



Expert Monitor's Report

ADA / Disability Remedial Plan Report
(Fifth Round), *Murray* v. County of
Santa Barbara, Case No. 2:17-cv-08805-
GW-JPR

On-Site Review: June 9-12, 2025

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Introduction

The *Murray v. Santa Barbara County* is a federal class-action lawsuit challenging access to programs, services, and activities at the Santa Barbara County Jails (SBCJ) for incarcerated persons with disabilities housed in the SBCJ. The United States District Court granted final approval to the Stipulated Judgment on February 2, 2021.

The terms of the *Murray v. Santa Barbara County* Stipulated Judgment includes the Santa Barbara County Remedial Plan, which outlines specific conditions in the SBCJ the County agreed to remedy. Under the Stipulated Judgment, the County agreed to develop implementation plans to reform specific policies, procedures, and practices for providing accommodations to incarcerated persons with disabilities housed 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.

A. 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 Defendants' 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 Defendants' 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 Partial 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 "Partial Compliance Determinations."

The Annual Reports will provide, to the extent possible, specific recommendations as to how Defendants may reach Partial Compliance. The Parties shall have an opportunity to respond to any finding regarding Defendants' Partial 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 the Annual Report completion. 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 correctional and health care staff and people incarcerated in the jails, including confidential and voluntary interviews, as is reasonable to complete a report and provided it does not implicate 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 reasonably determined by jail administrators. The Remedial Plan Experts shall have reasonable access to individual prisoner health records, including mental health records and custody records.

B. Monitoring Process

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

Substantial Compliance (SC):

Indicates compliance with all or most components of the relevant provision of the Remedial Plan, and 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 Partial 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.

Discontinuation of Monitoring (DOM):

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.

Executive Summary

This is the fifth Expert Monitoring Review of Santa Barbara County's compliance with the *Murray v. Santa Barbara County* Remedial Plan, which addresses Americans with Disabilities Act (ADA), Disability Accommodations, and Access for incarcerated persons with Disabilities housed within the SBCJ. This fifth round of monitoring focused on both the Main Jail (MJ) and the Northern Branch Jail (NBJ). The on-site Expert Monitoring Review was conducted on June 9-12, 2025. The Expert Monitoring Review included a review of pre-monitoring documents produced by Santa Barbara County, on-site observations of the intake medical screening process, interviews of staff (ADA Coordinator, Lieutenants, Sergeants, medical providers, medical intake screening staff, custody intake screening staff, property utility workers, Classification Unit staff, program providers, custody housing staff, and disabled incarcerated persons housed in the SBCJ's).

In lieu of an exit meeting, progress with the *Murray v. Santa Barbara County* Remedial Plan was discussed with custody and medical administrative staff, counsel from the Santa Barbara County Counsel's Office, and Aaron Fischer, Plaintiffs' Counsel representative during the tour.

Additionally, 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.

Since the last monitoring tour, the County has revised and implemented additional custody policies to include all requirements of the *Murray v. Santa Barbara County* Remedial Plan. The Wellpath policies, including the policies for screening and identifying the intellectual/developmentally disabled incarcerated persons and their adaptive deficits and adaptive support needs, are still in the process of being developed and finalized. The County has also developed and finalized the ADA site-specific training, including knowledge-based questions, to meet the *Murray v. Santa Barbara County* Remedial Plan staff training requirements. The County reports that the Training will be provided to staff in the near future. In addition, the County developed the incarcerated person orientation and provides the Orientation in the MJ Intake and Release Center holding cell televisions, and also provides the Orientation in all housing unit televisions daily.

The County continues to work with the ATIMS vendor to include functionality in the JMS/ADA Tracking System required by the *Murray v. Santa Barbara County* Remedial Plan. The ADA Coordinators and custody staff continue to use the existing ADA Tracking System to track the disabled incarcerated persons and their accommodations, in addition to documenting some of the *Murray* Remedial Plan requirements. However, the County has yet to fully implement the requirement for all staff to document the provision of some of these requirements within the ADA Tracking System.

The Expert finds that the County has implemented some practices and processes to assist SBCJ staff in providing equal access to the SBCJ programs, services, and activities as required by the *Murray v. Santa Barbara County* Remedial Plan. This includes:

- Development of the Safety and Security Assessment form
- Development of the Effective Communication Form
- Implementation of Video Phone Tablet access
- Tracking the provision of the orientation handbook at intake
- Access to the Sheriff's Treatment Program (STP) for incarcerated persons housed in the Behavioral Housing Units and MJ South Dorm
- Revision of the Santa Barbara County Sheriff's Office Hearing Officer Worksheet.
- Installation of ADA-accessible workout equipment in the recreation yards at both facilities.
- Termination of practice housing class members with ADA accessible housing needs in all of the MJ housing units (West, East, Central, Back Central, and Northwest)
- Development of the ADA site-specific training
- Development of the incarcerated person orientation

Most staff who were interviewed continue to be aware of modifications available and required to be provided to the disabled incarcerated persons. The ADA Coordinators are knowledgeable about the ADA and the *Murray v. Santa Barbara County* Remedial Plan and are a valuable resource for staff. During the monitoring tour, the ADA Coordinators would immediately resolve individual issues identified by the Expert and brought to the attention of the County. However, the County must focus on ensuring staff are provided the ADA training, which includes information on the revised policies and procedures and the requirements of the *Murray v. Santa Barbara County* Remedial Plan. Until staff are trained on the revised policies and procedures, staff will not be fully aware of their requirements to ensure incarcerated people with disabilities have access to the SBCJ programs, services, and activities. The Expert recommends that the County focus on the following areas, which serve as essential "building blocks" of an effective jail-based "Disability" program:

- Implement a process for the identification of Intellectually/Developmentally disabled incarcerated persons, their adaptive support deficits, and adaptive support needs.
- Finalize and implement the revised ATIMS/JMS functionality that allows the staff to have access to and the ability to document the specific requirements of the *Murray v. Santa Barbara County* Remedial Plan.
- The Expert continues to recommend that the County move forward expeditiously with the physical plant modifications and improvements at the MJ. The physical plant modifications and improvement are key in ensuring the County provides the disabled incarcerated persons meaningful and equivalent access to the SBCJ programs, services, and activities such as work opportunities, education and program classes, recreation activities, out-of-cell opportunities (dayroom), access to telecommunication technology, housing placement in the least restrictive locations, and housing with the appropriate accessible features.

- Finalize the ADA Corrections¹ computer-based and formal training curriculum and ensure all required staff (custody, medical, maintenance, and other staff) are provided the ADA training.

The Expert also recommends the following to facilitate compliance with *Murray* ADA Remedial Plan requirements:

- Ensure incarcerated persons are provided a copy of the Custody Operations Orientation Handbook within 6 hours of processing and classification.
- Ensure staff check and document the check prior to the following processes:
 - Intake Screening
 - Classification interview
 - Assignment of Housing
 - Medical and Mental Health encounters
 - Due Process (Inmate Disciplinary Reports/Grievances)
 - Transportation
- Ensure Jail staff identify incarcerated persons with barriers to communication and provide and document Effective Communication for due process and clinical encounters.
- Ensure staff provide an SLI for cases where the incarcerated person's preferred method of communication is sign language.
- Ensure staff log the provision of an SLI or the waiver of an SLI on the SLI log, including:
 - The method of communication of the waiver, and
 - The method staff used to determine that the waiver was knowing and freely given.
- Ensure disability-related grievances and Disability Requests for Accommodations are responded to within 72 hours of receipt, and sooner for situations in which a person's safety or physical well-being is at risk.
- Ensure all ADA-related grievances are tracked as "ADA" for effective review, resolution, and quality assurance.
- Ensure disability-related grievances are identified by the reviewing supervisor, even if the incarcerated person who submitted the grievance did not check the "ADA" box.
- Ensure all ADA-related grievance responses, including the resolution, the basis for a denial (if applicable), and the process for appeal when responses are provided to incarcerated persons with a disability.
- Ensure the County regularly reviews the disability-related grievances and complaint information for quality assurance purposes.
- Explore ways to expand community-based program opportunities to disabled incarcerated persons who are housed in the MJ (South Dorm and BHU's).
- Pending the remodel of the Inmate Receiving Center of the Main Jail, ensure the staff scheduling the visits for disabled incarcerated persons housed in the South Dorm review the ADA Tracker list and schedule the visit in the IRC visiting booths if the incarcerated person requires an accessible visiting booth.
- Ensure disabled incarcerated persons are provided with equitable job opportunities.

- Install visual alarms in the MJ.
- In cases where Jail staff determine it is necessary to remove personal HCA/AD/DME for security reasons, ensure the incarcerated person is provided with an equivalent Jail-issued device unless custody staff, with ADA Coordinator approval, determine and document, based on an individualized assessment, that the device constitutes a risk of bodily harm or threatens the security of the facility.
- In cases where Jail staff determine it is necessary to remove personal HCA/AD/DME for security reasons, ensure the ADA Coordinator documents the decision and reasons for it and consults with medical staff to determine an appropriate alternative accommodation.
- Ensure staff document the time that each incarcerated person uses and has access to telecommunication relay services, such as a videophone or TDD/TTY.
- In housing units where an individual with a hearing-related disability resides, ensure public announcements are communicated as consistent with the individual's Effective Communication needs.
- Develop a Monitoring/Accountability Plan.

The Expert's report identifies areas of compliance and non-compliance. As the County implements vital components of the *Murray v. Santa Barbara County* Remedial Plan, including those listed above, the areas found in non-compliance will progress into Partial Compliance.

This report details the pre-monitoring tour document review, on-site monitoring, and staff and incarcerated person interviews, and also includes findings and recommendations/actions the County must make to move towards achieving Partial Compliance with the *Murray v. Santa Barbara County* Remedial Plan.

Summary of Ratings

Remedial Plan Citation	Requirement	Current Rating	Previous Rating
5.A.1	ADA Policy	DOM	DOM
5.B.1	ADA Coordinator	DOM*	DOM*
5.B.2	Designated ADA Coordinator	DOM	DOM
5.B.3	ADA Coordinator Duty Statement	DOM	DOM
5.B.4	ADA Coordinator Postings	DOM	DOM
5.C.1	ADA Notice to Prisoners	DOM	DOM
5.C.2	Orientation Handbook	PC	PC
5.C.3	Orientation Video	SC	NC
5.D.1	ADA Training	PC	PC
5.D.2	Modality of ADA Training	PC	PC
5.E.1	Development of ADA Tracking System	PC	PC
5.E.2	Requirements of ADA Tracking System	PC	PC
5.E.3	Availability of ADA Tracking System and Input Requirements	PC	PC
5.E.4	Requirement to Print Disability Accommodation on Wristband	DOM	NA ¹
5.E.5	Requirement for Staff to Check ADA Tracking System	PC	PC
5.F.1	Identification and Screening of Disabilities	PC	PC
5.F.2	Revision of Screening Process	DOM	DOM
5.F.3	Input of ADA Screening Results in ADA Tracking System	PC	PC
5.G.1	Revision of ADA Request Form	DOM	DOM
5.G.2	ADA Grievance Procedures	DOM	SC
5.G.3	Provision of SLI During Grievance Interview	PC	PC
5.G.4	ADA Grievance Response and Process	PC	PC
5.G.5	Grievance Form ADA Checkbox/Grievance Processed as ADA When ADA Checkbox is Not Checked	PC	PC
5.G.6	Availability of Grievance Forms/Large Print Grievance Forms	DOM	DOM
5.G.7	Written Grievance Responses	PC	PC
5.G.8	Informing Incarcerated Persons of Grievance Procedures	DOM	SC
5.G.9	Grievance Tracking System	PC	PC

¹ Not Applicable per agreement of the parties

5.H.1	Implementation of ADA Housing Assignment System	PC	SC
5.H.2	Housing of Disabled Incarcerated Persons	PC	PC
5.I.1	Accessibility of Family/Personal Visitation	PC	PC
5.I.2	Individualized Assessment of Disabled Incarcerated Persons for Visitation	SC	SC
5.J.1	Access to Programs, Services and Activities	PC	PC
5.J.2	Reading and Scribing Assistance	PC	PC
5.J.3	Equitable Job Opportunities	PC	PC
5.K.1	Timely Provision and Operation of HCA/AD/DME	DOM	DOM
5.K.2	Primary Consideration of Accommodation/Device	PC	PC
5.K.3	Retention of HCA/AD/DME (Individualized Assessment)	PC	PC
5.K.4	Release of Incarcerated Persons with HCA/AD/DME	PC	PC
5.L.1	Accommodations During Transport	DOM	DOM
5.L.2	Prescribed HCA/AD/DME During Transport	DOM	SC
5.L.3	Accessible Vehicles	DOM	DOM
5.L.4	Assistance On and Off Transport Vehicles	DOM	DOM
5.M.1	Effective Communication Policy	PC	PC
5.M.2	Effective Communication Assessment	PC	PC
5.M.3	Assessment of Effective Communication Needs at the Beginning of Medical Screening and Classification	PC	NC
5.M.4	Enhanced Procedures for Effective Communication	PC	PC
5.M.5	Provision of Effective Communication	PC	PC
5.M.6	Primary Consideration of Effective Communication Needs	PC	PC
5.M.7	Outside Education Program and Providers' Requirement of Effective Communication	SC	PC
5.N.1	Identification of Preferred Method of Communication (Deaf and/or Hard of Hearing)	DOM	SC
5.N.2	Provision of Sign Language Interpreters	PC	PC
5.N.3	Sign Language Interpreter Log	PC	PC
5.N.4	Waiver of a Sign Language Interpreter	PC	PC
5.N.5	Sign Language Interpreter Contract	DOM	DOM
5.N.6	Use of Lip Reading as Preferred Method of Communication	PC	SC
5.N.7	Use of Most Effective Form of Communication When SLI is not Practical or Waived	PC	PC

5.N.8	Provision of Videophones	DOM	SC
5.N.9	Time of Usage for TTY/TDD or Videophone	PC	PC
5.N.10	Provision of SLI for Education, Vocational, and Religious Programs	PC	PC
5.N.11	Public Announcement	PC	PC
5.O.1	Intellectual Disability Policy	PC	PC
5.O.2	Regional Center Contact for Incarcerated Persons With Intellectual Disabilities	PC	PC
5.O.3	Accommodations for Incarcerated Persons With Intellectual Disabilities	PC	NC
5.O.4	Development of an Individualized Plan by a Multidisciplinary Team for Incarcerated Persons With Intellectual Disabilities	PC	NC
5.P.1	ADA Transition Plan	PC	PC
5.P.2	Implementation of Transition Plan	PC	PC
5.P.3	Accessibility at the North Branch Jail	DOM	SC
5.Q.1	Policies for Alarms and Emergencies	PC	PC
5.Q.2	Visible Markers and List to Accommodate Incarcerated Persons During Alarms/Emergencies.	DOM	SC
5.Q.3	Installation of Visual Alarms	PC	PC
5.Q.4	Posting of Emergency and Fire Routes	DOM	DOM
5.R.1	ADA Compliance Monitoring	PC	PC
5.R.2	ADA Accountability Plan	PC	PC

Findings

5. A. Policy

5.A.1. It is the County's policy to provide access to its programs and services to incarcerated people with disabilities, with or without reasonable accommodations, consistent with legitimate penological interests. No person with a disability, as defined in 42 U.S.C. § 12102, shall, because of that disability, be excluded from participation in or denied the benefits of services, programs, or activities or be subjected to discrimination. It is the County's policy to provide reasonable accommodations or modifications, consistent with 28 C.F.R. §§ 35.150 & 35.152, and other applicable law.

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Discontinuation of Monitoring

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and have maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5. B. ADA Coordinator

5.B.1. The County shall have a designated Americans with Disabilities Act (ADA) Coordinator whose position is dedicated to coordinating efforts to comply with and carry out ADA-related requirements and policies. The ADA Coordinator shall have sufficient authority to carry out such duties and shall work with the executive management team regarding ADA compliance, Training, and program needs.

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Discontinuation of Monitoring

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and have maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5.B.1.a The County and ADA Coordinators' current reporting structure is as follows:

- The ADA Coordinators (Corporals) are a direct report to the Compliance Unit Sergeant.
- The Compliance Unit Sergeant is a direct report to the Compliance Unit Lieutenant.
- The Compliance Unit Lieutenant is a direct report to the Commander.
- The Commander is a direct report to the Chief.

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and have maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5.B.2. *The County intends for the ADA Coordinator to be based at the Main Jail. Any County jail facility that does not have the ADA Coordinator on site shall have a designated staff member on site at that facility who will have responsibility to monitor day-to-day ADA compliance and will report to the ADA Coordinator.*

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and have maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5.B.3. *The County shall clearly enumerate the job duties and Training requirements for the ADA Coordinator position.*

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and have maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5.B.4. *The County will ensure that the name of and the method for people to contact the ADA Coordinator (or facility designee) are clearly posted in the intake area and in every jail housing unit. The County will also ensure that the name and contact information*

(address, phone, email) of the ADA Coordinator (or facility designee) are available to the public, including posting in each Jail's main lobby and online.

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and have maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

- 5.B.4.a. The Expert confirmed that the contact information (address, phone, email) of the ADA Coordinator (or facility designee) is posted online. In addition, the contact information (address, phone, email) of the ADA Coordinator (or facility designee) is posted in all the SBJ or NBJ main lobbies.

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and have maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5. C. ADA Notice to Prisoners

- 5.C.1. *The County shall ensure that people with disabilities held at the Jail are adequately informed of their rights, including but not limited to:*
- a) The right to receive reasonable accommodations;*
 - b) The process for requesting a reasonable accommodation;*
 - c) The role of the ADA Coordinator (and designee) and method to contact them;*
 - d) The grievance process, location of relevant forms, and process for getting assistance in completing request and grievance forms;*
 - e) Instructions on how to request and access health care services, including the provision of Effective Communication and other accommodations in accessing those services.*

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Discontinuation of Monitoring

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and have maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

- 5.C.2. *Within 6 hours of processing and classification, the County will provide all incarcerated people a Custody Operations Orientation Handbook in an accessible format, containing a designated section with ADA-related policies, procedures, and other information. The Orientation Handbook shall be made available in large print (at least 18-point font) in English and Spanish to accommodate people with visual impairments.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports all incarcerated people are provided with a Custody Operations Orientation Handbook within the timelines set forth in this requirement. The Handbook is available in 18-point font in English and Spanish. The County notates JMS when an inmate is provided a copy of the Handbook. Additionally, the County instituted a daily report to track and monitor the timely issuance of the Handbook.

Analysis/Observations:

During the on-site review, staff who provide incarcerated persons with disabilities the Santa Barbara County Sheriff's Office Custody Orientation Handbook at the NBJ and MJ stated that incarcerated persons are provided with the Handbook when processing property and issuance of jail clothing.

The County has added a field to the ATIMS property screen that documents when the Orientation Handbooks are provided to incarcerated persons. The County produced Custody Operations Orientation Handbook Distribution Reports for the document production period (July 1, 2024, to February 28, 2025). The Expert selected five (5) reports for each month (40 reports). There was a total of 612 incarcerated persons listed on the reports. Of the 612 entries, in 477 cases the Orientation Handbook was issued to the incarcerated person within six (6) hours of processing/classification, in 135 cases the Orientation Handbook was issued to the incarcerated person more than six (6) hours after processing/classification.

There were only three (3) dates (listed below), where all cases were issued the Orientation Handbook to the incarcerated person within six (6) hours of processing/classification.

- July 14, 2024
- November 1, 2024
- January 1, 2025

The following dates had a higher number of cases where the Orientation Handbook was issued to the incarcerated person, more than six (6) hours of processing/classification.

- On July 1, 2024, of 17 total cases, there were six non-compliant cases.
- On July 7, 2024, of 12 total cases, there were five non-compliant cases.
- On July 28, 2024, of 7 total cases, there were three non-compliant cases.
- On August 14, 2024, of 24 total cases, there were nine non-compliant cases.
- On August 21, 2024, of 28 total cases, there were 10 non-compliant cases.
- October 8, 2024, of 11 total cases, there were five non-compliant cases.
- December 14, 2024, of 19 total cases, there were nine non-compliant cases.
- December 21, 2024, of 19 total cases, there were 12 non-compliant cases.
- On February 21, 2025, of 16 total cases, there were six non-compliant cases.

5.C.2.a. The County reports the Handbook is available in 18-point font in English and Spanish. The County produced both Spanish and English versions of the Santa Barbara County Sheriff's Office Custody Orientation Handbook in 18-point font. The Expert confirmed that the Spanish version of the Santa Barbara County Sheriff's Office Custody Orientation Handbook is available for issuance as needed.

To reach substantial compliance with provision 5.C.2, the County must:

- Ensure incarcerated persons are provided with a Custody Operations Orientation Handbook within 6 hours of processing and classification.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5.C.3. *The County will provide an accessible video that presents the contents of the Orientation Handbook, including the ADA-related policies, procedures, and information. The County will, as appropriate, provide an SLI to interpret the contents of the Orientation Handbook to persons who are deaf or hard of hearing who use American Sign Language as their primary means of communication.*

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Non-Compliance

County Response:

The County reports it is in the process of fully implementing this provision. The County has created a draft PowerPoint containing the contents of the Orientation Handbook and is presently working with the ADA Expert to finalize the contents of the video.

Once approved, the County will finalize the video. The County anticipates completing this requirement in the next six months.

