

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # B-9

Urgent

Routine

mt

AGENDA DATE September 16, 2008

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of Response to the 2007-2008 Stanislaus County Civil Grand Jury Final Reports Regarding:
1) Correctional Facilities Inspections, and 2) Containing the Emerging Threat of Hepatitis C through a Syringe Exchange Program

STAFF RECOMMENDATIONS:

1. Accept the response to the Grand Jury Final Report Case #08-25 regarding the Sheriff's Department and the Probation Department, with any modifications made after consideration by the Board of Supervisors, and authorize the Chairman to forward the response to the Presiding Judge of the Superior Court.
2. Accept the response to the Grand Jury Final Report Case #08-27 regarding the Health Services Agency Public Health Division, with any modifications made after consideration by the Board of Supervisors, and authorize the Chairman to forward the response to the Presiding Judge of the Superior Court, to include one of the following:

(Continued on Page 2)

FISCAL IMPACT:

There is no direct fiscal impact associated with this response. The Final Report of the Civil Grand Jury contains recommendations which vary from basic safety hazards which may be addressed at no additional expense to the County, to major capital improvement programs which require significant planning and fiscal resources to implement as recommended. The Civil Grand Jury is not required to address the funding issues associated with their recommendations; however the Board of Supervisors and County Departments recognize the broader constraints of implementing recommendations that are beyond the resources available to County government.

BOARD ACTION AS FOLLOWS:

No. 2008-661

On motion of Supervisor Monteith, Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, and Vice-Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: Mayfield

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) X Other:

MOTION:

Approved Staff Recommendations Nos. 1, 2(b) and 3

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. M-39-L-4

STAFF RECOMMENDATIONS (Continued):

- a. Accept Recommendations #1 and #2 from the Stanislaus County Civil Grand Jury 2007-2008 Report on Containing the Emerging Threat of Hepatitis C Through a Syringe Exchange Program, Case #08-27, the implementation timing of which would be contingent on a qualified and financially self-sufficient entity expressing interest, adequately illustrating compliance with performance expectations and remitting the reviewer fee in order to allow this effort to be budget neutral for Stanislaus County Health Services Agency Public Health Division; **OR**
 - b. Do not accept Recommendations #1 and #2 from the Stanislaus County Civil Grand Jury 2007-2008 Report on Containing the Emerging Threat of Hepatitis C Through a Syringe Exchange Program, Case #08-27, as the recommendations are unreasonable considering the law enforcement concerns and the potential to encourage increased use of illegal drugs.
3. Direct the Chief Executive Officer to ensure that the recommended actions approved by the Board of Supervisors be followed and completed by each County Department and report back to the Board of Supervisors as appropriate.

DISCUSSION:

On June 26, 2008, the Board of Supervisors received the Final Report of the Civil Grand Jury which included two case findings associated with Stanislaus County government requiring a response from the Board of Supervisors. California Penal Code Section 933(c) states that the Board of Supervisors has 90 days to comment to the Presiding Judge of the Superior Court on the findings and recommendations of the Civil Grand Jury. This agenda item is in response to Case #08-25 regarding the Sheriff's Department and the Probation Department and in response to Case #08-27 regarding the Health Services Agency Public Health Division. The Board of Supervisors' response to these two cases is due by September 23, 2008.

As required the Stanislaus County Sheriff responded to the Presiding Judge of the Grand Jury regarding Civil Grand Jury Case #08-25 within the sixty day timeframe. The Sheriff's response is attached to this item as Attachment A. The Stanislaus County Chief Probation Officer responded to the County's Chief Executive Officer regarding the same Civil Grand Jury Case as required, the response is attached to this item as Attachment B. The Managing Director of the Health Services Agency responded to the County's Chief Executive Officer

regarding Civil Grand Jury Case #08-27 as required, this response is attached to this item as Attachment C.

Additionally, the Board of Supervisors received two reports from the Civil Grand Jury earlier this year Civil Grand Jury Reports Case #08-07 and Case #08-12. The Board of Supervisors responded to Civil Grand Jury Report Case #08-07 regarding the Department of Animal Services on May 20, 2008. Civil Grand Jury Report Case #08-12 regarding Stanislaus County Hazardous Materials/Situations Notification was received by the County and required no response.

Civil Grand Jury 2007-2008 Case #08-25 (Correctional Facilities Inspections)

Findings for Main Jail Facility

The Stanislaus Civil Grand Jury finds the following:

Finding 1:

The staff does a good job with order and cleanliness considering the age of facility and size constraints. Medical offices appear cramped. Storage areas for inmate property are crowded. Cell areas are very crowded.

Response: Agree. Due to the age of the facility some of the areas are at capacity. The County agrees that the staff at the Stanislaus County Men's Jail are dedicated to their jobs and keep the jail in order and clean despite the age of the facility and space constraints.

Finding 2:

There were wet floors, with standing water, in the outside isles of the second and third floors.

Response: Agree, in part. Due to the age of the facility, building leaks may occur. The staff is dedicated to keeping the facility clean and free from standing water.

Finding 3:

Low-voltage cables from outlets to the portable telephone carts were draped over the floors in a manner to constitute a tripping hazard. In addition, there were severed cables on the floor. Further, these cables appeared to be vulnerable to inmate access for use as weapons.

Response: Disagree, in part. Inmates have the right to use the telephone and due to a variety of safety issues, inmates are not removed from their cells in order to use a stationary phone. Therefore, the Sheriff's Department utilizes a

portable rolling cart to transport the telephone to the inmate; this practice is consistent within most California jails. However, cables from outlets are not draped in a manner that constitutes a safety hazard.

Finding 4:

Some staff duty stations appeared physically cramped- not allowing sufficient space for staff to conduct work tasks.

Response: Agree. Due to the age of the facility some of the areas are at capacity.

Finding 5:

Additional staffing is needed.

Response: Agree, in part. According to the Jail Needs Assessment, June 26, 2007 page G.2 additional facility escort staff and correctional officers for Central Control would enhance the current operations of the Men's Jail.

Recommendations for the Main Jail Facility

Recommendation 1: Include the following items in designs for a new facility- and proceed with the construction of that new facility:

- Larger staff work areas: medical offices, cell-floor duty stations
- Larger inmate property storage areas
- Larger inmate housing areas

Replace this facility as recommended in the 1988 Jail Needs Assessment and Master Plan.

Response: The recommendation has not been implemented, but will be implemented in the future. As indicated in the Updated Public Safety Center Jail Needs Assessment and Public Safety Service Master Plan submitted to the BOS on June 26, 2007, there is a significant shortage of adult detention beds to meet today's needs and demands. In addition to meeting growth demands, two of the three adult detention facilities, the Men's Jail and the Honor Farm should be considered for replacement. The cost to provide additional detention facilities at the Public Safety Center and replace the downtown jail and Honor Farm are estimated at over \$210.5 million in construction costs alone. Without State funding or new and dedicated sources of funding, much of this cost, aside from Public Facility Fees would be borne by the County's General Fund. This includes the cost of staffing and operational costs for the expanded facilities. The following chart illustrates jail facility construction and staffing cost projections through 2010:

Jail Facilities Expansion Through 2010

Project	Description	Cost/Facility	Cumulative Facility Costs	Staffing Costs	Cumulative Staffing Costs
Option 1	Core/ 300 Beds (2010 Need)	\$ 78,844,960	\$ 78,844,960	\$ 12,492,447	\$ 12,492,447
Option 2	121 Beds (2010 Need)	19,965,000	98,809,960	3,194,400	15,686,847
Option 3	Close Honor Farm (370 Beds)	26,362,500	125,172,460	302,412	15,989,259
Option 4	Close Jail (396 Beds)	65,340,000	190,512,460	-	15,989,259
Option 5	Court Holding/Demo Jail	\$ 20,000,000	\$ 210,512,460	\$ 1,263,976	\$ 17,253,235

The County has contracted with Crout & Sida Criminal Justice Consultants Inc. for Architectural Programming Services for the Public Safety Center Jail Expansion Project. Crout & Sida Criminal Justice Consultants Inc. are expected to develop an overall implementation strategy which includes the development of phasing options, funding options, and professional programming services. This work effort is underway. The timeframe for completion of the public safety master plan has not yet fully been identified.

Recommendation 2: Improve housekeeping to eliminate the water standing on the floor.

Response: The recommendation has been implemented.

Recommendation 3: Use cable spools to contain loose cables. Remove or repair severed cables.

Response: The recommendation has been implemented.

Recommendation 4: Digitize as many records as possible to save storage space.

Response: The recommendation has not been fully implemented, but will be implemented in the future. The County is currently in the process of evaluating electronic data management systems (EDM) for use county-wide. The timeframe for completion of the EDM project has not yet fully been identified.

Recommendation 5: Evaluate operation and expand staffing to fill appropriate vacancies. The Jail Needs Assessment, June 2007, recommended a number of staffing increases as shown in Section G, pages G.1-G.2

- Facility escort staff
- Correctional officers in Central Control

Response: The recommendation has not been implemented, but will be implemented in the future. The overall master plan for the custodial facilities

staffing will address any staffing needs. The criminal justice consultant selected to do the programming phase of the Public Safety Center (PSC) expansion was also tasked with a staffing needs assessment for all facilities. Crout & Sida is finishing their staffing needs assessment and is expected to present to the County in the next several months. Currently, the Sheriff's Department utilizes a continuous recruitment strategy to fill appropriate vacancies. The timeframe for completion of the public safety master plan has not yet fully been identified.

Findings for the Public Safety Center

The Stanislaus County Civil Grand Jury finds that:

Finding 1:

A video arraignment program had been implemented, but not utilized to full capacity.

Response: Agree.

Finding 2:

Staff feels that mentally unstable inmates should not be housed in a jail facility, as they are unpredictable and dangerous.

Response: Unable to respond. County staff was not present during the interview process with the Grand Jury and is unable to comment on statements made by staff related to this topic.

Finding 3:

Additional staffing is requested. The Jail Needs Assessment, June 2007, recommended a number of staffing increases as shown in Section G, pages G.1-G.2

- Internal facility escort staff
- External transportation staff
- "B" Control staff (jail command post and inmate supervision)
- Minimum Housing Unit staff
- Medical security position
- CSO positions

Response: Agree, with clarification. The Jail Needs Assessment, June 2007, pages G.1-G.2 recommended additional facility escort staff and additional correctional officers for Central Control. The assessment recommended transportation staff, "B" Control staff, minimum housing unit staff, a medical security position, and additional CSO staffing for the Public Safety Center. Five Community Services Officer positions and two Deputy Sheriff Custodial positions

were added to the Sheriff's Department in the Mid-Year 2006-2007 budget, just prior to the completion of the needs assessment.

Finding 4:

The facility overall is in excellent condition: it was built in 1993. All visible areas appeared clean and well maintained. No trash was visible.

Response: Agree.

Recommendations for the Public Safety Center

The Stanislaus County Civil Grand Jury recommends the following actions:

Recommendation 1: Expand the video arraignment program to include all inmates (to the extent possible). Can this program be made mandatory? This should have several positive impacts on the operation of the Public Safety Center. It would:

- Reduce staffing needs and possibly reduce under-staffing situations.
- Save money that is being used for transport vehicle operation and maintenance.
- Decrease security vulnerabilities at the Public Safety Center because fewer inmates would need to be transported outside the facility.
- Improve control of combative or abusive inmates who are easier to control when they are not taken out of the facility.
- Allow the prompt arraignment of inmates who have medical conditions.

Response: This recommendation requires further analysis to determine if there is a need for expansion beyond the current capabilities. The original video arraignment program was established in 2005 at a cost of approximately \$15,000. The Sheriff and the Courts would need to review a variety of factors including the current number of arraignments, the number of video arraignments requested but not conducted, the availability of counsel to be with the accused, and available technology.

This program cannot be mandatory. Pursuant to Penal Code Section 977 the accused has a right to be physically present in court for all proceedings. Penal Code Section 977 reads as follows:

Penal Code Section 977.(a)(1) In all cases in which the accused is charged with a misdemeanor only, he or she may appear by counsel only, except as provided

in paragraphs (2) and (3). If the accused agrees the initial court appearance, arraignment, and plea may be by video, as provided in subdivision (c).

This recommendation of the Civil Grand Jury to expand the video arraignment program will receive due consideration and will be implemented whenever feasible.

Recommendation 2: Evaluate the placement of verifiably mentally unstable inmates in this facility.

Response: This recommendation has been implemented. In some cases, the Sheriff's Department must place verifiably mentally unstable inmates in the Public Safety Center due to arrest or a judge remanding the individual to the facility. The Sheriff's Department has staff on site 24 hours a day to evaluate these inmates for physical and mental health care. Depending on the individual, the PSC has several areas where verifiably mentally unstable inmates are housed. If it is determined that for medical reasons the inmate cannot be cared for at the PSC, the inmate is sent to Doctor's Behavioral Health Center (DBHC) for further evaluation and care. Inmates released from the PSC are provided with discharge plans.

The Department utilizes all resources available to them to provide the best care possible to mentally unstable inmates. Resources include annual staff training and partnering with the Stanislaus County Behavioral Health and Recovery Services Department (BHRS) and DBHC. In addition, on January 30, 2007, the Board of Supervisors approved the Sheriff to accept the Mentally Ill Offender Crime Reduction Grant in the amount of \$916,740. This grant is a partnership with BHRS and the Probation Department to enhance supervision and therapeutic support services to mentally ill adult offenders. One Deputy Sheriff Custodial position was added to the Sheriff's Department to assist in the supervision of these inmates. Several other positions were added to BHRS and the Probation Department to support the function of this grant.

Recommendation 3: Evaluate operations and expand staffing to fill appropriate vacancies.

Response: This recommendation has not been implemented, but will be implemented in the future. The overall master plan for the custodial facilities will address staffing needs. The criminal justice consultant selected to do the programming phase of the PSC expansion was also tasked with a staffing needs assessment for all facilities. Crout & Sida is finishing their staffing needs assessment and is expected to present to the County in the next several months. Currently, the Sheriff's Department utilizes a continuous recruitment strategy to

fill appropriate vacancies. The timeframe for completion of the public safety master plan has not yet fully been identified.

Recommendation 4: Continue good housekeeping

Response: This recommendation has been implemented. General good housekeeping will continue.

Findings for Juvenile Detention Center

The Stanislaus County Civil Grand Jury finds:

Finding 1:

That there are inadequate juvenile justice, mental health, and vocational programs to properly rehabilitate the sentenced (long-term) wards being housed in the facility. Currently, both sentenced and un-sentenced wards are housed here. The current programs are designed for short-term wards (about 30 days); so long term wards (60 days or longer) just receive repetitions of the same short programs

Response: Agree.

Finding 2:

That the Stanislaus County Juvenile Justice program is a critical element in the overall justice system, and its successful operation is to the immediate benefit of Stanislaus County.

Response: Agree.

Finding 3:

That the housing capacity of the Stanislaus County Juvenile Justice facility will have become inadequate by the year 2010. In the Juvenile Commitment Needs Assessment, April 2008, it was previously recommended to add at least 80 beds at this location, to bring the total to 238 beds. This addition would bring the housing capacity in line with the recommendations of that assessment as projected through the year 2010. By the year 2020, the projections showed a potential need for a total of 297 beds, or an additional 139 beds more than currently available.

Response: Agree.

Finding 4:

Lack of family involvement in offenders' treatment can affect recidivism.

Response: Agree.

Recommendation for Juvenile Detention Center:

The Stanislaus County Civil Grand Jury recommends the following items:

Recommendation 1: Develop longer-term juvenile justice, mental health, and vocational programs for those sentenced wards that serve longer terms (more than 60 days). This could reduce recidivism, boredom, attitude problems, etc.

In the juvenile justice scheme with both a juvenile hall and a juvenile commitment facility, the juvenile hall residents would be un-sentenced wards (pre-adjudication); the commitment facility residents would be sentenced wards (post-adjudication).

