



Expert Monitor's Report

Environmental Health and Safety
Report (Fourth Round)
Murray v. County of Santa Barbara
Case No. 2:17-cv-08805-GW-JPR

On-Site Review: July 22-25, 2024

Produced by:

Sabot Consulting

Julian Martinez, Director

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Executive Summary

This is the fourth Expert Monitoring Review of the Santa Barbara County Jail (SBCJ), Main Jail (MJ), and the second review of the Northern Branch Jail Facility (NBJ) to measure Santa Barbara County's compliance with the *Murray v. Santa Barbara County* Remedial Plan, which addresses Environmental Health and Safety conditions and policies and procedures within Santa Barbara County jails. The on-site Expert Monitoring Review of NBJ was conducted on July 23, 2024, and the review of the MJ was conducted on July 22 and 24-25, 2024. The document production rating period was from August 1, 2023, through February 29, 2024.

The Expert's Monitoring Review of the MJ included a review of pre-monitoring documents produced by Santa Barbara County, on-site observations of the MJ Northwest housing units, West Module housing units, Intake Release Center (IRC) housing units, South Dorm and South Tank housing units, East Module housing units, New East Restrictive housing unit, recreational yards, clinics, dental treatment room, kitchen, laundry, visiting and all common areas. The Expert interviewed six (6) Custody Deputies and 25 incarcerated persons from various housing units/modules.

The Expert's Monitoring Review of NBJ included on-site observations of housing units A, B, C, D, E, F, G, H, J, K, and M, kitchen, laundry, health care clinic and all common areas. The Expert interviewed four (4) Custody Deputies and 13 incarcerated persons from various housing units.

On August 14, 2023, the Court approved interim measures for the implementation of the *Murray v. Santa Barbara County* Remedial Plan. The Expert has included the areas of the stipulation applicable to the ADA portion of the *Murray v. Santa Barbara County* Remedial Plan in this report.

The Expert recognizes the impact staffing shortages continue to have on the operations of SBCJ and the implementation of the *Murray v. Santa Barbara County* Remedial Plan requirements. The Expert recognizes that the County is continuing the process of implementing essential elements of the *Murray v. Santa Barbara County* Remedial Plan. The County has made significant strides in the implementation of the *Murray v. Santa Barbara County* Remedial Plan. Some of these include:

- Provide incarcerated persons with non-scratch scrub sponges or scouring pads and/or brushes with strong bristles to adequately clean mold, soap, and built-up dirt.
- Provide incarcerated persons at the NBJ access to the cleaning supplies during the day and not only when the module workers are cleaning the module.
- Conduct the weekly housing unit inspections.
- MJ staff complete the daily cleaning logs for all locations.
- The daily cleaning of the transportation holding cells focuses on the cleaning of the toilets.
- MJ staff log the weekly cleaning of all visitation locations weekly and more frequently as necessary, as required by the *Murray v. Santa Barbara County* Remedial Plan.

- Power wash the showers at a minimum bi-weekly.
- Hire sufficient staff to conduct the required cleaning and ensure the necessary equipment is available to conduct the required power washing.
- Consider modifying the process for conducting power-washing by allowing incarcerated persons who reside in the module to conduct the power-washing (provide the hose and nozzle through the module grills).
- Document the housing unit shower power washing.
- Conduct and document the weekly cleaning of cell bars, windows, and lights.
- Conduct and document the quarterly cleaning of fans and air vents.
- Develop an orientation video that includes the jail's expectations and procedures for cleanliness, elimination of clutter, and proper use of personal property containers.
- Consider a more adequately sized storage container that will allow incarcerated persons to store the County and personal property they are allowed to retain.
- Ensure incarcerated workers assigned to the laundry at the NBJ receive the required training upon their assignment.
- Training rosters clearly document (1) the completion date of the incarcerated person's training and (2) the start date of the incarcerated person's job assignment.
- Complete and document the weekly inspections.
- The ECM ensures staff complete and document the weekly inspections and follow up with staff when they are not completed and submitted.
- Kitchen staff conduct periodic (at least weekly) temperature monitoring of food and maintain records to provide verification of the temperature checks.
- Implement the work order reporting system to schedule cleaning or maintenance required by the *Murray v. Santa Barbara County Remedial Plan*.
- Conduct water test/analysis at the module/unit location of the MJ.
- The process for diluting any chemicals at SBCJ should be incorporated into policy and procedures.
- The MJ provides refresher training to all staff assigned to monitor negative air pressure cells on the requirements to follow when the Magnehelic gauges are outside the required reading range.
- Supervisors monitor staff to ensure all Magnehelic gauge checks are completed and properly documented on the Post Recap reports and that all actions taken to correct discrepancies are documented.
- MJ staff promptly submit work orders if required when magnehelic gauge non-conformities are identified.
- NBJ establish a CAP process similar to the CAP process in place at the MJ.
- Develop a method to track and categorize all grievances related to sanitation matters of concern to ensure issues are resolved as soon as possible.
- Identify whether the current system can track and provide real-time reports for sanitation related grievances from the time of submission to resolution.
- Grievances containing issues related to sanitation matters of concern be reviewed by the housing unit supervisors before each shift change.
- Staff submit all work orders before the end of the following shift when a maintenance issue is identified in a grievance.

Although the Expert's report identifies areas of non-compliance, it is the Expert's position that with sufficient staffing and/or allocation of other resources, the County will continue to implement the requirements of the *Murray v. Santa Barbara* County Remedial Plan, and the areas that were determined to be in non-compliance will progress into Substantial Compliance.

This report details the pre-monitoring tour document review, on-site monitoring, staff and incarcerated persons' interviews, and findings and recommendations/actions the County must implement to achieve Substantial Compliance with the *Murray v. Santa Barbara County* Remedial Plan.

Introduction

Murray v. Santa Barbara County is a federal class-action lawsuit challenging facility deficiencies in environmental health and safety, which includes general cleanliness, maintenance, and sanitation matters of concern at the SBCJ.

The terms of the *Murray v. Santa Barbara County* Stipulated Judgment include the *Murray v. Santa Barbara County* Remedial Plan, which outlines specific conditions in the SBCJ that the County agreed to remedy. Under the Stipulated Judgment, the County agreed to develop implementation plans to reform specific policies, procedures, and practices in the SBCJ.

The Stipulated Judgment also required the County to retain experts to monitor the County's implementation of and compliance with the Stipulated Judgment.

The Settlement Monitor's Activities

The Stipulated Judgment describes the duties and responsibilities of the Expert for evaluating and determining Santa Barbara County's compliance with the Santa Barbara County Remedial Plan.

Role of the Expert

The duties of the Remedial Plan Experts are as follows. The Remedial Plan Expert is required to advise the parties on Defendant's compliance or non-compliance with the Remedial Plan, to assist the parties and Court with Dispute Resolution matters, and to provide testimony, if required, in any proceedings before the Court.

Within 180 days after entry of the Stipulated Judgment, and then annually thereafter during the term of this Stipulated Judgment, the Remedial Plan Experts must complete a review and non-confidential report (Annual Report) to advise the parties on Defendant's compliance or non-compliance with the Remedial Plan.

In each Annual Report, the Remedial Plan Experts must state their opinion as to whether Defendants are or are not in Substantial Compliance with each component of the Remedial Plan within the Remedial Plan Expert's respective area of expertise. These opinions are referred to in the Stipulated Judgment as "Substantial Compliance Determinations."

The Annual Report will provide, to the extent possible, specific recommendations as to how Defendants may reach Substantial Compliance. The parties shall have an opportunity to respond to any finding regarding Defendant's Substantial Compliance with a provision of the Remedial Plan. The parties shall submit any such response to the Remedial Plan Experts and all counsel within 30 calendar days of completion of the Annual Report. Such response(s) shall be appended to the final report.

With appropriate notice, the Remedial Plan Experts shall have reasonable access to all parts of any facility. Access to the facilities will not be unreasonably restricted. The Remedial Plan Experts shall have access to custody and health care staff and persons incarcerated in the jails, including confidential and voluntary interviews, as is reasonable, to complete a report and, provided it does not jeopardize the security or other privileged information. The Remedial Plan Experts shall also have access to non-privileged documents, including budgetary, custody, and health care documents, and institutional meetings, proceedings, and programs to the extent the Remedial Plan Experts determine such access is needed to fulfill their obligations. The Remedial Plan Experts' tours shall be undertaken in a manner that does not unreasonably interfere with jail operations, as determined by jail administrators. The Remedial Plan Experts shall have reasonable access to individual incarcerated persons' health records, including mental health and custody records.

Monitoring Process

The Expert used the following rating system to determine SBCJ's compliance with the requirements of the Remedial Plan.

The specific definitions of the rating categories the Expert used are as follows:

Substantial Compliance (SC):

Indicates compliance with all or most components of the relevant provision of the Remedial Plan and that no significant work remains to accomplish the goal of that provision.

Partial Compliance (PC):

Indicates compliance with some components of the relevant provision of the Remedial Plan, and work remains to reach Substantial Compliance.

Non-Compliance (NC):

Indicates non-compliance with most or all the components of the relevant provision of the Remedial Plan, and work remains to reach Partial Compliance.

Un-ratable (UR):

Shall be used in cases where the Experts have not been provided data or other relevant material necessary to assess compliance or factual circumstances during the monitoring period making it impossible for a meaningful review to occur at the present time.

Suspension of Monitoring (SOM):

After conferring with Plaintiffs' counsel, defendant's request a finding by the Remedial Plan Expert(s) that Defendants are in substantial compliance with one (1) or more components of the Remedial Plan and have maintained such substantial compliance for a period of at least six (6) months.

Summary of Ratings

Remedial Plan Citation	Requirement	Current Rating	Previous Rating
6.A.1.	Environmental Health and Safety Monitor	SC	SC
6.B.1.	Establishment of Sanitation Plan	PC	PC
6.B.2.	Orientation	PC	PC
6.B.3.	Incarcerated Persons Who are Unable or Unwilling to Adequately Clean	SC	PC
6.B.4.	Policy and Procedures for Cleaning, Disinfection, Distribution, and Repair of Mattresses	SC	SC
6.B.5.	Provision of Clean and Serviceable Mattress.	SC	PC
6.B.6.	Procedure to clean cell prior to Placement in Cell	PC	PC
6.B.7.	Cleaning and Disinfection of Plastic Beds	SC	SC
6.C.1.	Weekly Clothing and Linen Exchange	SC	SC
6.C.2.	Chemical Safety Training for Staff and Incarcerated Persons	PC	PC
6.C.3.	Healthcare Referrals for Incarcerated Persons With Possible Mental Health disability	SC	PC
6.D.1.	Clean Clothing for Kitchen Workers	SC	SC
6.D.2.	Weekly Kitchen Operation Inspections	PC	PC
6.D.3.	Food Service Policies and Procedures	SC	SC
6.D.4.	Training for Incarcerated Person Kitchen Workers	SC	SC
6.D.5.	Monitoring of Food Temperature	SC	PC
6.E.1.	Staff Training for Submitting Work Orders	SC	SC
6.E.2.	Work Order Reporting System for Preventative Maintenance and Repairs	PC	PC
6.E.3.	Development and Implementation of Environmental Inspection policy	SC	PC
6.F.1.	Development and Implementation of Chemical Control Policies and Procedures.	SC	PC
6.F.2.	Development and Implementation of Chemical Safety Training for Staff and Incarcerated Persons	PC	PC
6.F.3.	Communicable Disease Policy	SC	PC
6.F.4.	Development and Implementation of Policies and Procedures for Cleaning, Handling, Storing and Disposal of Biohazardous Materials	PC	PC

Remedial Plan Citation	Requirement	Current Rating	Previous Rating
6.F.5.	Personal Protective Equipment for Staff and Incarcerated Person-Workers	PC	PC
6.G.1.	Magnehelic gauge checks	PC	PC
6.G.2.	Staff Training for Magnehelic Gauge Readings	SC	PC
6.G.3.	Testing of Negative Pressure Cells and Gauges by External Contractor	SC	SC
6.H.1.	Monthly Inspection of Fire Extinguishers and Drills	SC	PC
6.I.1.	Bimonthly Housing Unit Environmental of Care inspections	PC	PC
6.I.2.	System for Class Members to Raise Sanitation Matters of Concern	PC	PC

FINDINGS

6.A. Environmental Health and Safety Monitor

The County shall designate an environmental health and safety monitor ("Environment of Care Monitor") responsible for ensuring compliance with this Remedial Plan and other environmental health and safety policies and procedures. The duties of the Environment of Care Monitor will be established in writing consistent with this remedial plan. The Environment of Care Monitor will have sufficient authority to carry out such duties.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Substantial Compliance

County Response:

The Sheriff's Service Technician (SST) James Zandona was appointed as the Environment of Care Monitor (hereinafter "ECM") on 7/7/21. CDII Petterson has been assigned as the ECM at the Northern Branch Jail. The County also created the ECM Duty Statement, which includes the job descriptions for both the MJ and NBJ ECMs. The County incorporated the ECM appointment order and Duty Statement into the Custody Operations Inspection and Operations Review Policy (Section 102).

Analysis/Observations:

The County is in substantial compliance with this provision and have maintained substantial compliance for a period of at least six (6) months. Based on this, the Expert recommends this provision be designated as Suspension of Monitoring.

6.A.1.a. Does the Santa Barbara County Jail designate an Environment of Care Monitor?

MJ

In a memorandum dated July 12, 2021, Sheriff's Service Technician (SST) James Zandona was assigned to the Custody Support Division, Health Services Unit, Continuous Quality Assurance, and the Environment of Care Monitor (ECM) for the MJ. SST Zandona continues to be solely assigned to perform the duties and responsibilities of the ECM, which are required by the *Murray v. Santa Barbara County* Remedial Plan.

NBJ

In a memorandum dated July 16, 2024, the County reported that on July 11, 2022, Administrative Senior Custody Deputy J. Petterson was assigned as the ECM for the NBJ. The Expert interviewed Sr. Custody Deputy Petterson, who stated he also

has various other duties and responsibilities in addition to his role as the ECM. Although Sr. Custody Deputy Petterson is designated as the ECM for NBJ as required by the *Murray v. Santa Barbara County* Remedial Plan, Sr. Custody Deputy Petterson is performing and managing the duties and responsibilities of the ECM.

6.A.1.b Does the ECM have a Duty Statement?

The County produced the Environmental of Care (ECM) Job Duties. The job duty statement states, "The Environment of Care Monitor is established at the Santa Barbara Main Jail ("SBJ") and the Northern Branch Jail ("NBJ"). The purpose of the ECM is to monitor and ensure compliance with all applicable provisions of Custody Policy and Procedures and facets of the *Murray v. Santa Barbara County* Settlement Agreement. Currently, the Environment of Care Monitors for both facilities are CDII Petterson (NBJ) and SST J. Zandona (SBJ). The purpose of this documentation is listing the duties of the ECM for their respective facilities."

MJ - The MJ has an ECM Job Duty Statement in place.

NBJ – The NBJ has an ECM Job Duty Statement in place.

6.A.1.c Are the duties of the ECM established in writing and consistent with the Santa Barbara County Remedial Plan?

The County produced the Environmental of Care (ECM) Job Duties. The job duty statement is consistent with *Murray v. Santa Barbara County* Remedial Plan requirements.

MJ

The MJ ECM, Job Duty Statement, contains the functions that are required by the *Murray v. Santa Barbara County* Remedial Plan.

NBJ

The NBJ ECM Job Duty Statement contains the functions that are required by the *Murray v. Santa Barbara County* Remedial Plan.

6.A.1.d Does the ECM have sufficient authority to carry out such duties as outlined in the Remedial Plan?

MJ

The current ECM, SST J. Zandona, reports directly to the Compliance Unit Sergeant, who reports to the Compliance Unit Lieutenant, who reports to the Commander. The Commander reports to the SBCJ Chief. In addition, the County has also appointed a Correctional Lieutenant to oversee the Environmental of Care

portions of the *Murray v. Santa Barbara County* Remedial Plan. Based on SBCJ's reporting structure, the ECM appears to have sufficient authority to carry out such duties as outlined in the *Murray v. Santa Barbara County* Remedial Plan.

NBJ

The current ECM, Sr. Custody Deputy J. Petterson, has delegated authority from the Compliance Unit Lieutenant, who reports to the Commander. The Commander reports directly to the SBCJ Chief. In addition, the County has also appointed a Correctional Lieutenant to oversee the Environmental of Care portions of the *Murray v. Santa Barbara County* Remedial Plan. Based on SBCJ's reporting structure, the NBJ ECM appears to have sufficient authority to carry out such duties as outlined in the *Murray v. Santa Barbara County* Remedial Plan.

6.B. Cleanliness and Sanitation of Jail Facilities

6.B.1. Sanitation Plan

The County shall establish a sanitation plan to ensure that all jail facilities maintain appropriate cleanliness. The plan shall provide for any cleaning issues requiring an established cleaning schedule and written documentation of such cleaning, including, at a minimum:

- a) Daily access to supplies and equipment for prisoners to conduct cleaning and disinfection of housing units, including floors, toilets, sinks, and showers, with a cleaning chemical that sufficiently eliminates pathogens found in living and common areas;*
- b) Weekly inspections of housing units, including floors, toilets, sinks, and showers by jail staff, with prompts steps to address identified cleaning and disinfection needs;*
- c) Daily cleaning of intake, health care clinics, kitchen, laundry, and other common areas, such as hallways and the tunnel;*
- d) Weekly cleaning of visitation rooms and classrooms, and more frequently as needed;*
- e) Biweekly (i.e., every other week) power washing of shower areas;*
- f) Weekly cleaning of cell bars, windows, and lights;*
- g) Quarterly cleaning of fans and air vents, and more frequently as necessary to ensure that they are clean and free of mold, mildew, and/or accumulation of dirt and dust.*

On August 14, 2023, the Court approved interim measures for the implementation of the *Murray v. Santa Barbara County* Remedial Plan. The stipulated order states,

Interim Measures: Defendants will ensure compliance with Remedial Plan Environmental Health and Safety requirements to the maximum extent possible while necessary physical plant remediation and/or renovation efforts are being completed,

including as follows:

- 1) Adequate Daily Cleaning Supplies for Class Members. No later than September 1, 2023, Defendants shall fully implement Remedial Plan Section VI.B.1, including with a Sanitation Plan that ensures that:
 - a) Class Members have daily access to supplies and equipment to conduct cleaning and disinfection of housing units, including floors, toilets, sinks, and showers, consistent with the findings and recommendations of the Remedial Plan Expert;
 - b) Class Members have sufficient access to types and amounts of cleaning supplies necessary to adequately clean and disinfect their living and common areas (including cleaning agents, mop heads, brushes, and sponges), consistent with the findings and recommendations of the Remedial Plan Expert. (Sept. 2022 Env't of Care Monitoring Report at 9-10.)
- 2) Required Scheduled Cleaning of Facilities. No later than September 1, 2023, Defendants will ensure, including through adequate Jail staffing (sworn or non-sworn) and inmate-worker crew staffing, that all required facility cleaning procedures (Sections VI.B.1(b)-(g)) are completed consistent with the frequencies set forth in the Remedial Plan. (Sept. 2022 Env't of Care Monitoring Report at 8-17.) Required cleaning in housing units (or other areas) will be completed based on an established schedule and will not be contingent upon when class members are participating in outdoor recreation or other activities outside of their housing unit.

Main Jail South Dorm Shower/Washing/Toilet Area. No later than February 1, 2024, Defendants shall complete a renovation of the Main Jail South Dorm shower, washing, and toilet areas to remediate environmental health and safety deficiencies identified by the Remedial Plan Experts and the County's General Services Department.

County Response:

The Cleaning/Sanitation Plan dictates daily access to all inmates to cleaning supplies with specific equipment issue identified.

Proof of compliance with these procedures is uploaded regularly by the ECM's assigned to each facility.

The County completed the South Dorm renovation on September 13, 2023.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

Analysis/Observations:

6.B.1.a *Did SBCJ establish a Sanitation Plan to ensure all jail facilities maintain appropriate cleanliness?*

County Response:

The County is in the process of fully implementing this requirement.

Analysis/Observations:

Since the last monitoring tour, the County has worked with the Expert to revise the Sanitation Plan to be consistent with the *Murray v. Santa Barbara County* Remedial Plan. The County produced the final revised version of the Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24). The Sanitation Plan is a 46-page document that includes information on the following:

- SBSO Policy and Procedures
- External References
- Definitions
- Procedures
 - General Housekeeping
 - Inmate Responsibilities
 - Inmate Worker Responsibilities
 - Sanitation Facilities
 - Waste Disposal
 - Cleaning Closets and Cleaning Carts
 - Vermin Control
 - Staff Areas
 - Inspections
- Appendixes – Mental Health Evaluation Form, Cleaning Schedules, Cleaning Checklists, Inspection Logs

The Sanitation Plan is utilized for both the MJ and NBJ.

6.B.1.b *Does the Sanitation Plan provide information for cleaning issues requiring an established cleaning schedule, and the documentation of such cleaning?*

County Response:

The County is in the process of fully implementing this requirement.

Since the last monitoring tour, the County has worked with the Expert to revise the Sanitation Plan to be consistent with the *Murray v. Santa Barbara County* Remedial Plan. The County produced the final revised version of the Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24.

The Sanitation Plan is a 46-page document that includes information for cleaning issues requiring an established cleaning schedule, and the documentation of such cleaning.

The Sanitation Plan has been revised and now contains language regarding cleaning schedules, including locations within the MJ and NBJ. The Sanitation Plan's cleaning schedules identify the locations that are required to be cleaned weekly, bi-weekly, and quarterly. The Sanitation Plan also lists the equipment and supplies/products that are utilized to clean. The Sanitation Plan also includes the requirement for staff to document the cleaning.

- a) *Does the sanitation plan include a schedule and/or instructions for incarcerated persons' daily access to supplies and equipment to conduct cleaning and disinfection of housing units, including floors, toilets, sinks, and showers, and with a cleaning chemical that sufficiently eliminates pathogens found in living and common areas?*

County Response:

The County reported they currently ensure incarcerated persons are given cleaning supplies by their module deputy every morning that consists of mops, brooms, dust pans, foxtail sweepers, sponges, bottles of Oxivir Five cleaning solution for cleaning tables, bunks, sinks, showers, and jugs of Virex II for mopping the floors. Every evening incarcerated persons are given bottles of Oxivir Five cleaning solution by property officers for additional cleaning in the evenings. Consistent with the Environmental Health and Safety Expert's recommendations, the County issued a directive related to providing supplies on the weekend. This is documented on the module deputy and property officers' daily recap. Logs have been provided to the Environmental Health and Safety Expert.

Analysis/Observations:

The County revised the Sanitation Plan with the Expert's recommendations. The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 includes instructions for incarcerated persons' daily access to supplies and equipment to conduct cleaning and disinfection of housing units and with cleaning chemicals to sufficiently eliminate pathogens found in living and common areas. The Sanitation Plan states, "Inmates will be provided with equipment and materials necessary to clean their assigned areas on a daily basis. These include (but are not limited to) mops, brooms, dustpans, foxtails, toilet brushes, sponges, and two cleaning solutions, Oxivir and Virex II (or a similar product). Supplies issued will allow inmates to conduct cleaning and disinfection of housing units and cells, which include floors, toilets, sinks, and showers."

MJ

The MJ produced Cleaning Cart Check Off Sheets for the Months of August 2023 to February 2024. The Expert noted sheets were completed during each weekday of every month. However, for the months of August 2023 to December 2023, Cleaning Cart Check-Off Sheets were not completed on weekends and holidays. There were some complaints from incarcerated persons that cleaning supplies are not provided on some weekend days.