Analysis/Observations:

The County has developed an orientation video, and the Expert and Plaintiffs' class counsel reviewed and provided recommendations and the recommendations were incorporated into the video. The video includes the following information:

Section II Rights and Responsibilities

- 201 Rights
- 203 Prison Rape Eliminations Act
- 204 Americans with Disabilities Act (Policy)

Section III General Rules

- 301 General Rules
- 302 Living Area Rules
- 303 Laws
- 304 Disturbance Procedures
- 306 Lockdown
- 308 Condition of Cells
- 309 Linens
- 310 Clothing
- 315 Telephones
- 316 Contraband
- 317 Recreation
- 318 Inmate Count

Section IV Disciplinary Procedures

- 401 Disciplinary Procedures
- 405 Inmate Disciplinary Review Boards

Section V Classification

Section VI Transportation

Section VII Services

- 703 Trust Accounts
- 704 Commissary
- 705 Mail
- 706 Books and Periodicals
- 707 Visitation
- 708 Marriage Guidelines
- 709 Library Services
- 710 Legal Research Program
- 711 Propria Persona (Pro Per)
- 713 Grievance Procedure
- 714 Voter Registration and Voting

- 715 Inmate Request Forms
 - 716 Releasing Property
 - 717 Special Diets
- Section VIII Programs
- 801 Recreation
 - 802 Volunteer Services Programs
 - 803 Religious Services
 - 804 Educational Programs
 - 805 Sheriff's Treatment Program (STP)
 - 806 Discharge Planning
- Section X Health Services
- 1001 Medical Services
 - 1007 Emergencies
 - 1008 Medical Grievances

The video is being shown in the MJ Intake Release Center intake area. There are two televisions positioned on the walls outside the intake holding cells. Additionally, the County reported that the Orientation Video is shown on the County televisions (MJ and NBJ) daily. During the incarcerated person interviews review, 11 out of 20 incarcerated persons who arrived during the document production period stated they had watched the video.

- 5.C.3.a. The County has developed an orientation video, and the Expert and Plaintiffs' class counsel reviewed and provided recommendations and the recommendations were incorporated into the video. The video is a PowerPoint slide presentation with auto-play and voice-over narration accessible for low-vision and blind incarcerated persons. The County must ensure an SLI is used to interpret the contents of the Orientation to incarcerated people with disabilities who are Deaf and/or Hard of Hearing and who use American Sign Language as their primary means of communication and are not able to read the contents of the orientation video. Although there were no specific cases identified during the rating period, the County has a contract with "Purple Communications" for on-demand sign language interpreting services. This service should be used to interpret the contents of the orientation handbook, as appropriate, to interpret the contents of the Orientation Handbook to persons who use Sign Language as their primary means of communication. Additionally, the Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed the policy includes the requirement for staff to provide an SLI to interpret the contents of the Orientation Handbook to persons who are deaf or hard of hearing who use American Sign Language as their primary means of communication.

5. D Staff Training

5.D.1. *The County shall ensure all custody, health care, facility maintenance, and other Jail staff receive ADA training appropriate to their position. The County shall provide Training to all staff during the Academy and at least biannually thereafter on:*

- a) Disability awareness, including the use and purpose of accommodations and modifications in accordance with the ADA;*
- b) Use of force when interacting with people with disabilities.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County's Crisis Intervention and De-escalation Training addresses use of force when interacting with people with disabilities. The County provides ADA training, which was approved by the ADA Expert, in the Academy for Custody Deputies. The County has also completed a comprehensive ADA training curriculum that incorporates all training requirements of the Remedial Plan. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate Training for all staff and will repeat the Training biannually as required by this provision. The County anticipates completing this provision in the next six months.

Analysis/Observations:

During the first monitoring tour, the County produced a PowerPoint presentation titled "Disability Rights California Remedial Plan Implementation" that included 201 slides with 33 slides related to the ADA requirements of the *Murray v. Santa Barbara County* Remedial Plan. Of the 33 slides, 14 of the slides are dedicated to a quiz. The County reported that the ADA Coordinators presented the Training, and all custody staff were required to attend the Training. During the on-site monitoring tour, staff interviewed reported they had attended the Disability Rights California Remedial Plan Implementation and that no additional ADA training has been provided other than informal Training (briefings and emails).

The County produced the following four (4) PowerPoint slide presentations:

- Updated ADA Training and *Murray* Slides (36 slides)
- Updated ADA Identification Process (36 slides)
- Updated ADA Reasonable Accommodations and Modifications (46 slides)
- Updated SBSO ADA Policy and Procedure (44 slides)

The Expert and plaintiffs' class counsel has reviewed, provided feedback that was incorporated, and finally approved the ADA training materials. During the on-site review, the County proposed the following six (6) month initial implementation plan with proposed training modalities and proof of practice.

- Beginning in 2026, the Training will be submitted for Standard and Training for Corrections (STC) certification and Incorporated Into the Annual Training cycle for custody staff.
- Trainings will include a competency-based quiz. If individuals do not meet the competency threshold, they will be required to retake the Training.
- Training compliance will be reported to the Quality Management Committee on a quarterly basis by the CQ, where corrective action plans will be developed if necessary.
- For all non-in-person trainings, the contact emails for the CQA/ADA staff will be included for any questions the training participants have.

Staff	Modality	Timeline	Proof-of-Practice
Custody (Existing)	Corrections1 (online), four (4) Modules, and then biannually in person as part of the annual training cycle	Corrections 1 Training in 2025. The annual training cycle starts in 2026	Automated report of attendance and deficiency report uploaded to Box
Custody (New Employee)	During Academy and Corrections1	The Academy will start in 2026. In 2025 will be identified for Corrections1	Automated report of attendance and deficiency report uploaded to Box
Healthcare	Emailed modules to all staff	Training Modules will be sent out by Wellpath	Report to CQA from Wellpath and uploaded to Box quarterly
Non-Custody	In-person, one (1) class per month (as needed)	CQA to provide monthly Training to new employees and include existing staff in the first three (3) months	Sign-in sheets uploaded to Box
Programs Staff	In-person, one (1) class per month (as needed)	CQA to provide monthly Training to new employees and include existing staff in the first three (3) months	Sign-in sheets uploaded to Box

The Expert and plaintiffs' class counsel agree with the training implementation plan. However, the Expert and plaintiffs' class counsel recommends that prior to the Corrections1 training being rolled out, the PowerPoint presentation be revised to include detailed information on the County's ADA policy/procedures and practices. Once finalized, the PowerPoint presentation for the Corrections1 training will need to be reviewed and approved by the Expert.

The County produced Course Rosters for the DRC Intro conducted at Training CORE. The rosters reflect seven (7) staff attended the Training on August 29, 2024, 18 staff attended the Training on December 19, 2024, and 14 staff attended the Training on May 15, 2025. The County previously reported that ADA training is provided in the Academy for Custody Deputies, but Training for facility maintenance and civilian staff at the Jail, as well as bi-annual Training, has not been rolled out.

ADA Training for medical staff is provided by Wellpath. Wellpath produced the following ADA Training documents:

- Americans with Disabilities Act PowerPoint Training (48 slides)
- List of all credentialed staff with hire dates
 - NBJ – 51 staff
 - MJ – 50 staff
- Excel Spreadsheet "Assignment Completion Log 6083 ADA Course – 15 staff

In review of the list of all credentialed staff, the Expert identified 23 staff (11 NBJ and 12 MJ) who were hired during the document production period. Of the 23 staff, the Excel Spreadsheet "Assignment Completion Log 6083 ADA Course" reflects that four (4) staff completed the ADA training. The log also reflects that five (5) staff members completed the ADA training (bi-annual).

To reach substantial compliance with provision 5.D.1, the County must:

- Finalize the Corrections 1 ADA Training Curriculum with the Experts' recommendations.
- Provide the Corrections1 ADA training to all staff.
- Provide the Expert proof-of-practice for the completion of the Training.
- Provide the ADA "in-person" Training to all staff (bi-annual).
- Provide the Expert proof-of-practice for the completion of the Training.

5.D.2. Staff ADA training shall include formalized lesson plans and in- classroom or virtual Training for all staff provided by qualified ADA instructors.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. Please see response to 5.D.1.above. The County will work with the ADA Expert to formalize lesson plans as required by this provision. The County anticipates completing this provision in the next six months.

Analysis/Observations:

As reported in 5.D.1 above, the County has developed an ADA training curriculum as in the process of revising the Training that will be provided to staff via Correction1 online platform.

To reach substantial compliance with provision 5.D.2, the County must:

- See provision 5.D.1.

5. E. ADA Tracking System

5.E.1. The County shall, in consultation with Plaintiffs' counsel, develop and implement a comprehensive, standardized electronic system ("ADA Tracking System") to track people with disabilities and their accommodation and Effective Communication needs.

On August 14, 2023, the Court approved the following interim measures for the implementation of the Remedial Plan:

Defendants shall implement a comprehensive, standardized electronic system ("ADA Tracking System") to effectively track people with disabilities and their accommodation and Effective Communication needs, as follows:

- 1) Go-Live of ADA Tracking System. No later than June 1, 2024, Defendants will activate a Remedial Plan-compliant ADA Tracking System, which will be readily available and utilized by custody, medical, and mental health staff, and other staff as necessary to ensure provision of accommodations and program access for people with disabilities.*
- 2) Staff Training on ADA Tracking System. No later than September 1, 2024, all relevant staff will receive Training on the ADA Tracking System to ensure effective implementation.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement and the related requirements in the August 2024 Stipulation re Interim Measures. The County developed a comprehensive tracking system in compliance with this provision, which it successfully deployed, resulting in a 98.8% success rate when comparing the MTO information and the ADA tracker during the last rating period. While such success demonstrates that the current ADA tracking system is working, the County is in the process of upgrading its Jail Management System (ATIMS) to allow for more seamless functionality and integration of information between custody, medical, and mental health staff, as well as an improved ADA Tracker. The County is working with the

vendor to incorporate suggestions made by the ADA Expert. The County expects beta testing of the new system in the next six months and Training to occur within four months after the system is finalized. Please also see the County's response to provision 5.E.3 regarding the ADA Expert's comments regarding real-time entry in the ADA tracker. Provision 5.E.3 is the only provision that requires real-time entry when inputting information into the ADA tracker.

Analysis/Observations:

The County continues to use the current ATIMS Jail Management Software as its Jail Management System (JMS). The JMS has some functional capability to track people with disabilities and some of their accommodation needs. The County has made some modifications to the JMS to allow the County to track people with disabilities and their accommodation and Effective Communication needs as required by the *Murray v. Santa Barbara County* Remedial Plan. Some of the modifications include:

- Inmate History Notes to track and document ADA-Accommodation at Release,
- Inmate History Notes to track and document ADA Accommodations Removal,
- Inmate History Notes to track and document ADA-VRS and Videophone usage,
- Inmate History Notes to track and document ADA-Effective Communication,
- Inmate History Notes to track and document ADA-Inmate Check,
- Inmate History Notes to track and document ADA -SLI.
- Inmate History Notes to track and document ADA-Accommodation Refusal.
- Inmate History Notes to track and document ADA-Armstrong Reports.
- Inmate History Notes to track and document ADA-Transportation.
- Inmate History Notes to track and document ADA-Accommodation Check.
- Inmate History Notes to track and document ADA-Misc.

Staff interviewed reported that the current process is: once a disability is verified and the accommodations are approved, an MTO is generated, and the MTO is routed to Classification Unit staff and the ADA Coordinator. Upon receipt of the MTO, Classification Unit staff and/or the ADA Coordinator enter the ADA Flags in the ATIMS JMS.

Classification staff interviewed stated that in the event that no MTO is received prior to the classification of the incarcerated person, they call medical staff to inquire if there are any disability and housing restrictions. Classification staff also stated that in 90 percent of the cases, they do not receive the MTO, and they call medical staff to obtain the information.

The County reports that the County has established a process where the cases that have an ADA Flag are placed on the ADA Active Alert list, which is automatically generated and distributed to all Jail staff by the County's Information Technology system. The information in the ADA Active Alerts List "Notes" column continues to be

entered manually by the ADA Coordinator upon receipt and review of the MTO. Information that is manually entered by the ADA Coordinators includes:

- Impairment (Type of Disability)
- Special Devices (HCA/DME/AD)
- Accommodations (No stairs, Lower Tier, Lower Bunk)
- Alarm/Emergency (Notification)
- Vehicle Accommodation
- Effective Communication
- Additional
- Armstrong Notification

Information in the ADA Tracker includes:

- Gender
- Name
- CID Number
- Housing
- Classification
- Date in Custody
- Inmate Alert
- Person Alert
- Diet Alert
- Note
- Expiration Date

As part of document production, the County produced emails addressed from Wellpath to the ADA Coordinators and Classification staff regarding MTOs. In a review of the documents, the Expert notes that Wellpath emails the MTO to Classification and the ADA Coordinators. There were 24 cases identified where Wellpath was requesting that the incarcerated person be removed from the ADA Tracker. There were also four (4) cases identified where a corrected MTO was being provided. Additionally, during the monitoring tour, the Expert identified two (2) cases where incarcerated persons had orthotic shoes, and they were not listed on the ADA Tracker.

The County is following the workflow that the County implemented. The MTO is completed and approved by the Medical Provider after an individualized evaluation and provided to custody staff (Classification and ADA Coordinator). The process the County implemented includes the following steps:

1. Arresting Officer brings Inmate to Nurse.
2. Nurse assesses Inmate for medical issues, including identified ADA concerns and accommodations.
3. Nurse completes MTO and saves as PDF.
4. Nurse emails MTO (PDF) to CustodyClassification@sbsheriff.org and ADA@sbsheriff.org.
5. ADA Coordinator receives emailed MTO.

6. Custody Classification receives emailed MTO.
7. ADA Coordinator confirms MTO accommodations are provided.
8. Custody Classification adds pdf. To inmate electronic booking file.
9. Custody Classification inputs necessary JMS Flags
10. Custody Classification enters accommodations into JMS Classification narrative.
11. Nurse prints MTO.
12. Nurse gives printed MTO to arresting officer.
13. Arresting officer and Inmate leave trailer go to Custody Booking/Intake.
14. Arresting officer gives Intake deputy booking paperwork and paper MTO.
15. Intake deputy ensures per MTO inmate is accommodated with ADA requirements.
16. Intake deputy gives paper MTO to Inmate.

During the previous monitoring period, the Expert noted that item 13 is specific to the SBJ and recommended that the County incorporate the process for the NBJ in the workflow. The revised workflow has not been provided. The County reports the language will be changed to "pre booking medical area."

The ATIMS JMS includes categories (check boxes) that the Classification Unit staff and/or the ADA Coordinators can populate. The ATIMS flag alert entry screen includes Always Alerts, Active Inmate Alerts, and Diet/Other Alerts. The Always and Active Alerts include 101 individual checkboxes, and the Diet/Other Alerts include 26 checkboxes.

Of the 101 Always and Active Alerts, the following are disability-related:

- Alzheimer's
- Blind
- Deaf
- Dementia
- Diabetes
- Hearing Impaired
- Intellectually Disabled
- Lower Tier Required
- Paraplegic
- Prosthesis
- Psychiatric/Mental Health
- Quadriplegic
- Walker
- Wheelchair
- Amputee
- Armstrong Notification
- Cane-Walking
- Cannot Walk Long Distances

- Crutches
- Developmentally Disabled
- HARP Inmate
- ADA
- ADA Housing
- ADA Van
- BHU
- BHU Graduate
- BHU Pending
- CGM (Continuous Glucose Monitor)
- Effective Communication
- Extra Blanket
- Extra Mattress
- Lower Bunk Required
- Medical Equipment
- Mental Health IDR Review
- Needs Level Terrain
- No Stairs
- Serious Mental Illness
- Work Restrictions
- Not cleared for work status
- Shoes diabetic (MTO on File)
- Shoes – Inserts (MTO on File)
- Shoes Orthotics (MTO on File)
- Tri-Counties Patient
- Work Restrictions
- ADA Van
- MAT
- Mental Health Patient
- Van Only

As noted above, the Classification staff and ADA Coordinators continue to manually enter some of the disability-related information into the "Notes" column of the ADA Active Alert list. This manual process does not allow the County to input disability-related information in real time as required by provision 5.E.3 ("Health care staff, the ADA Coordinator, and any ADA Coordinator-designee shall have the ability to input information into the ADA Tracking System in real-time").

The County needs to include functionality to log the provision of accommodations (adaptive supports) for incarcerated persons with verified intellectual and learning disabilities.

Although the County has made some modifications to the ADA Tracking system (within the existing JMS), the current ADA Tracking system does not meet all the requirements of the *Murray v. Santa Barbara County* Remedial Plan. The County has worked to automate the distribution process of the Active Alert List. This allows some of the disability-related information to be distributed to Jail staff in a more expedited fashion (the report is automatically distributed once a day in an email to all Jail staff). Essential disability- and accommodation-related information is entered into the "Notes" section; however, the ADA Tracking system does not have the functionality for healthcare staff, the ADA Coordinator, and any ADA Coordinator-designee to enter disability-related information in real-time.

During a previous on-site tour, the Expert and a representative from DRC met with the County and the ATIMS JMS vendor to discuss the functionality required by the *Murray v. Santa Barbara County* Remedial. The discussions were positive as the vendor reported that the ATIMS JMS would be able to meet the County's needs and could include the functionality required by the *Murray v. Santa Barbara County* Remedial.

The Expert and DRC previously provided specific detailed functionality requirements for the ATIMS JMS to satisfy the requirements of the *Murray v. Santa Barbara County* Remedial.

This includes:

- Effective Communication Form (Section V.M-N)
- Generating a report for the timing of providing the Handbook (Section V.C.2)
- Interface with CorEMR (Section V.E.3)
- Documenting release with the assisted device (Section V.K.4)
- ID/DD form for adaptive supports (Section V.O)
- Way to track that the ADA system was checked before each encounter and other events (Section V.D.5(a)-(g))
- Maintenance of devices – checking functions of the device (Section V.K.1)
- ADA coordinator check-in (7-day and 30 days check—not required) (Note: Other counties have implemented this component to ensure compliance regarding Assistive Device maintenance and provision of housing and program accommodations, Section V.H, V.J, V.K.1 – see, e.g., Orange County Sheriff's Dept policy 8000 at 18-19 (8000.16(a)(7). The Expert recommends that Santa Barbara County implement a similar process, which will help to facilitate several aspects of Remedial Plan implementation.)
- Safety and Security Form for Removal of Assistive Devices, Retention of Personal Devices as default (Section V.C.1-3)
- SLI Waiver box (can be in Effective Communication) (Section V.N.4)
- Reports for individuals with Effective Communication – grievances, class encounters, etc. (Section V.M-N)
- Dissemination of automated reports (Section V.E.3)
- ADA Request for Accommodation Tracking and Management (Section V.G)

- ADA Orientation completion for people with disabilities, including ADA coordinator check-in (Section V.C.1)
- Armstrong Disability Notifications check (Section V.E.2(d))
- ADA Grievance tracking (Section V.G.9)
- Accommodations for Transportation (Section V.L)
- Housing accommodations (including physical accessibility needs) (Section V.H)
- Program-related access and accommodations for people with disabilities (Section V.J.1-2 (general), V.I (visitation)), including for outside education, program, and service providers (Section V.M.7)
- Inmate worker access and accommodations for people with disabilities (Section V.J.3)
- SLI log (Section VI.N.3)
- VRS/phone access for people with hearing disabilities (Section V.N.8)
- Announcement accommodations for people with hearing disabilities (Section V.N.11)
- Accommodations related to Use of Force (Section V.D.1, V.E)
- Accommodations during Disciplinary Processes (Section III.F.9)

The Expert recommends that, in working with the vendor, the functionality to track the following disabilities/designations be included in the ATIMS revisions:

- DV – Vision
- DH – Hearing
- DM – Mobility
- DW - Wheelchair
- DL – Learning
- DS – Speech
- DI – Intellectual
- DSMI – Mental Health
- DO – Other

The Expert also recommends that the functionality to track the following accommodations, such as:

- Lower Bunk (the County reports there is currently a sub-flag)
- Lower Tier (the County reports there is currently a sub-flag)
- Cane (the County reports there is currently a sub-flag)
- Crutches (the County reports there is currently a sub-flag)
- Walker (the County reports there is currently a sub-flag)
- Wheelchair (the County reports there is currently a sub-flag)
- Accessible Cell (the County reports this can be described in an ADA flag)
- Accessible Shower the County reports this can be described in an ADA flag)
- No Stairs the County reports this can be described in an ADA flag)
- Level Terrain (the County reports this can be described in an ADA flag)

- Hearing Aids (the County reports there is currently a sub-flag)
- SLI (the County reports there is currently a sub-flag)
- Lip Reading
- Speak Loudly
- Magnifier
- Assistive Listening Device
- Extra Blanket
- Extra Mattress
- Accessible Transportation
- Adaptive Supportive per Individual Plan
- Other Assistive Device: (The County reports there is currently a sub-flag)
- Other Accommodation:

In reviewing the ADA Tracker, the Expert noted that the Inmate Alert column includes sensitive information and the Expert recommends that this information not be displayed. This includes the following:

- 290 Registrant
- Sex Crimes
- Alternate Lifestyle
- Pedophilia

The County reported the sensitive information is no longer displayed in the ADA Tracker.

The County continues to work with the ATIMS vendor to move toward an updated ADA System that will include improved functionality. The County expects beta testing of the new system in the next six (6) months and training to occur within four (4) months after the system is finalized. Once the ATIMS functionality is revised, the Expert will assess whether the tracking system includes the functional capability to track people with disabilities, their accommodation, and Effective Communication needs as required by the *Murray v. Santa Barbara County* Remedial Plan.

During the onsite tour, the County reported that the Version II revisions to ATIMS had been presented to the County, and the County approved funding for the next fiscal year (July 2025). The revisions to ATIMS should be implemented within six (6) to nine (9) months after funding. In the interim, the County's Systems and Technology Department is working on creating a script that will allow the Jail to populate data from Wellpath through the County's Criminal Justice Data Center (CJDC). The County will test this process with the SMI flag first and then move into the ADA flags. The County's Systems and Technology Department provided the script to ATIMS, which will review the script before testing and implementation. The County also provided the SBCSO - ATIMS V1 to V2 JMS Upgrade Project Schedule July 2025. The Project Schedule reflects that the ATIMS revisions will "Go Live" on 7/10/26.

The County has not met the timeline requirements of the August 14, 2023, Court-approved interim measures for the implementation of the Remedial Plan, which set a deadline for implementation of this provision's requirements in 2024:

- 1) Go-Live of ADA Tracking System. No later than June 1, 2024, Defendants will activate a Remedial Plan-compliant ADA Tracking System, which will be readily available and utilized by custody, medical, and mental health staff, and other staff as necessary to ensure provision of accommodations and program access for people with disabilities.*
- 2) Staff Training on ADA Tracking System. No later than September 1, 2024, all relevant staff will receive training on the ADA Tracking System to ensure effective implementation.*

To reach substantial compliance with provision 5.E.1, the County must:

- Implement the ADA Tracking System modifications in ATIMS.
- Train all relevant staff on the ADA Tracking System to ensure effective implementation.
- Provide proof-of-practice "training records" to the Expert.