Response: The recommendation requires further analysis. While the County and the Department agree that longer term juvenile justice, mental health, and vocational programs are needed for sentenced wards the current facility would make implementation of this recommendation difficult. This recommendation of the Civil Grand Jury to develop longer-term juvenile justice, mental health, and vocation programs for sentenced wards serving longer than 60 days will receive due consideration and will be implemented whenever feasible.

Recommendation 2: Develop plans and move forward with the youth commitment facility (youth honor farm) project for housing sentenced wards. This project should have about 90 beds. As the county already owns the land, there is no land acquisition problem in proceeding with this project. The need for this facility is described in the Juvenile Commitment Needs Assessment, April 2008, as an "urgent service gap in the Juvenile Criminal Justice System." (Executive Summary, page EX.2).

Response: This recommendation has not been implemented, but will be implemented in the future. The Board of Supervisors approved the acceptance of the updated Juvenile Justice Needs Assessment for Juvenile Detention Facilities on June 3, 2008. The first phase of implementation including the request for proposal for programming services is near completion. The timeframe for completion of the juvenile commitment facility plan has not yet fully been identified.

Recommendation 3: Expand the current facility for un-sentenced wards, per the recommendations of the Juvenile Commitment Needs Assessment, April 2008.

Response: This recommendation will not be implemented. The County agrees that the Juvenile Commitment Needs Assessment, April 2008 recommends the addition of 80 commitment beds by the year 2010. However, upon completion of the proposed new commitment facility a majority of the minors currently housed in the detention facility will be moved to the new commitment facility. Bed space in the current Juvenile Hall will then be freed up for un-sentenced minors.

Recommendation 4: Strongly advocate for more family-involvement programs- such as whole-family counseling- for all wards. Possibly, even advocate for the courts to mandate such whole-family programs, where possible.

Response: The recommendation requires further analysis. The County supports the concept of family-involved programs. However, the current facility is not designed for whole-family programs. The Department will work with the commitment facility programming firm to determine adequate space needs to accommodate family participation. This recommendation of the Civil Grand Jury to advocate for more family-involvement programs will receive due consideration and will be implemented whenever feasible.

Findings for Sheriff's Honor Farm

The Stanislaus County Civil Grand Jury finds:

Finding 1:

The Honor Farm is generally short-staffed; particularly the graveyard shift.

Response: Agree, in part. The overall master plan for the custodial facilities will address staffing needs. The criminal justice consultant selected to do the programming phase of the PSC expansion was also tasked with a staffing needs assessment for all facilities. Crout & Sida is finishing their staffing needs assessment and is expected to present to the County in the next several months. Currently, the Sheriff's Department utilizes a continuous recruitment strategy to fill appropriate vacancies.

Finding 2:

That serious sewer problems developed during power-outage situations. This happens frequently during the winter. When electrical power is out for more than a half hour, the sewage system ceases to operate, creating a health hazard. Portable toilet units (Porta-Potties) can be placed in the barracks, but the main sewer problems must still be dealt with separately.

Response: Agree. On August 26, 2008, the Board of Supervisors authorized the Chief Executive Office and the Sheriff's Department proceed with the recommended design phase for the emergency power system improvements.

These improvements will assist with sewer problems developed during power-outage situations. The total estimated cost of the project is estimated at \$610,000 funded from Public Facility Fees (PFF) to connect emergency power at the Honor Farm.

Finding 3:

The vocational skills programs available are limited in scope and depend, to a great extent, on outside donations.

Response: Agree.

Finding 4:

Some of the Honor Farm buildings are in poor condition.

Response: Agree, in part. The Honor Farm is an older detention facility. The facility has had compliance issues because of its age and change in standards since the facility was first occupied. The facility is currently in compliance with the Corrections Standards Authority (CSA).

Finding 5:

Many of the Honor Farm projects result in significant cost savings to the County.

Response: Agree. The Honor Farm completed 71 projects in 2007 at a projected County cost savings of \$284,603. In 2008, the Honor Farm has completed nearly 116 projects at an estimated County cost savings of \$924,000. The largest project this year was the perimeter fencing project at the Honor Farm of approximately \$424,000.

Recommendation for Sheriff's Honor Farm

The Stanislaus County Civil Grand Jury recommends that the County:

Recommendation 1: Evaluate operations and expand staffing to fill appropriate vacancies. The Jail Needs Assessment, June 2007, recommends a number of staffing increases as shown in Section G, pages G.1-G.2.

- Correctional staff for Barracks 2 and 3 on the night shift.
- Transportation staff (all three shifts).

Response: The recommendation has not been implemented, but will be implemented in the future. The County concurs that the Jail Needs Assessment recommended the staffing changes as mentioned above. The overall master plan for the custodial facilities will address any staffing needs. The criminal justice consultant selected to do the programming phase of the PSC expansion was also tasked with a staffing needs assessment for all facilities. Crout & Sida is

finishing their staffing needs assessment and is expected to present to the County in the next several months. Currently, the Sheriff's Department utilizes a continuous recruitment strategy to fill appropriate vacancies. The timeframe for completion of the public safety master plan has not yet fully been identified.

Recommendation 2: Immediately obtain and install a new emergency generator system. This would alleviate winter sewage problems caused by power outages.

Response: The recommendation has not been implemented, but will be implemented in the future. On August 26, 2008, the Board of Supervisors authorized the Chief Executive Office and the Sheriff's Department to proceed with the recommended design phase for the emergency power system improvements at the Honor Farm. The total estimated cost of the project is \$610,000 funded from Public Facility Fees (PFF) to connect emergency power at the Honor Farm. The timeframe for completion of the emergency power system is estimated to be in early 2009.

Recommendation 3: Expand vocational skill programs as much as possible. Find these programs to provide a permanent base of skills opportunities. Provide a vocational job-placement and tracking program.

Response: The recommendation has been implemented. Recently the Sheriff's Department relocated the Programs Unit. This relocation allows for expansion. Current programs include the Vocational Landscape and Vocational Welding job skills classes. Mentioned previously in this report is one new program the Shade Tree Partnership. The Welding Program has graduated 11 inmates in the last 6 months. The Landscape Program has graduated 8 inmates in the last 3 months. Tracking of inmates who have benefited from vocational programs is difficult. Contact with inmates by Adult Detention typically ceases upon release. Outside job development is available to released inmates through Friend's Outside in partnership with the County's Alliance Worknet Department and the Employment Development Department.

Recommendation 4: Replace or rebuild buildings and upgrade others as needed. Replacement of this entire facility was recommended in the 1988 Jail Needs Assessment and Master Plan.

Response: The recommendation has not been implemented, but will be implemented in the future. As indicated in the Updated Public Safety Center Jail Needs Assessment and Public Safety Service Master Plan submitted to the BOS on June 26, 2007, there is a significant shortage of adult detention beds to meet today's needs and demands. In addition to meeting growth demands, two of the three adult detention facilities, the Men's Jail and the Honor Farm should be

considered for replacement. The cost to provide additional detention facilities at the Public Safety Center and replace the downtown jail and Honor Farm are estimated at over \$210.5 million in construction costs alone. Without State funding or new and dedicated sources of funding, much of this cost, aside from Public Facility Fees would be borne by the County's General Fund. This includes the cost of staffing and operational costs for the expanded facilities.

The County has contracted with Crout & Sida Criminal Justice Consultants Inc. for Architectural Programming Services for the Public Safety Center Jail Expansion Project. Crout & Sida Criminal Justice Consultants Inc. are expected to develop an overall implementation strategy which included the development of phasing options, funding options, and professional programming services. This should be presented to the County in the next several months. The timeframe for completion of the public safety master plan has not yet fully been identified.

Recommendation 5: Continue to expand these programs. Seek appropriate partnerships with the business community.

Response: The recommendation has been implemented. One example includes the newly implemented tree-planting program in partnership with the City of Modesto.

Response to General Findings:

Finding 1:

Jail management and staff are doing extremely well with the current environment and within existing constraints. The Public Safety Center and Juvenile Detention Center are excellent facilities. However, there are many structural shortcomings in the Main Jail and the Honor Farm. The Main Jail's outdated design and cramped location will not allow for expansion. The Honor Farm facility lacks adequate security and its remote location creates response time problem in the case of a need for backup personnel. From the County of Stanislaus Sheriff's Department- Jail Needs Assessment, June 2007. Executive Summary, p EX.2).

Response: Agree.

Finding 2:

The Juvenile Detention Center houses sentenced and un-sentenced wards in the same facility.

Response: Agree.

Finding 3:

Review a sample of the safety inspection reports and related documents provided by the Sheriff's Department and the Probation Department found that items identified as deficient were handled in a reasonable and timely manner.

The staff and management personnel of each facility were operating their plant in a responsible manner. The staff members knew their jobs and performed their duties well. The management was comfortable responding to questions posed by the visiting members of the grand jury.

Response: Agree.

Finding 4:

The total bed count in the three adult detention facilities is currently 1492. The executive summary of the County of Stanislaus Sheriff's Department- Jail Needs Assessment, June 2007 show a projection of 1913 total beds needed- an increase of 421 beds. The bed count of 1492 includes 100 double bunk-beds. Should the county need to eliminate this condition, then an additional 521 beds must be produced to meet the projection that is only two years in the future. The report describes this bed shortage as an "urgent service gap in the adult criminal justice system" (Executive Summary, p EX1). Should this recommended expansion not take place, additional, critical pressure on early release programs is certain.

Response: Agree.

Finding 5:

All of the facilities provided many of the necessary programs for the inmates.

Response: Agree.

Finding 6:

There are critical staffing shortages that put the safety of staff as well as inmates and wards in jeopardy. The Jail Needs Assessment, June 2007, details staffing recommendations in Section G, pages G.1-G.2.

Response: Agree, in part. The Jail Needs Assessment does detail staffing recommendations. However, the County does not feel that the current staffing level is inadequate to the point of jeopardizing staff, inmate or ward safety.

Finding 7:

Staffing shortages impede professional development programs, which, in turn, negatively affect staff promotion and retention.

Response: Disagree. County employees are able to participate in a variety of professional development programs. The County encourages employees to promote to positions within his/her determined career path.

Finding 8:

All four facilities appeared reasonably clean and trash-free.

Response: Agree. General good housekeeping will continue.

Recommendations for the General Findings

Recommendation 1: Demolish the Main Jail and Honor Farm and add the needed beds at the Public Safety Center property, as the County owns additional property at that location. These changes were already recommended in the 1988 Jail Needs Assessment and Master Plan. Conversion of the Main Jail to a short-term court holding facility has also been proposed.

Response: The recommendation has not been implemented, but will be implemented in the future. As indicated in the Updated Public Safety Center Jail Needs Assessment and Public Safety Service Master Plan submitted to the BOS on June 26, 2007, there is a significant shortage of adult detention beds to meet today's needs and demands. In addition to meeting growth demands, two of the three adult detention facilities, the Men's Jail and the Honor Farm should be considered for replacement. The cost to provide additional detention facilities at the Public Safety Center and replace the downtown jail and Honor Farm are estimated at over \$210.5 million in construction costs alone. Without State funding or new and dedicated sources of funding, much of this cost, aside from Public Facility Fees would be borne by the County's General Fund. This includes the cost of staffing and operational costs for the expanded facilities.

The County has contracted with Crout & Sida Criminal Justice Consultants Inc. for Architectural Programming Services for the Public Safety Center Jail Expansion Project. Crout & Sida Criminal Justice Consultants Inc. are expected to develop an overall implementation strategy which included the development of phasing options, funding options, and professional programming services. This should be presented to the County in the next several months. The timeframe for completion of the public safety master plan has not yet fully been identified.

Recommendation 2: Build the juvenile commitment facility immediately. This commitment facility would enable the separation of sentenced and un-sentenced

wards. In the current Juvenile Commitment Facility Needs Assessment, it has been recommended that the county build this commitment facility on the existing property on Blue Gum Avenue.

Response: The recommendation has not been implemented, but will be implemented in the future. The County is currently in the process of planning for the construction of a new commitment facility. The timeframe for completion of the juvenile commitment facility plan has not yet fully been identified.

Recommendation 3: Continue to train all staff thoroughly.

Response: The recommendation has been implemented. Training programs for public safety employees working in local juvenile and adult detention facilities are regulated through the California State Corrections Standards Authority. Compliance standards include minimum annual training requirements for all public safety staff and minimum standards for selecting and training new employees. Stanislaus County continues to meet all training standards for public safety employees working in juvenile and adult detention facilities.

Recommendation 4: Expand bed capacity by building new facilities on existing County-owned property.

Response: The recommendation has not been implemented, but will be implemented in the future. Both the Sheriff's Department and the Probation Department are working with the Chief Executive Office to plan for the construction of new facilities and up-grading existing facilities. Timeframes for both projects are still in development.

Recommendation 5: Expand inmate programs as needed-especially the educational and counseling programs at the Juvenile Detention Center.

Response: The recommendation requires further analysis. Department personnel are working collaboratively with program providers from the Stanislaus County Office of Education (SCOE), County departments of Behavioral Health and Recovery Services (BHRS) and the Health Services Agency (H.S.A) and other community agencies to ensure that appropriate programming and educational services are being provided to inmates in custody. Mandated educational programs are currently being provided to all inmates in Juvenile Hall. Additional programs and services beyond those currently being provided are under consideration. Implementation of additional programs and services is dependent on infrastructure, funding and staffing resources required and available. This recommendation of the Civil Grand Jury to expand inmate educational and counseling programs will receive due consideration and will be implemented whenever feasible.

Recommendation 6: Carefully evaluate staffing needs at all adult facilities. Recruit, hire, and train new staff members. The Jail Needs Assessment, June 2007, recommends a number of staffing increases as shown in Section G, pages G.1-G.2.

Main Jail

Facility escort staff
Correctional officers in Central Control

Public Safety Center

Internal facility escort correctional officer
External transportation staff
"B" Control staff (jail command post and inmate supervision)
Minimum Housing Unit staff
Medical security position
CSO positions

Honor Farm

Correctional staff for Barracks 2 and 3 on the night shift
Transportation staff (all three shifts)

Response: The recommendation has not been implemented but will be implemented in the future. The overall master plan for the custodial facilities will address any staffing needs. The criminal justice consultant selected to do the programming phase of the PSC expansion was also tasked with a staffing needs assessment for all facilities. Crout & Sida is finishing their staffing needs assessment and is expected to present to the County in the next several months. Currently, the Sheriff's Department utilizes a continuous recruitment strategy to fill appropriate vacancies. The timeframe for completion of the public safety master plan has not yet fully been identified.

Recommendation 7: Improve professional development programs as needed.

Response: The recommendation has been implemented. Public safety employees working in juvenile and adult detention facilities are provided a variety of professional development and career advancement opportunities, including minimum annual training standards for all employees. Training programs are evaluated on an annual basis to ensure compliance with State regulations and to evaluate opportunities for program improvement.

Recommendation 8: Continue the good housekeeping.

Response: The recommendation has been implemented.

Civil Grand Jury 2007-2008 Case #08-27 (Containing the Emerging Threat of Hepatitis C Through a Syringe Exchange Program)

Findings and Recommendations

The Stanislaus Civil Grand Jury finds and Recommends that:

Medical/Health Consideration

Finding 1:

Hepatitis C is the second most frequently transmitted communicable disease within Stanislaus County. Calendar year 2008 has started with 155 cases the first quarter, indicating that an annualized number of 620 cases could be reported, which is up from the previous year. New cases of Hepatitis C are projected to be identified at the rate of 11.9 per week for 2008.

Response: Disagree, in part. It is correct that Hepatitis C is the second most frequently reported communicable disease in Stanislaus County. However, it is noteworthy that the numbers reflect carriers of a chronic disease, not necessarily new cases or acutely ill persons. The vast majority of reports are in persons who do not know how or when they contracted the infection. Most infected persons have no symptoms. In addition, the numbers are increased by several projects that seek to identify and counsel two high-risk groups: jail inmates, and residents of drug rehabilitation programs.

The number of cases reported during January-June of 2008 is 344 or a rate of 13.2 per week. However, the increase is probably related to a new reporting requirement effective November 2007 in which laboratories report directly to Public Health, thereby increasing the number of reports.