The County also produced Module Recaps for the MJ for the Months of August 2023 to February 2024. In the review of five random days for each month, the following Recaps do not include documentation that the Module Deputy distributed cleaning supplies:

- East – 9/9/23, 9/10/23, 9/16/23, 9/24/23, 10/22/23, 10/28/23, 11/12/23, and 1/20/23
- IRC – 8/2/23, 8/6/23, 8/18/23, 9/10/23, 9/26/23, 10/9/23, 11/29/23, 12/31/23, and 2/4/23
- Northwest – 8/2/23, 8/12/23, 8/25/23, 9/3/23, 9/8/23, 10/6/23, 11/23/23, 12/10/23, and 1/12/24
- West – 8/8/23, 8/26/23, 9/30/23, 12/17/23, 12/28/23, and 1/2/24
 - (No October 2023 Recaps were produced)

During incarcerated person interviews at the MJ, most incarcerated persons informed the Expert that cleaning equipment and supplies are provided to incarcerated persons every day including weekends and holidays. However, based on the review of the Module Recaps, staff are not documenting the provision of the cleaning supplies consistently.

The MJ cleaning carts include bottles that contain a water-diluted mixture of Virex II 256 cleaner, which is a disinfectant and deodorant, and/or Oxivir Five 16, which is a one-step disinfectant cleaner. The Expert also noted the following cleaning supplies are provided; one (1) mop, one (1) broom, one (1) soft hand brush, and one (1) soft sponge, which measures approximately four (4) inches by six (6) inches.

During the incarcerated person interviews, the incarcerated persons stated the cleaning solution was not strong enough to properly clean mold, hard water, and soap build-up from the shower walls. During the onsite review, the Expert noted that numerous showers had built-up soap, hard water stains, and what appears to be mold.¹

Post tour, the County reported that Incarcerated persons are supplied with 2 diluted cleaning solutions to conduct cleaning, Virex II 256 and Oxivir five. Both cleaning solutions were chosen based on having the lowest OSHA hazard

¹ All references to mold in the report have not been verified by the Expert

category, requiring no safety warnings or personal protection equipment when properly diluted.

Virex II 256 - A one-step, quaternary-based disinfectant cleaner concentrate providing broad spectrum disinfection at 1:256 dilution. Use in healthcare and other facilities where cleaning and prevention of cross-contamination are critical. Bactericidal, virucidal and fungicidal. Kills MRSA and VRE. Meets bloodborne pathogen standards for decontaminating blood and body fluids.

Oxivir five - A one-step disinfectant cleaner based on proprietary Accelerated Hydrogen Peroxide (AHP®) technology to deliver fast, effective cleaning performance. At 1:16 dilution, disinfects in five minutes. Virucide, bactericide, fungicide, mildewcide and non-food contact sanitizer. Kills MRSA, Norovirus and Canine parvovirus. Meets bloodborne pathogen standards for decontaminating blood and body fluids.

The incarcerated persons also reported that the sponge that is provided is not sufficient to clean the soap build-up from the shower walls, and they request that a sponge with scrubbing material on one side be provided.

In the previous report, the Expert noted the soft sponges which are provided are incapable of scrubbing or cleaning mold, stubborn stains, soap, or built-up dirt. Post tour, the County reported they have conducted a trial, replacing the cleaning sponges supplied to incarcerated persons with microfiber towels. These microfiber towels were chosen as a possible replacement due to their non-scratch scrubbing ability and for the ability to be laundered and reused. Recently incarcerated persons housed in the South Module of the Main Jail were supplied with the microfiber towels and reported the towels worked well and were an improvement over the sponges. As of Monday, October 28, 2024, all sponges at the Main Jail were replaced with microfiber towels.

NBJ

The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 states, "NBJ Module Deputies will open the cleaning closet within the housing module and remove the cleaning cart for inmates to utilize. Absent exigent circumstances, the closet will remain unlocked while inmates have dayroom access. There are cleaning dispensers with a cleaning chemical that sufficiently eliminates pathogens found in common living areas. After areas are clean, the equipment and supplies will be removed and inspected by the module deputy. Inmate workers will clean and disinfect all cleaning gear before being properly stored in the sanitation closet."

However, during the onsite review, the Expert noted that with the exception of Modules A, F, and G, the cleaning supply closets were locked, and all required cleaning supplies were not available for use.

The incarcerated persons and staff reported that the cleaning closets remain locked and that staff open the closets when the module workers clean the common areas in the afternoon. Incarcerated persons have access to bottles that contain a water-diluted mixture of Waxie 143 Cleaner/Degreaser, Waxie 730 HP Disinfectant Cleaner, Waxie 210 Neutral Cleaner/Floors, and Waxie 543 Glass and Surface Cleaner. The Expert noted that the housing units were clean without any significant issues including the showers.

The Expert recommends that the incarcerated persons be provided access to the cleaning supplies during the day and not only when the module workers are cleaning the module. The cleaning cart must be made available so the incarcerated persons can clean their living quarters.

The Expert will work with the County to develop a process addressing the requirements set forth in this Remedial Plan provision and the 2023 Stipulation (at 14-15: "By September 1, 2023: (a) Class Members have daily access to supplies and equipment to conduct cleaning and disinfection of housing units, including floors, toilets, sinks, and showers, consistent with the findings and recommendations of the Remedial Plan Expert; b) Class Members have sufficient access to types and amounts of cleaning supplies necessary to adequately clean and disinfect their living and common areas (including cleaning agents, mop heads, brushes, and sponges), consistent with the findings and recommendations of the Remedial Plan Expert."),

- b) *Does the Sanitation Plan contain a schedule for jail staff to complete weekly inspections of housing units, including floors, toilets, sinks, and showers, and prompt steps to address identified cleaning and disinfection needs?*

County Response:

The County revised the Sanitation Plan to incorporate the Expert's recommendations and to implement those recommendations at both jail facilities.

Analysis/Observations:

The County revised the Sanitation Plan with the Expert's recommendations. The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24. Section I-4 states, "The facility supervising staff will inspect the jail facilities on a weekly basis to confirm that housekeeping and sanitation are satisfactory and to look for related issues not already identified by other staff. In the absence of exigent circumstances, this will be done during the weekly linen exchange. The inspection and findings will be recorded in Weekly Housing Unit Inspection logs. The Sanitation Plan Appendix includes the Weekly Housing Inspection logs for the MJ and NBJ housing units.

The Sanitation Plan Section A.1, states, "Custody Deputies will, while performing daily count and feeding, perform a cursory inspection of each housing unit within their assigned module. However, custody staff must respond to, and act on, immediate needs for cleaning or sanitation. This cursory inspection will be documented in the Daily Module Recap."

The Sanitation Plan provides directions for staff to conduct, daily cursory inspections, and in addition the Sanitation Plan includes a standardized weekly inspection process for all housing units, and includes floors, toilets, sinks, and showers, with steps to promptly address identified cleaning and disinfection needs.

The County produced completed Weekly Housing Unit Inspection logs for the MJ and NBJ for the months of August 2023 to February 2024. The Expert reviewed a randomly selected week for each month. The Expert review noted the following:

- NBJ
 - August 2023 - Week #1 – No inspection of F, H, J, and K Modules
 - September 2023 - Week #3 - No inspection of A-K Modules
 - October 2023 - Week #3 – No inspection of A-F and H-K Modules
 - November 2023 - Week #3 – No inspection of B Module
 - December 2023- Week #3 – No inspection of A-E Modules
 - January 2024 – Week #3 – No discrepancies
 - February 2024 – Week #3 – No discrepancies
- MJ
 - August 2023 - Week of 8/27/23 – No inspection of IRC Modules
 - September 2023 - Week of 9/10/23 - No inspection of South Dorm and IRC Modules
 - October 2023 - Week of 10/15/23 - No inspection of Northwest A-D Modules, South Dorm and IRC Modules
 - November 2023 - Week of 11/19/23 - No inspection of Northwest A-D Modules, East Modules, and South Dorm
 - December 2023 - Week of 12/17/23 - No inspection of West Modules, South Dorm
 - January 2024 - Week of 1/14/24 - No inspection of Northwest A-D Modules, South Dorm, and IRC Modules
 - February 2024 - Week of 2/11/24 - No inspection all Modules

During the onsite monitoring tour at the MJ, the Expert noted most showers contained mold, dirty drains, soap, and/or dirt built-up. Some toilets and sinks contained dirt and hard water build-up. Some baseboards and corners had excess dirt and grime build-up.

During the onsite monitoring tour at NBJ, the Expert noted that most all housing units toured appeared to be clean with no significant issues or concerns.

The Expert will work with the County to develop a process to address persistent cleaning deficiencies and ensure that they are promptly addressed, specifically as to:

Completion of weekly inspections at the Southern Branch Jail that effectively identify and are utilized to promptly address what appears to be mold, dirty drains, soap, and/or dirt built-up, excess dirt, grime build-up, and any other cleaning/sanitation deficiencies in all housing units, including floors, toilets, sinks, and showers.

- c) *Does the Sanitation Plan include a schedule for the daily cleaning of intake, health care clinics, kitchen, laundry, and other common areas, such as hallways and the tunnel?*

County Response:

The County revised the Sanitation Plan to incorporate the Expert's recommendations and to implement those recommendations at both jail facilities. The County anticipates Sanitation Plan training for custody staff in the next two months. Presently, the kitchen is cleaned twice a day; the kitchen crew submits a weekly cleaning document to the ECM documenting such cleaning. Big Green is contracted to clean the health care clinics weekly in the evening hours. The laundry department conducts cleaning at the end of each day, which includes wiping down countertops and washing machines, sweeping, mopping floors, and vacuuming dryer lint traps. This cleaning is documented on a Laundry Department Daily Cleaning Checklist and provided to the ECM. The County incorporated the MJ cleaning schedule into the Sanitation Plan per the Expert's recommendation. These documents were provided to the Environmental Health and Safety Expert for review.

Analysis/Observations:

The County revised the Sanitation Plan with the Expert's recommendations. The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 includes a schedule for the daily cleaning of intake, health care clinics, kitchen, laundry, and other common areas, such as hallways. The tunnel is no longer being used. The Sanitation Plan Section C-2 states, "Jail Work Crews assigned to daily, weekly, and bi-weekly sanitation duties will thoroughly clean all areas of the facilities. Duties can include but are not limited to, sweeping, mopping, vacuuming, emptying trash cans, cleaning counter areas, restocking supplies, and completing other required tasks, as directed by custody staff. The Sanitation Plan lists the following areas required to be cleaned daily:

- Intake Trailer (SBJ)
- Cells H-5, H-6, H-7, & H-8 (SBJ) document on module or property recap
- All Treatment Rooms
- SBJ
 - IRC
 - Central
 - East
 - Northwest
 - West
- NBJ
 - All housing units A-K
 - All clinics
- Dental Treatment Room (SBJ and NBJ)
- Hallways and common areas
- Laundry facility
- Kitchen

MJ

The County produced Main Jail Daily Cleaning Checklists for the months of August 2023 to February 2024. The checklists include a detailed cleaning schedule and an area for staff to log the day, date, Body# and Inmate Worker(s) Utilized for the specific locations. In review of a random sample of the checklists, staff are not consistently logging the cleaning of the locations listed in the checklist. The "Common Areas – all Hallways, Front & Back Central, South Holding are not being logged as being cleaned in more than half of the 50 checklists reviewed. For the days of 1/7/24, 1/28/24, 2/8/24, and 2/29/24, the checklists do not reflect that the Dental, Intake Trailer, & Treatment Rooms were cleaned.

The County produced Inmate Reception Center H- Cell Cleaning Logs for the Month of November and December 2023. In review of the logs, the logs only record the cleaning of the H – Cells on November 27, 2023, through November 30, 2023, and all of December 2023. There were no other logs produced. During the onsite review, the Expert noted that the H-Cell Cleaning Logs posted adjacent to the cells had missing entries.

The County produced MJ Weekly Laundry Cleaning Checklists for the Months of August 2023 to February 2024. The Expert randomly selected two (2) weeks per month and noted that the checklists reflect staff clean and/or confirm all areas reflected on the log are cleaned daily.

The County produced SBJ Kitchen Daily Cleaning / Shift Closing – Checklists for the months of August, October, November, and December 2023, January and February 2024. September 2023 checklist was not produced. In a review of the checklists, for the month of August 2023, 11 checklists were completed;

in October 2023, 18 checklists were completed; in November 2023, 31 checklists were completed; December 2023, 31 checklists were completed; January 2024, 22 checklists were completed, and for the month of February 2024, the checklists were completed every day of the month.

The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 includes a schedule for the daily cleaning of the dental/health care clinics, kitchen areas, laundry facilities, and other common areas, such as hallways. However, as noted above, staff are not completing cleaning logs for the daily cleaning of all areas required by the *Murray v. Santa Barbara County* Remedial Plan. The Expert recommends the MJ staff complete the daily cleaning logs for all locations.

The Expert noted improvements in the cleanliness of the MJ Kitchen (see picture of drain below).



During the onsite review, the Expert also noted the following discrepancies in the MJ Kitchen. The walls have dirt or food stains and need cleaning and/or painting and sinks in need of deep cleaning (see pictures below).



The Expert also noted that the drains in the Safety Cells had what appeared to be bodily waste build-up in the drains (see picture below).



The MJ Common Areas and Hallways were mostly swept, but some had debris or dirt built up in baseboards and corners. The incarcerated persons reported that the hallways adjacent to the modules are not cleaned daily. Some walls required cleaning and/or painting. Common areas, such as recreational yards, needed sweeping, cleaning, and power washing, specifically the main yard, which had birds dropping in various areas and the toilet area was dirty and littered with toilet paper (see pictures below).



NBJ

The County produced the NBJ Cleaning Log (Excel Spreadsheet). The spreadsheet includes a tab for every month. Each monthly log includes 49 specific locations with a description of the required cleaning. Some of the areas include Staff Restrooms, Intake, Lobby, Corridors, Medical Clinics, Classrooms, Exam Rooms, and Observation Cells. In a review of the checklists, the required daily cleaning of health care clinics and common areas, such as hallways, is not being conducted daily.

The County produced NBJ Weekly Laundry Cleaning Checklists for the Months of August 2023 to February 2024. The Expert randomly selected two (2) weeks per month and noted that the checklists reflect staff clean and/or confirm all areas reflected on the log are cleaned daily.

The County produced NBJ Property Recaps for August 2023 to February 2024. The Recaps include cleaning duties of the intake and medical corridors for the Property Officers. In review of five random days per month, the Property Officers consistently clean and log the cleaning of the intake area.

The County produced NBJ Kitchen Daily Cleaning / Shift Closing – Checklists for the months of August 2023 to February 2024. In review of the checklists, that the checklists were completed every day of the month.

During the onsite review, the Expert noted the three transportation holding cells with green mildew in the toilets (see picture below). Post tour, the County reported a Cleaning Log has been initiated to capture cleaning of cells in the Transportation Corridor. The County also produced the “NBJ Transportation Cleaning Log that reflects 26 entries for the months of August to October 2024.



The laundry facilities appeared clean, with no significant issues or problems observed.

The Intake area appeared clean, with no significant issues or problems observed.

The Health Services and medical/mental health housing appeared clean, with no significant issues observed.

The kitchen is cleaned by incarcerated persons/kitchen workers after meals are cooked and served. No significant issues or problems were observed in this area.

The common areas and hallways were swept and clean. No significant issues or problems were observed.

The Expert will work with the County to develop and implement a process to address cleaning deficiencies in the transportation holding cells, with a focus on daily cleaning of the toilets. Post tour, the County reported that a Cleaning Log has been initiated to capture cleaning of cells in the Transportation Corridor.

- d. *Does the Sanitation Plan include a schedule for the weekly cleaning of visitation rooms and classrooms, and more frequently as needed?*

County Response:

The lobby crew cleans the visitation rooms and classrooms at least once per week and as needed. Documents reflecting this cleaning schedule were provided to the Environmental Health and Safety Expert for review.

Analysis/Observations:

The County revised the Sanitation Plan with the Expert's recommendations. The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 lists the following areas required to be cleaned weekly (or more frequently as needed:

- All visitation and Court Video (SBJ and NBJ)
- Any classrooms currently in use (SBJ and NBJ)

MJ

The County produced Main Jail Cleaning Checklists for the months of August 2023 to February 2024. The checklists include a detailed cleaning schedule and an area for staff to log the day, date, Body# and Inmate Worker(s) Utilized for the specific locations. In a review of a random weekly sample of the checklists, staff is not consistently logging the cleaning of the visitation areas for the weeks of 11/12/23 and 1/7/24.

The Expert recommends the MJ log the weekly cleaning of all visitation locations weekly and more frequently as necessary, as required by the *Murray v. Santa Barbara County* Remedial Plan.

The Expert noted the Main Visiting Room appeared clean with no significant issues or problems. The Northwest Visiting appeared clean, with no significant issues or problems.

The Expert noted all PV rooms appeared clean with no significant issues or problems.

NBJ

The County produced the NBJ Cleaning Log (Excel Spreadsheet). The spreadsheet includes a tab for every month. Each monthly log includes specific locations with a description of the required cleaning. Some of the areas include: Staff Restrooms, Intake, Lobby, Corridors, Medical Clinics, Classrooms, Visitation Rooms, Exam Rooms, and Observation Cells. In review of the checklists, the required weekly cleaning of visitation rooms and classrooms is being conducted weekly.

During the onsite review, the Expert noted no problems or issues in the NBJ visiting rooms or classrooms.

- e. *Does the Sanitation Plan include a schedule for the bi-weekly power washing of shower areas?*

County Response:

A County maintenance utility worker supervises inmate workers who power wash the module shower areas during the modules scheduled yard time. This is documented in the biweekly shower power washing log. The County incorporated the Expert's recommended edits to the shower power washing

log and maintains a power washing schedule independent of the yard schedules.

Analysis/Observations:

The County revised the Sanitation Plan with the Expert's recommendations. The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 includes a schedule for the bi-weekly power washing of shower areas.

The Sanitation Plan lists the following areas required to be cleaned biweekly:

Power washing all showers (SBJ and NBJ) will be documented on the Jail Bi-Weekly Shower Power Washing Checklist (Appendix, SBJ Attachment 6, NBJ Attachment 7). Utility workers will conduct the biweekly cleaning and will document it appropriately.

MJ

The County produced a "Biweekly Module Shower Power Washing Log" for the months of November 2023 to February 2024. A review of the Biweekly Module Shower Power Washing Logs reflects that in all months, the showers listed on the logs were not power washed biweekly.

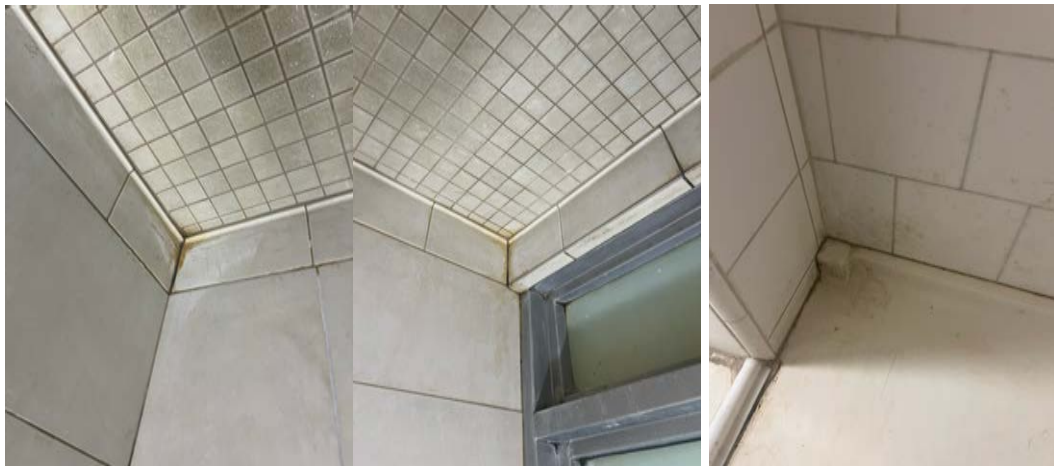
During the onsite review, the Expert was informed that the power washing of showers is not being conducted on all showers as a result of staffing concerns. The County reported that Utility Officer positions have been vacant and in addition the power washer has been out-of-service and need of repair.

During the onsite review, the Expert observed showers in various housing units with mold, mildew, and soap or dirt build-up. Some showers appeared as if they had not been power-washed for an extended period of time (see pictures below).

Northwest



South Dorm and South Tank



East - 1



East – 24



IRC



The incarcerated persons interviewed reported that the showers are not being power washed bi-weekly.

The Expert recommends that showers be power washed at a minimum bi-weekly as required by the *Murray v. Santa Barbara County* Remedial Plan. The Expert also recommends that the County hire sufficient staff to conduct the required cleaning and ensure the necessary equipment is available to conduct the required power washing. The Expert also recommends the County consider modifying the process for conducting power-washing by allowing incarcerated persons who reside in the module to conduct the power-washing (provide the hose and nozzle through the module grills).

The 2023 Stipulation requires that "no later than September 1, 2023, Defendants will ensure, including through adequate Jail staffing (sworn or non-sworn) and inmate-worker crew staffing, that all required facility cleaning procedures (Sections VI.B.1(b)-(g)) are completed consistent with the frequencies set forth in the Remedial Plan." This includes the requirement to conduct bi-weekly power washing of all shower areas. The County is not meeting the requirement at the SBJ.

NBJ

The County produced a "Biweekly Module Shower Power Washing Log" for the months of August 2023 to February 2024. A review of the Biweekly Module Shower Power Washing Logs reflects that in some months, the showers listed on the logs were not power washed biweekly. Some of the months include August 2023 (C, D, E, F, H, and M Modules), September 2023 (M Module), October 2023 (all Modules), November 2023 (C Module), and January 2024 (F, G, J, K and M Modules).

The Expert noted NBJ is completing some power washing of the showers; however, as reflected in the logs, the bi-weekly power washing is not consistently being completed for all housing unit shower areas.

The Expert recommends that the County conduct and document the housing unit shower power washing as required by the *Murray v. Santa Barbara County* Remedial Plan.

The County is not meeting the requirement at the NBJ.

- f. *Does the Sanitation Plan include a schedule for the weekly cleaning of cell bars, windows, and lights?*

County Response:

A County maintenance utility worker supervises inmate workers who clean cell bars, windows, and lights during the module's scheduled yard time. This is

documented in the weekly cleaning log for cell bars, windows, and lights. The County incorporated the Expert's recommended edits to the log for these areas. These documents were provided to the Environmental Health and Safety Expert for review. Per the Expert's recommendation, the County maintains a cleaning schedule independent of the yard schedules and incorporated cleaning schedule into the Sanitation Plan.

Analysis/Observations:

The County revised the Sanitation Plan with the Expert's recommendations. The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 includes a schedule for the weekly cleaning of cell bars, windows, and lights.

The Sanitation Plan lists the following areas required to be cleaned weekly:

SBJ utility workers will conduct cleaning of cell bars, windows, and lights. The cleaning will be documented on the Weekly Cleaning Log of Cell Bars, Windows, and Lights found on (Appendix, Attachment 5). The Schedule for cleaning all housing cell bars, windows, and lights at SBJ is found on (Appendix, Attachment 5a). NBJ inmates will conduct cleaning of the housing unit windows and lights as part of their daily cleaning.

MJ

The County produced a "Weekly Cleaning Log of Cell, Bars, Windows, and Lights for the months of November 2023 to February 2024." In a review of the logs, the Expert found that staff does not consistently log the cleaning of cell bars, windows, and lights.

Although there were no major discrepancies noted during the monitoring tour, the Expert recommends the County conduct and document the weekly cleaning of cell bars, windows, and lights as required by the *Murray v. Santa Barbara County* Remedial Plan.

NBJ

The County reports that the NBJ does not have cell bars. Additionally, the County reports the windows and lights are cleaned by the incarcerated persons when they come out for dayroom.

- g. *Does the Sanitation Plan include a schedule for the quarterly cleaning of fans and air vents, and more frequently as necessary to ensure that they are clean and free of mold, mildew, and/or accumulation of dirt and dust?*

County Response:

A County maintenance utility worker supervises inmate workers who clean fans and air vents quarterly. This is documented in the quarterly cleaning log for air vents and fans. These documents were provided to the Environmental Health and Safety Expert for review. The County will update the Sanitation Plan to reflect this requirement. As indicated above, the County anticipates completing this provision in the next two months.