5.E.2. The ADA Tracking System shall identify for each prisoner, as appropriate:

- a) Any disabilities and related health conditions;*
- b) Disabilities that may pose a barrier to communication, including but not limited to learning, intellectual, or developmental disabilities, and hearing, speech, or vision impairments;*
- c) Accommodation needs, including as to housing, classification, transportation, Effective Communication, adaptive supports, and health care appliances, assistive devices, and/or durable medical equipment (HCA/AD/DME);*
- d) Class membership in Armstrong v. Newsom (N.D. Cal. No. 94- cv-02307) (i.e., people held in the Jail related to a parole revocation proceeding or term), with their applicable disability classification(s) and accommodation need(s).*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. Please see response to 5.E.1. above. The County is working with Wellpath to incorporate the ADA Expert's recommendations to refine the MTO. Wellpath anticipates making such changes in the next six months.

Analysis/Observations:

Once an individual is identified as a qualified individual with a disability, the MTO is routed to the classification staff who populate the "ADA Flag" check box in the JMS. The functional capability to track incarcerated people with disabilities and their accommodations is detailed in 5.E.1 above.

The current MTO (Revised January 22, 2025) includes the following:

Condition/Disability

- Vision Impaired
- Hearing Impaired
- Speech Impaired
- Mobility Disability
- Intellectual Disability
- Developmental Disability
- Learning Disability
- Seizure Condition
- Pregnancy
- Drug/Alcohol Withdrawal
- Physical Limitation (describe limits)
- Other (specify)

Treatment/Accommodation/Housing Order

- Lower Tier
- Lower Bunk
- Single Cell
- Extra Mattress
- Extra Blanket
- CPAP Device
- Cane
- Crutches
- Walker
- Wheelchair Full Time
- Wheelchair Part Time/Out of Unit
- Orthotic or Personal Shoes
- Prosthesis
- House is ADA Cell
- Shower Chair
- ADA Shower
- Grab Bars
- Level Terrain Needed
- Infirmary/OPHU Level Care Housing
- Daily Changes of Clothing/Linens
- Negative Pressure Room
- Other (specify)

Vision Accommodation

- Provide Magnifier
- Provide Reading Glasses
- Needs Large Print

Transportation Needs

- Bus
- Car
- Wheelchair Lift Accessible

Hearing Impaired

- American Sign Language
- Lip Reading
- Pocket Talker
- Speak Loudly
- Written Communication

* The previous MTO version included "Hearing Aid." However, this version does not have "Hearing Aid" as an option. The Expert recommends that this option be included in the MTO.

Intellectual/Developmental/Learning Disability

- Simple English
- Repeat Statements
- Speak Slowly
- Rephrase statements
- Written Communication
- Read Documents

PREA Alert

- Patient Identified has exhibited characteristics of being a potential target for victimization

Wellpath revised the MTO to include Effective Communication needs for all disabilities as recommended by the Expert.

The County will need to ensure that when the modifications to the ATIMS JMS are implemented, they include these MTOs' disability and accommodation identifiers.

Based on the information contained in the MTO, the Classification Unit/ADA Coordinator enters some of the information manually, and some information is populated by checking the "ADA Flag." The disability ATIMS ADA Flags (Mobility Impaired, Vision Impaired, Hearing Impaired, assistive devices, and lower tier/bunk) are populated by staff placing a check on the respective Flag(s). All other information (physical limitations, alarm emergency, Effective Communication, vehicle accommodation, additional, and *Armstrong* notices) is entered manually by the Classification staff and the ADA Coordinators. Manually entering this information through this sort of multi-step process leads to human error, and without accurate

information, staff may not be aware of the incarcerated person's specific disability and accommodation needs.

The County has been working with the vendor to upgrade the Jail Management System (ATIMS) to allow for more seamless functionality and integration of information between custody, medical, and mental health staff, as well as an improved ADA Tracker. The County expects beta testing of the new system in the next six months and training to occur within four months after the system is finalized.

The County modified the ADA Active Alert list with the functionality to track Class membership in *Armstrong v. Newsom* (N.D. Cal. No. 94- cv-02307) (i.e., people held in the Jail related to a parole revocation proceeding or term), with their applicable disability classification(s) and accommodation need(s).

This functionality to track accommodation and Effective Communication needs, along with *Armstrong* information, should be embedded in the forthcoming updates to the JMS.

To reach substantial compliance with provision 5.E.2, the County must:

- See 5.E.1.

5.E.3. The ADA Tracking System's prisoner disability information will be readily available to custody, medical, mental health, and other staff at the Jail to ensure appropriate accommodations and adequate program access for people with disabilities. Health care staff, the ADA Coordinator, and any ADA Coordinator-designee shall have the ability to input information into the ADA Tracking System in real-time.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. Please see response to 5.E.1. above. The County's ADA tracker is transmitted to all custody, medical, mental health, and other staff daily. Presently, the ADA Coordinator and his designee enter information into the ADA tracker in real time. The County is in the process of integrating ATIMS with the healthcare vendor's Electronic Medical Record (CorEMR) through a data exchange. Such will allow healthcare staff to input information in real time as required by this provision. The County anticipates this integration to occur within the next six to eight months. The County is in the process of upgrading its Jail Management System (ATIMS) to allow for more seamless functionality and integration of information between custody, medical, and mental health staff, as well as an improved ADA Tracker. The County is working with the vendor to incorporate suggestions made by the ADA Expert. The County expects beta

testing of the new system in the next six months and training to occur within four months after the system is finalized.

Analysis/Observations:

The County has made some modifications to the ADA Tracking system by automating the distribution process of the Active Alert List. This allows disability-related information to be distributed to Jail staff in a more expedited fashion (the report is automatically distributed once a day in an email to all Jail staff).

The ATIMS JMS ADA Tracking System is installed on all custody jail staff computer desktops and is available to all jail custody staff, and they have the ability to view all of the ADA Flags that have been entered by the Classification Unit and the ADA Coordinator. All Jail staff are also provided an updated Active ADA Alerts list, which is automatically distributed daily. However, not all required disability accommodations are tracked by the ADA Active Alerts list.

Staff interviewed reported that the current process is once a disability is verified and the accommodations are approved, an MTO is generated, and the MTO is routed to Classification Unit staff and the ADA Coordinator. Upon receipt of the MTO, Classification Unit staff and/or the ADA Coordinator enter the ADA Flags in the ATIMS JMS. Classification staff interviewed stated that in the event that no MTO is received prior to the classification of the incarcerated person, they call medical staff to inquire if there are any disability and housing restrictions. Classification staff also stated that in 90 percent of the cases, they do not receive the MTO, and they call medical staff to obtain the information.

As noted in 5.E.1 above, the Classification staff and ADA Coordinators continue to manually enter some of the disability-related information into the "Notes" column of the ADA Active Alert list. This manual process does not allow the County to input disability-related information in real time as required by provision 5.E.3 (Health care staff, the ADA Coordinator, and any ADA Coordinator-designee shall have the ability to input information into the ADA Tracking System in real-time.)

The County must ensure all information for incarcerated people with a qualified disability and their accommodation needs are readily available to custody, medical, mental health, and other staff at the Jail to ensure appropriate accommodations and adequate program access for people with disabilities.

5.E.3.a. *Does health care staff, the ADA Coordinator, and any ADA Coordinator-designee have the ability to input information into the ADA Tracking System in real time?*

The Classification Unit and the ADA Coordinators have the ability to input information into the ADA Tracking System when MTOs are received from Wellpath. However, as discussed above, the County and Wellpath need to ensure an effective process is put

in place for routing/distribution of the MTO once the RN (during the intake process) and the Medical Providers complete an MTO designating an incarcerated person as disabled and identifying their accommodations.

The County must ensure that Classification staff and the ADA Coordinators enter the disability-related information (disability and accommodations) promptly after the MTOs are approved. Real-time entry and tracking will require a comprehensive, standardized, electronic ADA tracking system that cannot be achieved with the current system.

To reach substantial compliance with provision 5.E.3, the County must:

- Ensure the healthcare staff, the ADA Coordinator, and any ADA Coordinator-designee have the ability to input information into the ADA Tracking System in real-time.

5.E.4. The County will print a prisoner's disability accommodation need(s) on the person's wristband.

Discontinuation of Monitoring

The parties discussed the concern that the wristbands may result in the victimization of incarcerated persons with disabilities. The County reported it is presently utilizing the ADA tracker to identify incarcerated persons who require accommodations during emergencies, and staff also offer the use of identifying vests for those ADA-incarcerated persons who desire one. Based on this, the parties advised the ADA Expert that they have agreed that this provision will not be applicable and will not be subject to monitoring.

5.E.5. Staff shall check the ADA Tracking System for each prisoner, and document that check, immediately prior to:

- a) Intake screening;*
- b) Classification interview;*
- c) Assignment of housing;*
- d) Assignment of programs;*
- e) Medical and mental health encounters;*
- f) All due process proceedings, including but not limited to, resolving grievances and disciplinary infractions;*
- g) All trips to court or outside health care appointments.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this provision. The County has completed a comprehensive ADA training curriculum that incorporates all training requirements of the Remedial Plan and includes the requirement that staff check the ADA Tracker and document that check at each of these encounters. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations:

The County has created "ADA Flags" and "ADA Notes," and reports that they plan to train staff to check the ADA Tracking System and document the check for each incarcerated person with a disability prior to intake screening, classification, assignment of housing, medical (medical, dental, and mental health) encounters, and due process proceedings. A review of the Santa Barbara Sheriff's Office Inmate History – Inmate Notes ADA-Accommodations Check reflects that some staff are checking and documenting the check in the ADA Tracking system for programs and disciplinary infraction hearings. The Santa Barbara Sheriff's Office Inmate History – Inmate Notes ADA-Accommodations Check does not reflect staff conducted the required check for classification, assignment of housing, grievances, and trips to a court or outside medical.

Within the CorEMR electronic health record, when Wellpath staff query the system to access an incarcerated person's health record, the dashboard displays in red font "ADA/Special Needs." In addition, a "Highlighted Chart Note" is displayed on the dashboard that includes the incarcerated person's preferred method of communication. When the providers access each individual's health record, they can "check" the ADA Effective Communication box and identify the Effective Communication accommodation needs. Although staff do not specifically document the check, staff are reportedly supposed document the provision of Effective Communication accommodations within the medical progress note. However, as reflected in provision 5.M.4, staff do not consistently provide and document Effective Communication during clinical encounters. Given staff's failure to document Effective Communication in the health record, this provision's requirement to conduct and document an Effective Communication check has not been implemented.

To reach substantial compliance with provision 5.E.5, the County must:

- Ensure staff checks the ADA Tracking System for each incarcerated person, and document that check immediately prior to:
 - a) Intake screening;
 - b) Classification interview;
 - c) Assignment of housing;
 - d) Assignment of programs;
 - e) Medical and mental health encounters;

- f) All due process proceedings, including but not limited to, resolving grievances and disciplinary infractions;
- g) All trips to court or outside health care appointments.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert that the staff conducted and documented the check.

5. F. Screening for Disability and Disability-Related Needs

5.F.1. The County shall take steps to identify and verify each person's disability and disability-related needs, including by screening them for disabilities during medical intake and classification. The County shall ensure that all private health care and other service providers implement any policies and procedures needed to facilitate full implementation of these provisions.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County is taking steps to identify and verify incarcerated persons' disabilities and disability related needs and coordinating with Classification, CQA deputies, and the ADA Coordinators so that they are aware of inmates' Effective Communication needs and accommodations. Wellpath also implemented an Adaptive Support Needs Assessment Form to identify possible ADA inmates during receiving, as well as a "learning disability" check box on the MTO. The County has updated the Custody Operations ADA Policy (209) to meet the provisions of this requirement. The County updated its Classification Interview Form, which custody deputies use during the Classification Interview prior to housing incarcerated persons. Such form incorporates the ADA Expert's additional intake questions that are not already achieved in the medical intake process, including those necessary to screen for intellectual and developmental disabilities (ID/DD). The County anticipates completing this requirement in the next three months.

Analysis/Observations:

The Wellpath Policy HCD-110_E-02 Receiving Screening – Santa Barbara CA (10/29/20), Wellpath Policy HCD-110_F-08 Verification and Accommodation of Disability - Santa Barbara CA (9/27/19), and Wellpath Policy HCD-110_E-04 Initial Health Assessment – Santa Barbara CA (10/29/20) contains the process for the County to identify and verify disabilities and accommodation needs for persons being processed into the Jail.

In addition, the policies include the process for medical staff to identify the incarcerated person's disability-related needs/accommodations (assistive devices, health care appliances, durable medical equipment, housing accommodations including low bunk/low tier/grab bars/accessible cell, etc.), and the Effective Communication needs. When observing the medical intake screening, the Expert noted that although the policies include directives for medical staff to screen, identify, and verify these disabilities, the County has not implemented an adequate screening process to effectively screen for intellectual/developmental disabilities. The screening process includes questions related to the incarcerated person's ability to read or write, prior individual education plan or attended special education classes, which are insufficient.

In 2022, Wellpath piloted a policy and process to screen incarcerated persons for intellectual and developmental disabilities. The pilot screening process included screening questions (Adaptive Needs Assessment) and a referral process to a psychologist for further evaluation for cases of potential Intellectual/Developmental Disability. The screening and identification process included timelines for the psychologist to make contact with the incarcerated person, including an expedited process for urgent referrals. The psychologist would conduct a record review as well as psychological testing using standardized intelligence assessments such as the Quick Test (QT) and the Test of Nonverbal Intelligence-4 (TONI-4), and in addition, an Adaptive Support Evaluation. The psychologist would identify adaptive support deficits and adaptive support needs while in custody for cases identified as having an Intellectual/Developmental disability. The psychologist would also develop an adaptive support needs plan. Incarcerated persons who had an adaptive support needs plan were enrolled in the Mental Health Special Needs Program. This program was managed by Wellpath Regional Mental Health Department.

Due to management changes, the pilot program was halted, and Wellpath is redeveloping the process. This was a setback on implementation of this Remedial Plan provision. Wellpath reports that the revised policies, secondary screening, and verification/testing process for this program are being finalized and will be implemented after finalization.

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed the policy includes the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

During this monitoring tour, the Expert noted that the Active ADA Alerts list reflected a total of 109 incarcerated persons designated as disabled. However, the Active ADA Alerts list reflects four (4) incarcerated persons as Intellectually/Developmentally disabled, and the list reflects no incarcerated persons designated as Learning disabled. These data strongly suggest an under-identification of people with these particular disabilities.

During the incarcerated person interviews and document review (ADA Disability Request for Accommodations and ADA-related grievances), the Expert identified specific individuals as potentially having a qualified disability; however, these cases had not been identified by Wellpath as having a disability, and/or accommodations have not been provided. The County reports that in some instances, the incarcerated person refused to participate when approached by Wellpath. These cases include;

- An incarcerated person (MJ) who has a mobility disability stated that he advised medical staff he needed a cane during intake, but did not receive the cane until 30 days after arrival. ADA Coordinator provided the cane. Stated he needs glasses. Also stated he needs stability (walker/grab bars) to assist in sitting and getting on the toilet.
 - County response to monitoring inquiry - 10/26/24 Patient not participating in intake, per hospital, they also were unable to clear the Patient as he refused to participate in care. The Patient refused multiple attempts at intake. Intake completed 10/28/24, Patient given temporary MTO for cane x 7 days pending reevaluation. Seen 11/1/24, Patient unable to stay focused, NP tasked Patient to be seen by the onsite MD. Seen 11/30 by MD approved MTO bottom tier/bunk, cane, shoes. Evaluated for walker, MTO provided to ADA/Classification. 6/16/25 task for offsite appt per provider for ophthalmologist evaluation and treatment (Patient also has dense cataract), waiting for approval from ERMA. He has also been provided with a walker.
- An incarcerated person (MJ) who has a mobility disability stated he told the medical staff during intake that he needed a cane and glasses. It took 4 to 5 days to get them.
 - County response to monitoring inquiry - 5/23/25 Patient unable to participate in initial intake due to intoxication. Seen 5/24 for reattempt intake, Patient stated he uses glasses for reading and seeing, not requested, denied use/need of assistive devices. Seen 5/27/24 requested cane and shoes, MTO created for cane (cane provided 5/29/25), shoes ordered, Patient received shoes 6/2/25. MTO given to the Patient and sent to ADA/Classification. Patient seen 6/19 for evaluation of need for glasses. Patient denies ever stating he needed glasses, nor placing a Kite for glasses. To date, no Kite has been received requesting glasses from this Patient. Orthotic shoes have been added to the tracker.
- An incarcerated person (NBJ) who has a mobility disability stated he had to wait 1 to 2 days for wheelchair.
 - County response to monitoring inquiry - Intake 3/27 denied using or needing WC. 3/29, 3/30, 3/31, 4/5 encounter patient ambulates with steady gait. 4/6 encounter, Patient stated he uses WC full-time and is requesting a WC. MTO for WC x 14 days pending further evaluation, per documentation in the encounter patient was given a WC 4/6.

- An incarcerated person (NBJ) stated he is waiting for shoe accommodation, wrist splints, and glasses (he had an MTO during his last incarceration).
 - County response to monitoring inquiry - MTOs are not carried over from one incarceration to another. The Patient has been seen by the provider; shoes are not a medical necessity at this time. The Patient was given arthritis gloves, not wrist splints, and both cannot be worn at the same time. Seen by nurse 6/10 for Snellen testing, 20/30-20/25, doesn't meet criteria to be sent for glasses.
 - Provision 5.F.2. requires that the screening process ensure consideration of "Documentation of a disability in the individual's health, custody, and any other available records." In cases where there is a history of a disability and/or accommodation during a prior incarceration, the County must ensure this information is considered during all subsequent screenings.

During the onsite monitoring tour, the Expert observed the medical intake screening for two (2) individuals, one (1) at the MJ and one (1) at the NBJ. During the intake screening at the NBJ, the individual being screened reported that she had a Learning disability and had an Individual Education Plan (IEP) in high school. However, the "Learning Disability" box on the MTO was not checked in the Condition/Disability section of the MTO, without explanation provided.

Disability Requests for Accommodation

- 66 cases where the incarcerated person requested shoe-related accommodations and/or insoles.
- 12 cases where the incarcerated person requested a lower bunk accommodation.
- 23 cases where the incarcerated person requested a 2nd mattress accommodation.
- Three (3) cases where the incarcerated persons claimed they had a vision disability and required glasses.
- One (1) case where an incarcerated person claimed they have a mobility disability and requested a prosthetic.
- Three (3) cases where the incarcerated person requested a brace (back/knee/ankle).
- One (1) case where the incarcerated person requested a wheelchair.
- One (1) case where the incarcerated person requested a cane.
- Six (6) cases where the incarcerated person requested compression socks.
- Six (6) cases where the incarcerated person requested a pillow accommodation.
- One (1) case where the incarcerated person requested an ADA/accessible cell.

ADA-related grievances

- Eight (8) cases where the incarcerated person requested specialized shoes as an accommodation.
- Four (4) cases where the incarcerated person requested a lower bunk accommodation.
- Six (6) cases where the incarcerated persons claimed they had a vision disability and required glasses.
- One (1) case where the incarcerated person requested a wheelchair.
- Three (3) cases where the incarcerated person requested a cane.
- Four (4) cases where the incarcerated person requested a 2nd mattress accommodation.

While not all of these requests and grievances would necessarily indicate a denial of a reasonable accommodation, the Expert's review suggests that many of these individuals did have an unidentified need for a reasonable accommodation based on their disability. In some cases, staff subsequently took steps to provide an accommodation. In cases where incarcerated person's disability and accommodation needs are not identified at screening, they may be placed in a position of a substantial risk of injury and/or denied meaningful to access the Jail's programs, services, and activities.

The County and Wellpath must take steps to identify qualified disabled incarcerated persons during the medical intake screening process so that staff can be aware of their disability and accommodation needs. Additionally, Wellpath must ensure the screening process takes into consideration all documentation of a disability in the individual's health, custody, and any other available records, to identify any history of a disability and/or accommodation during a prior incarceration.

The County must also ensure that a screening process is in place for the identification of intellectual/developmental and learning-disabled incarcerated persons.

With the exception of Intellectual/developmental disabilities, Wellpath has policies in place for the identification and verification of disability and disability-related needs, including screening persons being processed into the Jail for disabilities during the medical intake process.

The County has implemented policies for the provision and documentation of Effective Communication; however, as reflected in provision 5.M.4, staff do not consistently provide and document Effective Communication during clinical encounters.

To reach substantial compliance with provision 5.F.1, the County must:

- Implement the screening and secondary testing process to identify intellectual/developmentally disabled incarcerated persons and their adaptive deficits and adaptive support needs, and also ensure adequate screening to

identify incarcerated persons with a Learning disability and related accommodation needs.

- 5.F.2. *The County, in consultation with subject matter experts and Plaintiffs' counsel, shall revise its ADA screening process to ensure consideration of:*
- a) The individual's self-identification or claim to have a disability;*
 - b) Documentation of a disability in the individual's health, custody, and any other available records;*
 - c) Staff observation that the individual may have a disability that affects placement, program access, or Effective Communication; and*
 - d) The request of a third party (such as a family member) for an evaluation of the individual for a possible disability.*

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Discontinuation of Monitoring

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and have maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

- 5.F.3. *The County shall ensure that ADA screening results are promptly entered in the ADA Tracking System.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. While the revised ADA Tracking system will streamline the process, under the present system, the ADA screening results are promptly entered into the ADA Tracker. Please see response to 5.E.1. above

Analysis/Observations:

Gaps in the process to ensure that ADA screening results are promptly entered in the ADA Tracking System are discussed in Section 5.E, above. The current process for medical staff to generate the MTO, for the MTO to be routed to Classification Unit staff

and the ADA Coordinator, and for Classification Unit staff and/or the ADA Coordinator to then enter the ADA Flags in the ATIMS JMS has proven problematic and ineffective.

