etc.

It is worth noting that Orange, and other counties that primarily use deputy sheriffs in their jails, have also employed, to varying degrees, the use of non-sworn staff to engage in a number of ancillary jail support activities. Oftentimes, the number of these employees and scope of work that they can perform is mostly dictated by labor contracts rather than statutory definitions.

This is clearly the case in the Orange County Sheriff's Department who utilize three different jail worker classifications (Deputy Sheriff, Correctional Service Technicians and Special Security Officers) to accomplish the mission involved with the operation of the county jail.

⁷ Los Angeles, Orange, San Bernardino, Ventura, Riverside

Which Counties Use Public Officers or Classification of Persons to Work in the County Jails statewide?

Numerically, there are many more counties that utilize non-peace officer or modified peace officers in the jail. The illustration on page 26 is used to show the primary worker designation in each of California's 57 counties (Alpine County does not have a jail).⁸

Despite the overwhelming number of counties that utilize a correctional classification rather than a traditional deputy sheriff (peace officer), the very largest counties in California, such as Orange, Los Angeles, San Bernardino and others identified in the illustration, employ more sworn deputy sheriffs than all of the other counties who use a contingent of correctional officers combined. In other words, there are numerically more deputy sheriffs working in California jails than there are correctional officers.

Interestingly, a number of years ago, Los Angeles County sponsored legislation to create yet another classification of jail worker which was a hybrid of all of the classifications with their authority defined in Penal Code 831.1(c). This classification of worker would enable the county to hire a deputy sheriff who had *limited peace officer powers* while working in the jail and transporting inmates outside the jail. Most importantly, this deputy could be legally utilized by the department anywhere in the State during a declared state of emergency with full peace officer powers.

The concept behind this classification is described as follows:

PC 830.1(c) deputies could be hired by the county and allowed to attend the correctional officer Core Course of 176 hours and work in the jail⁹. Additionally, upon completion of the P.C. 832 course on arrest search and seizure, this classification would be granted limited duty peace officer powers while working in the jail or full peace officer powers during a declared state of emergency. If an individual employed in this class desired to become a deputy sheriff with full peace officer powers, then they would be required to pass the POST entry-examination and complete the POST peace officer academy.

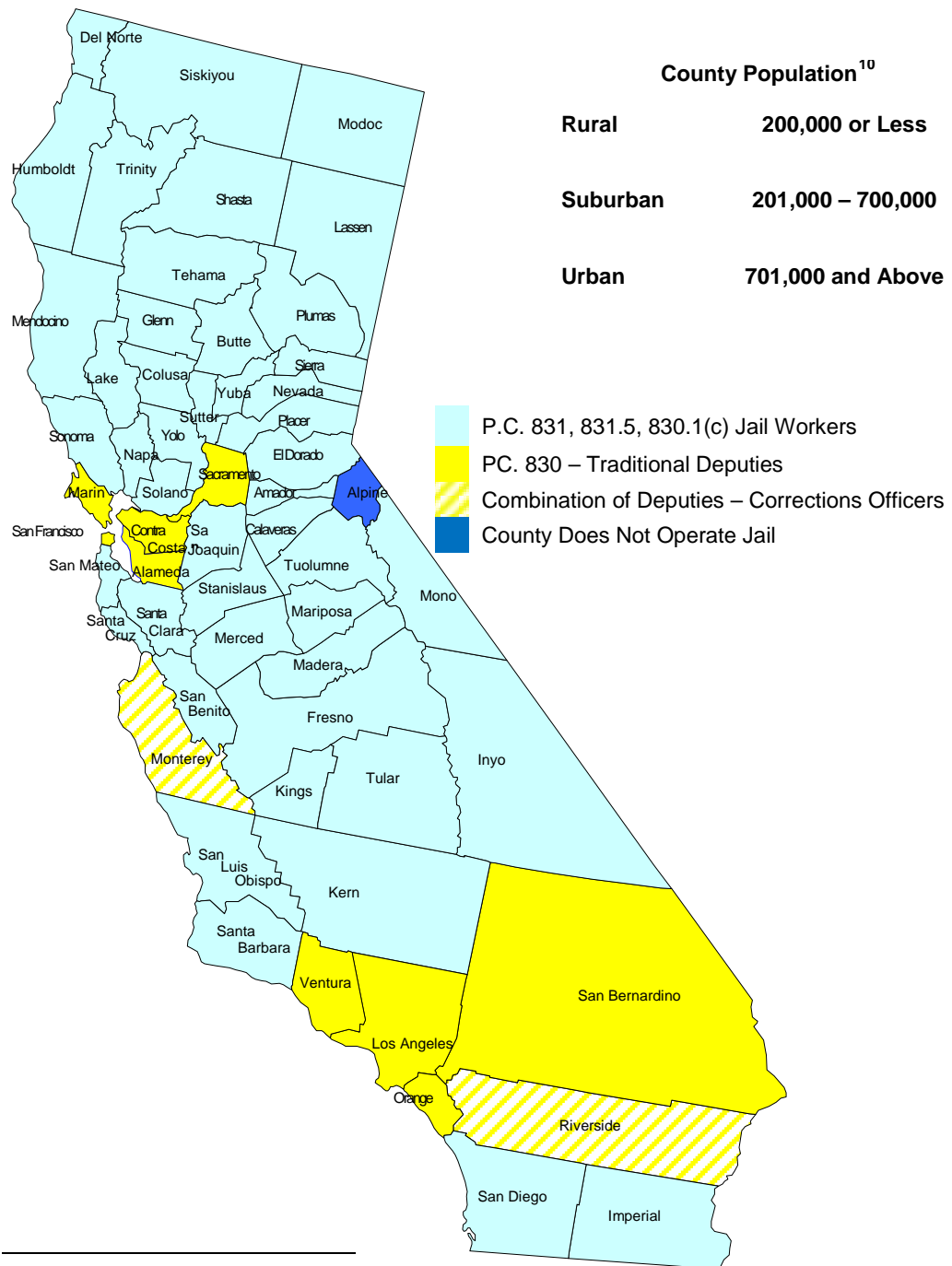
Ironically, the Los Angeles County Sheriff's Department only dabbled in the use of this classification of jail workers for a short time and abandoned the practice due to operational issues involving the two deputy classes. It is also interesting to note that since PC 830.1(c) was chaptered into law, a number of other counties have taken advantage of this new classification for their jail workers. These counties include Butte, Calaveras, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Mariposa, Mendocino, Plumas, Riverside, San Benito, San Diego, Santa Barbara, Shasta, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Tulare and Tuolumne County. Despite the legal authority granted to these counties, not all have made a transition to the P.C. 830.1(c) correctional worker.

⁸ Many of these jurisdictions also use non-sworn workers to assist in jail operations; however the illustration depicts the primary classification of jail workers.

⁹ The Orange County Sheriff's Department exceeds the hourly California training requirement in the Adult Corrections Officer Core course.

While there has been an active interest in this classification of jail worker, there remain some stubborn issues to deal with such as the need for additional training for jail personnel that would prepare them to effectively work with street law enforcement personnel in times of an emergency. In other words, the mere legal authority to deploy these individuals is not enough; individuals deployed in widespread emergency incidents must possess the knowledge, skills and abilities in order to be useful in disaster situations and provide effective service. Failure to have a competent supplemental work force could, in theory, create more problems for an agency than they solve.

Jail Worker Classifications in California Counties



¹⁰ As defined by the California Department of Finance.

Analysis of Jail Worker Classifications in California

The following is a more in depth analysis of jail workers in California and includes some of the issues attendant with each classification.

The Corrections Standards Authority (CSA) promulgates selection and training standards for personnel who work in local jails in accordance with Penal Code Section 6035. Personnel working in local adult correctional facilities generally fall into two categories of employees for the purpose of CSA selection and training standards, they are:

- Public Officers - P.C. 831 and 831.5.
- Peace Officers - P.C. 830¹¹ and 830.1(c).

In addition to requirements set forth in Section 830 of the Penal Code and Section 1029 of the Government Code, the CSA standards in Title 15 CCR, Sections 130-132 apply to individuals who work in jails. The standards for entry into adult corrections officer positions include, but not limited to the following:

- Basic abilities and other characteristics important for successful job performance demonstrated by passing the CSA written examination. An alternative examination may be substituted under Title 15 CCR, Section 132. The level of competence shall be equal to the cutoff score chosen by the county or city and consistent with research validation. Agencies employing deputy sheriffs or police officers who are recruited for law enforcement duties, but who are temporarily assigned to corrections officer/jail duties, may use the POST selection examination process instead of the CSA selection standards; Core Course training must follow CSA minimum standards.
- Competence in oral communication as shown in an interview. The level of competence shall be commensurate with the needs of the individual job classifications of each county or city.
- Past behavior compatible to job requirements as demonstrated and determined by a psychological assessment and background investigation. The level of competence shall be commensurate with the needs of the individual job classifications of each county or city.
- Competence in the knowledge, skills and abilities necessary for entry-level job performance as demonstrated by successful completion of the required Core Course training curriculum.
- Competence in the performance of entry-level duties as demonstrated by successful completion of the employer's probationary period.
- The ability to perform the essential job functions of the position as demonstrated by meeting the CSA current guidelines for vision, hearing and medical screening.

¹¹ Deputy Sheriff Selection and Training is developed by the Commission on California Peace Officer Standards and Training.

- At least 18 years of age before appointment.

Training Requirements for Public Officers

The Adult Corrections Officer Core Course consists of a minimum of 176 hours of instruction in specific performance instructional objectives (Orange County exceeds the minimum training standards in Title 15, CCR.). Entry-level staff must successfully complete course objectives by showing a satisfactory level of proficiency on relevant achievement tests. This training must be completed in the first year of job assignment as a corrections officer. Trainees must successfully complete Cardiopulmonary Resuscitation (CPR) and First Aid. In accordance with Penal Code Section 831 and 831.5, public officers must complete a training course as specified in Penal Code Section 832.

Public officers assigned to jail duties are required to complete 24 hours of STC certified journey level training annually.

Training Requirements for Peace Officers

The Corrections Officer Basic Academy Supplemental Core Course consists of a minimum of 56 hours of instruction in specific performance instructional objectives; it is designed for sworn deputy personnel who have previously completed the Peace Officers Standards and Training (POST) Basic Peace Officer Course. Entry-level staff must successfully complete these course objectives by showing a satisfactory level of proficiency on relevant achievement tests. This training shall be completed within the first year of job assignment in the jail.

Peace Officers are required to complete 24 hours of STC certified journey level training annually¹².

Issues Identified in P.C. 831 and 831.5

Penal Code Section 831 defines the legal authority of custodial officers as a public officer. This section also prescribes training requirements and time frames in which that training shall be completed and conditions under which custodial officers are authorized perform their duties.

Section 831(d) of this code provides that *“At any time 20 or more custodial officers are on duty, there shall be at least one peace officer, as described in Section 830.1, on duty at the same time to supervise the performance of the custodial officers.”* While the historical basis and rationale for this subsection is unclear, the language contained in P.C. 831(d) may not adequately reflect the changing conditions involving the use of custodial officers in county and city jails throughout California.

The language contained in this subsection mandates that a peace officer, as defined in Penal Code Section 830.1, supervise the *performance* of custodial officers. Penal Code Section 831(d) centers on *performance*. A requirement that a peace officer be on duty, involves the limited powers of arrest conferred upon custodial officers. Custodial officers (public officers), in accordance with the

¹² The annual training requirement applies to that period of time an individual is assigned to work in the jail.

authority granted in Penal Code Sections 831, 831.5 and 836.5, are limited to the following powers of arrest:

- Misdemeanors and felonies within the local detention facility pursuant to a duly issued warrant (P.C. 831(f)).
- Reasonable cause to believe the person arrested has committed a misdemeanor in his presence which is a violation of a statute or ordinance (P.C. 836.5(a)).

Noticeably absent, is the authority of a custodial officer to make an arrest based upon reasonable cause that a felony has occurred in the officers presence, arrest for a felony offense not occurring in the officers presence, or arrest on reasonable cause whether or not a felony has been committed.

Penal Code Section 831.5 is nearly identical to Section 831, however, provides that custodial officers employed by San Diego County, Fresno County, Kern County, Stanislaus County, Riverside County, Santa Clara County, or a county having a *population of 425,000 or less* may, under the direction of the sheriff or chief of police, possess firearms in the performance of their prescribed duties which are specified as:

- transporting prisoners
- guarding hospitalized prisoners
- suppressing jail riots, lynching, escapes or rescues in or about a detention facility falling under the care of the sheriff or chief of police

Penal Code Section 831.5 requires the governing body of a local agency, by ordinance, to authorize those persons who have the duty to enforce laws, to arrest persons for violations of a statute or ordinance. This provision vests those powers in the governing body rather than the sheriff or chief of police who have the responsibility for the operation of local detention facilities.

As with Penal Code Section 831, public officers employed in the counties specified in P.C. 831.5 have limited powers of arrest.

Issues Identified in P.C. 831.1(c) – Limited Duty Peace Officer

As previously mentioned, a hybrid class of peace officer was developed in 1996, through the enactment of AB 574 that added a new subdivision (c) to P.C. 830.1. The original statute was specific to Los Angeles County and provided for a “second tier” of deputy sheriffs “employed to perform duties exclusively or initially relating to custodial assignments with responsibilities for maintaining the operations of county custodial facilities, including the custody, care supervision, security, movement and transportation of inmates.”

The law described those second-tier officers in Los Angeles as peace officers “whose authority extends to any place in the state only while engaged in the performance of the duties of his or her respective employment and for the purpose of carrying out the primary function of employment relating to his or her custodial assignments, or when performing other law enforcement duties directed by his or her employing agency during a local state-of-emergency.”

The circumstances that drove this legislation was that new Los Angeles County deputy sheriffs were, in fact, assigned to jail duty for a long period of time before being assigned to a patrol assignment. Often these deputy sheriffs would work in the jail for periods upwards of 5 to 7 years before they could be transferred out of the jail. With regard to the Orange County Sheriff's Department we noted the same delay in rotating deputies from their jail assignment to the streets. This hybrid class of peace officers would have enabled the sheriff's department to hire individuals and train them in accordance with CSA standards until they were in line for a street assignment at which time they would be trained in the basic peace officer academy. Some of the individuals might decline to accept a field assignment and would remain in the jail in their limited peace officer status.

The other aspect of this hybrid deputy position would be that issues pertaining to having enough deputies to respond to emergencies would be solved. In other words, these limited duty peace officers could, in accordance with the law, exercise full peace officer powers in the event of a declared emergency. After the emergency, these deputies would resume their full-time (limited peace officer) duties in the jail.

During the same period of time, a number of other counties who had previously transitioned to a professional correctional worker wanted to expand their authority to make probable cause arrests, use force including the use of firearms and other less lethal weapons and provide flexibility during states of declared emergency's.

In July of 2000, San Diego County was added to P.C. 830.1(c). One year later in July of 2001, Riverside County was added to P.C. 830.1(c); finally in July of 2002, ten additional counties were added to P.C. 830.1(c) – Kern, Humboldt, Imperial, Mendocino, Plumas, Santa Barbara, Siskiyou, Sonoma, Sutter and Tehama.

Since nine additional counties were authorized to employ deputy sheriffs under P.C. 830.1 (c), the CSA has received numerous inquiries from county sheriff's departments inquiring as to ramifications for staff selection and training.

CSA and POST management met informally to discuss issues related to this statute and reached general agreement on the following:

1. Since staff hired under P.C. 830.1(c) are selected "exclusively or initially" to perform custody assignments, they should be selected and trained consistent with Title 15, CCR standards.
2. POST selection standards allow local agencies to use an "alternative" written selection examination. Use of such an alternative (either the STC exam, or a local alternative) would be permissible, and perhaps advisable, for deputy sheriffs hired under this statute.
3. Training pursuant to 832 P.C. would need to be completed prior to these staff exercising peace officer powers (arrest, search and seizure) and prior to arming them.
4. Some additional training for this category of staff would be required in order to perform these "other law enforcement duties" during an

emergency. This training may not be eligible for either POST or STC subvention funding.

5. Additional training, if any, required to perform “other law enforcement duties” may be certified through POST. Unless it was directly related to the custody assignment it would not meet job relevancy requirements required for STC certification.

Since this law was enacted, a number of issues have been addressed relative to the use of 831.1(c) officers that has not been included in this analysis. In a number of cases, counties who were added to this statute have opted not to utilize this class of employee. A more comprehensive review of those issues by other counties should be undertaken if this is a path that the Orange County Sheriff’s Department would want to take.

Public Officers Role in Local Corrections

As we have mentioned public officers are non-sworn employees that are used in positions that do not necessarily involve the direct supervision of inmates'.¹³ In large agencies these positions generally are provided in support of the corrections function and may free up custody staff by engaging in non-supervision activities, e.g. operating control rooms, etc.

For the purposes of this discussion we make the distinction between vocational/ancillary staff and custody staff in the following attributes of performance. These vocational/ancillary workers are prohibited from:

- Engaging in inmate discipline.
- Making arrests for law violations.
- Executing warrants of arrest, search and seizure.
- Use of lethal and less lethal force.
- Using force of any kind in the performance of their duties.

Many local agencies successfully use this class of personnel in control rooms and engaging in other activities:

- Operation of doors, gates, fire alarms and video monitoring.
- Assisting with inmate visiting.
- Managing housing unit logs.
- Operating communications, radio, telephone, intranet, fire and emergency alarms.
- Fire and Life Safety functions such as equipment maintenance, pressure testing, etc.
- Use in the commissary, vocational laundry and kitchen work, maintenance and other functions.
- Other non-supervision activities in the jail as identified by the Custody Operations Command.

¹³ Some counties utilize public officers to supervise inmates in the jail under the specific authority granted in the Penal Code. Very large counties with populations in excess of 500,000 are limited in their use of public officers in the jail, mostly related to arrest powers, arming and the use of force.

Cost and Budgeting Considerations

In almost every case, the decision to explore or execute a change in employee classification in the jail is driven by the desire to reduce the personnel costs involved in the operation of the jail. While we have mentioned that there are cost savings and/or cost avoidance in using staff other than sworn peace officers in the jail, ultimately these savings are much less than what might have been imagined in the long term. In many cases, non-sworn public officers have been able to bargain for safety retirement and other benefits normally offered to peace officers. Oftentimes, the same employee organizations that bargain for deputy sheriffs also serve the labor needs of public officers.

Generally, the competition for qualified workers drives the local agency to pay more competitive wages. Given the fact that both peace officer and public officer must have the same basic entry level requirements, the effective recruitment of qualified public officers comes into play. Generally, there is usually a 5% to 10% pay differential between the two classes. Therefore, in assessing which employee class to use, agencies must pay attention to all of the cost-benefit aspects and unintended consequences that may come into play.

We would point out that most sheriff departments in California have an agency culture that has matured over 150 years or more of service to the community. Therefore, one can effectively argue that the maturation process of a new class of employee in a very short amount of time is unrealistic without a genuine commitment to staff development. Development of a cadre of very high quality employees is neither magical nor accidental; rather it is a result of a concerted effort and dedication to continuous improvement by leaders and members of the department.

The other issue that often confounds the transition process is the very notion of hiring a “cheaper” class of employees to operate the jail. While some cost savings may occur as a result of utilizing a different classification, the focus should always be on fitting the right employee with the task at hand. In this regard, how can anyone aspire to excellence, if they are the “cheaper” alternative? What exactly does it mean to be a cheaper employee? Does it mean less qualified, less important, doesn't have to work as hard, acceptance of a lower quality of work product? Once again, the quality of employee who works in the department is the responsibility of the agency leaders and supervisors. Therefore, the commitment to excellence of the workforce is a decision that is made by local leaders that requires a significant investment in tending to the excellence and vitality of the workforce.

If everyone in the organization is resigned to be a “cheaper” employee, is it any wonder why switching to this classification of employee to work in the jail doesn't meet expectations in many cases? Lastly, does the fact that a county desires to use a “cheaper” correctional worker signal that the jail is not very important? Jails, by their nature, are complex entities to operate; consider this — people arrested and booked into the jail are the sickest, most addicted, most mentally ill people in the community and the opportunity for things to go wrong is ever present. While there is no natural constituency for the jail, public outrage is quick when they perceive malfeasance in the operation of the jail.

What Classification of Correctional Employee Should Work in the Orange County Jail?

In our view, the best argument for utilizing peace officers to operate the jail in Orange County centers on the need to have highly trained, street ready officers to respond to natural or manmade disasters. This argument is supported by the fact that Orange County is a very populated urban area in which a disaster can pose an extreme hazard to the population and the destruction of property. A rational risk assessment may reveal that the consequences of failing to respond quickly to an emergency in the community far outweighs any cost savings of using public officers in the jail.

Decisions concerning public safety, including personnel and training, should be a driving force if a change in personnel is contemplated. We strongly believe that many other objective factors, such as, population density, industry, transportation and a myriad of factors be given significant weight in any decision that will radically change emergency response options.

CSCJC recommends the continued use of the deputy sheriff classification to serve as the primary jail worker in Orange County; our recommendation is based upon the following:

- **Emergency Risk Factors**
 - Orange County and surrounding areas are among the most populated areas in the United States. Unlike the suburban and rural areas in other parts of California, a major disaster (man-made or natural) is likely to have enormous consequences that impact life and property. Because Orange County is so populous, a highly trained reserve of deputies in the jail that can supplement street enforcement in the event of an emergency is, in our view critically important.
- **Recruitment of Qualified Employees**
 - Because non-sworn jail workers have the same basic employment requirements as sworn deputies (high school or GED, pass a written test, pass an oral interview, pass a psychological evaluation, meet medical, vision and hearing requirements). These workers come from the same employment pool. Therefore, agencies must pay a competitive wage to jail workers in order to meet their recruitment needs. These added costs would most likely diminish the cost benefit of an all correctional officer class of employee to work in the Orange County jails.

Alternative Personnel Strategies

While we are recommending the continued use of the deputy sheriff classification as the primary employee category to work in the jail, we also recommend the use of other qualified jail workers to supplement deputies in the operation of the jail. Currently, the Orange County Sheriff's Department utilizes two other jail worker classifications in this manner. However, after a thorough evaluation of the operation of the jail facilities we have concluded that the use of three employee

classifications to work in the jail (Deputy, SSO, CST) overly complicates the operation of the jail and serves no useful purpose in our view.

From an administrative perspective this multi-layered approach to personnel working in the jail involves bargaining with three separate labor organizations. While we view the relationship with employee labor groups as a necessary component of human resource relations, too much exposure to labor groups can only serve to confound the mission of the sheriff's department, vis-à-vis the jail operation. Most importantly, the use of three different classes of employees in the manner in which they are employed in the Orange County Jail does nothing to enhance the effective operation of the jail.

Key Objectives in Determining the Effective Use of Correctional Workers

1. Assess the job tasks in the jail and determine if public officers (custody assistants) can assume non-inmate-supervision activities in the jail.
2. Assess issues related to selection and training of public officers.
3. Identify the adjustments that will be required, with respect to jail policies and procedures.

Recommended Jail Worker Classifications – CSCJC is recommending that the primary jail worker remain a fully-sworn peace officer in accordance with Penal Code 830 to be supported by a single classification of public officer (Penal Code 831). Furthermore, we recommend that personnel realignment involve reducing the classifications of staff working in the jail from three to two distinct positions. For the purpose of this report we recommend that the necessary meet and confer requirements be conducted and that any change occurs over time, based upon normal personnel attrition or by placing personnel in other positions of equal pay.

We envision and recommend that a realignment of worker assignments in the jail involve moving deputy sheriffs out of the control rooms and/or support functions (scheduling, other administrative functions, fire and life safety inspections). CSCJC believes strongly that deputies should be on the floor and engaged in the supervision of inmates. Duties for deputy sheriffs should include, but are not limited to the following activities:

- Provide direct supervision of inmates to include cell checks, providing guidance to inmates, answering custody related questions and problem solving.
- Conducting inmate searches and activities directly involving the safety and security of the jail.
- Coordination and supervision of general inmate movement and feeding in the chow hall.
- Maintain discipline in the jail and housing units. Write reports detailing rule violations and engage in the informal and formal inmate discipline proceedings.
- Serve as primary responders to inmate violence and disturbances may entail the use of lethal and less lethal force options.

- Conduct criminal investigations, searches and seizure of evidence, arrest individuals for felony and misdemeanor offenses occurring in the jail.
- Serve in front line emergency response teams.

The following key elements are critical components of success in developing the cadre of non-sworn correctional workers (public officer) to supplement deputy sheriffs in the jail.

We envision and recommend that work assignments in the jail involving public officers include the primary function of managing the control rooms or support functions (scheduling, other administrative functions, fire and life safety inspections). A public officer classification should be engaged in, but not be limited to, the following activities:

- The public officer would not have direct inmate supervision duties, other than those duties involving low security inmates or inmates engaged in vocational/work activities, e.g. cleaning crews, distribution of boxed meals, distribution of clothing and bedding.
- Operation of security doors, locks, CCTV, audio equipment, radios and logs, key control, including other activities not requiring the general supervision of inmates.
- Provide assistance and support to deputies on the floor by way of observing the deputy and inmate movement and other safety and security related duties in the control modules.
- Support deputies in emergencies by way of communications and dispatching other emergency personnel, videotaping incidents of violence or inmate disturbances, initiating supplemental crime or incident reports in support of documentation provided by deputy personnel.
- Coordinate and document inmate movement to court, work assignments, visiting, medical or mental health appointments.
- Supervision of low security inmates who are providing vocational/work activities, such as feeding, clothing exchange, light maintenance and cleaning.
- Work in administrative functions such as inmate classification, mail screening, staff scheduling, fire and life safety inspections, etc.
- Any other task not requiring the necessity of having peace officer powers.

Ensuring a Successful Transition of Duty Assignments

As previously discussed in this chapter, deputy sheriffs have had decades in which they have had the opportunity hone their craft and develop general competencies in law enforcement and jail work. Additionally, the historical use of

deputies in the jail has created a strong cultural environment that is not easily changed.

To expect a successful transition of personnel to engage in work that breaks from historical norms will require time, resources and most important, a great deal of commitment to the success of the transition. To expect that jail personnel will evolve quickly into new roles and responsibilities is desirable, yet not very realistic. The following are some key elements necessary for a successful change in the use of jail personnel:

- Set the bar high for achievement. All too often jail administrators have attempted to initiate personnel changes in a manner that does not adjust for the appropriate need to maintain high quality employees. Just because some jail workers are hired at a lower rate of pay does not negate the need for excellence in the workplace.
- Sheriff's executive, management and supervisory staff need to be committed to a long term transition. Based on our experience this transition can take up to 10 or more years to complete. During that long period of time, executive members of the department may come and go. Mechanisms must be set into motion early on to sustain this long term transition.
- Fair compensation based on the ability to recruit quality staff to work in the jail is critical. Once again, we do not view cost savings as being on the top of the list of reasons to transition to a different staffing component.
- There must be a well thought out plan and strong commitment to providing jail workers with the appropriate skills to meet the challenges in the jail.
- Place a high value on the quality of all personnel working in the jail. Each individual has one share of the company and each share is neither less nor more valuable than any other share. Nothing can be more poisonous to the success of a personnel transition than the notion that there are elite employees who have greater value than other staff who work in the jail.

In this regard we strongly urge department leaders to avoid the real or imagined impression that working in the jail is strictly for new deputies or a dumping ground for deputies who may have had problems in other assignments. During our assessment we encountered several deputy sheriffs with significant tenure who advised that they voluntarily transferred back to the jail. One individual who identified a need to take a break from street enforcement because of medical issues and another deputy simply desired a more regular shift assignment to spend more time with his family.

In both cases these individuals were quick to point out that they were happy with their decision even at the risk of a cultural mindset that the jail is a less desirable place to work.

- We estimate a staffing ratio of approximately 35% public officer positions to 65% deputy sheriffs for deployment in the jail. A more definitive

assessment can be developed upon a more thorough evaluation and plan by the Sheriff's Administration.

Final Thoughts on Employee Classifications

Any decision to change employee classifications in the jail should be done with a great deal of thought and long-term planning. Nothing could be worse than one elected official moving in one direction, only to have another person elected at a later date whipsawing the department in another direction. Elected leaders and appointed managers and supervisors need to see the process through over the long term. Anything else will only create chaos and poor morale and serve as a hindrance in the accomplishment of the jail mission.

For the purpose of this report we have identified the alternative jail worker as a public officer. The effective realignment of personnel to work in the jail will require a thoughtful process by county leaders. Therefore we consciously tried to steer away from the identification of a specific class of employee in order to better facilitate a process to identify which employee is best suited for work in the various positions in the jail.

Staffing Analysis for the Orange County Jail

Staffing in a jail system is an extremely important and complex issue with implications both inside and outside of the jail system. Of course, staffing affects the County Treasury because it is extremely costly; it affects the inmates because staffing directly relates to their safety and security in custody; it affects the staff who work in the jail because it can make the difference between a safe and an unsafe environment; it affects the Sheriff's management because jail managers must allocate precious resources to a host of obligations including, but not limited to, staffing.

If a staffing plan is too lean then the jail becomes an unsafe environment that can result in injury to staff and inmates and may lead to costly litigation. Conversely, a jail too richly staffed may result in the unnecessary expenditure of limited resources with no objective evidence that conditions are materially improved. So it is prudent to find the proper balance, to provide the correct number of staff to safely operate the jail and jail system.

Well meaning individuals, groups or associations that recommend various ways to determine the number of staff needed to operate a jail often confuse decision makers by describing an optimal "inmate-to-staff ratio," or by simply guessing, along the lines of "If the present number of staff is not working, perhaps adding X number of additional staff will work." Still others may compare their jurisdiction with other jurisdictions with similar sized jail systems, as "If county Y, which has as many inmates as we have, has twice the staff we have, then we must be understaffed and need twice the staff to make us safe." We believe all three of these methods are largely ineffective and far too costly.

As policy makers wade into the issues involving jail staffing, it is very important to remember that jails are individual in nature and unique in function; no two jails, even in the same jail "system" are exactly alike. Some of the variables involved in staffing decisions include the following:

- Each jail has its own design (physical plant) and was constructed using the technology available at the time it was built.
- Jails are different sizes.
- Jails hold different classifications of inmates.
- Jails may be single story, single story with a second tier or multiple-stories.
- Jails are located in urban centers, suburban areas and rural environments.
- The philosophy of jail management differs from one jail to the next even within the same jurisdiction.

Consequently, a “one-size-fits-all” jail-staffing ratio is unlikely to be realistic; there is no one measure to determine how many custody staff should work in a jail. There is no easy way to accurately determine the exact number of staff needed to safely operate a given jail without a detailed analysis of that facility; such an analysis was accomplished by CSCJC as part of the OCJAP assessment.

In conducting the staffing assessment, we used a standards based measure to determine the minimum number of staff required to safely operate each jail. Our key criterion was: *the number of staff is adequate to effectively carry out all of the requirements of Title 15, CCR, also known as the California Minimum Jail Standards*. Title 15 is the benchmark for jail operations in California; it is the expression of best practices and “community standards” of operation for the OCSD jail as well as for all other jails in California. If there is not enough staff in a given jail to consistently carry out the requirements of Title 15, CCR, then the jail is most probably understaffed. Staffing must be adequate to regularly and consistently follow “good correctional practices.” A jail or jail system that does not follow these practices is ripe for adverse incidents and litigation and will lose in court more often than not.