Analysis/Observations:

The County revised the Sanitation Plan with the Expert's recommendations. The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 includes a schedule for the quarterly cleaning of fans and air vents, and more frequently as necessary to ensure that they are clean and free of mold, mildew, and/or accumulation of dirt and dust.

The Sanitation Plan lists the following areas required to be cleaned quarterly (more frequently as necessary):

"All fans (SBJ) are cleaned as part of preventative maintenance. Preventative maintenance work orders are generated quarterly by the Maintenance Connection Software. SBJ work orders are assigned to the utility worker to complete the cleaning. The completion of the work order is entered into the Maintenance Connection Software.

All air vents (SBJ and NBJ) are cleaned as part of preventative maintenance. Preventative maintenance work orders are generated quarterly by the Maintenance Connection Software. NBJ air vent work orders and cleaning are completed by General Services. SBJ work orders are assigned to the utility worker to complete the cleaning. The completion of the work order is entered into the Maintenance Connection Software.

New East Restrictive Housing Negative Air Flow Cells (SBJ) are cleaned as part of preventative maintenance. Preventative maintenance work orders are generated quarterly by the Maintenance Connection Software. SBJ work orders are assigned to the utility worker to complete the cleaning. The completion of the work order is entered into the Maintenance Connection Software.

When identified by staff or inmates, more frequent cleaning of air vents and fans will be conducted as necessary to ensure that they are clean and free of mold, mildew, and/or accumulation of dirt and dust".

MJ

The MJ Santa Barbara County Jail Quarterly Air Vent and Fan Cleaning Logs for the 4th Quarter of 2023 and the 1st Quarter of 2024. The logs do not reflect that all air vents and fans were cleaned quarterly.

During the tour, the Expert noted some air vents were clean; some cell vents appeared to be dusty and covered with paper (see pictures below). Hallway fans in the housing units appeared to be clean. During the incarcerated person interviews, incarcerated persons complained that some modules have little or no circulation, and the vents are not cleaned on a quarterly basis.

Incarcerated persons, particularly in the East, West, and Back Central housing units at the Southern Branch Jail, reported that fans and vents are very rarely, if ever, cleaned, and there is what appears to be mold, mildew, and/or accumulation of dirt and dust on the vents. The Expert noted a few vents were dirty and appeared they had not been cleaned. The Expert further noted numerous Inmate Grievance Forms for low air circulation from vents were submitted during the rating period.

Kitchen and East 24



The Expert recommends the County conduct and document the quarterly cleaning of fans and air vents as required by the *Murray v. Santa Barbara County* Remedial Plan.

The Expert will work with the County to develop and implement a process to address persistent deficiencies with respect to *cleaning of the fans and air vents*, particularly at the SBJ. This includes documentation and quality assurance as to the required quarterly cleaning, and as to timely action taken when staff or incarcerated persons identify a need for more frequent cleaning to ensure that all fans and air vents are clean and free of mold, mildew, and/or accumulation of dirt and dust.

NBJ

County Response:

The NBJ does not have fans. The air vents are on preventative maintenance that is created by Maintenance Connection for General Services to handle.

Analysis/Observations:

During the onsite review, the Expert did not note or identify issues or problems with air vents. During interviews, incarcerated persons did not report any problems with air ventilation and cleanliness.

Interim Measures: Adequate Daily Cleaning Supplies for Class Members

The County is not in compliance with the August 14, 2023, stipulated order, and the Court approved interim measures for the implementation of the *Murray v. Santa Barbara County* Remedial Plan.

- Class Members do not have daily access to supplies and equipment to conduct cleaning and disinfection of housing units, including floors, toilets, sinks,
- Class Members do not have sufficient access to types and amounts of cleaning supplies necessary to adequately clean and disinfect their living and common areas. The type of sponges provided are not sufficient to clean the showers and toilets.
- There is insufficient Jail staffing (utility workers) to ensure the required cleaning (power washing) is completed based on the established schedule.

As noted above, will work with the County to develop and implement a process to address persistent deficiencies with respect to *cleaning of the fans and air vents*, particularly at the SBJ.

The renovation of the Main Jail South Dorm shower, washing, and toilet areas were completed on September 13, 2023. The Expert confirmed this during the onsite inspection.

The Expert recommends that the County implement the Expert's recommendations in the sections above.

6.B.2. Orientation

6.B.2. *Upon intake, the County shall provide prisoners an orientation regarding the jail's expectations and procedures for cleanliness, elimination of clutter, and proper use of personal property containers.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County is in the process of fully implementing this requirement. In March 2022 and again in September 2022, the County revised the Inmate Orientation Handbooks. These documents are provided to every inmate prior to housing at both facilities and notated in JMS when provided. These documents have been provided to the Expert for review. The County is working on creating an orientation video that reinforces the components of this requirement. The County anticipates completing the orientation video within the next four months.

Analysis/Observations:

As part of document production, the County produced a copy of the Santa Barbara County Jail Custody Operations Orientation Handbook (Revised August 2023). The Handbook addresses cleanliness, elimination of clutter, and the proper use of personal property containers. The County also produced a copy of the Northern Branch Jail Orientation Video. The video does not address cleanliness, elimination of clutter, and the proper use of personal property containers.

The County also produced Custody Operations Orientation Handbook Distribution Reports for April 23, 2024, to April 30, 2024. In review of the reports, numerous entries that do not reflect a Handbook was issued to the incarcerated person. Based on this process being recently implemented, the Expert will monitor this process in the next monitoring period.

MJ

During the onsite review, the Expert noted that some incarcerated persons continue to own excessive amounts of personal property, which they are unable to fit in their issued property box. During interviews, some incarcerated persons complained that the property boxes provided are too small and that it is impossible to store all their personal belongings in them, specifically consumable commissary. The Expert noted some of the living area rules and conditions of cells outlined in the "Custody Operations Orientation Handbook" appear to not be enforced, such as rules related to excessive property, cleanliness, and obstructing vents, lights, and windows.

During interviews, the Expert was informed by newly arrived incarcerated people that they were only provided a rulebook and not provided an orientation regarding expectations and procedures for cleanliness, elimination of clutter, and proper use of personal property containers.

The Expert recommends that the County develop an orientation video that includes the jail's expectations and procedures for cleanliness, elimination of clutter, and proper use of personal property containers.

NBJ

During interviews, the Expert was informed by newly arrived incarcerated people that they were only provided a rulebook and not provided an orientation regarding expectations and procedures for cleanliness, elimination of clutter, and proper use of personal property containers.

The Expert recommends that the County develop an orientation video that includes the jail's expectations and procedures for cleanliness, elimination of clutter, and proper use of personal property containers.

In the previous report, the Expert recommended that SBCJ staff review whether the issued property containers could adequately store the personal and County property issued to incarcerated persons (e.g., clothing, footwear, documents, etc.) including commissary items. Such a step may facilitate adequate cleanliness and sanitation in the housing units, in particular dorm units that are quite crowded. The Expert again recommends that the County consider shifting to the use of an adequately sized storage container that will allow incarcerated persons to store the County and personal property they are allowed to retain. This change requires minimal financial or staff resources and would be a cost-effective measure towards successful implementation of Remedial Plan provisions on cleanliness and sanitation.

6.B.3. Incarcerated Persons Who are Unable or Unwilling to Adequately Clean

6.B.3. The County shall establish a procedure to maintain cleanliness in housing areas where a prisoner is unable or unwilling to adequately clean. Where prisoners are expected to participate in cleaning, staff shall ensure appropriate assistance to people with mental illness, intellectual and developmental disabilities, or other special needs.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County is in the process of fully implementing this requirement. The County is currently creating a viable tracking system to monitor inmates that are unable or unwilling to maintain sanitary living conditions, or where staff has provided assistance. Proof of practice in restrictive housing logs and ADA tracking systems have been provided to the Environmental Health and Safety Expert for

review. The County anticipates completing the components of this requirement within three months.

Analysis/Observations:

6.B.3.a. *Did the SBCJ establish procedures to maintain cleanliness in housing areas where an incarcerated person is unable or unwilling to adequately clean?*

In the previous monitoring report, the Expert noted Custody Operations – Policy and Procedures Manual 362, Inmate Clothing and Personal Hygiene (draft) states, *“Inmates who refuse or appear unable to maintain cleanliness of their living areas must be referred to mental health for assessment and services.”*

Section A: General Housekeeping. A-1. of the Cleaning Responsibilities – Custody Staff states, “Where an inmate is expected to clean, staff shall ensure appropriate assistance for those inmates with disabilities. If an inmate refuses to participate in cleaning, or is unwilling or unable, and the refusal is believed to be due to a mental health issue, a mental health referral shall be submitted, and staff shall ensure the cell is cleaned and sanitized.”

The County is currently creating a viable tracking system to monitor inmates that are unable or unwilling to maintain sanitary living conditions or where staff has provided assistance.

MJ

Although outside the rating period, the County produced two (2) Mental Health Evaluation Forms where custody staff referred incarcerated persons to Wellpath clinicians based on the incarcerated persons' unwillingness to adequately clean their person and cell. The cases were evaluated by mental health staff. During the onsite monitoring tour, the Wellpath clinicians reported that custody staff refers these cases for evaluation, and upon receipt of the evaluation request, the clinicians conduct a face-to-face encounter/evaluation.

NBJ

The County produced J/K/M Unit Recaps for the dates of August 4, 2023, September 6, 2023, September 7, 2023, November 20, 2023, December 6, 2023, and January 27, 2024. The Recaps reflect the following:

- August 4, 2023 – Cleaned K-05 XXXX cell. Given a new mattress and clothing.
- September 6, 2023 – We tried to get XXXX to come out of his cell so we can clean it. XXXX refused. CDII XXXX also tried and XXXX refused again. Mental health came to K unit to get XXXX to come out so we can clean his cell and he refused.

- September 7, 2023 – XXXX Cell K-07 refused to shower and come out of cell so his cell can be cleaned. Mental health evaluation request form was filled out and put in mental health's mailbox.
- November 20, 2023 – I removed Inmate XXXX, from K-07 to the shower to clean his cell. I collected and threw away all his trash and collected all his dirty linen and re issued clean linen and a new mattress. I also gave him a fish kit with no razor and a few commissary items to motivate him to clean himself while he was in the shower. He went to the shower and returned to his cell with no incident.
- December 6, 2023 – XXXX removed from cell to take a shower, new linen provided. M-Unit shower utilized to not disturb J/K inmates.
- January 27, 2024 – Cleaned out K06 with inmate workers because XXXX cell was in bad condition, with trash and accumulated wet newspapers. Video and picture of XXXX cell were taken before cleaning was done.

6.B.3.b Do the procedures provide direction to staff to ensure appropriate assistance is provided to incarcerated persons who are expected to participate in cleaning and have a mental illness, intellectual and developmental disabilities, or other special needs?

In the previous report, the Expert noted the Custody Operations - Policy and Procedures Manual 362, Inmate Clothing and Personal Hygiene (draft) states, *"Inmates who refuse or appear unable to maintain cleanliness of their living areas must be referred to mental health for assessment and services."* Additionally, the Expert noted Custody Operations – Policy and Procedures Manual 362, Inmate Clothing and Personal Hygiene (draft) states, *"Deputies shall assist inmates with cleaning of their cells if the inmate appears unable or unwilling to adequately clean. Deputies shall ensure appropriate assistance is provided to people with mental illness, intellectual or developmental disabilities or other special needs or who requires accommodations. Further direction regarding this is provided in the Sanitation Plan."*

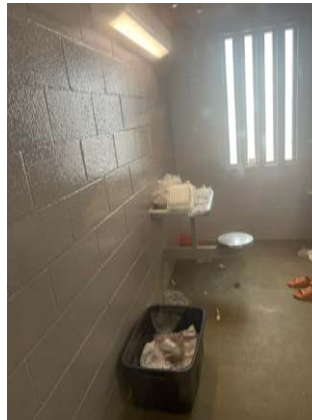
The County revised the Sanitation Plan with the Expert's recommendations. The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 Section A-1 states, *"Where an inmate is expected to clean, staff shall ensure appropriate assistance for those inmates with disabilities. If an inmate refuses to participate in cleaning, or is unwilling or unable, and the refusal is believed to be due to a mental health issue, a mental health referral shall be submitted, and staff shall ensure the cell is cleaned and sanitized."*

MJ

During the onsite review, the Expert interviewed four (4) housing unit staff/Deputies to identify what they would do in cases where an incarcerated person was unable to clean their cell or living area due to the incarcerated person's disability (mental illness, developmental disability, or other special

needs). All staff interviewed stated they would remove the incarcerated person from their cell and clean the cell or have an incarcerated cleaning crew clean the cell or living area. The Wellpath clinician also reported that they would go to the cell with custody staff and ensure the cell was cleaned.

During the onsite review, the Expert only observed two cells in the IRC with some clutter and garbage (see picture below). However, the garbage was only food containers from two (2) meals.



NBJ

During the onsite review, the Expert did not observe significant problems or concerns related to dirty and unclean cells.

The Expert noted that SBCJ updated "Custody Operations - Policy and Procedures Manual 362, Inmate Clothing and Personal Hygiene" to include procedures for staff to provide appropriate assistance to incarcerated persons who are expected to participate in cleaning and have a mental illness, intellectual and developmental disabilities, or other special needs.

6.B.4. Policy and Procedures for Cleaning, Disinfection, Distribution, and Repair of Mattresses

6.B.4. The County shall develop and implement a policy and procedure for effective cleaning, disinfection, distribution, and repair of mattresses. The policy shall provide a process for inspection and replacement of all frayed and cracked mattresses that cannot be disinfected sufficiently to eliminate harmful bacteria.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Substantial Compliance

The County is in substantial compliance with this provision and have maintained substantial compliance for a period of at least six (6) months. Based on this, the Expert recommend this provision be designated as Suspension of Monitoring.

Analysis/Observations:

6.B.4.a *Did the SBCJ develop and implement a policy and procedure(s) for effective cleaning, disinfection, distribution, and repair of mattresses?*

The Custody Operations – Policy and Procedures Manual 362, Inmate Clothing and Personal Hygiene (draft) states, "All inmates shall be provided with a clean and serviceable mattress upon housing. Any mattresses that are in need of repair or replacement shall be replaced with another clean and serviceable mattress upon request. When an inmate is initially housed within a jail facility, they will be provided with a new inmate orientation card in which they will acknowledge that they have received a clean mattress. If an inmate advises a deputy that their mattress is not clean, the deputy shall ensure that a clean and serviceable mattress is provided to the incarcerated person. The deputy shall then have the incarcerated person acknowledge that they received a clean and serviceable mattress on the new inmate orientation card."

MJ

The County produced Santa Barbara County Jail New Inmate Orientation Cards for the Months of August 2023 to February 2024 (more than 150 per month). The orientation card has a checkbox for the incarcerated person to acknowledge receipt of a serviceable mattress. The Orientation Card states, "I received a clean serviceable mattress". A random sample of 50 orientation cards reflects the incarcerated person's acknowledged receipt of a clean, serviceable mattress.

The County also produced a PowerPoint presentation titled "The Cleaning of Mattresses, Property Boxes and Empty Cells." The Expert reviewed the PowerPoint presentation and noted that training includes the process for inspecting mattresses for damage, cleaning mattresses, and the workflow to follow when mattress are damaged and need of repair/replacement.

NBJ

The County reported that at NBJ, the New Inmate Orientation Card is on a sheet of paper, which is filled out and given to Records. Records place it in the incarcerated persons folder. Once the incarcerated person is released, their file is scanned into JMS.

The Expert recommends that the County establish a process to archive the Orientation Cards as the MJ does. This will allow the Expert to measure the County's compliance with this provision.

6.B.4.b *Does the policy provide a process for inspection and replacement of all frayed and cracked mattresses or mattresses that cannot be disinfected sufficiently to eliminate harmful bacteria?*

The Mattress Cleaning section of the "Custody Operations – Policy and Procedures Manual 362, Inmate Clothing and Personal Hygiene (draft), states, "For mattresses that are in need of repair or replacement, the Property Officer will deliver the affected mattresses to the Laundry Coordinator. The Laundry Coordinator will inspect and repair or replace any frayed or cracked mattresses that cannot be disinfected sufficiently to eliminate harmful bacteria."

MJ

During the onsite review, the Expert noted the Main Laundry Room contains a location to repair mattresses. Torn or frayed mattress covers are removed and replaced with newly sown vinyl covers.

NBJ

The NBJ staff reported that any mattress that is frayed and cracked is determined to be unusable and is replaced.

6.B.5. Provision of Clean and Serviceable Mattress

6.B.5. The County shall ensure that newly arrived prisoners receive a clean and serviceable mattress. Mattresses shall be cleaned and disinfected anytime they are assigned to a different prisoner or when there is a biohazardous or bloodborne incident involving the mattress.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County has developed cleaning procedures for mattresses, property boxes, and the cleaning of empty cells. The ECM has developed training for staff to implement and document these procedures. The training material was sent to all squads for the training of all staff, with instructions to document attendance. This information will be provided to the Environmental Health and Safety Expert for review. The County has incorporated these requirements into the Custody Operations Inmate Clothing and Personal Hygiene Policy (Section 362). These procedures were covered in the PowerPoint training on this topic; staff attendance was documented on training logs. Additionally, records of mattress cleaning are maintained in the daily property recaps, and the training video has been provided to the Environmental Health and Safety Expert. Additionally, the County has updated its policies to include a process for incarcerated persons to be provided a clean and serviceable mattress. Per policy, when an inmate is initially housed within a jail facility, they will be provided with a new inmate orientation card in which they will acknowledge they received a clean mattress.

If the inmate advises a deputy that their mattress is not clean, the deputy shall ensure a clean and serviceable mattress is provided.

Analysis/Observations:

The Custody Operations – Policy and Procedures Manual 362, Inmate Clothing and Personal Hygiene (draft), states, "All incarcerated persons will be provided with a clean and serviceable mattress upon housing. Any mattresses in need of repair or replacement shall be replaced with another clean and serviceable mattress upon request. When an inmate is initially housed within a jail facility, they will be provided with a new inmate orientation card in which they will acknowledge they received a clean mattress. If the inmate advises a deputy that their mattress is not clean, the deputy shall ensure a clean and serviceable mattress is provided. The deputy shall then have the incarcerated person acknowledge they received a clean and serviceable mattress on the new inmate orientation card."

MJ

The County produced Santa Barbara County Jail New Inmate Orientation Cards for the Months of August 2023 to February 2024 (more than 150 per month). The orientation card has a checkbox for the incarcerated person to acknowledge receipt of a serviceable mattress. The orientation card states, "I received a clean serviceable mattress". A random sample of 50 orientation cards reflects the incarcerated person's acknowledged receipt of a clean, serviceable mattress.

During interviews, the Expert interviewed 26 incarcerated persons. Of the 26 incarcerated persons, 11 incarcerated persons arrived during the rating period or prior to the tour. All 11 incarcerated persons stated their mattress was clean, and two reported their mattress was too thin.

NBJ

County Response:

At NBJ, the New Inmate Orientation Card is on a sheet of paper, which is filled out and given to Records. Records places it in the incarcerated persons folder. Once the incarcerated person is released, their file is scanned into JMS.

Analysis/Observations:

During interviews, the Expert interviewed 13 incarcerated persons. Of the 13 incarcerated persons, three (3) arrived during the rating period, or prior to the tour. All incarcerated persons stated they received a clean mattress.

The Expert noted the SBCJ policy and procedures have been updated and includes a process for incarcerated persons to be provided a clean and

serviceable mattress. Per policy, when an inmate is initially housed within a jail facility, they will be provided with a new inmate orientation card in which they will acknowledge they received a clean mattress. If the inmate advises a deputy that their mattress is not clean, the deputy shall ensure a clean and serviceable mattress is provided.

It is Class Counsel's position that prior to a Substantial Compliance designation, and while giving the County credit for its positive accomplishments in ensuring provision of clean mattresses to class members, consideration and discussion must be given to whether the current mattresses are truly "serviceable" for use by the jail population. "Serviceable" means that the mattress is "fit for use" or "of adequate quality," or is "fulfilling its function adequately." It is Class Counsel's strong impression that the current SBCJ mattresses are not "serviceable" for the incarcerated population. Class members very frequently complain that the mattresses are extremely thin and do not provide sufficient support to allow for sleep. Requests for double mattresses are exceedingly common. People with mobility disabilities and certain medical conditions are most likely to experience pain or difficulty.

It is the County's position that mattresses at the facility are serviceable. Property staff inspect mattresses prior to issuance and send any mattresses to laundry to be reskinned as needed to ensure that they are serviceable. While not required by the Remedial Plan, when replacing an unserviceable mattress, the County has been purchasing replacement mattresses that are thicker than the previously purchased mattresses (most recently, 4 inches). However, the current mattresses meet correctional standards, and have been deemed 'serviceable' since the inception of this Remedial Plan. Currently, there is a standing process for the issuance of a double mattress through the MTO Process. There are 26 incarcerated persons (total) on the ADA Tracker, who have been medically vetted for the issuance of a second mattress. The County reported the following procedures are in place for mattress inspections:

SBJ - When an incarcerated person is released from custody, his or her mattress is brought to the Property Room to be cleaned and inspected for damage by property Staff. If the mattress is damaged in any way it is sent to the Laundry Department to be repaired or disposed of.

NBJ – The NBJ does not repair mattresses. When an incarcerated person is released from custody, the mattress is cleaned and inspected in place. If the mattress is damaged in any it is disposed of and replaced with a new mattress.

The County also reported that currently at the SBJ, only incarcerated person workers housed in East 23 (laundry workers), Northwest Restricted Housing 11 – 24 (kitchen workers), and incarcerated persons with an ADA MTO are issued a 4" mattress. Additionally, at the NBJ, all mattresses that are issued are the green 3 - 4" mattresses. At the SBJ, currently there are 118 new 4" mattresses on hand and the County has ordered another 100 from Santa Clara County

Sheriff's Office. When the 100 mattresses arrive, the County will devise a plan to begin distributing them into the MJ.

The Expert notes that the planned increase in 4" mattress availability is a positive development. The Expert recommends that the County consider rolling out the newer 4" mattresses for all incarcerated persons as other California County Jail systems have done. This will reduce incarcerated person requests and disability accommodation requests. The Expert also recommends that the County establish a process to archive the NBJ Orientation Cards as the MJ does. This will allow the Expert to measure the County's compliance with this provision. Although the Expert finds the County in Substantial Compliance with this provision, the Expert will monitor this under the B.5 provision.

6.B.6. Procedure to clean cell prior to Placement in Cell

6.B.6. The County shall establish procedures so that a cell is cleaned prior to a prisoner's placement in that cell.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County has established procedures to ensure a cell is cleaned prior to a prisoner's placement in that cell, which will be incorporated into the Sanitation Plan. Compliance is audited through weekly collection of new inmate orientation card.

Analysis/Observations:

6.B.6.a. Does the SBCJ establish procedures so that a cell is cleaned prior to an incarcerated person's placement in that cell?

The "Custody Operations – Policy and Procedures Manual 362, Inmate Clothing and Personal Hygiene (draft) states, "All individual cells (to include restrictive housing cells, observation cells, safety cells) shall be cleaned prior to placing another inmate into a cell previously occupied by another inmate. Multiple occupancy cells will be cleaned on an as-needed basis as the occupants routinely maintain cell cleanliness with provided cleaning supplies. Cleaning and sanitation schedules and procedures are located in the Sanitation Plan." The policy also states, "Inmates that are housed in non-population (two or more persons per cell) housing units will be provided with a new inmate orientation card that they sign upon receiving a cell that is clean. If an inmate advises a deputy that their cell is not clean, the deputy shall ensure that the cell is cleaned by cleaning the cell themselves, by utilizing an inmate worker(s) to clean the cell, or by providing sufficient cleaning supplies to the inmate if the inmate is

amenable to that. Following this, the module deputy shall attempt to obtain a signature on the new inmate orientation card acknowledging that their cell was clean."