The County and Wellpath must ensure that all ADA screening results (intake screening and post-housing screenings) are promptly entered into the ADA Tracking System. Based on the limitations of the current ADA Tracking System, until a comprehensive, standardized electronic ADA Tracking System is implemented, staff must ensure that all of these various ADA tracking components are promptly and accurately entered.

To reach substantial compliance with provision 5.F.3, the County must:

- Implement the ADA Tracking System modifications in ATIMS, which will allow the ADA screening results to be promptly entered into the ADA Tracking System.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5. G. Disability-Related Requests and Grievances

5.G.1. The County shall revise its ADA Request Form to contain an explanation of how to appeal a denial of accommodations.

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Discontinuation of Monitoring

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and have maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5.G.2. The County shall provide a grievance procedure for people with disabilities to appeal any denial of an accommodation, and to report any disability-based discrimination or violation of the ADA, this Remedial Plan, or Jail ADA-related policy.

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Substantial Compliance

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and has maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class

Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

County Response:

The County reports that the ADA Expert found the County in substantial compliance with this provision. Monitoring is discontinued pursuant to paragraph 52 of the Remedial Plan.

Analysis/Observations

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed the policy includes the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

The grievance form has a checkbox for ADA-related grievances. Pursuant to the updated policy and procedure, when a grievance is submitted, a staff member shall provide a written response within fifteen (15) days, including the resolution and the basis for denial (if applicable). The instructions for appealing a grievance response are included on the grievance form. If the ADA grievance box is checked, the grievance shall be routed to the ADA Coordinator or Designee for response within 72 hours of receipt. Grievances with clear ADA references shall also be routed to the ADA Coordinator or Designee for response within 72 hours." The Expert also reviewed Custody Policy 361 - Grievance Procedures, which states, "ADA-related grievances will be immediately reported to the Lead Supervisor and will be responded to within 72 hours of receipt. The Lead Supervisor shall identify ADA grievances, even if the checkbox is not selected by the incarcerated person submitting the grievance and shall route/respond to them appropriately.

5.G.3. *The County shall ensure that people who are Deaf or hard of hearing are interviewed and provided a qualified SLI as part of the grievance/appeal process.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports that it has obtained a VRS and VRI account with Purple Communications, so that incarcerated persons who are deaf or hard of hearing have access to contact outside parties and to further ensure they are provided Effective Communication as part of the grievance/appeal process. Class Counsel and the ADA Expert observed the County's use of VRS and VRI on several occasions. Additionally, an on-call SLI can be utilized for Effective Communication for incarcerated persons who are deaf or hard of hearing. The County has revised the Custody Operations ADA

Policy (209) ADA to incorporate the language recommended by the ADA Expert. While the systems are in place, there have not been any grievances from this population.

Analysis/Observations

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and Custody Policy 361 - Grievance Procedures and confirmed the policy includes the requirements of the *Murray v. Santa Barbara County Remedial Plan*.

A review of the document production reflects that one (1) incarcerated person with a hearing disability who uses sign language communication was housed at the Jail during the document review period. However, in review of the grievances, the incarcerated person did not submit a grievance. During subsequent monitoring tours, the County will need to provide documents that reflect the provision of an SLI/VRI to the Expert if available.

Additionally, staff interviewed stated that incarcerated people who are Deaf and/or Hard of Hearing are provided with a qualified SLI as part of the grievance/appeal process.

Although the County has a process in place to document the provision of an SLI, there were no cases to review where an SLI/VRI was provided as part of the grievance/appeal process. The County established a contract with "Purple Communications" on 1/11/23 for on-demand sign language interpreting services.

During the next monitoring tour, the Expert will review cases and ensure that staff have been trained on these requirements.

To reach substantial compliance with provision 5.G.3, the County must:

- Ensure that incarcerated persons who are Deaf or hard of hearing are interviewed and provided a qualified SLI as part of the grievance/appeal process and provide proof-of-practice to the Expert.
- Ensure staff are trained on *Murray Remedial Plan* requirements.
- Provide proof-of-practice to the Expert.

5.G.4. To ensure that ADA accommodations requests and ADA grievances are promptly addressed, the County shall:

- a) Respond to an individual's Request for Accommodations within 72 hours of receipt;*
- b) Respond to an ADA-related grievance within 72 hours of receipt;*
- c) Establish an expedited process for urgent ADA requests and grievances (e.g., situations in which a person's safety or physical well-being is at risk); and*

d) Allow each person to retain accommodation(s) they possess at the time of arrival at the Jail or that they have been previously provided by the Jail, pending review of a grievance/appeal regarding the denial or removal of such accommodation(s), absent an individualized security concern that is documented.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of implementing this requirement. As discussed with the ADA Expert and Class Counsel, the County will be training staff to provide a response to ADA grievances within 72 hours; as agreed, the response provided is not necessarily a resolution of the grievance, but rather, notification that the grievance has been appropriately routed for response. Additionally, the County will be training supervisory-level staff regarding the identification of ADA-related grievances, even if not marked "ADA," and incorporating such grievances in the existing grievance tracker for review by the ADA Expert. The grievance tracker includes a section specifically enumerated for ADA responses. The County is auditing compliance during the quarterly grievance reviews. Absent security concerns, the County allows incarcerated persons to retain accommodations they possess upon arrival at the Jail in accordance with this provision. The County anticipates completing this requirement in the next four to six months.

Analysis/Observations

a.) Response to an individual's Request for Accommodations within 72 hours of receipt.

The County produced 119 Disability Requests for Accommodation. The Disability Request for Accommodation Form includes signatures for medical staff, the ADA Coordinator, and the Division Lieutenant. The County reports that upon receipt of the Disability Request for Accommodation, the ADA Coordinator reviews the Disability Request for Accommodation and, if the Disability Request for Accommodation requires a medical review, forwards the Disability Request for Accommodation to the medical staff. The ADA Coordinator provides the incarcerated person a copy of the Disability Request for Accommodation, reflecting that the Disability Request for Accommodation has been forwarded to medical staff for review and response. In cases where the ADA Coordinator can respond to the Disability Request for Accommodation, the ADA Coordinator responds and forwards the Disability Request for Accommodation to the Lieutenant for final review/approval. After the Lieutenant signs/approves the response, a copy of the final Disability Request for Accommodation response is provided to the incarcerated person. The initial response provided by the ADA Coordinator within 72 hours is not the final resolution of the grievance.

In a review of the Disability Requests for Accommodation, in 31 cases, the Disability Request for Accommodation was not reviewed by the ADA Coordinator within 72 hours of the request; in 14 cases, the Disability Request for Accommodation was not dated by the incarcerated person, and in three (3) cases the Disability Request for Accommodation did not reflect the date of the ADA Coordinator signature or was not signed by the ADA Coordinator.

The County must ensure the Disability Requests for Accommodation are responded to within 72 hours of receipt by the ADA Coordinator. The County must also revise Custody Policy 361 - Grievance Procedures and Custody Operations ADA Policy (Section 209) to include the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

b.) Response to an ADA-related grievance within 72 hours of receipt.

The County produced 18 ADA Grievances. The Expert also reviewed the Grievances Logs that the County produced for all Experts for the months of August 2024 to February 2025. Based on this review, the Expert identified 78 grievances that contain an ADA component but were not identified as ADA Grievances and thus were not produced by the County as part of the ADA document production.

Of the 96 total ADA Grievances reviewed, 14 were not responded to within the required 72 hours. The County previously reported that although the ADA Coordinator reviews the ADA-related grievances, the ADA Coordinator currently does not provide the incarcerated person with a notice advising them that the grievance has been forwarded to medical and/or other department for response.

The County reported that the Disability Request for Accommodation workflow will be implemented for ADA-related grievances. This will provide notice to the incarcerated person that the grievance has been reviewed and will be processed for response.

In 24 cases, the ADA grievance box was checked; however, the grievances were not part of the ADA grievances produced by the County. In one (1) case, the ADA grievance box was checked, and staff noted the issue being grieved was not ADA, even though the incarcerated person was requesting glasses. This grievance should have been processed as an ADA grievance.

For future monitoring, the County must produce all grievance responses as part of document production. This will require the implementation of a more effective system of identifying and tracking ADA grievances.

c.) Established expedited process for urgent ADA requests and grievances (e.g., situations in which a person's safety or physical well-being is at risk).

In a review of the ADA-related grievances, there were no ADA-related grievances that were submitted with situations in which the disabled incarcerated person reported issues related to their safety or physical well-being, or issues that put the incarcerated person's safety at risk.

d.) Allowance each incarcerated person to retain accommodation(s) they possess at the time of arrival at the Jail or that they have been previously provided by the Jail, pending review of a grievance/appeal regarding the denial or removal of such accommodation(s), absent an individualized security concern that is documented.

Absent security concerns, the County allows incarcerated persons to retain accommodations they possess upon arrival at the Jail in accordance with this provision. This essential practice is important, and the County's commitment to its implementation is quite positive.

The problems with tracking (and processing) ADA grievances, as identified in the previous reports, have not been remedied. As described in this section, this continues to offer additional evidence of the need for an effective, comprehensive, standardized ADA Tracking System to be implemented. The County must ensure ADA grievances and requests for accommodation are responded to and processed as required by the *Murray v. Santa Barbara County* Remedial Plan.

To reach substantial compliance with provision 5.G.4, the County must:

- Ensure the County responds to an individual's Request for Accommodations within 72 hours of receipt.
- Ensure the County responds to an ADA-related grievance within 72 hours of receipt.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5.G.5. The County shall ensure that grievance forms contain an "ADA" box to indicate that a particular grievance relates to a disability-related issue. The County will ensure that disability-related grievances are so identified by the reviewing supervisor, even if the individual who submitted the grievance does not check the "ADA" box.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

Please see 5.G.4. above

Analysis/Observations

The County produced a blank Santa Barbara County Sheriff's Office Custody Operations – Inmate Grievance Form (SH-585a). The Inmate Grievance Form includes an "ADA" box. All grievances reviewed were submitted on the new form. Concerns about staff's processing of ADA grievances, including use of the "ADA" box, are discussed above.

5.G.5.a. Are disability-related grievances identified by the reviewing supervisor, even if the individual who submitted the grievance did not check the "ADA" box?

Staff interviewed stated that in cases where the reviewing supervisor reviews a grievance with disability-related issues, the grievance is processed and responded to as an ADA grievance. However, the Expert identified 78 grievances that had an ADA component and were not identified and processed as ADA Grievances. The issues include;

- Requesting physical therapy – two (2)
- Requesting HCA/DME/AD – three (3) knee brace, wheelchair, cane
- Requesting MAT treatment – 38²
- Requesting glasses or a vision test – 13
- Requesting shoes – 13
- Requesting an extra mattress – two (2)
- Mobility issues – one (1) difficulty using of arms
- Requesting lower bunk – four (4)

As indicated in the previous report, the United States Department of Justice Guidance³ states, "People with OUD typically have a disability because they have a drug addiction that substantially limits one or more of their major life activities. Drug addiction is considered a physical or mental impairment under the ADA. Drug addiction occurs when the repeated use of drugs causes clinically significant impairment, such as health problems and or an inability to meet major responsibilities at work, school, or home. People with OUD may therefore experience a substantial limitation of one or more major life activities, such as caring for oneself, learning, concentrating, thinking, communicating, working, or the operation of major bodily functions, including neurological and brain functions. The ADA also protects individuals who are in recovery, but who would be limited in a major life activity in the absence of treatment and/or services to support recovery. Under the ADA, an individual's use of prescribed medication, such as that used to treat OUD, is not an "illegal use of drugs" if the individual uses the medication under the supervision of a licensed health care professional, including primary care or other non-specialty

² Some of these grievances may not fall under the ADA grievance category

³ The Americans with Disabilities Act and the Opioid Crisis: Combating Discrimination Against People in Treatment or Recovery

providers. This includes medications for opioid use disorder (MOUD) or medication-assisted treatment (MAT). MOUD is the use of one of three medications (methadone, buprenorphine, or naltrexone) approved by the Food and Drug Administration (FDA) for treatment of OUD; MAT refers to treatment of OUD and certain other substance use disorders by combining counseling and behavioral therapies with the use of FDA-approved medications. Individuals whose OUD is a disability and who are participating in a supervised rehabilitation or drug treatment program are protected by the ADA if they are not currently engaging in the illegal use of drugs."

Based on some of the grievances related to MAT not being processed as ADA grievances (continuation of MAT treatment), the County must ensure staff are trained on the ADA criteria so that staff can identify the grievances that fall under the ADA. USDOJ Guidance and track the grievances as ADA.

The ADA Coordinator developed and provided training to the Sergeants who review, categorize, and process grievances. The training included an ADA Grievance Checklist along with the following:

New Grievance Response Procedure for ADA Grievances

1. ADA Grievances Consist of Shoes, Wheelchairs, Walkers, Canes, Crutches, Extra Mattresses, Shower Chair, Low Bunk, Low Tier, Purple, SLI, Etc.
2. All ADA Grievances containing these key words should be marked as ADA no matter what the inmate initially marks them as marks them as per the DRC
3. All ADA Grievances need to be responded to within 72 Hours
 - a. Response CAN be Generic per the DRC (Grievance Forwarded to Medical for resolution, or Grievance Forwarded to ADA Coordinator for Resolution)
 - i. Make a copy of the front page showing "Generic Response" and put it in the module mailbox, or return it to the deputy to return to the inmate
 - ii. Forward the grievance to the named entity that it needs to go to (Medical/ ADA Coordinator)
4. This will allow us to meet the 72-hour initial response requirement for ADA Grievances as well as reset the clock, giving us the full 15 days to answer the grievance while also complying with the DRC's request to "Fully and completely answer grievances before being returned to the inmate."

- ADA Grievance Checklist
 - Included but not limited to:
 - Shoes
 - Double Mattress
 - CPAP
 - Walker
 - Cane Wheelchair
 - Shower Chair/Access

- Compression Socks
- Effective Communication
- Please mark as ADA and route accordingly

The Expert recommends that this checklist also include the following additional categories:

- Glasses/Vision test
- Continuation of Medication-Assisted Treatment
- Requests for LB/LT

To reach substantial compliance with provision 5.G.5, the County must:

- Ensure that disability-related grievances are reviewed, and if the grievance has an ADA component, identified by the reviewing supervisor as ADA, even if the incarcerated person who submitted the grievance did not check the "ADA" box.
- In cases where an ADA-related grievance is assigned to health care staff for review/response, ensure the ADA coordinators are made aware of the grievance and the response.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5.G.6. The County will ensure that grievance forms are readily available and accessible to all prisoners at all times. Grievance forms shall be made available in large print (minimum 18-point font) to accommodate people with vision impairments.

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Discontinuation of Monitoring

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and have maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5.G.7. The County shall provide to the person with a disability a written grievance response, including the resolution, the basis for a denial (if applicable), and the process for appeal.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Non-Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County provides a written grievance response in accordance with the requirements of this provision. The County's grievance form includes the process for appeal as required by this provision. Managers audit all grievances quarterly to ensure compliance. To address the ADA Expert's concern, when the HIPAA release on the grievance is not signed, custody staff have been trained to contact the incarcerated person, rather than deny the grievance. Please see response to 5.G.5. above. The County anticipates completing this requirement in the next four to six months.

Analysis/Observations

The County produced 18 ADA Grievances. The Expert also reviewed the Grievances Logs that the County produced for all Experts for the months of August 2024 to February 2025. Based on this review, the Expert identified 78 grievances that contain an ADA component; however, these grievances were not identified as ADA Grievances and were not produced by the County as part of the ADA document production.

A summary of the grievances is listed in Section 5.G.5.a.

Some of the responses include the resolution and the basis for a denial (if applicable). However, in 20 cases, the grievance does not reflect the decision (Founded/Unfounded). In addition, the grievances do not include the process for appeal when provided to incarcerated persons with a disability. Post-tour, the County produced a revised grievance form with the language, "If you are unsatisfied with the response to this grievance, you may submit an appeal by filling out a new grievance form and marking the appeal box above."

Some of the grievance responses do not address the incarcerated person's request and/or do not include a thorough response. Some examples include:

- #23618 - Requesting glasses and has not had an eye exam scheduled to order glasses. The response states, "Patient has been seen by the RN and is in the process of being scheduled for optometry."
- #23632 – States in February attorney brought glasses, and they were never delivered. The response states, "Patient will be placed on sick call list to be evaluated for optometry."
- #23787, #23688, #23881, #23890, and #23789 – Requested placement in the MAT Program, and the response states, "You are on the list to see a provider."
- #23926 – Requested a cane and a wheelchair. The response states, "Patient has been seen by medical multiple times most recently 2/18. Patient seen by

NP on 2/7. Records have been requested from reported provider. Patient scheduled to see MD next week."

- #23358 – States he is legally blind and only has one contact lens and no contact lens clean solution. The response states, "Patient had a vision exam done in custody and will be scheduled for an offsite optometry appointment."
- #23659 - Requesting to be placed back on the MAT program. Was tapered off and is having horrible side effects. The response states, "Since intake, no sick calls for the MAT program. You need to be screened to determine eligibility. Please submit a sick call request to the MAT program." (In this case, medical staff should have responded to the grievance since removal from MAT should have been completed based on a medical appointment).
- #23284 – States he falls under the category ADA and is excluded from disciplinary actions in accordance with Section 2:204 of the Custody Operations Manual. No response provided.

To reach substantial compliance with provision 5.G.7, the County must:

- Ensure all ADA-related grievance responses, including the resolution, the basis for a denial (if applicable), and the process for appeal when responses are provided to incarcerated persons with a disability.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.
- Revise the language on the grievance to include, "If you are unsatisfied with the response to this grievance, you may submit an appeal by filling out a new grievance form and marking the appeal box above. Include the Log Number of the original grievance."

5.G.8. The County shall take steps to ensure all prisoners are aware of the disability grievance procedures, including the availability of accommodations and staff assistance to submit a grievance and/or appeal.

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Substantial Compliance

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and have maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5.G.9. The County shall implement a specific tracking system regarding the submission, processing, and responses for disability-related grievances and complaints, and regularly review such information for quality assurance purposes.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

Please see 5.G.4. above.

Analysis/Observations

The County produced 18 ADA Grievances. The Expert also reviewed the Grievances Logs that the County produced for all Experts for the months of August 2024 to February 2025. Based on this review, the Expert identified 78 grievances that contain an ADA component; however, these grievances were not identified as ADA Grievances and were not produced by the County as part of the ADA document production.

5.G.9.a. Does the County regularly review the disability-related grievances and complaint information for quality assurance purposes?

The County conducts quarterly grievance reviews to evaluate trends, make corrections, and improve operations. The County produced Grievance Review Minutes, Grievance Summaries for the NBJ and SBJ, and a Grievance Report for the 3rd and 4th Quarter of 2024 and the 1st Quarter of 2025. The Expert also notes that the report includes a summary of the ADA grievances. The summary includes the categories of ADA-Miscellaneous, ADA-Classification/Housing, and ADA-Medical. The Expert previously recommended that, since the County is required to have a specific tracking system for disability-related grievances as part of its QA/QI processes, an analysis of the ADA grievances be incorporated into the quarterly Grievance Report process. This includes an analysis of whether grievances were appropriately processed as ADA and responded to, based on the RP timelines. This will help to get the County to a place where it can self-monitor and sustain compliance on this and other ADA/disability matters.

To reach substantial compliance with provision 5.G.9, the County must:

- Ensure all ADA-related grievances are tracked as ADA within the grievance tracking system.
- Conduct a quality assurance review of the ADA-related grievances, including the actions the County takes to correct any deficiencies.

5. H. Housing Placements

5.H.1. The County shall implement a housing assignment system that includes an individualized assessment to be completed by health care staff, the results of which

shall be documented in the ADA Tracking System, of each person's functional limitations and restrictions, including but not limited to:

- a) The need for a lower bunk;*
- b) The need for grab bars in the Cell and/or shower;*
- c) The need for accessible toilets;*
- d) The need for no stairs in the path of travel; and*
- e) The need for level terrain.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Substantial Compliance

County Response:

The ADA Expert found the County in substantial compliance with this provision.

Analysis/Observations:

The County has updated the ADA Tracking System to include a flag for level terrain. Likewise, Wellpath also revised the MTO to include the need for level terrain. The County presently implements a housing assignment system that includes an individualized assessment by health care staff and maintains the following flags in the ADA tracking system: Low Bunk, No stairs, Level Terrain, Grab Bar, and ADA housing (which includes accessible toilets). The County has trained Classification and CQA deputies and has created a process to improve intake procedures to better identify and track individuals with disabilities. At the completion of medical intake, Wellpath inputs disability, assistive devices, Effective Communication, and accommodation information into the Classification Input Form (CIF) and generates an MTO as needed. The CIF and MTO are transferred to the Classification Deputy, who then inputs all ADA flag information into the JMS tracking system and emails the ADA Coordinators. The County has updated the ADA Policy (209) to meet the requirements of this provision.

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

- a) The need for a lower bunk*

The Expert previously reviewed the Santa Barbara County Sheriff's Office Custody Operations – Policies and Procedures Manual (305 Bed Assignment) and found that the policy addresses the management and assignment of incarcerated people to lower bunks. Additionally, the County has made revisions to the policy that provide additional guidance and requirements for staff to document the check of the ADA Tracking System when housing disabled incarcerated persons. However, the Classification staff

reported they do not review the ADA Tracking System when making housing changes post-initial housing. The County must ensure that Classification staff review the ADA Tracking System to identify cases with lower bunk housing restrictions to ensure these cases are appropriately housed.

A review of the Disability Accommodations Request and ADA grievances reflects 13 Disability Accommodations Requests for a LB and four (4) grievances. Additionally, during the ADA tour at NBJ, classification staff noted that they sometimes "run out" of ADA/accessible placements, and that this occurs across multiple classification designations.