Background – Jails provide security and safety with two essential resources, the *physical plant* – the design, bricks and mortar, door hardware and security systems -- and the *staff who operate the jail*. A jail with a poor physical plant may still be safely operated if there is sufficient staff in place to operate it effectively. Usually jails with deficient physical plants are very staff intensive. Conversely, jails with well-designed and constructed physical plants require fewer staff for safe operation; it is a matter of balance. Each facility must find the correct number of staff needed to supervise inmates and operate most effectively in that jail's physical environment given all the variables involved.

Throughout this project, CSCJC made the decision to be conservative in making recommendations for additional staffing. We believe that making pragmatic recommendations for incremental change is the best method to realistically address security and staffing problems, in the OCSD or any other jail system.

Further, we are convinced that the staffing recommendations contained in this report will help mitigate security and overtime issues in the Orange County Jail system. It was our aim to develop the right staffing plan that strikes a balance between economy and the ability of OCSD management and staff to effectively meet all of the requirements contained in Title 15, CCR.

We strongly recommend that, in light of demographic changes that will likely keep happening in Southern California, as well as the very high rate of

incarceration in the Orange County Jail system, the jail staffing analysis be updated at every two to three years in order to guide appropriate, ongoing adjustments in jail staffing.

Methodology – CSCJC used the methodology employed by the California Corrections Standards Authority (formally the Board of Corrections) for many large counties in California. Based largely on the National Institute of Corrections (NIC) model, this approach uses two steps to determine the appropriate number of staff needed to effectively operate a jail facility.

The first step or part of the assessment is to determine the *shift relief factor (SRF)* for the facility/agency being studied. For the OCJAP, the Orange County Financial Services Division gathered key data elements needed in order for CSCJC to determine this number, which is a mathematical formula, based on leave absences, which computes the actual number of people that need to be assigned to staff all of a facility's or system's "post-positions." Since some posts are staffed for only 40 hours a week, the relief factor is different for these positions than for positions staffed every day of the week. The SRF for 40 hour/week staff is determined to be 1.21. This means that to staff a post for 40 hours per week, and accounting for sick, vacation, holiday, and other leaves, the Sheriff's Department needs 1.21 people. For a Deputy Sheriff I working a 24/7 post position, the SRF is 5.06.

The complexity of the three employee classes, coupled with different relief needs, caused the need to develop 15 different SRF's. We then applied the correct SRF to the specific post position and employee classification to give us our numbers for each facility. A summary of these SRFs can be seen in the tables Appendix E-2.

The second part of this analysis was to visit each posted position and determine each staff's assignment and workload in order to determine the minimal number of staff that are needed to operate these facilities. We thoroughly interviewed staff, reviewed documentation and observed work performance. To ensure the validity of our evaluation, CSCJC evaluators visited every post during each shift or work period. CSCJC also conducted a debriefing with the other CSCJC assessment team members to discuss workload security issues related to staffing that may have been revealed during the on-site evaluations made by these other members.

After an extensive review of our notes taken during the on-site portion of the staffing analysis, we evaluated the appropriateness of existing staffing levels. Where these staffing levels were not sufficient to meet the regulations in Title 15, as well as safety and security concerns, we recommended the addition of a minimal number of post positions. Once again we were conservative in our approach and only made these recommendations based on critical staffing deficiencies in staffing levels.

The Orange County Detention system consists of five local detention facilities as described in Title 24, California Code of Regulations. These local detention facilities are each classified as "Type II" facilities meaning that each "jail" is rated to house both sentenced and non-sentenced inmates. In addition, we conducted an analysis of the Correctional Services Technicians (CSTs) who are responsible for performing services in the three jails that are collectively known as Central

Jail Complex. This section of the staffing analysis is divided into five subsections that describe recommended additional post positions for each facility.

Central Women's Jail

Central Women's Jail is located as part of the Central Jail Complex that includes the Central Men's Jail and the Intake and Release Center. Because of its location, certain staffing efficiencies can be maintained through the adjacent facilities in terms of "back-up" in the event of an unusual occurrence such as inmate disturbances. The close proximity to these other two facilities does not have a beneficial advantage in the event of a shared unusual occurrence such as an earthquake or a fire. Consequently, internal staffing must be self-sufficient most of the time.

This facility is an older design that is described as "linear"; inmates in older linear jails are more difficult to supervise due to poor sight lines into their housing units, this jail is no exception.

As with all of the jails we assessed, Central Women's Jail is understaffed. Staff has difficulty being able to perform required safety checks due to frequent absences of prowlers who have been "temporarily" pulled away from their posts and assigned to other activities. Staff rarely takes their 30 minute meal breaks. In addition, cell checks and inmates searches occur much less frequently than meets good correctional practices.

The most frequent reason that prowler positions are vacated is staff being assigned to off-site inmate medical transportation runs. With as many as 30 females in this facility being pregnant at any given time, this occurs with some regularity. In addition, inmates needing dialysis need to be transported away from the jail and supervised the entire time of their absence.

Therefore, we recommend the addition of the following additions to the basic staffing level at this facility. We feel that more staffing may be necessary, but we also believe that adding staff must occur incrementally so that the staffing levels can be re-assessed in the future.

POST	DAY Shift	NIGHT Shift	C Shift where applicable	Total	S.R.F.	Number of Required Positions
Facility Rover Transportation / Search	2	2	0	4	2.53	10.12 Dep I

Central Men's Jail

Similar to the Central Women's Jail, the Central Men's Jail is located in the Central Jail Complex. Also like the female facility, it is a very old linear style facility that has housing units on four different floors. In addition, the kitchen, laundry and warehouse are on the basement level. This type of construction makes inmates difficult to supervise because staff must not only be spread horizontally, on one floor, but vertically on several floors. This facility also maintains a roof exercise area.

This facility also shares the same problem that the female facility staff face, needing to leave some post positions vacant while staff assigned to these posts are pulled away to perform other functions; this occurs on every shift every day. Consequently, staff left behind in an understaffed housing unit are forced to either not conduct safety checks as required or conduct them in a manner that do not meet guidelines. In addition inmates are frequently not searched and cells are rarely searched. Again, staff rarely takes their 30 minute meal breaks.

Staff report that as many as six inmates per day require transportation to hospitals or to dialysis treatments. There is currently no staff available to perform this function, so prowler positions are vacated. In addition, there must be two deputies to transport higher security inmates; this only exacerbates the staffing problem.

Therefore, we recommend the following additions to the basic staffing level at this facility. We feel that more staffing may be necessary, but we also believe that adding staff must occur incrementally so that the staffing levels can be re-assessed in the future.

POST	DAY Shift	NIGHT Shift	C Shift Shift where applicable	Total	S.R.F.	Number of Required Positions
Facility Rover Transportation / Search	4	3	0	7	2.53	17.71 Dep I

The basement level of this facility contains the kitchen and laundry. These areas in the facility use inmate labor that is rarely, if ever, supervised by deputies in the performance of their work assignment. Unfortunately the classification level of inmates has shifted so that inmates who are at higher security levels are now being used to provide inmate labor. The ability to obtain and smuggle contraband from this area is very high.

There are also may sharp tools, including knives that are present in these spaces that present a serious safety problem. Cooks, who work in this area are not correctional staff and are not selected and trained to perform the job of deputies.

POST	DAY Shift	NIGHT Shift	C Shift Shift where applicable	Total	S.R.F.	Number of Required Positions
Kitchen / Laundry Dep	1	1	0	2	2.53	5.06 Dep I

While a staff-to-inmate ratio is not an appropriate measure to determine adequate staffing, a sergeant-to-deputy ration is. During an average shift, there are currently approximately 1 sergeant to supervise approximately 30 deputies and SSO's. This ratio of more than 30 staff to one sergeant is clearly in excess of the norm (the norm is 8 to 12 staff per sergeant). This number is further exacerbated by the fact that many sergeants counted in this calculation are assigned to specialized areas.

Sergeants must also contend with a significant amount of paperwork that prevents them from performing their most basic function – to supervise subordinate staff. Sergeants report that very often they must spend their entire shift in an office completing personnel evaluations, many who they have rarely seen working. In addition, they must review reports, inmate grievances and conduct inmate disciplinary actions.

While line staff appeared to be very motivated and knew their duties, the frequent absence of supervisors allow for inconsistencies in the way deputies performed their duties. For example, we observed different deputies conducting hourly safety checks which are the most basic function in the jail, differently from shift to shift. Policies as simple as how to perform safety checks must be taught and frequently inspected by the supervisor, otherwise the inconsistent application of appropriate inmate supervision becomes extremely difficult and the inmates become confused and angry as a result. Sergeants are needed to ensure that deputies consistently enforce jail rules. There are simply too few supervisors to adequately perform their duties, no matter how hard they work. Our mantra on the assessment of any facility is quite simply, **that which is not inspected – is not expected.**

We recommend the following:

POST	DAY Shift	NIGHT Shift	C Shift where applicable	Total	S.R.F.	Number of Required Positions
Housing Sergeant	1	1	0	2	2.65	5.30 Sgts

Intake Release Center

The Intake Release Center is the third facility that is included in the Central Jail Complex. This facility was opened in 1988 and contains "new generation" podular designed housing units that provide much better sight lines to inmates. This facility is the primary entry point for all arrestees in the county that are being processed (booked) into the Orange County jail system.

Staff reported, and we observed, the booking area of this facility to be so backed up there was over 100 inmates waiting to be processed by 4:00 a.m. during a weekday. Staff also reports that the back-up is more significant on weekends. On one recent evening, there were so many arrestees waiting to be processed, that the facility had to call deputies from other facilities to assist. While it is not realistic to "staff for the exception", it is necessary to provide staff to meet the day to day needs of the system. Staff rarely takes their 30 minute meal breaks.

Similar to other facilities, staff is frequently being pulled from their post assignment to perform other activities. We observed on many occasions that post positions were vacant while the deputy assigned to their post was assigned to other activities. At the IRC it was to either provide transportation, or to provide additional deputies to assist in the booking area.

The IRC is significantly undersized, which exacerbates the staffing problems. CSCJC is of the collective opinion that adding another booking facility is critical to the safety and security of the jail system. We strongly recommend that the proposed new facility at the Musick campus be constructed as soon as possible in order to mitigate the lack of capacity that we observed at this facility.

We recommend the following:

POST	DAY Shift	NIGHT Shift	C Shift Shift where applicable	Total	S.R.F.	Number of Required Positions
Facility Rover Transportation / Search	3	3	0	6	2.53	15.18 Dep I
Booking Rover	1	2	0	3	2.53	7.59 Dep I

Theo Lacy Facility

Theo Lacy Facility contains the newest generation of housing units in the system. It also contains many housing units that are almost 50 years old. This is a sprawling jail complex which occupies a very large footprint. It also contains several housing units that are on two or three levels, each with mezzanine levels. Similar to the Central Men's Jail, staff must contend with long distances between housing units as well as several levels. While the newer housing units are much safer because of improved sight lines, the campus has many challenges.

The Theo Lacy housing unit (P, Q and R Modules.) was opened lacking adequate staff (40 positions) to fully operate this addition. We are sure that a great deal of overtime has been spent by the county just to staff these positions.

Not surprisingly, we observed many of the symptoms of understaffing that the other facilities experience. Among those symptoms, were improper or non-existent safety checks and the inability to search inmates who leave their housing cells to attend programs, go to/from court or other activities. Staff rarely takes their 30 minute meal breaks.

To the credit of the management of this facility they are conducting what is described as "fast team searches" where staff are pulled from each barracks and module and used to conduct a thorough search of a particular housing unit for contraband (weapons, drugs, pruno (alcohol beverage) and tobacco). The upside of this search is that the facility is much safer because of the searches, both for inmate and for staff. The downside is that the barracks and modules are left with fewer staff than needed to operate them.

Consequently we strongly suggest the addition of the following staff:

POST	DAY Shift	NIGHT Shift	C Shift Shift where applicable	Total	S.R.F.	Number of Required Positions
Facility Rover Transportation / Search	5	5	0	10	2.53	25.3 Dep I
Rover Leads	1	1	0	2	2.62	5.24 Dep II

Similar to Men's Central Jail, supervision at this facility is extremely difficult with the staff to deputy ratio extremely high. Without restating all of the issues raised in Central Men's Jail justification, we simply state that the issues are exactly the same. While we do not feel that this recommendation is sufficient to meet the needs, we suggest first adding this new level of supervision, and then re-assess the housing needs at a later date.

POST	DAY Shift	NIGHT Shift	C Shift where applicable	Total	S.R.F.	Number of Required Positions
Housing Sergeant	1	1	0	2	2.65	5.30 Sgts

N Module has the ancillary responsible for providing supervision to 16 inmates housed in a disciplinary isolation module. This module that contains single occupancy cells is located over 100 yards and through several security doors from the control room of the module. This results in frequent (every half-hour) absences of one of the two prowlers assigned to this unit. This is particularly unsafe when the other prowler has been pulled away to perform other functions. In addition, the inmates housed in the disciplinary isolation module know exactly when the deputy is making his safety checks.

POST	DAY Shift	NIGHT Shift	C Shift where applicable	Total	S.R.F.	Number of Required Positions
N Module Prowler	1	1	0	2	2.53	5.06 Dep I

The "10 North" and "10 South" are two post positions located adjacent to the barracks housing units. There is a significant amount of inmate traffic in this outdoor area. Unescorted inmates use this area to access the programs area. Inmates also walk through this area to access the chow hall and visiting. Currently, this post position is staffed with a prowler from a barracks housing unit. The responsibility for staffing these positions rotates between barracks on an hourly basis leaving these housing units with unfilled posts for significant amounts of time. We agree with the need to staff these positions and it should be done by dedicated staff. Therefore, we recommend the following:

POST	DAY Shift	NIGHT Shift	C Shift where applicable	Total	S.R.F.	Number of Required Positions
10 North	1	0	0	1	2.53	2.53 Dep I
10 South	1	0	0	1	2.53	2.53 Dep I

The kitchen is currently staffed with one part-time deputy. We think that this is insufficient to cover the many rooms and areas associated with the kitchen. Unfortunately, the classification level of inmates has shifted so that inmates who are at higher security levels are now being used to provide inmate labor. The ability to obtain and smuggle contraband from this area is very high. There are also many sharp tools, including knives that are present in these spaces that present a serious safety problem. Cooks, who work in this area are not correctional staff and are not selected and trained to perform the job of deputies.

POST	DAY Shift	NIGHT Shift	C Shift where applicable	Total	S.R.F.	Number of Required Positions
Kitchen Dep	1	1	0	2	2.53	5.06 Dep I

James Musick Facility

The James Musick Facility was the most understaffed facility visited by the CSCJC team. We understand that there are a lot of reasons for this, but nonetheless, we must recommend a number of staffing to make it safer and more secure for inmates and for staff. The new facility that is being planned for this site will go a long way to improve conditions for inmate and staff. We strongly recommend that it be constructed as quickly as possible. It may then be possible to close some of the other housing units on this site that are extremely difficult to supervise.

As with all of the other facilities visited, and perhaps worse at this facility, is the practice of pulling prowler positions from housing units to perform other functions. Many times however, there are simply no deputies to "pull" and inmates may be delayed in being transported, or functions may not occur. The addition of staffing that makes most sense is the rover position that we have recommended for other jails in the system. These positions will allow the prowlers to stay at their posts and will help to conduct necessary transportation and searches of inmates.

POST	DAY Shift	NIGHT Shift	C Shift where applicable	Total	S.R.F.	Number of Required Positions
Facility Rover Transportation / Search	3	3	0	6	2.53	15.18 Dep I
Rover Leads	1	1	0	2	2.62	5.24 Dep II

The Musick facility is located on approximately 100 acres of land that is used for farming and other inmate programs. It is surrounded by a fence and commercial industrial buildings have been constructed right next to the fence line. To maintain security at this minimum security facility it is necessary to provide random and frequent checks of the site outside of the housing areas and in particular the perimeter. We recommend adding the following:

POST	DAY Shift	NIGHT Shift	C Shift where applicable	Total	S.R.F.	Number of Required Positions
Perimeter Control	1	1	0	2	2.53	5.06 Dep I

The significant understaffing is not limited to the line staff; most administrative functions, so critical to successfully operating a large and diverse facility, have been vacated and deputies assigned to housing units. In some cases, the function (such as fire/life safety) is being performed by a deputy in addition to their regular duties - usually a prowler. In addition, we observed one sergeant with the responsibility to perform functions that in other facilities would require three to four sergeants. We strongly recommend that it is time to bring this facility back to a minimal staffing level.

POST	DAY Shift	NIGHT Shift	C Shift where applicable	Total	S.R.F.	Number of Required Positions
Maintenance Sgt	1	0	0	1	1.0	1.0 Sgt
Operations Sgt	1	0	0	1	1.0	1.0 Sgt
Admin Dep	1	0	0	1	1.0	1.0 Dep II
Training Dep	1	0	0	1	1.0	1.0 Dep II
Fire/Life Safety Dep	1	0	0	1	2.11	2.11 Dep I

The medical area is often not staffed with a deputy. Instead, the medical staff relies on a prowler from the West Facility to assist when needed. Medical staff is frequently left alone with inmates. We feel that this is not only dangerous, but medical staff are not trained, nor is it a part of their job function to supervise inmates.

POST	DAY Shift	NIGHT Shift	C Shift where applicable	Total	S.R.F.	Number of Required Positions
Medical Dep	1	1	0	2	2.53	5.06 Dep I

Finally, we found visiting, as it is currently practiced, to be risky and the potential for problems to occur is very high. This process involves "contact visitation" which means that there are no barriers between the inmates and their visitors. Unfortunately, there are simply too few staff to supervise the visiting process. Staff has already found cell phones and chargers being smuggled into this facility. If contraband of this size is smuggled in, then it is also possible to smuggle in guns, knives or other dangerous items. In addition, smuggling drugs into this facility is very simple and we do not doubt that this is occurring on a regular basis.

Therefore, we recommend the following:

POST	DAY Shift	NIGHT Shift	C Shift (where applicable)	Total	S.R.F.	Number of Required Positions
Visiting	2	0	0	2	.73	1.46 Dep I

Summary of all additional recommended positions:

POST	DAY Shift	NIGHT Shift	C Shift (where applicable)	Total	S.R.F.	Number of Required Positions
Central Women's Jail						
Facility Rover Transportation / Search	2	2	0	4	2.53	10.12 Dep I
Central Men's Jail						
Facility Rover Transportation / Search	4	3	0	7	2.53	17.71 Dep I
Kitchen / Laundry Dep	1	1	0	2	2.53	5.06 Dep I
Housing Sergeant	1	1	0	2	2.65	5.30 Sgts
Intake Release Center						
Facility Rover Transportation / Search	3	3	0	6	2.53	15.18 Dep I
Booking Rover	1	2	0	3	2.53	7.59 Dep I
Theo Lacy Facility						
Facility Rover Transportation / Search	5	5	0	10	2.53	25.3 Dep I
Rover Leads	1	1	0	2	2.62	5.24 Dep II
Housing Sergeant	1	1	0	2	2.65	5.30 Sgts

N Module Prowler	1	1	0	2	2.64	5.28 Dep I
10 North	1	0	0	1	2.53	2.53 Dep I
10 South	1	0	0	1	2.53	2.53 Dep I
Kitchen Dep	1	1	0	2	2.53	5.06 Dep I

POST	DAY Shift	NIGHT Shift	C Shift (where applicable)	Total	S.R.F.	Number of Required Positions
James Musick Facility						
Facility Rover Transportation / Search	3	3	0	6	2.53	15.18 Dep I
Rover Leads	1	1	0	2	2.62	5.24 Dep II
Perimeter Control	1	1	0	2	2.53	5.06 Dep I
Maintenance Sgt	1	0	0	1	1.0	1.0 Sgt
Operations Sgt	1	0	0	1	1.0	1.0 Sgt
Admin Dep	1	0	0	1	1.0	1.0 Dep II
Training Dep	1	0	0	1	1.0	1.0 Dep II
Fire/Life Safety Dep	1	0	0	1	2.11	2.11 Dep I
Medical Dep	1	1	0	2	2.53	5.06 Dep I
Visiting	2	0	0	2	.73	1.46 Dep I

Total additional staff recommended for the OCSD jail facilities

Captain	Lieutenant	Sergeant	DEP II	DEP I	SSO	SR. CST	CST
0	0	12.6 Sgts	12.48 Dep II	125.23 Dep I	0	0	0

FINDINGS

During our on-site assessment of every post in every facility in the county's jail system, we found several common "symptoms" that are consistent with inadequate staffing levels. These symptoms or problems, by their nature, often jeopardize the safety and security of staff, inmates and the public. These red flag symptoms include:

Inadequate or Non-Existent Safety Checks – During the onsite visits to each post-position, particular attention was paid to whether staff was completing at least hourly safety checks (Title 15, Section 1027), if they were reporting these checks as being made and finally how the checks were performed. Hourly safety checks represent the minimum amount of supervision needed for general inmate supervision to ensure the safety and security of the facility. We found the following:

- Some facilities relied exclusively on overtime positions to perform these checks. When these positions were eliminated due to budget problems, the safety checks were either done in a cursory fashion, or were not done hourly as required.
- Staff performed and documented, what they referred to as safety checks; however they did not directly observe each inmate in his/her cell. Often times these "checks" were performed from outside an intervening space (dayroom) and can be described as only inadequate at best.
- Many times safety checks were delayed or not performed when staff was pulled from their post position and assigned to other functions in the jail.
- While staff did conduct appropriate safety checks in all the jails, when staffing levels were low, which was a large portion of the time, staff was hard pressed to complete appropriate checks in the prescribed manner.

We want to emphasize that at no time during the jail assessment did we find staff being indifferent to the need for appropriate safety checks or recalcitrant in any way. The fact is that the jails were so understaffed it made completing this important and basic function extremely difficult or impossible at times.

Inadequate Searching of Inmates and Inmate Spaces – In all of the jails that we visited, we observed large groups of inmates being moved from one point to another by a very limited number of staff. While other jails may not have, as frequently, reached this ratio of inmates to staff, they all moved large numbers of inmates with an inordinately small number of staff. While there are times that inmates are searched when moving between areas, these times seem to be the exception rather than the rule, the converse of a good correctional practice.

When inmates move between areas in a jail, they should be frequently searched by staff for contraband including weapons to ensure safety and security. When we asked staff why this function was not occurring, the most frequent answer was the lack of staffing. Indeed, without adequate staffing, the exercise of frequently searching inmates is too time consuming and dangerous to be

performed by the few staff that are available. If essential searches cannot be performed, then it is clear demonstration that there is not enough staff in the Orange County jail system.

Searching of inmate areas such as cells and dayrooms does not occur with the frequency needed to adequately keep these areas free of contraband. A vast majority of the cell searches that do occur are in conjunction with regularly scheduled clothing and bedding exchanges. For cell and dayroom searches to be effective, they must be performed at random and on a frequent basis. There is simply too few staff available at any of the jails to adequately perform this function

Posts Left Vacant – The most common symptom of inadequate staffing levels in the Orange County Jail system was the very large number of fixed post positions that are short staffed for extended periods of time. These post positions are filled at the beginning of each shift, but custody staff are often “pulled” when needs occur elsewhere in the jail. We observed the following:

Inadequate Number of Staff to Inmates and Classification Creep – Although there is no exact “inmate-to-staff ratio” that provides appropriate staffing for every activity, we found an inordinate number of very large groups of inmates, with high classifications, being supervised by too few staff.¹⁴

The level of classification is important because of the “creep” that has occurred over the past decade in nearly all jails. When we refer to “creep” we are noting that the classification levels of inmates are much higher today than in the past, slowly “creeping” up over the years. This occurs because, when there are a finite number of beds available, such as in the Orange County Jail system, lower security inmates are released to make room for inmates who pose a greater threat to public safety.

The space vacated by the lower security inmates is usually dormitory-style, minimum security housing. When this occurs, higher security inmates are housed in less secure spaces, the physical plant can no longer provide appropriate security and staffing should be increased to rebalance the jail.

Ironically, instead of staffing being increased to manage the changing inmate classification, it has decreased due to budget difficulties over time. Consequently, these areas of the jail are out of balance (the balance provided by a combination of physical plant and staffing) and become much more dangerous.

Inadequate Supervision of Staff – One of the most glaring staffing deficiencies of the OCSD jails was the inadequate number of supervisors (sergeants) at all of the facilities. Sergeants are simply being asked to do too many tasks and to be responsible for too many line staff. The current number of sergeants is insufficient and therefore ineffective.

While a staff-to-inmate ratio is not an appropriate measure to determine adequate staffing, the sergeant-to-custody staff¹⁵ ratio most certainly is and is a common practice in law enforcement and other management circles. We

¹⁴ An estimation of CSCJC evaluators based upon many years of experience in jail management and jail inspections, including the development of regulations for local adult jail facilities in California.

¹⁵ Deputy, Sheriff Special Officers, Correctional Service Technicians.

observed ratios of more than 20 staff to one sergeant in nearly all of the facilities we conducted an assessment on. This ratio is clearly in excess of the industry-accepted norm (between 8 to 12 staff per sergeant). This number is further exacerbated by the fact that many sergeants counted in this calculation are assigned to specialized areas.

While line staff appeared to be very motivated and were knowledgeable about their duties, the frequent absence of supervisors allowed for inconsistencies in the way custody staff performed their duties. As an example, we turn again to one of the most basic functions in a jail – the hourly safety checks. During our on-site evaluations, we noted variation in procedures by staff that performed them differently from one another.

Where there were sergeants on duty, they were all too frequently sequestered in their offices completing large amounts of paperwork, including *Use of Force* reports and personnel evaluations. Sometimes these personnel evaluations were being done on staff that these supervisors did not know because they were not available to observe the staff's work. This appears to be goal distortion in that the paperwork has become more important than the proper supervision of the worker.

In an effort to beef up documentation, meant as an aid to risk managers, the department has taken supervisors away from their supervisory tasks; obviously this defeats the primary purpose of a supervisor, which is to prevent problems on the floor. While we understand and support the need to document jail issues, we are emphatic that there are simply too few supervisors to adequately perform their duties, no matter how hard they work. It is important to get back to the basic supervisory concept – ***what is not inspected by supervisors is not expected by staff.***

While the CSCJC team repeatedly observed that the quality of OCSD staff is very high, we also noticed that staff take shortcuts to get the job (task) done. Their heavy workload results in staff having to make decisions on what task has the most immediate priority. What might seem logical to a staff member may not be the best decision for the organization. Only by having an adequate number of trained sergeants immediately available can jail management ensure that jail policies and procedures are appropriately carried out.

Inadequate Shift Relief Factor – From the outset of the OCJAP, it was clear that the *shift relief factor* (SRF), authorized calculation used to staff the jail facilities, had not been developed. Having been involved in a number of other jail staffing analyses, CSCJC evaluators have discovered that one of the leading factors associated with inadequate staffing is that the local agency has either not developed a SRF or that the SRF is too low.

Ideally, a SRF should be provided for each job classification. Experience has shown that these factors will vary greatly between job classifications due to the tenure of staff holding these positions, their ability to accumulate leave time, their propensity to take various leaves and other related factors

In addition, SRFs should be calculated for each job classification at least every two years, if not more frequently. This would allow the SRF's to take such things as new mandatory leave provided to the employees (such as the Family Leave Act) and changes in the tenure of the staff (more new staff following a hiring freeze) taken into account. Good data can only be obtained through the frequent analysis of actual leave practices.

Furthermore, it is important to determine whether each post is a relieved position (meaning it is *always* staffed) or a non-relieved position (these positions are also called fixed post positions), in order to decide the number of personnel needed to staff and maintain a post position during a typical shift. For non-relieved positions, the SRF developed for the job classification will provide sufficient personnel to ensure the position is appropriately staffed. However, a "relieved position" must have an SRF that is approximately *4% higher* than a non-relieved position. This is because, in addition to the leave patterns that are used to develop an SRF for a given job classification, all time that personnel will be away from their post positions (e.g., for training, etc.) must also be calculated. If this factor is not taken into consideration, a facility with a high number of relieved post positions will be chronically understaffed and will leave those fixed post positions vacant or will rely on overtime to ensure that all relieved positions are staffed at all times.

This is a critical issue in all the facilities we evaluated. We observed many instances of undue stress on personnel filling relieved post positions. For example, it is a common occurrence that staff assigned to relieved post positions either do not take their meal breaks or bring their food to their posts to eat.

When asked why they do not take their breaks, most staff replied they did not want to leave their fellow staff shorthanded. Staff working relieved posts where bathroom facilities were not immediately available on occasion had difficulty finding other staff to stand in their post while they were away a short time. SRF's must take into account both the requirement to continuously fill post positions and the importance of affording staff assigned to these positions time to take their breaks; there must be a higher SRF for these post positions.

In order to determine the correct SRF, CSCJC and personnel assigned to the Sheriff's Financial and Training Division's were able to capture data from FY 07-08 in order to calculate a realistic SRF, which were used in establishing staffing levels that are contained in this assessment.

The Development of a Shift Relief Factor (SRF) and Why it is Important

The development of an accurate SRF is essential in determining the actual staffing needs for any jail. This SRF must be specifically calculated for each employee class and for each staffing situation. It must also use actual employee leave data for at least a one year period of time, as well as the number (N=) of employees being measured. Both components of this basic piece of data gathering are a necessary first step in developing a staffing plan.

As we have previously mentioned, many government jobs are quite easy to calculate a schedule for without going through the laborious and time consuming process of gathering leave data. These jobs are the ones where only one employee is needed to fill the job position and one in which, if the employee takes sick time, vacation or holiday time off, then no one else is needed to fill the position. In this case we would describe the SRF as 1.0. That is to say that it will only take 1.0 employee to fill this position. The Sheriff's Department has a number of administrative and support positions where it is quite simple to schedule their work. For example, the facility manager (a Captain) fills a 1.0 SRF staff position that does not have a built in relief factor. In this particular case, if the facility manager takes a vacation or uses sick leave, then another management level staff person will cover for the captain as a part of their normal duties.

Many line staff positions in the jail are quite different and require a shift relief factor in order to properly staff a post in the jail; these positions are identified as **fixed post positions** and hold the requirement to always have staff present at the position without fail. As an example, if a staff member who is scheduled to be at the **fixed post** calls in sick, is on vacation, or other leave time then there *absolutely* must be another person available to staff the post position.

Post positions occupy critical functions in the jail; their uncovered absence could result in a very serious incident that may involve injury or death if the position is left vacant for even the shortest amount of time. As an example, a housing control room must be constantly staffed or else security doors could not be operated and staff could not enter and exit the various areas of the jail. The deputy occupying that post position must be relieved by another deputy before they can leave their post to take meal break, attend training, or any other leave type.

