



**Monterey County Board of Supervisors**

**Response to the**

**2012 Monterey County Civil Grand Jury  
Final Report – Detention Facilities  
Inspections**

**April 23, 2013**

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**REPORT TITLE:** Detention Facilities Inspections: Monterey County Jail  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F-1 and F-2

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**Finding F-1:** The County Jail is suffering a condition of gross over-crowding. This situation is primarily caused by the increased incarceration of serious offenders and the additional population resulting from implementation of AB 109.

**Response F-1:** The Board disagrees partially with the finding. The Monterey County Jail inmate population exceeds the rated capacity. Historically, inmate population has fluctuated somewhat but has exceeded the rated capacity. At some periods prior to AB 109, the prison population exceeded current levels, so it is difficult to draw a correlation between current inmate population and AB 109. It is anticipated, however, that future inmate populations will increase due to AB 109 until the effects of treatment and rehabilitative programs are more widely realized.

The jail population might exceed the rated capacity by an even larger amount if it were not for a variety of programs which have been put in place by County criminal justice partners. These include:

- Expansion of the Court approved Sheriff's Own Recognizance (OR) release policy
- Implementation of a pre-trial services program
- Implementation of an involuntary electronic monitoring program
- Reinstitution of the placements program for residential treatment related to substance abuse
- Implementation of a probation custody alternative sanctions program
- Expansion of the Adult Day Reporting Center
- Expansion of the work alternative program eligibility criteria
- Expansion of the supervised home confinement program eligibility criteria

In addition, the County provides a variety of programs designed to reduce the recidivism rate such as criminogenic risk and needs assessments and psycho-social assessments related to drug/alcohol treatment as well as personal, educational and career counseling. This is not an exhaustive list.

**Finding F-2:** The inmate population differs from that intended to be housed in the facility. The bulk of the inmates are medium to high security risks and are incarcerated prior to trial.

**Response F-2:** The Board agrees with the finding.

**REPORT TITLE:** Detention Facilities Inspections: Monterey County Jail  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Recommendations R-1, R-3, R-4, and R-5

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**Recommendation R-1:** The Sheriff's Office and the Probation Department should encourage Superior Court Judges to hand down more blended sentences, thus shortening the actual time the low-level offender would be housed in county jail.

**Response R-1:** The recommendation will not be implemented. Superior Court judges are independently responsible for sentencing in accordance with the law; however, we note that Probation and local Courts attended training on evidence-based sentencing organized by the Administrative Office of the Courts (AOC). Probation and the Superior Courts are working together on a revised presentence investigation report to align terms and conditions with criminogenic needs, and to determine the appropriateness of sentencing options, including blended sentences.

**Recommendation R-3:** The Probation Department should establish a unit to investigate and screen arrested individuals to aid the court in determining candidates for their own recognizance or reduced bail release from county jail pending trial.

**Response R-3:** The recommendation has been implemented. Probation has created and staffed the new Pretrial Services Unit in its Adult Division.

**Recommendation R-4:** The County should agree to transfer a sufficient number of prisoners to other counties that have available space, where the cost of such transfer would be less than the cost of housing them in the Monterey County Jail.

**Response R-4:** This recommendation requires further analysis. The Sheriff has independent authority to transfer prisoners and manage jail populations within approved budget appropriations. The cost of housing prisoners in other counties includes consideration of contract housing costs, transportation costs, and other considerations including distance from legal representation and family members.

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**Recommendation R-5:** The County Jail expansion should move forward and be completed as soon as possible, as the longer the delay the greater the chance that when completed the jail expansion will not adequately house the anticipated jail population increase.

**Response R-5:** The recommendation has been implemented. The Board agrees that the proposed jail expansion is a top priority in the County's capital improvement plan and will be expedited pursuant to state grant requirements, including environmental review, followed by design and construction. The County has obtained an AB 900 jail construction grant award in the amount of \$36.3 million. The required local match of \$4 million has been set aside in County Budget Fund 404. This grant award will allow for jail expansion totaling 288 additional beds.

**REPORT TITLE:** Detention Facilities Inspections: Juvenile Hall  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F-1, F-2, and F-3

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**Finding F-1:** The case management system is basically a data pool. It is being used to report probation information to various other agencies and for in-house use.

**Response F-1:** The Board partially disagrees with the finding. The new Case Management System (CMS) is not only a database which functions as a central repository for data and documents, with reporting features and data exchange capabilities, but a complete client management system to manage workloads and performance standards, standardize practices, and customize interventions based on criminogenic needs.

**Finding F-2:** In its present form, the system is reactive. That is, it is being used to gather information. It is used as a statistical tool and not as a proactive management tool to forecast, predict and provide recidivism rates among and between various programs.

**Response F-2:** The Board disagrees with the finding. The CMS has been implemented recently and with very good progress, through the creative use of limited existing resources, and in spite of new mandates and workloads, such as Public Safety Realignment (AB109). Naturally, the CMS is used to gather and report or share information. In addition, the CMS is used to: a) track completion of probation; b) monitor program outcome data; c) administer a risk and need assessment tool integrated with a case plan; d) optimize use of resources through case classification; e) standardize supervision practices; and f) customize interventions for probation violations to the individual criminogenic needs of adult offenders. The same features are in progress for juvenile offenders. This is in accordance with evidence-based practices validated by research.

**Finding F-3:** The system could provide that information, but currently is not being used for that purpose.

**Response F-3:** The Board partially disagrees with the finding. The CMS is already used to gather and report information and compare results between youth in programs and a control group for specific programs. More time is needed to collect data that can be referenced across years, offender type, or programs. These proactive utilizations of the new CMS will be ongoing, and more core elements will be completed in the coming year.

**REPORT TITLE:** Detention Facilities Inspections: Juvenile Hall

**RESPONSE BY:** Monterey County Board of Supervisors

**RESPONSE TO:** Recommendation R-1

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**Recommendation R-1:** The Probation Department should shift to a proactive use of the case management system, to trace program progress and repeat offender data.

**Response R-1:** The recommendation is partially implemented and efforts are ongoing. The new CMS is a robust, flexible, unified system for all department operations, and was selected after rigorous research and evaluation. Probation is now engaged in a long-term project to ensure that data is collected, tracked and reported to measure outcomes, including program outcomes and repeat offenses.

**REPORT TITLE:** Detention Facilities Inspections: Youth Center  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F-1 and F-2

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**Finding F-1:** The ten 2011 escapes were enabled by lax custodial supervision, inadequate procedures and/or improper facility design or structure. Youth Center administrators, realizing these deficiencies have taken action to avoid such future escapes.

Attached hereto as Appendix A is a list of Youth Center procedural and structural changes.

**Response F-1:** The respondent agrees with the finding. All procedures identified in Appendix A have been implemented.

**Finding F-2:** The 2012 escape occurred as a result of the unanticipated assistance of an outside accomplice. As a consequence thereof a member of the Youth Center will inspect the complete perimeter of the recreation yard before a pod of juveniles are released into the yard. Further, independent checks of the perimeter fencing will be made at least four times per day and night. All inspections will be written in a log.

**Response F-2:** The respondent agrees with the finding. Probation expedited the implementation of identified security measures, including routine inspections of perimeter fencing and recreation yard.



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**Recommendation R-1:** The procedures listed on Appendix A should be examined and continued if found to be effective.

**Response R-1:** The recommendation has been implemented.

**Recommendation R-2:** The structural changes listed in Appendix A should be completed as soon as possible.

**Response R-2:** The recommendation has been implemented as priority project.