MJ

The County produced Santa Barbara County Jail New Inmate Orientation Cards for the Months of August 2023 to February 2024 (more than 150 per month). The orientation card has a checkbox for the incarcerated person to acknowledge the cleanliness of cell was acceptable. The orientation card states, "The cleanliness of my cell was acceptable." A random sample of 50 orientation cards reflect the incarcerated person acknowledged the cleanliness of their cell was acceptable.

During interviews, the Expert interviewed 26 incarcerated persons. Of the 26 incarcerated persons, two (2) reported their cell was not clean prior to their placement in the cell.

NBJ

The County reported that at NBJ, the New Inmate Orientation Card is on a sheet of paper, which is filled out and given to Records. Records places it in the incarcerated persons folder. Once the incarcerated person is released, their file is scanned into JMS.

During interviews, the Expert interviewed 13 incarcerated persons. Of the 13 incarcerated persons, one (1) reported his cell was not clean prior to his placement in the cell.

The Expert recommends that the County establish a process to archive the Orientation Cards as the MJ does. This will allow the Expert to measure the County's compliance with this provision.

6.B.6.b *Does SBCJ have documentation and or verification of cell cleaning prior to an incarcerated person's placement in that cell?*

The Custody Operations – Policy and Procedures Manual 362, Inmate Clothing and Personal Hygiene (draft) states, "All individual cells (to include restrictive housing cells, observation cells, safety cells) shall be cleaned prior to placing another inmate into a cell previously occupied by another inmate. Multiple occupancy cells will be cleaned on an as needed basis as the occupants routinely maintain cell cleanliness with provided cleaning supplies. Cleaning and sanitation schedules and procedures are located in the Sanitation Plan." The policy also states, "Inmates that are housed in non-population (two or more persons per cell) housing units will be provided with a new inmate orientation card that they sign upon receiving a cell that is clean. If an inmate advises a deputy that their cell is not clean, the deputy shall ensure that the cell is cleaned by cleaning the cell themselves, by utilizing an inmate worker(s) to clean the cell

or by providing sufficient cleaning supplies to the inmate if the inmate is amenable to that. Following this, the module deputy shall attempt to obtain a signature on the new inmate orientation card acknowledging that their cell was clean."

MJ

The County produced Santa Barbara County Jail New Inmate Orientation Cards for the Months of August 2023 to February 2024 (more than 150 per month). The orientation card has a checkbox for the incarcerated person to acknowledge the cleanliness of cell was acceptable. The orientation card states, "The cleanliness of my cell was acceptable." A random sample of 50 orientation cards reflects the incarcerated person acknowledged the cleanliness of their cell was acceptable.

During interviews, the Expert interviewed 26 incarcerated persons. Of the 26 incarcerated persons, two (2) reported their cell was not clean prior to their placement in the cell.

NBJ

The County reported that at NBJ, the New Inmate Orientation Card is on a sheet of paper, which is filled out and given to Records. Records places it in the incarcerated persons folder. Once the incarcerated person is released, their file is scanned into JMS. Post tour, the County produced one (1) Inmate Orientation Card. The County reported that the NBJ Inmate Orientation Cards are being reinitiated whenever an incarcerated person is rehoused to another location. The County must demonstrate that a system and practice is in place during future monitoring.

During interviews, the Expert interviewed 13 incarcerated persons. Of the 13 incarcerated persons, one (1) reported his cell was not clean prior to his placement in the cell.

The Expert recommends that the County establish a process to archive the Orientation Cards as the MJ does. This will allow the Expert to measure the County's compliance with this provision.

6.B.7. Cleaning and Disinfection of Plastic Beds

6.B.7. The County has committed to ensuring that each prisoner is assigned and provided a bed, as set forth in the Custody Operations/Segregation Remedial Plan. Until such remedial provision is fully implemented, where the County uses plastic beds, or "boats," the County shall ensure that they are cleaned and disinfected anytime they are assigned to a different prisoner or when there is a biohazardous or bloodborne incident involving the mattress or boat.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Substantial Compliance

The County is in substantial compliance with this provision and have maintained substantial compliance for a period of at least six (6) months. Based on this, the Expert recommend this provision be designated as Suspension of Monitoring.

Analysis/Observations:

In the previous report, the Expert noted that SBCJ indicated they were committed to discontinuing the use of plastic beds or "boats." The County reported the plastic bed or "boats" have not been utilized since the onset of the COVID-19 pandemic. However, SBCJ drafted a policy on the use of "boats" if unforeseen circumstances require their use.

The SBCJ Custody Operations-Policy and Procedures Manual 305. Cell Bed Assignments states, *"At the Main Jail, there are plastic temporary bunks which may only be utilized in the case of emergency or an unforeseen situation in which additional temporary housing is needed. If a plastic bunk is utilized, the bunk must be cleaned and disinfected prior to being issued to any inmate or placed in any area and must be cleaned/disinfected prior to being transferred from one inmate to another or when there is a biohazardous or bloodborne incident involving the mattress or plastic bunk, and upon being stored. Any staff member who utilizes a plastic bunk for any inmate must complete the "Inmate Plastic Bed No Bed Assignment Form" that is stored with the plastic bunks. All inmates that are provided with a plastic bunk must also be provided with a clean and serviceable mattress in accordance with Custody Policy 362."*

The County reported that they created a "No bed Assignment Form" to meet the DRC requirement that the County have documented proof that in the event that the County must issue an incarcerated person a "plastic boat" that it has been sanitized. The No bed Assignment Form is attached to a clipboard alongside the plastic boats located in dry storage. The steps staffs follow are as follows:

- Step one: Classification issues or processes a request for an inmate under an NBA - No Bed Assignment.
- Step Two: Classification will Inform the Module Deputy (for which the inmate will be housed) of the NBA.
- Step Three: Module Deputies will retrieve a "Boat" from dry storage, sanitize it, and issue it to the inmate.
- Step Four: Module deputies will then complete this No Bed Assignment Form and turn it into Classification to be scanned into the inmate's file.

The Expert reviewed the "Inmate Plastic Bed, No Bed Assignment Form." The form is designed to be completed by the Classification staff to provide an explanation of when a plastic bed is issued and the condition of the plastic bed upon issuance. The form indicates plastic beds must be sanitized by being wiped

clean with Purell Disinfecting Surfaces Wipes or sprayed with Lysol and wiped clean.

During the onsite review, the Expert did not observe any incarcerated persons assigned to a plastic bed or "boat."

The Expert noted SBCJ established a policy and procedure, and document titled "Inmate Plastic Bed, No Bed Assignment Form" which provide direction in the use, cleaning and disinfection of plastic beds or "boats" when they are assigned to incarcerated persons during emergency or unforeseen situation in which additional temporary housing is needed. The Expert is unable to fully evaluate the new process and procedures until a situation requires the use of plastic beds or "boats."

6.C. Laundry

6.C.1. Weekly Clothing and Linen Exchange

6.C.1. Clothing and linen exchange shall occur for all prisoners at least weekly and more frequently when circumstances warrant. Kitchen workers shall be provided a clean kitchen uniform daily. Whenever a prisoner presents to jail staff clothing or linen that is soiled and/or reasonably requests a clothing/linen exchange, jail staff will ensure a prompt exchange, in all cases, by the end of the shift.

On August 14, 2023, the Court approved interim measures for the implementation of the Murray v. Santa Barbara County Remedial Plan. The stipulated order states,

Adequate Clothing/Linen Exchange. No later than September 1, 2023, Defendants will modify their Jail clothing/linen provision and exchange policies and procedures by (1) increasing the amount of clothing (including undergarments) provided to each Class Member at each clothing exchange and (2) ensuring that whenever a Class Member reasonably requests a clothing or linen exchange, such exchange is completed promptly, and in all cases by the end of the shift, consistent with the findings and recommendations of the Remedial Plan Expert. (Sept. 2022 Env't of Care Monitoring Report at 25-27) Further, as of May 15, 2023, sweatshirts have been issued to all class members and may be exchanged based on regular clothing exchange procedures and upon reasonable request.

The County reported that Memorandums written by Operations Lieutenants at both Facilities in Spring 2023 advising staff of the enhanced linen provisions for all inmates were issued. Additionally, post tour the County produced an email dated June 20, 2024, addressed to all custody staff that states, "The inventory of blue sweatshirts provided to inmates in the Main Jail Facility continues to decline, consequently triggering a numerous of grievances forwarded to Custody Operations as well as to the DRC experts. The decline in inventory is mostly due to the wear and tear, destruction, and our inability to purchase the same product.

To address this problem, we've decided to introduce a different color sweatshirt which has been in stock for a while and is much easier to procure. The new sweatshirts are light gray in color and stenciled in front and back with blue or orange letters. The color of the stencil on the sweatshirt will indicate the classification of the inmate. Sweatshirts stenciled in blue will be utilized for General Population inmates, and those stenciled in orange will be utilized for Protective Custody inmates. The light blue sweatshirts that we currently have in use, will be redesignated for Behavioral Health Unit and Restrictive Housing inmates. To be more specific, sweatshirts will be distributed as follows:

- GP inmates, gray sweatshirt stenciled in blue letters in front and back.
- PC inmates, gray sweatshirts stenciled in orange in front and back.
- BHU and Restrictive Housing inmates, light blue sweatshirts stenciled in white in front and back.

Starting Monday June 24, 2024, Main Jail laundry coordinators will have the new sweatshirts stacked in the laundry carts and ready for distribution. The distribution of new sweatshirts will take place during the linen exchange, so the expectation is that it may take a full cycle of linen exchange (one week). Please make sure to collect and forward to laundry all the light blue sweatshirts that are currently in use."

The County reported that incarcerated persons are permitted to wear sweatshirts to court and the County will be issuing a directive and updating the policy to reflect the same.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Substantial Compliance

Although the County is in substantial compliance with this provision and have maintained substantial compliance for a period of at least six (6) months. Based on the issues with regards to the weekly exchange of sweatshirts addressed in this report, the Expert will monitor this provision during the next round of monitoring.

Analysis/Observations:

6.C.1.a Is clothing and linen exchange completed for all incarcerated persons at least weekly and more frequently when circumstances warrant?

The County produced the MJ and NBJ Linen Exchange Schedules.

The NBJ Linen Exchange Schedule incarcerated persons are offered the opportunity to exchange the following items:

- one (1) outer uniform per week
- one (1) t-shirt per week
- one (1) boxer/underwear per week

one (1) pair of socks, nightgown, and bra per week
one (1) blanket per month
one (1) mattress cover per week
one (1) towel per week

The SBJ Linen Exchange Schedule does not reflect the items the incarcerated persons can exchange. However, based on the linen exchange schedules, interviews with laundry staff, and incarcerated person interviews, linen exchange is conducted weekly for clothing, and monthly for blankets.

The Custody Operations – Policy and Procedures Manual 362 Inmate Clothing and Personal Hygiene (draft) states, “The standard issue of clothing and bedding is as follows:

- One pair of pants with outer shirt or a jumpsuit (dependent on Classification);
- Four white t-shirts;
- Four pairs of underwear consistent with their gender identity;
- Four pairs of socks;
- One sweatshirt;
- Two blankets;
- One bed sheet;

The policy states, “Standard issued bedding linen (excluding mattress and blankets) and clothing shall be exchanged once a week; however, blankets shall be exchanged once per month or more often when necessary. Inmates on work crews will be permitted more frequent exchanges of clothing as needed.”

The Expert recommends that this policy be finalized.

In the previous report, the Expert noted the increase of undergarments issued to incarcerated persons for the week should assist them in having clean clothing until the next scheduled weekly linen exchange.

Additionally, in the previous report, the Expert noted that as of May 15, 2023, sweatshirts have been issued to all incarcerated persons. However, by the court-ordered stipulation of the parties, sweatshirts should be subject to exchange based on regular clothing exchange procedures and upon reasonable request.

One grievance (#22664), submitted on Christmas Day 2023, noted that the West 6 unit was “freezing cold” and “we haven’t got clean sweaters in weeks.” The response from custody staff did not address the lack of the sweatshirt/sweater exchange at all.

Although the County offers incarcerated persons the opportunity to exchange clothing and sheets on a one-for-one basis, once per week, based on the assigned housing unit, the provision and weekly exchange of sweatshirt issues

need to be remedied for the County to achieve compliance with the court-ordered stipulation. Blankets are exchanged once per month.

During incarcerated person interviews, all incarcerated persons stated they are offered clothing exchange weekly. Some incarcerated persons stated they keep certain linen or clothing that fits properly or is newer and has little wear, and they prefer to wash clothing themselves to avoid exchanging for items that do not fit, have stains, or are ripped/damaged.

When circumstances warrant, the MJ staff are required to exchange clothing on non-laundry days. However, some incarcerated persons interviewed stated that some staff does not always exchange clothing, and clothing exchange is dependent on the staff member(s) they ask. The Expert believes the increase of undergarments issued to incarcerated persons has decreased the demand for laundry exchange during non-laundry days.

While touring the MJ laundry, the Expert observed bins of white clothing soaking in bleached water to remove stains and whiten undergarments. Washed clothing that had been sorted and folded by incarcerated laundry workers appeared to be clean and in fair condition. The Expert toured the NBJ laundry room and noted no clothing/linen is stored or maintained in the laundry room. The Laundry Manager informed the Expert all clothing is delivered to the laundry room, washed the same day, and then returned to housing units the same day to prevent storage within the laundry room.

6.C.1.b Are kitchen workers provided clean kitchen uniforms daily?

The Custody Operations – Policy and Procedures Manual 362 Inmate Clothing and Personal Hygiene (draft) states, “Inmates assigned to work in the kitchen shall be provided with clean outer clothing daily. If during an inmate’s work shift their clothing becomes soiled, it should be replaced promptly.” The policy states, “Inmates on work crews will be permitted more frequent exchanges of clothing as needed.”

MJ

Kitchen staff and the incarcerated person/kitchen workers interviewed reported that kitchen workers are provided with washed and clean uniforms daily.

Incarcerated kitchen workers that were interviewed stated they are provided two clean, washed kitchen uniforms and upon return from their job assignment they exchange the soiled uniforms for a clean one.

Incarcerated persons and kitchen staff also reported that if their uniforms become dirty or soiled during work hours, staff will issue them clean uniforms promptly.

Additional clean uniforms are stored in the kitchen. Staff also reported that in the event the worker's uniform size is not available in the kitchen, staff would obtain the clean uniform from the laundry.

NBJ

Kitchen staff and the incarcerated person/kitchen workers interviewed reported that kitchen workers are provided with washed and clean uniforms daily.

Incarcerated kitchen workers that were interviewed stated they are provided two clean, washed kitchen uniforms and upon return from their job assignment they exchange the soiled uniforms for a clean one.

Incarcerated persons and kitchen staff also reported that if their uniforms become dirty or soiled during work hours, staff will issue them clean uniforms promptly.

- 6.C.1.c *When an incarcerated person presents to jail staff clothing or linen that are soiled and/or reasonably requests a clothing/linen exchange, does jail staff ensure a prompt exchange, and in all cases, by the end of the shift?*

The Custody Operations – Policy and Procedures Manual 362 Inmate Clothing and Personal Hygiene (draft) states, “*Whenever a prisoner presents to jail staff clothing or linen that are soiled and/or reasonably requests a clothing/linen exchange, jail staff will ensure a prompt exchange, in all cases by the end of the shift.*”

As the Expert previously noted in 6.C.1.1 above, in situations where an incarcerated person requests clothing or linen that is soiled or they need an urgent exchange of clothing/linen, certain staff will exchange the items. Incarcerated persons stated it depends on which staff member you ask, as some Custody Deputies will complete the exchange, while other Custody Deputies will not. Incarcerated persons stated that in some cases, the clothing is exchanged on the same day, while in other cases, the exchange may take one day.

During staff interviews, all Deputies stated they would exchange clothing or linen under certain conditions, such as those that have been damaged or have become soiled.

6.C.2. Chemical Safety Training for Staff and Incarcerated Persons

- 6.C.2. *The County shall provide, document and maintain records of training provided to prisoner workers and staff assigned laundry duties on chemical safety, biohazardous and bloodborne contaminated clothing and linens, use of personal protective equipment, and Material Safety Data Sheets.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

All inmate workers assigned to work within the laundry department are provided personal protective equipment and instructed by the Laundry Coordinator on how to recognize and handle possible biohazardous and bloodborne contaminated laundry and the proper use of personal protective equipment. All inmate workers are provided with the Laundry Department Inmate Worker Orientation document and have access to Material Safety Data Sheets covering all chemicals used within the laundry department, an OSHA-approved 2' x 3' chemical safety poster, and an eyewash station. Signed copies acknowledging understanding of the Laundry Department Inmate Worker Orientation document have been provided to the Environmental Health and Safety Expert for review. The County has formalized the training via PowerPoint and is providing the training for all inmate workers, Custody Deputies, Sheriff Service Technicians, and Utility Workers.

Analysis/Observations:

The County produced the following training material:

- Santa Barbara County Sheriff's Office Bloodborne Pathogens Training PowerPoint
- Santa Barbara County Sheriff's Office Chemical Safety Training

The training material provide basic and necessary information on chemical safety training and Bloodborne Pathogen safety training including the proper use of Personal Protective Equipment.

MJ

The County produced a list of 18 incarcerated person workers assigned to the laundry. The County also produced Santa Barbara County Sheriff's Custodial Facilities Laundry Department Bloodborne Pathogen Training Rosters for the months of October 2023 to February 2024. A review of the rosters found that 46 laundry workers completed the training. The County also produced Laundry Department Inmate Worker Orientation acknowledgment of training forms for the 46 laundry workers. The form provides basic Laundry Department duties, instructions, and responsibilities, notification of a Material Safety Data book in the Laundry Department, notification of an eyewash station in the Laundry Department, and what to do with red and yellow biohazardous contaminated color bags. The second page contains an acknowledgment of reading the document and a place for both the incarcerated person and the Laundry Coordinator to sign and date. However, of the 18 incarcerated person workers on the list produced by the County, training records were not produced for seven (7) of the workers.

The County also produced Santa Barbara County Sheriff's Custodial Facilities Chemical Safety PowerPoint Training Roster and Bloodborne Pathogens PowerPoint Training Roster. The training rosters reflect six (6) staff members completed the Bloodborne Pathogens PowerPoint and Chemical Safety Training. The training rosters do not reflect the date(s) when the training was completed.

During the onsite review, the Expert interviewed two (2) Laundry Department staff members and three (3) incarcerated laundry workers. All staff stated they attended chemical safety training. The Chemical Safety PowerPoint Training Rosters, reflect both staff attended the training. Both staff members stated they attended biohazardous and bloodborne pathogens and PPE training. Both staff members' names are reflected on the roster as attending training.

The three (3) incarcerated laundry workers interviewed stated they were provided training on chemical safety, biohazardous and bloodborne pathogens, and the proper use of PPE. The Expert reviewed the "Laundry Department Inmate Worker Orientation" acknowledgment forms and the Santa Barbara County Sheriff's Custodial Facilities Laundry Department Bloodborne Pathogen Training Rosters to confirm if the incarcerated persons had received training. The rosters reflect that all three (3) incarcerated persons received the Chemical Safety and the Bloodborne Pathogens and PPE training.

During the interviews, an incarcerated person reported that when he receives clothing contaminated with blood and feces the clothing is in yellow and red biohazardous bags. He also stated that when handling biohazardous and bloodborne contaminated clothing and linen he uses PPE and follows the training on biohazardous material.

During the onsite review, the Expert observed a Material Safety Data Sheet binder in the laundry room, which is easily accessible to all employees, staff, and incarcerated persons.

NBJ

The County produced Laundry Crew Chemical Safety Training Sign-In and Bloodborne Pathogens Training Sign-In sheets. The Laundry Crew Chemical Safety Training Sign-In reflects 17 laundry workers completed the training on 3/1/24, 3/28/24 7/12/24 and 7/23/24. The Bloodborne Pathogens Training Sign-In reflects 17 laundry workers completed the training on 3/1/24, 3/28/24 7/12/24 and 7/23/24.

No other training records or list of staff or incarcerated person workers who were assigned to laundry during the rating period were provided. The County will need to produce a list of all staff and Laundry Workers assigned during the rating period for the Expert to verify they have been provided the required training.

During the onsite review, the Expert interviewed one (1) Laundry Department staff member and three (3) incarcerated person laundry workers. The staff member stated he attended training on chemical safety, biohazardous and bloodborne contaminated clothing, proper use of PPE, and MSDS. The Expert reviewed the training records and noted the staff member attended all training. Two (2) incarcerated persons stated they had not attended the training on chemical safety, biohazardous and bloodborne contaminated clothing, proper use of PPE, and MSDS. One (1) of the incarcerated persons reported he had been assigned to the laundry for one (1) and a half months and the other for one (1) and a half weeks. As stated above, the Laundry Crew Chemical Safety Training Sign-In and the Bloodborne Pathogens Training Sign-In reflect the training was only provided on 3/28/24. Post tour, the County produced Laundry Crew Chemical Safety Training Sign-In and the Bloodborne Pathogens Training Sign-In sheets dated 7/12/24 and 7/23/24 for the two incarcerated person workers.

During the onsite review, the Expert observed a Material Safety Data Sheet binder in the laundry room, easily accessible to all employees, staff, and incarcerated persons.

The Expert recommends that the County ensure that incarcerated workers assigned to the laundry receive the required training upon their assignment. The Expert also recommends that the training rosters clearly document (1) the completion date of the incarcerated person's training and (2) the start date of the incarcerated person's job assignment.

6.C.3. Healthcare Referrals for Incarcerated Persons With Possible Mental Health disability

6.C.3. Staff shall make reasonable efforts to ensure that all prisoners have clean linens at all times. Staff will make a health care referral for any prisoner refusing to exchange linens if there is reason to believe such refusal relates to the person's mental health condition. Mental health staff shall assist in resolving the situation as appropriate.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

Linen exchange is conducted weekly for every housing module. An inmate may make a reasonable request for clean linen at any time with their housing module deputy. The County is presently utilizing a Mental Health Referral Form, which has been adjusted to allow all staff to make a healthcare referral to Wellpath in the event that an inmate refuses clean linen, and it appears there may be an underlying mental health issue. Per the Expert's recommendation, the County is

tracking such referrals. Staff has been provided training on this requirement through squad/unit briefing.

Analysis/Observations:

6.C.3.a *Do staff make health care referrals for any incarcerated person refusing to exchange linen if there is reason to believe such refusal relates to the person's mental health condition?*

The County revised the Sanitation Plan with the Expert's recommendations. The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 Section A-1 states, "Where an inmate is expected to clean, staff shall ensure appropriate assistance for those inmates with disabilities. If an inmate refuses to participate in cleaning, or is unwilling or unable, and the refusal is believed to be due to a mental health issue, a mental health referral shall be submitted, and staff shall ensure the cell is cleaned and sanitized."

The County produced the Mental Health Evaluation Request Form. The form was created for Deputies to make mental health evaluation referrals. The County also produced 17 completed Mental Health Evaluation Request Forms completed by staff for cases where the incarcerated person refused linen exchange and the refusal was believed to be related to the incarcerated person mental health condition. The Mental Health Evaluation Request Forms reflect that the incarcerated persons were evaluated by the Mental Health staff.

The Mental Health Evaluation Request Forms reflect the incarcerated persons were housed in the MJ. No Mental Health Evaluation Request Forms were produced for the NBJ.

MJ

The Expert interviewed six (6) Custody Deputies and one (1) mental health clinician to evaluate the process for cases where incarcerated persons refuse to exchange linen or clothing, and the reason for the refusal may be related to the incarcerated persons mental health. All staff stated they would refer the cases to mental health and complete a Mental Health Evaluation Request Form. The mental health clinician stated she has received calls and referrals from Custody Deputies when incarcerated persons are experiencing hygiene or cleanliness issues. The mental health clinician stated she conducts a face-to-face evaluation and completes assessments.

During the tour, the Expert toured all housing units including the Restrictive Housing Unit cells and did not observe incarcerated persons who were not maintaining proper hygiene and/or who were wearing undergarments that appeared dirty and needed to be exchanged or whose linen needed to be exchanged due to being dirty.