Consequently, this post position has a much higher SRF than a general service employee whose absence would not seriously impact the delivery of services. Based upon the need to have post positions always occupied, we have calculated that the SRF for a Deputy I occupying a post assignment is 5.28 for per day. This means that it takes 5.28 Deputy I staff to occupy this post position 24 hours a day and 7 days a week.

In a fictional world, if staff arrived to work at their fixed post in the jail each day and never took a day off for any reason, never took time to eat or attend to human comforts, then issues involving overtime or the need to hire more staff would never be a problem.

As we have mentioned, jails do not have the luxury of leaving post positions vacant, as inmates must be constantly supervised and provided a myriad of "services" such as transporting to court, booking, meals, medical assessments and appointments, recreation, clothing exchange, inmate discipline and showering just to name a few. Of course the most basic and important function at a fixed post is to make sure that the inmates do not assault staff, each other or commit suicide.

If there is not enough personnel assigned to the facility to accomplish these activities, other personnel must be brought in on overtime to meet the needs of the jail, or staff must be pulled from other assignments to fill the vacant position, diminishing the ability to meet the requirements contained in minimum jail standards. Very simply, we know through our decades of experience that bad things happen when a jail is understaffed; these include inmate on inmate assaults, inmate on staff assaults, suicides and escapes. Facilities that are understaffed are faced with two choices; to operate the facility and leave fixed posts vacant, a dangerous option, or burn overtime to meet the custody mission and regulatory requirements.

Having established the necessity of keeping fixed post positions continually staffed, an explanation of how jail schedules are developed is by calculating the SRF is presented.

At the beginning of the jail assessment we discovered that a shift relief factor had not been previously established to develop staffing levels in the Orange County jail. Leave data did not readily exist to calculate the SRF, so CSCJC consultants and Sheriff's Financial Division staff initiated the following steps¹⁶:

1. First, it was imperative to determine the actual leave usages for each custody staff assigned to one of the five jails for Fiscal Year 2007/2008. This was relatively easy as our assessment team was provided with a computer generated table itemizing all of the leave types and usages by staff for the time period requested.
2. The next step involved determining the exact number of custody personnel who took the various leave time, by job classification. In this case the Sheriff's Financial Services Division created a report that itemized each employee by position number and job classification that were assigned to the jails. The Financial Division then researched and itemized the actual number of months that the position numbers were filled.

Over the period of time that was examined some of the positions were filled by two, three or four people for short periods of time; others were filled by one person for the entire time period. CSCJC took this report and determined the fraction of a year that each position number was filled. For example, if a position was filled for 9 months, they represented .75 of a position. These

¹⁶ Crout & Sida utilize a staffing SRF process based on a model developed by the National Institute of Corrections (NIC) and California Corrections Standards Authority (CSA). Additionally, Crout & Sida have a good deal of experience conducting many staffing studies as a part of their private sector consulting business, on behalf of the NIC and while employed at the CSA.

numbers were then added to give that actual number of personnel who took the leave types identified in the first step.

3. Taking the average leave hours by type, we began our calculation to determine *actual non-productive hours* by staff type. We accomplished this by added holiday hours that are guaranteed to each county employee, as well as the "normal days off" that are afforded employees based upon their shift schedule.
4. Once the number of *non-productive hours* was calculated then a determination was made for each shift pattern's base hours (the number of hours that each post must be staffed per year). We subtracted the *non-productive hours* from the base hours to give us the actual number of productive hours per person.
5. The next step was to divide the number of *base hours* by the number of *productive hours*. This calculation tells us how many personnel are needed to staff one post position for the number of base hours. As an example, we found that it takes 2.53 Deputy I positions to staff a post that is "open" for twelve hours a day and seven days a week. If that same post needed to be staffed for 24 hours a day and seven days a week, 5.06 Deputy I positions would be needed.
6. If a post assignment needs meal breaks built in to the relief factor, we determined the number of days to be worked by each person based on their availability (or *productive hours*) divide it by the hours worked and multiply it by the amount of time that is to be taken on the break (we used one-half hour). This calculated time is then subtracted from the number of available hours and divided into the base hours. For example, if the post position described in Step 5 needed to be continuously staffed, then there must be 2.73 Deputy I positions for a 14 hour post and 5.46 for a 24 hour post.

It should be noted that because each employee class uses a different number leave hours, their corresponding SRF will be different. For example, Sergeants and Deputy II staff who have more time on the job receive more hours of leave (based on their seniority), and therefore take a greater number of corresponding hours off.

As a side note, an issue that confounds the Sheriff's Department's ability to control overtime – we were advised that the Theo Lacy P, Q and R housing modules were opened after construction short of 40 custody staff to operate those positions. Consequently, we can only presume that any staff that previously provided a shift relief factor in other parts of the facility were pulled from their assignments or staffed with overtime in order to operate the newly constructed housing modules.

Recent media interest and reports on the use of overtime in the Orange County jail were quick to describe the use of overtime as excessive. This is a curious viewpoint as we estimated, based upon our comprehensive assessment of the

jail, that a credible argument could be made that perhaps not enough overtime was being used. This observation is not meant to be flippant, but rather it is based on our observation that low staffing levels in the jail preclude deputies from properly performing the jail functions as directed in Title 15, CCR.

It also needs to be said that county leaders are fully justified and prudent in attempting to identify why so much overtime is being used in the jail. Our only concern in this regard is that without a more in depth study on the staffing of the jail, particularly the need to develop a rational SRF, those leaders may be making a premature assessment of the problem. Without taking a closer look at the issues that impact overtime it may hinder the opportunity to develop long term solutions and may drive decisions that might go in an undesirable direction.

**Summary of Shift Relief Factors
Orange County Sheriff's Department
FY 2007/2008**

Classification	Post Description	Shift Relief Factor
Deputy I and II, CST, SSO, Sergeant, Lieutenant, Captain	Post is five days per week, eight hours per day (40 hours). There is no relief needed for days off, vacation, sick time or other leave usages.	1.0
Deputy I 12 Hour - No Breaks	Post is 12 days per day 7 days per week. Post does not need to be relieved for staff to take meal breaks.	2.53 (12 Hour) 5.06 (24 Hour)
Deputy II 12 Hour - No Breaks	Post is 12 days per day 7 days per week. Post does not need to be relieved for staff to take meal breaks.	2.62 (12 hour) 5.24 (24 Hour)
Sergeant 12 Hour - No Breaks	Post is 12 days per day 7 days per week. Post does not need to be relieved for staff to take meal breaks.	2.65 (12 Hour) 5.30 (24 Hour)
Lieutenant 12 Hour - No Breaks	Post is 12 days per day 7 days per week. Post does not need to be relieved for staff to take meal breaks.	2.68 (12 Hour) 5.36 (24 Hour)
Sheriff's Special Officer (SSO) 12 Hour - No Breaks	Post is 12 days per day 7 days per week. Post does not need to be relieved for staff to take meal breaks.	2.48 (12 Hour) 4.96 (24 Hour)
Deputy I 12 Hour - w/ Breaks	Post is 12 days per day 7 days per week. Post must be constantly filled. Coverage must be provided when employee is taking meal break (1/2 hour per shift).	2.64 (12 hour) 5.28 (24 Hour)
Deputy II 12 Hour - w/ Breaks	Post is 12 days per day 7 days per week. Post must be constantly filled. Coverage must be provided when employee is taking meal break (1/2 hour per shift).	2.73 (12 Hour) 5.46 (24 Hour)
Sheriff's Special Officer (SSO) 12 Hour - w/ Breaks	Post is 12 days per day 7 days per week. Post must be constantly filled. Coverage must be provided when employee is taking meal break (1/2 hour per shift).	2.59 (12 Hour) 5.18 (24 Hour)

Classification	Post Description	Shift Relief Factor
Deputy I 8 Hour - No Breaks	Post is 8 hours per day 7 days per week. Post does not need to be relieved for staff to take meal breaks.	1.69 (8 Hour)
Correctional Services Technician (CST) 10 Hour - No Breaks	Post is 10 days per day 7 days per week. Post does not need to be relieved for staff to take meal breaks.	2.18 (10 Hour)
Deputy I 10 Hour - No Breaks	Post is 10 hours per day 7 days per week. Post does not need to be relieved for staff to take meal breaks.	2.11 (10 Hour)
Deputy I 10 Hour - No Breaks 8 Hour - No Breaks	Post is 40 hours per week. Post does not need to be relieved for staff to take meal breaks.	1.21
Sheriff's Special Officer (SSO) 10 Hour - No Breaks 8 Hour - No Breaks	Post is 40 Hours per week. Post does not need to be relieved for staff to take meal breaks.	1.18
Correctional Services Technician (CST) 10 Hour - No Breaks 8 Hour - No Breaks	Post is 40 Hours per week. Post does not need to be relieved for staff to take meal breaks.	1.24

Staffing Recommendations – Total and by Facility

After a thorough review of all data and on-site assessments, the following tables summarize the staffing recommendations made in this report.

Table A describes, by job classification and by facility, the personnel necessary to staff the five jails in the Orange County Jail System filling only the existing post positions.

Table B describes the number of personnel that currently are approved to staff the existing post positions by job classification and by facility.

Table C describes the difference by job classification the number of approved positions and the actual number of personnel it takes to fill the post positions. As the reader can see, there are far fewer personnel available to staff the post positions than are needed. *The difference in this number is made up by having existing staff work overtime to fill these post positions.* In addition, some posts may not be filled as needed and staff are very frequently not taking their meal breaks, or taking their meals as they work.

Table D describes the recommended additional post positions that CSCJC recommends to bring the facilities to a safe minimal number of staff. As we have stated many times in this report, we have been conservative in recommending additional posts and only make the recommendations where we see the most egregious staffing shortages.

Table E summarizes all of the above tables and gives a final tally of the gross number of additional personnel by job classification to operate the current jail facilities in a safe and secure manner. Again, these numbers represent the minimum and not the optimum number of staff needed.

Table A - Total staffing of existing post positions with shift relief factor

	Capt	LT.	SGT.	DEP II	DEP I	SSO	CST	SR. CST	Totals
IRC	0	7.36	19.55	81.14	147.26	32.58	0	0	287.89
MCJ	0	1	14.25	31.52	121.4	29.62	0	0	197.79
WCJ	0	1	6.3	16.38	34.65	5.18	1.24	0	64.75
CJX	1	0	0	0	0	0	133.28	6.54	140.82
LACY	1	8.36	27.2	120.92	230.75	43.75	78.48	1	510.46
MUSICK	1	6.36	11.6	6.24	81.69	28.74	33	1	169.63
Totals	3	24.08	78.9	256.2	615.75	139.87	246	8.54	1372.34

Table B - Current staffing (approved positions)

	Capt	LT.	SGT.	DEP II	DEP I	SSO	CST	SR. CST	Totals
IRC	0	7	15	78	87	29	0	0	216
MCJ	0	1	13	24	92	12	0	0	142
WCJ	0	1	5	15	25	5	0	0	51
CJX	1	0	0	0	0	0	83	6	90
LACY	1	7	25	93	211	38	75	1	451
MUSICK	1	4	10	5	48	29	19	1	117
Totals	3	20	68	215	463	113	177	8	1067

Table C- Difference between current and existing staffing with SRFs applied

	Capt	LT.	SGT.	DEP II	DEP I	SSO	CST	SR. CST
Current	3	20	68	215	463	113	177	8
w/SRF	3	24.08	78.9	256.2	615.75	139.87	246	8.54
Difference	0	-4.08	-10.9	-41.2	-152.75	-26.87	-69	-0.54

Total difference between current staffing and current posts with SRF factored in is 304.34 staff.

Table D - Recommended Additional Staffing

	Captain	Lt.	Sgt.	Dep II	Dep I	SSO	CST	Sr. CST
IRC	0	0	0	0	22.77	0	0	0
MCJ	0	0	5.3	0	22.77	0	0	0
WCJ	0	0	0	0	10.12	0	0	0
CJX	0	0	0	0	0	0	0	0
LACY	0	0	5.3	5.24	40.7	0	0	0
MUSICK	0	0	2	7.24	28.87	0	0	0
Totals	0	0	12.6	12.48	125.23	0	0	0

Total additional staffing recommended (in addition to Table C) is 150.31 staff.

Table E - Grand Total of Staffing (includes current staffing, current staffing adjusted with SRF, and recommended additional staffing)

	Captain	Lt.	Sgt.	Dep II	Dep I	SSO	CST	Sr. CST
Current	3	20	68	215	463	113	177	8
Current w/SRF	3	24.08	78.9	256.2	615.75	139.87	246	8.54
Recommended Additional	0	0	12.6	12.48	125.23	0	0	0
Difference	0	-4.08	-23.5	-53.6	-277.98	-26.87	-69	-0.54

It is our finding that **454.65** additional custody personnel are necessary to supplement the current staffing in the Orange County jail system in order to ensure the safety and security of the county jail system. A total of **304.34** are additional staff needed based upon application of the SRF. The remaining **150.31** personnel are staff necessary to fill recommended additional post positions. The addition of personnel will enable the Custody Operations Command to successfully accomplish all of the required activities contained in Title 15, CCR. The staffing plan presented in this report will significantly lower use of overtime in the jail. Current authorized staffing in the Orange County jail facilities is **1067**. The inclusion of a revised staffing plan with a rational shift relief factor will increase staffing system-wide to **1521.65** custody and support staff.

CJX - Current Staffing Summary by Positions

Shift Relief Factor (SRF)	Captain	Sergeant	Deputy II	Deputy I	Sheriff's Services Officer	Correctional Services Technician
1.0	1					
2.53						
2.62						
2.65						
2.68						
2.46						
2.64						
2.73						
2.56						
2.18						60 CST 3 Sr. CST
2.11						
1.21						
1.18						
1.24						2 CST
Total w/SRF	1 Captain					6.54 Sr. CST 133.28 CST

IRC - Current Staffing Summary by Positions

Shift Relief Factor (SRF)	Lieutenant	Sergeant	Deputy II	Deputy I	Sheriff's Services Officer	Correctional Services Technician
1.0	2	1	1			
2.53				52		
2.62			16			
2.65		7				
2.68	2					
2.48					6	
2.64						
2.73			14			
2.59						
2.18						
2.11				4		
1.21				6		
1.18					15	
1.24						
1.69						
Total w/SRF	7.36	19.55	81.14	147.26	32.58	0

Men's Central Jail - Current Staffing Summary by Positions

Shift Relief Factor (SRF)	Lieutenant	Sergeant	Deputy II	Deputy I	Sheriff's Services Officer	Correctional Services Technician
1.0	1	1				
2.53				15		
2.62						
2.65		5				
2.68						
2.48						
2.64				16		
2.73			10			
2.59					10	
2.18						
2.11			2	4		
1.21				17		
1.18						
1.24					3	
0.61				20		
1.69						
Total w/SRF	1.0	14.25	31.52	121.4	29.62	0

Women's Central Jail - Current Staffing Summary by Positions

Shift Relief Factor (SRF)	Lieutenant	Sergeant	Deputy II	Deputy I	Sheriff's Services Officer	Correctional Services Technician
1.0	1	1				
2.53				6		
2.62						
2.65		2				
2.68						
2.48						
2.64				6		
2.73			6			
2.59					2	
2.18						
2.11						
1.21				3		
1.18						
1.24						1
1.69						
Total w/SRF	1.0	6.3	16.38	34.65	5.18	1.24

Theo Lacy Facility - Current Staffing Summary by Positions

Shift Relief Factor (SRF)	Lieutenant	Sergeant	Deputy II	Deputy I	Sheriff's Services Officer	Correctional Services Technician
1.0	3	6	3			1 Sr. CST
2.53				14		
2.62			20			
2.65		8				
2.68	2					
2.48					16	
2.64				62		
2.73			24			
2.59						
2.18						36
2.11						
1.21				8		
1.18					3	
1.24						
1.69				13		
Total w/SRF	8.36	27.2	120.92	230.75	43.22	1 Sr. CST 78.48 CST

James Musick Facility - Current Staffing Summary by Positions

Shift Relief Factor (SRF)	Lieutenant	Sergeant	Deputy II	Deputy I	Sheriff's Services Officer	Correctional Services Technician
1.0	1	1	1			1 + 1 Sr. CST
2.53				32		
2.62			2			
2.65		4				
2.68	2					
2.48						
2.64						
2.73						
2.59					10	
2.18						14
2.11						
1.21						
1.18						
1.24						
.73 3/5				1		
.71 3/5					4	
.74 3/5						2
Total w/SRF	6.36	11.6	6.24	81.69	28.74	1 Sr. CST 33 CST

Human Resources Implementation Planning Selection – Recruitment – Training

Of all of the recommendations provided in this report, the addition of custody staff is the most crucial and immediately effective way to provide a greater degree of safety and security in the custody environment. A significant number of staff will need to be recruited, selected and trained as soon as this can be accomplished.

Considerations for Staffing Implementation – There are several issues that we suggest the county consider as it works toward addressing staffing priorities and developing specific action plans. These include the following:

Recruitment, Selection and Training Timelines: CSCJC recommends that the following information related to selection, hiring and training be taken into account as action plans are developed in these areas:

- Given the stringent physical, psychological and background requirements for custody staff, the average processing time between selecting a candidate and having him/her ready for hire is approximately 6 months.
- Because of statutory and regulatory requirements, the basic training required to be completed (including field training) before a deputy sheriff or other custody staff is qualified to work independently on the job is long and arduous. The basic Sheriff's Academy (for deputies) is 26 weeks; custody assistants receive basic academy training of 8 weeks. We recommend that the OCSD consider augmenting the training function with additional staff and resources to enable the increase in staffing recommended by the OCJAP.
- It takes approximately 12 months from the time a deputy sheriff applicant takes the selection examination to graduation from the basic academy. Additionally, the time that it takes for other custody to progress from the selection examination to graduation from the Core Academy is approximately 8 months.

Shift Pattern Evaluation

Administrators and managers of government institutions have for many years, searched for the ideal shift pattern to operate the institutions for which they are responsible. The notion of developing an ideal shift pattern would strike a perfect balance of providing the appropriate number of staff to meet the workload, while as best they can serve the needs of their employees.

Most government entities are open during the standard business week based upon an eight to five, Monday through Friday workweek. Establishing a shift schedule in this instance is a simple task. That is to say, that all employees have a set schedule that usually consists of five eight-hour days with an hour off for lunch. If an employee calls in sick, or takes a vacation, their positions are usually left vacant and the work load is either shared by others or in many cases left undone until the employee returns.

Other government entities such as public safety agencies and specifically the jail are faced with a more complex scheduling task in order to provide service 24-hours a day, seven-days a week. As an example the Sheriff's Department's street patrol function has more complex staffing issues, but nonetheless, can be met with more innovative approaches in meeting staffing needs than the jail. Hybrid schedules such as 12-hour days or 10-hour days allow the agency to meet their workload needs while providing flexibility in order to accomplish their respective mission and also to accommodate their employees.

Public safety agencies must ensure that there is minimum staffing to meet its workload demands and meet the basic mission of providing an appropriate level of service to the community. In practical terms, this means that when someone calls in sick, or goes on vacation, that employee may or may not be replaced by staff working overtime based on established minimum staffing levels. In the case of the street law enforcement function when a deputy is off for any number of legitimate reasons the patrol watch commander will re-deploy the patrol force from say, 10 patrol cars to 9 patrol units. In this case, within certain parameters, the patrol watch commander can re-direct calls for service that place a low priority on non-emergency calls, while leaving the patrol force to be available for emergency responses. Also, in this example those low priority calls can sit for many hours until the work flow allows those calls to be handled. With regard to the patrol function, work load patterns vary based upon the time of day, day of the week and indeed seasonal changes.

Finally, there are those agencies, such as Sheriff's Departments that operate local detention facilities (jails) that have *fixed posts* which must be continually staffed in order to ensure there is always a minimum number of staff working at a fixed post on any given period of time. These posts must never go vacant; because to do so would jeopardize the safety and security of the facility, place the agency out of compliance with state regulations and expose the agency and county to litigation should an incident occur when staffing is not sufficient.

Most functions in the jail are very prescriptive with regard to how the tasks are accomplished based on legal statutes, State regulations and court decisions. In this regard, as we have previously explained, the indicators associating with

identifying staffing levels is dependent on the simple question. Is there enough staff to meet the regulatory requirements described in Title 15, CCR?

In the case of the jail, the guiding regulation that describes minimum staffing requirements for local detention facilities (jails) is specified in Section 1027, Title 15, California Code of Regulations. Minimum staffing for an adult detention facility takes a number of factors into consideration. These factors include: the type of facility (Type I, II III or IV); the population of inmates detained in these facilities; the physical design of the jail; and the ability of staff to “carry out its programs and to provide for safety and security of inmates and staff, and meet established standards and regulations.” What this means is that the most important aspect in staffing levels is the ability to provide a safe and secure environment and meet all of the minimum jail standards. In other words, a whole host of variables drive the staffing of a jail facility.

As we compare the legal obligations attendant in the operation of the jail, it becomes clear that there is very little leeway in staffing when it comes to fixed post positions, they simply must be staffed at all times. Unlike the 8-hour, five day week operation involved with most government departments and even unlike the street enforcement operation in which the work can be fundamentally re-ordered, jail posts must be fully staffed.

Given these staffing perimeters, this study will examine an alternate staffing method that can be specifically applied to the Orange County Sheriff's Department jail system. It will describe the method, provide its strengths and ultimately make a recommendation on the most efficient method to staff these facilities.

Twelve-Hour (80) Shift Schedule

The current staffing method used for most of the staff of the Orange County Jail System is a 12 hour / eighty hour per week shift pattern. This shift pattern has employees working 44 hours one week (three twelve hour and one eight hour day) and 36 hours (three twelve hour shifts) the next week.

In our view, this shift pattern has proven to be somewhat problematic for the supervisors and managers of the jails. While this pattern essentially provides for the same number of hours as the traditional 8/5 schedule (eight hours a day/5 days a week), it creates a situation where employees have differing shifts, such as the 8 hour day is required to meet an 80 hour bi-weekly pay period. One of the problems with this shift pattern is that it drives an uneven work flow and forces a number of functional workarounds in order to accomplish the jail mission. By not working the same post for periods of time, the employee is always in the position of not being familiar with the post orders, the inmates housed in the assigned housing unit, or their co-workers working that same post on a week to week basis.

Another problem with this scheduling pattern is the tendency of some staff to take their leave time during their eight hour “flop” day. This becomes problematic as the replacement of staff is not possible without resorting to overtime to cover the fixed posts.

CSCJC were advised that staff all too often feel that their eight hour day, being the last day before their days off, was decompression day where they may not be as inclined to hustle as they would on another day. For others, it was an opportunity to work four hours of overtime if it was available. One could point to a supervisory deficiency in this regard; however, we think that this is just a shift pattern issue that is not particularly effective in meeting the correctional mission.

We need to be clear, that drawing on our experience as jail management practitioners that we approve of the 12-hour work shifts in the jail. Beyond our approval of this practice, the 12-hour shift is common throughout California jails. Unlike the street patrol environment, the difference in correctional duties is that they are not particularly impacted by a fatigue factor that might be attendant with a long shift on patrol.

There are some valid reasons for its popularity among jail staff as many employees cannot afford to live in Orange County as a result of the very high housing prices. In an effort to provide a high quality life for their families, which includes affordable home ownership, many staff live in neighboring counties. As a humorous example, staff often reported to us that they lived in "River-Zona", a tongue in cheek reference to living in the eastern most portions of Riverside County near the Arizona border.

Because of the unwieldy nature of the current 12-hour shift pattern we feel the current shift patterns adds far too much complexity to the jail operation and therefore, we recommend that it be replaced with another shift pattern, which entails a twelve-hour, 84-hour per week shift schedule. We are of the opinion that this shift pattern will serve the needs of the employees, while at the same time enhance the efficiency of the jail operation.

This twelve-hour shift pattern is one where employees work four, 12-hour shifts one week, take three days off, then work three, 12-hour days the next and take four days off. This shift pattern differs from the 12 hour (80) shift pattern, in that, this pattern requires staff to work all twelve hour shifts (with no flop day) and are compensated for four hours of overtime every two weeks. Another popular strategy is for the staff to be compensated for 84 hours of "straight time" for each two-week period, which is allowable under current Fair Labor Standards Act (FLSA) requirements.

This shift strategy has become a very popular staffing pattern for many jails in the State; in fact, most of the surrounding counties to Orange County use this shift pattern. The reason this shift is preferred is that the activity level and work assignments in jails tends to be much more constant, even during early morning hours, and therefore there are more post positions that need to be continuously filled 24 hours per day, rather than "normal" waking hours¹⁷. This allows a twelve hour shift schedule to be employed without having surplus staff during "sleeping" hours.

¹⁷ Early morning shifts are tasked with a number of activities in order to prepare to pull inmates for court appearance. This process begins at about 3:00 A.M.

The benefits of this shift pattern are as follows:

- The county does not need to pay for the benefit package for the four hours every two weeks that each employee works. For example, if 400 Deputy I staff are on this shift pattern, the county would not need to pay benefits on 41,600 hours of work, or the equivalent of 24.1 Deputy I staff.
- Because the work week would be longer for staff, the "Shift Relief Factor" would be lower which means that the county would not need to have as many personnel to perform the same hours of work. For example, if the hypothetical 400 deputies are required to staff all post positions under the 12 hour (84) shift pattern, rather than a 40 hour a week plan (8/5, 4/10 or 12 (80)), 5% fewer deputies would be needed to staff the same post positions.
- This shift patterns allows administrators to "platoon" deputies and assign permanent supervisors to each platoon thereby improving the continuity and quality of supervision in the jail, which we view as critical. As we have previously mentioned, many supervisors who have intermittent contact with employees cannot properly evaluate employee performance in order to assertively provide direction and training to staff, which after all, is the primary function of a shift supervisor.
- This shift pattern, as an employee incentive can facilitate the hiring and retention of qualified individuals who live long distances or drive times from Orange County.
- This shift pattern greatly simplifies the scheduling of staff.

We believe that of all the alternative shift patterns that will work for Orange County, the 12-hour shift pattern presented here would be the best. In every case, when we broached this conversation with the many employees that we spoke with during our on-site assessments, they stated unequivocally that they would prefer the 84-hour shift. It is important to note this shift pattern may require a modification where some employees are on the 12-hour shift pattern and others remain on the eight/five to cover post positions that are not needed 24 hours a day.

Lastly, the 12-hour shift does not negate the need for OCSD management and staff to control schedules and provide the appropriate guidance to ensure that abuse does not occur with this staffing pattern that results in an inordinate use of overtime.

Implementation Planning Construction Needs Assessment

It was clear from the OCJAP that a portion of the James Musick Facility in the Orange County Jail system are nearing, or are at the end of, its useful life. Jail crowding and increasing numbers of volatile, violent, mentally ill and gang-involved inmates have exacerbated the shortcomings of these facilities and have undermined their ability to provide the safety and security required in a jail system.

Understanding the need to take corrective action, the county has embarked on a construction plan to expand custody facilities at the James Musick near Irvine. However, for these projects to proceed, and/or for any other jail construction or renovation to be undertaken, California statute and regulations require Orange County to conduct a number of Title 24, CCR, requirements.

OCJAP System View – Conclusions

Based upon our assessment of the Custody Operations Command including the Court Holding Facilities, all of the CSCJC assessment team shared unanimous conclusion that the Orange County jail system is professionally managed and in many cases meet the minimum standards contained in Title 15, CCR. Additionally, we noted a number of correctional best practices being conducted in the jails.

We observed and talked to several hundred staff at every level in the organization and who are assigned in the jail, court services and ancillary support functions such as the Inmate Programs Division. We found staff to be fully engaged in the performance of their duties and demonstrated professionalism at every turn. Additionally, we found staff eager to accept the challenge of change and the opportunity to stay out of the glaring light of public scrutiny.

Despite our praise for the good jobs that members of the Sheriff's Department are doing, operating a major corrections facility in this particular day and age is no simple task. Most community members have no idea as to the complexity of maintaining a custody facility that must meet the legal, medical, health, safety and general logistics attendant with meeting the needs of over 6,300 men and women each day. Furthermore, these activities must be accomplished in a cost effective manner and within Constitutional minima as established by statutes, regulations and the Federal Courts.

Orange County, like virtually every other jail in California, faces enormous challenges and therefore no person or governmental entity can stand to rest on their laurels with regard to the operation of their local jail facility. The following represents our conclusions related to the Orange County jail based upon our assessment.

The major issues affecting the jails, including **Changes in the Inmate Population** (discussed at pages 2-4 and 11-17), problems related to **Existing Facility Design** (discussed at pages 2-4, 20-22), issues arising from **Correctional Employee Classification and Staffing Levels** (discussed at pages 4 - 5, 23-73) have been documented in detail in this final report as well as in the Interim Reports (presented to OCSD management) and Facility Summaries that follow.

The OCJAP's major conclusions are:

- The inmate population is in poorer health, more drug addicted, more mentally ill, more gang-involved and more prone to violence than were inmates of a decade or more ago. This changed and changing inmate profile contributes directly and inexorably to the difficulty of managing the offender population and is a key factor in the escalating patterns of violence experienced in the Orange County jails.
- The Orange County Jail system is overstocked with dormitory beds in a minimum security setting that do not safely accommodate today's more serious offender inmate population.

- Several of the housing units at the James Musick Facility are well beyond their useful lives and will need to be replaced in the very near future. There is an immediate need for jail construction planning and funding for the replacement of this jail facility.
- Jail capacity is limited and crowding continues to plague the jail system. The system's crowding has caused some low risk offenders to be released into out of custody programs. If this trend continues the jail system will lose the primary workforce that provides cleaning and food services in the jail.
- Staffing shortages significantly impact the ability of the OCSD to safely operate and manage the Orange County Jail system. These shortages include a significant lack of supervisory staff (sergeants) to train and oversee custody staff. An additional **454.65** custody staff, and support personnel (SSO/CST), are needed to properly staff the entire Orange County jail system.
- The Custody Operations Command should bring all facilities into alignment with regard to safety checks. Some facilities, by policy are directed to conduct general safety checks once every 30 minutes. Others are in alignment with the Title 15, CCR requirement to conduct the safety check once every hour. During our assessment we found that staff was unable to conduct proper safety checks at the 30 and 60 minute interval. We recommend that a policy across facilities comport with the safety check every hour as the jail standard. Certainly, more frequent searches are desirable; however in any case the checks must be done in accordance with Title 15, CCR Guidelines.
- There is a significant problem with the lack of confidentiality provided to inmates at the medical screening area in IRC. Currently, confidential communication is not only nil, but broadcast via a speaker system. When inmates are reluctant to talk about medical issues due to confidentiality issues then there is a strong likelihood that they will not reveal serious illness or contagious disease. This is a high liability issue that should be addressed quickly.
- The CSCJC assessment team is of the opinion that the current strip search policy is too restrictive. Furthermore we found that there was a great deal of confusion by staff over the proper application of a strip search. There is a legitimate penology interest in conducting strip searches in the jail. We recommend that the Custody Operations Command work with risk managers and the training division to arrive at a more effective use of this security practice.
- The inmate classification system, while adequate, needs at a minimum to be validated in order to insure that too much subjectivity is not introduced into this critical process.
- The current practice of maintaining a weekender program should be thoroughly discussed with the judiciary, District Attorney and Public Defender to assess its effectiveness. Many jails in California have discontinued housing weekenders. To the extent that this practice

continues we recommend that weekenders are not housed with the general population. Additionally, there is no need to medically screen every inmate as they report for their weekend incarceration beyond the first screening. A short question by the booking deputy to inquire if there has been any change in the inmates health status since they were last booked should suffice.