There is also no accessible housing options at SBJ other than in South Dorm. The only available housing option for Protective Custody females is Back Central at SBJ. This leaves PC-females with accessible housing needs without appropriate (non-Restrictive Housing) placements.

During the September 2025 Medical Care monitoring tour, Class Counsel and the Expert observed multiple women with disabilities in G unit at NBJ who were improperly housed on top bunks and/or on the upper tier. This was due to the lack of adequate supply of lower bunk/lower tier placement capacity. The housing deputy in the G unit confirmed that this is an ongoing problem due to an insufficient number of lower bunk/lower tier beds.

Although the Expert finds that the County has a process in place to identify a disabled incarcerated person's need for a lower bunk and document the accommodation needs in the current ADA Tracking System. However, during the onsite monitoring tour, the Classification staff reported they do not consistently receive the MTO and, at times, must request the MTO from medical staff. The County must ensure the MTO workflow process is followed so the Classification staff making housing determinations can appropriately house the incarcerated person based on their housing accommodation needs. Additionally, until the recurring issue of insufficient number of LB/LT is resolved. The Expert requests that the County produce data/information regarding LB/LT needs and capacity (including in the NBJ G unit) over the last 3 months, so that the County, the Expert, and Class Counsel can collectively assess the situation and, as necessary, discuss appropriate remedial action, with an eye towards resolving this issue before the next ADA monitoring report..

b) The need for grab bars in the cell and/or shower

The County has added "grab bar in the cell and/or shower accommodations" to the ADA Tracking System.

The Wellpath Medical Treatment Order for the Patient includes the documentation of approval for "House in ADA Cell," "Shower Chair/ADA Shower," and "Grab Bars." The

MTO is completed and approved by the Medical Provider after an individualized evaluation and provided to Classification staff and the ADA Coordinators.

As noted in a) above, the County has implemented a process (Custody Medical Treatment Order MTO Creation, Distribution, and Workflow) for the completion and distribution of the MTO.

A review of the Disability Accommodations Request and ADA grievances reflects one (1) Disability Accommodations Request for an ADA cell. Additionally, during the incarcerated person interviews, there were two (2) complaints regarding in-cell/shower accommodations.

- An incarcerated person (MJ) who has a mobility disability stated he needs stability (walker/grab bars) to assist in sitting and getting on the toilet.
 - County response - Seen 11/30 by MD approved MTO bottom tier/bunk, cane, shoes. Evaluated for walker, MTO provided to ADA/Classification. He has also been provided with a walker.
- An incarcerated person (MJ) who has a mobility disability stated he was housed in MJ's restrictive housing for one (1) week with no accommodations (in cell and shower). Stated the shower was offline for 2 weeks, and he had to walk up the stairs to shower.

The Expert finds that the County has a process in place to identify disabled incarcerated persons' need for grab bars in the cell and/or shower and document the accommodation need in the current ADA Tracking System. However, during the onsite monitoring tour, the Classification staff reported they do not consistently receive the MTO and, at times, must request the MTO from medical staff. The County must ensure the MTO workflow process is followed so the Classification staff making housing determinations can appropriately house the incarcerated person based on their housing accommodation needs.

c) The need for accessible toilets

The County has added accessible toilets to the ADA tracking system.

The Wellpath Medical Treatment Order for Patient includes the documentation of approval for "House in ADA Cell" and "Grab Bars." The MTO is completed and approved by the Medical Provider after an individualized evaluation and provided to Classification staff and the ADA Coordinators.

A review of the Disability Accommodations Request and ADA grievances reflects one (1) Disability Accommodations Request for an ADA cell. Additionally, during the incarcerated person interviews, there were three (3) complaints regarding in-cell accommodations.

- An incarcerated person (MJ) who has a mobility disability stated he needs stability (walker/grab bars) to assist in sitting and getting on the toilet.
 - County response - Seen 11/30 by MD approved MTO bottom tier/bunk, cane, shoes. Evaluated for walker, MTO provided to ADA/Classification. He has also been provided with a walker.
- An incarcerated person (MJ) who has a mobility disability stated he was housed in MJ's restrictive housing for one (1) week with no accommodations (in cell and shower). Stated the shower was offline for 2 weeks, and he had to walk up the stairs to shower.
 - County response: County response - Patient transferred from another facility, his DME was taken to the property instead of intake. The patient was given a walker, a cane, and a mouth guard from the property. The patient now has all the DME he has requested.
 - The Housing History reflects he was housed in an inaccessible cell from 5/2/25 to 5/7/25.

NBJ: NBJ A 06 ADA	2025-05-08 09:43		53 04:15	XXXX		PER CLASS
NBJ: NBJ A 03 A	2025-05-07 22:38	2025-05-08 09:43	0 11:05	XXXX	XXXX	PER CLASS
SBJ: EAST EI 33	2025-05-03 00:02	2025-05-07 22:38	4 22:36	XXXX	XXXX	PLUMBING ISSUES IN EI-28.
SBJ: EAST EI 28	2025-05-02 19:38	2025-05-03 00:02	0 04:24	XXXX	XXXX	PER CLASS
SBJ: IRC 100 116 B	2025-05-02 18:39	2025-05-02 19:38	0 00:59	XXXX	XXXX	INITIAL

- An incarcerated person was housed without ADA accommodations in W-6 for 2 weeks.
 - The Housing History reflects he was housed in an inaccessible cell from 1/20/25 to 2/11/25.

NBJ: NBJ H 01 D	2025-03-05 22:30		116 16:12	XXXX		REHOUSED FROM M UNIT
NBJ: NBJ H-HOLD	2025-03-05 20:19	2025-03-05 22:30	0 02:11	XXXX	XXXX	PER CLASS
NBJ: NBJ M 10 ADA	2025-02-19 10:22	2025-03-05 20:19	14 09:57	XXXX	XXXX	PER CLASS
NBJ: NBJ M 11 A-ADA	2025-02-17 13:29	2025-02-19 10:22	1 20:53	XXXX	XXXX	MOVED DUE TO M-10 TOILET OFFLINE
NBJ: NBJ M 10 ADA	2025-02-12 10:59	2025-02-17 13:29	5 02:30	XXXX	XXXX	INITIAL ASSIGNMENT

NO HOUSING	2025-02-12 08:37	2025-02-12 08:37	0 00:00	XXXX	XXXX	FACILITY TRANSFER
SBJ: WEST W-06 2 A	2025-02-12 08:35	2025-02-12 08:35	0 00:00	XXXX	XXXX	PER CLASS
SBJ: WEST W-06 2 A	2025-01-30 17:05	2025-02-12 08:35	12 15:30	XXXX	XXXX	INITIAL

The Expert finds that the County has a process in place to identify disabled incarcerated persons' need for accessible toilets and document the accommodation needs in the current ADA Tracking System. However, during the onsite monitoring tour, the Classification staff reported they do not consistently receive the MTO and, at times, must request the MTO from medical staff. The County must ensure the MTO workflow process is followed so the Classification staff making housing determinations can appropriately house the incarcerated person based on their housing accommodation needs.

d) *The need for no stairs in the path of travel*

The ADA tracking system includes the Lower Tier accommodation.

The Wellpath Medical Treatment Order for Patient includes the documentation of approval for Lower Tier. The MTO is completed and approved by the Medical Provider after an individualized evaluation and provided to Classification staff and the ADA Coordinators.

A review of the Disability Accommodations Request and ADA grievances reflects three (3) Disability Accommodations Requests for a LT. Additionally, during the incarcerated person interviews, there was one (1) complaint regarding the path of travel accommodations.

- An incarcerated person (MJ) who has a mobility disability stated he was housed in MJ's restrictive housing for one (1) week with no accommodations (in cell and shower).
 - County response: County response - Patient transferred from another facility, his DME was taken to the property instead of intake. The patient was given a walker, a cane, and a mouth guard from the property. The patient now has all the DME he has requested.
 - The Housing History above reflects he was housed in an inaccessible cell from 5/2/25 to 5/7/25.
- An incarcerated person housed in the NBJ Mod A stated the shower was offline for 2 weeks, and he had to walk up the stairs to shower.
 - County response: The ADA Shower was offline for approximately two weeks for repairs.

The Expert finds that the County has a process in place to identify a disabled incarcerated person's need for no stairs in the path of travel (lower tier) and document the accommodation needs in the current ADA Tracking System. However, during the onsite monitoring tour, the Classification staff reported they do not consistently receive the MTO and, at times, must request the MTO from medical staff. The County must ensure the MTO workflow process is followed so the Classification staff making housing determinations can appropriately house the incarcerated person based on their housing accommodation needs.

e) The need for level terrain

The Wellpath Medical Treatment Order for Patient includes the documentation of approval for Level Terrain. The MTO is completed and approved by the Medical Provider after an individualized evaluation and provided to Classification staff and the ADA Coordinators.

A review of the Disability Accommodations Request and ADA grievances reflects no requests for level terrain accommodations. Additionally, during the incarcerated person interviews, there were no complaints regarding the path of travel accommodations.

The Expert finds that the County has a process in place to identify a disabled incarcerated person's need for Level Terrain and document the accommodation needs in the current ADA Tracking System. However, during the onsite monitoring tour, the Classification staff reported they do not consistently receive the MTO and, at times, must request the MTO from medical staff. The County must ensure the MTO workflow process is followed so the Classification staff making housing determinations can appropriately house the incarcerated person based on their housing accommodation needs.

5.H.2. People with disabilities shall be housed in the Jail consistent with their individual security classification. Classification staff shall not place prisoners with disabilities in: (a) inappropriate security classifications because no ADA-accessible cells or beds are available; (b) designated medical areas unless the prisoner is currently receiving medical care requiring such placement; or (c) any location that does not offer the same or equivalent programs, services, or activities as facilities where they would be housed absent a disability.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County presently houses people with disabilities consistent with their security classification, regardless of disability, at the Northern Branch Jail and Main Jail. However, pursuant to the parties' August 2023 Stipulation, incarcerated persons with mobility disabilities at the Main Jail are housed in South Dorm. During COVID-19 outbreaks or quarantine, the County ensures that inmates with disabilities are moved to accessible housing at Northern Branch Jail, if medically indicated. As part of the proposed IRC remodel, ADA-compliant cells will be included in each housing unit. All locations within the Main Jail offer the same or equivalent programs, services, or activities as those absent a disability in such facility. The County is proceeding with the remodel of the Inmate Receiving Center of the Main Jail, which will address accessibility requirements at the facility. This remodel is scheduled to be complete by the Summer of 2027. Full compliance with this provision will likely follow remodel, reconfiguration, renovation, or new construction of the facilities as contemplated in paragraph 10 of the Stipulated Judgement

Analysis/Observations

The Santa Barbara County Sheriff's Office Custody Operations – Policy and Procedures Manual 301 Inmate Classification states, "Inmates shall be housed in the least restrictive setting necessary to ensure their own safety, as well as the safety of staff and other inmates. An inmate shall not be housed in more restrictive settings, including Restrictive Housing, based on gender identity, mental illness, or any other disability.

Classification assignments and housing decisions shall be supported by all available information, such as:

- Prior criminal history;
- Past behavior in custody;
- Sophistication of crime(s);
- Length of sentence;
- Potential for violent or assaultive behavior;
- Medical and/or mental health status, when appropriate, ADA requirements;
- Age; and
- Any other information that will provide for the safety of staff and other inmates."

During the onsite monitoring tour, the Expert noted that incarcerated people with disabilities were housed in the following locations:

Main Jail

- Central Module-04
- East Module-01
- East Module-04

- East Module-06
- East Module-08
- East-Module 24
- East Module-31
- East Module-36
- East Module-37
- IRC-100
- IRC-200
- IRC-300
- IRC-400
- Northwest-A
- Northwest Isolation
- South Dorm
- South Tank
- West Module-01
- West Module-04
- West Module-08
- West Module-10
- West Module-16

Northern Branch Jail

- Module-A
- Module-B
- Module-C
- Module-D
- Module-E
- Module-F
- Module-G
- Module-H
- Module-J
- Module-M

The County presently houses people with disabilities consistent with their security classification at the NBJ. The County does so at the MJ, subject to the structural constraints of that facility. Currently, the only accessible housing at the MJ is in the South Dorm.

The County has expanded worker opportunities and the STP. However, additional steps need to be taken, such as providing access to community-based education/programming. Additionally, although the MJ Northwest Isolation cells have been deactivated from housing incarcerated persons with MH disabilities, the County, at times, continues to house this population in the MJ NE Isolation cells where they

have far less access to yard, dayroom, work assignment opportunities, in-person programs, and in-person education classes.

The Expert recognizes that due to the structural building issues, compliance with this requirement will be dependent on the completion of the proposed MJ renovation, remodel, or reconstruction.

Note: In a Memorandum (ADA Housing Directive) dated December 13, 2023, a Custody Commander issued a directive to the Custody Classification as follows:

"DIRECTIVE:

Effective immediately, Incarcerated Persons housed in the Sheriff's Jail Facilities with ADA accessible housing needs will only be housed at the Northern Branch Jail or SDORM in the Main Jail. If there is a question about an Incarcerated Persons ADA accessible housing need, you must contact the ADA Coordinator for clarification or direction prior to housing the individual.

RATIONALE:

Disability Accessibility Requirements. Defendants will cease housing class members with ADA-accessible housing needs in any of the housing units in West, East, Central, Back Central, and Northwest and will ensure that all class members with ADA-accessible housing needs are provided accessible housing and equitable access to the Jail's programs, services, and activities (see Remedial Plan Section V.H (Housing Placements). (p. 12)"

At the time the directive was issued, class members who were housed in the MJ housing units in West, East, Central, Back Central, and Northwest had the ability to elect to stay at the MJ by signing a waiver. During the onsite tour, the Expert confirmed that class members with ADA-accessible housing needs were not housed in the MJ housing units in West, East, Central, Back Central, and Northwest. However, the ADA Tracker List for 8/9/25 reflects that an incarcerated person who requires housing in an ADA cell was assigned to IRC-200 cell 213 (when the Expert attempted to interview him, the County reported that he had been transferred to the NBJ). Additionally, during the incarcerated person interviews, an incarcerated person who has a mobility disability stated he was housed at MJ restrictive housing for one (1) week with no accommodations (in cell and shower). Another incarcerated person housed at the NBJ Mod A reported that the shower was offline for 2 weeks, and he had to walk up the stairs to shower.

5.H.2.a. Are incarcerated people with disabilities placed by Classification staff in:

- (a) Inappropriate security classifications because no ADA-accessible cells or beds are available?*

As stated above, the County presently houses people with disabilities consistent with their security classification at the NBJ. The County does so at MJ, subject to the structural constraints of that facility. However, the placement of incarcerated persons with mental health disabilities in the NE Isolation cells amounts to placement in higher security settings due to the incarcerated person's disability.

During the incarcerated person interviews, there were no complaints that the incarcerated persons were not housed in areas consistent with their classification. If the MJ population requires additional ADA housing, the County works within the confines of the structural barriers of the facility to provide accommodations to incarcerated persons with disabilities who cannot be housed in ADA-accessible cells.

The County presently houses people with disabilities consistent with their security classification, regardless of disability. However, pursuant to the parties' August 2023 Stipulation, incarcerated persons with mobility disabilities at the Main Jail are housed in South Dorm. The County ensures that incarcerated persons with disabilities are moved to accessible housing at NBJ, if medically indicated. As part of the proposed IRC remodel, ADA-compliant cells will be included in each housing unit as the County proceeds with the remodel of the IRC, which will address accessibility requirements at the MJ. This remodel is scheduled to be complete by the Summer of 2027.

(b) Designated medical areas, unless the prisoner is currently receiving medical care requiring such placement?

There is no specific medical housing area for incarcerated people at the MJ. South Dorm is primarily used to house incarcerated people who may require greater access to medical staff. Based on MJ South Dorm being in the general vicinity of the medical treatment area classification, staff houses incarcerated people who may need greater access to medical staff. However, MJ South Dorm is not considered/classified as medical housing. MJ South Dorm serves as a de facto Medical unit that houses incarcerated persons with disabilities, even though they are not receiving medical care that would warrant medical unit placement. The MJ South Dorm may be the best MJ option available for some class members with disabilities at present, but the current practice does not comply with the Remedial Plan or with 28 CFR 35.152. In accordance with the parties' August 2023 stipulation, the County may continue to house ADA inmates in South Dorm.

The NBJ has a medical housing area, and during the monitoring tour, there was one (1) incarcerated person with a disability housed in the medical area (NBJ Mod M) who was housed due to medical treatment necessity.

The Expert recognizes that due to the structural building issues, compliance with this requirement will be dependent on the completion of the proposed MJ renovation, remodel, or reconstruction.

(c) *Any location that does not offer the same or equivalent programs, services, or activities as facilities where they would be housed absent a disability?*

As stated above, with the exception of MJ South Dorm, incarcerated people with disabilities are housed in areas consistent with their classification case factors. The MJ does not provide programming opportunities such as those that are offered at the NBJ (Alan Hancock College) and the Northwest Isolation workers housing unit (Santa Barbara City College), and mobility incarcerated persons housed in the MJ Northwest BHU's and MJ South Dorm and South Tank are only provided remote programming opportunities. The incarcerated persons housed in the BHUs do not have access to other in-person programs that are available in other housing locations. Because the BHUs house people with serious mental health needs, it is essential that this group have equal access to programs, including community-based programming. As these modules primarily house people with serious mental health disabilities (Northwest) and medical/physical disabilities (South Dorm), it is essential that this group have equal access to programs and community-based programming.

The County must explore ways to expand community-based program opportunities to reach disabled incarcerated persons who are housed in the MJ, as well as units where persons with mental health disabilities are clustered (NBJ's Modules J and K, MJ's Northwest Modules A, C, D).

The County must ensure that the forthcoming renovations at the MJ IRC provide disabled incarcerated persons with equal access to the Jail's programs, services, and activities.

The Expert recognizes that due to the structural building issues, compliance with this requirement will be dependent on the completion of the proposed MJ renovation, remodel, or reconstruction.

To reach substantial compliance with provision 5.H.2, the County must:

- Finalize the remodel of the IRC of the MJ.

5. I. Visitation

5.I.1. The County shall ensure that family/personal and professional visitation areas are accessible for people with disabilities and visitors.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The Northern Branch Jail is in compliance with this provision. At the Main Jail, incarcerated persons who require accessible visitation are escorted to an IRC professional visitation booth that is accessible. As a long-term solution, the County is proceeding with the remodel of the Inmate Receiving Center of the Main Jail, which will address accessibility requirements, including visitation space. This remodel is scheduled to be complete by the Summer of 2027.

Analysis/Observations:

The County conducts family/personal visits at the NBJ via video visiting and professional visits in the professional visiting booths unless a video visit is requested. The locations of the video-visiting areas at the NBJ are accessible to visitors and incarcerated persons.

The County conducts all visits (family/friends/professional) in person at the MJ. The Expert toured the visiting areas and found that there are 81 visiting stations that do not have a permanent stool and can be accessed by incarcerated people with disabilities. The Accessibility Expert will have to confirm if the visiting areas (family/personal and professional) comply with the Americans with Disabilities Act Architectural Guidelines. This will be conducted by the Accessibility Expert. In addition, during the incarcerated person interviews, an incarcerated person housed in MJ South Dorm (full-time wheelchair user) stated that he has to transfer from his wheelchair to the stool in the visiting booth, as the visiting booth is not accessible for a wheelchair. The Expert toured the visiting area and confirmed that the visiting booth has a permanent stool.

The County reported that the incarcerated persons who require an accessible visiting area *should be* escorted to the IRC visiting booths. The County also reported that the scheduling of visits is conducted by Records staff, and they notify the housing unit Deputy of the location of the visit. The Expert recommends that the Records staff review the ADA Tracker List and, in cases where the incarcerated person is prescribed a wheelchair, schedule the visit for the IRC visiting booth/room. In addition, housing unit staff must be trained that for an incarcerated person who uses a wheelchair, the incarcerated person must be escorted to an accessible visiting/room. Quality assurance processes led by the ADA Coordinators will help to facilitate and ensure reliable implementation and compliance with these requirements.

In the next monitoring round, the Expert will assess the accessibility of video equipment used for personal and professional visits (including for people with vision, hearing, and cognitive disabilities). Incarcerated persons and those persons visiting them may need assistance and accommodation to meaningfully and effectively access video equipment used for visitation.

To reach substantial compliance with provision 5.I.1, the County must:

- Finalize the remodel of the Inmate Receiving Center of the Main Jail.

- In the interim, ensure the staff scheduling the visits for disabled incarcerated persons housed in the South Dorm review the ADA Tracker list and schedule the visit in the IRC visiting booths if the incarcerated person requires an accessible visiting booth.

5.1.2. The County shall perform an individualized assessment as needed and shall ensure that people with disabilities have full access to visitation at the Jail.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Substantial Compliance

Although this provision has been in substantial compliance for greater than 6 months. Based on the finding of provision 5.1.1, the Expert will monitor this provision during the next monitoring tour.

County Response:

As acknowledged by the ADA Expert, Wellpath conducts an individualized assessment and documents any needed accommodations on the Wellpath MTO, which is provided to custody staff. The County maintains a checklist that will be used to interview incarcerated persons once they are identified as having a qualified disability. The County has updated the checklist to include access to visitation, as recommended by the ADA Expert.

Analysis/Observations

The Wellpath MTO includes the documentation of approval for accommodations that incarcerated people with disabilities need to access the Jail's programs, services, and activities. After the individualized evaluation is conducted, the MTO is provided to custody staff.

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

There was one (1) case detailed in 5.1.1 where the incarcerated person reported he was not provided accessible visiting area. The County reported that the ADA Coordinator uses the "ADA Inmate Interview Worksheet," which is used to interview incarcerated persons once they are identified as having a qualified disability. The Expert notes that the worksheet includes a question regarding access to public visiting.

As the County works to renovate the SBJ facility (including to meet ADA/accessibility requirements), it is essential that accessibility deficiencies in the visiting area(s) be addressed. In the interim, there must be a process in place to consistently

accommodate people with mobility disabilities (including wheelchair users) who need an alternative setting to participate in visiting in an accessible setting.