NBJ

The Expert interviewed four (4) Custody Deputies to evaluate the process for cases where incarcerated persons refuse to exchange linen or clothing, and the reason for the refusal may be related to the incarcerated persons mental health. All staff stated they would refer the cases to mental health and complete a Mental Health Evaluation Request Form.

During the tour, the Expert toured all housing units and did not observe incarcerated persons who were not maintaining proper hygiene and or who were wearing undergarments that appeared dirty and needed to be exchanged or who's linen needed to be exchanged due to being dirty.

6.C.3.b Does Mental Health staff assist in resolving the situation, as appropriate?

The County revised the Sanitation Plan with the Expert's recommendations. The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 Section A-1 states, "Where an inmate is expected to clean, staff shall ensure appropriate assistance for those inmates with disabilities. If an inmate refuses to participate in cleaning, or is unwilling or unable, and the refusal is believed to be due to a mental health issue, a mental health referral shall be submitted, and staff shall ensure the cell is cleaned and sanitized."

The County produced the Mental Health Evaluation Request Form. The form was created for Deputies to make mental health evaluation referrals. The County also produced 17 completed Mental Health Evaluation Request Forms completed by staff for cases where the incarcerated person refused linen exchange and the refusal was believed to be related to the incarcerated person mental health condition.

The Mental Health Evaluation Request Forms reflect the incarcerated persons were housed in the MJ. No Mental Health Evaluation Request Forms were produced for the NBJ. All of the Mental Health Evaluation Request Forms produced include the action taken by Wellpath staff to resolve the situation.

Interim Measures: Adequate Clothing/Linen Exchange.

The County is in compliance with the August 14, 2023, stipulated order and the Court-approved interim measures for the implementation of the *Murray v. Santa Barbara County* Remedial Plan.

The County modified the Jail clothing/linen provision and exchange policies and procedures and (1) increased the amount of clothing (including undergarments) provided to each class member at each clothing exchange, and (2) ensure that whenever a class member reasonably requests a clothing or linen exchange, such

exchange is completed promptly, and in all cases by the end of the shift. On March 27, and April 14, 2023, the County increased the standard issue of clothing and bedding to:

Males

- 4 Boxers
- 4 T-Shirts
- 4 Pairs of socks

Females

- 4 Bras
- 4 Panties
- 4 T-Shirts
- 4 Pairs of socks
- 2 Nightgowns

The Custody Operations – Policy and Procedures Manual 362 Inmate Clothing and Personal Hygiene (draft) states, “The standard issue of clothing and bedding is as follows:

- One pair of pants with outer shirt or a jumpsuit (dependent on classification);
- Four white t-shirts;
- Four pairs of underwear consistent with their gender identity;
- Four pairs of socks;
- One sweatshirt;
- Two blankets;
- One bed sheet;

During incarcerated person interviews, all incarcerated persons stated they are offered clothing exchange weekly. Some incarcerated persons stated they keep certain linen or clothing that fits properly or is newer and has little wear, and they prefer to wash clothing themselves to avoid exchanging for items that do not fit, have stains or are ripped/damaged. .

Some incarcerated persons interviewed stated that some staff do not always exchange clothing, and clothing exchange is dependent on the staff member(s) they ask. The Expert believes the increase of undergarments issued to incarcerated persons has decreased the demand for laundry exchange during non-laundry days. An additional 1500 sweatshirts have recently been put into circulation, such that there should be sufficient capacity to ensure that everyone receives a sweatshirt. Additionally, on June 24, 2024, the County began distribution of the new sweatshirts at the SBJ (see Section 6.C.1.a above).

6.D. Food Service and Kitchen Operations

6.D.1. Clean Clothing for Kitchen Workers

6.D.1. Prisoners assigned to kitchen duties shall be provided with clean outer clothing daily. If during a prisoner's work shift the clothing becomes soiled, it should be replaced promptly.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Substantial Compliance

The County is in substantial compliance with this provision and have maintained substantial compliance for a period of at least six (6) months. Based on this, the Expert recommend this provision be designated as Suspension of Monitoring.

Analysis/Observations:

6.D.1.a Are incarcerated persons assigned to kitchen duties provided clean outer clothing daily?

The County produced Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 384 Food Service. The policy states, "Incarcerated person workers assigned to the kitchen will be provided with a fresh, clean set of clothing daily. If, during the incarcerated person workers shift their clothing becomes soiled, the incarcerated person will notify a staff member, who will ensure that the incarcerated person is allowed to exchange the soiled linen for clean linen." The Custody Operations – Policy and Procedures Manual 362 Inmate Clothing and Personal Hygiene (draft) states, "Standard issued bedding linen (excluding mattress and blankets) and clothing shall be exchanged once a week; however, blankets shall be exchanged once per month or more often when necessary. Inmates on work crews will be permitted more frequent exchanges of clothing as needed." The policy also states, "Inmates assigned to work in the kitchen shall be provided with clean outer clothing daily. If during an inmate's work shift their clothing becomes soiled, it should be replaced promptly."

MJ

Kitchen staff and the incarcerated person/kitchen workers interviewed reported that kitchen workers are provided washed and clean uniforms daily.

Incarcerated kitchen workers that were interviewed stated they are provided two clean, washed kitchen uniforms and upon return from their job assignment they exchange the soiled uniforms for a clean one.

Incarcerated persons and kitchen staff also reported that if their uniform becomes dirty or soiled during work hours, staff will issue them clean uniforms promptly.

The Expert noted that additional clean uniforms are stored in the kitchen. Staff also reported that in the event the uniforms size is not available in the kitchen, staff would obtain the clean uniform from the laundry.

NBJ

Kitchen staff and the incarcerated person/kitchen workers interviewed reported that kitchen workers are provided washed and clean uniforms daily.

Incarcerated kitchen workers that were interviewed stated they are provided two clean, washed kitchen uniforms and upon return from their job assignment they exchange the soiled uniforms for a clean one.

Incarcerated persons and kitchen staff also reported that if their uniform becomes dirty or soiled during work hours, staff will issue them clean uniforms promptly.

6.D.1.b If during an incarcerated person's work shift the clothing becomes soiled, is it replaced promptly?

The County produced Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 384 Food Service. The policy states, "Incarcerated person workers assigned to the kitchen will be provided with a fresh, clean set of clothing daily. If, during the incarcerated person workers shift their clothing becomes soiled, the incarcerated person will notify a staff member, who will ensure that the incarcerated person is allowed to exchange the soiled linen for clean linen." The Custody Operations – Policy and Procedures Manual 362 Inmate Clothing and Personal Hygiene (draft) states, "Inmates assigned to work in the kitchen shall be provided with clean outer clothing daily. If during an inmate's work shift their clothing becomes soiled, it should be replaced promptly."

MJ

Incarcerated persons and kitchen staff also reported that if their uniform becomes dirty or soiled during work hours, staff will issue them clean uniforms promptly.

The Expert noted that additional clean uniforms are stored in the kitchen. Staff also reported that in the event the uniforms size is not available in the kitchen, staff would obtain the clean uniform from the laundry.

NBJ

Incarcerated persons and kitchen staff also reported that if their uniform becomes dirty or soiled during work hours, staff will issue them clean uniforms promptly.

6.D.2. Weekly Kitchen Operation Inspections

6.D.2. The County shall perform a weekly inspection of kitchen operations, with a report submitted to the Environment of Care Monitor and shall ensure actions are taken to correct any identified issues.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County is in the process of fully implementing this requirement. The County's Food Services Supervisor performs a weekly inspection of kitchen operations and as recommended by the Environmental Health and Safety Expert, completes a report that identifies rooms, locations, equipment etc. that are inspected. The County also tracks work orders as requested by the Expert. While this position was vacant, the County recently hired a new Food Services Supervisor who will be performing the weekly inspection and filling out the requisite report for review by the ECM as required by this provision. The County anticipates providing proof of compliance within the upcoming months.

Analysis/Observations:

6.D.2.a Does SBCJ perform weekly inspections of kitchen operations, and submit a report to the ECM to ensure actions are taken to correct any identified issues?

The County revised the Sanitation Plan with the Expert's recommendations. The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 Section I states, "The Kitchen Manager or designee will inspect the kitchen facilities on a daily, weekly, and monthly basis. If issues cannot be remedied at the lowest level, sanitation problems will be immediately reported by use of the Facilities Work Order System."

MJ

The County produced "Main Jail Kitchen Weekly Inspection Checklist." Checklists were not produced for the following periods:

- August 2023 - No checklists submitted all month
- September 2023 - No checklists submitted all month
- October 2023 - No checklists submitted weeks of 10/1, 10/8, and 10/15
- November 2023 - No checklists submitted week of 11/19
- December 2023 - No checklists submitted weeks of 12/10 and 12/24

The forms include an area "Notes and work order info" for staff to document actions taken to correct the identified issues. The checklist consistently include actions taken to correct the identified issues and submission of work orders.

NBJ

The County produced "NBJ Kitchen Weekly Inspection Checklist." Checklists were produced all weeks of the document production period (August 2023 to February 2024).

The forms include an area "Notes and work order info" for staff to document actions taken to correct the identified issues. The checklists for the months of August 2023 to November 2023 all "Dishwasher fixed" and appear to be checklists with just the date changed.

The Expert finds that the County is not conducting adequate weekly inspections, as required, and the County is not properly and consistently ensuring appropriate action is taken to correct identified issues with adequate documentation. Adequate and complete documentation is essential to demonstrating compliance and establishing effective quality assurance processes.

The Expert recommends the MJ and NBJ complete and document the weekly inspections as required by the *Murray v. Santa Barbara County Remedial Plan*

6.D.2.b Is a report of the weekly inspections of kitchen operations submitted to the ECM (on a weekly basis)?

The County incorporated the Expert's recommendation that that the checklist identify all rooms, locations, equipment, or items within the main kitchen operations and contain an area for staff to address in narrative format, identified issues and what actions were taken to correct identified issues.

During the on-site review, the Expert interviewed the MJ and NBJ ECM. The Expert was informed the kitchen inspection reports are being provided to the ECM on a weekly basis. As previously reported not all weekly inspections were completed during the document production period, including at least 12 weeks between August and December 2023. The Expert recommends the MJ and NBJ ECM ensure staff complete and document the weekly inspections as required by the *Murray v. Santa Barbara County Remedial Plan* and follow up with staff when they are not completed and submitted.

6.D.2.c Does SBCJ/ECM ensure actions are taken to correct any identified issues on the weekly inspection of kitchen operations?

MJ.

The County produced "Main Jail Kitchen Weekly Inspection Checklist." Refer to section 6.D.2.a above.

NBJ

The County produced "NBJ Kitchen Weekly Inspection Checklist." Refer to section 6.D.2.a above.

The MJ checklists completed consistently include actions taken to correct the identified issues and submission of work orders. However, as previously reported, not all weekly checklists were completed during the document production period. The Expert recommends the MJ and NBJ ECM ensure staff complete and document the weekly checklists as required by the *Murray v. Santa Barbara County Remedial Plan* and follow up with staff when they are not completed and submitted.

6.D.3. Food Service Policies and Procedures

6.D.3. The County shall develop and implement policies and procedures for food service and kitchen operation as required in Section 1246 of California Code of Regulations Title 15. The policy shall include provisions for tool control, roles and responsibilities of jail staff and the food service Contractor, employee and prisoner-worker training in food safety, and temperature monitoring. The policy shall provide that prisoner-workers are medically screened prior to being assigned to work in the kitchen.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Substantial Compliance

The Expert recognizes that the County is in the process of rolling out a new food services contractor for the jail system. Accordingly, the Expert will monitor this provision in the next round to ensure that this provision remains in substantial compliance, prior to recommending that this provision be designated as Suspension of Monitoring.

Analysis/Observations:

6.D.3.a Does SBCJ develop and implement policies and procedures for food services and kitchen operations as required in Section 1246 of California Code of Regulations Title 15?

The County produced Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 384 Food Service. The policy has listed in the "Related Orders", Title 15 § 1246. *California Code of Regulations (CCR) Title 15, § 1246 states, "Food Serving and Supervision. Policies and procedures shall be developed and implemented to ensure that appropriate work assignments are made, and food handlers are adequately supervised. Food shall be prepared and served only under the immediate supervision of a staff member."*

The Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 384 Food Service states "The purpose of this policy is to provide guidelines for the safe preparation and distribution of staff and

incarcerated person meals. The policy includes policies and procedures for the operation of the food services at the SBCJ as required by the CCR Title 15, § 1246.

In the next monitoring round, with the arrival of the new food services contractor, the Expert will monitor and confirm the implementation of relevant policies and procedures, as consistent with the Remedial Plan provision.

6.D.3.b Does the food services and kitchen operations policy include provisions for;

- *tool control,*
- *roles and responsibilities of Jail staff,*
- *food services Contractor,*
- *employee and incarcerated person worker training in food safety,*
- *temperature monitoring.*

The County produced Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 384 Food Service. The policy includes sections for tool control, roles and responsibilities of Jail staff, food services Contractor, employee, and incarcerated person worker training in food safety and temperature monitoring are included.

6.D.3.c Does the policy provide that incarcerated person workers are medically screened prior to being assigned to work in the kitchen?

The County produced Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 384 Food Service. The policy states, "Incarcerated person workers assigned to work in the kitchen or assigned the responsibility of food handling/delivery shall be medically cleared prior to working in that capacity. Classification staff shall refer all prospective kitchen/food workers to the contracted healthcare provider for medical clearance prior to assigning them. Documentation of medical clearance will be retained in the Incarcerated persons jail medical file."

MJ.

The County produced 27 pages of emails between Classification staff and Wellpath." The emails reflect numerous incarcerated persons kitchen work clearance status.

NBJ

The County produced 73 pages of emails between Classification staff and Wellpath." The emails reflect numerous incarcerated persons kitchen work clearance status.

In order for the Expert to determine if the County is in compliance with this provision, the County will need to produce a roster of all Food Service workers including their date of assignment and the date of the medical screening.

6.D.4. Training for Incarcerated Person Kitchen Workers

6.D.4. The County shall provide prisoner-workers with training and education regarding kitchen operations.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Substantial Compliance

The County remains in substantial compliance, but will need to provide complete data regarding completion of training in order for the Expert to recommend the Suspension of Monitoring.

Analysis/Observations:

The County produced Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 384 Food Service. The policy states, "All incarcerated persons assigned to work in the kitchen are required to complete Serv-Safe training prior to working in the kitchen. This training is offered at both facilities through Incarcerated person Services or the contracted food services vendor. Once completed, the incarcerated person receives their Serv-Safe food handlers' card."

MJ and NBJ - Incarcerated persons assigned to work in the main kitchen are required to attend and complete a course titled "ServSafe California Food Handler Assessment" provided by Santa Barbara City College. Participants are provided a ServSafe California Food Handler Guide Workbook. The course syllabus reflects the course contents consist of the following:

- Personal Hygiene
- The Importance of Sanitization and Pest Control
- Identify Proper Serving Practices, Preventing Cross Contamination, Time/Temperature Control
- Cleaning and Sanitizing.

The course is two (2) hours per day, provided two (2) days per week, for a total of eight (8) weeks. Upon completing the training, participants take a written test. Upon passing the written test, participants are provided a certificate of achievement from the ServSafe National Restaurant Association. The County reported that in cases an incarcerated person fails the test, they continue to work in the kitchen but are assigned to a non-food handling positions until they can remediate the class and retake the test. The County reported the class is also taught in Spanish.

The County produced a list of incarcerated person kitchen workers assigned to MJ and NBJ kitchens. The NBJ list reflects 23 incarcerated person kitchen workers and the MJ list reflects 20. The County produced 47 certificates (20 MJ and 27 NBJ) for incarcerated kitchen workers who completed the course. Eleven of the 23 kitchen workers at the NBJ and 12 of the 27 kitchen workers at the MJ completed the training.

The County also produced 57 (28 NBJ and 29 MJ) Kitchen Department Inmate Worker Orientation acknowledgement of training forms. The form provides basic food service duties, instructions and responsibilities, notification of a Material Safety Data book in the kitchen. The second page contains an acknowledgment of reading the document and a place for both the incarcerated person and the Kitchen staff to sign and date. Five of the 23 kitchen workers at the NBJ and six (6) of the 27 kitchen workers at the MJ completed the training.

MJ

During the on-site review, the Expert interviewed three (3) incarcerated kitchen workers. All three (3) stated they attended kitchen operations training. All three (3) incarcerated kitchen workers had ServSafe California Food Handler Assessment certificates.

NBJ

During the on-site review, the Expert interviewed two (2) incarcerated kitchen workers. One incarcerated kitchen worker stated he has not yet attended kitchen operations training. One incarcerated kitchen worker stated he was rescheduled to attend training. Post tour, both incarcerated kitchen workers completed training and obtained ServSafe California Food Handler Assessment certificates.

For the next monitoring, round, in addition to the roster, the County should provide documentation that shows all kitchen workers have received the training and the roster should also note the start date for each person. This data will allow the monitor to accurately assess compliance with this Remedial Plan requirement.

6.D.5. Monitoring of Food Temperature

6.D.5. The County shall conduct periodic temperature monitoring of food and take steps to ensure that food prepared as hot is served hot to the greatest extent practicable.

Serving of Hot Food that Is Prepared Hot. No later than February 1, 2024, Defendants will ensure full implementation Section VI.D.5 of the Remedial Plan, such that "food prepared as hot is served hot to the greatest extent practicable." Remedial measures will include utilization of warming carts and equipment to keep food warm during transport to the housing units and modifications to serving procedures at Main Jail,

as consistent with recommendations of the Remedial Plan Expert. (Sept. 2022 Env't of Care Monitoring Report at 38-39)

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County is in the process of fully implementing this requirement. The County recently hired a Food Services Supervisor who will assist in ensuring compliance with this provision. Presently, the County maintains a temperature log for monitoring food at the time that it is trayed. In the next two months, the County will initiate a method to monitor whether food is served as hot as practicable as required by this provision. Per the Expert's recommendation, County is in process of procuring warming carts to assist in compliance with this provision. The County anticipates completing the components of this requirement within the next four months.

The has made modifications to food preparation and food service to ensure that this provision is satisfied. Additionally, the County performed regular food temperature checks and determined that the Main Jail Northwest and IRC modules would benefit from warming carts as they are the farthest housing modules from the kitchen. Consistent with the Remedial Plan Expert's recommendation, the County purchased and began utilizing electric food warming carts to ensure food is kept warm and meets the required serving temperature for these housing modules.

Analysis/Observations:

6.D.5.a. Does the SBCJ conduct periodic temperature monitoring of food?

The County produced Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 384 Food Service. The policy states, "Staff cooks will monitor and record temperatures of food prepared hot during the plating process. Food temperature logs shall be maintained in each kitchen. The Food Services Manager shall also ensure that temperatures of food served hot are checked at least once per month in each facility at time of serving/delivery to each housing unit and shall record these temperatures to ensure that food prepared hot is served as hot to the greatest extent possible. If significant deviations in temperature occur, the Food Services Manager shall meet with the Operations Lieutenants to remedy the problem."

MJ

The County reported that the MJ kitchen staff have made modifications to the time dinner is cooked, removed from the food warmers, trayed, and sent to each

housing module, with the housing modules furthest from the kitchen being served first. The Main Jail has recognized through regular food temperature checks that there are two housing modules (Northwest and IRC) that due to them being furthest from the kitchen, the food served to these modules does not meet the safe food temperature requirements. The MJ has since purchased and began using two new electric food warming carts to ensure food is kept warm and meets the required serving temperature for these two housing modules.

The County produced Aramark Recipe Cards Santa Barbara Main Kitchen for the dates of 10/30/23, 10/31/23, 11/6/23, 11/7/23, 12/21/23, and 1/3/23. The County also produced a Meal Temperature Tracker that includes food temperature checks for 1/3/24, 1/31/24, and 2/6/24. The lowest traying temperature recorded is 136.6 and the lowest served temperature is 97.9.

NBJ

The County produced a Meal Temperature Tracker that includes food temperature checks for 1/18/24, 1/22/24, 2/1/24, 2/9/24, and 2/15/24. The lowest traying temperature recorded is 148.2 and the lowest served temperature is 133.7.

6.D.5.b Does the SBCJ take steps to ensure that food prepared as hot, is served hot to the greatest extent practicable?

The County produced Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 384 Food Service. The policy states, "Staff cooks will monitor and record temperatures of food prepared hot during the plating process. Food temperature logs shall be maintained in each kitchen. The Food Services Manager shall also ensure that temperatures of food served hot are checked at least once per month in each facility at time of serving/delivery to each housing unit and shall record these temperatures to ensure that food prepared hot is served as hot to the greatest extent possible. If significant deviations in temperature occur, the Food Services Manager shall meet with the Operations Lieutenants to remedy the problem."

MJ

The County reported that the MJ kitchen staff have made modifications to the time dinner is cooked, removed from the food warmers, trayed, and sent to each housing module, with the housing modules furthest from the kitchen being served first. The Main Jail has recognized through regular food temperature checks that there are two housing modules (Northwest and IRC) that due to them being furthest from the kitchen, the food served to these modules does not meet the safe food temperature requirements. The MJ has since purchased and began using two new electric food warming carts to ensure food is kept warm and meets the required serving temperature for these two housing modules.

The County produced Aramark Recipe Cards Santa Barbara Main Kitchen for the dates of 10/30/23, 10/31/23, 11/6/23, 11/7/23, 12/21/23, and 1/3/23. The County also produced a Meal Temperature Tracker that includes food temperature checks for 1/3/24, 1/31/24, and 2/6/24. The lowest traying temperature recorded is 136.6 and the lowest served temperature is 97.9.

During the on-site review, the Expert interviewed 25 incarcerated persons from various housing units and modules. The incarcerated persons stated the food was served hot on most days and only on some days the food is warm.

During the on-site review, the Expert observed the kitchen staff conduct the temperature checks of the dinner meal to determine if the food prepared as hot is served hot to the greatest extent practicable.

7/22/24 – Northwest Module A
Temperature when trayed 143.8
Temperature when served 131.2

7/24/24 – IRC
Temperature when trayed 177.5
Temperature when served 161.2

NBJ

The County produced a Meal Temperature Tracker that includes food temperature checks for 1/18/24, 1/22/24, 2/1/24, 2/9/24, and 2/15/24. The lowest traying temperature recorded is 148.2 and the lowest served temperature is 133.7.

During the on-site review, the Expert interviewed 13 incarcerated persons from various housing units and modules. The incarcerated persons stated the food was served hot on most days and only on some days the food is warm.

During the on-site review, the Expert observed the kitchen staff conduct the temperature checks of the dinner meal to determine if the food prepared as hot is served hot to the greatest extent practicable.

7/23/24 –Module A
Temperature when trayed 169.0
Temperature when served 158.5

Interim Measures: Serving of Hot Food that Is Prepared Hot.

The County maintains a temperature log for monitoring food at the time that food is trayed. The County made modifications to food preparation and food service to ensure that this provision is satisfied. Additionally, the County determined that the Main Jail Northwest and IRC modules would benefit from warming carts as they are the farthest housing modules from the kitchen and consistent with the

Expert's recommendation, the County purchased and began utilizing electric food warming carts to ensure food is kept warm and meets the required serving temperature for these housing modules.

During the on-site review, the Expert observed the traying and serving of the hot food at both the MJ and NBJ. The Expert also observed the kitchen staff conduct the temperature checks of the dinner meal to determine if the food prepared as hot is served hot to the greatest extent practicable. The temperature reading of the hot food is detailed above. Additionally, the Expert interviewed 38 incarcerated persons from various housing units and modules. The incarcerated persons stated the food was served hot on most days and only on some days the food is warm.

In September 2024, it was acknowledged that special meals (e.g. kosher diet meals) are not placed in the warming cart, and are instead placed on top of the cart. On September 26, 2024, the County stated that the kitchen will be placing special meals insider the warming food carts moving forward. This will be monitored and confirmed in the next round.