- Service of two hot meals a day should be modified to serve two-cold meals and 1 hot meal. This is in keeping with standard operating practices in other jurisdictions and will enhance security by reducing the mass movement of inmates to the chow hall each day.
- Investment in a new or upgraded training management data system. A good system will allow the management of required training to be done more efficiently and provide an opportunity to reduce costs and assist the department recoup subvention funding from the Standards and Training for Corrections Program.
- Improved inmate record and court data systems are needed to improve the flow and handling of inmates incarcerated in the jails. The county should purchase and implement technologies currently available to facilitate inmate record and court data management.
- Other important technologies that will improve the safety and security of the jails should similarly be explored, purchased and implemented. These include digital video systems throughout all the jails, video visiting video arraignments and the use of RFID for inmate tracking.

Final Thoughts Concerning the OCJAP

Jails are rarely a popular subject and especially not when they are brought up in the context of competing requests for precious tax dollars. Nonetheless, operating safe and secure jails is an essential government function and must be accorded the full measure of attention and funding to be carried out appropriately.

Furthermore, the experience with the long-standing intervention of the Federal Court in the operation of the Orange County jails is a sobering reminder of the necessity to attend to jail issues. One needs only to look at the current crisis in the California prison system to understand the unfavorable financial, control and public policy consequences of failing to proactively manage the correctional infrastructure.

Our hope is that Orange County leaders chart an assertive course to mitigate the serious problems encountered daily in the county's jails. We have presented our observations and recommendations in an attempt to make a good department even better. Doing so will ultimately benefit all the people of Orange County because it will ensure that the jail system can and will operate in ways that protect both the public and people incarcerated in jail.

Summary of Findings – Central Jail Complex (CJX)

Physical Plant - IRC

The IRC is the newest facility of the Central Jail complex (CJX). This facility was first opened in 1988, and serves as the main receiving area where inmates are booked upon their acceptance into the facility.

The booking process includes developing an inmate record, medical/mental health screening, photographs, fingerprinting, classification, property/clothing inventory and collection, service to bonding companies and the release of inmates.

In addition to booking, this facility accommodates inmate housing for both male and females. This facility also has a medical unit, not only for medical screening for newly arrived arrestee's, but also as a medical/mental health clinic for inmates housed at the IRC.

The IRC also serves as the central staging area for the court transfer and transportation system where arrestee's are delivered to the various courts throughout Orange County and California. According to Corrections Standards Authority (CSA) inspection reports the Bed Rated Capacity of the IRC at 389 beds; the facility is equipped with 753 beds. The facility complies with applicable physical plant standards except that there are 364 single-occupancy cells equipped with two beds/bunks.

The IRC is in good condition, clean and well maintained. Some issues involving lack of privacy in the booking area as it relates to medical screening and HIPPA requirements was noted.

CJX – At a Glance

There is insufficient staff to safely operate the jail facilities that make up the CJX complex, which creates an unacceptable risk to staff and inmates. We recommend the addition of staff in the 3 facilities that make up the CJX as follows:

CJX – We recommend 50.82 staff as a permanent SRF to supplement existing staff in order to meet T-15 requirements. A total compliment of 140.82 custody staff is recommended.

IRC – We recommend 71.89 staff as a permanent SRF and 22.77 staff to supplement existing staff in order to meet T-15 requirements. A total compliment of 310.66 custody staff is recommended.

MCJ – We recommend 55.79 staff as a permanent SRF and 28.07 staff to supplement existing staff in order to meet T-15 requirements. A total compliment of 225.86 custody staff is recommended.

WCJ – We recommend 13.75 staff as a permanent SRF and 10.12 staff to supplement existing staff in order to meet T-15 requirements. A total compliment of 74.87 custody staff is recommended.

Some issues involving lack of privacy in the booking area as it relates to medical screening and HIPPA requirements was noted. CSCJC recommends that the medical screening area be modified in order to maintain confidentiality during the medical screening process.

Currently two-hot meals and one-cold meal are served to inmates each day at the CJX. We recommend changing the feeding protocol to two-cold meals and one hot-meal. This change will significantly enhance the utilization of staff and provide greater security at the CJX.

Orange County Jail Assessment Project

There is an objective classification system that is used to classify individuals who are booked into the jail. While the current system meets minimum standards, the evaluation team believes that while there is a need for override capability in order



to take subjective criteria into consideration that the system is use involves too much subjectivity. Re-evaluation of a more standardized objective classification system is recommended. The present system is in need of greater diversity in sub-classifications as well as wrist band identification.

Again, the present system functions adequately but allows considerable subjective

discretion at the line level that could represent potential liability. Additionally, it is our recommendation that they dispatch a team to NIC/Jails Division training, or seek NIC technical assistance for a thorough review of the current system in order to validate the current system.

Men's Central Jail – The jail was evaluated as a Type II Facility under 1963 standards that were in effect at the time of original construction. The Men's jail is an older linear design which despite its age was relatively well designed, inasmuch, as facility staff had an unobstructed view into the inmate housing areas. Unfortunately, this generation of jail facility is staff intensive and does not offer the ability to control the inmate population as securely as a new generation popular design.

Planned installation of a CCTV system such as that that has been installed in some housing areas at the Theo Lacy Facility is recommended. While the use of audio or video technology should never be a substitute for custody staff's vigorous supervision of the activities in the housing unit, the upgraded digital CCTV system can be extremely valuable in sorting out allegations of mistreatment and for use as evidence when inmate on inmate violence occurs.

The facility has a Board Rated Capacity (BRC) of 1,219 and is equipped with 1,283 beds. The facility complies with applicable physical plant standards with the following exceptions. The facility's dorms are rated for 56 and are equipped with 64 beds. The BRC appears to have been established using minimum plumbing fixtures to inmate ratios, which are exceeded at the current level.

Despite the age of the facility, staff does a commendable job of maintaining the facility in a clean and sanitary manner. Although this is a linear design the security stations and surrounding areas used for observations is remarkably good.

Women's Central Jail – The jail was evaluated as a Type II Facility under 1963 standards that were in effect at the time of original construction. The facility has a Board Rated Capacity (BRC) of 275 and is equipped with 358 beds.

The facility complies with applicable physical plant standards with the following exceptions. The facility's dorms (1-8) are equipped with more beds than their rated capacities. As a result, the minimum plumbing fixtures to inmate ratios are exceeded.

The installation of digital CCTV equipment is recommended to supplement the supervision of inmates and to provide a high quality recording of activities that occur in this facility.

As with the Men's Jail, considering the age of the facility, staff does a commendable job of maintaining the facility in a clean and sanitary manner. Although this is a linear design the security stations and surrounding areas used for observations is remarkably good.

Contraband

The potential for the introduction of contraband is a concern; especially since contraband undermines staff and inmate safety and increases escape risk and health hazards; this problem is largely the result of staff shortages.

Security

This diverse nature of correctional activities at the CJX is accompanied with a commensurate number of challenges not the least of which are: the reception and classification of all fresh arrestees into the county system, the housing and treatment of all mentally ill inmates in custody, the initial diagnosis and treatment of all inmate medical needs, the food preparation and delivery for this diverse population and the maintenance of tired and dated facilities.

It has been our experience that "front end" facilities of this type which are part of a larger jail system are usually in need of considerable remediation due to their age and operational workload demands. From our observations during our inspection through a safety and security prism, we did not find this to be the case at the Central Jail Complex. Certainly there are corrections and suggestions we recommend but overall, staff shortages aside, the CJX was clean, functions well and is operated in a professional manner.

Facility Maintenance

As mentioned with the Men's and Women's Jails, the team of CSCJC evaluators regarded the maintenance effort at the complex as remarkably good and issues that impact the overall security of the facility are generally attended to in a timely manner. Overall, the facility is clean and free of foul odors often associated with other jail facilities in the state.

Quality of Staff

Despite the issues that we have identified in this assessment, we are very pleased to report that there is a high level of professionalism at the IRC, Men's Central and Women's Jail. There was some frustration expressed about the long period of time that staff is assigned to the jail facilities awaiting field assignments. For those individuals who have chosen to work in the jail as a career path there was also frustration expressed about the inability to promote without having street enforcement experience.

Management, supervisory, line and support personnel assigned to the Central Jail Complex were open and supportive of the efforts of the OCJAP team. We were pleased to observe good management practices that mitigate many of problem issues. There was consensus among the CSCJC team that the IRC is generally well managed and efficiently operated.

Key Observations and Recommendations

The substantive observations that where improvement can be achieved are as follows:

Staffing Assessment – There is insufficient staff to safely operate the jail facilities that make up the CJX complex, which creates an unacceptable risk to staff and inmates. We recommend the addition of staff in the 3 facilities that make up the CJX as follows:

CJX – We recommend 50.82 staff as a permanent SRF to supplement existing staff in order to meet T-15 requirements. A total compliment of 140.82 custody staff is recommended.

IRC – We recommend 71.89 staff as a permanent SRF and 22.77 staff to supplement existing staff in order to meet T-15 requirements. A total compliment of 310.66 custody staff is recommended.

MCJ – We recommend 55.79 staff as a permanent SRF and 28.07 staff to supplement existing staff in order to meet T-15 requirements. A total compliment of 225.86 custody staff is recommended.

MCJ – We recommend 13.75 staff as a permanent SRF and 10.12 staff to supplement existing staff in order to meet T-15 requirements. A total compliment of 74.87 custody staff is recommended.

Medical Screening – Currently medical staff who conduct medical screening at the IRC are separated from close contact with inmates by way of a glass barrier between them and the inmate. Consequently, this arrangement does not allow for confidentiality and inmates who are awaiting medical screening or even near the medical screening area are privy to the discussion of medical information.

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On its face, this situation clearly is a violation of the inmate's right of confidentiality with regard to medical information. As a matter of good jail practices, medical privacy can have a significant impact on the safety and security of inmates in the jail.

As an example, an individual may withhold information about a disease that may be communicable in an effort to keep other inmates from knowing their medical conditions.

CSCJC recommends that the medical screening area be physically modified in such a manner that will insure confidential communication of medical information between inmates and medical personnel.



Meal Service – Currently the CJX serves two hot and one cold meal(s) per day to the inmate population. While this does not pose a security issue in the newer generation housing areas in the IRC, inmates housed in the Men's and Women's jail are escorted out of their housing areas and to a centralized dining hall two times per day.

Most other jail facilities in California only serve one hot meal per day to the inmate population. The service of two cold meals and one hot meal do not violate minimum jail standards as long as the daily nutritional requirements are met. This meal service plan is not out of alignment with community standards as many people eat only one hot meal per day.

Movement of inmates for feeding requires the diversion of numerous custody staff from the various areas of the CJX in order to maintain security and to prevent inmate violence. Additionally, any time large numbers of inmates are out of their cells in transit to other areas of the jail the potential for very serious incidents can occur.

While there may or may not be cost avoidance in the service of two cold meals, the real issue here involves risk avoidance. The service of two cold meals per day would significantly reduce the amount of time that inmates are moved in mass throughout the jail facilities.

CSCJC recommends that the facility adopt the two-cold and one-hot meal protocol at the CJX.

Summary of Findings – Theo Lacy Facility

Theo Lacy– Physical Plant

The Theo Lacy jail facility is located in the incorporated City of Orange and is the largest jail facility in the county.

While the facility falls under one command, this sprawling jail has grown over the years beginning with minimum security barracks that was opened in 1960. Since that time, jail construction on this site has expanded the facility footprint from 4 to 11 acres and now consists of nine new generation double banded modules (1,728 beds), one medical module (124 beds), seven dormitory style barracks (1,284 beds), and 32 disciplinary isolation beds - for a total of 3,168 beds. The latest construction was completed in 2005.

Theo Lacy – At a Glance

There is insufficient staff to safely operate the Theo Lacy Facility, which creates an unacceptable risk to staff and inmates. We recommend 59.46 staff as a permanent SRF and 51.24 staff to supplement existing staff in order to meet T-15 requirements. A total compliment of 561.7 custody staff is recommended.

Weekender booking procedures should be reviewed and a determination should be made to find alternative housing for these individuals to reduce the incidence of smuggling contraband into the jail.

Currently two-hot meals and one-cold meal are served to inmates each day at the Theo Lacy Facility. We recommend changing the feeding protocol to two-cold meals and one hot-meal. This change will significantly enhance the utilization of staff and provide greater security at the Lacy Facility.

Some of the specialized functions in the jail include the following:

Phoenix House – This is a custody program dedicated to the “New Start” drug and alcohol treatment, which occupies 64 beds and is located in one of the facility modules.

Juvenile Housing – Orange County is one of the few jail systems in the state to house a substantial number of juvenile offenders. Originally, the housing of juveniles with very serious offenses was established in the jail until more secure facilities in the juvenile hall could be constructed. This temporary condition was allowed by the CSA as an alternate means of compliance, however the housing of juveniles continues today even after the construction of the new juvenile facility.

The housing of juveniles in adult facilities adds an additional layer of complexity to the operation of the jail facility inasmuch as juveniles must be shielded from sight and sound from the adult population in accordance with Federal and State regulations. Juveniles housed at the Theo Lacy facility are housed in Module J and supervised by Orange County Probation staff.

There appears to be very good cooperation between the OCSD and OCPD staff and sufficient attention is paid to meeting the juvenile confinement requirements, including safely keeping juveniles away from adult staff. The use of this facility to

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hold juvenile wards is not particularly problematic other than some adjustments that need to occur during movement or transportation of the juvenile wards. The compromise in the use of the facility most likely serves a legitimate county need; however it does remove a portion of a module that cannot be used for adult housing, which is increasingly important as adult inmate classification becomes more complex and fractured.

The Theo Lacy facility is in good condition, clean and well maintained. Despite the age of some of the older buildings, staff does a commendable job of

maintaining the facility in a clean and sanitary manner.

Given the design of the varying facilities the security stations and surrounding areas used for observations is good. Most recently an upgraded video monitoring system has been deployed in the dormitory (barracks).



Housing Module - Theo Lacy Facility

Staff report that this system is superior to the old system and it has particular value in risk management and the

investigation of assaults in the housing areas. It is important to note that audio and video systems are not to be relied upon to provide security but rather to supplement the supervision of inmates. Staff is required by regulation to physically inspect the housing areas once every hour (once every 30 minutes by Theo Lacy policy).

Staffing Assessment –There is a high degree of consensus by the three assessment teams that staffing in the Theo Lacy Facility is insufficient of staff to accomplish all of the regulatory/policy requirements in the daily operation of the facility in a safe and secure manner without the expenditure of much higher than normal overtime hours. Even with the use of overtime, many required tasks are not accomplished in a manner consistent with minimum jail standards or best correctional practices, e.g. security checks, searches, etc.

During our assessment of the facility, facility records and staffing profiles, CSCJC noted that the current complement of custody staff was very experienced as a result of a backlog of deputies waiting to be transferred to street law enforcement assignments. We are advised that many deputies spend upward to 7-years in the jail waiting for their transfer to a patrol assignment. This long wait time creates a level of frustration among some custody staff and in many cases, by the time staff is eligible for transfer to street enforcement assignments, staff is opting to remain in the jail where hours are more regular and overtime is abundant.

Based upon our conversations with custody staff, many expressed that when they were first recruited, their life situations were much different than after the passage of so many years of jail duty. Some of those changes involved marriage and family life. Additionally, the variety of shift schedules, including the 12-hour shifts are popular, inasmuch as staff is better able to afford housing in adjacent

counties where the cost of living is lower than in Orange County. Despite the issues related to staying in the jail for many years, we found these individuals to be interested, alert and willing to apply facets required of their position of custody deputy.

Contraband

The potential for the introduction of contraband is a concern, since contraband undermines staff and inmate safety and exacerbates escape risk and health hazards.

Facility Maintenance

The teams of CSCJC evaluators regarded the maintenance effort at the complex as remarkably good and issue that impact the overall security of the facility are generally attended to in a timely manner. Overall, the facility is clean and free of foul odors often associated with other jail facilities.

Quality of Staff

Despite the issues that we have identified in this assessment, we are very pleased to report that there is a high level of professionalism at the Theo Lacy facility. There was some frustration expressed about the long period of time that staff is assigned to the jail facilities awaiting field assignments. For those individuals who have chosen to work in the jail as a career path, there was also frustration expressed about the inability to promote without having street enforcement experience.

Management, supervisory, line and support personnel assigned to the Theo Lacy Facility were open and supportive of the efforts of the OCJAP team. We were pleased to observe good management practices that mitigate many of problem issues. There was consensus among the CSCJC team that the Theo Lacy facility is professionally managed and efficiently operated.

Key Observations and Recommendations

The substantive observations where improvement can be achieved are:

Staffing Assessment – There is insufficient staff to safely operate the Theo Lacy Facility, which creates an unacceptable risk to staff and inmates. We recommend 59.46 staff as a permanent SRF and 51.24 staff to supplement existing staff in order to meet T-15 requirements. A total compliment of 561.7 custody staff is recommended.

Meal Service – Currently the Theo Lacy Facility serves two hot and one cold meal per day for the inmate population. While this does not pose a security issue in the newer generation housing areas at the Theo Lacy Facility, inmates housed in the barracks are escorted out of their housing areas and to a centralized dining hall three times per day.

Movement of inmates for feeding requires the diversion of numerous custody staff from the various areas of the facility in order to maintain security and to prevent inmate violence. Additionally, any time large numbers of inmates are out

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of their cells in transit to other areas of the jail the potential for very serious incidents can occur.

Most other jail facilities in California only serve one hot meal per day to the inmate population. The service of two cold meals and one hot meal do not violate minimum jail standards as long as the daily nutritional requirements are met. This meal service plan is not out of alignment with community standards as many people eat only one hot meal per day.



While there may or may not be cost avoidance in the service of two cold meals, the real issue here involves risk avoidance. The service of two cold meals per day would significantly reduce the amount of time that inmates are moved in mass throughout the jail facilities.

CSCJC recommends that the facility adopt the two-cold and one-hot meal protocol at the Theo Lacy Facility.

Weekender Housing – During the assessment the CSCJC team noted that weekenders¹⁸ are admitted to the facility and integrated into the general population according to their classification.

CSCJC is recommending that Custody Operations consider a change in protocol, whereby jail space apart from the general inmate population is secured exclusively for weekenders during that time that these individuals are in custody.

Housing Weekenders with the general population is a security problem because of the probability of contraband being brought in. If sufficient space is not available at the Theo Lacy Facility, the department may consider using the James A. Musick Facility for weekender housing.

Additionally, the assessment team noted that medical staff is screening these individuals each and every time that they return to custody. The CSCJC assessment team are of the opinion that once an individual is medically screened upon checking in for their first weekend that continued medical screening not be conducted by medical staff. Rather, we believe that custody staff, upon the inmate's re-entry, would need only to inquire if there has been a change in health or medical condition since the last time the individual was incarcerated. In the event that an individual responds in the affirmative then medical staff would be called for a more detailed screening.

Orange County is one of the few local agencies that still operate a weekender program, due to the fact that since the convicted individual is out of custody for the majority of the week that another intermediate sanction such as electronic

¹⁸ Individuals sentenced to the county jail on the weekends and are generally admitted on Friday and released on Monday.

monitoring. This is because the infusion of weekenders into the jail stresses the ability of staff to conduct the normal day to day functions in the jail. Generally, the workload increase is not matched by a corresponding increase in staffing. Therefore, oftentimes required activities are delayed or not accomplished as a result of the increase in time consuming activities of receiving, housing and releasing.

Summary of Findings – James Musick Facility

Physical Plant

The James A. Musick facility is located in an unincorporated area near the City's of Irvine and Lake Forrest and serves the county as a minimum detention facility. The Musick facility is commonly referred to as the "farm" due to its historical use of inmates to grow food crops on the facility grounds.

While this activity continues to take place, the inmate classification of individuals housed at this facility has been changing over the years and like many minimum security facilities is housing a higher classification than ever before.

This is a phenomenon that we call "classification creep" in which the ever expanding inmate population incarcerated in the jail are felons and therefore, as a matter of prioritization and consideration of public safety, those inmates who were classified as minimum security have been shoved out of the system and into out of custody alternative work programs.

The safety and security of any given detention facility is dependent on two basic factors, the design of the facility and the number of staff assigned to the facility to supervise the activities of the inmates. A better facility design economizes on the number of staff needed to supervise inmates; even a poorly designed facility, given the inmate classification, can be safely operated provided that there is a corresponding staffing level to properly supervise the inmates that are in custody. The task at hand for any correctional entity is to maintain a balance between facility design, classification of inmates and staffing levels.

All too often, with respect to "classification creep", the agency operating the detention facility continues to staff the facility at the same level when a lower classification of inmate was housed in the facility. What should occur, but often doesn't is that custody staff should be increased, commensurate with the classification of the inmate.

Upon evaluating the Musick facility, CSCJC concludes that despite "classification creep" at the facility, the staffing level remains the same as when the facility truly housed minimum security inmates. In our view, while not at a critical stage, it bears evaluating the changing inmate population in relation to staffing levels. Once again, balance must be maintained in order to diminish the extent and severity of inmate-on-inmate or inmate-on-staff violence.

James Musick Facility– At a Glance

There is insufficient staff to safely operate the Musick Facility, which creates an unacceptable risk to staff and inmates. We recommend 52.63 staff as a permanent SRF and 38.11 staff to supplement existing staff in order to meet T-15 requirements. A total compliment of 207.74 custody staff is recommended.

The tents and wooden barracks currently used to house inmates is inadequate and therefore attention should be directed toward the removal of this so called temporary housing.

The inmate housing at the James Musick Facility is in need of replacement in order to better manage the inmate population and increase overall security at the facility.

Security practices involving access to the facility by visitors should be a priority. We recommend the installation of a video visiting pilot program.

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It is worth noting that shifts in inmate classification (classification creep) are oftentimes quite insidious because it happens slowly over time. While there is a level of awareness of the change, balance is not maintained until after some unhappy event or hopefully after a third party assessment, such as this project draws attention to a problem. The housing units and support buildings located at the Musick facility vary in age and design is described as:

The Musick facility is an adult detention facility occupied by sentenced and unsentenced males and females. The facility sits on approximately 100 acres located in an unincorporated area near the Cities of Irvine and Lake Forest, in an urban environment very close to light industrial and residential. This facility was first opened in 1964 and the facility was designed (capacity of 200) for the detention of males sentenced for misdemeanor crimes in a minimum security environment.

Over time, additional low security housing units were added on the facility grounds and in 1986, as a temporary measure to ease crowded jail conditions, four 90-bed tents were added to the facility. The inclusion of these very soft housing units were approved as an alternative means of compliance to ease crowded conditions, however are not counted as part of the Corrections Standards Authority bed rated capacity.



Musick Facility Tent Housing

There is a common observation that in the bureaucratic parlance to describe something as temporary, it is sure to become the most permanent word in the government dictionary; and, so it is with the tent structures at the Musick facility that were supposed to be removed upon additional jail space being constructed at the Theo Lacy site. Unfortunately, due to the ever increasing incarceration rate in Orange County the tents continue to be occupied.

The current the CSA rated inmate housing capacity at the Musick Facility is 713 beds and 360 non-rated beds (tents). Combined the total available beds at the Musick Facility is 1073. During the 2007 calendar year the Musick Facility held and ADP of 1027 inmates. The facility also supports two-kitchens, as well as providing medical/mental and dental services.

Beyond the housing of male and female inmates, the Musick facility is host to a variety of vocational-industrial activities such as an institutional laundry, wood shop, welding shop and paint shop. The facility also supports a farming operation that includes the production of truck crops and a poultry operation that supplies fresh eggs to the jail and juvenile hall facilities.

Because of the assignment of lower security inmates at the facility, a substantial number of educational, vocational and lifestyle programs are offered to

individuals sentenced to the Musick facility. As mentioned in other facility summary reports, the Orange County Sheriff's Department is committed to providing both in custody and post custody programs aimed at providing a range of services designed to reduce recidivism. It was noted that like many of the activities at the Musick facility, the changing (higher security) classification of inmates being housed there is impacting the number and type of programs offered.

Staffing Assessment – There is insufficient staff to safely operate the James Musick Facility, which creates an unacceptable risk to staff and inmates. We recommend 52.63 staff as a permanent SRF and 38.11 staff to supplement existing staff in order to meet T-15 requirements. A total compliment of 207.74 custody staff is recommended.

During our inspection of the facilities, facility records and staffing profiles, CSCJC noted that the current complement of custody staff was very experienced as a result of a backlog of deputies waiting to be transferred to street law enforcement assignments and individuals transferring back to the facility from street assignments. We are advised that many deputies spend upward to 7-years in the jail waiting for their transfer to a patrol assignment. This long wait time creates a level of frustration among some custody staff and in many cases, by the time staff is eligible for transfer to street enforcement assignments, staff is opting to remain in the jail where hours are more regular and overtime is abundant.

Based upon our conversations with custody staff, many expressed that when they were first recruited, their life situations were much different than after the passage of so many years of jail duty. Some of those changes involved marriage and family life. Additionally, the variety of shift schedules, including the 12-hour shifts are popular, inasmuch as staff is better able to afford housing in adjacent counties where the cost of living is lower than in Orange County. Despite the issues related to staying in the jail for many years, we found these individuals to be interested, alert and willing to apply facets required of their position of custody deputy.

Contraband

There is a very high potential for the introduction of contraband which is a concern, especially as contraband relates to staff and inmate safety, escape risk and health hazards. This concern is a result of the low security setting in which inmates have a great deal of access to contraband.

Security

The changing nature of the inmate profile at the Musick facility is of concern to the CSCJC evaluators due to what we identify as "classification creep". Although the Orange County Sheriff's Department is doing a good job of classifying individuals who are most amenable to low security housing, inmate demographics are changing in Orange County and California. The California Jail Profile Survey decidedly shows an increase in more serious offenders being held in the jail. There is a corresponding decrease of lower security inmates housed in the jail.

Another weak point involves the public access inside the secure areas of the facility unescorted. Two major areas are noted in this regard—of greatest concern is the practice of contact visiting. This practice is a holdover from the days in which a much lower security inmate was being housed at the Musick facility. Also of great concern was the ability of the public to drive into the secure areas of the facility to conduct business such as leaving money on the books for inmates.

Construction of More Secure Inmate Housing – The bucolic atmosphere of the Musick facility lends itself to a very relaxed atmosphere. While the staff does a good job of maintaining security, the design and operational protocols currently in place lend themselves to major security and safety problems in the event of a widespread inmate disturbance. Low staffing, along with the soft nature of inmate housing areas, should serve as a red flag. The CSCJC team concludes that some changes in operation can elongate the use of the facility in its current configuration, plans to replace or supplement much of the current inmate housing should continue unimpeded and should be considered a spending priority.

Facility Maintenance

Maintenance of the facility is generally quite good given the age and type of housing used for the custody of inmates. It should be clear that the cost to maintain these old structures will increase over time.

Summary of Findings – Court Holding Facilities

On September 9 and 10, 2008, Crout and Sida Criminal Justice Consultants (CSCJC) represented by a team of two consultants (William Crout and James Sida) conducted an assessment of the five Orange County Court Holding Facilities that currently hold inmates during court proceedings. The design for a sixth facility was also reviewed for efficiency and Title 24, California Code of Regulations (CCR) standards. The court holding assessment included a review of staffing levels, physical plant conditions and a security/safety review.

Prior to the on-site assessment of the five facilities, CSCJC reviewed the document entitled, *Security Assessment Services for the Superior Court of California – County of Orange*. The Court Consulting Services from Denver, Colorado, on behalf of the National Center for State Courts, published this document in May 2007. This document contained the comprehensive assessment of nine courthouses that were in operation by a five person team. This assessment addressed all areas of the courthouses for security, policies and procedures and staffing. The assessment conducted by CSCJC was more limited in nature.

After beginning the comprehensive Orange County Jail Assessment, CSCJC was asked to include the court holding facilities with their review. We limited our review of the court holding facilities to areas that fall with our expertise including: policy and procedures; staffing and security of areas accessed by the inmates. We based our review on minimum jail standards contained in Titles 15 and 24, CCR.

From a safety and security perspective the transportation to and from the various courts as well as inmate movement in the courthouse poses a unique security challenge for the Sheriff's Department.

It is instructive to think of prisoner movement along the lines of a color coded system (green, yellow and red) to identify the risk inherent in inmate management and transportation and housing at the courthouse.

- Green (Green Zone) represents the safest status of prisoners. That is to say that when inmates are safely locked in their cells and housing units then the public and custody staff are afforded the highest level of protection.

Court Holding Facilities – At a Glance

Courthouses are notoriously risky with regard to security. All court personnel should be cognizant of the potential for hazard and how they can assist in courthouse security.

Inmate holding areas in many of the Orange County courthouses are in need of renovation to insure that staff can properly monitor and supervise inmates.

Court areas where inmates move in around the courtrooms should have an upgraded CCTV system to aid custody staff in the supervision of inmates.

Caged areas installed in the court rooms represent a good effort at security in the courtroom.

- Yellow (Yellow Zone) is a cautionary status that is in effect when inmates are taken out of their cells and are able move within the jail facility and transportation staging areas. Custody staff must be on their guard to quickly respond to disturbances that may involve risk to inmates, custody and support staff in the jail.
- Red (Red Zone) represents the highest security risk and is present whenever inmates are loaded on a bus or other transportation vehicles and removed from the safe confines of the jail. Security problems in this condition can have very serious consequences to the public at large, custody staff and inmates.

This level of risk is significant due to the fact that moving inmates outside of the confines of the jail opens up a nearly infinite number of opportunities to escape, or possessing contraband, or to have individuals on the outside involved with abetting an escape. Once an individual is in the courthouse they are moved in mass. In the case of the Central Courthouse, it is a very old building with poor security inherent in its design. Additionally, this brings the inmates closer with individuals outside of the custody cocoon, which may offer the inmate with the opportunity to obtain contraband or to assault court personnel. Because of legal necessities, the courtroom is designed to provide a trial free of bias; inmates are in most cases not restrained in any way.

Based on the color code metaphor the courthouse setting is in a constant state of Red, or the highest security risk.

In the interest of assessing the security conditions in the Orange County courthouses, on September 9, 2008, we initially met with Captain Brian Cossairt and his staff of lieutenants and sergeants responsible for operating the court holding facilities under his command. We were informed that there are currently five facilities that contain court-holding facilities. These include:

- Central Justice Center
- Harbor Justice Center
- North Justice Center
- Lamoreaux Justice Center
- West Justice Center

In addition to these facilities, the old South County Courthouse has closed and is in the design process to construct a new facility.

