

READ AND CONSIDERED

DATE 8/8/24 BY oja



# SONOMA COUNTY SHERIFF'S OFFICE

EDDIE ENGRAM  
Sheriff-Coroner

August 1, 2024

Honorable Shelly J. Averill, Presiding Judge  
Superior Court of California  
County of Sonoma  
600 Administration Drive  
Santa Rosa, CA 95403

RE: Required Responses to the 2023-2024

Dear Judge Averill,

Pursuant to Penal Code sections 933 and 933.05, attached is the Sheriff's Office's response to the Grand Jury Final Report on "Sonoma County Main Adult Detention Facility, a/k/a "The County Jail" Déjà Vu All Over Again".

Sincerely,

A handwritten signature in black ink, appearing to read "Eddie Engram".

EDDIE ENGRAM  
Sheriff-Coroner

cc: Board of Supervisors  
Christina Rivera, County Executive  
Deva Proto, County Clerk-Recorder-Assessor-Registrar of Voters

Attachment: Response

**Response to Grand Jury Report Form**

Report Title: Sonoma County Main Adult Detention Facility

Report Date: June 2024

Response by: Eddie Engram Title: Sheriff

Agency/Department Name: Sonoma County Sheriff's Office

**FINDINGS: F1, F2, F3, F4, F5**

I (we) agree with the findings numbered: F4

I (we) disagree wholly or partially with the findings numbered: F1, F2, F3, F5

(Attach a statement specifying any portions of the findings that are disputed with an explanation of the reasons.)

**RECOMMENDATIONS: R1, R3, R4, R5, R6**

Recommendations numbered: R1, R4, and R5 have been implemented.

(Attach a summary describing the implemented actions.)

Recommendations numbered: R3 has not yet been implemented but will be implemented in the future.


(Attach a timeframe for the implementation.)

Recommendations numbered: require(s) further analysis.

(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the Grand Jury report.)

Recommendations numbered: R6 will not be implemented because they are not warranted or are not reasonable.

(Attach an explanation.)

Date: 8/1/2024 Signed: 

Number of pages attached: **5**

(See attached Civil Grand Jury Response Requirements)

SONOMA COUNTY SHERIFF'S OFFICE  
RESPONSE TO THE 2023-2024 GRAND JURY REPORT

**FINDINGS**

***F1. There are a large number of mentally ill inmates held in the MADF whose needs are not being met.***

RESPONSE: The respondent partially agrees with the finding.

The Sheriff's Office meets the needs of this population to the extent possible with the limited resources available. The lack of mental health treatment is not limited to MADF, but the community as a whole. Many inmates could potentially be better served in LPS or offsite mental health facilities, but Statewide, these options are rarely available. The Sheriff's Office holds a contract to provide behavioral health care services to inmates. We also provide a broad range of programming to address various needs across the population.

The Sheriff's Office agrees that the MADF was not built to accommodate this population. The addition of the Behavioral Health Housing Unit (BHHU) would provide additional resources and an environment more conducive to meeting the needs of this population. However, expanding mental health treatment throughout Sonoma County would help lower the number of incarcerated persons in the Sheriff's custody.

***F2. The planned MADF mental health extension, "on hold" since 2016, would increase the safety of correctional officers and inmates and make more room in the Main Jail for programming.***

RESPONSE: The respondent partially agrees with the finding.

Safety for both correctional staff and incarcerated persons is optimized when inmates can be appropriately housed based on their designated housing classification. Construction of the Behavioral Health Housing Unit (BHHU) will increase the County's ability to provide an increased variety of appropriate housing for incarcerated persons. In addition, construction of the Behavioral Health Housing Unit will increase the County's ability to provide quality mental health treatment for our incarcerated population, within a dedicated therapeutic environment. It would provide the County with a secure, purpose-built mental health facility, rather than using standard detention-only facilities. This would allow for more comprehensive competency restoration programs in addition to other programming.

***F3. There is a persistent deficiency in OCA time for inmates, especially those in the modules for the mentally ill.***

RESPONSE: The respondent disagrees with the finding.