6.E. Work Order System and Preventative Maintenance

6.E.1. Staff Training for Submitting Work Orders

6.E.1. The County shall train staff on the process of submitting work orders.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Substantial Compliance

The County is in substantial compliance with this provision and have maintained substantial compliance for a period of at least six (6) months. Based on this, the Expert recommend this provision be designated as Suspension of Monitoring.

Analysis/Observations:

The County produced the General Services Work Request PowerPoint training. The training includes seven (7) slides with instructions on how to submit service requests (work orders). The County also produced a list of all staff assigned to the SBCJ and Work Order Training Rosters of staff who completed the training. There are 276 staff assigned to the three (3) Divisions (North County Custody Operations, South County Custody Operations and Custody Support). The Work Order Training Rosters reflect 301 staff completed the training (this includes Support Staff).

During the on-site review at the MJ, the Expert interviewed six (6) housing unit building Deputies. All Deputies were familiar with the process of submitting work orders through the Santa Barbara County intranet site.

During the on-site review at NBJ, the Expert interviewed four (4) housing unit building Deputies. Both(will delete on final) All Deputies were familiar with the process of submitting work orders through the Santa Barbara County intranet site.

6.E.2. Work Order Reporting System for Preventative Maintenance and Repairs

6.E.2. The County shall utilize the work order reporting system to schedule preventative maintenance and repairs. The system shall provide for any cleaning or maintenance requiring an established schedule, including, at a minimum

- a) Regular maintenance of plumbing;
- b) Quarterly Cleaning of fans and ventilation grills;
- c) Quarterly replacement of ventilation filters;
- d) Regular external contractor monitoring of negative pressure cells and gauges;
- e) Monthly fire extinguisher inspection; and
- f) Monthly fire and life safety inspections.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County is in the process of implementing this requirement. The County utilizes a preventative maintenance work order system to auto-populate work orders on a routine basis. Presently, the system auto-populates preventative maintenance work orders for all items other than items (c) and (f) of this provision, and General Services anticipates incorporating those items in the next three months. Per the Expert's recommendation, the County maintains a work order report, which the County will provide to the Expert for his review. The County anticipates completing this requirement in the next four to six months.

Analysis/Observations:

6.E.2.a. Does the SBCJ utilize the work order reporting system to schedule preventive maintenance and repairs?

The County produced Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 102 Inspections and Operations Review. The policy states, "In order to maintain sanitary conditions within the jail, daily cleaning schedules and routine maintenance procedures have been established with periodic inspections to ensure that sanitary conditions are maintained throughout the jail at all times."

MJ

The County produced the following documents:

- Preventive Maintenance Work Order for Fans 3rd and 4th Quarter 2023 and 1st Quarter 2024
- Plumbing Preventive Maintenance Work Orders. The documents produced were outside the rating period (prior to August 2023).
- Work Order Inspection of Negative Isolation Cells (Outside Contractor). The documents produced were outside the rating period (prior to August 2023).

The MJ utilizes the work order reporting system to schedule preventive maintenance and work order repairs. However, the County must provide reports within the document production period similar to the reports produced for the NBJ for the Expert to rate the County's compliance.

The Expert noted regular maintenance of plumbing and quarterly cleaning of fans has been incorporated into the General Services Preventive Maintenance program. Post tour the County produced Preventative Maintenance Work Orders for HVAC, Plumbing, for 2023 and 2024.

Post tour, the County reported that the quarterly cleaning of ventilation grills has been implemented. A review of the Quarterly Vent Cleaning Logs for Northwest A-D Mods, MJ Housing Units and Common Areas for the 3rd Quarter of 2024, found that not all vents were cleaned during the 3rd Quarter. Additionally, numerous incarcerated persons, particularly in the East, West, and Back Central housing units at the Southern Branch Jail, reported that fans and vents are very rarely, if ever, cleaned, and what appears to be mold, mildew, and/or accumulation of dirt and dust are visible on the ventilation grills. During the onsite review, the Expert observed several fans and vents in this condition,.

As also noted above for Provision 6.B, above, the Expert will work with the County to develop and implement a process to address persistent maintenance/repair deficiencies – including with respect to fans, air vents, plumbing, and other relevant issues.

NBJ

The County produced the following documents:

- Closed Work Order Reports for the months of August to September 2023

The NBJ utilizes the work order reporting system to schedule preventive maintenance and work order repairs.

6.E.2.b Does the work order reporting system provide for any cleaning or maintenance requiring an established schedule, including, at a minimum for;

a. Regular maintenance of plumbing.

MJ

Post tour the County produced Preventative Maintenance Work Orders for HVAC, Plumbing, for 2023 and 2024. During the incarcerated person interviews, there were numerous reports from the incarcerated persons that the water has a strong pungent odor and foul taste. The County reported that the water agency conducts a water test/analysis and the results have found no issues/concerns with the water. It is not known if the water test/analysis was conducted at the module/unit location or at the point where the water enters the MJ water lines. Given the age of the MJ and the water lines, the Expert recommends the County conduct a test/analysis of the water at the module/unit locations.

NBJ

The work order reporting system provides for scheduled cleaning and maintenance of plumbing.

b. Quarterly cleaning of fans and ventilation grills.

MJ

The work order reporting system provides for scheduled cleaning and maintenance of fans; however, the scheduled cleaning and maintenance of ventilation grills is not included.

NBJ

The work order reporting system provides for scheduled cleaning and maintenance of fans and ventilation.

Documents were not produced to show the County's compliance with this requirement,

c. Quarterly replacement of ventilation filters.

MJ

Documents were not produced to rate the County's compliance with this requirement. Incarcerated persons at the Jail frequently report that ventilation grills are not maintained in several housing areas, resulting in poor air quality.

NBJ

The work order reporting system provides for scheduled replacement of ventilation filters. The County produced the NBJ Work Order List for DRC for the Months of February to July 2024. The Lists include completed work orders for Quarterly, Air Handler Unit Mini-Split and Quarterly Exhaust Fans.

- d. Regular external contractor monitoring of negative pressure cells and gauges.

MJ

The work order reporting system provides for scheduled external contractor monitoring of negative pressure cells and gauges.

NBJ

The work order reporting system provides for scheduled external contractor monitoring of negative pressure cells and gauges.

- e. Monthly fire extinguisher inspections.

MJ

Although not included in the preventative maintenance schedule, the County conducts monthly inspections of fire extinguishers.

NBJ

Although not included in the preventative maintenance schedule, the County conducts monthly inspections of fire extinguishers.

- f. Monthly fire and life safety inspections.

MJ

Although not included in the preventative maintenance schedule, the County conducts fire and life safety drills.

NBJ

Although not included in the preventative maintenance schedule, the County conducts fire and life safety drills.

The Expert recommends the MJ and NBJ implement the work order reporting system to schedule cleaning or maintenance required by the *Murray v. Santa Barbara County Remedial Plan*.

6.E.3. Development and Implementation of Environmental Inspection policy

6.E.3. The County shall develop and implement an environmental inspection policy with procedures that include an assessment of maintenance issues for every housing unit, including for plumbing, electrical, ventilation, painting, cleanliness, lighting, and storage of personal belongings.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

Per the Expert's recommendation, the County revised the Custody Operations Inspections and Operations Policy (Section 102) to include the provisions of this requirement.

Analysis/Observations:

6.E.3.a Does SBCJ develop and implement an environmental inspection policy with procedures that include an assessment of maintenance issues for every housing unit?

The Custody Operations – Policy and Procedures Manual Section 102, Inspection and Operations Review states, “In order to maintain sanitary conditions within the jail, daily cleaning schedules and routine maintenance procedures have been established with periodic inspections to ensure that sanitary conditions are maintained throughout the jail at all times.” The policy also states, Cleaning schedules have been set up as to not conflict with other jail activities or mass movements of incarcerated persons. Any unsafe condition or maintenance requirement will be reported to the Lead Supervisor and a work order completed and submitted to General Services. An Environment of Care Monitor (ECM) has been assigned to the Sheriff's Main Jail Maintenance Staff who is responsible for ensuring adequate environmental health and safety conditions in the jail facilities, including as set forth in the remedial plan in the *Murray v. County of Santa Barbara* case. The job duties are enumerated in a separate document which is maintained by the ECM's supervisor and division Commander. This ECM will be responsible for conducting inspections relative to cleanliness and sanitation and submit written reports with corrective action plans. The ECM's duties include an assessment of every housing unit, including for plumbing, electrical, ventilation, painting, cleanliness, lighting, and storage of personal belongings and submit written bi-monthly reviews with corrective action plans.”

6.E.3.b Does the environmental inspection policy contain procedures for every housing unit that include an assessment of maintenance issues for;

- *Plumbing,*
- *Electrical,*
- *Ventilation,*
- *Painting,*
- *Cleanliness,*
- *Lighting,*
- *Storage of personal belongings.*

The Custody Operations – Policy and Procedures Manual Section 102, Inspection and Operations Review states, “The ECM’s duties include an assessment of every housing unit, including for plumbing, electrical, ventilation, painting, cleanliness, lighting, and storage of personal belongings and submit written bi-monthly reviews with corrective action plans.”

In the previous report, the Expert recommended that SBCJ staff review whether the issued property containers could adequately store the personal and County property issued to incarcerated persons (e.g., clothing, footwear, documents, etc.) including commissary items. Such a step is important and even essential to facilitating adequate cleanliness and sanitation in the housing units, in particular dorm units that are quite crowded. The County has not provided any information as to progress in this area. The Expert again recommends that the County consider shifting to the use of an adequately sized storage container that will allow incarcerated persons to store the County and personal property they are allowed to retain. This change requires minimal financial or staff resources and would be a cost-effective measure towards successful implementation of Remedial Plan provisions on cleanliness and sanitation. Post tour, the County advised the Expert that it is their position that with the creation of the orientation video the issue regarding the property containers should be resolved. The Expert will re-evaluate this issue following the implementation of the orientation video and subsequent tour.

6.F. Chemical Control and Biohazardous Materials

6.F.1. Development and Implementation of Chemical Control Policies and Procedures

6.F.1. The County shall develop and implement chemical control policies and procedures for safe storage, dilution, and distribution of chemicals used at the jail.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County is in the process of fully implementing this requirement. The County has developed training regarding chemical control and procedures for safe storage, dilution, and distribution of chemicals used at the jail. The County is in the process of developing policies and procedures in compliance with this requirement, which the County will provide to the Expert for his review. The County anticipates completing this requirement in the next month.

Analysis/Observations:

The Custody Operations – Policy and Procedures Manual Section 000, Chemical Safety includes policies and procedures for chemical control, safe storage, and distribution of chemicals used at the jail. The policy includes the following sections:

- Definitions
- Inventories
- Label and Labeling
- Safety Data Sheets
- Location of Safety Data Sheets
- Purchasing of Chemicals
- Storage of Purchased Chemicals
- Chemical Requests
- Chemical Waste Disposal
- Protection From Chemical Hazards
- Chemical Exposure & First Aid
- Employee and Worker Training

In the previous report, the Expert noted that the Santa Barbara County Sheriff's Office Chemical Management Program contained the process for safe storage, distribution of chemicals used at the jail, and various other procedures. However, the Expert noted it did not include the process for diluting chemicals. The Expert was not provided a revised copy of the Chemical Management Program and the Custody Operations – Policy and Procedures Manual Section 000, Chemical Safety does not include policies and procedures for the diluting of chemicals. Post tour the County produced Santa Barbara County Sheriff's Office Custody Operations-Policy and Procedures Manual 000 Chemical Safety. The policy states, "Employees using chemicals shall take reasonable steps to protect themselves, inmates, and other employees from foreseeable hazards. This includes: Proper dilution of chemicals as prescribed by the chemical label".

6.F.2. Development and Implementation of Chemical Safety Training for Staff and Incarcerated Persons

6.F.2. The County shall develop and implement a chemical safety training for all staff and prisoners assigned the responsibility of cleaning. The County or County's

contract provider shall maintain documentation that demonstrates evidence of training for all staff and prisoner-workers involved in cleanup.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County has implemented this requirement. The County developed chemical safety training which has been approved by the Environmental Health and Safety Expert. The County provided the training via PowerPoint viewing. The County is in the process of implementing the Expert's recommendation regarding the training documentation. Per the Expert's recommendation, the County will be re-issuing the training. The County anticipates completing this requirement in the next four to six months.

Analysis/Observations:

6.F.2.a Did SBCJ develop and implement a chemical safety training for all staff and incarcerated persons assigned the responsibility of cleaning?

The County produced Santa Barbara County Sheriff's Office Chemical Safety Program video slide presentation. The training outlines the basic chemical safety requirements under CAL-OSHA. The County also produced training rosters for staff and incarcerated persons assigned to the responsibilities of cleaning who attended the training.

6.F.2.a Does the SBCJ or the SBCJ contract provider maintain documentation that demonstrates evidence of training for all staff and incarcerated person workers involved in cleanup?

MJ

The County produced Santa Barbara County Sheriff's Custodial Facilities Chemical Safety PowerPoint Training Rosters for staff and incarcerated persons who attended the training. The Rosters reflect that 128 staff and 34 incarcerated persons completed the training. Most of the rosters do not reflect the date the training was provided. However, as noted in section 6.C.2. of the 18 incarcerated person workers assigned to laundry, training records were not produced for seven (7) of the workers.

NBJ

The Expert interviewed two (2) incarcerated persons assigned to a cleaning crew, three (3) incarcerated persons assigned to the kitchen, and three (3) incarcerated

persons assigned to the laundry. The Expert reviewed the training records produced by the County and noted all incarcerated persons had attended the chemical safety training.

The Expert interviewed one (1) staff member assigned to the Kitchen, one (1) staff members assigned as a utility worker, and two (2) staff members assigned to the laundry. The Expert reviewed the training records produced by the County and noted all staff had attended the chemical safety training.

NBJ

The County produced Santa Barbara County Sheriff's Custodial Facilities Chemical Safety PowerPoint Training Rosters for staff and incarcerated persons who attended the training. The Rosters reflect that 74 staff and 40 incarcerated persons completed the training. Training provided to the incarcerated persons is outside of the rating period (2/23 and 3/23) and no training has been provided since March of 2023 to newly assigned incarcerated person and to newly hired staff. Additionally, as noted in section 6.C.2. training records or a list of incarcerated person workers who were assigned to laundry during the rating period were not provided for staff or incarcerated person laundry workers. The County will need to produce a list of all staff and Laundry Workers assigned during the rating period for the Expert to verify they have been provided the required training.

The Expert interviewed two (2) incarcerated persons assigned to a cleaning crew, two (2) incarcerated persons assigned to the kitchen, and three (3) incarcerated persons assigned to the laundry. The Expert reviewed the training records produced by the County and noted two (2) of the incarcerated persons assigned to the laundry had not attended the chemical safety training.

The Expert interviewed one (1) staff member assigned to the Kitchen, one (1) staff members assigned as a utility worker, and two (2) staff members assigned to the laundry. The Expert reviewed the training records produced by the County and noted all staff had attended the chemical safety training.

The SBCJ maintains some documentation of training for staff and incarcerated person workers involved in the cleanup, but the documentation is not sufficient to assess compliance with this training requirement. T County must ensure that incarcerated workers assigned to the laundry receive the required training upon their assignment. The Expert recommends that the training rosters clearly document (1) the completion date of each staff member's and incarcerated person's training, and (2) the start date of each staff member's and incarcerated person's job assignment.

6.F.3. Communicable Disease Policy

6.F.3. The County shall revise and ensure implementation of its Communicable Disease policy, including to ensure appropriate use and concentration of pyrethrum spray.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County has revised Custody Operations Inmate Clothing and Personal Hygiene and Policy (Section 362) and Communicable Disease Policy (Section 244) to meet the requirements of this provision. The County's policy references use of permethrin spray rather than pyrethrum spray, which is consistent with the Assessment of Environmental Health and Safety Operations Report, which was the basis for this provision. The policy includes the appropriate use and concentration of this spray.

Analysis/Observations:

The County produced Santa Barbara County Sheriff's Office Custody Operations 244, Communicable Diseases. The policy states, "Any cell or location identified to be contaminated by a communicable disease and/or biohazardous material(s) shall be thoroughly cleaned and cleansed with Permethrin spray in a concentration of at least 1% (permethrin to water) and maximum of 10% (permethrin to water). Staff and/or incarcerated person workers cleaning cell or location shall be provided with appropriate protective equipment to include latex gloves, face shield and/or eye protection, N-95 mask and gown. Laundry workers will disinfect mattresses marked "infectious" with permethrin spray in accordance with Custody Policy 362."

The County advised the Expert that the policy references use of permethrin spray rather than pyrethrum spray, which the County reported is consistent with the Assessment of Environmental Health and Safety Operations Report and was the basis for this provision. Class Counsel did not oppose the use of permethrin spray. There were no cases where the County used permethrin spray during the rating period.

6.F.4. Development and Implementation of Policies and Procedures for Cleaning, Handling, Storing and Disposal of Biohazardous Materials

6.F.4. The County shall develop and implement policies and procedures for cleaning, handling, storing, and disposing of biohazardous materials, including waste. The County shall ensure that Material Safety Data Sheets are accessible anywhere chemicals are stored, mixed, or diluted.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County is in the process of completing this requirement. The County has an orientation for inmates to cover handling, storing, and disposing of biohazardous materials. The County has developed the requisite training which has been approved by the Environmental Health and Safety Expert. Training has been provided to Custody staff and inmate workers. The County is in the process of developing policies and procedures in compliance with this requirement, which the County will provide to the Expert for his review. The County anticipates completing this requirement in the next month. The County further reported that the is complete and will be implemented on January 1, 2025.

Analysis/Observations:

6.F.4.a *Did SBCJ develop and implement policies and procedures for cleaning, handling, storage, and disposing of biohazardous materials, including waste?*

The County produced Santa Barbara County Sheriff's Office Custody Operations 362, Inmate Clothing and Personal Hygiene. The policy has not been finalized. The draft policy states, "Any clothing item, sandals or linen that has been contaminated with blood or other potentially infectious materials (semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, and any body fluid that is visibly contaminated with blood or any human tissue) shall be placed in a plastic red biohazard bag and deposited in biohazard storage located in the IRC Treatment Room closet within the Main Jail and in the soiled linen room near the medical clinic at the Northern Branch Jail. Only staff and/or inmate workers trained to clean biohazardous materials shall be utilized to clean areas that have been contaminated with biohazardous material."

The Expert recommends that the County finalize and implement the revisions to the policy.

6.F.4.b *Does SBCJ ensure that Material Safety Data Sheets (MSDS) are accessible anywhere chemicals are stored, mixed, or diluted?*

County Response:

The MSDS sheets have been placed in all areas (MJ and NBJ) where chemicals are stored, mixed or diluted.

Analysis/Observations:

MJ

The County reports that the locations where chemicals are stored, mixed or diluted include:

- Northwest Dock Chemical Storage
- Northwest Dock
- Lobby Crew Cleaning Closet
- Laundry Dept.
- IRC Cleaning Closet
- Property Room

The County produced photos of the 24" x 36" OSHA Compliant Chemical Safety Training Posters. The County reported the posters are in the following locations:

- Laundry Department
- Nurses Offices
- Property Room
- Northwest Dock
- Lobby Crew Cleaning Closet
- MSF Office
- Kitchen Office

The County also produced photos of the location of the MSDS Books. The County reported the MSDS books are located in the following areas:

- Central Treatment Room
- IRC Cleaning Closet
- Kitchen Office
- Laundry Department
- Lobby Crew Cleaning Closet
- MSF Office
- Northwest Dock
- Northwest Dock Storeroom
- Northwest Treatment
- Nurses Office
- Property Room

The County also produced photos of Eyewash Stations. The County reported that Eyewash Stations are in place in the following locations:

- Northwest Treatment Room
- Northwest Dock
- Laundry Department
- Central Treatment Room

During the onsite tour the Expert confirmed the MSDS books in these locations.

NBJ

The County also produced photos of the location of the MSDS Books. The County reported the MSDS books are located in the following areas:

- Intake
- Jail Administration
- A-Unit and A-Unit #2
- B-Unit and B-Unit #2
- C-Unit and C-Unit #2
- D-Unit and D-Unit #2
- E-Unit and E-Unit #2
- F-Unit and F-Unit #2
- G-Unit and G-Unit #2
- H-Unit and H-Unit #2
- J/K-Unit
- M-Unit
- Main Corridor by Central Control
- Maintenance
- Kitchen
- Transportation Corridor
- Lobby Closet
- M-Unit Soiled Linen Closet
- Janitor next to M-11

During the on-site tour, the Expert confirmed all locations where MSDS binders are located.

6.F.5. Personal Protective Equipment for Staff and Incarcerated Person-Workers

6.F.5. The County shall ensure that staff and prisoner-workers responsible for cleaning biohazardous materials or areas suspected of being contaminated by pests (e.g., lice or scabies) are outfitted with protective equipment and receive appropriate supervision.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

Currently, jail staff ensures inmate workers are outfitted with protective equipment and receive appropriate supervision when cleaning areas suspected of being contaminated. The County has created training approved by the Environmental Health and Safety Expert which meets this requirement. This training has been provided to custody staff and inmate workers. In accordance with the Expert's

recommendation, staff document when staff or incarcerated persons are utilized to clean biohazardous incidents in the property recap as well as the custody deputy recap.

Analysis/Observations:

MJ

The Expert requested copies of documentation that staff and incarcerated workers responsible for cleaning biohazardous materials or areas suspected of being contaminated by pests were provided and outfitted with protective equipment and supervised. The County produced five (5) Property Office Recaps. The Recaps include the following biohazardous waste cleanup information:

- 10/30/23 - A deputy used gloves to cleanup biohazard in SC-2 and cleaning solution used is noted.
- 11/7/23 - A deputy used gloves to cleanup biohazard in H-2 and cleaning solution used is noted.
- 1/24/24 - A deputy used gloves to cleanup biohazard in SC-4 and cleaning solution used is noted .
- 2/7/24 – Two incarcerated workers used gloves, eye protection, gown and shoe covers to cleanup biohazard in H-2 and were supervised by a deputy and cleaning solution used is noted (Body# noted in Recap).
- 2/26/24 – A deputy used gloves to cleanup biohazard in NW-D and cleaning solution used is noted.

Documentation of a single incident during the monitoring period where protective equipment was provided to incarcerated workers suggests either a great deficit in documentation or a great deficit in the provision of PPE, or both. Efforts to ensure consistent provision of PPE when warranted, and documentation thereof, is essential for the County to establish Substantial Compliance.

The Expert interviewed two (2) incarcerated persons assigned as Northwest Dock Workers and Lobby Crew. Both incarcerated persons were asked if they are provided with PPE when cleaning biohazardous materials or areas contaminated with pests. Both incarcerated persons stated they are always provided full PPE, which included a gown, gloves, and face/mask and shoe covers when assigned to clean biohazard materials or areas and articles contaminated with pests. They also stated they are supervised by staff when conducting biohazardous material cleanup by a Deputy, Property Officer or Utility Worker.

During the incarcerated person interviews an incarcerated person housed in MJ East 24 reported that the County is housing incarcerated persons who are “kicking” drugs and alcohol in MJ East 24. He stated that these incarcerated persons will at times “throw-up, urinate and defecate on themselves, beds and floor. When this occurs, the other inmates have to clean up the biohazard without proper PPE and chemicals. It was reported that when the incarcerated persons ask the

Deputies for workers to be deployed to clean up the biohazard, the Deputies respond that all incarcerated persons would have to be relocated to another location because the workers are general population and cannot be mixed with protective custody incarcerated persons (in East 24). This is an insufficient response that requires a solution. The County must develop a process to ensure the biohazard is timely cleaned and that whoever completes the cleaning is provided adequate PPE. If the County elects to provide the incarcerated persons housed in MJ East 24 the PPE and chemicals to clean the biohazard, the County must ensure they are trained in biohazard cleanup and PPE. All of this must be documented to show compliance. In order for this provision to move to substantial compliance, the County must ensure individuals conducting the biohazard clean-up (staff, incarcerated person workers or incarcerated persons who reside in the module/unit) are provided the required PPE and receive appropriate training.