Captain Cossairt provided CSCJC with an overview of the court holding facilities and systemic issues; he also related that over the last three years, there have been an additional 74 positions added to the court's staffing levels. This addition in staff has helped mitigate many glaring problems in properly staffing these facilities, but proper staffing challenges remain.

Each lieutenant and sergeant representing the six facilities provided an overview of their facility. After this briefing, CSCJC consultants scheduled on-site evaluations to the facilities, which are described as follows:

Central Justice Center

The Central Justice Center is a 1968 vintage courthouse that is the busiest in the system. Up to 400 inmates are processed through this facility per day. The most significant safety and security issues with this facility relate to physical plant issues include:

- An insufficient number of holding cell space to hold all of the inmates processed through this facility.
- A labyrinth design that severely limits the ability of deputies to control the movement of inmates.
- A critical void in the number of holding cells available for individual inmates and/or inmates needing to be separated from the general population.
- Extremely poor sightlines into the available holding cells to monitor activities of the inmates.
- CCTV available to staff is of poor quality
- Many enclosures (Juvenile cells, D-5 control room) have been added using “expanded metal walls” that is painted white causing poor sightlines and access problems. We recommend a dark color to improve visual observation inside the holding areas.
- An antiquated security electronic system (electronic door controls) with limited or no availability of repair parts (indicator lights rarely work).
- Security electronics are located on a wall behind the deputy who must constantly turn to work the controls (ergonomic issues).
- Very limited space for staff causing many spaces to be inappropriately used for multiple purposes (sergeant’s office, break room, equipment room).
- An antiquated audio monitoring system into the cells to respond to calls from inmates – no parts are available to repair this system.
- A new booking room that was added to process “court remands” shares a hallway with judges and court staff.

In addition to the physical plant problems, we noted the operational problems included:

- Safety checks (as required by Section 1027 - via *direct visual observation*) are only completed relying on antiquated CCTVs (in violation of the regulations).
- The inmate’s classification system is seriously compromised by the inability to separate the various classes of inmates.

- Juveniles are not sufficiently separated from adult inmates due to lack of cells.

Facility staff advised CSCJC consultants that there had been additional holding space on the second floor of the courthouse, but that a few years ago this space had been “appropriated” by the judges and turned into an executive conference room.

Harbor Justice Center

Since the South Justice Center closed on July 7, 2008, the number of inmates processed through this court holding facility has significantly increased daily. The maximum capacity of this facility is 141 inmates. This was the cleanest facility that CSCJC has visited in quite some time. It is generally well designed in terms of the visibility into each holding cell. Some of the challenges that staff face in operating this facility include:

- An insufficient number of small holding cells to hold inmates that need to be separated from the general population.
- A general lack of holding capacity to handle the large volume of inmates processed through this facility.
- Lack of adequate spaces to provide secure professional visits between inmates and their attorneys.
- A front desk that lacks a physical separation (glass clad polycarbonate barrier) between staff and the general public.
- CCTVs need to be upgraded to color and digital recording systems.
- Cell door mechanisms are constantly breaking down with no available repair parts due to their age (parts must be fabricated by maintenance staff).
- Disabled inmates must be moved through court administrative areas because of access barriers.

Operationally, the classification system – though challenged, safety checks appear to meet regulations. It also appears that a third sergeant’s position needs to be added to the staffing level.

North Justice Court

The North Justice Court is another 1968 era courthouse that has many of the problems being experienced throughout the system. These included:

- An insufficient number of small holding cells to hold inmates that need to be separated from the general population.
- A general lack of holding capacity to handle the large volume of inmates processed through this facility.
- Lack of adequate spaces to provide secure professional visits between inmates and their attorneys.

- Control rooms contain security electronics that are antiquated, frequently broken and lack ergonomics – staff has no way of knowing whether gates are opened or closed.
- Lack of adequate restroom space for inmates on the various levels of the court house resulting in inmates needing to be escorted to the basement to use the facilities.
- Stairwells and other areas have no CCTV coverage.

While video arraignment has helped reduce the pressure on moving inmates through the courthouse system, the inmate population continues to rise and impact these facilities. It also appears that an administrative deputy needs to be added to this facility. Staff works diligently to make safety checks of inmates and to the extent possible, separate inmates according to their classification status.

Lamoreaux Justice Center

Lamoreaux Justice Center is the newest courthouse in the system. This facility is located near the Theo Lacy Detention Facility and directly adjacent to the Orange County Juvenile Hall. Although a majority of the individuals supervised by Sheriff's staff are juveniles, there are always a number of adults as well. This creates a situation where efforts must be made to endure that adult inmate's and juveniles remain separated at all times.

Juveniles waiting to be escorted to the courts are kept under the supervision of probation officers in a separate holding area. Adults are held in the holding spaces supervised by Sheriff's staff. Although this is a newer facility, there are still physical plant issues that cause concern. These include:

- The briefing room is actually a wide part of the hallway adjacent to the rear door which inmates are escorted past.
- There are no CCTVs in holding cell areas in the holding facility.
- There is no elevator to the seventh floor – inmates and juvenile must ride the elevator to the sixth floor and be escorted up a stairwell to the seventh.
- Inmates frequently need to be escorted through the court administrative areas, especially when the one of two elevators break down as they do about every two weeks.
- The security electronics in the control room frequently break down and parts are difficult to obtain.
- The monitors and controls in the control room are not logically or ergonomically organized.

West Justice Center

The West Justice Center also has many of the problems that are issues in other court holding facilities. Sheriff's staff told us that the control room is about to be renovated within the next year that should solve, or mitigate, many of the issues

that currently exist. This court processes about 110 to 120 inmates per day. In addition to these inmates, however, the Sheriff's staff (as in the other facilities) must address a number of security issues outside of the holding area. The problem areas include:

- An insufficient number of small holding cells to hold inmates that need to be separated from the general population.
- A general lack of holding capacity to handle the large volume of inmates processed through this facility.
- An insufficient number of cameras that record digitally and older non-recorded cameras.
- No intercom for the pedestrian gate out of the vehicle sally port.
- The adjacent parking lot that contains the vehicle sally port (a relatively new addition, is not secured.
- The secure hallways and stairways to each court from the court holding area need CCTV coverage.
- The stairways, some two stories long, are very steep – most inmates are not escorted to their courtrooms, but are rather “sent” to each courtroom.
- A front desk that lacks a physical separation (glass clad polycarbonate barrier) between staff and the general public.

Operationally, the classification system though challenged, and safety checks, appear to meet regulations.

South Justice Center

Although the South Justice Center court holding facility is currently closed, there are plans to construct a new facility. CSCJC consultants were provided with a schematic design of the court holding area for this planned facility. Given the frequent complaint that there are never enough small holding cells to provide separation between the various classifications of inmates, this facility design could use some additional small cells. Realistically, it does appear that an effort was made to maximize the number of these small cells within the available footprint of the building and continue to maintain good sightlines. Consequently, we agree that this is an appropriate design for this facility.

System –Wide Issues

CSCJC consultants also observed a number of “system-wide issues” that are shared by all of the court holding facilities. These include:

- Unnecessary reliance on 1950s technology in handling court commitment papers and other documents. The court's computer system and that of the Sheriff's Department are not integrated to allow a seamless processing of court documents. Many of these documents must be hand written and information entered several times in different systems. This is not only inefficient, but the possibility of human errors increases greatly.

- There are potential projects by the courts to correct some of the issues noted above, but it is unclear on when these projects will begin and how extensive these projects will be.
- There seems to be continued confusion as to which governmental organization funds what part of the court operations. This is a gray area that must be clarified with agreements between the courts and the county.

The courts and county should be congratulated for the excellent job done on installing secure holding (caged) areas in many of the courtrooms that we observed. This well thought out design will provide for much safer courtrooms for inmates, court and custody staff and the public.

As previously mentioned, CSCJC consultants reviewed the document entitled, *Security Assessment Services for the Superior Court of California – County of Orange*. CSCJC generally agree with the recommendations found in this document and believe that it is an excellent resource document for the courts and the county.

Summary of Findings – Inmate Programs

Jail programs provided throughout the Orange County jail system are expertly managed. Clearly, there is a high value placed on the provision of inmate programs in Orange County. Despite the high level of professionalism that we observed with regard to the operation of this division, the following observations are presented:

All areas contained in Title 15, CCR, concerning jail programs are, in most cases, being met satisfactorily with only a few areas of improvement noted in other sections of this report. Those items include:

- Visiting.
- Correspondence.
- Library service.
- Exercise and recreation.
- Books, newspapers and periodicals.
- Access to telephones.
- Access to courts and counsel.
- Inmate orientation.
- Individual and family service programs.
- Voting.
- Religious observances.
- Inmate grievance procedure.

Inmate Programs– At a Glance

The Inmate Programs Division is expertly managed and by the very nature of their funding stream, demonstrates that public entities can effectively utilize modern private sector business practices.

Inmate meals should be changed to 1 hot meal and 2 cold meals as opposed to the current practice of 2 hot meals and 1 cold meal.

We applaud the Inmate Programs Division's use of the Inmate Welfare Fund for post incarceration programs. Ultimately, the hope is to engage in rehabilitation that will reduce the amount of recidivism.

The department may wish to evaluate the use of a private vendor to provide inmate commissary services.

Specific items noted during the evaluation of jail programs are:

Commissary

The commissary operation is run as efficiently as any private sector operation that we have observed in other California jails. Orange County is one of the few jails that do not contract commissary services to a private provider. While CSCJC is not particularly supportive of jail privatization, the commissary is one area of the jail that is clearly appropriate for public-private partnerships.

Generally, public entities cannot compete with private companies with respect to operating costs related to commissary services. In this regard, quite often private vendors can guarantee a greater return to the inmate welfare fund than the public service provider. Most of this cost savings is a result of lower wages and benefits paid in the open market. While a study concerning the efficiency of the

commissary function has been done by the Inmate Services Division. An RFI to determine the viability and IWF return has not been pursued. To the extent that the department is interested in privatization of the commissary function a formal RFI to private vendors should be issued to determine the feasibility of shifting this responsibility to the private sector.

Ultimately, the decision regarding the use of a private sector provider of commissary services revolves around two central issues:

1. The tolerance of the public entity toward the internal effort to select, hire and train commissary employees. Since the cost of the salaries and benefits are offset by profits derived from the sale of commissary items, the costs associated with this employee group involve indirect costs such as the effort to select and train, supervise and manage.

In the case of the Orange County commissary, the management of the operation and general efficiency of commissary staff does not seem to pose any indication that commissary employees are a burden. Nor did we find any indication that there was any level of dissatisfaction toward the use of in-house commissary employees, no doubt because of the efficiency in which the commissary is operated.

2. The other issues regarding any decision to opt for a private vendor to take over the commissary function involves the amount of money that can be generated for the Inmate Welfare Fund. In other words, can the public entity successfully compete with a private sector vendor in the amount of profit that can be gleaned for the IFW?

In most circumstances public sector operations cannot compete in this regard. The other part of the equation is simply this – Does the public entity earn, to their satisfaction, enough profit to meet the inmate welfare and programming needs?

In the case of Orange County the current level of inmate programs funding seems to be satisfactory and in fact supports a high level of service related to inmate programs. One reason that this is so, involves a longstanding policy of the Sheriff's Department to be very circumspect about the use of inmate welfare funds for purposes other than the actual provision of services to inmates.

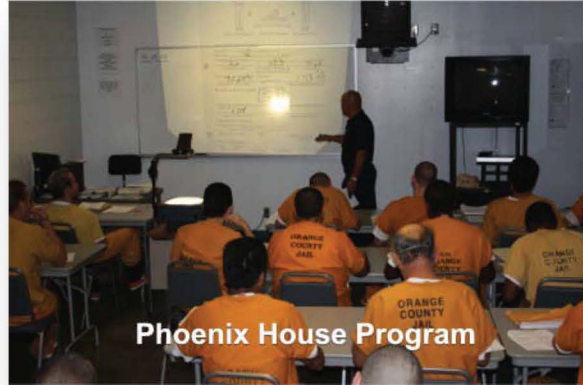
Penal Code Section 4025 authorizes the Sheriff to use a portion of the inmate welfare fund for maintenance of the jail facilities. As we understand the operation of the department, the maintenance budget is funded completely by the county general fund and not the IWF. While it may be tempting to use IWF monies for the general operation of the jail, engaging in this funding practice is a slippery slope that has often resulted in litigation by prisoner rights advocates. As a matter of best correctional practices we do not recommend using the IWF for purposes other than the welfare and education of inmates.

Ultimately, this is one of those, "if it isn't broken, don't fix it" issues. Given the effective management and supervision of the commissary we conclude that this function is clearly not broken.

Re-Entry Programs

A recent change in Penal Code Section 4025 (pertaining to the inmate welfare fund) contains language allowing certain agencies to use inmate welfare funds for inmate re-entry purposes. This pilot program allows those counties, specifically identified by law to use the IWF monies to support after release programs.

The mission of the Orange County Re-entry Partnership (OCREP) is to serve as a critical link between community resource providers and the formerly incarcerated striving to re-establish healthy, productive and rewarding lives. Some of the programs offered include:



- Affordable housing.
- AIDS/HIV support services.
- Alcohol and drug abuse services (AA, NA, etc.).
- Clothing.
- Counseling services.
- Domestic violence.
- Education services.
- Expecting mothers.
- Food.
- Health care services.
- Job placement/employment services.
- Legal aid.
- Medical assistance.
- Residential services for mentally ill.
- Residential treatment.
- Shelters and transitional living.
- Single parent services.
- Sober living homes.
- Social services.
- Veterans program.

Although this program is relatively new, similar programs throughout the United States have demonstrated success in reducing the likelihood of recidivism through the ongoing provision of services to inmates after release. It is imperative that sufficient resources be devoted to focus on groups and individuals most amenable to this type of program. It is important to realistically address the fact that not every inmate is appropriate for enrollment or referral to this program.

In addition to inmate programs, the Inmate Programs Division is also responsible for the food service in the Orange County jail system. As we have previously discussed in this report, inmates are served one cold and two hot meals each

day. This means moving, in mass, inmates to a central chow hall for each hot meal; while this feeding process was appropriate in days gone by when most inmates were truly minimum or low medium security. In our view, with the higher classification of inmate being housed in a lower security environment, being moved out of the secure environment of their housing unit is too risky and at some point is likely to erupt into a large scale uprising that could result in significant injury or death. One of the policy changes that could reduce this risk is to feed two cold meals and one hot meal per day. Feeding two cold meals to inmates is a common practice in California jails and in accordance with minimum jail standards.

Initially, CSCJC evaluators believed that the Programs Division was averse to cutting to one hot meal per day. Upon further discussion we were advised that there is no issue with feeding the two cold meals, however the only sticking point was determining which meal should be served hot. This concern involves nutritional requirements identified in Title 15, CCR, and not over any particular desire to continue the service of hot meals. We recommend that this change in feeding inmates be pursued and resolve issues that would inhibit this change. Ultimately, it is the safety and security of inmates and staff that should drive this decision.

Considerations for Further Studies

During the course of the OCJAP, the CSCJC team was charged with identifying issues related to security and staffing and correctional best practices. However, because the assessments were so comprehensive, the team also encountered many issues that, while not directly associated with security and staffing, might prove useful for additional studies. The following items have a direct and important relation to safety and security in the jail system:

Inmate Tracking - In a system as large as the Orange County Jail, administrative delays in one area can have enormous impact on other facilities and their operations. We recommend that two areas of technology be considered for further study. Both would be of great value in keeping track of inmates, as well as in the overall efficiency of the jail facilities:

- **Criminal Justice Information System** – Development of a standardized data system available to the entire Orange County criminal justice community, including the courts, should be considered a priority. Criminal justice information systems that connect all the parts of the criminal justice community are neither unique nor are they new. Aside from cost, the greatest inhibitor to the effective development of a comprehensive system is the absence of team play. We recommend all of the members of the criminal justice system become involved in the development of a comprehensive data system as they all play key roles in, and have some level of responsibility for, the smooth operation of the jail.
- **Inmate Tracking Systems** – Another system wide technology that is worthy of consideration is **Radio Frequency IDentification (RFID)** to track inmate location and movement throughout the jail system. Radio-frequency Identification (RFID) is an automatic identification method, relying on storing and remotely retrieving data using devices called RFID tags or transponders.

An RFID tag is an object that can be stuck on or incorporated into a product, or person for the purpose of identification using radio waves. Some tags can be read from several meters away and beyond the line of sight of the reader. Most RFID tags contain at least two parts. One is an integrated circuit for storing and processing information, modulating and demodulating a (RF) signal and perhaps other specialized functions. The second is an antenna for receiving and transmitting the signal. A technology called chip less RFID allows for discrete identification of tags without an integrated circuit, thereby allowing tags to be printed directly onto assets at lower cost than traditional tags.

Today, a significant thrust in RFID use is in enterprise supply chain management, improving the efficiency of inventory tracking and management. CSCJC believes there is an excellent opportunity to incorporate this technology into the inmate tracking system. This tracking technology will substantially reduce the risk of certain inmate classifications from inadvertently being mixed with other inmates, thereby reducing inmate-on-inmate assaults.

Additional technologies and/or issues worthy of study and adoption by the OCSD for the County's jails include but are not limited to the following:

- **Video Visiting** – Visiting at each of the OCSD jail facilities is a major workload that impacts everything from staffing to jail security. Visitors entering the jail facility to visit represent one of the most significant threats to the outside security of the facility. To help mitigate this threat, management is encouraged to consider video visiting technologies employed by other correctional facilities throughout the nation.

Technologies associated with video visiting would be a major improvement to the security of each facility. Video visiting would negate the necessity to bring visitors past the outer perimeter and onto the jail facility. The benefits of visiting would also be apparent to families who must travel long distances to visit family members incarcerated in the Orange County jail.

We strongly recommend that the OCSD investigate and employ remote video visiting. It is anticipated that video visiting would significantly reduce security manpower requirements, incidents of inmate-on-inmate assault and inmate-on-staff assault and the passing of contraband. Remote video visiting will also reduce inmates' propensity to manipulate the jail system to facilitate a transfer to housing which is more convenient to their family and other visitors.

We further recommend that a pilot system be employed at the James Musick Facility, where contact visiting poses a significant security risk. Additionally, this facility construction type would be relatively easy to run the necessary fiber optics and equipment.

- **Video Surveillance** – The Communications Division within the OCSD has done a spectacular job of planning and executing the installation of a new and improved CCTV system at specific areas within the Theo Lacy facility. We strongly encourage that this equipment be purchased and installed in all jail facilities and security areas.
- **Personnel Administration** – The CSCJC team recommends that personnel in administrative and managerial ranks in the OCSD remain in their jail assignments for an extended period of time. Currently, management staff is transferred in and out of detention assignments every couple years or less. This practice is not uncommon throughout the state; however, in the opinion of CSCJC evaluators, an extended tour of duty (not less than three years) in the jail for managers and administrators would bring greater consistency of operation and would go a long way to sustaining the Custody Operations Command knowledge base.
- **Mobile Search Teams** – Consideration should be given to the development of a mobile search team who would provide system wide support in comprehensive and random searches of inmates, housing areas, support areas etc. A roving search team would significantly disrupt efforts by inmates to learn behaviors of custody staff due to the random nature of the searches.

Appendix A – Project Methodologies

The OCJAP is divided into three major phases. The process began with the awarding of the contract on July 15, 2008, for the Orange County Jail Assessment Project (OCJAP). During this period we assembled an assessment team of highly experienced correctional professionals who have served in the development of jail standards, as well as command-level practitioners, in California jail facilities (Appendix B).

Phase One, The Mobilization Phase – As a part of the Mobilization Phase, assessment instruments specifically designed for this project were developed. Those instruments encompassed the three major areas of study, which included:

Policy Assessment – A checklist (Appendix C) was developed to evaluate selected sections of the Department’s Manual of Policy and Procedures (MPP), emergency plans/duty statements, unit orders and other documents to ensure that they comply with Title 15, California Code of Regulations (Title 15, CCR).

This evaluation instrument was used to identify operational areas of the Sheriff’s Custody Operations Divisions to determine if policies, procedures and unit orders properly reflect the requirements contained in the minimum jail standards. Additionally, an evaluation of the department written directives is an effective way to measure whether current staffing levels enable the execution of policy, procedures and unit orders. Ultimately the checklist will assist to objectively identify procedural, training or staffing issues that affect the safety and security of the OCSD jail facilities.

Security Assessment – A security evaluation instrument and anchor scale (Appendix D/D1) was developed to examine and document the adequacy of current policies, procedures, unit orders and staff performance as they relate to facility safety and security. The security evaluation instrument was used to identify security holes at each of the OCSD jail facilities that might warrant an operational course correction. As with all other aspects of this assessment, minimum jail standards served as the objective baseline in which the evaluation will be conducted.

Staffing Assessment – A staffing table (Appendix E) was developed in order to evaluate the existing staffing at each of the OCSD jail facilities on all shifts throughout the workweek. The table also includes a staffing relief factor and comments section that will be used in order to identify issues that impact staffing such as facility design, inmate classification, inmate movement and other factors.

The table used to evaluate facility staffing was used, along with the policy and security instruments to develop a rational staffing model and make recommendations for a staffing plan that will enable the department to meet all of the requirements contained in the California Minimum Jail Standards with special emphasis on jail safety and security.

Security Drills – Various emergency scenarios were developed for each jail facility and a drill based on those scenarios was conducted in order to evaluate the impact of unusual occurrence management on security with special emphasis on their impact on facility staffing.

Executive Briefing – As a part of the Mobilization Phase CSCJC conducted an Executive Briefing on July 25, 2008, that included the Sheriff, Undersheriff, Custody Operations Assistant Sheriff, along with senior and mid-level managers who were assigned to the various custody facilities and support functions. The purpose of the briefing was to describe the OCJAP project scope, planned methodologies, project schedules and to introduce CSCJC associate team members who would be working on the project. This meeting also provided a forum for the OCSD custody managers to express issues that are impacting the operation of the Custody Operations Command as they relate to the OCJAP project.

In addition to the issues discussed at the project briefing, the CSCJC team also presented an Inmate Population and Trend Analysis (Appendix F). This analysis statistically describes the inmate population in the Orange County jails based on data derived from the California Standards Authority - Jail Profile Survey.

Literature Review – The OCJAP activities performed throughout the OCSD jail facilities and support function also included a comprehensive review of literature and agency documents, regulations, jail diagrams and other custody related forms. (A complete listing is included in Appendix G.)

Phase Two, The Operational Phase – The Second Phase, or Operational Phase, involved an on-site assessment at each of the OCSD jail facilities, including the court holding facilities, which took place between September 2008, and concluded in November 2008.

Typically, the first day of each assessment included an entry briefing that was presented to the facility captain, other facility management, supervisory and support staff. The entry briefing provided CSCJC with the opportunity to preview the schedule of activities for the week and allowed for a mutual discussion of unique issues involving each facility that was scheduled for the assessment process. The briefings also included the logistics attendant with the performance of the OCJAP. At the conclusion of the entry briefing, CSCJC were taken on a comprehensive tour of each facility.

On the first, second, and third days of the assessment, CSCJC staff split up into three work-groups and conducted the on-site review of policies, procedures and unit orders, a security review and the staffing evaluation. CSCJC on-site evaluations took place during significant portions of all shifts that included the day, evening and early morning hours of operation. During the course of the Operational Phase CSCJC team visited virtually every post in each facility that was evaluated. These posts/units included, but were not limited to: facility administrative and support offices, main control, inmate housing areas, infirmary, kitchen and kitchen dock, inmate service program areas and recreation areas, front counter and outer perimeter.

CSCJC staff met frequently during the Operational Phase in order to discuss their findings and observations. This comparison of notes was critical to the assessment, inasmuch as all three areas are closely interrelated. The CSCJC teams concluded that recommendations in one area can strongly influence any or all three of the other study areas. Additionally, a scenario and drill along with an evaluation checklist was developed specifically for each facility in order to evaluate readiness and response to

an emergency in order to test facility staff in the area of unusual occurrence management and determine its impact on security and staffing levels (Appendix H).

Phase Three, The Report Phase – The Third Phase, or Report Phase, that involved the evaluation of each facility was the closeout of the evaluation, which included an exit briefing with each facility captain and staff. Each briefing was held at the conclusion of onsite activities at each facility that was assessed. The exit briefing provided management staff with preliminary observations identified by the CSCJC assessment team and provided an opportunity for information sharing along with the opportunity to clarify issues and recommendations and as a step off point in which executive briefings and Interim Reports were formulated by CSCJC off-site.

Interim Reports and Strategic Planning – During the course of the OCJAP it was determined that individual facility reports would serve as an Interim Reports, as this study would be extended to the entire Orange County Jail system. Each facility is interrelated to other facilities in the system, therefore implementation plans with exacting specificity and detail would be premature until all of the facilities and divisions have been studied and evaluated.

It should be noted that many recommendations contained in the Interim Reports were addressed administratively at the department level. In many cases OCSD managers resolved issues identified in the Interim Reports.

The results of the assessments including the Interim Reports that were conducted by CSCJC have provided documentation, including implementation planning tools, with an overriding goal of assisting the department's effort to improve the overall operations of the county jail system with regard to policies, staffing, security and best correctional practices. Additionally, information gathered through the review of documents and onsite observations of current practices relating to the jail safety and security may serve as a starting point for the expansion and/or construction of future jails.

Implementation Strategies for the OCSD – The implementation strategies presented in this report are broken down into three categories, near-term, mid-term and long-term action planning, with each strategy described as follows:

Near-Term Planning/Implementation – These items have been identified as problem areas that can immediately be impacted by the local facility command and supervisory staff. Generally, the resolution of the identified areas needing improvement does not require a level of funding or policy decision beyond that which can be provided by the facility management. This is not to say that overriding issues involving longer-term solutions, e.g. staffing, does not impact many of these issues. Rather an attempt should be made at the local facility level to mitigate these issues to the fullest extent possible.

Engaging in action planning at the local facility level offers up a number of advantages even if some of the larger issues take longer to resolve. The first advantage is that timely action can improve the security of the facility and therefore has the immediate impact of risk reduction. Quickly addressing problem areas can demonstrate to the court, elected leaders, corrections advocates and news media that the OCSD is fully engaged in problem solving. Lastly, local (facility specific) efforts will generate useful data related to issues that involve mid-term and long-term planning. The quality and quantity of information

gathered on specific problem areas will enable planners to make better economic and policy decisions.

Mid-Term Planning/Implementation – These items are of such a nature that they may require funding decisions that extend beyond the local command level. Some of these problem areas may have been previously identified and work is ongoing to provide the support required to address each particular issue. Mid-term planning and implementation often require additional technical analysis and/or coordination with other local leaders and the Board of Supervisors. Issues identified as requiring mid-term planning and implementation may extend beyond one particular facility and may span the entire correctional system.

Long-Term Planning/Implementation – These items generally require a high degree of planning and may span multiple years, e.g. facility construction/renovation. Additionally, these items may require a high degree of cooperative involvement of other county leaders and likely have a high cost attached to the proposed resolution. Some long-term items may require subcontracting with companies who provide technical expertise (architects, construction firms or technology vendors). Issues identified as requiring long-term planning and implementation may extend beyond one particular facility and may span the entire correctional system.

Review the Recommendations in the Report - The first step in this process is for the OCSD management and assigned staff to thoroughly review the sections of the Interim report to cull recommendations. Many of those recommendations are listed under the heading “Conclusion and Recommendations”. We would like to point out that additional recommendations may be gleaned from the evaluation, which were not specifically identified in the Conclusions and Recommendations section of the report. It may be valuable to identify other areas of concern to management or to capture items that may have been inadvertently omitted from the Conclusions and Recommendations sections.

Prioritize the list of recommendations into near, mid and long term planning items. Many of these items will be readily recognized in terms of priority. To the extent there is a need for some facilitation to prioritize the issues, then we would suggest that staff take a look at some of the planning tools included in this report to assist in that effort.

Action Planning for Near, Mid and Long Term Action Items – We recommend the following processes for the development of action plans based upon the items presented in the individual Interim Reports:

Establishment of a Custody Operations Command task group consisting of various individuals identified by the various facility captains who will be charged with the review of recommendations, prioritize those recommendations, determine the ways and means necessary to effect change and develop an action plan and make recommendations on the implementation of changes recommended in the assessment.

The group should be large enough to be representative of the needs of the facility while at the same time keeping numbers to a manageable and effective level. We recommend at least 8, not to exceed 12 staff members; additional sub-groups can be identified as subject matter experts (SME's) to address specific

issues. It may be advantageous to employ a trained and knowledgeable facilitator from either inside or outside the organization to assist with this strategic planning process.

Once the group is selected, a 2-4 day work-group meeting should be set aside in order to provide a background of the task and to allow for several group processes to be conducted. Other resources may be considered in terms of the roles and responsibilities of each group member, e.g. a recorder and keeper of information concerning the recommendations of the group. Additionally, this individual, or another individual (preferably with good writing skills), can be assigned to complete the final action plan for implementation. The Custody Operations Command Assistant Sheriff and other management staff may wish to make an initial determination of the proposed action items and serve to filter out items that may require action outside of the work-group.

Prior to the initial work-group meeting, each member of the work-group should be presented with the list of items or recommendations. Each member should be asked in advance of the meeting to consider each item and conduct a WOTS analysis (See WOTS Planning Tool). A WOTS analysis involves describing both internally and externally potential Weakness – Opportunities – Threats – and Strengths of each recommendation. By applying some critical thinking through the WOTS exercise, task group members will be better prepared to engage in problem solving.

Either before the first work-group meeting, or as a part of the meeting, work-group members should be challenged with prioritizing the recommendations in the order of those items deemed to impact security most to the least impact. This will provide the basis for the assignment of tasks in order of priority. A modified Delphi system can be used in advance of the meeting and distributed via email where each item is listed. Work-group members are asked to rate each item on a scale from 1 to 5, with 1 representing least important and 5 being most important. The range of numbers between 1 and 5 can be used to weigh the degree of importance for each item.

Upon completion of the weighted rating, each member will return their list and a collective weighted rating will be formulated for each item by the record keeper or lead staff member. This weighted rating will be used in the action-planning phase of the process.

Another method of prioritizing the items would be to conduct a process known as a Nominal Group Technique (NGT). This process is very good at reaching group consensus on the priority of issues or action items. We recommend that a knowledgeable facilitator be recruited (inside or outside of the organization) to assist with the NGT process.

Reach consensus on the action(s) needed in order to implement each recommendation. This sub-report should contain the following information:

- What needs to be done?
- How will it be done?
- Who will be responsible (actor)?

- When does it need to be done (time frame)?
- What resources are required to effect the change?
- How is success measured?
- What is the remedial plan if change is not occurring?

Commitment Planning – This involves the actors involved in the implementation and will identify each actor and attempt to determine if those actors will block change, let change happen, help change happen, or make change happen. This is a valuable assessment inasmuch as it can be used to identify what resources or activities are required to move the organization (training, supervision, discipline, etc.).

Strategic Assumption Mapping – This exercise involves the identification of stakeholders and makes certain assumptions about where stakeholders stand relative to making change. This will enable individuals charged with making change happen, identify key individuals and groups in order to make decisions about what resources are applied and where they are most efficiently applied in order to obtain desirable results.