Finding 2:

The most effective prevention strategy against Hepatitis C among injection drug users is the employment of a sterile syringe and needle for each injection.

Response: Agree. Source: U.S. Department of Health and Human Services, March 2000, David Satcher, MD, Surgeon General. "The issues of substance abuse addiction and HIV transmission related to injection drug use remain serious public health challenges, and the need to define and implement effective public health interventions remain urgent. The scientific research continues to define the unique role that syringe exchange programs can play in curtailing the expansion of the HIV epidemic in vulnerable communities affected by substance abuse, as part of a well designed and implemented comprehensive HIV prevention strategy."

Finding 3:

According to the Stanislaus County Health Services Agency, "Table 9, Mode of exposure 2007 Hepatitis C cases in Stanislaus," of the 519 cases identified, 69.4% did not know how they got the disease, 16.4% acquired it through injection drug use, and the remainder through other means.

Response: Agree. The Table 9 referenced was presented at the April 1, 2008 meeting of the Hepatitis C Coalition.

NOTE: Table indicates the 64.4% did not know how they got the disease. Additional clarification by Public Health staff indicated that the 64.4% included:

1. Patient lost to follow up or unable to reach (often due to incorrect demographic data or homelessness)
2. Patient refusal to identify source of infection
3. Patient institutionalized (e.g., psychiatric facility, jail, skilled nursing facility)
4. Private physician requested that Public Health staff not contact patient
5. Patient did not know source of infection

The Stanislaus County Public Health Department has been tracking reports since 1994. During that time, a total of more than 6000 unduplicated cases of hepatitis C have been reported in Stanislaus County.

Finding 4:

Currently there are no vaccines available against Hepatitis C or HIV.

Response: Agree.

Finding 5:

According to testimony, in a recent study in Stanislaus County, 25% of those tested at drug treatment programs tested positive for Hepatitis C.

Response: Agree. The source of this statistic is a program administered jointly by BHRS and the Health Services Agency Public Health Division. This Substance Abuse Prevention and Treatment Block Grant (SAPTBG) screens and educates inpatients of County drug treatment programs for Hepatitis C and HIV. During the past fiscal year, there was a 20% positive rate for Hepatitis C (84/424) among participants in drug rehabilitation programs within Stanislaus County. In addition, a grant from the State Office of AIDS screened and counseled inmates of county jails. During the past fiscal year, 30% of those tested (39/131) tested positive for Hepatitis C. (NOTE: This was a voluntary screening program and probably under-estimates the prevalence of hepatitis C among prison inmates.)

Finding 6:

Further, 33.4% of reported HIV/AIDS cases in Stanislaus County were related to injection drug use.

Response: Agree, in part. 30.4% of reported HIV/AIDS cases in Stanislaus County were related to injection drug use, as confirmed from the State Office of AIDS.

Finding 7:

Injection drug users become infected by and transmit blood-borne pathogen disease viruses to others primarily through sharing contaminated syringes.

Response: Agree.

Finding 8:

The National Institutes of Health estimates that in the United States, at least seventy percent (70%) of injection drug users have Hepatitis C and between fifteen and twenty percent (15%-20%) have HIV.

Response: Disagree, in part. This is a national estimate. As noted earlier in this response, the percentage is significantly lower for Stanislaus County than the national: 25% compared to 70%. Source: National Institute on Drug Abuse (NIDA), Volume 15, #1, 2000.

Harm Reduction Factors:

Finding 9:

According to the HIV Prevention Bulletin issued by the US Department of Health and Human Services, Centers for Disease Control, Health Resources and Services Administration (HRSA), National Institute on Drug Abuse, (NIDA), Substance Abuse and Mental Health Services Administration (SAMHSA), and the Morbidity and Mortality Weekly Report of the Center for Disease Control, November 9, 2007, persons who inject drugs should use sterile syringes to prevent the transmission of HIV.

Response: Agree.

Finding 10:

Syringes and equipment are shared for many reasons, but primarily because legal barriers have limited the access to sterile syringes. Removing legal sanctions against syringe possession would encourage proper disposal of dirty syringes through a legal syringe exchange program.

Response: Agree.

Finding 11:

In a syringe exchange program, a used syringe is required in exchange for a new syringe, thereby enabling the proper disposal of dirty syringes and not increasing the number of syringes circulating in the county.

Response: Agree.

Finding 12:

Harm reduction strategies, such as allowing legal syringe exchange programs, reduce the spread of Hepatitis C and other blood-borne pathogens to law enforcement officials, health care providers, family members, newborn infants, and uninfected injection drug users.

Response: Agree.

Finding 13:

Outreach projects associated with syringe exchange programs provide introductions to early medical treatment for other problems affecting injection drug users. Services offered include risk reduction behavior counseling, housing programs, recovery programs, job placement, and referrals to related services.

Response: Agree.

Finding 14:

Safe community disposal of used syringes is a significant public health issue. A legal syringe exchange program would reduce the spread of Hepatitis C and HIV/AIDS among people, their sexual partners, their children, law enforcement officials, health care providers, sanitation workers and others exposed to discarded syringes in Stanislaus County.

Response: Agree.

Cost factors and related budget savings

Finding 15:

HIV/AIDS patients are among the most expensive patients in the public health system. The direct lifetime medical cost for an HIV/AIDS patient from the time of diagnosis until death is estimated to be between \$144,000 and \$600,000.

Response: Agree. One reported study from Boston and Baltimore documented the average cost at \$618,000. Drs. Schackman & Freedberg at the Partners AIDS Research Center/Massachusetts General Hospital collaborated on the study with Drs. Gebo and Moore from the Johns Hopkins University School of Medicine.

Finding 16:

The direct lifetime medical cost of a Hepatitis C patient is estimated to be \$100,000. If a liver transplant is needed the additional cost would be at least \$300,000.

Response: Agree. The Stanislaus County Health Services Agency established a Hepatitis C clinic in 2006. Since that time, 119 Stanislaus County residents have been served. 41% of the patients were covered by the Indigent Health Care Program, 46% had Medi-Cal coverage, and 13% were covered by other payers.

Finding 17:

The estimated costs of treatment of Hepatitis C and HIV do not include the social implications of lost wages, disability benefits, unemployment or the fiscal impact of lost tax revenue and Social Security contributions.

Response: Unable to respond. County Public Health staff is unable to verify all the sources of this finding.

Finding 18:

A clean syringe costs pennies compared to the lifetime medical and social costs of caring for chronically ill patients.

Response: Disagree, in part. It is correct that the cost benefit is significant for clean syringes; however, there is the controversial issue of providing equipment for the illegal use of drugs. Most, but not all, patients will become chronically ill.

“In a New York study, seven SEP’s exchanged 1,667,682 syringes in a year, with an annual cost of \$1,822,426. The study determines that over the course of the year, the SEP’s prevented 87 infections, saving \$7.6 million in HIV treatment costs.” This quote was taken from F.N. Laufer’s article titled Cost-Effectiveness of Syringe Exchange as an HIV Prevention Strategy (2001). Journal of Acquired Immune Deficiency Syndromes. 15 (3-4), 88-94.

Finding 19:

The 2007 budget for the Fresno syringe exchange program, a private enterprise, was \$47,000. None of its budget was subsidized by Fresno County. It was funded by grants and donations.

Response: Agree, in part. However, the syringe exchange program in Fresno has not received approval from the Fresno County Board of Supervisors nor has AB547 been enacted there.

The budget for Fresno's needle exchange program for Fiscal Year 2007-2008 was \$35,000. The majority of the budget was provided by a grant for \$30,000 from the Comer Foundation. The Comer foundation has funded the program for the last 14 years. The remainder of the program is funded through donations from clients and fundraisers. The Fresno syringe exchange is operated by all volunteer staff. The Tides Foundation also provided a \$5,000 technical assistance grant, which helps to support travel and fund development skills. The program also receives donations of supplies from other thriving larger Syringe exchange programs. Both the San Francisco and Illinois syringe exchange programs have donated supplies in support of the Fresno program.

Finding 20:

A study titled Science-based literature on Syringe Exchange Programs (SEPs) 1996-2007, dated October 2007, by Joanna Berton Martinez, reveals the following information:

- SEPs reduce HIV transmission
- SEPs do increase enrollment in drug treatment programs
- SEPs do reduce risky behaviors and injection drug use
- SEPs do not promote substance abuse.

Response: Disagree, in part. The document cited is from the Harm Reduction Coalition and includes the information listed above. However, it is unclear whether the author included a comprehensive world literature to definitively document the conclusions. Including a more comprehensive review may have modified the conclusions contained in the study.

Finding 21:

Syringe exchange programs do not encourage the use of injection drugs and do not increase criminal activity.

Response: Disagree, in part. This is controversial, and there are a limited number of studies to support this conclusion.

Enabling Legislation

Finding 22:

Assembly Bill 547, Berg, was signed by Governor Schwarzenegger and went into effect January 1, 2006. The bill amends previous legislation (AB 136, Mazzoni) to allow counties and cities to authorize syringe exchange programs in their jurisdictions without the necessity to declare a state of local emergency. The purpose of AB 547 is to simplify the procedure for syringe exchange program authorization in order to encourage the integration of syringe exchanges into Hepatitis C and HIV prevention efforts throughout the State of California.

Response: Agree. There have been several pieces of legislation regarding syringe exchange programs (SEPs) in California:

AB136 (Mazzoni). Became effective January 1, 2000. This law focused on HIV prevention and would allow SEPs if the local Public Health Officer declared a local public health emergency. If approved, the emergency declaration would require Board of Supervisor approval every two weeks. Since 2000, Stanislaus County has not invoked the provisions of AB 136.

SB1159 (Vasconcellos). Became effective January 1, 2005. This legislation established a five-year demonstration project to assess the effectiveness of SEPs. It would allow sale of syringes without a prescription by participating pharmacies. During 2006 the Public Health Officer reviewed the legislation and took an OPPOSED position. He surveyed key stakeholders regarding this legislation, including the Law Enforcement Executives, the BOS Health Executive Committee, and Advisory Board on Substance Abuse Prevention (ABSAP). All three agreed with the opposed position; however, the vote on APSAP was close.

AB547 (Berg-Richman). Became effective January 1, 2005. The law would allow syringe exchange programs (SEPs). Seventeen County Boards of Supervisors and four City Councils have approved the law in their jurisdictions. There are now more than 40 SEPs operating in California. Most of the SEPs are along the coast. There are several in the Sacramento Valley. There are currently no approved SEPs in the San Joaquin Valley.

AB136 (Berg). Became effective January 1, 2007. The law would allow local HIV/AIDS funds to be used for the purchase of syringes for a SEP. This has not been done in Stanislaus County.

Finding 23:

Five years ago, AB 136 was signed into law, creating Health and Safety Code Section 11364.7(a). The law reads, in part:

“No public entity, its agents, or employees shall be subject to criminal prosecution for distribution of hypodermic needles or syringes to participants in clean needle and syringe exchange projects authorized by the public entity pursuant to a declaration of a local emergency due to the existence of a critical local public health crisis.”

Health and Safety Code Section 11364.7(a) protected local government organizations, their employees, and authorized subcontractors in local health jurisdictions that declared a local health emergency from criminal prosecution for distribution of syringes.

The requirement to declare a local emergency has been rescinded by AB 547.

Response: Agree. The following a list of authorized Syringe Exchange Programs in California:

- Alameda,
- City of Berkeley
- City of Los Angeles
- City of Sacramento
- City of San Diego
- Contra Costa
- Humboldt
- Los Angeles
- Marin
- Mendocino
- Monterey
- San Luis Obispo
- San Mateo
- Santa Barbara
- Santa Clara
- Santa Cruz
- Shasta
- Sonoma
- Ventura
- Yolo

California SEPs operate with modest budgets and provide a wide range of services, including HIV testing and risk reduction counseling, provision of sterile injection equipment, and referrals to drug treatment, housing, and mental health services.

Support for Syringe Exchange Program

Finding 24:

The Stanislaus County Civil Grand Jury finds that there is considerable support for syringe exchange and for AB 547. National organizations in support of syringe exchange programs include the following:

- American Bar Association
- American Medical Association
- American Academy of Pediatrics
- American Nurses Association
- American Public Health Association
- American Pharmaceutical Association

- American Psychological Association
- American Red Cross
- Council of State and Territorial Epidemiologists
- National Black Caucus of State Legislators
- National Black Police Officers Association
- National Alliance of State and Territorial AIDS Directors
- National Association of State Alcohol and Drug Abuse Directors
- U.S. Conference of Mayors
- U.S. Government Accounting Office
- Health & Human Services
- National Institute on Drug Abuse

Response: Agree.

Finding 25:

California supporters of AB 547 and syringe exchange programs include:

Health Officers Association of California
California Chapter, National Association of Social Workers
California Narcotic Officers' Association
California Medical Association
California Peace Officer's Association
California State Association of Counties
County Alcohol and Drug Program Administrators Association of California
County Health Executives Association of California

Response: Disagree, in part. Two organizations listed as supporting the bill actually opposed it. Both the California Narcotic Officers' Association, and California Peace Officers Association opposed AB 547.

On August 7, 2008 the Stanislaus County Public Health Officer consulted the Stanislaus County Law Enforcement Executives (LEX). The group opposed a SEP in Stanislaus County.

Finding 26:

Stanislaus County supporters of AB 547 and a syringe exchange program include:

Advisory Board of Substance Abuse Programs of Stanislaus County
Hepatitis C Coalition of Stanislaus County
Local Implementation Group of Stanislaus County

Response: Agree. Comments:

The Advisory Board for Substance Abuse Prevention (ABSAP) voted in favor of a SEP in Stanislaus County at its July, 2007 meeting.

The Hepatitis C Taskforce did include SEP in its strategic plan of December 2006. Syringe exchange programs were included as a primary prevention strategy in the state strategic plan published in 2001.

The Local Implementation Group (LIG) is an Advisory Group to the HIV/AIDS Program within Public Health. It is composed of Public Health staff and community members.

Recommendation 1: Stanislaus County Civil Grand Jury recommends that the Stanislaus County Board of Supervisors adopt a resolution enabling the provisions of AB 547, thus allowing the operation of a syringe exchange program within Stanislaus County.

Response: The recommendation requires further analysis. One of the recommendations included in this item before the Board would allow for the adoption of such a program. If the recommendation to adopt a resolution is approved, the Stanislaus County Public Health Division will move forward with implementation. The Board of Supervisors has received correspondence in support and in opposition related to the impacts of implementing such a program.

Recommendation 2: The Stanislaus County Civil Grand Jury recommends that the Stanislaus County Board of Supervisors direct the Public Health Department of the Health Services Agency to provide a syringe exchange program, or to seek a contractor, to provide syringe exchange program services within Stanislaus County.

Response: The recommendation requires further analysis. If the recommendation to adopt a program is approved, the Stanislaus County Public Health Division will move forward with implementation. The Board of Supervisors has received correspondence in support and in opposition related to the impacts of implementing such a program.

POLICY ISSUE:

The response to the Grand Jury is required by law. The Board's priorities of a safe community and a healthy community are furthered by this action.

STAFFING IMPACT:

There is no direct staffing impact from the response to the Grand Jury report. Existing staff from the Chief Executive Office, the Sheriff's Department, the

Approval of Response to the 2007-2008 Stanislaus County Civil Grand Jury Final Reports Regarding: 1) Correctional Facilities Inspections, and 2) Containing the Emerging Threat of Hepatitis C through a Syringe Exchange Program
Page 29

Probation Department and the Health Services Agency have prepared this report.