5. J. Access to Programs, Services, and Activities

5.J.1. The County shall ensure people with disabilities, including those housed in specialty health care units, have equal access to programs, services, and activities available to similarly situated people without disabilities, consistent with their health and security needs. The County shall ensure that staff provide appropriate assistance to people with disabilities as needed to ensure equal access to programs, services, and activities provided at the Jail. Such programs, services, and activities include, but are not limited to:

- a) Educational, vocational, reentry, and substance abuse programs*
- b) Work Assignments*
- c) Dayroom and other out-of-cell time*
- d) Outdoor recreation (including accessible exercise equipment)*
- e) Structured programming (including in-cell activities)*
- f) Showers*
- g) Telephones and/or videophones*
- h) Reading materials (including easy reading, large print books, and other materials accessible to people with a vision-related disability)*
- i) Religious services*
- j) Family/personal and professional visits*
- k) Medical, mental health, and dental services and treatment*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County offers inmates tablets and STP programming, a partnership with Santa Barbara City College. These programs are available to all individuals regardless of disability. The County has outdoor exercise equipment and audio books, and magnifiers to satisfy the requirements of this provision. The County currently provides auxiliary aids, large print, and easy reading material during programs for individuals needing those accommodations. The County obtained pocket talkers per the ADA Expert's prior recommendation. The County also offers work assignments to ADA inmates and provides work accommodations for this population. The County also expanded work opportunities for incarcerated persons housed in South Dorm at the Main Jail. The County provides program facilitators with a list of inmates with disabilities and their accommodation needs. The County currently provides equal access to the programs included in this provision; however, per the ADA Expert's recommendations, the County is working to expand educational and community-based program opportunities in the BHUs at both facilities. Full compliance with this provision will likely

require remodel, reconfiguration, renovation, or new construction of the facilities as contemplated in paragraph 10 of the Stipulated Judgement. The County is proceeding with the remodel of the Inmate Receiving Center of the Main Jail, which will address accessibility requirements. This remodel is scheduled to be complete by the Summer of 2027.

Analysis/Observations:

The County has installed accessible exercise equipment in all recreation/exercise yards/locations.

The June 2025 Northern Branch Jail (NJB) Programs Calendar reflects the following types of programs that are available to incarcerated persons in the following locations:

- Chaplain Services/Bible Studies – All Mods
- Sheriff Treatment Program – Mods F (BHU and J (BHU)
- Alan Hancock College – Mods A, C, D, E, G, and H
- Yoga Mods C and H
- Transitions Mental Health Association Presentation
- AA/NA (Women/Men) – All Mods

The previous months' Programs Calendars also reflect the following programs to various Mods:

- Sheriff Treatment Program
- GRID – Solar Training Program
- Bible Study
- Yoga
- Rational Self-Counseling
- Criminal and Addictive Thinking
- Personal Growth
- Building Healthy Lifestyles
- Peer Relationship
- Social Values
- Self-Control
- Substance Use
- ServSafe (E-Unit)

J and F Unit BHU

- Basic Cognitive Skills
- Traumatic Stress & Resilience II
- Anger Management

The June 2025 Southern Branch Jail (SBJ) Programs Calendar reflects the following programs available to incarcerated persons in the following locations:

- Sheriff's Treatment Program – BHU Mod-A, BHU Mod-C, BHU Mod-D, East 24, and South Dorm
- AA – Central 1 and 4, West 13, and East 1, 6, and 23
- Book Group – Back Central 1, East 23, and Northwest Isolation
- Therapy Dogs – Northwest Isolation

The previous months' Programs Calendars also reflect the following programs to various Mods:

- STP - South Dorm, East 1, 8, 23, and 24, West 1, 8, 10, 13, and 16, and Back Central 1, and 4.
- Thinking for Change - NW-D BHU
- BHU Program (Various Facilitators) NW-A-BHU, NW-C BHU, and NW-D.BHU,
- Santa Barbara Community College - Northwest Isolation

The MJ Program staff reported that the EDOVO Tablet Program is also available to all incarcerated persons, including those who do not participate in the above-listed programs.

The County now offers the STP in all modules with the exception of Mod B at the NBJ and South Tank at the MJ. The STP and Mental Health programs are also being provided in the MJ BHUs (NW A-D Mods) and NBJ Mods J and F. In a review of the MJ/NBJ Programs Calendar/Schedule, mobility-disabled incarcerated persons housed at the NBJ have equal access to the programs that are available to similarly situated people without disabilities, consistent with their health and security needs. Incarcerated persons housed in the BHUs (NBJ Mods J and K and MJ NW Mods A-D) now have access to in-person STP. The MJ does not provide programming opportunities such as those that are offered at the NBJ (Alan Hancock College) and the Northwest Isolation workers housing unit (Santa Barbara City College), and mobility incarcerated persons housed in the MJ Northwest BHU's and MJ South Dorm and South Tank are only provided remote programming opportunities. The incarcerated persons housed in the BHUs do not have access to other in-person programs that are available in other housing locations. Because the BHUs house people with serious mental health needs, it is essential that this group have equal access to programs, including community-based programming. As these modules primarily house people with serious mental health disabilities (Northwest) and medical/physical disabilities (South Dorm), it is essential that this group have equal access to programs and community-based programming.

The 2024-2025 Santa Barbara County Grand Jury Report – Female Inmates at Santa Barbara County Jails found:

- College classes are not available at the Main Jail to the same extent that they are available at the Northern Branch Jail, depriving women at the Main Jail of equivalent educational opportunities.

- Women inmates are receptive to therapy and self-improvement groups. While the Sheriff's Treatment Program is available at both of the County's jails, the activities provided by community organizations—such as yoga, book clubs, and mutual-support recovery groups—vary between the two facilities.

The Santa Barbara Grand Jury Report also made the following recommendations:

- The Grand Jury recommended that the Sheriff's Office expand current educational and vocational course offerings at the Main Jail in cooperation with local colleges. To be implemented by January 1, 2026.
- The Grand Jury recommended that the Sheriff's Office expand its efforts to make more community-provided self-improvement and therapy programs available to educate and motivate inmates at both jails, including the women.

The County must explore ways to expand community-based program opportunities to reach disabled incarcerated persons who are housed in the MJ, as well as units where persons with mental health disabilities are clustered (NBj's Modules J and K, MJ's Northwest Modules A, C, D).

5.J.1.a. Are incarcerated people with disabilities provided appropriate assistance to ensure equal access to programs, services, and activities provided at the Jail as needed?

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

a) Educational, vocational, reentry, and substance abuse program

The program facilitators stated they now receive a list of incarcerated people with disabilities and their accommodation needs. The Program staff also reported that information on the accommodation needs of disabled incarcerated persons is provided to the community-based providers. The County also reports that they currently provide auxiliary aids, large print, and easy reading material during programs for individuals needing those accommodations. Access to educational, vocational, reentry, and substance abuse programs is covered in detail above.

b) Work Assignments

Access to work assignments is covered in detail in section 5.J.3. below.

c) Dayroom and other out-of-cell time

All incarcerated people with disabilities have equal access to the dayroom and other out-of-cell time. Other portions of the *Murray v. Santa Barbara County* Remedial Plan address access to the dayroom for all incarcerated persons housed in the SBCJ.

d) *Outdoor recreation (including accessible exercise equipment)*

Accessible exercise equipment is now available in all of the MJ and NBJ recreation yards.

In a previous report, the Expert noted that the physical layout and structure of the exercise yards vary significantly in size and availability of exercise opportunities at the MJ. Incarcerated people with physical and mental health disabilities housed in the New East Isolation continue to have access to a smaller and inferior yard as compared to the non-disabled incarcerated person housed in the general population, who can access the MJ Main Yards. As recommended in the previous report, the County should consider allowing incarcerated persons housed in these areas the opportunity to use the larger MJ recreation yard. The County will need to remedy the deficiencies of providing equal and adequate access to the dayroom, recreation, and other programming opportunities at the MJ through the physical plant modifications in order for the County to be found in Substantial Compliance with the Remedial Plan components. Additionally, during the onsite monitoring tour, the Expert noted that the two accessible MJ yards do not have accessible seating for disabled incarcerated persons. The Expert (Sabot) accessibility Expert will need to access the yards to assess and confirm compliance with accessibility standards as remedial steps are taken. These accessibility improvements cannot be deferred during the period of renovations at MJ.

e) *Structured programming (including in-cell activities)*

The program facilitators stated they continue to receive a list of incarcerated people with disabilities and their accommodation needs. They also reported that the accommodations they provide to incarcerated people with disabilities are the provision of reading glasses, assistance in understanding the program content, and the provision of an SLI. Other accommodations (auxiliary aids, large print, magnifiers) are available for incarcerated people with disabilities in coordination with the ADA Coordinators.

f) *Showers*

Although incarcerated people with disabilities are escorted to an accessible shower, the parties' August 2023 stipulation confirms that "The housing units in West, East, Central, Back Central, and Northwest need not undergo physical plant remediation of existing ADA accessibility deficiencies as part of interim or long-term remedial measures set forth herein and in the Remedial Plan." The South Dorm shower is ADA accessible. The County has also included the modifications of the showers in the IRC in the accessibility construction plan.

There are accessible showers in every housing Module at the NBJ. However, during the incarcerated person's interviews, one person stated that the shower in his housing unit (Mod A) was offline for 2 weeks, and he had to walk up the stairs to shower. This was confirmed through inquiry with the County. During this period of time, the individual should have been offered an alternative placement with appropriate shower accessibility. (If the individual declined the alternative placement, that should be documented by the ADA coordinator and classification.)

g) Telephones and/or videophones

The Expert addresses access to videophones in Section 5.N.8 of the report. The County provides disabled incarcerated persons with access to telephone amplifiers, TTYs, and videophones. There were no complaints during the incarcerated person interviews that incarcerated persons are not being provided accommodations in accessing the telephones and/or videophones.

h) Reading materials (including easy reading, large print books, and other materials accessible to people with a vision-related disability)

During a previous monitoring tour, the County advised the Expert that recreational reading material is provided to the County by donations. During the monitoring tour, the Expert noted that easy reading, large print books, and other materials are available and accessible to people with a vision-related disability. The Expert noted that Books-on-Tape are also available in the event an incarcerated person with a vision disability requires the accommodation. The County previously informed the Expert that the reading material on the tablets is accessible for incarcerated persons with vision disabilities. The Expert confirmed that the text on the tablets can be enlarged.

i) Religious services

Religious services are provided in a group and on a one-on-one basis, and incarcerated people with disabilities are provided equal access. Incarcerated people who are deaf and whose preferred/primary method of communication is ASL/SLI must be provided with an SLI during the religious program. There were no cases to review where an SLI/VRI was provided during religious services. The County established a contract with "Purple Communications" on 1/11/23 for on-demand sign language interpreting services. In addition, incarcerated persons who are hard of hearing are provided with an amplification device, "PocketTalker," to use during the religious service. The Expert will continue to monitor this in detail during the next monitoring tour.

As confirmed by the County, religious programming has not been available to MJ Northwest BHUs for some time. This issue has been discussed with SBSO leadership and there are plans to address this denial of programming to people with mental health disabilities. The Expert will monitor this in the next round.

j) Family/personal and professional visits

During the incarcerated person interviews, an incarcerated person housed in MJ South Dorm (full-time wheelchair user) stated that he has to transfer from his wheelchair to the stool in the visiting booth, as the visiting booth is not accessible for a wheelchair. The Expert toured the visiting area and confirmed that the visiting booth has a permanent stool. The County reported that the incarcerated persons who require an accessible visiting area are escorted to the IRC visiting booths. The County also reported that the scheduling of visits is conducted by Records staff, and they notify the housing unit Deputy of the location of the visit. The Expert recommends that the Records staff review the ADA Tracker List and, in cases where the incarcerated person is prescribed a wheelchair, schedule the visit for the IRC visiting booth/room. In addition, housing unit staff must be trained that for an incarcerated person who uses a wheelchair, the incarcerated person must be escorted to an accessible visiting/room.

k) Medical, mental health, and dental services and treatment

All medical, mental health, and dental services are accessible to incarcerated people with disabilities. The Architectural Expert will review the physical access to the treatment rooms in more detail. The County must ensure that disabled incarcerated persons who require assistance in reading and writing are provided with assistance in submitting sick call slips.

To reach substantial compliance with provision 5.J.1, the County must:

- Ensure people with disabilities, including those housed in specialty health care units, have equal access to programs, services, and activities available to similarly situated people without disabilities, consistent with their health and security needs.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5.J.2. The County's policy shall include the provision of assistance in reading or scribing legal documents, sick call requests, grievances, documents related to disciplinary procedures, and documents related to health care encounters.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County has completed a comprehensive ADA training curriculum that incorporates the

training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations

Wellpath Policy HCD-110_F-09 Effective Communication – Santa Barbara, CA includes specific directives for medical staff to provide reading and writing/scribing medical-related documents to incarcerated people with disabilities.

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

The Expert interviewed five (5) incarcerated persons who require assistance with reading and writing (two blind/low vision and three intellectual/developmentally disabled). Three (3) reported that staff do not offer or provide assistance, and they must rely on other incarcerated persons. One (1) reported that staff ask if she needs assistance, and one (1) reported that staff provide assistance fifty percent of the time.

To reach substantial compliance with provision 5.J.2, the County must:

- Provide assistance in reading or scribing legal documents, sick call requests, grievances, documents related to disciplinary procedures, and documents related to health care encounters.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5.J.3. The County shall ensure equitable work opportunities for people with disabilities, including by ensuring (a) clear job duty statements, with essential functions and specific criteria, for each worker position; and (b) that health care and other relevant staff conduct an individualized assessment to identify work duty restrictions and/or physical limitations to facilitate appropriate work/industry assignments, to ensure reasonable accommodations, and to prevent improper exclusions from work opportunities.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County has expanded work opportunities for people with disabilities. The County has created a worker matrix that delineates the necessary components of this requirement.

Per the ADA Expert's recommendation, the ADA Coordinator will be conducting outreach to incarcerated people with disabilities to inform them of work opportunities and the availability of reasonable accommodations as needed. The County anticipates completing this requirement in the next three months.

Analysis/Observations

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

To measure compliance with this requirement, the Expert requested a list of all work assignments/positions available for incarcerated persons, housing locations of workers, and a list of all incarcerated persons currently assigned to work positions. The County produced the MJ and NBJ Worker List. The NBJ Worker list reflects that of the 33 worker positions, seven (7) of the workers are identified as disabled. The MJ Worker Lists (Laundry, Supply Room, Northwest Dock, Printshop, and Kitchen Crew) reflect that of the 29 worker positions, five (5) disabled incarcerated persons are assigned. During the incarcerated person interviews, only one (1) incarcerated person reported that he was assigned to a worker position (MJ Lobby Crew). The County has established a worker program in the MJ South Dorm, and in review of the Inmate Work Vocational Matrix positions for Latrine Detail, Shower Detail, and Dayroom Detail, are included.

Some disabled incarcerated persons in the Jails have been provided work opportunities. However, the County must ensure work opportunities are equitable for disabled incarcerated persons as non-disabled incarcerated persons. The Expert again recommends that staff do specific outreach to incarcerated people with disabilities to inform them of work opportunities and the availability of reasonable accommodations as needed. This can be done during the ADA Coordinator interviews with people with disabilities or through some other method. Many incarcerated people with disabilities have, based on past practices at the Jail, been given an understanding that work opportunities are not available to them. Correcting this now-inaccurate understanding is important to ensuring equal and meaningful access to work opportunities moving forward. It is the County's position that SBCJ does not discriminate based on ADA status for work assignments. The County makes every attempt to reasonably accommodate incarcerated persons for work assignments per the ADA.

5.J.3.a. Are the job duty statements clear, and do they include essential functions and specific criteria for each worker position?

The County produced an Excel Spreadsheet, "Inmate Work Vocational Matrix Final." The spreadsheet includes:

- Job Titles
- Physical Requirements

- Mobility
 - Lifting
- Medical & MH Consideration and/or Disqualifiers Wellpath (Case by case basis)
- Training Requirements
- Classification Considerations & Disqualifiers
- Charge Disqualifiers

The *Murray v. Santa Barbara County* Remedial Plan requires the job duty statements to be clear and include the essential functions and specific criteria for each worker position. Although the "Inmate Work Vocational Matrix Final" includes essential functions for the worker positions. The Medical & MH Consideration includes medical conditions such as "chronic knee, leg, or back problems," where staff must evaluate and consider the disabled incarcerated person's assignment to these job positions on a case-by-case basis.

In cases where the incarcerated person has a qualifying disability, the County must provide the incarcerated person with reasonable accommodations and the opportunity to be assigned to work if they can perform the essential functions of the work position. Some of the positions that disabled incarcerated persons with "chronic knee, leg, or back problems" could be assigned to work with modified duties and reasonable accommodations include:

- Kitchen Crew
 - Serving trays and/or preparing lunches, etc., in a seated position
- Laundry Crew
 - Folding and sorting clothes in a seated position
- Lobby Crew
 - Intermittent rest periods
- Paint Crew
 - Intermittent rest periods
- Landscaping Crew
 - Intermittent rest periods
- Welder
 - Intermittent rest periods
- Yard Clean-Up
 - Intermittent rest periods
- Latrine Detail
 - Intermittent rest periods
- Shower Detail
 - Intermittent rest periods
- Dayroom Detail
 - Wiping tables and walls, intermittent rest periods
- Paint Shop Crew

- Intermittent rest period.

5.J.3.b. Do health care and other relevant staff conduct an individualized assessment to identify work duty restrictions and/or physical limitations to facilitate appropriate work/industry assignments, to ensure reasonable accommodations, and to prevent improper exclusions from work opportunities?

The Initial Health History and Physical Exam (NCCHC), which is conducted within 14 days of a person's arrival at the Jail, includes a check box for "Work Restrictions." The MTO for Patient Housing includes a section for medical staff to document Physical Limitations.

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

Medical staff reported that all incarcerated persons are reviewed for worker clearance within 10 days of arrival by a registered nurse (Health Appraisal Nurse). If no restrictions are identified, the incarcerated person is cleared for work duty. If restrictions are identified, the case is referred to a medical provider. The medical provider evaluates the incarcerated person and either clears the incarcerated person for work with or without restrictions or does not approve the incarcerated person for work duty. The Worker Clearance form includes the following questions that are applicable to physical disabilities:

- Back problems?
- Presently being treated for a chronic illness?
- Any physical limitations to prolonged standing or lifting?
- Restrictions to activity?

The Worker Clearance form includes the following:

- This patient has been examined by health care staff for consideration for a Patient worker
 - Yes
 - No
- Patient was
 - Approved
 - Denied
 - Other
- Approved for
 - Food Services
 - Laundry Services
 - Other

In addition, the Worker Clearance form includes a Food Services and Laundry worker agreement.

To reach substantial compliance with provision 5.J.3, the County must:

- Ensure equitable work opportunities for incarcerated persons with disabilities.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5. K. Health Care Appliances, Assistive Devices, Durable Medical Equipment

5.K.1. The County shall establish a written policy to ensure the timely provision of safe and operational HCA/AD/DME to people with a disability based on an individualized assessment by medical staff, with a process for timely repair and replacement of such devices as needed.

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Discontinuation of Monitoring

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and has maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5.K.2. A person's request for a particular device or other accommodation shall be given primary consideration and shall be granted unless the request is unreasonable for specific, articulated reasons allowable under the ADA, or unless other effective accommodations are available.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County and Wellpath collaborate to ensure that this provision is complete. Wellpath is in the process of incorporating the requirements of this provision into its Durable Medical Equipment Medical Supply Policy (F-10). The County completed a comprehensive ADA training curriculum that incorporates all of the training

requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations

As noted in a previous report, Wellpath Policy HCD-110_F-10 Durable Medical Equipment Medical Supply – Santa Barbara, CA, requires the approval of Durable Medical Equipment only as medically necessary. The policy defines medical necessity as "Health care services that are determined by the licensed practitioner to be reasonable and necessary to protect life, prevent significant illness, or disability, or alleviate severe pain, and are supported by health outcome data as being effective medical care."

Additionally, in cases where medical staff determined the authorization of an assistive device was not medically necessary, the ADA coordinator makes an individualized assessment, and, in some cases, the incarcerated person is issued the assistive device as an accommodation.

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

The ADA Coordinator, at times, provides incarcerated persons with HCA/AD/DME based on their request, on an interim basis. This is reflected in the ADA Tracker.

Once it is determined that the person has a qualified disability, the County must provide the disabled person with a reasonable accommodation as needed. The accommodations must be determined by the incarcerated person's need for the accommodation to access the Jail's programs, services, and activities. It is not necessarily based on medical treatment or "necessity." If an incarcerated person expresses a preferred accommodation, the accommodation should be provided so long as it is (1) reasonable, (2) not medically harmful, and (3) does not pose a safety or security risk. As an example, if the incarcerated person requests a cane for ambulating, a cane should be provided unless the provision of the cane would be medically harmful to the individual (or would pose a security threat based on an individualized assessment of the person's current circumstances). The fact that the provider prefers to prescribe another device (walker) instead of a cane is a violation of the ADA when the incarcerated disabled person's request is a reasonable request for a cane.

This determination should be a two-step process:

1. A qualified healthcare professional conducts the individualized assessment of the incarcerated person to determine if they have a disability and/or impairment and the need for accommodation, if any.
2. Jail staff provide the incarcerated disabled person with an accommodation that is reasonable so the incarcerated person can access the Jail's programs, services, and activities. If the incarcerated person has a preferred accommodation (e.g., walker instead of cane), the incarcerated person must articulate the reason for the alternate accommodation, and healthcare and jail staff will confer and assess whether the request is unreasonable, poses a specific security risk that is documented, and/or would be medically harmful.