Responsibility Chart – This is the final activity taken by the work-group for planning purposes. As its name implies the Responsibility Chart assigns individuals or groups to accomplish each mission identified by the work-group. The Responsibility Chart lists the decisions reached by the work-group or facility managers and also lists the actors involved in making change happen. In a matrix format, the decision is matched against the actor and a designation representing the requisite action is identified as:

- R = Responsible person or group (not necessarily authority)
- A = Approval (right to veto)
- S = Support (put resources toward)
- I = Inform (to be consulted)
- * = Irrelevant to this item

Staff Assignments – The Custody Operations Command Assistant Sheriff or his designee makes staff assignments based on the strategic plan developed by the work-group and individual(s) are charged with implementing the action plan. Follow-up assessment of action plans and implementation are made via formal inspections of progress on each item. Some items may need to be re-visited and adjustments made based upon the results of the inspection process.

Additional staff or personnel with specific areas of expertise (finance and accounting, personnel, technical experts) should be involved in the long-term planning effort should involve leadership at the highest ranks and across facilities and divisions due to the wide-ranging implications to the OCSD jail system.

Strategy for Ongoing Quality Control in the Jails

While the OCJAP may serve to bring correctional practices in alignment with statutes, regulations, policies in the jail along with the introduction of correctional best practices. A higher calling and challenge is to establish a systematic

method of maintaining competent and high quality services over time. The process described in this section presumes that the Custody Operations Command will engage in a formalized system of operational review and maintenance of quality service in the jail system. An ongoing jail system assessment is defined as an analytical process that systematically examines system wide and jail specific needs both short and long-term. More simply stated it is a process to insure a culture of continuous improvement.

Focus of the Formal Ongoing Assessment of Jail Operations

An assessment can focus on:

- a.) system wide jail needs
- b.) a set of a particular jail related issues on the Custody Operations Command focus
- c.) the individual needs of one of the jail facilities, formalizing a jail assessment the OCSD will be able to:

Identify conditions that that may suggest a needed course correction or identify excellent practices that should be replicated system wide. Serve as a forum for identifying solutions to meet the goals and objectives of Custody Operation Command, identify the need for a new or revised policies and procedures, administrative needs and funding issues, evaluation of service providers, changes in laws and regulations, etc.

Outcome of a Jail Assessment Can Suggest Multi-Year Planning

When an agency conducts a jail assessment and concludes that changes in the operation of the jail are needed, it may be determined that the department does not have all of the resources to do all of the changes desirable in a single year. In this case, the Sheriff's Department must set multi-year priorities about the conditions most important to address within the fiscal year, which ones can be addressed the next year and which ones will have to wait for following years.

Thus, agencies often make multi-year decisions about the outcome of a jail assessment. Therefore, it is important to continually re-visit the "old" list of needs and consider it in the light of new needs that may have emerged since it was developed, perhaps two or three years earlier. This is anything but a static approach but rather acknowledges the need for fluidity with regard to prioritization and planning.

The Jail Assessment Can Contribute to the Strategic Direction of Jail Policies.

The requirement inherent in the management and the delivery of jail services has the task of securing needed resources for current efforts and for meeting the long-term goals of the OCSD in the delivery of those services. The task includes developing strategies that meet and support the OCSD organizational needs, security and safety and of course the needs of the public at large.

The ongoing jail assessment will drive an examination of the issues facing the Custody Operations Command, vis-à-vis the development and execution of a formal inspection process. The examination must focus the issues as they relate to current, planned activities and future needs. It may often be a multi-year effort and include all jail facilities and other divisions in the department.

The relationship between the jail assessment and the organization's needs must be clear. The development of a long term formal jail assessment process must include a futures look that recognizes change and is viewed as a planned intervention. In the end, for Custody Operations Command's efforts to be effective, it has to be anchored in goals set by the organization and partners in the effective operation of the jail system.

The Jail Assessment and its Relationship to Effective Jail Management

The procedures and formats described here are predicated on a rational decision making process by the Custody Operations Command, focusing on careful judgments about assessing needs and where to aim the resources (time, staff, and funds) for the maximum benefit of jail system, the department and the community.

When resources involving jail needs are scarce, conducting needs assessment, however formal or informal, is essential to make decisions about where to aim the interventions and the expenditure of funds. Sometimes these assessments are a system wide effort and yet other times it can focused on a definable need or specific range of needs. The following are several examples of different approaches to conducting a jail assessment:

Approaches to Conducting a Jail Assessment

Performance Analysis

Performance analysis attempts to discover discrepancies between expected levels of performance and actual levels of performance. This analysis focuses on the question; are practices in the jail meeting the mission of the Custody Operations Command and the OCSJ, its policies, procedures and the execution of those policies in alignment with statutes, regulations and court orders?

One-to-One Interviews

Carefully planned interviews, held with the promise of confidentiality can produce valuable information about how people are thinking about the operation of the jail, thereby providing clues about which issues or conditions might be targeted.

Group Approaches

Questionnaires are used to solicit information from groups of people and are valid assessment tools if they ask the right questions. Questionnaires that query people about "What's going on here that might lend itself to better jail operations?" produce more enlightened information about where to aim the program resources.

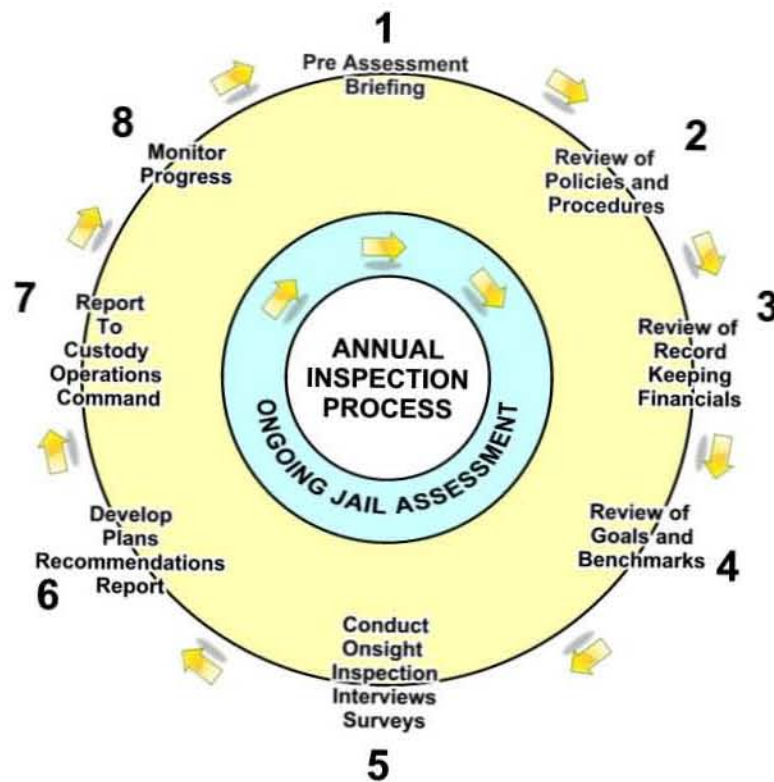
Staff Debriefing

Debriefing of staff periodically, especially after an emergency operation or incident, can produce clues about the performance in the jail and can identify gaps that may be addressed by jail managers.

Findings during Inspections

The OCSD jail facilities and programs are subject to a variety of administrative inspections (Command Staff, Corrections Standards Authority, Grand Jury, correctional advocates). The preferred method of conducting annual inspections is an iterative process that identifies ongoing issues in the operation of the jail system. It is an ongoing program that focuses more on creating an atmosphere of stewardship concerning jail operations.

The formal iterative process described here examines each jail and their linkage to current legal statutes, regulations and court orders and best correctional practices. The iterative process evaluates each required activity for current relevance, validity and cost-benefit of implementation. This formal assessment process involves jail administrators, managers, staff and compliance inspectors and promotes creativity and critical thinking in the ongoing provision of required jail functions.



The Process involves an ongoing inspection of each jail facility as a part of the larger process of managing the jail. Therefore, jail managers, program managers and staff can identify issues involving the jail on a continuous basis and apply additional resources or determine if a realignment of service delivery as a part of the more formal inspection process is warranted. It can and should confirm when things are going as planned. The concept here is that the jail is a dynamic environment that needs the constant attention of the Custody Operations Command. Establishing this concept of continual inspection gets to the heart of a basic management and supervision principal that is quite simply stated, ***“That, which is inspected, is equal to that which can be expected.”***

The next part of the jail assessment process is an 8-point annual inspection conducted by JCATT or other task group charged with quality control. It is suggested that this process be executed in the following order:

Pre-Assessment Briefing – The pre-assessment briefing should begin with a meeting of all of the facility managers, key program staff and services providers. The pre-assessment briefing will signal the management team and stakeholders that the inspection of individual or entire jail system is about to begin. The individual(s) conducting the assessment will need to advise key personnel of the areas that they will be inspecting so that the appropriate materials will be brought up to date and made available to the assessment team. This pre-assessment briefing gives jail managers the opportunity to engage in the process. The goal here is not to surprise but rather encourage stewardship of the jail system.

Policy Review – A review of all the jail policies and procedures is necessary to ensure that those policies are up to date and accurately reflect the requirements and activities related to jail operation. We strongly recommend using Title 15, California Code of Regulations and guidelines as the baseline for measuring effectiveness of jail operations. Any discrepancies or updating that needs to be accomplished should be documented and delivered to the responsible jail management team and the Assistant Sheriff in charge of the Custody Operations Command.

Record Review - A review of the records kept that support jail activities and financials should be reviewed to insure that contractual benchmarks are being met and that any discrepancies are documented and reported as a part of the assessment report. The CSA Jail Profile Survey and internal statistical data can provide insight on the jail both in a detailed fashion and from the 30,000 foot view.

Benchmark Review - A review of the goals and benchmarks should be discussed with jail managers, program managers and other key providers of programs. This will provide an opportunity to identify any areas that might require a course correction, additional resources or reflect successful performance that at a minimum should be acknowledged and often replicated.

Onsite Inspections - The assessment team should conduct on-site inspections of all jail facilities in order to determine if the activities in the jail are in alignment with what is documented and to note any

discrepancies that should be reported as a part of the jail assessment or alert managers to exceptional efforts on the part jail management and staff. The on-site inspection should also include a checklist as a part of the inspection process. We recommend that the Title 15, CCR. Policy and Security Check Lists, contained in the Appendix of this report, be used in order to provide consistency, validity and reliability. It is important that the jail assessments be viewed as a credible measurement instrument as many issues identified in the jail assessment may require significant funding. Additionally, internal recommendations, for a variety of reasons are viewed as less credible by policy makers; therefore a defensible methodology will go a long way in providing information that engenders a high degree of trust.

Develop an Action Plan - After the fact finding described in steps 1-5 have been accomplished, notes, records, recommendations should be analyzed and an action plan should be developed to initiate a course correction. Documenting successful areas is important to determine if they can be replicated in other areas.

Reporting - A report is presented to the Assistant Sheriff in charge of the Custody Operations Command describing the results of the inspection and identifies action plans necessary to ensure continuous improvement in the application and management of the jail system. Completed staff work is necessary in this report to identify costs, policy revisions and any other administrative requirements that may be necessary.

Monitor Progress - Once the Assistant Sheriff approves the jail assessment then follow-up is required to insure that approved recommendations are being instituted by the responsible program providers.

The iterative process is then repeated from year to year so that the evaluation and assessment of the jails are kept in check and appropriately attended to. The process is ongoing in a circular fashion with a goal of continual improvement of the custody operation.

Less Formal Approaches

Lastly, many less formal approaches to learning about issues related to operation of the jail are encouraged for jail and program managers. These informal approaches are linked to the ongoing inspection indicated in the formal iterative process. We would not want to diminish, in any way, the effective informal approaches that involve observations of daily jail activities accomplished by walking around, and informal conversations. Any method of learning either what is in need of improvement, or a successful operation, where there might be missed opportunities, or where there are gaps in an organization are valid assessment tools which can frequently suggest appropriate places to aim effort and program resources.

Appendix B – OCJAP Personnel



William J. Crout - Retired Deputy Director California Board of Corrections. Former Captain, San Luis Obispo County Sheriff's Department. 40-Years Law Enforcement and Corrections Experience.



James C. Sida - Retired Deputy Director California Board of Corrections. Former Commander, Kern County Sheriff's Department. 33-Years Law Enforcement and Corrections Experience.



Kenneth Kipp - Retired Chief Deputy, Ventura County Sheriff's Department with Administrative Responsibility of the Ventura County Jail System. 34-Years Law Enforcement and Corrections Experience.



Norman L. "Norm" Hurst - Retired Chief Deputy, San Bernardino County Sheriff's Department with Administrative Responsibility of the San Bernardino County Jail System. 34-Years Law Enforcement and Corrections Experience.



John E. Vander Horck - Retired Commander, Orange County Sheriff's Department with Administrative Responsibility in the Orange County Jail System. 36-Years Law Enforcement and Corrections Experience.



Bob Dotts – Retired Assistant Sheriff, Riverside County Sheriff's Department with Administrative Responsibility of the Riverside County Jail System. 34-Years Law Enforcement and Corrections Experience.

Appendix C – Policy Assessment Checklist

Facility Name:	Date
Persons Interviewed	Associate(s)
<p>Title 15, CCR., Section 1020 - CORRECTIONS OFFICER CORE COURSE¹⁹ In addition to provisions of Penal Code Section 831.5, all custodial personnel have completed the “Corrections Officer Core Course” as described in Section 179 of Title 15, CCR. Custodial personnel may substitute 832.3 PC training and the “Corrections Officer Basic Academy Supplemental Core Course” as described in Section 180, Title 15, CCR as an alternative. <input type="checkbox"/> Yes <input type="checkbox"/> No Recommendations:</p>	
<p>Title 15, CCR. Section 1021 - JAIL SUPERVISORY TRAINING All supervisory custodial personnel have attended the 80 hour STC or POST supervisory training. In addition, they have completed the “Corrections Officer Core Course” identified in Section 1020 or the “Jail Management Supplemental Training” identified in Section 1023 of these regulations. In addition, they have completed the “Corrections Officer Core Course” identified in Section 1020 or the “Jail Management Supplemental Training” identified in Section 1023 of these regulations. <input type="checkbox"/> Yes <input type="checkbox"/> No Recommendations:</p>	
<p>Title 15, CCR., Section 1023 - JAIL MANAGEMENT TRAINING All jail management personnel have completed either the POST or the STC management course specified in Section 182, Title 15, CCR. <input type="checkbox"/> Yes <input type="checkbox"/> No Recommendations:</p>	
<p>Title 15, CCR., Section 1025 - CONTINUING PROFESSIONAL TRAINING With the exception of any year that a core training module is completed, all facility/system administrators, managers, supervisors and custody personnel complete the annual required training specified in Section 184, Title 15, CCR. <input type="checkbox"/> Yes <input type="checkbox"/> No Recommendations:</p>	

¹⁹ For STC participating agencies, the STC Division annually assesses consistency with training sections 1020, 1021, 1023 & 1025. Unless otherwise indicated, the regulatory intent is for training to occur within one year from the date of assignment.

Title 15, CCR., Section 1027 - NUMBER OF PERSONNEL

There are sufficient personnel on duty at all times (whenever there is an inmate in custody) to ensure the implementation and operation of all programs and activities required by these regulations.

There is a written plan that includes the documentation of hourly safety checks.

There is at least one employee on duty at all times with the ability to respond to any inmate in the event of an emergency (male and/or female; PC § 4021).

A staffing plan is available which indicates personnel assigned and their duties.

Inadequacies in the staffing plan are reported, in writing, with recommendations to the local jurisdiction having fiscal responsibility.

Yes No Recommendations:

Title 15, CCR., Section 1029 - POLICY AND PROCEDURES MANUAL ²⁰

There is a published manual of policies and procedures for the facility that addresses applicable regulations and includes:

Table of organization, including channels of communications.

Inspections and operations reviews by the facility administrator/manager.

Use of force.

Use of restraint equipment.

Screening newly received inmates for release per Penal Code Sections 849(b)(2) and 853.6, and any other such processes as the administrator is empowered to use for release.

Security and control, including:

Physical counts of inmates.

Searches of the facility and inmates.

Contraband control and key control.

At least annually the facility administrator reviews, evaluates, and documents internal and external security measures.

Emergency procedures, including:

Fire suppression pre-plan as required by Section 1032 of these regulations.

Escape, disturbances, and the taking of hostages.

Civil disturbance.

Natural disasters.

Periodic testing of emergency equipment.

Storage, issue and use of weapons, ammunition, chemical agents, and security devices.

Suicide prevention; and,

Segregation of inmates.

The manual is available to all employees.

The manual is updated annually.

Yes No Recommendations:

²⁰ Procedures related to security and emergency response may be in a separate manual to ensure confidentiality by limiting general access.

Title 15, CCR., Section 1032 - FIRE SUPPRESSION PREPLANNING

Pursuant to Penal Code Section 6031.1, there is a fire suppression pre-plan that has been developed in consultation with the responsible fire authority and includes:

Monthly fire and life safety inspections by facility staff with a two-year retention of the inspection record.

Fire prevention inspections as required by Health and Safety Code Section 13146.1(a) and (b).

An evacuation plan.

- A plan for the emergency housing of inmates in the event of a fire.

Yes No Recommendations:

Title 15, CCR., Section 1040 - POPULATION ACCOUNTING

The facility maintains an inmate demographics accounting system, which reflects the monthly average daily population of sentenced and unsentenced inmates by categories of male, female, and juvenile.

The Jail Profile Survey information is provided to the CSA.

Yes No Recommendations:

Title 15, CCR., Section 1041 - INMATE RECORDS

There are written policies and procedures for the maintenance of appropriate individual inmate records which include intake information, personal property receipts, commitment papers, court orders, reports of disciplinary action taken, medical orders issued by the responsible physician and staff response, when appropriate, and non-medical information regarding disabilities and other limitations.

Yes No Recommendations:

Title 15, CCR., Section 1044 - INCIDENT REPORTS

There are written policies and procedures for the maintenance of written records of all incidents that result in physical harm, or serious threat of physical harm, to an employee, inmate or other person. Such records include names of persons involved, a description of the incident, actions taken, and date and time of the occurrence.

Written record is prepared by appropriate staff and submitted within 24 hours of the incident.

Yes No Recommendations:

Title 15, CCR., Section 1045 - PUBLIC INFORMATION PLAN

The facility has suitable written policies and procedures for the dissemination of information to the public, government agencies and news media.

Title 15, CCR, Minimum Standards for Local Detention Facilities is available for review by the public and inmates.

Facility rules and procedures affecting inmates as specified in this section are available to the public and inmates.

Yes No Recommendations:

Title 15, CCR., Section 1046 - DEATH IN-CUSTODY

Written policy and procedures assure that there is a review of each in-custody death. The review team includes the facility administrator and/or manager; the health administrator; the responsible physician; and other health care and supervision staff who are relevant to the incident.

When a minor dies in a facility, the administrator of the facility provides the Corrections Standards Authority with a copy of the death in-custody report that is submitted to the Attorney General under Government Code Section 12525, within 10 days of the death.

Yes No Recommendations:

Title 15, CCR., Section 1050 - CLASSIFICATION PLAN

The facility has a written classification plan designed to properly assign inmates to housing units and activities.

Includes receiving screening performed at intake by trained personnel.

Includes maintenance of a record of each inmate's classification level, housing restrictions and housing assignments.

The facility has an actively functioning classification system and/or classification committee as specified.

Yes No Recommendations:

Title 15, CCR., Section 1051 - COMMUNICABLE DISEASES

All inmates with suspected communicable diseases are segregated until a medical evaluation can be completed.

In absence of medically trained personnel at the time of intake into the facility, an inquiry is made to determine if the inmate has or has had any communicable diseases, or has observable symptoms of communicable diseases, including but not limited to tuberculosis or other airborne diseases, or other special medical problems identified by the health authority.

Inmate's response is noted on booking form and/or screening device.

Yes No Recommendations:

Title 15, CCR., Section 1052 - MENTALLY DISORDERED INMATES

There are written policies and procedures for the identification and evaluation of all mentally disordered inmates. An evaluation by health care staff occurs within 24 hours of identification or at the next daily sick call, whichever is earliest. Segregation is used only to protect the safety of the inmate or others.

There are provisions for transfer of such inmates to a medical facility for diagnosis, treatment, and evaluation of such suspected mental disorder, pursuant to Section 1209, Title 15, CCR.

Yes No Recommendations:

Title 15, CCR., Section 1053 - ADMINISTRATIVE SEGREGATION

There are written policies and procedures that provide for administrative segregation of inmates who are determined to be prone to: escape; assault staff or other inmates; disrupt operations of the jail; or, are likely to need protection from other inmates.

The administrative segregation consists of separate and secure housing with no deprivation of privileges other than those necessary to obtain the objective of protecting inmates and staff.

Yes No Recommendations:

Title 15, CCR., Section 1055 - USE OF SAFETY CELL

A safety cell, specified in Title 24, Section 2-470A.2.5, is used only to hold inmates who display behavior that results in the destruction of property or reveals an intent to cause physical harm to self or others.

There are written policies and procedures, written by the facility administrator in cooperation with the responsible physician, governing safety cell use.

Safety cells are not used for punishment or as a substitute for treatment.

Placement requires the approval of the facility manager or Watch Commander, or a physician delegated by the facility manager.

There are written procedures that assure necessary nutrition and fluids are administered.

Inmates are allowed to retain sufficient clothing, or are provided with a "safety garment" to provide for personal privacy unless risks to the inmate's safety or facility security is documented.

Direct visual observation is conducted at least twice every 30 minutes and is documented.

Continued retention of inmate is reviewed a minimum of every eight hours.

A medical assessment is secured within 12 hours of placement in this cell or at the next daily sick call, whichever is earliest, and medical clearance for continued retention is secured every 24 hours thereafter.

A mental health opinion on placement and retention is secured within 24 hours of placement.

Yes No Recommendations:

Title 15, CCR., Section 1056 - USE OF SOBERING CELL

A sobering cell, specified in Title 24, Section 2-470A.2.4, is used only for holding inmates who are a threat to their own safety or the safety of others due to their state of intoxication. There are written policies and procedures for managing the sobering cell, including handling both males and females.

Intermittent direct visual observation of inmates in sobering cells conducted no less than every half hour.

An evaluation by a medical staff person or by custody staff, pursuant to written medical procedures in accordance with Section 1213 of these regulations, occurs whenever any inmate is retained in a sobering cell for more than six hours.

Such inmates are removed from the sobering cell when they are able to continue with processing.

Yes No Recommendations:

Title 15, CCR., Section 1057 - DEVELOPMENTALLY DISABLED INMATES

There are written procedures for identification and evaluation of all developmentally disabled inmates. Any special housing is initiated when it is determined to be necessary pursuant to Section 1050, CCR.

A contact to the regional center occurs within 24 hours when an inmate is suspected or confirmed to be developmentally disabled.

Yes No Recommendations:

Title 15, CCR., Section 1058 - USE OF RESTRAINT DEVICES

Restraints are used only to hold inmates who display behavior that results in the destruction of property or reveals intent to cause physical harm to self or others.

Restraints are not used as discipline or as a substitute for treatment.

There are written policies and procedures for the use of restraint devices including acceptable restraint devices; signs or symptoms which should result in immediate medical/mental health referral; availability of CPR equipment; protective housing of restrained persons; provisions for hydration and sanitation needs; and exercising of extremities.

Inmates are placed in restraints only with approval of the facility manager, Watch Commander, or if delegated, a physician.

All inmates in restraints are housed alone or in a specified area for restrained inmates.

Direct visual observation is conducted and logged at least twice every 30 minutes.

Continued retention in such restraints is reviewed every two hours.

A medical opinion on placement and retention shall be secured as soon as possible but no later than four hours from the time of placement.

Medical review for continued retention in restraint devices occurs at a minimum of every six hours.

A mental health consultation is secured as soon as possible, but no later than eight hours from the time of placement.

<input type="checkbox"/> Yes <input type="checkbox"/> No Recommendations:
<p>Title 15, CCR., Section 1059 - USE OF REASONABLE FORCE TO COLLECT DNA SPECIMENS, SAMPLES, IMPRESSIONS</p> <p>Pursuant to Penal Code Section 296, policy and procedures describe the use of reasonable force to collect blood specimens, saliva samples, or thumb/palm print impressions from individuals who are required to provide them, but refuse written or oral requests to do so.</p> <p>The use of reasonable force is preceded by documented efforts to secure voluntary compliance, including advisement of the legal obligation to provide the specimen, sample or impression, and the consequences of failing to do so.</p> <p>Supervisory authorization is obtained prior to use of reasonable force.</p> <p>If the use of reasonable force includes cell extraction, the extraction is audio and videotaped and retained by the department, as required by statute.</p> <p>The facility administrator reports any use of reasonable force to the Corrections Standards Authority within 10 days of the incident, in the format prescribed by the Authority.</p> <input type="checkbox"/> Yes <input type="checkbox"/> No Recommendations:
<p>Title 15, CCR., Section 1061 - INMATE EDUCATION PROGRAM</p> <p>Facility administrator has planned and requested an inmate education program from appropriate public officials.</p> <p>Voluntary academic and/or vocational education is available to sentenced and pretrial inmates.</p> <input type="checkbox"/> Yes <input type="checkbox"/> No Recommendations:
<p>Title 15, CCR., Section 1062 - VISITING</p> <p>Facility administrator has developed and implemented policies and procedures for inmate visiting.</p> <p>(TYPE II ONLY) All inmates in Type II facilities are allowed at least two visits totaling at least one hour per week.</p> <p>(TYPE III ONLY) Inmates in Type III facilities are allowed at least one visit totaling at least one hour per week.</p> <p>Visitation procedures include provisions for visitation by minor children of the inmate.</p> <input type="checkbox"/> Yes <input type="checkbox"/> No Recommendations:

Title 15, CCR., Section 1063 - CORRESPONDENCE

The facility administrator has developed written policies and procedures for inmate correspondence. The policy and procedures provide that:

There is no limitation placed on the volume of mail an inmate may send or receive.

Mail may be read where there is a valid security reason and the facility manager approves.

Confidential correspondence with officials, the Corrections Standards Authority, the facility administrator and/or manager is permitted. Confidential mail searches for contraband, cash, checks, or money orders are conducted in the presence of the inmate.

Inmates without funds are permitted at least two postage-paid letters each week to family and friends, and unlimited postage-paid correspondence with his/her attorney and the courts.

Yes No Recommendations:

Title 15, CCR., Section 1064 - LIBRARY SERVICES

The facility has developed and implemented written policies and procedures for inmate library service which include access to legal reference materials, current information on community services and resources, religious, educational and recreational reading material.

Yes No Recommendations:

Title 15, CCR., Section 1065 - EXERCISE AND RECREATION

There are written policies and procedures regarding exercise and recreation.

An exercise and recreation program is available to inmates in an area designed for recreation.

The program allows a minimum of three hours of exercise distributed over a period of seven days.

Yes No Recommendations:

Title 15, CCR., Section 1066 - BOOKS, NEWSPAPERS, AND PERIODICALS

There are written policies and procedures which permit inmates to purchase, receive and read any book, newspaper, or periodical accepted by the United States Post Office except for specified types of publications.

Yes No Recommendations:

Title 15, CCR., Section 1067 - ACCESS TO TELEPHONE

There are written policies and procedures that allow reasonable access to a telephone beyond those telephone calls required by Section 851.5 PC.

Yes No Recommendations:

Title 15, CCR., Section 1068 - ACCESS TO THE COURTS AND COUNSEL

The facility administrator shall develop written policies and procedures to ensure inmates have access to the court and to legal counsel. Such access shall consist of: unlimited mail as provided in Section 1063 of these regulations, and, confidential consultation with attorneys.

Yes No Recommendations:

Title 15, CCR., Section 1069 - INMATE ORIENTATION

There are written policies and procedures for the implementation of a program reasonably understandable to inmates designed to orient a newly received inmate at the time of placement in a living area, covering areas specified in this section of the regulations.

Yes No Recommendations:

Title 15, CCR., Section 1070 - INDIVIDUAL/FAMILY SERVICE PROGRAMS

The facility has written policies and procedures to facilitate cooperation with appropriate public or private agencies for individual and/or family social service programs for inmates. Such a program utilizes available community services and resources either by establishing a resource guide or actual service delivery.

Yes No Recommendations:

Title 15, CCR., Section 1071- VOTING

Facility has written policies and procedures whereby the county registrar allows qualified voters to vote in local, state, and federal elections pursuant to the elections code.

Yes No Recommendations:

Title 15, CCR., Section 1072 - RELIGIOUS OBSERVANCES

Facility has written policies and procedures to provide opportunities for inmates to participate in religious services and counseling on a voluntary basis.

Yes No Recommendations:

Title 15, CCR., Section 1073 - INMATE GRIEVANCE PROCEDURE

Any inmate may appeal and resolve grievances relating to any condition of confinement. Provision is made for resolving questions of jurisdiction within the facility. There are written policies and procedures that address the following:

There is a grievance form or instructions for registering a grievance.

Grievances are resolved at lowest appropriate staff level.

There is provision for appeal to next level of review. Policy requires written reasons for denial at each level of review. Provision is made for response in a reasonable time limit.

Yes No Recommendations:

Title 15, CCR., Section 1080 - RULES AND DISCIPLINARY PENALTIES

Facility has established rules and disciplinary penalties to guide inmate conduct.

Rules are written and posted in housing units and booking area or issued to each inmate. Verbal instructions are provided for inmates with disabilities that limit their ability to read, illiterate inmates and others unable to read English, or material is provided in an understandable form.

Yes No Recommendations:

Title 15, CCR., Section 1081 - PLAN FOR INMATE DISCIPLINE

The facility administrator has developed and implemented written policies and procedures for inmate discipline, which address the following:

A designated subordinate, not involved in the charges, acts on all formal charges.

Minor acts of non-conformance or minor violations are handled informally by staff.

When there is loss of privileges, there is written documentation and a policy of review and appeal to the supervisor.

Major violations and repetitive minor violations being handled as major violations are referred to the disciplinary officer in writing by the staff member observing the act(s).

Inmate is informed of charges in writing.

A disciplinary hearing is held no sooner than 24 hours after the report has been submitted to the disciplinary officer and the inmate served with a copy of charges. The inmate may waive the 24-hour limitation.

Violation(s) acted on no later than 72 hours from the time the inmate is informed of the charge(s) in writing unless waived by the inmate or for good cause.

The inmate is permitted to appear on his/her behalf at the time of the disciplinary proceedings.

The facility manager or designee reviews all disciplinary actions taken.

The inmate is advised in writing of the action taken in the disciplinary proceedings.

Pending the disciplinary proceedings, the inmate may be removed from the general population or program for specified reasons.

Yes No Recommendations:

Title 15, CCR., Section 1082 - FORMS OF DISCIPLINE

The degree of punitive actions taken by the disciplinary officer is directly related to the severity of the rule infractions as specified in this section.