ATTACHMENTS:

Attachment A- Response to Civil Grand Jury Report Case #08-25 from the Stanislaus County Sheriff

Attachment B- Response to Civil Grand Jury Report Case #08-25 from the County's Chief Probation Officer

Attachment C- Response to Civil Grand Jury Report Case #08-27 from the Managing Director of the Health Services Agency

Attachment D- Correspondence received by the Board of Supervisors in support and opposition of Civil Grand Jury Case #08-27

**ATTACHMENTS AVAILABLE
FROM YOUR CLERK**

September 16, 2008

The Honorable Donald E. Shaver
Presiding Judge
Stanislaus County Superior Court
P.O. Box 3488
Modesto, CA 95353

RE: RESPONSE TO CIVIL GRAND JURY CASES #08-25 and #08-27

Dear Honorable Judge Shaver:

Enclosed is the Stanislaus County Board of Supervisors response to the 2007-2008 Stanislaus Civil Grand Jury Final Report Case #08-25 regarding Stanislaus County Sheriff's Department and the Probation Department and Grand Jury Case #08-27 regarding the Health Services Agency Public Health Division. The Board of Supervisors takes the comments made by the Grand Jury members very seriously. We want the Grand Jury to know that we appreciate the time and effort each member provided to this important process and value their findings and comments.

It is important to report that the Board of Supervisors carefully considered the agenda item in response to the Grand Jury findings and recommendations. The attached staff report and resolution of the Board of Supervisors reflects clarifications, corrections and comments the Board felt were integral to our final response.

Finally, the responsiveness of the Departments involved in this year's Grand Jury Report. Departmental responses are attached for informational purposes.

On behalf of the Stanislaus County Board of Supervisors, thank you for your consideration of our response.

Sincerely,

Chairman Thomas Mayfield
Stanislaus County Board of Supervisors

ADMINISTRATION
DIVISION

SHERIFF'S DEPARTMENT

Adam Christianson, Sheriff-Coroner

July 14, 2008

The Honorable Donald E. Shaver, Presiding Judge
Superior Court of Stanislaus County
P.O. Box 3488
Modesto, CA 95353

Re: Response to Report – Civil Grand Jury Case #08-25

Dear Judge Shaver:

The Sheriff's Department is in receipt of the Stanislaus County Civil Grand Jury's completed 2007/2008 Correctional Facilities Inspections report (case #08-25), as mandated by California Penal Code Section 919(b). Included in the report are findings and recommendations regarding three Sheriff's Department facilities, the Main Jail, Public Safety Center and Honor Farm.

Pursuant to Penal Code Sections 933(c) and 933.05 the following is our response.

Findings and Recommendations for Main Jail Facility (page 65)

As noted in the Civil Grand Jury report, this facility is outdated and crowded. Although the jail is kept clean, the building leaks (causing standing water), is in a constant state of repair, and lacks space for staff, inmates, and property. The Civil Grand Jury has recommended the following:

1. Proceed with the design and construction of a new facility with larger work areas, larger storage areas, and larger inmate housing areas.
2. Improve housekeeping to eliminate standing water on floors.
3. Use cable spools for loose cables, remove or repair severed cables.
4. Digitize records to save storage space.
5. Conduct a staffing analysis and increase staffing.



Response

We concur with the findings of the Civil Grand Jury. All of the above recommendations are currently moving ahead and showing progress.

Findings and Recommendations for Public Safety Center (page 69)

The Civil Grand Jury reports that this newer facility is in overall excellent condition and appears clean and well maintained. The Civil Grand Jury recommends the following regarding the Public Safety Center:

1. Expand the Video Arraignment program to reduce staffing needs and security needs.
2. Evaluate placing mentally unstable inmates in this facility.
3. Conduct a staffing analysis.
4. Continue good housekeeping.

Response

We concur with the findings of the Civil Grand Jury. All of the recommendations are in place including the current Mentally Ill Offender Crime Reduction (MIOCR) grant, which focuses on mentally ill offenders and their well being.

Findings for Sheriff's Honor Farm (page 75)

The Civil Grand Jury reports that the Honor Farm is crowded, in poor to fair condition, and because of its age when built, is not ADA compliant. In addition, the facility lacks a backup generator and has serious sewer problems. As with the Main Jail, the Honor Farm has been recommended for replacement in the 1988 Needs Assessment and Master Plan.

The Civil Grand Jury recommends the following regarding the Honor farm:

1. Conduct a staffing analysis and increase staffing.
2. Immediately obtain and install a backup generator.
3. Expand vocational skills programs for inmates.
4. Replace or rebuild buildings (entire facility replacement recommended).
5. Seek partnerships with community regarding inmate programs.

Response

We concur with the findings of the Civil Grand Jury. All of these recommendations are currently moving forward including the acquisition of a backup generator and program expansion such as the newly implemented tree-planting program in partnership with the City of Modesto Parks Department.

The Honorable Donald E. Shaver, Presiding Judge
Superior Court of Stanislaus County
Re: Response to Report 08-25

July 14, 2008
Page 3 of 3

Conclusion

The Sheriff's Department completed a new and current Needs Assessment in 2007, and we are currently entering the programming phase for the build out of the Public Safety Center, which will include a staffing analysis.

We appreciate the time the Civil Civil Grand Jury has devoted to inspecting our facilities and operations, and providing recommendations that help to improve our overall operations. As with prior inspections and recommendations, the appropriate improvements will be completed as soon as practical.

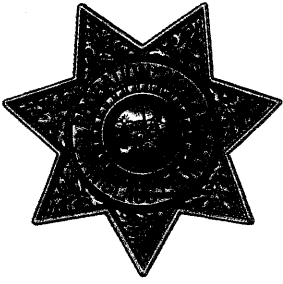
If I can be of further assistance or answer any questions, please don't hesitate to call me.

Sincerely,



ADAM CHRISTIANSON
Sheriff- Coroner
Stanislaus County

cc: Richard Robinson,
Chief Executive Officer
Stanislaus County



STANISLAUS COUNTY PROBATION DEPARTMENT Attachment B

2215 Blue Gum Avenue • Modesto, CA 95358-1097

Telephone: 209.525.5400 • Facsimile: 209.525.4588

BOARD OF SUPERVISORS ✓

2008 JUL 30 A 10: 58

JERRY POWERS
Chief Probation Officer

July 28, 2008

Thomas W. Mayfield, Chairman
Stanislaus County Board of Supervisors
1010 – 10th Street
Modesto, CA 95354

Dear Supervisor Mayfield:

Enclosed is the Probation Department's response to the Civil Grand Jury Correctional Facilities Inspections report for 2007-2008.

If you have any questions regarding this response, please feel free to contact me.

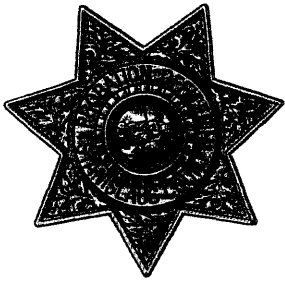
Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Powers".

Jerry Powers
Chief Probation Officer

Enclosure

-
- | | | | |
|---|---|--|---|
| <input type="checkbox"/> Administration
2215 Blue Gum Avenue
Modesto, CA 95358-1097
Telephone: 209.525.4598
Facsimile: 209.525.5486 | <input type="checkbox"/> Adult Division
801 11th Street, Suite B100
Modesto, CA 95354
Telephone: 209.567.4120
Facsimile: 209.567.4188 | <input type="checkbox"/> Juvenile Division
2215 Blue Gum Avenue
Modesto, CA 95358-1097
Telephone: 209.525.5400
Facsimile: 209.525.4588 | <input type="checkbox"/> Juvenile Institution
2215 Blue Gum Avenue
Modesto, CA 95358-1097
Telephone: 209.525.4580
Facsimile: 209.525.5469 |
|---|---|--|---|



STANISLAUS COUNTY PROBATION DEPARTMENT

2215 Blue Gum Avenue • Modesto, CA 95358-1097
Telephone: 209.525.5400 • Facsimile: 209.525.4588

JERRY POWERS
Chief Probation Officer

July 28, 2008

The Honorable Donald E. Shaver
Presiding Judge
Superior Court – Stanislaus County
PO Box 3488
Modesto, CA 95353

Dear Judge Shaver:

On June 26, 2008 the Stanislaus County Civil Grand Jury forwarded their report on Case #08-25 detailing their findings and recommendations following annual inspection of custodial facilities in the county as mandated by California Penal Code Section 919(b). In summary, the report stated, “The Juvenile Facility is in good condition, but needs expansion to handle the longer-term wards it is housing. In addition, the County needs to establish a separate long-term commitment facility at that location to separate sentenced (commitment) wards from un-sentenced (court-process) wards.”

RESPONSE TO FINDINGS

The following is the Probation Department’s response to the findings related to the Juvenile Detention Center.

- 1. **Finding:** *That there are inadequate juvenile justice, mental health, and vocational programs to properly rehabilitate the sentenced (long-term) wards being housed in the facility. Currently, both sentenced and un-sentenced wards are housed here. The current programs are designed for short-term wards (about 30 days); so long-term wards (60 days or longer) just receive repetitions of the same short programs.*

Response: The department agrees with this finding. Although the Juvenile Hall is fortunate to have Behavioral Health & Recovery Services co-located at the facility to provide short term mental health services and substance abuse interventions, these services are not designed for wards serving long term commitments. The programming needs of post-adjudicated youth are different than those of the pre-adjudicated individuals. A more comprehensive array of services is needed including educational and

July 28, 2008

The Honorable Donald E. Shaver

Page 2

vocational programming, family intervention, transitional youth services, and other programs designed to promote self-discipline and responsibility. The need for a commitment facility has been identified by a number of independent sources as well. The Corrections Standards Authority (CSA) completed its required inspection on April 4, 2007. CSA found no areas of non-compliance with Title 15 regulations and complimented the department on the programming available; however, they cited the need for a commitment facility. The CSA inspection report stated in part, "Your facility does an adequate job of providing appropriate services to all minors; however, it is evident that those post-commitment minors contribute significantly to your crowding conditions and certainly would benefit from a facility and program more closely suited to their needs." The department contracted with two separate consulting firms in 1995 and 2008 to conduct a facility needs assessment and to develop a Juvenile Justice Master Plan. Both reports recommended the construction of a commitment facility to provide expanded services for post-adjudicated wards.

2. **Finding:** *That the Stanislaus County Juvenile Justice program is a critical element in the overall justice system, and its successful operation is to the immediate benefit of Stanislaus County.*

Response: The department agrees with this finding. The Stanislaus County Juvenile Justice program is a critical element of the overall justice system. The Juvenile Hall is but one element in the justice system and must be seen as a part of a broader set of approaches. The justice system cannot be seen in isolation of each element but as a continuum of responses that must work together in order to be effective in reducing crime and delinquency. There are risks to public safety from the inability to detain youth who should be incarcerated or to impose sanctions on youth who no longer take seriously the authority of the law, the Courts and the Probation Department. The successful operation of the juvenile justice system is imperative to providing public safety.

3. **Finding:** *That the housing capacity of the Stanislaus County Juvenile Justice facility will have become inadequate by the year 2010. In the Juvenile Commitment Needs Assessment, April 2008, it was previously recommended to add at least 80 beds at this location, to bring the total to 238 beds. This addition would bring the housing capacity in line with the recommendation of that assessment as projected through the year 2010. By the year 2020, the projections showed a potential need for a total of 297 beds, or an additional 139 beds more than currently available.*

Response: The department agrees with the finding. The current Juvenile Hall opened in 1978 with an 88-bed capacity. The facility was expanded in 2000 and again in 2003 bringing the total current capacity to 158 beds. The Juvenile Detention Needs Assessment completed in April 2008 projected the need for an additional 80 beds by the year 2010 bringing the total capacity to 238 beds. In 1995, Mark Morris & Associates completed the Juvenile Justice Master Plan that included housing needs for incarcerated youth to be at 225 beds by the year 2005 and 301 beds by the year 2015. The projections provided by both consultants appear to be accurate and consistent. Without constructing additional beds, the current juvenile facility is inadequate to meet the projected bed requirements.

4. **Finding:** *Lack of family involvement in offenders' treatment can affect recidivism.*

Response: The department agrees with the finding. The juvenile detention facility is not well designed to allow for family involvement other than general visitation that is limited to two-hour visits twice a week. Primarily there is no space available that would accommodate families to attend treatment and/or counseling. Programming resources are limited as well. Because of the lack of a long term commitment facility, many of the higher risk youth must be placed out of county making it difficult for the family to be involved. Without the family participation many of the youth return to the same lifestyle they had prior to placement services.

RESPONSE TO RECOMMENDATIONS

The following is the Probation's Department's response to the recommendations related to the Juvenile Detention Facility.

1. **Recommendation:** *Develop longer-term juvenile justice, mental health, and vocational programs for those sentenced wards that serve longer terms (more than 60 days). This could reduce recidivism, boredom, attitude problems, etc.*

Finding: The department agrees with Recommendation #1. The department fully supports that a full array of intervention services is needed for longer term wards. A number of barriers exist with the current facility that would make implementation difficult. Proper classification is important in the detention setting in order to protect the safety of staff, visitors and detainees. This requires the facility to house sentenced and un-sentenced minors in the same housing units. Space issues within each living unit make it difficult to provide adequate space to run separate programs for sentenced and un-sentenced minors. Utilizing day rooms to conduct programs would require un-sentenced minors to be confined to their individual living cells while programs were being offered to the sentenced minors. Construction of a separate commitment facility would eliminate these barriers. Additional

July 28, 2008

The Honorable Donald E. Shaver

Page 4

funding resources would need to be identified as well to support costs associated with the additional programming.

2. **Recommendation:** *Develop plans and move forward with the youth commitment facility (youth honor farm) project for housing sentenced wards. This project should have about 90 beds. As the County already owns the land, there is no land acquisition problem in proceeding with this project. The need for this facility is described in the Juvenile Commitment Needs Assessment, April 2008, as an "urgent service gap in the Juvenile Criminal Justice System." (Executive Summary, page EX.2)*

Finding: The department agrees with Recommendation #2. On June 3, 2008, the Board of Supervisors approved the acceptance of the updated Juvenile Justice Needs Assessment for Juvenile Detention Facilities and authorized staff to develop an overall implementation strategy for the construction of a commitment facility. One of the first phases in the implementation strategy was to issue a request for proposal (RFP) for programming services. The RFP process is near completion. A firm has been tentatively selected pending reference verification. The Probation Department and the Chief Executive Office have requested and been approved to use Public Facility Fees to fund the programmatic phase of the facility. The county has identified a site adjoining the current Juvenile Hall as the preferred location for the commitment facility. Possible issues to be evaluated may include traffic, air quality, land use compatibility and safety, water supply, and sewer service. The department will also be submitting a proposal for state construction funds as authorized in SB81. These funds which are provided on a competitive basis would give the county the ability to design and construct a new commitment facility so our youthful offenders can be maintained at the local level.

3. **Recommendation:** *Expand the current facility for un-sentenced wards, per the recommendation of the Juvenile Commitment Needs Assessment, April 2008*

Finding: The department agrees with Recommendation #3 in part. The Juvenile Commitment Needs Assessment recommends the addition of 80 commitment beds by the year 2010. It is our intention to add these in a new facility as opposed to expanding the current detention facility. Upon the completion of the commitment facility, a majority of the minors currently housed in the detention facility can be moved to the commitment facility freeing up bed space for un-sentenced minors. The needs assessment projects

July 28, 2008

The Honorable Donald E. Shaver

Page 5

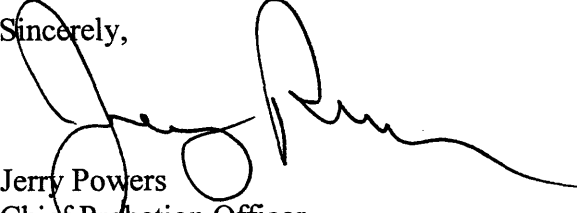
the need for an additional 59 beds by 2020 bringing the total capacity for juvenile facilities to 297. Additional assessment and planning may be necessary beyond 2010 to determine the need for expansion and for specific bed type needs.

4. **Recommendation:** *Strongly advocate for more family-involvement programs – such as whole-family counseling-for all wards. Possibly, even advocate for the courts to mandate such whole-family programs, where possible.*

Finding: The department agrees with Recommendation #4 in part. The department fully supports the concept of family-involved programs for wards, including court mandates when necessary. Like the barriers listed in Recommendation #1, the current facility is not well designed to allow for family sessions, group counseling or parent education classes. A new commitment facility, specifically designed for such programming is needed in order to implement this type of programming. The department will work closely with the programming firm to ensure that adequate space needs are addressed to accommodate family participation.