The Sheriff's Office acknowledges that providing OCA time for inmates during a staffing crisis was extremely difficult. Our staff worked diligently to find innovative ways to provide OCA time for inmates, including contracting to house inmates in Solano County. Thanks to the aggressive and successful hiring efforts, we've been able to improve the amount of OCA time for our MADF inmates. It should also be acknowledged since the COVID-19 pandemic there have been times when large groups of incarcerated persons could not be out of the cells at one time in an effort to decrease the spread of COVID. As our

staffing levels continue to improve, the Sheriff's Office will be able to accommodate increased OCA for those incarcerated persons that present unique challenges and cannot safely mix in a large group setting.

***F4. There has been a chronic staffing shortage in the MADF.***

RESPONSE: The respondent agrees with the finding.

During the COVID shutdown, the County suspended hiring for a period of time, creating significant vacancy levels for many job classes. Post COVID-19 pandemic, low employment rates, economic factors, and societal shifts have had significant impacts on the labor market. Practically all employers have been affected by the extraordinarily challenging labor market. Overall, the County vacancy rate has been higher than past years and some job classes have particularly troubling vacancy rates. This has greatly impacted the Sheriff's Office in critical job classifications as societal shifts have had a significant impact on interest in law enforcement, dispatch, and correctional careers. Correctional job classes have historically been some of the most challenging job classes to fill. There is a cyclical correlation between excessive mandatory overtime requirements (resulting from extreme vacancy rates) and newly hired correctional staff separating shortly after being hired. This cycle has resulted in a few years where the hiring successes had little impact due to a high number of separations.

Due to extensive efforts from Sheriff's management, the Sheriff's Office has made significant strides in filling correctional deputy vacancies. As of July 26, 2024, there are only 5 vacancies in the correctional deputy job class at the Sheriff's Office. However, unavailable staff (staff unable to work in the facility due to injury, illness, training, and other leaves) continue to cause a strain on employees working in the Detention Division, as overtime is needed to backfill staff who are unavailable due to various types of leaves.

***F5. Mandatory staff overtime is excessive and a detriment to the safety, security, and health of both officers and inmates.***

RESPONSE: The respondent partially agrees with the finding.

The Sheriff's Office Detention Division operates a facility 24 hours a day, 7 days a week, with fixed post positions. In order to ensure the safety, security, and health of inmates, and to meet the required state mandates, staff work mandatory overtime shifts to ensure coverage of fixed post positions. The Sheriff's Office acknowledges that mandatory staff overtime has been excessive and not sustainable for employee safety, security, and retention. High vacancy rates have created a problematic cycle of stress and pressure on employees who must work more overtime and carry increased workloads, which then can result in employee leave and employee separation, thus exacerbating the vacancy rates and operational issues. These high vacancy rates have caused significant operational issues and service delivery challenges and are creating an untenable long-term work environment.

Lowering the mandated overtime per employee, while still meeting operational mandates, safety and security requirements, has been of the utmost importance to the Sheriff and his executive team. The Sheriff's Office has dedicated significant resources towards filling vacancies and has had success thus far. With the successful hiring efforts and reduced vacancies, mandatory overtime has begun to decrease. With further decreases in mandatory overtime projected, the Sheriff's Office looks forward to increased correctional deputy safety, security, and retention.

## RECOMMENDATIONS

***R1. By December 31, 2024, SCSO will develop a plan to provide mental health treatment based on inmates' specific and individual mental health needs.***

RESPONSE: The recommendation has been implemented.

The Sheriff's Office understands the importance of providing mental health treatment based on the incarcerated person's specific and individual mental health needs. In partnership with our contracted Behavior Health provider, Wellpath, the Sheriff's Office has and will continue to provide mental health treatment based on the needs of the individual.

***R3. By December 31, 2024, SCSO will develop a process to discharge inmates that takes their specific and individual medical and behavioral health needs into account.***

RESPONSE: The recommendation will be implemented as the number of case managers/discharge planners increases at the jail.

SCSO currently contracts with CFMG/Wellpath for 1.6 FTE discharge planners: 1.0 FTE working specifically with behavioral health patients, and 0.6 FTE addressing the needs of medication-assisted treatment (MAT) participants.

The SCSO service contract with GEO Reentry Services for jail-based substance use disorder treatment (SUDT) services includes 1.0 FTE Reentry Counselor/Discharge Planner to address the needs of SUDT services and MAT participants through the development of comprehensive discharge and reentry plans and connecting participants to needed services.

