



MONTEREY COUNTY SHERIFF'S OFFICE

August 14, 2014

The Honorable Marla Anderson
Presiding Judge of the Superior Court
County of Monterey
240 Church Street
Salinas, CA 93901

**RE: Sheriff's Office Response to the 2013-14 Civil Grand Jury Final Report No. 9
"Detention Facilities Inspections"**

Dear Presiding Judge Anderson:

Please accept the attached response to the 2013-14 Civil Grand Jury Final Report No. 9. The Civil Grand Jury's work in assessing the County Jail is greatly appreciated.

Pursuant to California Penal Code Section 933, the attached are my responses to the Civil Grand Jury's findings and recommendations.

Sincerely,

Scott K. Miller
Sheriff-Coroner

**MONTEREY COUNTY SHERIFF'S OFFICE
RESPONSE TO THE
2013-14 MONTEREY COUNTY CIVIL GRAND JURY FINAL REPORT #9
"DETENTION FACILITIES INSPECTIONS"**

F-1. The Sheriff's Department is trying to address the complexities of accepting new prisoners with extended sentences. Also, there is an increased need for housing that reflects the classification and segregation of gang members. Contrary to initial expectations, AB 109 has not yet impacted the jail population. It is, however, anticipated to have an impact on the jail population as more prisoners who would have been sentenced to the state prison are now being sentenced to the County Jail.

I agree partially with the finding. It is difficult at this point to draw any distinct correlation between AB 109 and inmate populations at the County Jail. However, we likely would see greater impacts to our inmate population if it were not for a variety of programs recently implemented by my administration and our County justice partners to mitigate the effects of AB 109. Some of these programs include a contract with Alameda County to house approximately sixty (60) of our AB 109 inmates; expansion of the court-approved Sheriff's Own Recognizance (OR) release policy; implementation of the Pretrial Services Unit in Probation; implementation of the involuntary electronic monitoring program; reinstatement of the placements program for residential treatment related to substance abuse; the probation custody alternative sanctions program; expansion of the Day Reporting Center; expansion of the Work Alternative program eligibility criteria; and expansion of the supervised home confinement program.

F-2. The inmate population differs from that originally intended to be housed in the facility. The majority of inmates are now medium to high security risks and are being incarcerated prior to trial.

I agree with this finding.

F-3. The Monterey County Jail is being transformed, by prisoner transfers, from a jail into a local prison facility. It was not designed and is not staffed to be a prison.

I agree with this finding.

R-1. The Sheriff's Office and the Probation Department should work with Superior Court Judges to increase the number of blended sentences, thus shortening the actual time that low-level offenders would be housed in County Jail.

The recommendation will not be implemented. Superior Court judges are independently responsible for sentencing in accordance with the law. However, the County's public safety departments do work in close partnership with the Superior Court to develop new programs such as the Probation Department's revised presentence investigation report to

align terms and conditions with criminogenic needs, and to determine the appropriateness of sentencing options, including blended sentences.

R-2. The Sheriff should recommend to the Superior Court that the pre-trial bail schedule for non-violent, non-serious, and non-sex offenders, be examined and, when appropriate, lowered to reduce the pre-trial jail population that is now a contributor to jail overcrowding.

The recommendation will not be implemented. Superior Court judges are independently responsible for setting bail in accordance with the law. However, the Sheriff's Office and the County's other justice departments work closely with the Superior Court to identify, discuss and implement, where appropriate, new justice system programs and procedures.

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.

The recommendation has been implemented. Although the Sheriff's Office is not responsible for the operations of the Probation Department, I am aware that the department has created and staffed a Pretrial Services Unit in its Adult Division.

R-4. 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.

The recommendation has been implemented. The 576-bed jail expansion is a top priority for the Sheriff's Office and the County. We are currently finalizing the environmental review phase of the project and are well into the design phase. The project is on schedule pursuant to the State grant requirements. The County has obtained an AB 900 jail construction grant award in the amount of \$80.0 million. We believe that, when completed, the jail expansion will adequately serve the needs of Monterey County for the foreseeable future, in conjunction with other steps being taken to reduce the jail population.