Thank you for the opportunity to respond to the comments and recommendations of the 2007-08 Civil Grand Jury. Please do not hesitate to contact me if you have any questions or need further information.

Sincerely,



Jerry Powers
Chief Probation Officer
Stanislaus County Probation Department

cc: Stanislaus County
Board of Supervisors

Richard W. Robinson
Chief Executive Officer

John P. Doering
County Counsel

Enclosure



STANISLAUS COUNTY CIVIL GRAND JURY

Post Office Box 3387 • Modesto, California 95353 • (209) 558-7766 • Fax (209) 558-8170

2007-2008

GRAND JURY MEMBERS

JUDITH C. MAHAN, FOREPERSON

June 26, 2008

STEPHEN BONREPOS
ROBERT BRAZIL
JIM BURTT
DOUGLAS ESTES
JAMES EWING
NANCY GOODMAN
THOMAS GREEN
MONIKA HACHIYA
SCOTT HICKS
GRACE HUSTON
THOMAS LAMBERT
JAMES MERRIAM
MICHAEL MILLER
DENNIS NASRAWI
JOE PERRY
CAROL STEPHENS
ELIZABETH VENCILL

Jerry Powers
Chief Probation Officer
Stanislaus County Probation Department
2215 Blue Gum Avenue
Modesto, CA 95358

Mr. Powers:

Two working days prior to its release to the public, the Civil Grand Jury is providing you and/or your agency the attached copy of the portions of the grand jury report relating to you or your agency. You or other affected people may review this but the Penal Code prohibits you from disclosing any contents of the report prior to its public release.

Your response to the recommendations must be submitted to Presiding Judge Donald E. Shaver, Superior Court - Stanislaus County, P. O. Box 3488, Modesto, CA 95353. We are enclosing guidelines that may be helpful as you prepare your response. You are asked to submit an original hard copy and an electronic copy.

Sincerely,

Judith C. Mahan
Foreperson

Attachment - Report 08-25

STANISLAUS COUNTY CIVIL GRAND JURY 2007-2008

CASE # 08-25

CORRECTIONAL FACILITIES INSPECTIONS

SUMMARY

Annual inspections of custodial facilities are mandated by The California Penal Code, Section 919 (b). The Stanislaus County Civil Grand Jury did not initiate these investigations as a direct or an indirect result of a complaint filed by any person.

The methods of investigation included:

- On-site visits with tours through each facility by members of the Stanislaus County Civil Grand Jury.
- Communication between the Stanislaus County Civil Grand Jury's Planning, Building, and Property Committee and the supervisors of the various facilities in the county.
- On-site conferences with selected members of each facility's staff.
- Examination of pertinent publications provided by the Stanislaus County Sheriff's Department staff and Probation Department staff.
- Examination of County of Stanislaus Public Safety Services Master Plan, June 2007, Executive Summary. This plan refers to the 1988 Jail Needs Assessment and Master Plan.
- Examination of County of Stanislaus Sheriff's Department's Jail Needs Assessment, June 2007, Executive Summary.
- Examination of Stanislaus County Probation Department's Juvenile Commitment Facility Needs Assessment, April 2008, Executive Summary.

Four facilities were inspected in March 2008: the Main Jail, the Public Safety Center, the Probation Department's Juvenile Facility, and the Sheriff's Honor Farm. These custodial facilities, for the most part, are generally managed well and in reasonably good condition with exception of the Main Jail and portions of the Honor Farm, which show clear signs of age.

As a result of these investigations, various findings were developed.

The Main Jail is crowded and outdated. Staff work areas as well as custodial sections are in noticeably poor condition. The entire facility should be replaced. Replacement of this facility was recommended in the 1988 Jail Needs Assessment and Master Plan.

The Public Safety Center is in good condition but becoming crowded.

The Juvenile Facility is in good condition but needs expansion to handle the longer-term wards it is housing. In addition, the County needs to establish a separate long-term

commitment facility at that location to separate sentenced (commitment) wards from un-sentenced (court-process) wards.

The Sheriff's Honor Farm is crowded and some sections are in poor-to-fair condition. Replacement of this facility was recommended in the 1988 Jail Needs Assessment and Master Plan. The Honor Farm needs a backup generator to handle power outages in winter.

Staffing levels should be evaluated and increased as necessary for staff and inmate safety. Increased advocacy for youth in the Juvenile Facility as a preventive measure should be proactive rather than reactive. It is the opinion of this Grand Jury that there is greater advocacy for animals in Stanislaus County than for children.

INTRODUCTION

The Stanislaus County Civil Grand Jury is mandated by California Penal Code Section 919(b), "to inquire into the condition and management of the detention facilities within the county." The mandate for these inspections is a part of the overall need to ensure that public agencies are properly serving the County and its citizens.

This mandate has been widely interpreted by past grand juries to range from simple visits to one or more of the facilities within their jurisdiction with a brief report as to the condition of those facilities to very detailed inspections of specific aspects of a facility's operation. This is, of course, in addition to the need to conduct investigations brought to any California Civil Grand Jury by a citizen, a person in custody, or a custodial staff member.

Custodial facilities are an unfortunate component of public service agencies. Aspects of their missions include:

- Public safety – keeping lawbreakers and dangerous individuals away from the general public
- Education and guidance – attempted re-education of offenders
- Individual safety – keeping various groups of offenders away from each other
- Law enforcement and justice – providing appropriate incarceration facilities as needed.

To properly fulfill their missions, these public service agencies need adequate, dedicated, and trained staff, and appropriate structural facilities. The 2007-2008 Stanislaus County Civil Grand Jury chose to focus on the physical facilities of the local correctional system, and inmate and juvenile ward programs.

METHOD OF INVESTIGATION

Members of the 2007-2008 Stanislaus County Civil Grand Jury met and discussed the extent to which the facilities within Stanislaus County should be inspected and evaluated. The members then refined the scope and level of detail to which those inspections should extend.

The following areas were selected for review:

- Issues related to inmate, ward and staff safety
- Programs such as educational and recreational opportunities
- Medical care
- Inmate and ward classification
- Meals, visitation, and family contact
- Adequacy of the facilities/work spaces for administrative functions
- Overall condition of the facilities
- Effectiveness of the facilities to handle staff functions and the inmate and ward populations
- Staffing loads

The Stanislaus County Civil Grand Jury requested and was provided with safety inspection reports for all facilities for the past two years. Appointments were made with the various jail managers for on-site visits by the members of the Stanislaus County Civil Grand Jury.

Members of the Stanislaus County Civil Grand Jury made personal visits to the four facilities located within the county: the Main Jail at 1115 H Street in downtown Modesto; the Public Safety Center, 200 E. Hackett Road just south of Modesto; the Probation Department's Juvenile Facility, 2215 Blue Gum Avenue near the MJC West campus; and the Honor Farm, 8224 West Grayson Road. These inspections occurred during the week of March 3-7, 2008.

FACILITY DISCUSSIONS, FINDINGS AND RECOMMENDATIONS

Main Jail Facility

Report on Main Jail Facility

Physical plant and general safety

The Main Jail was built in 1954 to house 396 inmates. The structure predates the Americans With Disabilities Act (ADA) requirements. The overall condition of the facility was between poor and good, considering its age. The walls, floors, and windows appeared clean. However, there are apparent leaks, as many of the walls have water stains. There was standing water in some of the halls, particularly on the second and third floors. Plastic coverings of interior fluorescent ceiling lights are yellowed, making the lighting dim. Cables from outlets to the portable telephone carts (low-voltage) were lying on the floors in a manner to constitute a tripping hazard. In addition, severed cables were noticed. Further, these cables appeared to be vulnerable to inmate access as possible weapons. Some of the walls appeared to be in need of paint. The second floor medical room had paint peeling from the ceiling. The booking entry area was clean, apparently having been freshly painted. All areas were clean and free of trash.

Some safety signage needs replacement or refurbishing, as it was difficult to read. Exit signage appears adequate, given the age of the building. Some fire door signage was worn off in the inmate workers' quarters.

Building plans were maintained on site with two sets in the lieutenant's office and one in maintenance.

The back-up generator was located near the maintenance shed and is tested monthly.

Fire drills: Run-throughs are done per policy and procedures, on paper, as it is impractical to do any real tests due to security issues. Evacuation locations are the tunnel to courts, the inmate workers' quarters, and the sally port entrance to the facility.

Fire safety items (fire extinguishers, hoses, etc.) were clearly marked and appear to be adequate per applicable codes. Smoke detectors and fire extinguishers were available.

Contained breathing equipment is located throughout facility and tested yearly; the staff is trained to use it. The equipment is used to evacuate prisoners in case of fire.

Staff Working Conditions

The administration/staff areas appeared clean and neat. The walls in some areas looked old and in need of paint. The offices, some of which are used for booking, classification, supplies, medical treatment, etc. appeared adequately maintained. Some staff duty stations appeared neat but physically cramped – not allowing sufficient space for staff to conduct work tasks. Medical offices appeared cramped. Staff expressed need for more storage for files and inmate property.

A shortage exists per staff comments: current staffing level is 2 per 150 inmates.

Staff was cordial and very cooperative to all our queries.

Inmate Housing and Processing

About 35-50 male inmates are admitted daily. Normal length of stay is one year, or less, with some exceptions. Minimum Security sections consist of 12-man dorms and 1- or 2-man cells. Inmates are classified according to attitude and behavior, and any background abnormalities.

At the inmate entry area, officers store their guns in locked boxes and arrestees are searched.

Booking instructions are posted on the wall. Booking – Pre-booking area has a fingerprint scanner that provides information to determine if an arrestee is currently in the system. Post-booking area – The inmate waits until an officer comes to continue booking. Inmates with what may be considered lightweight charges are "cited out" with a court appearance date. If an inmate is not considered sober, the inmate is placed in the sobering cell until he is coherent and cooperative. Inmate is visually observed every 15

minutes around the clock, and is given an arousal check every 30 minutes. An inmate's personal property is placed in the property drawer in sealed bag, after being listed, and the list is signed by the inmate and the booking clerk. Each new inmate is stripped and searched and issued a color-coded suit, based on initial pre-classification, then placed in a temporary cell until classified. Inmates are classified within 12 hours, and reclassified after 30 days or upon request and after 60 days

Inmates displaying good behavior have a chance to work in the kitchen and janitorial jobs. About 62 inmates work in this capacity and are housed near the kitchen in a "dark room" for inmates that work the graveyard shift and a dorm-style room known as the Inmate Workers Quarters. A common area has restrooms, separate showers and sitting room with tables and chairs, phones and television. The area was clean with minimum odor. These inmates are given extra food and other benefits as an incentive for work and good behavior.

A cell is provided on the first floor for sight-impaired or physically handicapped individuals. Alternatively, these inmates might be sent to the Public Safety Center.

In the cell management scheme, all cells are searched with one or two cells being randomly selected for search per shift.

The first floor unit has two safety cells with padded walls. Inmates placed here are evaluated every four hours by medical staff. Every safety cell is checked every 15 minutes. Handicapped inmates would stay on the first floor level. The second floor is permanent housing for medium security inmates and the third floor is for maximum security inmates. Monitors display all areas on the floor that can be video monitored; however, cameras do not view into cells, per privacy laws.

There is a tunnel from the jail to the courthouse. There are holding cells located in the tunnel near the courthouse entrance for inmates waiting to appear. Usually, 70-100 inmates per day are handled here. All Stanislaus County adult detention facilities bring inmates to this area for court appearances.

The visitor foyer is clean and well marked, with locked boxes available for visitors. Inmates are allowed two half-hour visits per week.

Inmate Medical Care

All incoming inmates must complete a medical questionnaire – this is the collection point for inmate-declared medical issues. After this, field officers and jail staff share information regarding observed medical issues, psychological issues, etc.

The 2005-2006 Stanislaus County Civil Grand Jury made several recommendations for revisions to the medical screening process as the result of a complaint filed by an arrestee. It appears that all of these recommendations have been put in place and current staff feels that the issues brought up in that investigation have been resolved.

Any inmate displaying any warning signs of suicide is placed in a padded, safety cell, and observed twice every 30 minutes. These inmates are evaluated by medical staff every 6 hours. Inmates with an infectious or communicable disease are isolated in a cell (or, possibly transported to Doctors Hospital) and a public health officer is notified. There is a medical office on each floor, located next to locked staff area. There is a defibrillator located on the control floor. The dental office is rather austere. No preventative dentistry or hygiene is provided. Some cases are referred out.

Inmate Programs

As inmates are charged for telephone use, all telephone income is used to benefit inmates through the Inmate Welfare Fund (for television, etc.). There are outdoor exercise areas on the roof, which are divided into two areas with a separate area for two staff members. The area appeared to be adequately maintained and well supervised. Staff stated that many inmates do not take advantage of this recreation facility. This area is open all year from 6:00 a.m. until 10:00 p.m. Inmates are allowed three hours of recreation per week in two or three sessions. Inmates are provided with General Education Development (GED) programs. There is a law library on the third floor with reference material, however all books remain in the library.

Kitchen

The food preparation area appeared clean. All food is prepared at the central kitchen in the Public Safety Center and then transported to the downtown site. Most food is heated on-site, then distributed on carts and served to inmates. Trash was bagged and placed in proper bins.

Findings for Main Jail Facility

The Stanislaus County Civil Grand Jury finds the following:

- 1] The staff does a good job with order and cleanliness considering age of facility and size constraints. Medical offices appeared cramped. Storage areas for inmate property are crowded. Cell areas are very crowded.
- 2] There were wet floors, with standing water, in the outside aisles of the second and third floors.
- 3] Low-voltage cables from outlets to the portable telephone carts were draped over the floors in a manner to constitute a tripping hazard. In addition, there were severed cables on the floor. Further, these cables appeared to be vulnerable to inmate access for use as weapons.
- 4] Some staff duty stations appeared physically cramped – not allowing sufficient space for staff to conduct work tasks.
- 5] Additional staffing is needed.

Recommendations for Main Jail Facility

1] Include the following items in designs for a new facility – and proceed with the construction of that new facility:

- Larger staff work areas: medical offices, cell-floor duty stations
- Larger inmate property storage areas
- Larger inmate housing areas

Replace this facility as recommended in the 1988 Jail Needs Assessment and Master Plan.

2] Improve housekeeping to eliminate the water standing on the floors.

3] Use cable spools to contain loose cables. Remove or repair severed cables.

4] Digitize as many records as possible to save storage space.

5] Evaluate operation and expand staffing to fill appropriate vacancies. The Jail Needs Assessment, June 2007, recommended a number of staffing increases as shown in Section G, pages G.1-G.2.

Facility escort staff
Correctional officers in Central Control

Sheriff's Public Safety Center

Report on Public Safety Center

Physical Plant and General Safety

The facility is in overall excellent condition; it was built in 1993. The walls, floors, and windows are clean and well maintained. Some areas are carpeted and most furniture is in good shape. The halls are wide with good lighting. Many areas have skylights. No offensive odors were detected. The public areas have adequate restrooms and drinking fountains. Sprinkler systems are apparent throughout.

The general grounds are almost "park-like." The buildings are situated in a large open area. There is ample parking and the areas appear clean and well lit. Stanislaus County owns the land and has long-range plans for expansion.

Building plans are kept on-site in the Master Control Room, Unit B. There is a backup generator near the food preparation building. Fire drills are performed according to existing policies and procedures. There is plenty of secure outside space to evacuate inmates. Breathing apparatus and other fire safety/life safety equipment appears adequate and up to standards. Exits are clear. The building signage appears up to applicable code.

The visitor foyer is clean and freshly painted. A display case listed prisoners' names and housing locations. Locked boxes are available for officers' guns as well as lockers are available for visitors to store personal belongings during visit.

The Intake Area is currently under review for some re-design.

Staff Working Conditions

The administration/staff areas are clean and well equipped. The furniture is in very good shape and the areas have ample lighting.