To reach substantial compliance with provision 5.K.2, the County must:

- Ensure a process is put in place with policies and procedures, give primary consideration to the incarcerated person's request for a particular device or other accommodation, and that the request be granted unless the request is unreasonable for specific, articulated reasons allowable under the ADA or unless other effective accommodations are available.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5.K.3. *The County shall allow people to retain personal HCAs/ADs/DME (including mobility devices, glasses, and hearing aids) unless there is an individualized determination that doing so would create an articulated safety or security risk.*

- a) *Where Jail staff determine it is necessary to remove personal HCA/AD/DME for security reasons, the County shall provide an equivalent Jail-issued device unless custody staff, with ADA Coordinator approval, determine and document, based on an individualized assessment, that the device constitutes a risk of bodily harm or threatens the security of the facility.*
- b) *If such a determination is made, the ADA Coordinator shall document the decision and reasons for it and shall consult with medical staff to determine an appropriate alternative accommodation.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County presently meets the requirements of this provision and has finalized the Safety and Security Assessment Form that documents the individualized determination required by this provision. Per the ADA Expert's recommendation, the County will provide training to all deputies to demonstrate compliance with this provision. The County completed a comprehensive ADA training curriculum that incorporates all of

the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

The "Safety and Security Assessment Form" has been finalized; however, staff have not been trained.

During the monitoring tour, the Expert noted metal supports had been removed from numerous (approximately ten) wrist braces. The Expert also noted that one of the metal supports had been fashioned into a weapon. However, staff reported that "Safety and Security Assessment Forms" had not been completed, and staff had not referred the cases to the ADA Coordinator for approval and to medical staff for determination of an alternate accommodation.

5.K.3.a. In cases where staff determine it is necessary to remove personal HCA/AD/DME for security reasons, did the County provide an equivalent Jail-issued device unless custody staff, with ADA Coordinator approval, determine and document, based on an individualized assessment, that the device constituted a risk of bodily harm or threatened the security of the facility?

5.K.3.b. In cases where such a determination was made, did the ADA Coordinator document the decision and reasons for the determination?

5.K.3.c. Did the ADA Coordinator consult with medical staff to determine an appropriate alternative accommodation?

The County did not provide documentation of any cases where staff determined it was necessary to remove a personal HCA/AD/DME for security reasons.

Additionally, the County has finalized the "Safety and Security Assessment Form" that will document the individualized determination.

To reach substantial compliance with provision 5.K.3, the County must:

- Ensure the Safety and Security Assessment Form is used for cases where a personal HCA/AD/DME is not approved for security reasons.
- Ensure the ADA Coordinator consults with medical staff to determine appropriate alternative accommodations.

- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5.K.4. *The County shall implement a written policy governing the release of people who need assistive devices.*

- a) The County will ensure that any personal mobility device belonging to a person is returned prior to release.*
- b) If a person does not have a personal mobility device, but is ambulatory with the assistance of a cane, crutch, or walker, the prisoner will be permitted to retain such device that was used while in custody upon release, or will be provided a comparable device, upon release.*
- c) If a person who is due for release requires a wheelchair but does not have a personal wheelchair, Jail staff shall coordinate with the prisoner, family or friends, and other County agencies as needed to secure a wheelchair or take other steps to address the individual's needs upon release. The County shall document this process in the ADA Tracking System for purposes of individual tracking and quality assurance.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County presently meets the requirements of this provision and documents the provision of devices upon release in the Jail Management System. Per the ADA Expert's recommendation, the County will provide training to all deputies to demonstrate compliance with this provision. The County completed a comprehensive ADA training curriculum that incorporates all of the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations

5.K.4.a. *In cases where an incarcerated person with a disability arrived at the Jail with a personal mobility device, was the device returned to the incarcerated person prior to release?*

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

The Expert toured the property rooms and the MJ and identified two (2) personal mobility devices being stored in the property room. A review of the JMS found that the devices belonged to incarcerated persons who were still in custody.

In addition, the County produced SBSO Santa Barbara Sheriff Inmate History-Inmate Notes ADA-Accommodation At Release reports. The reports reflect that the following cases were released with a personal mobility device:

- Personal crutches – 1
- Personal walker – 1
- Personal cane – 1

The policy has been implemented; however, staff have not been trained.

5.K.4.b. If an incarcerated person with a disability does not have a personal mobility device but is ambulatory with the assistance of a cane, crutch, or walker, was the prisoner permitted to retain the device that was used while in custody upon release, or was he/she provided a comparable device upon release?

The County produced SBSO Santa Barbara Sheriff Inmate History-Inmate Notes ADA-Accommodation At Release reports. The MJ report reflects that six (6) incarcerated persons were released with assistive devices and/or orthotic shoes. The NBJ report reflects that 22 incarcerated persons were released with personal/or county-issued assistive devices, orthotic shoes, and compression socks. The cases include:

- County wheelchair – 8
- Wheelchair - 2
- Wheelchair/walker – 1
- Orthotic shoes – 1
- Personal crutches – 1
- County cane – 6
- Cane orthopedic shoes – 1
- Crutches – 1
- County compression socks – 1
- County walker – 3
- Refused cane – 1
- Personal walker – 1
- Personal cane – 1

The Expert identified 27 random cases of incarcerated persons with prescribed assistive devices who had been released from custody and reviewed the SBSO Santa Barbara Sheriff Inmate History-Inmate Notes ADA-Accommodation At Release reports to see if the cases were reflected on the reports. Based on the review, the Expert found that 23 of the cases were not reflected in the reports.

The Custody Support Technicians at the NBJ, who are assigned to property and release, stated they identify incarcerated persons with prescribed HCA/AD/DME who are being released by reviewing the ATIMS Property Release queue and the ADA Flags. They further indicated that the incarcerated person would be released with the county-issued HCA/AD/DME. However, the Custody Support Technicians assigned to the MJ Property Room were not aware of the *Murray v. Santa Barbara County* Remedial Plan requirement.

The policy has been implemented; however, staff have not been trained.

5.K.4.c. If a person who was due for release required a wheelchair but did not have a personal wheelchair, did Jail staff coordinate with the prisoner, family or friends, and other County agencies as needed to secure a wheelchair or take other steps to address the individual's needs upon release?

The Custody Support Technicians that were assigned to property and release stated that in cases where an incarcerated person is due for release and requires a wheelchair but does not have a personal wheelchair, the County coordinates with the prisoner, family or friends, and other County agencies as needed to secure a wheelchair and/or takes other steps to address the individual's needs upon release.

The policy has been implemented; however, staff have not been trained.

5.K.4.d. Did the County document this process in the ADA Tracking System for purposes of individual tracking and quality assurance?

The Expert's review of the SBSO Santa Barbara Sheriff Inmate History-Inmate Notes ADA-Accommodation At Release reports detailed in 5.K.4.b. found that in 23 of 27 cases randomly selected, staff did not document the information in the ADA Tracking System.

The policy has been implemented; however, staff have not been trained.

To reach substantial compliance with provision 5.K.4, the County must:

- Ensure that incarcerated persons who medically require assistive devices are released with assistive devices.
- Ensure that any personal mobility device belonging to an incarcerated person is returned prior to release.
- Ensure incarcerated persons who do not have a personal mobility device, but are ambulatory with the assistance of a cane, crutch, or walker, etc., are allowed to retain the device that was used while in custody upon release, or provided a comparable device, upon release.
- Ensure staff document the process in the ADA Tracking System for purposes of individual tracking and quality assurance.

- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5. L. Transportation

- 5.L.1. *The County shall provide reasonable accommodations for people with disabilities when they are in transit, including during transport between facilities, to and from court, or to and from outside health care services.*
- 5.L.2. *Prescribed HCAs/ADs/DME for people with disabilities shall be available to them at all times during the transport process, including in temporary holding cells.*
- 5.L.3. *The County shall maintain a sufficient number of accessible vehicles to ensure timely transport of people with disabilities that require special transportation. The County intends for all transport vehicles to be accessible.*
- 5.L.4. *Staff will provide assistance to people with mobility or other disabilities where necessary to ensure safe access on and off of transport vehicles.*

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Discontinuation of Monitoring

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and has maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5. M. Effective Communication

- 5.M.1. *The County shall develop and implement a Custody Operations policy to ensure that people with disabilities receive accommodations and services necessary to provide Effective Communication, consistent with the provisions set forth herein.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County is presently meeting this requirement and has finalized an Effective Communication Form to document compliance with this provision. The County intends to conduct training to ensure documentation regarding the provision of Effective Communication. The County completed a comprehensive ADA training curriculum that incorporates all of the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations:

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirements for staff to provide people with disabilities accommodations and services necessary to provide Effective Communication consistent with the provisions of the Settlement Agreement. The policy includes the requirements for staff to ensure that people with disabilities receive accommodations and ensure Effective Communication is provided for the incarcerated persons to participate in the Jail's programs, services, and activities. In addition, the County has developed a mechanism within ATIMS and the ADA Tracking List for staff to identify incarcerated persons who require Effective Communication accommodations and to identify the incarcerated persons' preferred method of communication. The County has also implemented a process for staff to document the requirements of the *Murray v. Santa Barbara County* Remedial Plan.

The County utilizes Purple Communications VRS and VRI for Effective Communication in addition to other auxiliary aids when communicating with incarcerated persons during the delivery of the Jail's programs, services, and activities. In addition, Wellpath has incorporated an Adaptive Needs Assessment screening at intake to identify possible Effective Communication issues as well.

To reach substantial compliance with provision 5.M.1, the County must:

- The County must ensure that Effective Communication is available for all services, programs, and activities.
- The County must provide completed Effective Communication forms and/or ADA-Effective Communication entries from the ATIMS Inmate History notes and COREMR.
- The County must train all staff on the Effective Communication requirements of the *Murray v. Santa Barbara County* Remedial Plan.

5.M.2. The County shall assess all people detained at the Jail for any period of time for Effective Communication needs and take steps to provide Effective Communication based on individual need. The County shall ensure that Jail custody and health care

policies and procedures contain sufficient guidance on the provision of Effective Communication.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. Wellpath currently assesses incarcerated persons for Effective Communication needs. To address the ADA Expert's concerns regarding the scope of the assessment, Wellpath will expand some of the screening questions to ensure it is capturing the needs of this patient population. Additionally, Wellpath will adapt its MTO to incorporate the ADA Expert's additional Effective Communication recommendations. The County intends to conduct training to ensure documentation regarding the provision of Effective Communication. The County completed a comprehensive ADA training curriculum that incorporates all of the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations

The Wellpath medical intake screening process assesses all people processed and detained at the Jail for disabilities. The receiving screening includes the following questions to assess Effective Communication needs (Wellpath Receiving Screening):

- Developmental Disability – (have an individual education plan or attend special education classes?)
- Any Assistive Devices
 - Type
 - Glasses
 - Contacts
 - Hearing Aid
- Patient Education – Is patient able to read or write (English/Spanish)?

Although the medical intake screening does not include an assessment for Effective Communication, as the screening process only asks the individual if they can read or write, Wellpath has revised the Medical Treatment Order for Patient (Identification of Special Needs) – Santa Barbara, CA-R to include the following Effective Communication accommodations:

Vision Accommodation

- Provide Magnifier

- Provide Reading Glasses
 - Needs Large Print
- Hearing Impaired
- American Sign Language
 - Lip Reading
 - Pocket Talker
 - Speak Loudly
 - Written Communication
- * The previous MTO version included "Hearing Aid." However, this version does not have "Hearing Aid" as an option. The Expert recommends that this be included in the MTO.
- Intellectual/Developmental/Learning Disability
- Simple English
 - Repeat Statements
 - Speak Slowly
 - Rephrase statements
 - Written Communication
 - Read Documents

In a previous report, the Expert noted that Wellpath Policy HCD-110_E-02 Receiving Screening – Santa Barbara, CA, did not contain a process to assess people being detained at the Jail for Effective Communication needs. In addition, the Expert noted that Wellpath Policy HCD-110_E-04 Initial Health Assessment – Santa Barbara, CA, did not contain a process to assess people being detained at the Jail for Effective Communication needs. Revisions to these policies have not been provided to the Expert.

The Initial Health History and Physical Exam (NCCHC), which is conducted within 14 days of an incarcerated person's arrival at the Jail, includes the following questions to assess Effective Communication needs:

- Interpreter used? (If yes, list language and name of interpreter) *If yes is marked, an alert will automatically generate for an interpreter Needed.
- ADA Issues – Hearing, Glasses, Contacts, Other.
- Developmental Disability - *If yes is marked, an alert will automatically generate for ADA/Special Needs, and a task will generate for Psychiatric Sick Call for today.
- Physical Examination – Visual Acuity (Snellen)
- Hearing – Appears Adequate, Hearing Diminished, Deaf, Other

Wellpath Policy HCD-110_F-09 Effective Communication – Santa Barbara, CA states, "All patients shall be screened for the need of accommodation assistance to achieve Effective Communication as part of the intake receiving screening process, Health Assessment and Physical Exam, and as needed at each interaction with health care staff on an ongoing basis."

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes *Murray* Remedial Plan requirements.

Although the County has policies in place that require medical staff to identify the Effective Communication needs of people being processed into the Jail, and the County is conducting an assessment to identify Effective Communication needs, during the observation of the medical intake screening at the NBJ, the individual being screened reported that she had a Learning disability and had an Individual Education Plan (IEP) in high school. However, when reviewing the completed MTO, the Expert notes that the "Learning Disability" box on the MTO is not checked in the Condition/Disability section of the MTO, and there were no Effective Communication accommodations identified.

5.M.2.a. Do the County custody and health care policies and procedures contain sufficient guidance on the provision of Effective Communication?

The Wellpath Policy HCD-110_F-09 Effective Communication – Santa Barbara, CA, contains sufficient guidance for Wellpath staff for the provision and documentation of Effective Communication.

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy contains sufficient guidance for Jail staff to identify incarcerated persons' Effective Communication needs and for staff to provide Effective Communication accommodations and document the Effective Communication method(s) used. However, staff will need to be trained on the *Murray* Remedial Plan requirements.

To reach substantial compliance with provision 5.M.2, the County must:

- Ensure staff are trained on the policies and *Murray* Remedial Plan requirements, and that staff document the Effective Communication.

5.M.3. The County shall ensure that appropriate staff assess individual Effective Communication needs at the beginning of the medical intake screening and at the beginning of the classification screening, to facilitate Effective Communication throughout those and all subsequent processes.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Non-Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County intends to conduct training to ensure documentation regarding the provision of Effective Communication. The County completed a comprehensive ADA training curriculum that incorporates all of the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations

The Expert observed the medical intake screening process at the MJ and NBJ and interviewed classification staff regarding the assessment and provision of Effective Communication. During the observation of the medical intake screening process, although the medical staff conducting the medical intake screening asked the incarcerated person if they had a reading problem, they did not assess the individual's Effective Communication needs at the beginning of the medical intake screening. During the interviews with the Classification Unit, the classification staff reported they do not query or review the ADA Tracking System at the beginning of the classification screening process to assess and identify Effective Communication needs. In addition, Classification staff interviewed stated that in 90 percent of the cases, they do not receive an MTO prior to the initial classification, and they must contact medical staff to obtain the information.

To reach substantial compliance with provision 5.M.3., the County must:

- The County must ensure that medical intake staff and classification staff are trained on the policies and the *Murray* Remedial Plan requirements for staff to assess the individual's Effective Communication needs at the beginning of the medical intake screening and classification screening and ensure that staff conduct the assessments.
- Provide proof-of-practice to the Expert confirming that staff are conducting the assessment.

5.M.4. Enhanced procedures for the provision of Effective Communication, as described in the paragraph below, shall apply in the following situations:

- a) Due Process Events, including the following:*
 - i. Classification processes*
 - ii. Disciplinary hearing and related processes*
 - iii. Service of notice (to appear and/or for new charges)*
 - iv. Release processes*
 - v. Probation encounters/meetings in custody*
- b) Clinical Encounters, including the following:*
 - i. Determination of medical history or description of ailment or injury*
 - ii. Diagnosis or prognosis*
 - iii. Medical care and medical evaluations*

- iv. Provision of mental health evaluations, rounds, group and individual therapy, counseling, and other therapeutic activities*
- v. Provision of the patient's rights, informed consent, or permission for treatment*
- vi. Explanation of medications, procedures, treatment, treatment options, or surgery*
- vii. Discharge instructions*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this provision. The County intends to conduct training to ensure documentation regarding the provision of Effective Communication as required by this provision. The County completed a comprehensive ADA training curriculum that incorporates all of the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations

a) Due Process Events

The County produced SBSO Santa Barbara Sheriff Inmate History – Inmate Notes ADA-Effective Communication report from ATIMS and 21 completed Santa Barbara County Sheriff's Office ADA Effective Communication Forms. The documents are not related to a due process event.

In addition, the County did not produce completed classification documents, completed service of notices (to appear and/or for new charges), completed release documents, and probation encounters/meetings in custody. Based on this, the Expert was not able to measure the County's compliance with these requirements. The County produced completed Inmate Disciplinary Review (IDR) packets. In review of the documents, the Expert notes that the NBJ checks the ADA Tracker List to identify if the incarcerated person is on the list and documents this on the IDR face sheet. The staff conducting the IDR Board use the Santa Barbara County Jail Hearing Officers Worksheet, which includes the following:

Effective Communication

- Incarcerated person was identified with the following Effective Communication needs (check all that apply):

- None
 - Hearing
 - Vision
 - Speech
 - Learning Disability
 - Intellectual/Developmental Disability
 - SMI
 - Foreign Language Speaking (Language)
- Assistance provided to ensure Effective Communication (check all that apply):
 - Use of Text Magnifier
 - Sign Language Interpreter
 - Read Documents to Incarcerated Person
 - Written Notes (see attached notes)
 - Lip Reading
 - Spoken Slowly and Clearly
 - Foreign Language Interpreter
 - Incarcerated person was wearing hearing aid(s)
 - Other

The review of the IDR packets found that the NBJ consistently reviews and documents the review of the ADA Tracker List to identify incarcerated persons who require Effective Communication accommodations and complete the Effective Communication portion of the Santa Barbara County Jail Hearing Officers Worksheet.

However, the IDR packets reviewed for the MJ found that staff do not document the ADA Tracker List review. The Expert could not determine if the MJ staff are identifying incarcerated persons who require Effective Communication accommodations. Staff reported that the MJ staff began reviewing and documenting the ADA Tracker check in May 2025. In addition, the Expert's review of the IDR packets found that staff do not document Effective Communication during the issuance of the initial IDR and the final adjudicated copy of the IDR.

During subsequent monitoring tours, the County will need to provide documents that reflect the provision of Effective Communication to the Expert if available. The ADA Coordinators and some additional staff have been documenting Effective Communication; however, the County must provide training and ensure staff provide and document the Effective Communication as required by the *Murray v. Santa Barbara County* Remedial Plan.

b) Clinical Encounters

The Expert identified 16 cases with accommodations for Effective Communication. Wellpath also provided the Expert access to the COREMR so a review of clinical progress notes (medical, dental, and mental health) could be conducted to determine

compliance with the Effective Communication RP requirements. The results of the review are as follows:

- Case #1 – Intellectually Disabled – Effective Communication: Speak slowly and clearly.
 - Mental Health – One (1) encounter - No Effective Communication provided/documented.
 - Medical – 11 encounters – Effective Communication was provided/documented in three (3) of the 11 encounters.
 - In the three (3) encounters, staff simply documented that Effective Communication was used.
- Case #2 – Intellectually Disabled – Effective Communication: Speak loudly and clearly, simple language spoken slowly and clearly.
 - Mental Health – One (1) encounter - No Effective Communication provided/documented.
 - Medical – One (1) encounter - No Effective Communication provided/documented.
- Case #3 – Intellectually Disabled – Effective Communication: Speak slowly and clearly, may need to repeat instructions.
 - Medical – Six (6) encounters – Effective Communication was provided/documented in two (2) of the six (6) encounters.
 - In the two (2) encounters, staff simply documented Effective Communication provided.
- Case #4 – Intellectually Disabled – Effective Communication: Speak loudly and clearly, simple language spoken slowly and clearly, ensure inmate understands.
 - Medical – One (1) encounter - No Effective Communication provided/documented.
- Case #5 – Intellectually Disabled – Effective Communication: Simple language spoken slowly and clearly.
 - Medical – Five (5) encounters – Effective Communication was provided/documented in one (1) of the five (5) encounters.
 - In one (1) encounter, staff simply documented that Effective Communication was established.
- Case #6 – Hearing Disabled – Effective Communication: Speak loudly and clearly, and slowly.
 - Mental Health – Two (2) encounters - No Effective Communication provided/documented.
 - Medical - Two (2) encounters - No Effective Communication provided/documented.
 - Dental - Two (2) encounters - No Effective Communication provided/documented.
- Case #7 – Hearing Disabled – Effective Communication: Needs to be spoken loudly and clearly, needs to be given extra time to understand what is being said to him.

- Medical – 10 encounters – Effective Communication was provided/documented in three (3) of the 10 encounters.
 - In three (3) encounters, staff simply documented that Effective Communication was established.
- Case #8 – Developmentally Disabled – Effective Communication: Read documents to offender, simple language spoken slowly and clearly.
 - Mental Health – Two (2) encounters - Effective Communication provided/documented in one (1) encounter.
- Case #9 – Pending Mental Health Eval – Effective Communication: Needs assistance reading and writing, speak slowly and clearly, repeat instructions if necessary to ensure he understands.
 - Medical – Four (4) encounters - Effective Communication provided/documented in three (3) encounters.
 - In the three (3) encounters, staff simply documented that Effective Communication was established.
- Case #10 – Mobility Disabled/Cerebral Palsy – Effective Communication: Speak slowly and clearly using simple English, give additional time to understand instructions when necessary.
 - Mental Health – Two (2) encounters - No Effective Communication provided/documented.
 - Medical - One (1) encounter - No Effective Communication provided/documented.
- Case #11 – Hearing Disabled – Effective Communication: Speak loudly and clearly, and make sure you are facing him so he can hear you.
 - Medical – Four (4) encounters – Effective Communication was provided/documented in two (2) of the four (4) encounters.
 - In one (1) encounter, staff simply documented that Effective Communication was used.
- Case #12 – Hearing Disabled – Effective Communication: Uses SLI to communicate (Purple). Inmate uses Pocket Talker and is able to hear if spoken to clearly and slowly. He also speaks ASL utilize Purple App on Shift Commanders phone. Written communication is advised for simple conversations.
 - Medical – Four (4) encounters – SLI was provided/documented in one (1) of the four (4) encounters.
 - Mental Health – Five (5) encounters - Effective Communication documented in three (3) encounters.
 - One (1) encounter with lip reading.
 - Two (2) encounters written.
- Case #13 – Hearing Disabled – Effective Communication: Speak clearly and make sure hearing aids are in.
 - Medical – Five (5) encounters – Effective Communication was not provided/documented in all five (5) encounters.