Yes No Recommendations:

Title 15, CCR., Section 1083 - LIMITATIONS ON DISCIPLINARY ACTIONS

No inmate is continued on disciplinary isolation status beyond 30 consecutive days without review by facility manager. Part of this review includes consultation with health care staff. Such reviews continue at least every fifteen days thereafter until isolation status has ended.

Disciplinary isolation cells have the minimum furnishings and space specified in Title 24, Section 2-470A.2. Inmates are issued clothing and bedding as specified in Articles 12 and 13 of these regulations.

Disciplinary cell occupants who destroy bedding and/or clothing may be deprived of such articles. The decision to deprive inmates of such articles is reviewed by the facility manager or designee every 24 hours.

No inmates exercise the right of punishment over other inmates per Section 4019.5 PC.

A safety cell, as specified in Section 1055 of these regulations, or any restraint device is not used for disciplinary purposes.

No inmate is deprived of implements necessary to maintain an acceptable level of hygiene as specified in Section 1265.

Food is not withheld as a disciplinary measure.

Disciplinary isolation diet described in Section 1247 of these regulations is only utilized for major violations of institution rules.

The facility manager approves the initial placement on the disciplinary isolation diet and ensures that medical staff is notified.

In consultation with medical staff, the facility manager approves any continuation of the diet every 72 hours after the initial placement.

Correspondence privileges are not withheld except where correspondence regulations have been violated. Decision to withhold correspondence privilege is reviewed every 72 hours.

Access to courts and legal counsel is not suspended as a disciplinary measure.

Yes No Recommendations:

Title 15, CCR., Section - 1084 DISCIPLINARY RECORDS

A record of all disciplinary infractions and punishment administered per Section 4019.5 PC is maintained.

Yes No Recommendations:

Appendix D – Security Assessment Checklist

Facility Name:	Date
Persons Interviewed	Associate(s)
<p>1. Armory/Arsenal</p> <p> <input type="checkbox"/> Outstanding <input type="checkbox"/> Good <input type="checkbox"/> Improvement Needed <input type="checkbox"/> Unsatisfactory </p> <p>Comments/Recommendations:</p>	
<p>2. Communications:</p> <p> <input type="checkbox"/> Outstanding <input type="checkbox"/> Good <input type="checkbox"/> Improvement Needed <input type="checkbox"/> Unsatisfactory </p> <p>Comments/Recommendations:</p>	
<p>3. Contraband/Evidence Management</p> <p> <input type="checkbox"/> Outstanding <input type="checkbox"/> Good <input type="checkbox"/> Improvement Needed <input type="checkbox"/> Unsatisfactory </p> <p>Comments/Recommendations:</p>	
<p>4. Inmate Counts – Safety Checks</p> <p> <input type="checkbox"/> Outstanding <input type="checkbox"/> Good <input type="checkbox"/> Improvement Needed <input type="checkbox"/> Unsatisfactory </p> <p>Comments/Recommendations:</p>	
<p>5. Control Center Operations</p> <p> <input type="checkbox"/> Outstanding <input type="checkbox"/> Good <input type="checkbox"/> Improvement Needed <input type="checkbox"/> Unsatisfactory </p> <p>Comments/Recommendations:</p>	

6. Movement of Inmates

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

7. Fire Safety

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

8. Food Services Security/Safety

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

9. Hazardous Materials Management

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

10. Health/Medical Services Safety and Security

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

11. Inmate Classification #

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

12. Inmate Mail #

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

13. Inmate Housing

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

14. Inmate Visiting #

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

15. Sanitation - Environmental Health

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

16. Inmate Searches

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

17. Physical Plant Searches

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

18. Segregation and Special Housing

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

19. Tool Control

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

20. Inmate Worker Selection

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

21. Inmate Worker Assignments

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

22. Inmate Transportation

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

23. Key Control

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

24. Perimeter Security

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

25. Physical Plant

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

26. Post Orders

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

27. Release/Discharge

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

28. Emergency Planning

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

29. Laundry

Outstanding Good Improvement Needed Unsatisfactory

Comments/Recommendations:

Appendix D1 – Security Assessment Anchor Points

Outstanding: The security item examined is well thought out and is expertly documented. Staff at all levels is trained beyond what is required in the minimum jail standards and can clearly articulate and successfully demonstrate the policy and procedure or post order requirements of the item. Management and supervisory staff are highly involved with the oversight of the item. Materials and other resources associated with this item are complete, in stock and expertly maintained. Facilities for this item (if applicable) are completely secure and meet the needs of the staff in an optimal way. The overall status of security item can be described as ideal and should be replicated in other facilities whenever possible.

Good: The security item examined is adequately documented. Staff is trained according to minimum standards and can almost always articulate and demonstrate the policy and procedure or post order requirements of the item. Management and supervisory oversight of the item is adequately accomplished and deficiencies are aggressively pursued as a matter of continuous improvement. Materials and other resources associated with this item are satisfactorily maintained. Facilities for this item (if applicable) are secure and meet security needs in a satisfactory way. The overall status of the security item can be described as good and is above reproach.

Improvement Needed: The security item examined needs attention by management staff and documentation needs to be improved. Training at all levels is sporadic or ineffective and may not meet minimum jail standards. Staff has difficulty describing the security goal and many cannot demonstrate the policy and procedure or post order requirements of the item. Management and supervisory oversight of the item is in need of attention. Materials associated with this item are incomplete or missing and unevenly maintained. Facilities for this item (if applicable) have security holes and only meet the needs of staff in the performance of their security duties some of the time. The overall status of the security item can be described as needing immediate attention by management staff in order for conditions to improve.

Unsatisfactory: The security item examined needs immediate attention by management staff and documentation needs to be improved. Training is sporadic, ineffective or non-existent, a significant number of staff do not meet the minimum training standards. More often than not, staff is unable to describe the security goal and the majority of staff cannot demonstrate the policy and procedure requirements or post order requirements of the item. Management and supervisory oversight of the item is lax and in immediate need of attention. Materials associated with this item are critically inadequate and are most often incomplete or missing and rarely maintained. Facilities for this item (if applicable) have critical security holes and most often do not meet security needs. The overall status of security item can be described as wholly unsatisfactory needing immediate attention and continuous improvement.

Appendix E – Staffing Table

Orange County Sheriff's Department

Staffing Assessment

Facility: _____

POST	"A" Shift	"B" Shift	"C" Shift	Total	S.R.F.	Number of Required Positions	Notes

Appendix E-1 – Annual Leave Table

Average Leave Time per Employee Class

	AL	AU	CT	LP	HOL	P2	WC	VT	SP	TRNG (STC)
CST SCST N =167.76	130.07	68.6	33.21	5.6	96	37.42	6.86	0	0	34.05
SSO N=88.37	96.06	46.24	39.02	7.91	96	19.6	3.37	0	0	14.12
DS I N=422.09	109.23	39.34	33.81	20.9	96	0	0.8	0	0	56.25
DS II N=194.42	167.81	58	31.75	34	96	0	0	0	0	25.09
SGT N=63.86	241.07	19.07	14.48	5.21	96	0	0	4.13	0.94	51.28
Lt N = 17.337	253.27	.46	0	30.8	96	0	0	4.04	0	62.87

Key

AL = Annual Leave

AU = Unplanned Annual Leave

CT = Compensatory Time Off

LP = Leave with Pay

HOL= Holiday

P2 - PIP Leave

WC = Workman's Comp.

VT - Vacation Taken

SP - Sick Leave

TRNG = Training (minimum of 24 hours per person)

Appendix E-2 – Shift Relief Factor Worksheets

Shift Relief Factor Deputy Sheriff I 12 - Hour Shift Schedule - No Breaks

Leave Types per Deputy Sheriff I	Hours
A - Scheduled days off (44 X 52)	2288
B - Annual Leave	109.23
C - Unplanned Annual Leave	39.34
D - Compensatory Time Off	33.81
E - Leave with Pay	20.9
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	0
H - Workman's Comp.	0.8
I - Vacation	0
J - Sick Time	0
K - Training (24 hours STC annually minimum)	56.25
Total Hours Not Available	2644.33
Base Hours 12 X 364	
	4368
Hours Not Available	
	2644.33
Availability (base hours minus hours not available)	
	1723.67
12 Hour SRF (base hours/availability)	
	2.53
24 Hour SRF	
	5.06

N= 422.09

**Shift Relief Factor
Deputy Sheriff II
12 - Hour Shift Schedule - No Breaks**

Leave Types per Deputy Sheriff II	Hours
A - Scheduled days off (44 X 52)	2288
B - Annual Leave	167.81
C - Unplanned Annual Leave	58
D - Compensatory Time Off	31.75
E - Leave with Pay	34
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	0
H - Workman's Comp.	0
I - Vacation	0
J - Sick Time	0
K - Training (24 hours STC annually minimum)	25.09
Total Hours Not Available	2700.65
Base Hours 12 X 364	4368
Hours Not Available	2700.65
Availability (base hours minus hours not available)	1667.35
12 Hour SRF (base hours/availability)	2.62
24 Hour SRF	5.24

N= 194.42

**Shift Relief Factor
Sergeant
12 - Hour Shift Schedule - No Breaks**

Leave Types per Sergeant	Hours
A - Scheduled days off (44 X 52)	2288
B - Annual Leave	241.07
C - Unplanned Annual Leave	19.07
D - Compensatory Time Off	14.48
E - Leave with Pay	5.21
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	0
H - Workman's Comp.	0
I - Vacation	4.13
J - Sick Time	0.94
K - Training (24 hours STC annually minimum)	51.28
Total Hours Not Available	2720.18
Base Hours 12 X 364	4368
Hours Not Available	2720.18
Availability (base hours minus hours not available)	1647.82
12 Hour SRF (base hours/availability)	2.65
24 Hour SRF	5.30

N= 68

**Shift Relief Factor
Lieutenant
12 - Hour Shift Schedule - No Breaks**

Leave Types per Lieutenant	Hours
A - Scheduled days off (44 X 52)	2288
B - Annual Leave	253.27
C - Unplanned Annual Leave	.46
D - Compensatory Time Off	0
E - Leave with Pay	30.8
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	0
H - Workman's Comp.	0
I - Vacation	4.04
J - Sick Time	0
K - Training (24 hours STC annually minimum)	62.84
Total Hours Not Available	2735.41
Base Hours 12 X 364	4368
Hours Not Available	2735.41
Availability (base hours minus hours not available)	1632.59
12 Hour SRF (base hours/availability)	2.68
24 Hour SRF	5.36

N= 17.34

**Shift Relief Factor
Sheriff's Special Officer
12 - Hour Shift Schedule - No Breaks**

Leave Types per Sheriff's Special Officer	Hours
A - Scheduled days off (44 X 52)	2288
B - Annual Leave	96.06
C - Unplanned Annual Leave	46.24
D - Compensatory Time Off	39.02
E - Leave with Pay	7.91
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	19.6
H - Workman's Comp.	3.37
I - Vacation	0
J - Sick Time	0
K - Training (24 hours STC annually minimum)	14.12
Total Hours Not Available	2610.32
Base Hours 12 X 364	4368
Hours Not Available	2610.32
Availability (base hours minus hours not available)	1757.68
12 Hour SRF (base hours/availability)	2.48
24 Hour SRF	4.96

N= 88.37

**Shift Relief Factor
Deputy Sheriff I
12 - Hour Shift Schedule - with Breaks**

Leave Types per Deputy Sheriff I	Hours
A - Scheduled days off (44 X 52)	2288
B - Annual Leave	109.23
C - Unplanned Annual Leave	39.34
D - Compensatory Time Off	33.81
E - Leave with Pay	20.9
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	0
H - Workman's Comp.	0.8
I - Vacation	0
J - Sick Time	0
K - Training (24 hours STC annually minimum)	56.25
Total Hours Not Available	2644.33
Base Hours 12 X 364	4368
Hours Not Available	2644.33
Sub-Availability (base hours minus hours not available)	1723.62
Break Relief (sub-available hours / 12 hour shift X .5 hrs)	71.82
Availability	1651.85
12 Hour SRF (base hours/availability)	2.64
24 Hour SRF	5.28

N= 422.09

**Shift Relief Factor
Deputy Sheriff II
12 - Hour Shift Schedule - with Breaks**

Leave Types per Deputy Sheriff -II	Hours
A - Scheduled days off (44 X 52)	2288
B - Annual Leave	167.81
C - Unplanned Annual Leave	58
D - Compensatory Time Off	31.75
E - Leave with Pay	34
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	0
H - Workman's Comp.	0
I - Vacation	0
J - Sick Time	0
K - Training (24 hours STC annually minimum)	25.09
Total Hours Not Available	2700.65
Base Hours 12 X 364	4368
Hours Not Available	2700.65
Sub-Availability (base hours minus hours not available)	1667.35
Break Relief (sub-available hours / 12 hour shift X .5 hrs)	69.47
Availability	1597.88
12 Hour SRF (base hours/availability)	2.73
24 Hour SRF	5.46

N= 194.42

**Shift Relief Factor
Sheriff's Special Officer
12 - Hour Shift Schedule - with Breaks**

Leave Types per Sheriff's Special Officer	Hours
A - Scheduled days off (44 X 52)	2288
B - Annual Leave	96.06
C - Unplanned Annual Leave	46.24
D - Compensatory Time Off	39.02
E - Leave with Pay	7.91
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	19.6
H - Workman's Comp.	3.37
I - Vacation	0
J - Sick Time	0
K - Training (24 hours STC annually minimum)	14.12
Total Hours Not Available	2610.32
Base Hours 12 X 364	4368
Hours Not Available	2610.32
Sub-Availability (base hours minus hours not available)	1757.68
Break Relief (available hours / 12 hour shift X .5 hrs)	73.24
Availability	1684.44
12 Hour SRF (base hours/availability)	2.59
24 Hour SRF	5.18

N= 88.37

**Shift Relief Factor
Deputy I
8 - Hour - 7 day Shift Schedule**

Leave Types per Deputy I	Hours
A - Scheduled days off (16 X 52)	832
B - Annual Leave	109.23
C - Unplanned Annual Leave	39.34
D - Compensatory Time Off	33.81
E - Leave with Pay	20.9
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	0
H - Workman's Comp.	0.8
I - Vacation	0
J - Sick Time	0
K - Training (24 hours STC annually minimum)	56.25
Total Hours Not Available	1188.33
Base Hours 8 X 364	2912
Hours Not Available	1188.33
Availability	1723.67
8 Hour SRF (base hours/availability)	1.69
24 Hour SRF	5.07

N= 422.09

**Shift Relief Factor
Correctional Services Technician
10 - Hour (7 Day) Shift Schedule - No Breaks**

Leave Types Correctional Services Technician	Hours
A - Scheduled days off (3x10x52 =)	1560
B - Annual Leave	130.07
C - Unplanned Annual Leave	68.6
D - Compensatory Time Off	33.21
E - Leave with Pay	5.6
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	37.42
H - Workman's Comp.	3.86
I - Vacation	0
J - Sick Time	0
K - Training (24 hours STC annually minimum)	34.05
Total Hours Not Available	1968.81
Base Hours 10 X 364	3640
Hours Not Available	1968.81
Availability (base hours minus hours not available)	1671.19
10 Hour SRF (base hours/availability)	2.18
24 Hour SRF	N/A

N= 167.76

**Shift Relief Factor
Deputy Sheriff I
10 - Hour (7 Day) Shift Schedule - No Breaks**

Leave Types Deputy Sheriff I	Hours
A - Scheduled days off (3x10x52 =)	1560
B - Annual Leave	109.23
C - Unplanned Annual Leave	39.34
D - Compensatory Time Off	33.81
E - Leave with Pay	20.9
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	0
H - Workman's Comp.	0.8
I - Vacation	0
J - Sick Time	0
K - Training (24 hours STC annually minimum)	56.25
Total Hours Not Available	1916.33
Base Hours 10 X 364	3640
Hours Not Available	1916.33
Availability (base hours minus hours not available)	1723.67
10 Hour SRF (base hours/availability)	2.11
24 Hour SRF	N/A

N= 422.09

**Shift Relief Factor
Deputy Sheriff I
10 - Hour 4 Day Shift Schedule - No Breaks
8 - Hour 5 Day Shift Schedule - No Breaks**

Leave Types Deputy Sheriff I	Hours
A - Scheduled days off	N/A
B - Annual Leave	109.23
C - Unplanned Annual Leave	39.34
D - Compensatory Time Off	33.81
E - Leave with Pay	20.9
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	0
H - Workman's Comp.	0.8
I - Vacation	0
J - Sick Time	0
K - Training (24 hours STC annually minimum)	56.25
Total Hours Not Available	356.33
Base Hours 52x40	2080
Hours Not Available	356.33
Availability (base hours minus hours not available)	1723.67
10 or 8 Hour SRF (base hours/availability)	1.21
24 Hour SRF	N/A

N= 422.09

Shift Relief Factor
Sheriff's Special Officer
10 - Hour 4 Day Shift Schedule - No Breaks
8 - Hour 5 Day Shift Schedule - No Breaks

Leave Types Sheriff's Special Officer	Hours
A - Scheduled days off	N/A
B - Annual Leave	96.06
C - Unplanned Annual Leave	46.24
D - Compensatory Time Off	39.02
E - Leave with Pay	7.91
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	19.6
H - Workman's Comp.	3.37
I - Vacation	0
J - Sick Time	0
K - Training (24 hours STC annually minimum)	14.12
Total Hours Not Available	322.32
Base Hours 52x40	2080
Hours Not Available	322.32
Availability (base hours minus hours not available)	1757.68
10 or 8 Hour SRF (base hours/availability)	1.18
24 Hour SRF	N/A

N= 88.37

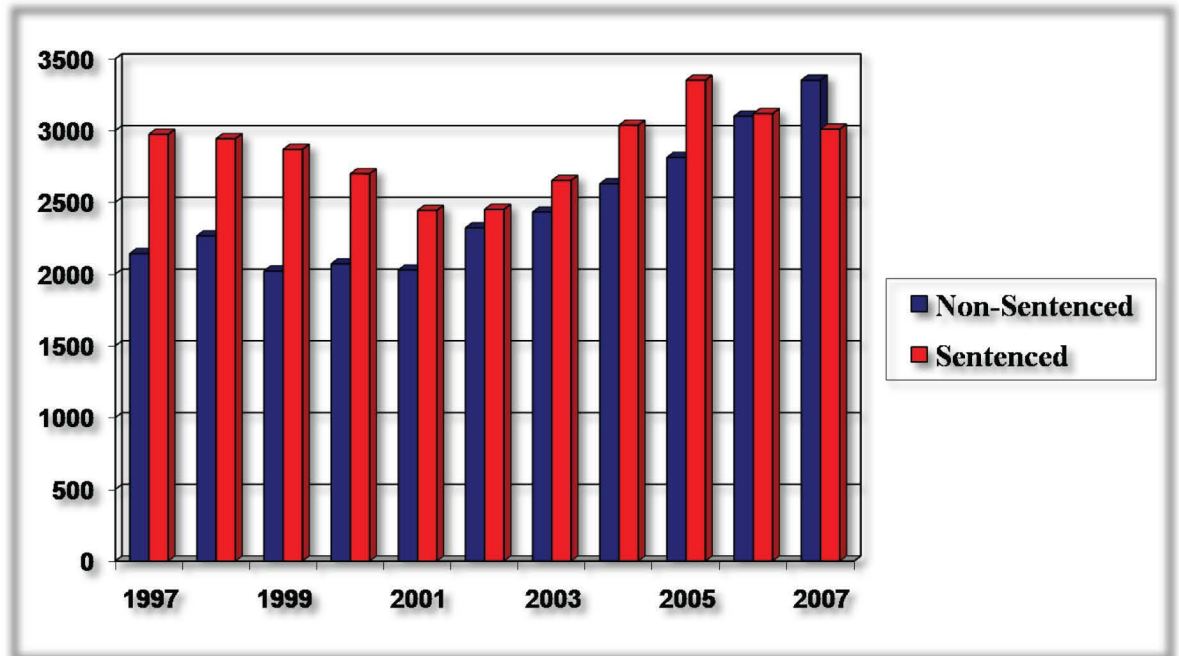
Shift Relief Factor
Correctional Services Technician
10 - Hour 4 Day Shift Schedule - No Breaks
8 - Hour 5 Day Shift Schedule - No Breaks

Leave Types Correctional Services Technician	Hours
A - Scheduled days off	N/A
B - Annual Leave	130.07
C - Unplanned Annual Leave	68.6
D - Compensatory Time Off	33.21
E - Leave with Pay	5.6
F - Holiday (12 holidays x 8 hours)	96
G - PIP Lv.	37.42
H - Workman's Comp.	3.86
I - Vacation	0
J - Sick Time	0
K - Training (24 hours STC annually minimum)	34.05
Total Hours Not Available	408.81
Base Hours 52x40	2080
Hours Not Available	408.81
Availability (base hours minus hours not available)	1671.19
10 or 8 Hour SRF (base hours/availability)	1.24
24 Hour SRF	N/A

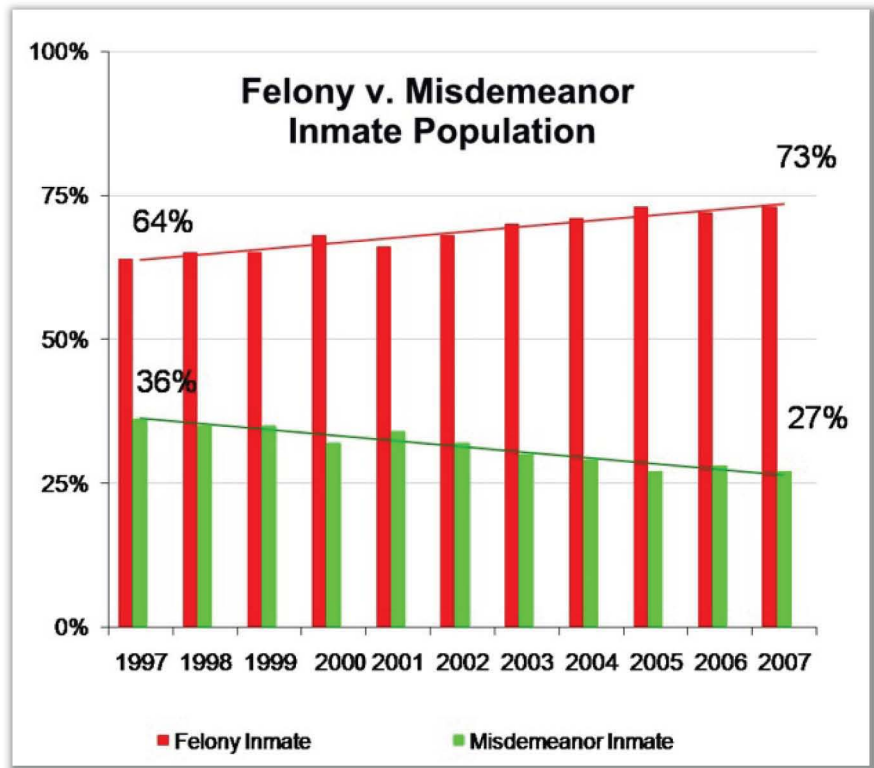
N= 88.37

Appendix F – Jail Population/Trend Analysis

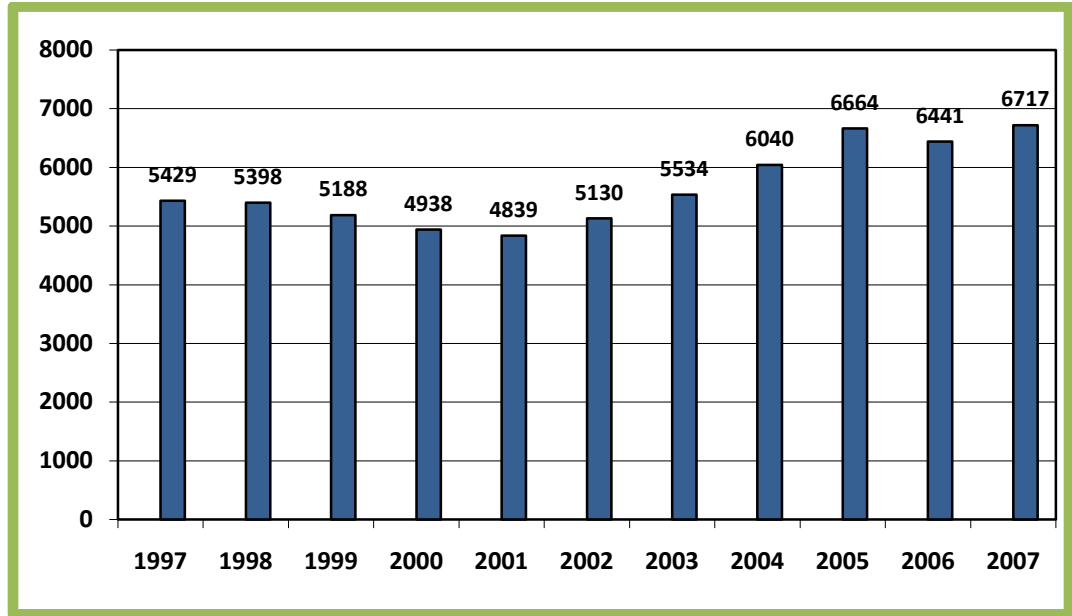
**10-Year Trend in Non-sentenced Inmates,
Sentenced Inmates and Total ADP**



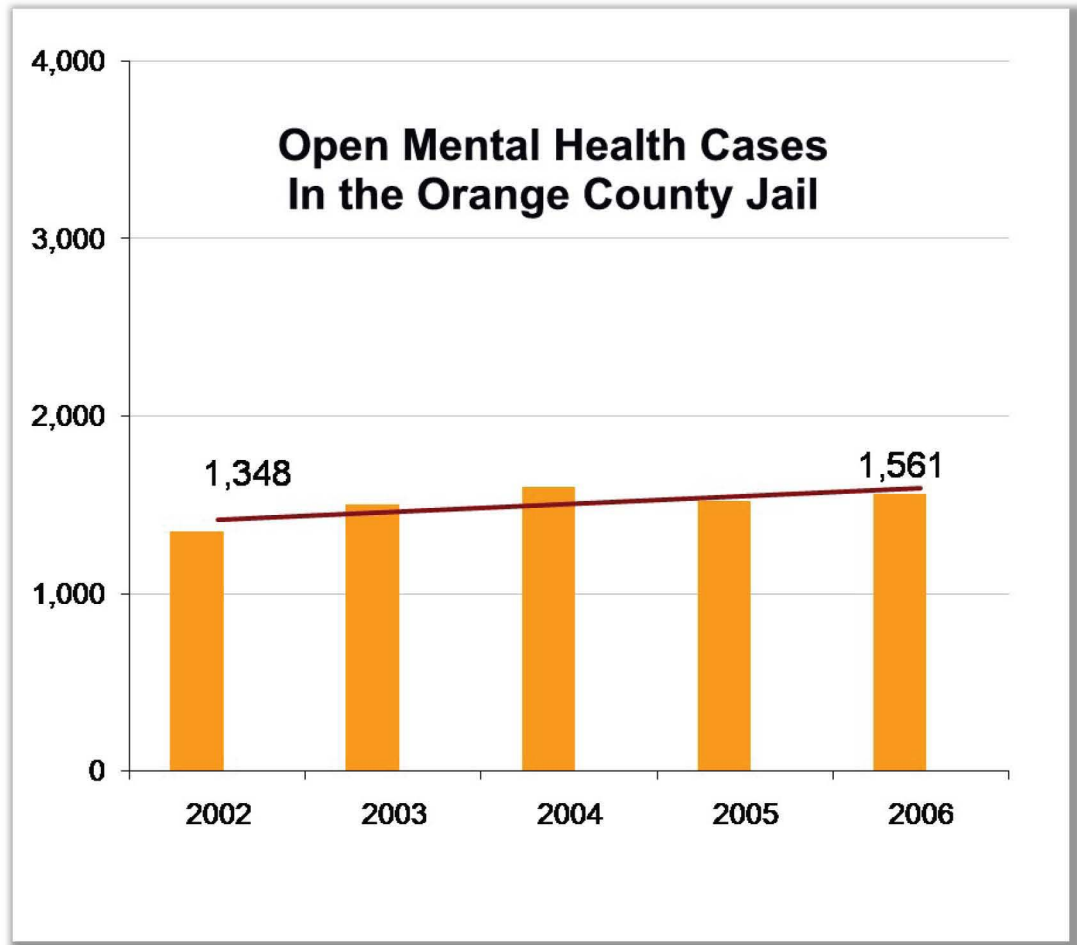
10-Year Trend in the ADP of Felony vs. Misdemeanor Inmates



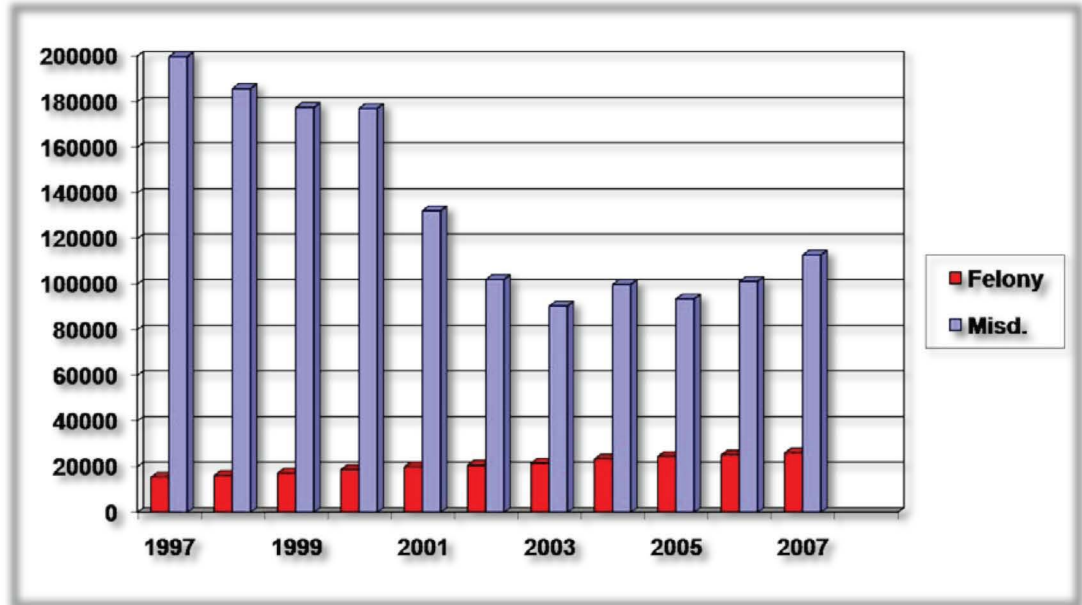
Number of Inmates in Excess of ADP On the Day of the Highest Inmate Count