The operating staff consists of 23 sheriff deputies for 680 inmates. One officer in a central control room controls the entire facility. In addition, two officers are stationed in the B Unit control center, which surrounds the main control room.

Staff comments that the facility is understaffed; the operation needs the staff doubled for safety and thoroughness. Overtime usually amounts to 8-12 hours per shift.

Inmate Housing and Processing

Intake Area - Only female inmates are booked here. Bookings average 45 per day, or about 12-14 per shift. Males are not booked at the Public Safety Center, but are received via the main jail or Honor Farm transfer. There is a common area for non-disruptive inmates to wait for booking. There are two holding cells for disruptive inmates and one "sobering" cell for inmates under the influence of drugs or alcohol. Inmates placed in these padded cells are checked every 15 minutes. Each incoming inmate is provided two free telephone calls within two hours of intake. Inmates being admitted are fingerprinted, photographed, searched, and issued a color-coded uniform, depending on their classification.

B Unit – The Master Control Room is located in a raised, secured, glass-walled room in the center of this unit. The control room is surrounded by locked areas dividing inmates. This unit houses inmates with mental health issues as well as other problematic inmates. Cell doors are solid, as these inmates tend to spit and throw body fluids at staff. Regarding inmates housed in B-Unit, staff feels that mentally unstable inmates should not be housed in a jail facility, as they are unpredictable and dangerous. Manageable inmates can leave their cells and recreate with the group in an area outside and in front of their cells. Inmates are allowed three hours per week to exercise. Those who exhibit poor behavior can only come out and exercise individually. There is one safety cell in this unit, as well as a visitor room. Another section is provided for problem inmates.

The maximum length of stay in this facility is one year per conviction.

The restraint chair is a device used to subdue an out-of-control inmate without the risk of choking. A prisoner in the "chair" is checked every 15 minutes. Constraining an individual in this manner is very staff-intensive.

The facility is divided into units, and inmates are assigned to a unit by classification. Each unit houses 86 inmates with 1 staff member. Each unit has a recreation area and six showers. One unit is handicapped-compliant. Inmates are provided GED opportunities, drug counseling, and access to clergy.

Video Court – An inmate can opt to be arraigned by this method. There is a room equipped with a TV monitor and camera wherein arraignment occurs.

There is the Minimum Housing Unit – a separate building – on the property. The housing building is divided into two areas. Inmates have access to a common area within each enclosure. The common area has game tables, telephones, restrooms and showers. Inmates can recreate outside this unit in a separate exercise area.

There is a Visitor Center building near this Minimum Housing Unit where visits are allowed on Saturday and Sunday: each inmate gets two 30-minute visits per weekend. The visitor room is one large area with double rows of chairs that face each other, two or three feet apart. Visitors are pre-qualified (screened) by staff before admittance.

Inmate Medical

This facility has a medical isolation room for inmates with tuberculosis. At intake, the inmate's Medical Questionnaire is used to determine medical issues, contagious ailments, or psychological issues, whereupon medical staff meets with the inmate and the inmate is given a thorough work-up. There is a nurse on the premises as well as a physician on shift and on call.

Inmate Programs

The outdoor exercise areas are extensive. They include both cemented and grassy areas. The location of this facility creates an expansive, very open environment. Inmates are allowed clergy contact, doctor, and lawyer visits. A multipurpose room in each unit is used for these visits.

Food Preparation and Handling

The food preparation building is state-of-the-art and has the capacity to prepare 30,000 meals per day. It provides meals for Stanislaus County and one other county. Stanislaus County is currently in negotiations to provide meals to a third county. The kitchen currently makes 5,000 meals per day with a crew of 30 inmates and 12 staff members. The kitchen is very clean, organized, and well maintained. Cost of food is \$5.50 per day per inmate. Special meals are provided on appropriate documentation. All meals are turkey-based, eliminating many problems in accommodating dietary restrictions. A very nice staff cafeteria is part of this facility. This facility is periodically inspected by the Stanislaus County Health Department.

Findings for Public Safety Center

The Stanislaus County Civil Grand Jury finds that:

- 1] A video arraignment program had been implemented, but not utilized to full capacity.
- 2] Staff feels that mentally unstable inmates should not be housed in a jail facility, as they are unpredictable and dangerous.
- 3] Additional staffing is requested. The Jail Needs Assessment, June 2007, recommended a number of staffing increases as shown in Section G, pages G.1-G.2.

Internal facility escort correctional officer
External transportation staff
"B" Control staff (jail command post and inmate supervision)
Minimum Housing Unit staff
Medical security position
CSO positions.

- 4] The facility overall is in excellent condition: it was built in 1993. All visible areas appeared clean and well maintained. No trash was visible.

Recommendations for Public Safety Center

The Stanislaus County Civil Grand Jury recommends the following actions:

- 1] Expand the video arraignment program to include all inmates (to the extent possible). Can this program be made mandatory? This should have several positive impacts on the operation of the Public Safety Center. It would:
 - Reduce staffing needs and possibly reduce under-staffing situations.
 - Save money that is being used for transport vehicle operation and maintenance.
 - Decrease security vulnerabilities at the Public Safety Center because fewer inmates would need to be transported outside the facility.
 - Improve control of combative or abusive inmates who are easier to control when they are not taken outside the facility.
 - Allow the prompt arraignment of inmates who have medical conditions.
- 2] Evaluate the placement of verifiably mentally unstable inmates in this facility.
- 3] Evaluate operations and expand staffing to fill appropriate vacancies.
- 4] Continue good housekeeping.

Probation Department/Juvenile Detention Center

Report on Juvenile Detention Center

Physical Plant and General Safety

Building plans are kept on site. The building was opened in 1978, expanded in 2000 (30 more beds), and again in 2002 (40 more beds); and now has 158 beds. This is the only juvenile facility in Stanislaus County. The building is in good condition, and the facility is clean, trash is properly contained, and no odors were noticed. Exterior doors were well painted; a few interior doors had peeling paint.

There is a back-up generator on site, with two 500-gallon fuel tanks. There are evacuation drills monthly. Wards are evacuated into secure yard areas. Exits were clear, exit signage is good; and appears up to code. Fire safety equipment is contained in secure plumbing chases. Fire extinguishers are adequately placed throughout building.

Staff Working Conditions

Staffing levels are governed by Title 15, which requires one staff member for every ten wards. Staff stated that the booking area is sufficient, but could be re-organized to make the space more efficient.

The staff stated that the greatest need is for a juvenile commitment facility where longer-sentenced wards could be placed for continued care after their initial stay. Stanislaus is the only county south of Sacramento, regardless of size, that does not have such a Commitment Facility. Presently, wards that stay longer than 20-25 days receive recycled facility programs, as that is what the probation department can offer. Programs are repeated every 20-25 days, as that is the current program interval based on the typical ward's expected length of stay. Repeating the program is not effective, and causes boredom. A commitment facility is designed for longer term wards wherein effective counseling, parental counseling, training programs, drug and alcohol programs, vocational programs, agricultural programs, and other intervention programs would be offered. This facility would offer a better chance of "breaking cycles".

The administration continues to request that funds for this commitment facility be allocated by the County CEO and County Board of Supervisors. Presently there are some funding opportunities – such as a grant for 75 percent of building costs from the State of California. If this grant is obtained, the Board of Supervisors might be more willing to provide the amount remaining for this much-needed facility. The County owns 14 acres adjacent to the present Juvenile Detention Center that could be used for this purpose. The facility would be built to house about 90 wards. Much of the infrastructure is already present on the existing property.

Inmate Housing and Processing

About 1800-2000 youths are processed annually at this facility. The population is co-ed, although housed separately. The average stay is 20-25 days and then the ward is usually

released to home, foster care, or group home. and sometimes to other counties for continued care.

Hard cases are sent to Department of Juvenile Justice (the old California Youth Authority).

Unit 1 - Booking: All wards are booked, evaluated by medical staff, and classified within two hours. Each ward gets one telephone call after booking; he or she can repeat the attempt until successful. The ward enters and pertinent information is put in the system. Wards are fingerprinted and photographed and data is sent electronically to Department of Justice for verification. The ward showers and is issued a clean, color coded uniform - orange for maximum security or grey tee shirts with navy blue pants for all other wards. The ward's personal property is placed in blue garment bags and the ward signs-off on the storage. The property bags are locked in a secure area.

Unit 3 - A typical unit: Cells are single, double, or quads. The honor room is larger and awarded to wards with good behavior. The common area between units is used for classrooms. Each room has a call-button for wards to reach the staffed desk. The common area and cells were clean. This unit housed the Intensive Treatment Unit (ITU) for wards with drug and alcohol problems. There is one-to-one counseling for these wards.

Unit 5 - Maximum Security wards.

Unit 6 - Transition Unit, all cells are single cells.

Unit 7 - Special Needs: This unit is for wards with mental health issues, or who are achieving below grade level.

Unit 8 - This unit houses female wards.

Room check is every 15 minutes, facility-wide (every 30 minutes between 11PM and 7AM).

The units have a separate classroom adjacent to the common area. The wards receive 270 minutes per day of instruction time. The Welfare Fund is used for exercise equipment and television. Beds have solid concrete bases. Regular telephone calls are limited to 10 minutes. One cell is handicap-accessible.

The wards are locked in their cells during shift change. Girls are not routinely allowed make-up. Posters are awarded for good behavior. The wards participate in a Behavior Modification Program wherein points are given for good behavior and can be used for TV time, chips and sodas (provided by parents), or more exercise time.

Inmate Medical

Health Services - During initial intake, wards undergo a mental health screening as well as a medical exam. If there is an immediate need for medical treatment, the ward is sent

to Doctors Hospital for medical clearance. Physicals are given within 72 hours of booking. The medication room is locked. The file room must keep wards' health records for 5 years, 10 years for pregnant wards. The facility is staffed by RNs and LVNs, and a physician visits the facility once a day.

Inmate Programs

Exercise - Weekdays, each ward engages in one hour of large-muscle exercise per day; weekends, three hours per day. Wards may recreate outside; there are basketball and volleyball courts, and a BBQ area with tables. The exercise field is surrounded by 16' fencing (8' is anti-climb fence) topped with razor wire.

Clergy and a "Youth for Christ" program are available. Clergy offers one-to-one counseling, Bible study, and church services.

Food Preparation and Handling

Food for the facility is provided by The Howard Training Center in Ceres.

Findings for Juvenile Detention Center

The Stanislaus County Civil Grand Jury finds:

1] That there are inadequate juvenile justice, mental health, and vocational programs to properly rehabilitate the sentenced (long-term) wards being housed in the facility. Currently, both sentenced and un-sentenced wards are housed here. The current programs are designed for short-term wards (about 30 days); so long-term wards (60 days or longer) just receive repetitions of the same short programs.

2] That the Stanislaus County Juvenile Justice program is a critical element in the overall justice system, and its successful operation is to the immediate benefit of Stanislaus County.

3. That the housing capacity of the Stanislaus County Juvenile Justice facility will have become inadequate by the year 2010. In the Juvenile Commitment Needs Assessment, April 2008, it was previously recommended to add at least 80 beds at this location, to bring the total to 238 beds. This addition would bring the housing capacity in line with the recommendations of that assessment as projected through the year 2010. By the year 2020, the projections showed a potential need for a total of 297 beds, or an additional 139 beds more than currently available.

4] Lack of family involvement in offenders' treatment can affect recidivism.

Recommendations for Juvenile Detention Center

The Stanislaus County Civil Grand Jury recommends the following items:

1) Develop longer-term juvenile justice, mental health, and vocational programs for those sentenced wards that serve longer terms (more than 60 days). This could reduce recidivism, boredom, attitude problems, etc.

In the juvenile justice scheme with both a juvenile hall and a juvenile commitment facility, the juvenile hall residents would be un-sentenced wards (pre-adjudication); the commitment facility residents would be sentenced wards (post-adjudication).

2) Develop plans and move forward with the youth commitment facility (youth honor farm) project for housing sentenced wards. This project should have about 90 beds. As the County already owns the land, there is no land acquisition problem in proceeding with this project. The need for this facility is described in the Juvenile Commitment Needs Assessment, April 2008, as an "urgent service gap in the Juvenile Criminal Justice System." (Executive Summary, page EX.2)

Potential benefits include:

- Keeping sentenced wards local, allowing for more family involvement in the rehabilitation process.
- Enhancing family counseling opportunities with local incarceration.
- Separating sentenced wards from court-process wards.
- Allowing for more comprehensive education programs, including vocational programs.

3] Expand the current facility for un-sentenced wards, per the recommendations of the Juvenile Commitment Needs Assessment, April 2008.

4] Strongly advocate for more family-involvement programs – such as whole-family counseling – for all wards. Possibly, even advocate for the courts to mandate such whole-family programs, where possible.

Sheriff's Honor Farm

Report on Sheriff's Honor Farm

Physical Plant and General Safety

The facility was built in the late 1960s and the barracks were added in the early 1970s. The barracks are not ADA-compliant; if remodeled or expanded, the facility would have to be brought into compliance.

Staff Working Conditions

Current staff level is 41, with 2 vacancies. Four more positions are clearly needed, especially on the graveyard shift, the lack of which constitutes a security risk.

The facility needs a reliable generator, as there is no alternative reliable power source available during outages. During power outages, which can be frequent during the winter, the sewer system pumps fail, creating a serious wastewater problem.

Inmate Housing and Processing

The downtown main jail classifies the inmates and then they are sent to the Honor Farm, which houses 360 inmates. The average maximum length of stay is three to seven months. There are three main barracks, with 86 inmates per barracks with a common bathroom that includes toilets, sinks, and showers. There is a security check every hour. An additional barracks is Barracks 4, a medium security unit, mostly housing unsentenced inmates. This is overflow from the downtown main jail. The capacity of Barracks 4 is 90 inmates, with 6 per cell. Barracks 4 is U-shaped, and the inmates' recreation area is an open area in the middle.

Inmate Programs

Inmates work for extra food, a chance to learn a trade, other privileges, and early release credit. All inmates are required to work. Staff is trying to organize a job placement program.

The Inmate Welfare Fund is used for a large screen TV, tractors, etc. The inmates participate in a weekly "Clean Barracks Contest" where the winning barracks gets to choose the movie to be shown on the large screen.

Outside work crews are dispatched from the Honor Farm; an average of 100 inmates participate per day. Half of these crews are supervised by civilians. The inmate crews work on projects for city parks, Department of Forestry, landfill, public works, and roadside cleanup.

Training programs include wood shop, metal shop, greenhouse, and small engine shop. The Honor Farm staff looks for inmates who have skills to match jobs and then offers an apprentice program for other eligible inmates.

There is a large recreation field, fenced with anti climb and razor wire.

There are several intervention programs available to the inmates: - drug counseling, parenting programs, Men in Recovery, T.A.L.K. (Teaching And Loving Kids) a positive-parenting program, Breaking Barriers, and Friends Outside. A chaplain is available.

The Honor Farm has a recycled metal bin, and revenue from sales of metal is returned to the County General Fund. There is an inmate garden where potatoes, corn, onions, and garlic are grown. A safety meeting is held every Monday, where use of tools and general safety matters are covered.

Food Preparation and Handling

Meals are delivered from the central kitchen at Public Safety Center. The Honor Farm keeps three days of food on hand at all times.

Findings for Sheriff's Honor Farm

The Stanislaus County Civil Grand Jury finds:

- 1] That the Honor Farm is generally short-staffed; particularly the graveyard shift.
- 2] That serious sewer problems develop during power-outage situations. This happens frequently during the winter. When electrical power is out for more than a half hour, the sewage system ceases to operate, creating a health hazard. Portable toilet units (Porta-Potties) can be placed in the barracks, but the main sewer problems must still be dealt with separately.
- 3] The vocational skill programs available are limited in scope and depend, to a great extent, on outside donations.
- 4] Some of the Honor Farm buildings are in poor condition.
- 5] Many of the Honor Farm projects result in significant cost savings to the County.