The Expert interviewed one (1) staff member assigned as a Utility Worker and two (2) Deputy's. The staff supervise incarcerated workers assigned to clean biohazardous materials and are also assigned to clean or supervise incarcerated persons who clean biohazardous materials or contaminated areas. The staff members stated that when cleaning biohazardous materials, they wear or provide PPE, which consists of gloves, a suit/gown, goggles, mask and shoe covers.

NBJ

The Expert requested copies of documentation that staff and incarcerated workers responsible for cleaning biohazardous materials or areas suspected of being contaminated by pests were provided and outfitted with protective equipment and supervised. However, no documents were produced and no information was provided that no biohazard cleanup occurred during the rating period.

The Expert interviewed one (1) staff member assigned as a Utility Worker and one (1) Deputy. The staff supervise incarcerated workers assigned to clean biohazardous materials and are also assigned to clean or supervise incarcerated persons who clean biohazardous materials or contaminated areas. The staff members stated that when cleaning biohazardous materials, they wear or provide PPE, which consists of gloves, a suit/gown, goggles, mask and shoe covers. The Expert also noted that the cleaning cart used by the Lobby Crew had all the PPE required for cleaning of biohazardous material and areas.

The Expert interviewed two (2) incarcerated persons assigned to the Lobby Cleaning Crew at NBJ. Both incarcerated persons were asked if they are provided with PPE when cleaning biohazardous materials or areas contaminated with pests. Both incarcerated persons stated they are always provided full PPE, which included a gown, gloves, and face/mask and shoe covers when assigned to clean biohazard materials or areas and articles contaminated with pests. They also stated they are supervised by staff when conducting biohazardous material cleanup by a Deputy, Property Officer or Utility Worker.

6.G. Negative Pressure Monitoring and Recording

6.G.1. Magnehelic gauge checks

6.G.1. The magnehelic gauges located outside the housing area to any negative airflow cell shall be checked once per shift to ensure the cells remain in a negative airflow state. When non-conformities are identified, the cell shall not be used for people with circumstances requiring a negative airflow cell, and a work order shall be submitted for prompt repair.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The Module Deputies check the gauge reading once per shift and note findings on daily module recaps. The County has provided training on negative airflow cells and has a work orders system that can address issues found in negative airflow cells. Work orders are submitted to the County General Services department and are maintained in their preventative maintenance system. The County has issued a directive and posted instructions on-site per the Environmental Health and Safety Expert's recommendation. The County has also initiated a review process to ensure the Post Recap reports are completed properly.

Analysis/Observations:

6.G.1.a Are the magnehelic gauges to negative airflow cells checked once per shift to ensure the cells remain in a negative airflow state?

The County produced Santa Barbara County Sheriff's Office Custody Operations 244, Communicable Diseases. The policy states, "The gauges located at any negative airflow cell will be checked, once each shift, by a deputy to ensure these cells remain in a negative airflow state. These checks will be documented on the Daily Module Recap. If a deputy observes any cells that are outside of the ranges provided above or that display red, they shall follow the following procedures:

- a. The staff member shall confirm that any incarcerated person housed in that cell is not under airborne precautions for a confirmed or suspected communicable disease. If the incarcerated person is under airborne precautions, the staff member shall immediately contact medical staff and the Lead Supervisor to ensure that the incarcerated person is moved to another appropriate negative airflow cell as soon as possible.
- b. The staff member shall visually inspect the intake and exhaust ducts within the cell which is not in a negative airflow state. If either air duct appears to be blocked, staff shall have the item(s) removed from the duct(s);

- c. The staff member shall confirm that the door(s) are secured, including any ante rooms;
- d. The staff member shall recheck the negative airflow gauge ten minutes after completing the previous steps to determine if it became compliant;
- e. If not in compliance following these measures, the issue will be reported immediately to Maintenance by submitting a work order."

MJ

The Santa Barbara County Sheriff's Office Custody Operations 244, Communicable Diseases reflects that negative pressure cells in the MJ are located on the New East Restrictive Housing Addition (NERH 25 - 38). The policy states, "These gauges should read between 0.25 and 0.070."

The County produced 24-hour Post Recap reports for MJ East Module for the months of August 2023 to February 2024. The Recap reflects the Negative Airflow Cell gauge checks are conducted at 0600 and 1800 hours. The Recap has a checkbox that indicates the gauge checks were completed, and staff also note the condition of the gauges. The Recap also includes the cell number and the gauge check reading for each cell/gauge.

The Expert reviewed a sample (four for each month) of the 24-hour Post Recap. Based on this review, the Expert identified the following discrepancies.

- 8/17/23 – Gauges not checked at 0600.
- 8/24/23 – Four (4) gauges reading above 0.070 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 9/8/23 – Gauges not checked at 0600. Four (4) gauges reading above 0.070 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 9/16/23 - Gauges not checked at 0600 and 1800 hours.
- 9/27/23 - 19 gauges reading above 0.070 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 10/4/23 – Four (4) gauges reading below 0.25 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 10/13/23 - Seven (7) gauges reading below 0.25 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 10/22/23 - Three (3) gauges reading below 0.25 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.

- 10/29/23 - Two (2) gauges reading below 0.25 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 11/2/23 - One (1) gauge reading below 0.25 and no indication staff attempted to clear the ventilation screen or if a work order was submitted to restore negative airflow in the cell.
- 11/11/23 - Gauges not checked at 0600. One (1) gauge reading below 0.25 and no indication staff attempted to clear the ventilation screen or if a work order was submitted to restore negative airflow in the cell.
- 11/28/23 - One (1) gauge reading below 0.25 and no indication staff attempted to clear the ventilation screen or if a work order was submitted to restore negative airflow in the cell.
- 12/4/23 - Two (2) gauges reading below 0.25 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 12/15/23 - Five (5) gauges reading above 0.070 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 12/23/23 - Nine (9) gauges reading above 0.070 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 12/29/23 - Eight (8) gauges reading above 0.070 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 1/3/24 - Nine (9) gauges reading above 0.070 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 1/11/24 - 44 gauges reading above 0.070 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 1/20/24 - 16 gauges reading above 0.070 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.
- 1/30/24 - 15 gauges reading above 0.070 and no indication staff attempted to clear the ventilation screens or if work orders were submitted to restore negative airflow in the cells.

During the on-site tour the Expert requested that the deputy assigned to the New East Restrictive Housing Unit demonstrate the magnehelic gauge check. During this demonstration, the Expert noted that numerous gauges were outside the required range. The Expert asked the deputy what action he had taken and the deputy stated he had submitted a work order and logged the action on the Post Re-Cap. The Expert reviewed the Post Re-Cap and confirmed the Post Re-Cap contained documentation of the work order being submitted.

However, the data noted above demonstrates that staff are not taking necessary steps, whether to clear the ventilation screen or to submit a work order to restore negative airflow in the cell when the gauges reveal an issue.

NBJ

The Santa Barbara County Sheriff's Office Custody Operations 244, Communicable Diseases reflects that negative pressure cells in the NBJ are in the Medical Clinic; Cells 1-5. The policy states, "These gauges should display green when cells are in negative airflow state and display red when cells are not in negative airflow state." The Custody Operations Negative Airflow Cells PowerPoint presentation training produced by the County reflects the NBJ Clinic gauges should read between 0.050 and 0.001 and any other readings will require staff to take action. If a gauge reads above .001 then the intake and exhausts ducts need to be inspected. If blocked, clear the blockage and recheck the gauge in 10 minutes. If gauge still reads above the limits, then submit a work order to General Service. If the inmate occupying the cell is contagious or in need of a negative airflow cell, they will need to be rehoused to a suitable negative pressure cell if available. If the inmate is not contagious or under negative pressure isolation, they can stay in the cell if there are no other suitable housing available. If a gauge reads below -0.05, submit a work order to General Services. If the cell is occupied, then notify Classification that the cell is off-line. The training instructs staff to look for the screen to read "NORMAL" in a green box and identify the numerical readings in the black box. If the cell negative airflow is not working properly, the light will be red and will not say "NORMAL."

The County produced Unit Recaps for NBJ J/K/M for the months of August 2023 to February 2024. The Recap reflects the Negative M-Unit checks are conducted at 0600 and 1800 hours. The Recap has a box that where staff note the condition of the gauges and a box for staff to document the gauges reading.

The Expert reviewed a sample (four for each month) of the 24-hour Post Recap. Based on this review, the Expert did not identify any discrepancies.

The Expert recommends the MJ provide refresher training to all staff assigned to monitor negative air pressure cells on the requirements to follow when the magnehelic gauges are outside the required reading range. The Expert also recommends that supervisors monitor staff to ensure all magnehelic gauge checks are completed and properly documented on the Post Recap reports and that all actions taken to correct discrepancies are documented.

6.G.1.b When non-conformities are identified, are cells not used for people with circumstances requiring a negative airflow cell?

The County produced Santa Barbara County Sheriff's Office Custody Operations 244, Communicable Diseases. The policy states, "The gauges located at any negative airflow cell will be checked, once each shift, by a deputy to ensure these

cells remain in a negative airflow state. These checks will be documented on the Daily Module Recap. If a deputy observes any cells that are outside of the ranges provided above or that display red, they shall follow the following procedures:

- a. The staff member shall confirm that any incarcerated person housed in that cell is not under airborne precautions for a confirmed or suspected communicable disease. If the incarcerated person is under airborne precautions, the staff member shall immediately contact medical staff and the Lead Supervisor to ensure that the incarcerated person is moved to another appropriate negative airflow cell as soon as possible.

MJ

Based on staff not documenting what actions were taken when non-conformities were noted on the Post Recap reports, the Expert was unable to evaluate if staff performed the mandated steps to clear abnormal gauge readings and if the issues identified required the submission of a work order and/or the relocation of the incarcerated person.

The Expert recommends that Post Recap reports, or other forms of documentation, be used to document when non-conformities are identified, and cells are not used for people requiring negative airflow cells and the actions taken by staff to relocate the incarcerated person to a suitable housing location as required by the policy and the *Murray v. Santa Barbara County Remedial Plan*.

NBJ

No discrepancies were noted in the review of Unit Recaps for NBJ J/K/M during the rating period.

6.G.1.c When non-conformities are identified, is a work order submitted for prompt repairs?

The County produced Santa Barbara County Sheriff's Office Custody Operations 244, Communicable Diseases. The policy states, "The gauges located at any negative airflow cell will be checked, once each shift, by a deputy to ensure these cells remain in a negative airflow state. These checks will be documented on the Daily Module Recap. If a deputy observes any cells that are outside of the ranges provided above or that display red, they shall follow the following procedures:

- b. The staff member shall visually inspect the intake and exhaust ducts within the cell which is not in a negative airflow state. If either air duct appears to be blocked, staff shall have the item(s) removed from the duct(s);
- c. The staff member shall confirm that the door(s) are secured, including any ante rooms;
- d. The staff member shall recheck the negative airflow gauge ten minutes after completing the previous steps to determine if it became compliant;

- e. If not in compliance following these measures, the issue will be reported immediately to Maintenance by submitting a work order."

MJ

The Expert requested copies of work orders for repairs submitted and completed for negative airflow cells when non-conformities were identified during the rating period. However, the County did not produce any work orders. This puts the SBJ in Non-Compliance with this provision.

The Expert recommends that MJ staff promptly submit work orders if required when non-conformities are identified. Copies of such work orders should be routed to the ECM for tracking and proof of practice.

NBJ

No discrepancies were noted in the review of Unit Recaps for NBJ J/K/M during the rating period that would have required the submission of a work order.

6.G.2. Staff Training for Magnehelic Gauge Readings

- 6.G.2. *The County shall provide and document training regarding acceptable gauge readings and the steps to take if the readings are outside the acceptable range for all staff assigned to housing areas with negative airflow cells.*

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County is in process of fully implementing this requirement. Wellpath is presently monitoring the gauge readings when the negative airflow cells are in use for patients that require negative airflow cells. Per the Expert's recommendation, supervisors will be monitoring whether gauged readings are within the acceptable range and ensuring proper documentation is complete. The County has updated the PowerPoint per the Expert's recommendations. The County will initiate training in the next three months. The County anticipates completing this requirement in the next four months.

Analysis/Observations:

The County produced Santa Barbara County Sheriff's Office Custody Operations 244, Communicable Diseases. The policy states, "Custody staff shall be trained in the reading of negative airflow gauges during the Custody Academy Additional Training."

The County produced the Custody Operations Negative Airflow Cells Review and Discussion PowerPoint presentation training. The training includes eight (8) slides and includes information on Santa Barbara County Sheriff's Office Custody Operations 244, Communicable Diseases, location of the negative pressure cells, acceptable gauge readings, actions to take if the gauges reading are above and below the acceptable readings.

MJ

The County produced an email dated March 20, 2023, that was directed to MJ supervisors instructing them to remind staff of the requirement to visually check and document the negative airflow cell gauge readings in the New East Restricted Housing Unit during both shifts (0600/1800). The County also produced Santa Barbara County Sheriff's Custodial Facilities Negative Airflow Cell Training Rosters for A, B, C, and D Squads. The rosters reflect a total of 68 staff (Sergeants, CDIs and CDs) were provided the training.

NBJ

The County produced Negative Airflow Cell Training Rosters for A, B, C, and D Squads and Administration. The rosters reflect a total of 58 staff were provided the training during the month of March 2024.

The Expert recommends that all SBCJ staff assigned to monitor negative air pressure cells receive additional/refresher training and clear guidance as to the expectations and requirements for this job duty.

6.G.3. Testing of Negative Pressure Cells and Gauges by External Contractor

6.G.3. *Negative pressure cells and gauges shall be tested by an external contractor on a regular schedule as part of the jail's preventive maintenance schedule.*

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Substantial Compliance

The County is in substantial compliance with this provision and have maintained substantial compliance for a period of at least six (6) months. Based on this, the Expert recommend this provision be designated as Suspension of Monitoring.

Analysis/Observations:

The County produced Santa Barbara County Sheriff's Office Custody Operations 244, Communicable Diseases. The policy states, "Negative pressure cells and gauges shall be tested by an external contractor on a regular schedule as part of the Jail's preventative maintenance schedule."

MJ

The County produced two (2) Santa Barbara South County Jail Inspection Report Negative Isolation Cells conducted during the rating period. The reports reflect the testing dates as 10/10/23, and 4/10/24. The testing was conducted by PALT and Associates, a California State Licensed air and water balance contractor (Certification Number P24-031(1)).

The Expert reviewed the reports and noted the following in the Conclusion and Discussion.

4/10/24

"To monitor actual cell pressure the pressure ports can be moved from their current location in the exhaust duct to each individual cell. This would monitor the cell pressure at the pressure gauges instead of static pressure inside the exhaust duct above the cell exhaust grill. It is recommended to calibrate the pressure gauges every 6 months. Change out all pre-filters in the exhaust system every 3 month (minimum). Monitor Room Pressure Gauges closely – changes in pressures differential will indicate if the registers / grills inside the cells become dirty / clogged and need to be cleaned / pressure washed. All registers were cleaned the week before this testing was conducted so the listed gauge pressures in this report can be used as a guideline to evaluate register conditions. South County Jail Maintenance team monitors pressure gauges closely and cleans Cell filters / grills when Cell Pressure Gauge is >0.65"WC. Increased efforts in maintenance has resulted in no positive pressure differential at any of the cells during this testing.

10/10/23

Move pressure ports from the exhaust duct to each individual cell, to monitor actual cell pressure instead of exhaust duct static pressure. It is recommended to calibrate the pressure gauges every 6 months. Change out all pre-filters in the exhaust system every 3 month (minimum). Monitor Room Pressure Gauges closely – changes in pressures differential will indicate if the registers / grills inside the cells become dirty / clogged and need to be cleaned / pressure washed. All registers were cleaned two weeks before this testing was conducted so the listed gauge pressures in this report can be used as a guideline to evaluate register conditions. South County Jail Maintenance team monitors pressure gauges closely and cleans Cell filters / grills when Cell Pressure Gauge is >0.65"WC.

NBJ

The County produced one (1) Santa Barbara South County Jail Inspection Report Negative Isolation Cells conducted during the rating period. The report reflects the testing dates as 10/10/23, and 4/10/24. The testing was conducted by PALT and Associates, a California State Licensed air and water balance contractor (Certification Number P24-031(1)).

The Expert reviewed the reports and noted the following in the Conclusion and Discussion.

12/12/23

Tasks performed to date (installation of correct filters, increase VFD speed of exhaust motor, continuous maintenance of exhaust fan, increase of motor speed to max amperage, cover of transfer grills) helped maintain cell pressures at a steady negative pressure. Recommended Cell pressure is > -0.01 "WC, by:

- Installing seal strips on all doors to minimize pressure loss through cracks
- Increase exhaust airflow from cells

It is recommended to calibrate the pressure gauges every 6 months. This certification will be due in June 2024. Change out all pre-filters in the exhaust system every 3 months. Verify belt tension, and if necessary, change belt. Monitor Room Pressure Gauges closely – changes in pressures differential will indicate if the registers / grills inside the cells become dirty / clogged and need to be cleaned / pressure washed."

Based on documentation provided, negative pressure cells and gauges are tested by an external contractor on a regular schedule, as part of the jail's preventive maintenance schedule.

6.H. Emergency Response and Fire/Life Safety

6.H.1. Monthly Inspection of Fire Extinguishers and Drills

6.H.1. The County shall inspect fire extinguishers monthly and hold drills to ensure all jail staff are trained consistent with NCCHC (National Commission on Correctional Health Care) standards on emergency response. Drill documentation shall include start and stop times, the number and location of any prisoners moved as part of the drill, and noted deficiencies, and any corrective actions taken.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The fire extinguisher inspection is documented in a monthly fire prevention log. The deficiencies are annotated in the notes section of the log sheets. At NBJ emergency response drills are conducted in accordance with NCCHC standards and documentation is maintained as required by this provision. The County has incorporated the Environmental Health and Safety Expert's recommendations related to the Fire Inspection Log.

Analysis/Observations:

6.H.1.a. Does the SBCJ inspect fire extinguishers monthly?

The Santa Barbara County Sheriff's Office Custody Operations 222, Fire Suppression/Natural Disaster and Evacuation Plan states, "The facility commander shall ensure that fire extinguishers, fire alarm pull stations, smoke detectors, emergency fire response equipment, exterior fire hydrants, facility exit routes/doors are inspected monthly and documented on the "monthly fire prevention inspection log." Any noted deficient or missing items shall be documented on the form and a work order or purchase order submitted for replacement/repair. Any items removed for replacement/repair shall be replaced with a suitable replacement if available."

MJ

The County produced Santa Barbara County Sheriff's Office Monthly Fire Extinguisher Checks for the months of August 2023 to February 2024. The Monthly Fire Extinguisher Check identifies the fire extinguisher locations (building and location in building), type of fire extinguisher, size of extinguisher, date of inspection, and an area to document who completed the inspection. The checklist includes 87 extinguishers. The document's inspection procedures include:

1. Make sure it is located in its designated place.
2. Make sure the extinguisher is visible or that there is signage indicating where the extinguisher is located.
3. Make sure you can easily access the extinguisher.
4. Ensure the pressure gauge is in the operable range or position.
5. Make sure the pull plug is in place.
6. Make sure it is full; this can be done by just lifting the extinguisher, or you can weigh it.
7. Make sure the condition of the tank, hose, and nozzle are acceptable.

The MJ conducted the required fire extinguisher inspections once each month during the rating period.

NBJ

The County produced Santa Barbara County Sheriff's Office Monthly Fire Extinguisher Checks for the months of August 2023 to February 2024. The Monthly Fire Extinguisher Check identifies the fire extinguisher locations (building and location in building), type of fire extinguisher, size of extinguisher, date of inspection, and an area to document who completed the inspection. The checklist includes 28 extinguishers. The document's inspection procedures include:

1. Make sure it is located in its designated place.
2. Make sure the extinguisher is visible or that there is signage indicating where the extinguisher is located.
3. Make sure you can easily access the extinguisher.

4. Ensure the pressure gauge is in the operable range or position.
5. Make sure the pull plug is in place.
6. Make sure it is full; this can be done by just lifting the extinguisher, or you can weigh it.
7. Make sure the condition of the tank, hose, and nozzle are acceptable.

The NBJ conducted the required fire extinguisher inspections once each month during the rating period.

6.H.1.b Does the SBCJ hold/conducts drills to ensure all jail staff are trained consistent with the National Commission on Correctional Health Care (NCCHC) standards on emergency response?

The Santa Barbara County Sheriff's Office Custody Operations 222, Fire Suppression/Natural Disaster and Evacuation Plan states, "The Facility Commander shall ensure that mass disaster drills are conducted so that each shift has participated over a 3-year period, including satellites. A health emergency man-down drill shall be practiced at least once a year on each shift. A section or sections of the jail should be evacuated regularly during a simulated emergency. The scenario used in the drills should allow for the use and testing of the SCBA/iEvac, evacuation routes, and locations, utility shutdowns, and security measures during emergencies.

The Jail Operations Division Commander or designee will schedule these drills and coordinate them with the Santa Barbara County Fire Department or other fire authority, if available.

All emergency response drills shall include a debrief with staff, medical personnel, mental health personnel (if applicable), and local fire or emergency response personnel (if applicable). The lead supervisor shall be responsible for completing a "Santa Barbara County Jail Emergency Response Drill Evaluation Form" following each emergency response drill and forwarding it to the Health Services Administrator, Operations Lieutenant, and Facility Commander for review. This review shall include the start/stop time, the number and location of any incarcerated persons moved as part of the drill, any noted deficiencies, and any corrective actions taken."

MJ

The County produced Santa Barbara County Jail Emergency Response Drill Evaluation Forms for MJ drills conducted on 12/19/23 and 3/7/24. The form includes detailed information for the drill, responders, evaluators, debriefs, deficiencies, and recommendations. The drills were conducted by B and C Squads.

NBJ

The County produced Santa Barbara County Jail Emergency Response Drill Evaluation Forms for MJ drills conducted on 9/21/23, 12/20/23, and 3/29/24. The form includes detailed information for the drill, responders, evaluators, debriefs, deficiencies, and recommendations. The drills were conducted by C and D Squads.

6.H.1.c Does the drill documentation include the start and stop times?

MJ

The County produced Santa Barbara County Jail Emergency Response Drill Evaluation Forms for MJ drills conducted on 12/19/23 and 3/7/24. The form includes the start and end times of the drills.

NBJ

The County produced Santa Barbara County Jail Emergency Response Drill Evaluation Forms for MJ drills conducted on 9/21/23, 12/20/23 and 3/29/24. The form include the start and end time of the drills.

6.H.1.d Does the drill documentation include the number and location of any incarcerated persons moved as part of the drill?

MJ

The County produced Santa Barbara County Jail Emergency Response Drill Evaluation Forms for MJ drills conducted on 12/19/23 and 3/7/24. The form includes the number of incarcerated persons moved.

NBJ

The County produced Santa Barbara County Jail Emergency Response Drill Evaluation Forms for MJ drills conducted on 9/21/23, 12/20/23, and 3/29/24. The form includes the number of incarcerated persons moved.

6.H.1.e Does the drill documentation include any noted deficiencies?

MJ

The County produced Santa Barbara County Jail Emergency Response Drill Evaluation Forms for MJ drills conducted on 12/19/23 and 3/7/24. The form includes a section for documenting deficiencies. One of the completed forms noted deficiencies.

NBJ

The County produced Santa Barbara County Jail Emergency Response Drill Evaluation Forms for MJ drills conducted on 9/21/23, 12/20/23, and 3/29/24. The form includes a section for documenting deficiencies. All three (3) completed forms noted deficiencies.

6.H.1.e Does the drill documentation include any corrective actions taken?

MJ

The County produced Santa Barbara County Jail Emergency Response Drill Evaluation Forms for MJ drills conducted on 12/19/23 and 3/7/24. The form includes a section for documenting recommendations. One of the completed forms noted recommendations.

NBJ

The County produced Santa Barbara County Jail Emergency Response Drill Evaluation Forms for MJ drills conducted on 9/21/23, 12/20/23, and 3/29/24. The form includes a section for documenting recommendations. Two (2) of the completed forms noted recommendations.