Implementation of the State's expansion of Medi-Cal services to the justice-involved population via California Advancing and Innovating Medi-Cal, or CalAIM, and a corresponding grant awarded to the Sheriff's Office for implementation will result in the addition of 2.0 FTE County Behavioral Health Senior Client Support Specialists who will provide case management and system navigation services to incarcerated individuals and connect them to post-release providers. An additional 0.4 -1.0 FTE CFMG/Wellpath MAT discharge planner will also be added as needed for the planned MAT program expansion.

It should also be noted that incarcerated persons who are independently financially stable or possessing strong support systems do not typically require the services of a discharge planner.

***R4. By December 31, 2024, SCSO will provide all eligible inmates at least ten hours of OCA per week.***

RESPONSE: The recommendation has already been implemented.

In the Spring of 2023, the Sheriff's Office started planning for anticipated changes to the Title 15 Minimum Jail Standards requirements for exercise and out of cell time. Prior to April 2023, the minimum requirement for exercise and out of cell time was three hours distributed over a period of seven days. Effective April 1, 2023, Title 15 standards changed to ten hours of out cell time distributed over a period of seven days (to include three hours of exercise and seven hours of recreation).

In April and May 2023, Correctional Deputies received training on the new Title 15 minimum jail standards. Effective June 2023, a change in our Classification/Housing Plan was implemented to meet Title 15 requirements of ten hours of out of cell time distributed over a period of seven days.

Starting June 2023, all general population and protective custody population housing modules saw a significant adjustment to out of cell operations. Minimum, medium, and maximum-security incarcerated persons began mixing in larger groups for out of cell and recreation time. This resulted in a significant reduction of mix group numbers in these housing areas and an increase in out of cell activity. Currently, the Detention Division is meeting the minimum out of cell requirement of ten hours over a seven-day period in these housing areas.

There are several areas of the Main Adult Detention Facility where incarcerated persons are classified at higher levels or require small mix groups for out of cell activity. In these housing areas, out of cell activity schedules are challenging as we strive to meet the needs of the individual while maintaining a safe environment for our staff and the incarcerated persons in our care. Our Classification Team continues to work with jail operations to come up with innovative ways to accomplish our goal of ten hours of out of cell activity over a seven-day period.

In January 2024, a portion of our mental health population was shifted to a new housing location that included larger dayroom areas as well as smaller, separate day rooms to accommodate smaller mix groups or individuals during out of cell time. As a result, the individuals in this housing location are receiving at or above ten hours of out of cell activity over a seven-day period.

As our staffing levels continue to improve, the Sheriff's Office Detention Division will re-open two of our closed housing modules at the Main Adult Detention Facility. This will allow for increased out of cell activity for those incarcerated persons that present unique challenges and cannot safely mix in a large group setting.

***R5. By June 30, 2025, the SCSO will have a vacancy rate in its Corrections Unit of less than 10%.***

RESPONSE: This recommendation has already been implemented.

The Sheriff's Office currently has 208 FTEs in the Correctional Deputy job class. As of July 26, 2024, there are 5 vacancies. The current vacancy rate in the Correctional Deputy job class is 2.4%.

***R6. By December 31, 2024, mandated monthly overtime for SCSO Corrections Officers will average no more than 25 hours a month.***

RESPONSE: The recommendation will not be implemented because it is not reasonable and could potentially violate state mandates pertaining to operating a correctional facility.

The Sheriff's Office acknowledges the importance of having a minimal amount of overtime per month for our correctional deputies.

The Sheriff's Office is unable to control many factors that contribute to overtime. Aspects such as employee separation, vacation leave, sick leave, FMLA leave, work related injury, non-work-related injury and training make up many reasons for increased overtime hours for our employees.

The Correctional Deputy job class is primarily composed of fixed post positions. Therefore, the most efficient method to alleviate overtime for our correctional deputies would be to increase allocations in

the correctional deputy job class. More allocations would provide relief staffing, or staffing used to cover vacant posts due to vacation, training, injury and illness. There are currently 208 allocations in the correctional deputy job class. In FY 08-09, there were 246 allocations for the correctional deputies. Over the course of several years correctional deputy positions have been eliminated, eliminating relief coverage. Therefore, any vacant posts due to vacation, training, injury and illness results in an increased need for mandatory overtime coverage. An increase in allocations would allow the Sheriff's Office to efficiently backfill employees on various types of leave with full-time employees, thus reducing the total overtime per month. For this response to be reasonable, an increase in overall allocations would be necessary.