Recommendations for Sheriff's Honor Farm

The Stanislaus County Civil Grand Jury recommends that the County:

- 1] Evaluate operations and expand staffing to fill appropriate vacancies. The Jail Needs Assessment, June 2007, recommends a number of staffing increases as shown in Section G, pages G.1-G.2.

Correctional staff for Barracks 2 and 3 on the night shift
Transportation staff (all three shifts).

- 2] Immediately obtain and install a new emergency generator system. This would alleviate winter sewer problems caused by power outages.
- 3] Expand vocational skill programs as much as possible. Fund these programs to provide a permanent base of skills opportunities. Provide a vocational job-placement and tracking program.
- 4] Replace or rebuild buildings and upgrade others as needed. Replacement of this entire facility was recommended in the 1988 Jail Needs Assessment and Master Plan.
- 5] Continue and expand these programs. Seek appropriate partnerships with the business community.

General/All Facilities

General Findings

1] Jail management and staff are doing extremely well with the current environment and within existing constraints. The Public Safety Center and Juvenile Detention Center are excellent facilities. However, there are many structural shortcomings in the Main Jail and the Honor Farm. The Main Jail's outdated design and cramped location will not allow for expansion. The Honor Farm facility lacks adequate security and its remote location creates a response time problem in case of a need for backup personnel. From County of Stanislaus Sheriff's Department – Jail Needs Assessment, June 2007, Executive Summary, p EX.2).

2] The Juvenile Detention Center houses sentenced and un-sentenced wards in the same facility.

3] Review of a sample of the safety inspection reports and related documents provided by the Sheriff's Department and the Probation Department found that items identified as deficient were handled in a reasonable and timely manner.

The staff and management personnel of each facility were operating their plant in a responsible manner. The staff members knew their jobs and performed their duties well. The management was comfortable responding to questions posed by the visiting members of the grand jury.

4] The total bed count in the three adult detention facilities is currently 1492. The executive summary of the County of Stanislaus Sheriff's Department – Jail Needs Assessment, June 2007 show a projection of 1913 total beds needed – an increase of 421 beds. The bed count of 1492 includes 100 double-bunk beds. Should the county need to eliminate this condition, then an additional 521 beds must be produced to meet the projection that is only two years in the future. The report describes this bed shortage as an "urgent service gap in the adult criminal justice system" (Executive Summary, p EX.1). Should this recommended expansion not take place, additional, critical pressure on early release programs is certain.

5] All of the facilities provided many of the necessary programs for the inmates.

6] There are critical staffing shortages that put the safety of staff as well as inmates and wards in jeopardy. The Jail Needs Assessment, June 2007, details staffing recommendations in Section G, pages G.1-G.2.

7] Staffing shortages impede professional development programs, which, in turn, negatively affect staff promotion and retention.

8] All four facilities appeared reasonably clean and trash-free.

General Recommendations

- 1] Demolish the Main Jail and Honor Farm and add the needed beds at the Public Safety Center property, as the County owns additional property at that location. These changes were already recommended in the 1988 Jail Needs Assessment and Master Plan. Conversion of the Main Jail to a short-term court holding facility has also been proposed.
- 2] Build the juvenile commitment facility immediately. This commitment facility would enable the separation of sentenced and un-sentenced wards. In the current Juvenile Commitment Facility Needs Assessment, it has been recommended that the county build this commitment facility on the existing property on Blue Gum Avenue.
- 3] Continue to train all staff thoroughly.
- 4] Expand bed capacity by building new facilities on existing County-owned property.
- 5] Expand inmate programs as needed – especially the educational and counseling programs at the Juvenile Detention Center.
- 6] Carefully evaluate staffing needs at all adult facilities. Recruit, hire, and train new staff members. The Jail Needs Assessment, June 2007, recommends a number of staffing increases as shown in Section G, pages G.1-G.2.

Main Jail

Facility escort staff
Correctional officers in Central Control

Public Safety Center

Internal facility escort correctional officer
External transportation staff
“B” Control staff (jail command post and inmate supervision)
Minimum Housing Unit staff
Medical security position
CSO positions.

Honor Farm

Correctional staff for Barracks 2 and 3 on the night shift
Transportation staff (all three shifts)

- 7] Improve professional development programs as needed.
- 8] Continue the good housekeeping.

RESPONSES REQUIRED

Office of the Stanislaus County Sheriff
Stanislaus County Probation Department
Board of Supervisors, Stanislaus County
Stanislaus County C.E.O.

APPENDIX

TRG Consulting. June 26, 2007. Stanislaus County Public Safety Services Master Plan.
Stanislaus County, CA.

TRG Consulting. April 11, 2008. Juvenile Commitment Facility Needs Assessment.
Stanislaus County CA.



Attachment C

Administration

830 Scenic Drive, P.O. Box 3271, Modesto, CA 95353
Fax: 209.558.8320
www.hsahealth.org

DATE: September 1, 2008

TO: Richard W. Robinson
Chief Executive Officer

FROM: Mary Ann Lee *ma*
Managing Director of the Health Services Agency

SUBJECT: AGENCY'S RESPONSE TO CIVIL GRAND JURY CASE #08-27

On June 26, 2008 the Stanislaus County Civil Grand Jury forwarded their report on Case #08-27 "Containing the Emerging Threat of Hepatitis C Through a Syringe Exchange Program." The report included twenty-six (26) findings and two (2) recommendations. The recommendations were:

1. The Stanislaus County Civil Grand Jury recommends that the Stanislaus County Board of Supervisors adopt a resolution enabling the provisions of AB 547, thus allowing the operation of a syringe exchange program within Stanislaus County;
and
2. The Stanislaus County Civil Grand Jury recommends that the Stanislaus County Board of Supervisors direct the Public Health Department of the Health Services Agency to provide a syringe exchange program, or seek a contractor, to provide syringe exchange program services within Stanislaus County.

The Health Services Agency's Public Health Division response to these two recommendations is included in this memo. Prior to responding, it is important to have an understanding of Assembly Bill 547 of 2005 and of the County's current statistics relative to HIV/AIDS and Hepatitis C.

Summary of Assembly Bill 547 of 2005

Assembly Bill 547 of 2005 delegates the authority to local jurisdictions to either authorize or prohibit syringe exchange programs, without the requirement of a repeated declaration of a local emergency. The purpose of a Clean Needle/Syringe Exchange Program is to prevent to transmission of HIV/Aids and Hepatitis C among IV drug users. There is not a mandate to implement or to allow a Syringe Exchange Program. There is no funding attached to this law. This law ensures that public employees or agents of the public entity will not be subject to prosecution for possession of syringes during participation in a syringe exchange project. It also requires that the County's Public Health Officer report on the program annually in a public meeting of the Board of Supervisors and that stakeholders such as law enforcement and alcohol and drug treatment program administrators be given the opportunity to comment.

General Summary Background on Hepatitis C in Stanislaus County

Hepatitis C is a viral infection that attacks the liver. Unlike Hepatitis A and B, there is no vaccine for Hepatitis C. Testing for Hepatitis C first became available in 1992. From 2000 to the end of 2007, there have been 4,564 identified cases of Hepatitis C among the residents of Stanislaus County. During 2007, there were 519 newly identified cases. Among those reporting a known origin of the disease, the most common reported origin (approximately 20%) was intravenous (IV) drug use. Transmission of the disease occurs when a syringe used by a Hepatitis C infected person is shared with another person. Syringes are not available for sale without a physician's prescription, and as such it is not unusual for syringes to be shared amongst the illicit drug using population.

Recent History and Efforts to Slow/Prevent the Spread of Hepatitis C

The Public Health Division of the Stanislaus County Health Services Agency first reported on Hepatitis C as an emerging disease in 2001. That year, the State released its Hepatitis C Strategic Plan targeted at slowing or preventing the spread of the disease. At that time, the State ranked Stanislaus County 44th among the 58 counties, with 58th holding the worst ranking in terms of incidence. The Public Health Division in 2002 started a multidisciplinary volunteer task force with Public Health staff, provider and community participants.

With the exception of some limited funding to screen County jail inmates, there is no specific on-going federal or state funding allocated to Stanislaus County to implement harm reduction strategies. The Agency did however leverage other available funding and work collaboratively in an effort to address this emerging problem. The County's Behavioral Health and Recovery Services Department provides an annual grant of \$20,000 to enable the Public Health Division to screen patients in the County's drug treatment facilities. In 2003, a community-based organization opened a free Hepatitis C clinic and the California Endowment funded a provider training effort. In 2005, the free clinic in the community closed. The Public Health Division had researched and site visited a successful clinic based program in Sonoma County and came back determined to launch a program within the Agency's clinic system and in collaboration with the Scenic Faculty Medical Group. That clinic was launched in 2006 and is complimented by a clinic facilitated support group. Hepatitis C treatment is difficult on the patient for approximately one year however treatment compliance can clear this viral infection for the majority of patients. Results thus far have been encouraging.

Stanislaus County's ranking when compared to the 58 counties in California improved from 44th in 2001 to 25th in 2005. In 2006, the State Department of Health Services changed the ranking to reflect the number of cases of acute Hepatitis C. Stanislaus County's ranking dropped precipitously to 3rd because essentially all of the case reports in the county are of persons with chronic Hepatitis C. The State discontinued county rankings of Hepatitis C in 2007.

County Cost of Hepatitis C

Hepatitis C is an expensive disease. Approximately 40% of the patients in the Agency's Hepatitis C clinic are enrolled in the Medically Indigent Adult (MIA) program for which the County assumes financial responsibility. During Fiscal Year 2007-2008, the medical (including prescription) costs for MIA patients with a Hepatitis C diagnosis, were approximately \$750,000. Some of those costs may be retroactively recovered as patients convert in the future to Medi-Cal. Medi-Cal eligibility may occur for some, but not many, of these patients either because they become disabled, or because they are in need of an organ transplant.

Response to the Grand Jury Findings and Stakeholder Input

Staff of the Health Services Agency Public Health Division researched the findings in the Grand Jury Report Case #08-27. Responses to each finding are included in the Attachment. Staff agreed with 19 of the 26 findings, and partially agreed/disagreed with 7 of the 26 findings. During this research effort and over the course of the past couple of years, the Public Health Officer has met with both the Law Enforcement Executives group (LEX) which is comprised of the Sheriff, the District Attorney, the Chief Probation Officer, the Modesto Police Chief and the Chiefs of other city police departments in Stanislaus County. This group has expressed opposition to the concept of a Syringe Exchange Program citing concern over the safety of officers and the potential for the number of "dirty" syringes to be increased in the community. Additionally the Public Health Officer presented information on Hepatitis C to the Advisory Board on Substance Abuse Prevention. This Advisory Board is in support of a Syringe Exchange Program. Two medically related community task forces have supported the concept of a Syringe Exchange Program. They are the Local Implementation Group, a multidisciplinary task force created to meet an obligation under the Public Health Department's grant funding of the Ryan White funds for HIV/Aids prevention, and the Hepatitis C Task Force.

Health Services Agency Staff Recommendation

An important role of the Public Health Division is to employ strategies that prevent the spread of communicable disease. From a health management perspective an activity that lessens the incidence of a Hepatitis or HIV/AIDs contaminated syringe from being used by an uninfected person, is an activity that supports the goals of public or population health. A syringe exchange program that is based on the equal exchange of syringes, meaning one "dirty" syringe is exchanged for one clean syringe, does not if properly operated, increase the number of syringes in the community. Such a program can also offer two additional benefits. First, every encounter with a substance abuser affords the opportunity to counsel for drug prevention or at a minimum to educate regarding disease. Second, a Syringe Exchange Program can increase the appropriate and lawful disposal of used and potentially contaminated syringes. All considered, from a Public Health perspective, staff report merit in a well-operated Syringe Exchange Program and support the recommendations of the Grand Jury Report. With regard to the operation, staff recommends that a health related not-for-profit community based organization be allowed to operate a Syringe Exchange Program, if and only while such program meets performance expectations established by the Public Health Division. Given that there is no funding for this program, staff also

recommends that the community based organization operating the program be required to reimburse the Public Health Division for expenses incurred in the implementation and oversight of such a program.

Health Executive Committee

On August 19, 2008, the Health Executive Committee of the Board of Supervisors was briefed on the staff prepared responses and alternative recommendations to the Grand Jury Report on Hepatitis C and did not reach a consensus on the recommendations.

The Health Services Agency believes the approval of the Grand Jury's recommendation is consistent with the Board of Supervisors' priorities of a safe community, a healthy community, and efficient delivery of public services, by allowing a community based operation to prevent the spread of a disease and to ensure syringe volumes in the community are not increased through this operation while avoiding additional county expenses.

Thank you for the opportunity to respond to the comments and recommendations of the Stanislaus County Civil Grand Jury. Please do not hesitate to contact me if you have any questions.

Containing the Emerging Threat of Hepatitis C Through A Syringe Exchange Program

Stanislaus County Civil Grand Jury Report

Case #08-27

Grand Jury Findings	Response
<p>1. Hepatitis C is the second most frequently transmitted communicable disease within Stanislaus County. Calendar year 2008 has started with 155 cases the first quarter, indicating that an annualized number of 620 cases could be reported, which is up from the previous year. New cases of Hepatitis C are projected to be identified at the rate of 11.9 per week for 2008.</p>	<p>Partially Disagree.</p> <ol style="list-style-type: none"> 1. It is correct that Hepatitis C is the second most frequently reported communicable disease in Stanislaus County. However, it is noteworthy that the numbers reflect carriers of a chronic disease, not necessarily NEW cases or acutely ill persons. The vast majority of reports are in persons who do not know how or when they contracted the infection. Most infected persons have no symptoms. In addition, the numbers are increased by two projects that seek to identify and counsels two high-risk groups: jail inmates, and residents of drug rehabilitation programs. 2. The number of cases reported during January-June of 2008 is 344 or a rate of 13.2 per week. However, the increase is probably related to a new reporting requirement effective November 2007 in which laboratories report directly to Public Health, thereby increasing the number of reports.
<p>2. The most effective prevention strategy against Hepatitis C among injections drug users is the employment of a sterile syringe and needle for each injection.</p>	<p>Agree. Source: U.S. Department of Health and Human Services, March 2000, David Satcher, MD, Surgeon General. "The issues of substance abuse addiction and HIV transmission related to injection drug use remain serious public health challenges, and the need to define and implement effective public health interventions remain urgent. The scientific research continues to define the unique role that syringe exchange programs can play in curtailing the expansion of the HIV epidemic in vulnerable communities affected by substance abuse, as part of a well designed and implemented comprehensive HIV prevention strategy."</p>
<p>3. According to the Stanislaus County Health Services Agency, "Table 9. Mode of exposure 2007 Hepatitis C cases in Stanislaus," of the 519 cases identified, 69.4% did not know how they got the disease. 16.4% acquired it through injection drug use, and the remainder through other means.</p>	<p>Agree. The Table 9 referenced was presented at the April 1, 2008 meeting of the Hepatitis C Coalition. NOTE: Table indicates the 64.4% did not know how they got the disease. Additional clarification by staff that the 64.4% included:</p> <ol style="list-style-type: none"> 1. Patient lost to follow up or unable to reach (often due to incorrect demographic data or homelessness) 2. Patient refusal to identify source of infection 3. Patient institutionalized (e.g., psychiatric facility, jail, skilled nursing facility)