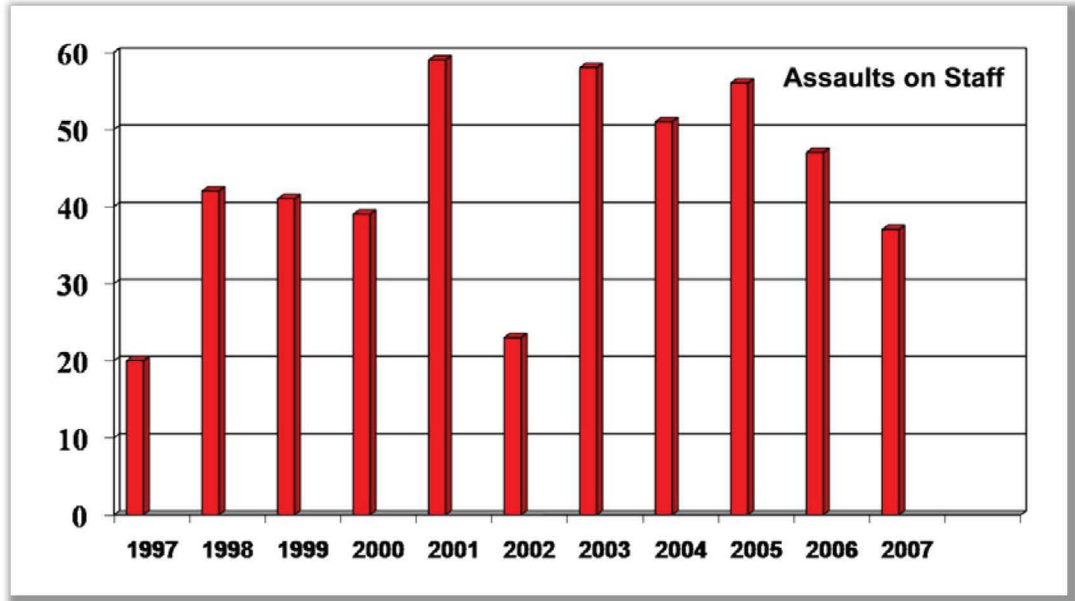
**10-Year Trend in the Number of
New Mental Health Cases Opened Each Month**



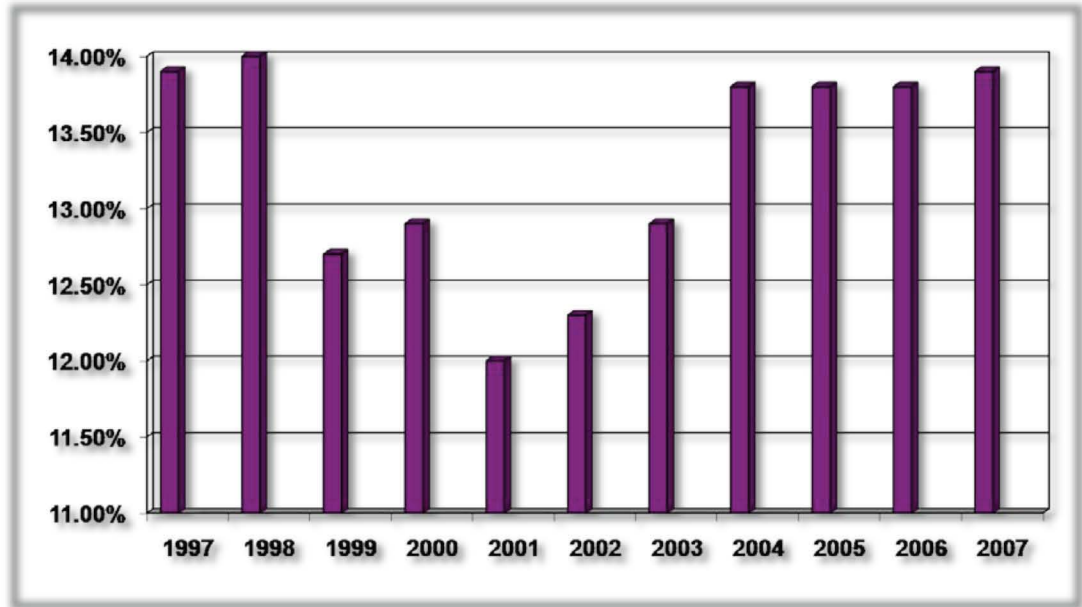
**10-Year Trend in the Number of Unserved
Felony and Misdemeanor Warrants in Orange County**



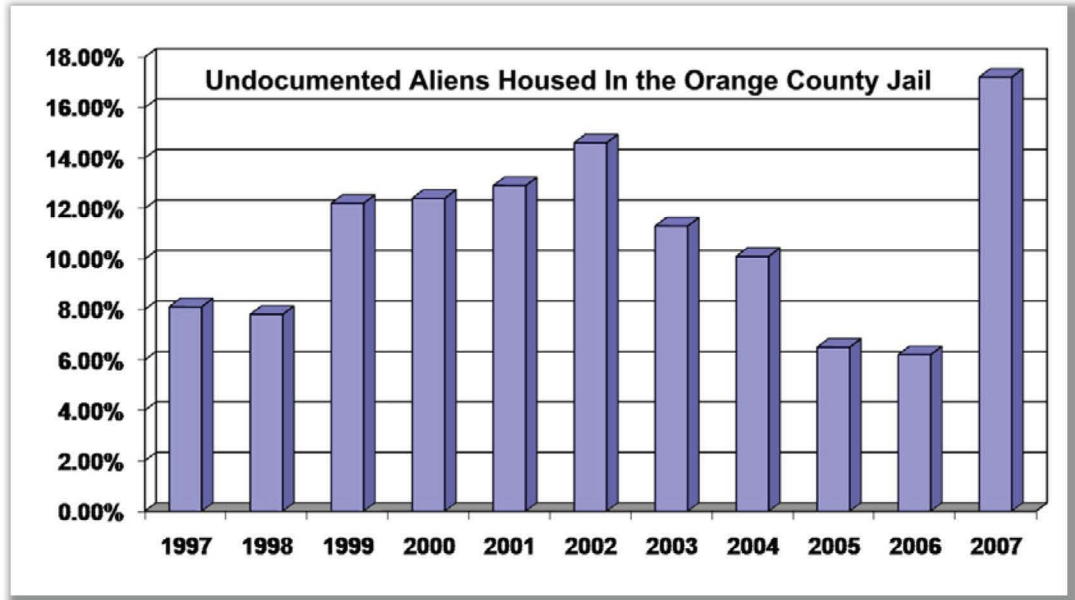
**10-Year Trend in the Number of
Inmate Assaults on Staff per Quarter**



10-Year Trend in the Number of Female Inmates in the Orange County Jail



Undocumented Aliens Housed In the Orange County Jail



Literature/Document Review

A

AB-900 Summary & Flow Chart

B

Budgets for Fiscal Year 2007-0228

C

California Code of Regulations, Title 15, Minimum Standards for Local Detention Facilities
 CCTV (Digital) Implementation Plan
 Central Jail Complex (CJX) Public Information Plan
 Central Jail Complex Recommendations for Implementation – Post Chamberlain Incident
 Central Men’s Jail Briefing Paper
 Central Men’s Jail Staffing Numbers Document, not dated
 Central Women’s Jail Briefing Paper
 Central Women’s Jail Module Capacity, not dated
 Chamberlain Case, Measures Related to the
 CJX Briefing Sheet
 CJX Recommendations for Immediate Implementation Document, *not dated*
 Commissary Layout
 Commissary Sales by Source FY 07-08
 Commissary Sales Graphic FY 2007-2008
 Commissary Staff Schedule
 Commissary Unit Averages
 Correctional Officer Comparisons
 Correctional Programs Inmate Orientation Brochure
 Correctional Programs Listing
 Correctional Programs Schedule Development
 Correctional Programs Schedule, Dated 08/1/08
 Correctional Programs Unit “Facts at a Glance” dated 2007
 Corrections Officer Comparisons – Data Sheet
 Corrections Programs Schedule Development – IRC Facility
 Corrections Programs Schedule Development – Men’s Central Jail
 Corrections Programs Schedule Development – Musick Facility
 Corrections Programs Schedule Development – Theo Lacy Facility
 Corrections Programs Schedule Development – Women’s jail Facility
 Corrections Standards Authority, Biennial and Physical Plant Inspection Report – Orange County Jail Facilities - 2008
 Court Operations – Central Justice Court – Yearly Jail Statistics
 Court Operations – Harbor Justice Center – Cell Capacities
 Court Operations – Harbor Justice Center – Factoid Sheet
 Court Operations – Harbor Justice Center – Organization Chart
 Court Operations – Lamoreaux Justice Center – Daily Watch List
 Court Operations – Lamoreaux Justice Center – Detention Statistics

D

Court Operations CJC Yearly Statistics
 CPR Report for OCSJ Jail Operations, date 08/13/08
 Cross Designation Program - ICE
 Cross Designation Program (ICE)
 Custody Officer – Job Description
 Custody Officer Duty Statement

E

Digital CCTF Implementation Plan – Communications Division
 Dyer House Layout and Floor Plan

F

Emergency Operations Procedures (EOP's)

Facility Training Officer Manual
 Field Training and Evaluation Program (FTEP) (for Deputy Sheriff) School Outline
 Fire Extinguisher Inspection and Maintenance Record – Central Women's Jail
 Floor Plans – CJX – IRC, Men's Jail, Women's Jail
 Floor Plans – James Musick Facility
 Floor Plans – Theo Lacy Facility
 Force, Use of Documents

G**H**

Handout for Official Tours - CMJ
 Handout for Official Tours - CWJ
 Handout for Official Tours - IRC
 Harbor Justice Center – Control Panel Replacement Proposal
 Harbor Justice Center Briefing Document
 Harbor Justice Center Cell Capacities
 Harbor Justice Center Cell Layout
 Harbor Justice Center Cell Organizational Chart
 Housing Capacity by Module, dated 09/19/07, IRC and CMJ

I

Inmate Early Release Protocol
 Inmate Programs Briefing Sheet
 Inmate Records – Personnel Roster/Position Numbers
 Inmate Records Staff Roster
 Inmate Services and Reentry Briefing
 Inmate Services Division - Overview
 Inmate Services Division Program Matrix – Musick Facility
 Inmate Services Division, Overview
 Inmate Services Organization Chart
 Inmate Welfare Expenditure Report to the Board of Supervisors, 02/26/08
 Inmate Welfare Fund 2007 – 2008 Revenues (Pie Chart)
 Inmate Welfare Fund Graphic 2007-2008 Revenues
 In-Service Documents
 Intake and Screening Triage Form F-272-26.1740 (revised 4/01)
 Intake –Release Center Briefing Sheet

J

Intake Release Center, Central Men's Jail, Central Women's Jail,
Overview
Intake Screening and Triage Form

Jail Commissary Order Slip – Men's

Jail Commissary Order Slip – Women's

Jail Commissary Order Slip (Male/Female)

Jail Operations Manual of Policy and Procedures JOM

Jail Operations Manual Pertaining to the Central Men's Jail

Jail Operations Manual Pertaining to the Central Women's Jail

Jail Operations Manual Pertaining to the Intake/Release Center

Jail Operations Manual Pertaining to the James Musick Facility

Jail Orgs Labor Report

Jail Orgs. Relief Factor Documents

Jail Overtime Usage FY 05-06, FY 06-07

Jail Profile Survey Data, An Analysis of The Orange County Jail
System

Jail Programs Description of Existing Classes/Programs

Jail Report 2008

Jail Safety Enhancements

Jail System Overview, Orange County Jail

Jail Use of Force Course Summary (Training)

Jail Use of Force Lesson Plan

James A. Musick Facility Orientation

James Musick Expansion Documents

JCATT Summary

K**L**

Lamoreaux Justice Center Daily Watch List

Lawsuit Status Summary

Levels of Punishment for Major Rule Violations document,
undated and unsigned – Musick Facility

LPS – Correctional Mental Health Summary

M

Mental Health Services Jail Policy & Procedures Meeting
04/01/2008, Agenda

Module Control Logs, Electronic

MOU – General Unit

MOU – HCA and OCSD

MOU – SSO/Deputy Unit

MOU – Supervisory/Management Unit

Musick Division Summary

Musick Expansion Documents

N**O**

National Institute of Corrections Assessment

Orange County Grand Jury Reports – 2006, 2007, 2008

Orange County Sheriff's Department – Organization Chart - 2008

Orange County Sheriff's Department Organization Chart

Overtime Report for 09-29-08

P

Overview of the Orange County Jail System

Q

R

Reentry Partnership Info Sheet, Orange County
Research and Development Division – Proactive Assessments

S

Scott Air Pack Inspection and Maintenance Record – Central
Men's Jail, 07/18/08

Scott Air Pack Inventory – Central Women's Jail

Schedules – IRC, Men's Central Jail, Women's Jail

Schedule – James Musick Facility

Schedule – Theo Lacy Facility

Security Assessment for the Orange County Superior Court

Shake Down Log form J098.1 (Rev 04/99), Sample

Statistical Average Length of Stay (ALOS) Report for July 2008

T

Theo Lacy Facility, Overview

Theo Lacy Ariel Photograph

Theo Lacy Briefing Sheet

Theo Lacy CST Schedule

Theo Lacy Executive Summary Proposed Schedule Modification

Theo Lacy Personnel Schedule

Theo Lacy Revised 10-County Watch Rotation

Theo Lacy Warehouse Requisition Form

Theo Lacy Watch List

Title 15 Safety Check Logs

Training Division Hourly/Curriculum Breakdown

Training Division Organization Chart

Training Division Staffing List

Training Records in Spreadsheet and Data Base Format

Transportation Bureau 7-Year Statistical Report

U

Use of Force – Jail Operations and Procedure Course Summary

Use of Force Training

V

Visiting Information Pamphlet for the Public – Musick Facility

Watch List – CJX – IRC, Men's Central Jail, Women's Jail

Watch List – James Musick Facility

Watch List – Theo Lacy Facility

W

Web Site, www.ocsd.org

X

Y

Z

Appendix H – Scenario Drill/Evaluation/Instrument

Security Scenario – Drill and Evaluation Worksheet

Objective: This scenario is designed to test the policy awareness and response capabilities of the management and staff of the jail facility. The specific challenge involves the ability of duty staff to interface with support services (medical) and outside regulatory agencies. Additionally, this scenario is designed to test a multitude of activities and systems that may include but are not limited to:

- Command and control systems
- Communication systems
- Fire control procedures
- Perimeter security
- Inmate control
- Operations recovery
- Impact on facility staffing

Purpose: The purpose of this scenario drill is to provide general instruction to management, supervisory and line staff regarding potential hazards in the jail, methods of emergency communication, and protective actions that must be carried out. Additionally, this drill is designed to engage staff and promote the continuous improvement with the management of unusual occurrences. Live action emergency scenarios serve to refine policies, procedures and unit orders, as well as incorporate new ideas and lessons learned as a result of the drill. Additional drill information will be included in the final Interim Reports.

Scenario: A complete scenario will be included as a part of each facility’s Interim Report after the drill has been executed and evaluated

Scenario Enhancements: Additional scenario enhancements are provided to custody managers and response evaluators to introduce at their discretion.

Evaluator Notes:

Reviewers Guide

The following drill responses are presented to the Scenario Review Team for consideration in determining the effectiveness of personnel, physical space, and other systems challenged during the enactment of the emergency scenario.

Security Evaluation Item #1
Security Evaluation Item #2
Security Evaluation Item #3
Security Evaluation Item #4
Security Evaluation Item #5

Appendix I - Acknowledgements

Despite the issues that we have identified in this assessment, we are very pleased to report that there is a high level of Esprit de Corps among the men and women serving in all of the jail facilities and bureaus that CSCJC assessed. We noted that staff at every rank and discipline displays a can-do attitude no matter what the adversity or circumstances placed before them.

During the course of the assessments we found staff to be energetic, helpful and dedicated to their profession. We would further note that the executive and managerial staff made it abundantly clear that they desired a straightforward analysis of the Orange County Jail system with no punches pulled. We are confident that the CSCJC team presented an honest evaluation that was documented in detail in the Interim Reports and during conversations with staff at all levels. In the final analysis the assessments developed by CSCJC have been presented to and received by the OCSJ in the spirit of continuous improvement aimed at making a very good department operate even better.

Finally we need to acknowledge some of the OCSJ staff that provided exceptional cooperation and assistance during the OCJAP. Crout and Sida Criminal Justice Consultants wish to thank the following individuals for their assistance and cooperation in the development of this report.

Sheriff Sandra Hutchens

Undersheriff John Scott

Assistant Sheriff Mike James – Custody Operations Command

Assistant Sheriff J.B. Davis – Investigative Services Command

Executive Director Rick Dostal - Administrative Services Command




Director	Robert Beaver	Research & Development
Captain	Deana Bergquist	James A. Musick Facility
Captain	Timothy Board	CJX
Director of Inmate Services	Sharon Gibson Casler	Inmate Services
Captain	Brian Cossairt	Court Services
Captain	Jay La Fluer	Theo Lacy Facility
Director Financial Services	Jane Reyes	Sheriff's Financial Services
Captain	W. David Wilson	Theo Lacy Facility
Captain	Catherine Zurn	Training








Lieutenant	Jerry Carlson	CJX
Administrative Manager	Tracy Carroll	CJX
Lieutenant	Roland Chacon	CJX
Lieutenant	Michael Colver	CJX
Lieutenant	Lloyd Downing	Theo Lacy Facility

Orange County Jail Assessment Project

Lieutenant	Gil Garcia	Laguna Justice Center
Lieutenant	Dan Hake	Courts
Lieutenant	Michael Jansen	James A. Musick Facility
Lieutenant	Janet Lonich	James A. Musick Facility
Lieutenant	Rudy Mena	James A. Musick Facility
Lieutenant	Colin Murphy	Harbor Justice Center
Lieutenant	Lynn Nehring	Project Liaison Lieutenant
Lieutenant	Steve Szabo	James A. Musick Facility
Lieutenant	Stacey Taylor	CJX
Lieutenant	Mike Toledo	JCATT
Lieutenant	Don Torrentine	Theo Lacy Facility
Lieutenant	Drew Varela	Courts
Lieutenant	Jeff Bardik	Training
Captain	David Bautista	Orange County Fire Auth.
		
Sergeant	Kenna Addrade	Harbor Justice Center
Sergeant	Jim Bau	James A. Musick Facility
Sergeant	Kurt Bourne	Training Division
Sergeant	James Carroll	CJX
Sergeant	Rob Carter	Theo Lacy Facility
Sergeant	Max Chance	CJX
Sergeant	Chris Cormier	Theo Lacy Facility
Sergeant	D. Dunlap	Harbor Justice Center
Sergeant	Jack Gray	CJX
Sergeant	Alan Hanson	Central Justice Center
Sergeant	Dave Hartman	Theo Lacy Facility
Sergeant	Patrick Higa	CJX
Sergeant	Brian Irish	Theo Lacy Facility
Sergeant	R. Johnson	CJX
Sergeant	Ron Kennedy	CJX
Sergeant	Jeff McLain	Training Division
Sergeant	Mike Peters	Theo Lacy Facility
Sergeant	Wayne Rehnelt	Theo Lacy Facility
Sergeant	Robert Sima	North Justice Center
CST Supervisor	Ray Scruggs	Theo Lacy Facility
Sergeant	Curtis Wilson	Theo Lacy Facility
Sergeant	Rod Walker	Theo Lacy Facility
Sergeant	Greg Warner	CJX

Orange County Jail Assessment Project

Sergeant	Russ Moore	James Musick Facility
Sergeant	Jeff McClain	Training
		
Deputy	Sean Dumas	Theo Lacy Facility
Deputy	Hadi Elali	Project Liaison Deputy
Deputy	Denise Fairchild	CJX
Deputy	Frankie Hoffman	CJX
Deputy	A.J. Patella	CJX
Deputy	Pete Ross	Theo Lacy Facility
Deputy	Sean Dumas	Theo Lacy Facility
Deputy	Tom Taylor	James Musick Facility
Deputy	Sherrri Mullen	James Musick Facility
		
Medical/Mental Health	Sheryl Curl	CJX
Medical/Mental Health	Sandra Fair	CJX
Medical/Mental Health	Dee Dee Franks	CJX
Medical/Mental Health	Frank Miscione	Theo Lacy Facility
Medical/Mental Health	Nancy Redler	Theo Lacy Facility
Medical/Mental Health	Lupe Fowler	James Musick Facility
Medical/Mental Health	Maria Reinzo	James Musick Facility
		
Administrative Manager II	Greg Boston	Inmate Services
Administrative Manager I	Rod Debolt	Inmate Services
Programs Supervisor	Dominic Jejico	Inmate Services
Programs	Bridget Mack	Inmate Services
Programs	Greg Neitzel	Inmate Services
Administrative Manager II	Mary Ngayn	Inmate Services
Administrative Manager I	Tracy Zuber	Inmate Services
Vocational Instructor	James Collins	Inmate Services
Vocational Instructor	Doug Conwell	Inmate Services
		
Office Specialist	Debbie Irish	Theo Lacy Facility
Finance Specialist	Nicole Macias	Sheriff's Financial Services
		
Executive Director	Rick Cryder	Angeles of Love

To the men and women of every rank, sworn and civilian, assigned to the Orange County Jails, Administration and Support Services; your hard work, dedication, and assistance to the Crout and Sida Assessment Team was greatly appreciated.

Appendix J - High Performance Training

The “Role Call Training,” or “Short Interval Training,” model provides training to staff in small chunks over time. Covering a wide range of topics selected by management/supervisory and training staff and presented at designated roll call briefings. Supervisory, or senior staff, serves as trainers of the 10 to 15 minute sessions per topic. The overall training plan is published quarterly and a new training topic is presented each day on every shift.

The topics are generally presented to staff as a scenario that would require the specific knowledge contained in policy and procedures or unit orders. After describing the scenario, the training leader would lead an interactive discussion with staff concerning the critical issues involved in the scenario. Ultimately, the instructor will make sure that all-important aspects of the topic are covered in the critical issues segment of the presentation. A discussion follows the presentation of critical issues and cover important aspects of the topic that may include a question and answer session, short written test or practical performance test, e.g. proper use of an SCBA.

This type of training intervention is particularly effective in covering “High Risk-Low Frequency” problems. In other words activities that involves a potential high-risk outcome (injury/death/liability) if the task is not performed correctly. Furthermore, the incidents described are not frequently encountered. Other advantages to this type of training are as follows:

- The training provided is very pragmatic and deals with ongoing performance issues in the facility.
- Short interval training, that is repeated often, is a very effective method of training adults (as opposed to longer training blocks).
- Because supervisory staff serves as the primary trainers it forces those supervisors to become an expert in the various topics and develops job knowledge in order to be able to train on the topic.
- Short interval training can include testing and at a minimum the supervisor can identify areas of poor staff performance and make adjustments to supervision as dictated by the results of the role call training and how the training is applied on the job.
- Short interval trainings are valuable in risk management, inasmuch as the training can link regulations, policies, procedures, and unit orders with performance by individuals working in the facility. A highly desirable outcome of training is that the true evaluation of the effectiveness of training occurs on the job. This establishes the nexus between training and the desired performance. In other words, this type of training effectively shifts the focal point of training to performance rather than hours necessary to meet training standards. This is not meant to imply that the hourly training benchmarks (Title 15, CCR) won't be accomplished, but rather the role call training may be viewed as a more pragmatic training intervention.

After the initial time investment that occurs in the establishment of the training plan and development of each topic the roll call training is relatively easy to administer because the training coincides with the regular work dayshift, and therefore negates the need to conduct elaborate scheduling and backfilling of vacant positions. If an individual misses a topic or is off on vacation, it is not necessary to conduct make up sessions, as the training topics are repetitive. The roll call training also provides an opportunity for persons from outside the division who are working on overtime in the facility to receive at least some training on issues that relate to the particular facility. Lastly, a simple rescheduling of training topics can easily accommodate issues that require an immediate training intervention (new procedure created by a court order or in response to a debriefing of a critical incident).

Roll call training is not meant to replace training that requires a more in-depth or lengthy application of the instruction, e.g. weaponless defense, first aid/CPR, etc. The OCSD already has time built in the shift structure for briefing; therefore no cost is associated with presenting this training.

Additionally, it is recommended that the OCSD explore in cooperation with the CSA, Standards and Training for Corrections Division opportunities that involve the following:

- Streamlined process of certifying roll call training modules, recording staff attendance and receiving annual training credit for the presentation of those modules.
- Engage in a discussion about the use of STC subvention funding to offset the cost of the shift overlap.
- Consider the development of a pilot project for presentation to the CSA.

Draft example of a monthly calendar of roll call training topics. Generally, the roll call training schedule is published on a quarterly basis. Although only one month is described in this example, a real world scenario would include training topics for each day in the month of January, February and March.

Orange County Jail – Roll Call Training - March 2008						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				Cell Searches	Inmate Count	Wristband Searches
Lock-Downs	Evacuations	Earthquakes	Body Fluid Precaution Kits	Module Activity Log	MRSA Precautions	Inmate Complaint Procedures
Controlled Responses	Lock Downs	SCBA Refresher	Armory Orientation	Personal Property Facility Security	Emergency Response Paramedics	Main Control Orientation
Fire Procedures	Disaster Medical Procedures	Escape After Booking	Ethics Values Mission	Personal Physical Fitness	Key Control	Restraint Devices Handcuffs
Restraint Devices Leg Irons	Restraint Devices Waist Chains	Use of Force Options	Verbal Control Options	Suicide Prevention	Inmate Classification System	Cell Checks And Logs

Draft Example of the Trainers Guide for One of the Training Topics

Normally, a trainer's guide would contain lesson plans for each topic identified on the calendar and over the period of one year 365 individual training interventions could conceivably be presented. Some of the training interventions deemed more critical can be offered up each quarter to provide repetitive training on the topic.

Orange County Jail
March 1, 2008

Scenario: Cell Searches

Serious inmate on inmate assaults have been perpetrated in the jail that involve prisoner made weapons that consist of a large construction nail that has been sharpened and set into a plastic handle. Inmates in possession of these weapons hold them in their clenched fists and cause serious puncture wounds when the victim is punched with the closed fist of the perpetrator. The source of the nails is unknown but it is believed that a contract worker left the nails in his work area and inmate laborers gained access to them and passed them to other inmates in sack lunches that are distributed to the general population.

Critical Issues:

Scenario - Large nails have been introduced into the inmate population, which are now being used as weapons. At least two assaults have occurred in the past month, one of which resulted in a very serious injury to the eye of one of the victims.

Contraband that is used to produce weapons results in a serious breach of jail security and poses a very serious threat to inmates and staff. Injuries as a result of jail made weapons exposes the Orange County Jail to:

- Civil Liability
- Costs associated with medical treatment
- Loss of staff due to injuries
- Public scrutiny and criticism
- Possible disciplinary actions
- Loss of peace of mind due to a lack of safety
- Inmates who defeat our security systems in turn defeat us
- Sheriff's personnel staff hate to lose

When should cell searches be conducted?

1. When information is received from informants or other credible sources
2. Frequent and random cell searches

What elements of pre-planning of cell searches should be considered?

1. Identify who will be engaged in the search and each person's respective roles. Make sure the shift supervisor is in the loop.

2. Discuss the plan and make sure that everyone involved clearly understands, the, who, what and when of the search.
 - a. Identify a search leader.
 - b. Identify where inmates will be temporarily housed during the search.
3. Collect and have ready any tools or equipment that will be needed in the search, e.g. safety equipment, gloves, mirrors, probes, trash bags.
4. Any other issues unique to the search. Will the search be videotaped?

Identify 3 safety practices that should be employed during cell searches to prevent injury.

1. Be methodical and work slowly enough as to avoid injury by sharp objects that might be secreted in mattresses, blankets, bags, or in trash.
2. Never run your hands or fingers in places that you cannot see. Use mirrors and probing devices. Always wear gloves.
3. Be mindful of sanitation and avoid contamination by biohazards and or unclean surfaces. Report incident when personnel who are engaged in the search are exposed to biohazards or are cut or suffer puncture wounds immediately.

Describe actions relating to required documentation when a search is conducted.

1. Log entry is made identifying when, where and who conducted the search. Log when the search has concluded and any action taken as a result of the search.
2. Write an incident report when contraband that has been fashioned as a weapon has been discovered. Discard contraband according to policy and procedures.
3. Notify the shift supervisor when items of contraband are discovered and the follow-up action that was taken relative to the search.

Once the search has been conducted identify what other activities should be accomplished while the inmate is out of the cell or housing area.

1. Discard excessive materials that pose health and fire safety risk
2. Clear away any material that prevents the custody staff's ability to effectively observe the housing area, e.g. covered light fixtures, materials hanging from the bars or obstructing the view of the cell.
3. To the extent possible leave the inmates personal property allowed by jail policy intact and undamaged.

What documents are available to you in providing guidance in the conduct of cell searches?

- County Jail Policy Manual
- Jail Unit Orders
- Title 15, California Code of Regulations
- California Penal Code

Testing – At the conclusion of each training session the supervisor must develop some type of testing. Testing documents demonstrate that there has been a transfer of knowledge and focus on individuals who may need additional training, remediation and/or close supervision. The following are some suggestions for training activities:

- Testing accomplish several things.
 - It serves as a measurement of an individual's knowledge of their job.
 - It meets a management objective to transfer critical knowledge and skills to the workforce.
 - It is in itself a method to enhance learning.
- Tests can be either written (pen and paper) or behavioral (show me how it's done).
- Written tests and documented behavioral tests should be retained (preferably sent to the training unit for inclusion into the employee training file).
- Developing tests can be a challenge for individuals who do not have a background in this type of training measurement. Persons developing written or behavioral skills tests should seek training from a competent individual (resources are available from the community colleges or professional trainers).
- Tests do not need to be long drawn out activities. Consider developing a bank of test questions for each topic and then pick 3 or 4 questions at random as the test. One of the valuable aspects of the administration of tests is that the employee will quickly begin to understand that there is an expectation that they will know the training material. The good news is that your correctional staff will self regulate and will want to make sure that they keep up with their peers.
- Behavioral skills testing are quite valuable inasmuch as they can demonstrate required activities. This is particularly valuable in high risk – low frequency activities such as use of SCBA equipment, identifying the location of emergency equipment, demonstrating evacuation procedures and evacuation routes.
- Passing test scores are dependent on the importance of the subject of training. As an example, short interval training that concerns dress codes and grooming standards might have a cut score of 70%. In this case, knowledge of this particular area, while important does not involve life threatening consequences. Conversely, policy and procedures on suicide prevention may require a 100% cut score, as jail suicides are very serious and can happen frequently if staff is not aware of suicide prevention techniques.

Who should conduct the training? The shift supervisor should have the primary responsibility of conducting the training. This lead role guarantee's that supervisor will be knowledgeable in each area of identified training. Nothing is as effective in having a solid grasp of training issues as the positive consequence of being the trainer.

From time to time it is valuable to delegate (not on a regular basis) to a senior staff person or an individual who has developed special skills in certain areas. Once again, if staff believe that they may be called upon to conduct a training

intervention it will most positively impact their view of how and what the organization expects of them.

Finally, these short term training interventions can spur everyone involved to analyze the effectiveness of policies and procedures. The formal short term interval trainings are consequently also a great learning tool, in which staff at all levels and assess the efficacy of policies and procedures.