6.I. Environment of Care Monitor Inspections, Corrective Action, and Process for Incarcerated Persons to Raise Concerns

6.I.1. Bimonthly Housing Unit Environmental of Care inspections

6.I.1. The Environment of Care Monitor shall conduct bimonthly (i.e., every other month) Environmental Health and Safety inspections in every housing unit. The inspections shall include a documented assessment of and (as needed) corrective action plans for:

- a) Cleanliness of floors, walls, ceilings, bed and bedding, toilet and lavatory, cells and dayrooms surfaces;*
- b) Cleanliness and disinfection of common areas and furnishings, including showers, shower chairs, plastic chairs, wheelchairs, stretchers, beds/bunks and personal property containers.*
- c) Cleanliness of fans, exhaust and return ventilation grills, and the need for any maintenance repairs such as painting, broken tiles, blocked lighting, and plumbing.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The ECMs conduct a bi-monthly inspection that includes an assessment of maintenance issues for every housing unit for the areas required by this provision. The County includes the requisite information related to corrective action plans.

Analysis/Observations:

6.I.1.a. Does the Environment of Care Manager conduct bi-monthly (i.e., every other month) Environmental Health and Safety inspections in every housing unit?

The County produced Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 102 Inspections and Operations Review. The policy states, "An Environment of Care Monitor (ECM) has been assigned to the Sheriff's Main Jail Maintenance Staff who is responsible for ensuring adequate environmental health and safety conditions in the jail facilities, including as set forth in the remedial plan in the *Murray v. County of Santa Barbara* case. The job duties are enumerated in a separate document which is maintained by the ECM's supervisor and division Commander. This ECM will be responsible for conducting inspections relative to cleanliness and sanitation and submit written reports with corrective action plans. The ECM's duties include an assessment of every housing unit, including for plumbing, electrical, ventilation, painting, cleanliness, lighting, and storage of personal belongings and submit written bi-monthly reviews with corrective action plans."

The Santa Barbara County Sheriff's Office Santa Barbara Jail and Northern Branch Jail Sanitation Plan 4.10.24 states, "Environment of Care Monitor is assigned to each facility and will perform a walk-through inspection of the jail facilities, minimum of twice per week, noting any cleanliness issues. Upon performing an inspection of all housing modules and common areas, any deficiencies found will be brought to the attention of the Continual Quality Assurance ("CQA") Sergeant, Lieutenant, or designee, and noted in the bimonthly inspection report. The CQA Sergeant, Lieutenant, or designee will notify shift supervisors. A Facilities Work Order will be completed for any deficiencies found that cannot be immediately corrected."

MJ

The County produced MJ Environment of Care Inspections conducted by the ECM for the months of July-August 2023, September-October 2023, November-December 2023, and January-February 2024. The ECM completed the inspections of all areas during the every two-month period. The cover page of the report states,

"This environment of care inspection was conducted over the two months of July and August of 2023. My inspections encompass all locations inmates may reside, work, and or have access to during their incarceration here at the Santa Barbara County Jail.

ITEMS INSPECTED FOR CLEANLINESS

Floors, walls, ceilings, bed and bedding, toilet and lavatory, cells and dayroom surfaces, common areas and furnishings (including showers, shower chairs, plastic chairs, wheelchairs, stretchers, beds/bunks, and personal property containers), fans, exhaust and return ventilation grills, and the need for any maintenance repairs such as painting, broken tiles, blocked lighting, and plumbing."

The MJ ECM conducted bimonthly Environmental Health and Safety inspections of every housing unit and the inspections included all areas required by the Murray V. Santa Barbara County Remedial Plan.

NBJ

The County produced NBJ Environment of Care Inspections conducted by the ECM for the months of July-August 2023, September-October 2023, November-December 2023, and January-February 2024. The ECM completed the inspections of all areas during the two-month periods with the exception of C, D, and M Units during the months of September and October 2023 (Unable to complete due to inmates having tested COVID positive). The County also produced a document, "Items Inspected for Cleanliness," that states, "Cleanliness of floors, walls, ceilings, bed and bedding, toilet and lavatory, cells and dayroom surfaces, common areas and furnishings (including showers, shower chairs, plastic chairs, wheelchairs, stretchers, beds/bunks, and personal property containers), fans, exhaust and return ventilation grills, and the need for any maintenance repairs such as painting, broken tiles, blocked lighting, and plumbing." The inspections include inspections of every housing unit and all areas required by the Murray V. Santa Barbara County Remedial Plan.

- 6.I.1.b *Do the inspections include a documented assessment of and (as needed) corrective action plans for;*
- a. *Cleanliness of floors, walls, ceilings, bed and bedding, toilet and lavatory, cells, and dayroom surfaces?*
 - b. *Cleanliness and disinfection of common areas and furnishings, including showers, shower chairs, plastic chairs, wheelchairs, stretchers, beds/bunks, and personal property containers?*
 - c. *Cleanliness of fans, exhaust, and return ventilation grills, and the need for any maintenance repairs such as painting, broken tiles, blocked lighting, and plumbing?*

The County produced Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 102 Inspections and Operations Review. The policy states, "An Environment of Care Monitor (ECM) has been assigned to the Sheriff's Main Jail Maintenance Staff who is responsible for ensuring adequate environmental health and safety conditions in the jail facilities, including as set forth in the remedial plan in the Murray v. County of Santa Barbara case. The job duties

are enumerated in a separate document which is maintained by the ECM's supervisor and division Commander. This ECM will be responsible for conducting inspections relative to cleanliness and sanitation and submit written reports with corrective action plans. The ECM's duties include an assessment of every housing unit, including for plumbing, electrical, ventilation, painting, cleanliness, lighting, and storage of personal belongings and submit written bi-monthly reviews with corrective action plans."

MJ

The County produced MJ Environment of Care Inspections conducted by the ECM for the months of July-August 2023, September-October 2023, November-December 2023, and January-February 2024. The Expert reviewed the bi-monthly inspection reports. The inspection report reflects if the location inspected was either clean, good, with no issues, dirty, identified problems, not functional, needs repairs, repairs completed, if a work order was submitted and a work order is still pending.

In some notations, the ECM indicates work orders were submitted during last inspection. In these cases, there needs to be follow-up to ensure the work orders submitted are completed/resolved.

The County also produced 2023 and 2024 Bimonthly Inspection Corrective Action Plans (CAPS) for Plumbing and Lighting, Painting and Cleaning. The CAP is the method used to track and correct problematic concerns identified during the bi-monthly inspections. The CAP includes the date the issue was identified, location, brief description of the issue, work order number, status, date completed and disposition.

NBJ

The County produced NBJ Environment of Care Inspections conducted by the ECM for the months of July-August 2023, September-October 2023, November-December 2023, and January-February 2024.

The Expert reviewed the bi-monthly Environmental Health and Safety inspection reports. With the exception of one (1) case in K Unit (November-December 2023 report) and F, G, H Units (September-October 2023 report), all inspection reports reflect the location inspected was good, and no other information is noted. In the November-December 2023 report, the ECM noted, "Cleanliness Not Good – Refused assistance cleaning cell – wrote MH referral." In the September-October 2023 report, the ECM noted the Lighting in every area of F, G, and H Units "Not working. Being worked on by Cornerstone." The inspection reports do not reflect a work order was submitted. The County did not produce a CAP for the NBJ.

The Expert recommends that the NBJ establish a CAP process similar to the CAP process in place at the MJ.

6.1.2. System for Class Members to Raise Sanitation Matters of Concern

6.1.2. The County shall provide a system through which class members are able to raise sanitation matters of concern. The grievances shall be reviewed by the housing unit supervisors before each shift change. Where a maintenance issue identified, a work order shall be submitted before the end of the following shift.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County updated the Custody Operations Grievance Procedures Policy (Section 361) to specifically reference grievances and concerns related to sanitation and maintenance in compliance with this provision. Grievances are reviewed by the housing supervisors before the end of shift change, and where a maintenance issue is identified, a work order is submitted as required by this provision. The County is presently conducting quarterly grievance meetings, which includes tracking grievances related to sanitation issues.

Analysis/Observations:

6.1.2.a Does SBCJ provide a system through which class members are able to raise sanitation matters of concern?

The Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual Section 361 Grievance Procedures states, "Custody Operations shall provide incarcerated persons a procedure through which they can appeal, and have resolved, grievances relating to any conditions of confinement, included but not limited to: medical/mental health care; classification actions; disciplinary actions; program participation; telephone, mail, and visiting procedures; sanitation, facility defects, food, clothing, bedding and any ADA related accommodations, denial of accommodations or to report any disability-based discrimination or violation of the ADA, the Murray v. County of Santa Barbara Remedial Plan, or Jail ADA-related policy. This policy will apply to any grievances submitted electronically should such a system become available."

Incarcerated persons use the Santa Barbara County Sheriff's Office Custody Operations–Inmate Grievance Form to file grievances and/or raise sanitation matters of concern.

MJ

The County produced 24 grievances. Of the 24, 20 were sanitation-related.

The Expert reviewed the grievances and noted the following:

1. #22487 - dated 2/15/24 – housing E-24 – Incarcerated person stated on 2/14/24 he couldn't use the toilet in the yard due to filth (absolutely disgusting).

Reviewed 2/20/24

Response – "...staff looked into this matter and found the yard toilet to be in working condition. You referred to the toilet as "absolutely disgusting", as you know there were approximately 30 inmates in the yard (including yourself) using the toilet. The yard toilet is cleaned on a regular basis."

2. #22332 dated 1/21/24 – housing IRC 418 – Incarcerated person stated, I only got two (2) pairs of underwear in my linen, and I asked all day and was told I would get more before the shift ends.

Reviewed 1/22/24

Response – Intake said they gave you the requested items at the start of the shift.

3. #22248 dated 1/8/24 – housing E-24 – Incarcerated person stated, It is freezing cold in E-24 day and night. It is very inhumane, and the heat needs to be turned up at least 10 degrees. I can't feel my hands and feet.

Reviewed 1/8/24

Response – We let maintenance know to check the temperature in East-24. Work order was placed.

4. #22664 dated 12/25/23 – housing W-6 – The incarcerated person stated, Can you check the AC? It's been freezing cold in here we should be able to have a heater, and we haven't got clean sweaters in weeks.

Reviewed 12/26/23

Response – I submitted work order 194698 for West 6, too cold. On 1/2/24, CD asked West 6 if temp was still cold, and they said it was better. General maintenance supervisor said issue was fixed.

5. #22137 dated 12/16/23 – housing E-24 – Incarcerated person stated, The airflow and heated air are a huge issue. There is very little if any, circulation in E-24, which makes it difficult to breathe. Also, the vents in the ceiling are putting out heated air all day. It's extremely hot in here.

Reviewed 12/17/23

Response – We will have G/S come look at the vent temp. A temp check at 1500 hrs. 12/17/23 was 85 degrees.

6. #22036 dated 12/2/23 – housing E-24 – Incarcerated person stated, On 10/11/23 I put in a grievance regarding the ventilation system. The next day, maintenance came by to see if the issue was fixed. It was fixed, but now that the season has changed, it's a lot colder on one side of the tank in East 24.

Reviewed 12/3/23

Response – Your appeal is denied. In the future, do not use the appeal grievance process for an issue that was resolved. Grievance #21879 was answered, and maintenance came and spoke to you directly, and you agreed that the issue was resolved. Moving forward, we have an inmate kite process that allows you to inform Facility Maintenance directly about your concerns for building mechanical issues or other concerns, which this appeal grievance #21879 is a perfect example of.

7. #21916 dated 11/14/23 – housing BC-1 – Incarcerated person stated, It is very cold in hour housing (and BC-4).

Reviewed 11/16/23

Response – Thank you for bringing this to our attention. I will have a work order submitted and routed advise maintenance.

8. #21879 dated 10/11/23 – housing E-24 – The incarcerated person stated, The entire day, the vents have been blowing nonstop hot air, making it unbearable at times.

Reviewed 11/11/23

Response – On 11/15/23, I spoke with XXXX regarding this issue. He told me that the ventilation system had been working okay recently and that it must have been a one-day occurrence.

9. #21833 dated 10/27/23 – housing W-10 – Incarcerated person stated, It has gotten excessively cold in here in the early mornings.

Reviewed 11/3/23

Response – General Services routinely checks the temp levels. You also get a sweater, two (2) blankets as well as other linen. If there is an issue with temp, General Services will fix it.

10. #21806 dated 10/30/23 – housing BC-1 – Incarcerated person stated, It's extremely cold. Please 1). Turn the heat on, 2). Leave fans off, 3). Provide the already approved 3rd blanket for everybody that was given last year.

Reviewed 10/31/23

Response – A work order has been submitted to adjust the heat in your housing unit.

11. #21805 dated 10/30/23 – housing BC-4 – The incarcerated person stated, We are all cold and would appreciate an extra blanket; we don't want to get sick.

Reviewed 10/31/23

Response – A work order has been submitted to adjust the heat in your housing unit.

12. #21722 dated 9/28/23 – housing IRC-114 – Incarcerated person stated, B Squad is under strict orders from an unknown source not to give us cleaning supplies to fight the spread of disease. They are neglecting to spray the shower with bleach to kill germs they are failing to supply us with the proper cleaning agents.

Reviewed 10/6/23

Response – We, too, want to ensure that the facility is clean. Housing units are provided with cleaning supplies. We do not give each inmate personal cleaning supplies; if the cleaning supplies that are provided run out, the deputy needs to be advised, and they will be refilled. The cleaning solution the facility uses, meets the high standards needed to be used for County facilities. The solution that is being used here in the facility has been used for many years. It is diluted per the safety and cleaning recommendation from the manufacture. To ensure that the solution is diluted to the recommended percentage, the facility uses an automatic dilution system. The showers in the module units are cleaned bi-weekly by a work crew with a high-pressure sprayer to also ensure cleanliness.

13. #21710 dated 10/4/23 – housing BC-4 – Incarcerated person stated, In Back Central 4 it is extremely cold in the night. Can we get our 3rd blanket?

Reviewed 10/9/23

Response – We are looking into getting cells a 3rd blanket. We have to do a temp check at night.

14. #21709 dated 10/4/23 – housing BC-4 – The incarcerated person stated, I'm putting in a grievance due to our shower not being cleaned. There is black mold growing in the shower no one comes to clean it. The shower has not been buffed since I have been here for over a year.

Reviewed 10/4/23

Response – For the time being use the cleaning supplies issued in the morning. A work order to have the shower will be issued.

15. #21674 dated 9/25/23 – housing IRC-114 – Incarcerated person stated, B Squad is under strict orders from an unknown source not to give us cleaning supplies to fight the spread of disease. They are neglecting to spray the shower with bleach to kill germs they are failing to supply us with the proper cleaning agents.

Reviewed 9/25/23

Response – Per the DRC stipulated judgment; the jail needs to come up with a cleaning schedule, which we have completed. Also noted are cleaning supplies, which should be given daily. Which we do; 100 got the cleaning supplies at 0834 hours. It says nothing about letting inmates have personal cleaning supplies in cells, nor does it state what type of chemicals we must provide. You have access to cleaning supplies when you come out to the day room, which meets the DRC Judgment.

16. #21658 dated 9/10/23 – housing E-24 – The incarcerated person stated that overhead air vents were not working in the dayroom and the dorm on the dayroom side. Only four (4) vents are working on the bathroom side dorm. We have submitted numerous kite/work orders since September 1st and talked to many officers about this.

Reviewed 9/17/23

Response – The General Services Building Maintenance supervisor is aware and is in the process of having a wall fan installed in the hallway. Work order 19154 submitted to have vents checked for proper operation. Vent issue resolved by General Services. Vents are working properly.

17. #21657 dated 9/10/23 – housing E-24 – The incarcerated person stated that only four (4) of the vents are blowing air in East 24. The other eight (8) to twelve (12) are completely idle/need repair.

Reviewed 9/17/23

Response – The General Services Building Maintenance supervisor is aware and is in the process of having a wall fan installed in the hallway.

Work order 19154 submitted to have vents checked for proper operation. Vent issue resolved by General Services. Vents are working properly.

18. #21640 dated 9/11/23 – housing IRC-113 – The incarcerated person stated, Upon inspecting my cell, I discovered black mold caked all over the inside of my toilet above the water line.

Reviewed 9/12/23

Response – We will put in a request to have your cell cleaned. Your cell was cleaned before you were housed in the unit. Also, the toilet was stained due to hard water, not from it being mold, and as of today, 9/17/23, your toilet was scrubbed by a power scrubber and cell cleaned.

19. #21541 dated 8/17/23 – housing IRC-112 – The incarcerated person stated, Why is there such a low flow of inductive air within my cell? All that is needed is for maintenance to turn the airflow up a couple of notches.

Reviewed 8/18/23

Response – The General Services supervisor said the last preventative maintenance services for the IRC exhaust fans was done in June. He also said that the thermostat is set for summer and that he would monitor the temperature. I told XXXX that I would submit a work order to have the airflow checked. I submitted work order 190637.

20. #21508 dated 8/9/23 – housing IRC-114 – The incarcerated person stated, It is extremely hot in these cells with barely any airflow coming through the vent.

Reviewed 8/11/23

Response – The Santa Barbara County Sheriff's Office aims to provide a comfortable living environment for all inmates. At this time, you are the only person who has submitted a grievance regarding the temperature in the IRC. However, I will submit a request to the maintenance department to check the temperature in the IRC to ensure the temperature is within the adequate range.

The Expert reviewed the September 2021 (and Forward) Documents (Grievances (Trackers, Copies, Trends) Grievance Copies "2023 SBJ Grievances" and 2024 SBJ Grievances. Based on this review, the Expert identified five (5) grievances related to sanitation matters of concern that were not produced by the County.

The Expert reviewed the grievances and noted the following:

1. #22335 dated 1/21/24 – housing E-24 – The incarcerated person stated, I received my dinner tonight, and it was completely cold. I'm supposed to get a hot meal.

Reviewed 1/22/24

Response – Sorry to hear about this. We are continuing to improve on service. We are even doing temperature checks to ensure food is arriving at proper temperature. We will continue to monitor this.

2. #22239 dated 1/7/24 – IRC-112 – The incarcerated person stated, Today I was eating my breakfast bread, and it was covered in mold.

Reviewed 1/7/24

Response – CD offered to have medical see you this evening and you refused. It is our hope that you are feeling better.

3. #22211 dated 1/3/24 – housing IRC-423 – Incarcerated person stated, I have been exposed to sewer water in my cell, and for about three (3) days, I have a staff abscess on my left foot.

Reviewed 1/3/24

Response – Patient seen by RN 1-2 regarding abscess. The patient was provided with a warm compress; antibiotics were not indicated.

4. #21998 dated 11/24/23 – housing E-24 – Incarcerated person stated, Today, I got spoiled eggs in my kosher breakfast this morning. We've been getting more spoiled food in the dinners as well.

Reviewed 11/27/23

Response – The eggs are cooked, cooled, and refrigerated in the proper way. I am here when this takes place. Doesn't mean it cant come bad from our source.

5. #21914 dated 11/9/23 – housing IRC-113 – The incarcerated person stated that the bread was covered in mold this morning.

Reviewed 11/15/23

Response – We will be inspecting all batches of baked goods. If any issues arise, the proper corrective steps will be taken.

NBJ

The County produced an Excel Spreadsheet, "NBJ Grievances that reflects Twenty-eight grievances (26 Kitchen and 2 Maintenance). Based on the Expert's review, only three (3) of the grievances are sanitation-related.

The County did not produce the grievances; however, The Expert reviewed the September 2021 (and Forward) Documents (Grievances (Trackers, Copies, Trends) Grievance Copies "2023 SBJ Grievances" and 2024 SBJ Grievances and reviewed all grievances submitted.

The Expert review is listed below:

1. #22027 dated 12/1/23 – housing K-4 – Incarcerated person stated, I have a right to one (1) hot meal a day. On today's date, my dinner meal that I received was ice cold.

Reviewed 12/2/23

Response – Everyone in the facility is being given a hot meal. We have also taken additional measures to ensure food is being delivered hot and on time. I will be monitoring these implemented measures to ensure the quality and temperature of the food.

2. #22186 dated 12/30/23 – housing K-08 – Incarcerated person stated, I continue to receive hot meals which are served cold.

Reviewed 12/30/23

Response – The temperature of dinner meals is checked daily to ensure that meals are served at the appropriate temperature.

3. #22376 dated 1/28/24 – housing H-1 – Incarcerated person stated, The toilet water is way too hot. It burns our butts, leaving us with red rashes. Please fix it before I get sick or get 3rd-degree burns.

Reviewed 1/28/24

Response – Work order done 1/28/24. Instructed deputy to turn the hot water off. The deputy also wrote a work order, and we will have general services look at it first thing tomorrow when they come in.

The Expert reviewed the September 2021 (and Forward) Documents (Grievances (Trackers, Copies, Trends) Grievance Copies "2023 SBJ Grievances" and 2024 SBJ Grievances. Based on this review, the Expert identified two (2) grievances related to sanitation matters of concern that were not produced by the County.

The Expert reviewed the grievances and noted the following:

1. #22380 dated 1/29/24 – housing H-1 – Incarcerated person stated, I was burned by the shower last night.

Reviewed 1/29/24

Response – Patient seen by RN on 2/1, no request submitted regarding this request. Requested for General Services to check temperatures of showers.

2. #22418 dated 2/8/24 – housing D-1 – The incarcerated person stated, I washed my clothes on Monday and did not receive my linen back when the unit's clothes were returned.

Reviewed 2/9/24

Response – Pulled XXXX from his cell to inventory linen. Provided XXXX with all required amount of linen.

MJ and NBJ - During incarcerated person interviews, all incarcerated persons stated they are aware of how to use the grievance process and raise sanitation matters of concern; however, they also stated that, at times, issues are not completely resolved.

Based on the grievances reviewed and incarcerated person interviews, the SBCJ provides a system through which incarcerated persons are able to raise sanitation matters of concern. However, the Expert recommends the SBCJ develop a method to track and categorize all grievances related to sanitation matters of concern to ensure issues are resolved as soon as possible. It is further recommended that SBCJ identify whether the current system can track and provide real-time reports for sanitation-related grievances from the time of submission to resolution.

6.1.2.b Are grievances (sanitation matters of concern) reviewed by the housing unit supervisors before each shift change?

MJ

Of the 25 grievances, six (6) were reviewed by a supervisor before shift change.

NBJ

Of the five (5) grievances, three (3) were reviewed by a supervisor before shift change.

The Expert recommends that grievances containing issues related to sanitation matters of concern be reviewed by the housing unit supervisors before each shift change.

6.I.2.c When a maintenance issue is identified, are work orders submitted before the end of the following shift?

MJ

Of the 25 grievances reviewed, based on the issue being grieved, eight (8) did not require staff to submit a work order. In six (6) cases, the grievance response referenced staff completing a work order; however, the work orders were not produced. In four (4) cases, the County produced the work orders, and in seven cases a work order was not completed where such a work order should have been submitted. In sum, the documentation suggests that a work order was completed in 4 of 17 cases (23.5%) where one was indicated.

NBJ

Of the five (5) grievances reviewed, based on the issue being grieved, three (3) did not require staff to submit a work order. In two (2) cases, the grievance response referenced staff completing a work order; however, the work orders were not produced... Post tour the County produced Closed Work Order List that reflects the work orders were submitted and completed.

The Expert recommends that SBCJ provides copies of all work orders submitted when a grievance is received with a maintenance issue identified, with documentation that includes whether and when the work order was completed, and the issue resolved. It is further recommended staff submit all work orders before the end of the following shift when a maintenance issue is identified. All grievances that lead to a work order being submitted should have the work order number documented as part of the response.



Signature

Submitted on behalf of Sabot Technologies, Inc. dba Sabot Consulting to the County of Santa Barbara, and Santa Barbara County Sheriff's Office

A handwritten signature in black ink, appearing to read "Julian Martinez", written over a horizontal line.

Julian Martinez
Director
Sabot Consulting

December 24, 2024

Date