Containing the Emerging Threat of Hepatitis C Through A Syringe Exchange Program

Stanislaus County Civil Grand Jury Report

Case #08-27

Grand Jury Findings	Response
	<p>4. Private physician requested that PH staff not contact patient 5. Patient did not know source of infection</p> <p>The Stanislaus County Public Health Department has been tracking reports since 1994. During that time, a total of more than 6000 unduplicated cases of hepatitis C have been reported in Stanislaus County.</p>
<p>4. Currently there are no vaccines available against Hepatitis C or HIV.</p>	<p>Agree.</p>
<p>5. According to testimony, in a recent study in Stanislaus County, 25% of those tested at drug treatment programs tested positive for Hepatitis C.</p>	<p>Agree. The source of this statistic is a program administered jointly by BHRS and Public Health. This Substance Abuse Prevention and Treatment Block Grant (SAPTBG) screens and educates inpatients of county drug treatment programs for Hepatitis C and HIV. During the past fiscal year, there was a 20% positive rate for Hepatitis C (84/424) among participants in drug rehabilitation programs within Stanislaus County. In addition, a grant from the state Office of AIDS screened and counseled inmates of county jails. During the past fiscal year, 30% of those tested (39/131) tested positive for Hepatitis C. (NOTE: This was a voluntary screening program and probably under-estimates the prevalence of hepatitis C among prison inmates.)</p>
<p>6. Further, 33.4% of reported HIV/AIDS cases in Stanislaus County were related to injection drug use.</p>	<p>Agree. 30.4% of reported HIV/AIDS cases in Stanislaus County were related to injection drug use, as confirmed from the State Office of AIDS.</p>
<p>7. Injection drug users become infected by and transmit blood-borne pathogen disease viruses to others primarily through sharing contaminated syringes.</p>	<p>Agree.</p>
<p>8. The National Institutes of Health estimates that in the United States, at least seventy (70%) of injection drug users have Hepatitis C and between fifteen and twenty percent (15%-20%) have HIV.</p>	<p>Partially Disagree. This is a national estimate. As noted earlier in this reply, the percentage is significantly lower for Stanislaus County than the national: 25% compared to 70%. Source: National Institute on Drug Abuse (NIDA), Volume 15, #1, 2000.</p>
<p>9. According to the HIV Prevention Bulletin issued by the US Department of Health and Human Services, Centers for Disease Control, Health Resources and Services Administration (HRSA),</p>	<p>Agree.</p>

Containing the Emerging Threat of Hepatitis C Through A Syringe Exchange Program

Stanislaus County Civil Grand Jury Report

Case #08-27

Grand Jury Findings	Response
National Institute on Drug Abuse, (NIDA), Substance Abuse and Mental Health Services Administration (SAMHSA), and the <u>Morbidity and Mortality Weekly Report</u> of the Center for Disease Control, November 9, 2007, persons who inject drugs should use sterile syringes to prevent the transmission of HIV.	
10. Syringes and equipment are shared for many reasons, but primarily because legal barriers have limited the access to sterile syringes. Removing legal sanctions against syringe possession would encourage proper disposal of dirty syringes through a legal syringe exchange program.	Agree.
11. In a syringe exchange program, a used syringe is required in exchange for a new syringe, thereby enabling the proper disposal of dirty syringes and not increasing the number of syringes circulating in the county.	Agree.
12. Harm reduction strategies, such as allowing legal syringe exchange program, reduce the spread of Hepatitis C and other blood-borne pathogens to law enforcement officials, health care providers, family members, newborn infants, and uninfected injection drug users.	Agree.
13. Outreach projects associated with syringe exchange programs provide introductions to early medical treatment for other problems affecting injection drug users. Services offered include risk reduction behavior counseling, housing programs, recovery programs, job placement, and referrals to related services.	Agree.
14. Safe community disposal of used syringes is a significant public health issue. A legal syringe exchange program would reduce the spread of Hepatitis C and HIV/AIDS among people, their sexual partners, their children, law enforcement officials, health care providers, sanitation workers and others exposed to discarded syringes in Stanislaus County.	Agree.
15. HIV/AIDS patients are among the most expensive patients in the public health system. The direct lifetime medical cost for an HIV/AIDS patient from the time of diagnosis until death is	Agree. One reported study from Boston and Baltimore documented the average cost at 618,000. Drs. Schackman & Freedberg at the Partners AIDS Research Center/Massachusetts General Hospital collaborated on the study

Containing the Emerging Threat of Hepatitis C Through A Syringe Exchange Program

Stanislaus County Civil Grand Jury Report

Case #08-27

Grand Jury Findings	Response
estimated to be between \$144,000 and \$600,000.	with Drs. Gebo and Moore from the Johns Hopkins University School of Medicine.
16. The direct lifetime medical cost of a Hepatitis C patient is estimated to be \$100,000. If a liver transplant is needed the additional cost would be at least \$300,000.	Agree. The Stanislaus County Health Services Agency established a Hepatitis C clinic in 2006. Since that time, 119 Stanislaus county residents have been served. 41% of the patients were covered by the Indigent Health Care Program, 46% had Medi-Cal coverage, and 13% were covered by other payers.
17. The estimated costs of treatment of Hepatitis C and HIV do not include the social implications of lost wages, disability benefits, unemployment or the fiscal impact of lost tax revenue and Social Security contributions.	Partially Disagree. Staff unable to verify all the sources of this finding.
18. A clean syringe cost pennies compared to the lifetime medical and social costs of caring for chronically ill patients.	Partially Disagree. It is correct that the cost benefit is significant for clean syringes; however, there is the controversial issue of providing equipment for the illegal use of drugs. Most, but not all, patients will become chronically ill.
19. The 2007 budget for the Fresno syringe exchange program, a private enterprise, was \$47,000. None of its budget was subsidized by Fresno County. It was funded by grants and donations.	<p>"In a New York study, seven Sap's exchanged 1,667,682 syringes in a year, with an annual cost of \$1,822,426. The study determines that over the course of the year, the SEP's prevented 87 infections, saving \$7.6 million in HIV treatment costs." This quote was taken from F.N. Laufer's article titled Cost-Effectiveness of Syringe Exchange as an HIV Prevention Strategy (2001). Journal of Acquired Immune Deficiency Syndromes. 15 (3-4), 88-94.</p> <p>Agree. However, the syringe exchange program in Fresno has not received approval from the County Board of Supervisors nor has AB547 been enacted there.</p> <p>The budget for Fresno's needle exchange program for fiscal year 07-08 was \$35,000. The majority of the budget was provided by a grant for \$30,000 from the Comer Foundation. The Comer foundation has funded the program for the last 14 years. The remainder of the program is funded through donations from clients and fundraisers. The Fresno syringe exchange is operated by all volunteer staff. The Tides Foundation also provided a \$5,000 technical assistance grant, which helps to support travel and fund development skills. The program also receives donations of supplies from other thriving larger</p>

Containing the Emerging Threat of Hepatitis C Through A Syringe Exchange Program

Stanislaus County Civil Grand Jury Report

Case #08-27

Grand Jury Findings	Response
	Syringe exchange programs. Both the San Francisco and Illinois syringe exchange programs have donated supplies in support of the Fresno program.
20. A study titled <u>Science-based literature on Syringe Exchange Programs (SEPs) 1996-2007</u> , dated October 2007, by Joanna Berton Martinez, reveals the following information: SEPs reduce HIV transmission SEPs do increase enrollment in drug treatment programs SEPs do reduce risky behaviors and injection drug use SEPs do not promote substance abuse.	Partially Disagree. The document cited is from the Harm Reduction Coalition. It is unclear whether the author included a comprehensive world literature to definitively document the conclusions.
21. Syringe exchange programs do not encourage the use of injection drugs and do not increase criminal activity.	Partially Disagree. This is controversial, and there are a limited number of studies to support this conclusion. 1. <u>Federal.</u> According to the report from former U.S. Surgeon General David Satcher in 2000, "The data indicated that the presence of a syringe exchange program does not increase the use of illegal drugs among participants in syringe exchange programs, and in many cases, a decrease in injection frequency has been observed among those attending." 2. <u>City of San Diego.</u> Study quoted for their Clean Syringe Exchange Pilot Program is from Baltimore, Maryland. (Marx MA, Crape B, Brookmeyer RS, Junge B, Latkin C, Vlahov D, Strathdee SA. 2000. Trends in crime and the introduction of a needle exchange program. <u>American Journal of Public Health</u> 90: 1933-1936. Innovative Public Policies, Inc. April 2001. "Needle Exchange Programs: Is Baltimore a Bust?")
22. Assembly Bill 547, Berg, was signed by Governor Schwarzenegger and went into effect January 1, 2006. The bill amends previous legislation (AB 136, Mazzoni) to allow counties and cities to authorize syringe exchange programs in their jurisdictions without the necessity to declare a state of local emergency. The purpose of AB 547 is to simplify the procedure for syringe exchange program authorization in order to encourage the	Agree. There have been several pieces of legislation regarding syringe exchange programs (SEPs) in California: <u>AB136 (Mazzoni).</u> Became effective January 1, 2000. This law focused on HIV prevention and would allow SEPs if the local Public Health Officer to declared a local public health emergency. If approved, <u>the emergency declaration would require Board of Supervisor approval every two weeks.</u> During 2001 Tom

Containing the Emerging Threat of Hepatitis C Through A Syringe Exchange Program

Stanislaus County Civil Grand Jury Report

Case #08-27

Grand Jury Findings	Response
<p>integration of syringe exchanges into Hepatitis C and HIV prevention efforts throughout the State of California.</p>	<p>Lambert, a citizen volunteer in the Stanislaus County Local Implementation Group, contacted a county supervisor regarding a SEP in our county. The Public Health Officer reviewed the HIV/AIDS data and concluded that a Stanislaus County public health emergency declaration was not justified at that time.</p> <p><u>SB1159 (Vasconellos)</u>. Became effective January 1, 2005. This legislation established a five-year demonstration project to assess the effectiveness of SEPs. It would allow sale of syringes without a prescription by participating pharmacies. <u>During 2006 the Public Health Officer reviewed the legislation and took an OPPOSED position.</u> He surveyed key stakeholders regarding this legislation, including the Law Enforcement Executives, the BOS Health Executive Committee, and Advisory Board on Substance Abuse Prevention (ABSAP). All three agreed with the opposed position; however, the vote on APSAP was close. The Public Health Officer promised the LEX and ABSAP that he would pursue further examination of AB 547 that allowed syringe exchange rather than syringe sales. At that time Fresno's BOS was considering approval of AB 547 and the Health Officer wanted to monitor implementation of the program in Fresno.</p> <p><u>AB547 (Berg-Richman)</u>. Became effective January 1, 2005. The law would allow syringe exchange programs (SEPs). Seventeen County Boards of Supervisors and four City Councils have approved the law in their jurisdictions. There are now more than 40 SEPs operating in California. Most of the SEPS are along the coast. There are several in the Sacramento Valley. There are currently no approved SEPS in the San Joaquin Valley.</p> <p><u>AB136 (Berg)</u>. Became effective January 1, 2007. The law would allow local HIV/AIDS funds to be used for the purchase of syringes for a SEP. This has not been done in Stanislaus County.</p>
<p>23. Five years ago, AB 136 was signed into law, creating Health and Safety Code Section 11364.7(a). The law reads, in part:</p>	<p>Agree. The following a list of authorized Syringe Exchange Programs in California:</p>

Containing the Emerging Threat of Hepatitis C Through A Syringe Exchange Program

Stanislaus County Civil Grand Jury Report

Case #08-27

Grand Jury Findings	Response
<p>“No public entity, its agents, or employees shall be subject to criminal prosecution for distribution of hypodermic needles or syringes to participants in clean needle and syringe exchange projects authorized by the public entity pursuant to a declaration of a local emergency due to the existence of a local public health crisis.”</p> <p>Health and Safety Code Section 11364.7(a) protected local government organizations, their employees, and authorized subcontractors in local health jurisdictions that declared a local health emergency from criminal prosecution for distribution of syringes.</p> <p>The requirement to declare a local emergency has been rescinded by AB 547.</p>	<p>Alameda, City of Berkeley, City of Los Angeles, City of Sacramento, City of San Diego, Contra Costa, Humboldt, Los Angeles, Marin, Mendocino, Monterey, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sonoma, Ventura, and Yolo.</p> <p>California SEPs operate with modest budgets and provide a wide range of services, including HIV testing and risk reduction counseling, provision of sterile injection equipment, and referrals to drug treatment, housing, and mental health services.</p>
<p>24. The Stanislaus County Civil Grand Jury finds that there is considerable support for syringe programs and for AB 547. National organizations in support of syringe exchange programs include the following:</p> <ul style="list-style-type: none"> American Bar Association American Medical Association American Academy of Pediatrics American Nurses Association American Public Health Association American Pharmaceutical Association American Psychological Association American Red Cross Council of State and Territorial Epidemiologists National Black Caucus of State Legislators National Black Police Officers Association 	<p>Agree.</p>

Containing the Emerging Threat of Hepatitis C Through A Syringe Exchange Program

Stanislaus County Civil Grand Jury Report

Case #08-27

Grand Jury Findings	Response
<p>National Alliance of State and Territorial AIDS Directors National Association of State Alcohol and Drug Abuse Directors U.S. Conference of Mayors U. S. Government Accounting Office Health & Human Services National Institute on Drug Abuse</p>	
<p>25. California supporters of AB 547 and syringe exchange programs include:</p> <p>Health Officers Association of California California Chapter, National Association of Social Workers California Narcotic Officers' Association California Medical Association California Peace Officer's Association California State Association of Counties County Alcohol and Drug Program Administrators Association of California County Health Executives Association of California</p>	<p>Partially disagree. Two organizations listed as supporting the bill actually OPPOSED it.</p> <p>Both the California Narcotic Officers' Association, and California Peace Officers Association opposed AB 547.</p> <p>On August 7, 2008 the Public Health Officer consulted the Stanislaus County Law Enforcement Executives (LEX). The group OPPOSED a SEP in Stanislaus County.</p>
<p>26. Stanislaus County supporters of AB 547 and a syringe exchange program include:</p> <p>Advisory Board for Substance Abuse Programs of Stanislaus County Hepatitis C Coalition of Stanislaus County Local Implementation Group of Stanislaus County</p>	<p>Agree. Comments:</p> <ol style="list-style-type: none"> 1. <u>The Advisory Board for Substance Abuse Prevention (ABSAP)</u> voted in favor of a SEP in Stanislaus County at its July, 2007 meeting. The issue was brought to ABSAP by Tom Lambert , representing the Local Implementation Group (see below). The guest speaker was from the Bay Area chapter of the Harm Reduction Coalition, headquartered in New York City. 2. <u>The Hepatitis C Taskforce</u> did include SEP in its strategic plan of December 2006. Syringe exchange programs were included as a primary prevention strategy in the state strategic plan published in 2001. The mission of the Taskforce was to adapt the state plan to local needs, priorities, and policies. There was no stated timeline for SEP implementation since this was a policy decision subject to

Containing the Emerging Threat of Hepatitis C Through A Syringe Exchange Program

Stanislaus County Civil Grand Jury Report

Case #08-27

Grand Jury Findings	Response
	<p>Board of Supervisor approval. Plan of 2001. Taskforce included Public Health staff, partner agencies and community stakeholders.</p> <p>3. <u>The Local Implementation Group (LIG)</u> is an Advisory Group to the HIV/AIDS Program within Public Health. It is composed of PH staff and community members.</p>

Containing the Emerging Threat of Hepatitis C Through A Syringe Exchange Program

Stanislaus County Civil Grand Jury Report

Case #08-27

Grand Jury Recommendation	Response
1. The Stanislaus County Civil Grand Jury recommends that the Stanislaus County Board of Supervisors adopt a resolution enabling the provisions of AB 547, thus allowing the operation of a syringe exchange program within Stanislaus County; and	<i>This recommendation is approved, based on the findings of the Grand Jury and the recommendation by staff.</i> or <i>This recommendation is rejected, as the recommendation is unreasonable considering the law enforcement concerns and the potential to encourage increased use of illegal drugs</i>
2. The Stanislaus County Civil Grand Jury recommends that the Stanislaus County Board of Supervisors direct the Public Health Department of the Health Services Agency to provide a syringe exchange program, or seek a contractor, to provide syringe exchange program services within Stanislaus County.	<i>This recommendation will be implemented upon and maintained subject to the following requirements: identification of a qualified and financially self-sufficient entity expressing interest, adequately illustrating compliance with performance expectations established by the Stanislaus County Health Services Agency Public Health Department and remitting the periodic reviewer charges in order for this activity to be budget neutral for Stanislaus County Health Services Agency Public Health Department;</i> or <i>This recommendation will not be implemented, as the recommendation is unreasonable considering the law enforcement concerns and the potential to encourage increased use of illegal drugs.</i>