- Mental Health – Two (2) encounters – Effective Communication was not provided/documented in both encounters.
- Case #14 – Learning Disabled – Effective Communication: Speak clearly and slowly.
 - Mental Health – One (1) encounter - No Effective Communication provided/documented.
 - Medical - Five (5) encounters - Effective Communication was provided/documented in two (2) of the five (5) encounters.
 - In one (1) encounter, staff simply documented that Effective Communication was established.
 - Dental - Three (3) encounters - No Effective Communication provided/documented.
- Case #15 – Hearing Disabled – Effective Communication: Speak slowly and clearly.
 - Medical – Three (3) encounters – Effective Communication was not provided/documented in two (2) of the three (3) encounters.
 - In one (1) encounter, staff simply documented Effective Communication.
- Case #16 – Hearing Disabled – Effective Communication: Speak loudly and clearly. Needs assistance reading and writing. Prefers verbal communication.
 - Medical – Seven (7) encounters – Effective Communication was not provided/documented in four (4) of the seven (7) encounters.
 - In the three (3) encounters, staff simply documented that Effective Communication was established.
 - Dental - One (1) encounter - No Effective Communication provided/documented.

The ADA Coordinators and some additional staff have been documenting Effective Communication; however, the County must provide training and ensure staff provide and document the Effective Communication as required by the *Murray v. Santa Barbara County* Remedial Plan.

To reach substantial compliance with provision 5.M.4, the County must:

- Ensure staff are trained on the policy and *Murray* Remedial Plan requirements, and that staff provide and document the Effective Communication.
- Ensure staff use the incarcerated person's preferred method of communication.
- Document the method used to achieve Effective Communication and how the staff person determined that the person understood the encounter, process, and/or proceeding.

5.M.5. In the situations described in the previous paragraph, Jail staff shall:

- a) Identify each person's Disability where there may be a barrier to comprehension or communication requiring reasonable accommodation(s);*

- b) Provide effective reasonable accommodation(s) to overcome the communication barrier; and*
- c) Document the method used to achieve Effective Communication and how the staff person determined that the person understood the encounter, process, and/or proceeding.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this provision. The County intends to conduct training to ensure documentation regarding the provision of Effective Communication and the requirements of this provision. The County completed a comprehensive ADA training curriculum that incorporates all of the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations

For a summary of the provision of Effective Communication, refer to the RP 5.M.4.

- 5.M.5.a. Did staff provide effective reasonable accommodation(s) to overcome the communication barrier?*

For a summary of the provision of Effective Communication, refer to the RP 5.M.4.

- 5.M.5.b. Did staff document the method used to achieve Effective Communication and how the staff person determined that the person understood the encounter, process, and/or proceeding?*

For a summary of the provision of Effective Communication, refer to the RP 5.M.4.

To reach substantial compliance with provision 5.M.4, the County must:

- Ensure staff are trained on the policy and *Murray* Remedial Plan requirements, and that staff provide and document the Effective Communication.
- Ensure staff use the incarcerated person's preferred method of communication.
- Document the method(s) used to achieve Effective Communication and how the staff person determined that the person understood the encounter, process, and/or proceeding.

5.M.6. In determining what auxiliary aid or service to provide, the County shall give primary consideration to the request of the person with Effective Communication needs. Such aids may include bilingual aides, SLIs, readers, sound amplification devices, captioned television/video text displays, Videophones, and telecommunication services for deaf persons, audiotaped texts, Braille materials, large print materials, writing materials, and signage.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of completing this requirement. The County presently meets the requirements of this provision and intends to conduct training to ensure documentation regarding the provision of the aids referenced in this provision. The County completed a comprehensive ADA training curriculum that incorporates all of the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations

For a summary of the provision of Effective Communication, refer to the RP 5.M.4.

To reach substantial compliance with provision 5.M.6, the County must:

- Ensure staff are trained on the policy and *Murray* Remedial Plan requirements, and that staff provide and document the Effective Communication.
- Ensure staff use the incarcerated person's preferred method of communication.
- Document the method(s) used to achieve Effective Communication and how the staff person determined that the person understood the encounter, process, and/or proceeding.
- Ensure that when determining what auxiliary aid or service to provide, staff give primary consideration to the request of the person with Effective Communication needs.
- Provide the Expert proof-of-practice documentation.

5.M.7. The County shall ensure that all outside education, program, and service providers at the Jail provide Effective Communication for people participating in such programs.

Compliance Rating: Substantial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports that staff provide the ADA Tracker to all outside providers working with incarcerated persons. The County is tracking Effective Communication provided to incarcerated persons participating in programming that requires such assistance. The County will provide such documentation to the ADA Expert for the next rating period.

Analysis/Observations

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirement for disabled incarcerated persons to be provided reasonable accommodations as necessary to ensure access to jail programs, services, and activities in a manner consistent with their custody designation. The policy also requires the Santa Barbara County Sheriff's Office Program Staff to issue the ADA Tracking System List to any provider working with incarcerated persons.

Staff reported they have implemented this process. The ADA Tracker is provided to all outside providers working with incarcerated persons. The County produced SBSO Santa Barbara Sheriff, Inmate History-Inmate Notes ADA-Effective Communication. The entries reflect 10 cases where program facilitators documented the provision of Effective Communication during the program. The County reports that documentation of Effective Communication is documented during the incarcerated person's initial assignment.

5. N. Access for Individuals with Hearing Impairments

5.N.1. The County shall develop and implement a policy for newly arrived and newly identified people with hearing disabilities to determine each person's preferred method of communication.

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Discontinuation of Monitoring

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and has maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5.N.2. Qualified Sign Language Interpreters (SLIs), on-site or through a VRI service, will be provided during intake and for due process functions, health care encounters, and Jail programming, when sign language is the person's primary means of Effective Communication, unless the person waives the assistance of an interpreter and/or delay would pose an urgent safety or security risk.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports that staff provide SLI services via Purple Communication VRI during all times required by this provision and has included this provision in the Custody Operations ADA Policy (section 209). The County has not had a single instance where SLI/VRI was needed and not provided. While the County does not have many incarcerated persons within this population, the County has a process in place to ensure their Effective Communication needs are met.

Analysis/Observations

The Wellpath Policy, HCD-110_F-09 Effective Communication – Santa Barbara requires an SLI to be used during exchanges of health care information with patients whose primary method of communication is American Sign Language (ASL).

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirement for staff to provide Qualified Sign Language Interpreters (SLIs) on-site or through a VRI service during intake and for due process functions, health care encounters, and Jail programming, when sign language is the person's primary means of Effective Communication unless the person waived the assistance of an interpreter and/or delay would pose an urgent safety or security risk.

A review of the ADA Tracker Alerts Lists produced by the County reflects one (1) incarcerated person with a hearing disability who uses sign language communication. The ADA Tracker reflects his Effective Communication accommodations as "Effective Communication: Inmate utilizes Pocket Talker and is able to hear if spoken to clearly and slowly, he also speaks ASL, utilize Purple App on shift commander's phone. Written communication is advised for simple conversations." Although the ADA Tracker is not clear if the incarcerated person's preferred method of communication is ASL/SLI, the County produced SBSO Santa Barbara Sheriff, Inmate History-Inmate Notes (ADA-VRS and Videophone) for this incarcerated person that reflects that on 5/1/24, he used the VRS when communication with DRC. The County also produced SBSO Santa Barbara Sheriff, Inmate History-Inmate Notes (ADA-SLI) for this incarcerated person that reflects that on 3/6/24, the ADA Coordinator used the Purple

App when communication with him. Summary of the COREMR review for this case is as follows:

- Hearing Disabled – Effective Communication: Uses SLI to communicate (Purple). Inmate uses Pocket Talker and is able to hear if spoken to clearly and slowly. He also speaks ASL utilize Purple App on Shift Commanders phone. Written communication is advised for simple conversations.
 - Medical – Four (4) encounters – SLI was provided/documented in one (1) of the four (4) encounters.
 - Mental Health – Five (5) encounters - Effective Communication documented in three (3) encounters.
 - One (1) encounter with lip reading.
 - Two (2) encounters written.

There was no other documentation that the incarcerated person was provided an ASL/SLI/VRI for any other encounter, including classification, orientation, programming, release, etc.

To reach substantial compliance with provision 5.N.2, the County must:

- Ensure qualified SLIs (on-site or through a VRI service) are provided during intake and for due process functions, health care encounters, and Jail programming, when sign language is the person's primary method of communication, unless the person waives the assistance of an interpreter and/or delay would pose an urgent safety or security risk.
- Ensure staff are trained on *Murray* Remedial Plan requirements and that staff document the use of the SLI.
- Provide proof-of-practice documents to the Expert.

5.N.3. The County will maintain a log of

(a) when, for whom, and for what purpose an SLI was used; and

(b) when, for whom, and why an SLI was not used for a person with an identified need for SLI services (e.g., waived or delay would have posed urgent safety or security risk).

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports staff currently logs SLI encounters in JMS and generates a monthly log to serve as proof of compliance with this provision. Additionally, the County will provide the ADA Expert the Purple Communications usage log as proof of compliance during the upcoming rating period.

Analysis/Observations

The Wellpath Policy, HCD-110_F-09 Effective Communication – Santa Barbara requires Health Care Staff requires staff to document accommodation or assistance used for reaching Effective Communication with the patient when documenting exchanges of health care information.

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirement for staff to log when, for whom, and for what purpose an SLI was used.

Provision 5.N.2. details information for incarcerated persons whose preferred method of communication is ASL/SLI and the documents produced by the County. Other than the two documents cited above, there was no other documentation of cases for:

- When, for whom, and for what purpose an SLI was used.
- When, for whom, and why an SLI was not used for a person with an identified need for SLI services (e.g., waived or delay would have posed urgent safety or security risk).

5.N.3.a. *Did staff log when, for whom, and why an SLI was not used for a person with an identified need for SLI services (e.g., waived or delay would have posed urgent safety or security risk)?*

The Wellpath Policy, HCD-110_F-09 Effective Communication – Santa Barbara, Health Care Staff states, "A patient with documented hearing, vision, speech impairments, developmental Disability, learning Disability, functional illiteracy, and/or limited English proficiency shall be questioned to determine their understanding of the information presented during an exchange of health care information, health care grievance interview and/or communication. Health care staff shall determine the patient's ability to understand and participate in the exchange of health care information. If no assistance or accommodation is needed, the reason shall be documented."

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirement for staff to log when, for whom, and why an SLI was not used for a person with an identified need for SLI services (e.g., waived or delay would have posed urgent safety or security risk).

Provision 5.N.2. details information for incarcerated persons whose preferred method of communication is ASL/SLI and the documents produced by the County.

Although the County has a process in place to document the provision of an SLI, there were no SLI Logs produced documenting when, for whom, and why an SLI was not used for an incarcerated person with an identified need for SLI services during Intake Booking, Medical Screening, Classification, or Medical/Mental Health encounters.

During subsequent monitoring tours, the County will need to provide documents for cases of when, for whom, and why an SLI was not used for a person with an identified need for SLI services (e.g., waived or delay would have posed urgent safety or security risk) to the Expert if available.

To reach substantial compliance with provision 5.N.3, the County must:

- Ensure staff maintain a log of when, for whom, and for what purpose an SLI was used.
- Ensure staff maintain a log of when, for whom, and why an SLI was not used for a person with an identified need for SLI services (e.g., waived or delay would have posed urgent safety or security risk).
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice documents to the Expert.

5.N.4. When a prisoner waives an SLI, the log must document.

(a) the method of communication of the waiver, and

(b) the method staff used to determine that the waiver was knowing and freely given.

5.N.4.a. In cases where an incarcerated person whose preferred method of communication is SLI waives an SLI, did staff log the method staff used to determine that the waiver was knowing and freely given?

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County utilizes the ADA Effective Communication Form to document when an incarcerated person waives SLI as required by this provision. The County is in the process of upgrading its Jail Management System (ATIMS), and this upgrade will allow the County to document such waivers and to generate logs of this waiver to meet the requirements of this provision. The County expects beta testing of the new system in the next six months and training to occur within four months after the system is finalized. In the interim, the County has developed a documentation section (ADASLI) In the current ADA tracking system, to log this required documentation and will generate logs to demonstrate compliance with this provision during the upcoming rating period.

Analysis/Observations

The County worked with the Expert and developed a log to document the requirements of the *Murray v. Santa Barbara County* Remedial Plan. Although the County has a process in place to document the waiver of an SLI, there were no documents produced even though the provision of an ASL/SLI/VRI was required during due process functions, health care encounters, and Jail programming.

During subsequent monitoring tours, the County will need to provide documents that reflect the waiver of an SLI/VRI to the Expert if available. The County must also include the requirement for staff to log the method of communication of the waiver in cases where an incarcerated person, whose preferred method of communication is SLI, waives an SLI in the policies.

Provision 5.N.2. details information for incarcerated persons whose preferred method of communication is ASL/SLI and the documents produced by the County.

For future monitoring, the Expert will need proof of practice for cases where an incarcerated person whose preferred method of communication is SLI waived an SLI, and staff logged the method staff used to determine that the waiver was knowing and freely given.

To reach substantial compliance with provision 5.N.4, the County must:

- Ensure that when an incarcerated person waives an SLI, staff log the method of communication of the waiver, and the method staff used to determine that the waiver was knowing and freely given.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice documents to the Expert.

5.N.5. The County shall maintain a contract or service agreement with interpreter services, including a VRI service, To provide such services for deaf or hard of hearing prisoners. The County will ensure that appropriate Jail staff have sufficient guidance regarding use of such services.

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Discontinuation of Monitoring

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and has maintained such substantial compliance for a

period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5.N.6. Lip reading will not be the sole method of Effective Communication used by staff, unless the person indicates that is their preferred method of communication.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Substantial Compliance

County Response:

The ADA Expert found the County in substantial compliance with this provision.

Analysis/Observations

The Wellpath Policy, HCD-110_F-09 Effective Communication – Santa Barbara requires an SLI to be used during exchanges of health care information with patients whose primary method of communication is American Sign Language (ASL).

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy states, "Using lip reading (only if the incarcerated person indicates it is their preferred method of communication, in other instances lip reading shall not be the sole method of Effective Communication)."

The one (1) case reviewed is detailed below:

- Hearing Disabled – Effective Communication: Uses SLI to communicate (Purple). Inmate uses Pocket Talker and is able to hear if spoken to clearly and slowly. He also speaks ASL utilize Purple App on Shift Commanders phone. Written communication is advised for simple conversations.
 - Medical – Four (4) encounters – SLI was provided/documented in one (1) of the four (4) encounters.
 - Mental Health – Five (5) encounters - Effective Communication documented in three (3) encounters.
 - One (1) encounter with lip reading.
 - Two (2) encounters written.

In this case staff used lip reading to communicate with the incarcerated person, who had not indicated that lip reading was his preferred method of communication.

To reach substantial compliance with provision 5.N.6, the County must:

- Ensure that lip reading is not the sole method of Effective Communication used by staff, unless the incarcerated person indicates that it is their preferred method of communication.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice documents to the Expert.

5.N.7. In cases where the use of an SLI is not practicable, or is waived by the prisoner, Jail staff shall employ the most effective form of communication available.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. While the County presently meets the requirements of this provision, the County will be conducting training to ensure proper documentation of Effective Communication. The County completed a comprehensive ADA training curriculum that incorporates all of the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirement for Jail staff to employ the most effective form of communication available in cases where the use of an SLI was not practicable or was waived by the incarcerated person.

There were no SLI Logs produced by the County. The one (1) case detailed in 5.N.7. reflects that in three (3) of the four medical encounters, staff did not use an SLI. In these three cases, the County documents that the use of an SLI was not practicable, or was waived by the incarcerated person, or that staff employed the most effective form of communication available.

During subsequent monitoring tours, the County will need to provide documents that reflect Jail staff employed the most effective form of communication available in cases where the use of an SLI was not practicable or was waived by the incarcerated person to the Expert, if available.

To reach substantial compliance with provision 5.N.7, the County must:

- Ensure that in cases where the use of an SLI is not practicable, or is waived by the incarcerated person, staff must employ the most effective form of communication available.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice documents to the Expert.

5.N.8. The County shall make videophones available for deaf and hard of hearing people. The videophones shall provide for calls that utilize Video Relay Services (VRS) at no cost to deaf and hard of hearing prisoners, or for calls directly to another videophone.

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Substantial Compliance

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and has maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

County Response:

The ADA Expert found the County in substantial compliance with this provision.

Analysis/Observations

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirement for Jail staff to provide videophones to deaf and/or hard-of-hearing incarcerated people.

The County advised the Expert that the County provides deaf and/or hard-of-hearing incarcerated persons access to video phones via tablets and Purple Communications at the MJ and the NBJ. The County advised the Expert that in cases where a deaf and/or hard-of-hearing incarcerated person requests access to a video phone, the incarcerated person advises the ADA Coordinator, and the ADA Coordinator issues them a tablet that can access the video phone technology and documents the issuance of the technology. The County produced Santa Barbara Sheriff's Office Inmate History – Inmate Notes ADA-VRS and Videophone that reflects XXXX utilized Purple VRS when speaking to a DRC monitor during an interview.

5.N.8.a. Do videophones provide for calls that utilize Video Relay Services (VRS) at no cost to deaf and hard of hearing incarcerated persons or for calls directly to another videophone?

The County advised the Expert that the County provides deaf and/or hard-of-hearing incarcerated persons access to video phones via tablets and Purple Communications. Purple Communications customers can use the Software and Purple Products to place free VRS calls, to receive VRS calls, and to make and receive non-VRS point-to-point calls at no cost to the incarcerated person.

5.N.9 The County shall provide deaf/hard of hearing people with twice as much time for calls using telecommunication relay services, such as a videophone or TDD/TTY, to account for the fact that such conversations take longer than spoken conversations. The County shall document the time that each prisoner uses and has access to such equipment.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County presently provides VRS tablets to the deaf/hard of hearing population for all hours of the day, save for charging time. The County is presently documenting the time that the incarcerated persons are receiving access to such equipment; however, the County intends to conduct training to ensure that the document requirements are met. The County completed a comprehensive ADA training curriculum that incorporates all of the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations

5.N.9.a. Did staff document the time that each prisoner used and had access to videophone/VRS/TDD/TTY equipment?

The County has created a section in the ADA Tracking System to document this requirement (ADA-VRS Video phone) and has revised the Custody Operations ADA Policy (Section 209) to meet the requirements of this provision.

The County produced Santa Barbara Sheriff's Office Inmate History – Inmate Notes ADA-VRS and Videophone that reflects XXXX utilized Purple VRS when speaking to a DRC monitor during an interview. There is no documentation provided that

documents the time that each prisoner used and had access to videophone/VRS/TDD/TTY equipment. During subsequent monitoring tours, the County will need to provide documents that reflect Jail staff documented the time that each incarcerated person used and had access to videophone/VRS/TDD/TTY equipment to the Expert, if available.

To reach substantial compliance with provision 5.N.9, the County must:

- Ensure staff document the time that each incarcerated person uses and has access to using telecommunication relay services, such as a videophone or TDD/TTY.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice that deaf/hard-of-hearing incarcerated persons are provided with twice as much time for calls using telecommunication relay services, such as a videophone or TDD/TTY.

5.N.10. People who require an SLI as their primary method of communication shall be provided an SLI for education, vocational, and religious programs.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County currently provides SLI services via Purple Communication VRI during all times required by this provision and has included this provision in the Custody Operations ADA Policy (209). The County provides the ADA Tracker to any provider working with incarcerated persons. The County has not had a single instance where SLI/VRI was needed and not provided. While the County does not have many incarcerated persons within this population, the County has a process in place to ensure their Effective Communication needs are met.

Analysis/Observations

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirement for staff to provide an SLI/VRI for education, vocational, and religious programs when the incarcerated person's primary method of communication is SLI.

A review of the Active ADA Alerts produced by the County reflects no incarcerated persons with a hearing disability who use sign language communication. The County established a contract with "Purple Communications" on 1/11/23 for on-demand sign language interpreting services.

Provision 5.N.2. details information for incarcerated persons whose preferred method of communication is ASL/SLI and the documents produced by the County. However, in the review of the document production, the Expert notes there were no "case notes" or Effective Communication Forms completed for education, vocational, and religious programs. Programs staff interviewed reported they are aware of *Murray* Remedial Plan requirements and how to obtain interpreting services.

During subsequent monitoring tours, the County will need to provide documents that reflect that Jail staff provided an SLI/VRI for education, vocational, and religious programs when the incarcerated person's primary method of communication is SLI to the Expert, if available.

To reach substantial compliance with provision 5.N.10, the County must:

- Ensure incarcerated persons who require an SLI as their primary method of communication are provided an SLI for education, vocational, and religious programs.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5.N.11. In housing units where an individual with a hearing-related disability resides, public announcements shall be communicated as consistent with individual Effective Communication needs. This includes announcements regarding visiting, meals, recreation release and recall, count, lock-up, and unlock. Verbal announcements may be effectively communicated via written messages on a chalkboard or dry-erase board or by personal notification, as consistent with individual needs. These procedures shall be communicated to people during the orientation process and shall be incorporated into relevant policies and post orders.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports they County is in the process of fully implementing this requirement. Per the Expert's Recommendation, the County will incorporate this provision into the orientation video required by provision 5.C.3. The County completed a comprehensive ADA training curriculum that incorporates all of the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirement for staff in housing units where an individual with a hearing-related disability resides, for public announcements to be communicated as consistent with individual Effective Communication needs. The policy includes the requirement for staff to effectively communicate announcements for visiting, meals, recreation release, recall, count, lock-up, and unlock. Additionally, the policy allows for verbal announcements to be effectively communicated via written messages on a chalkboard or dry-erase board or by personal notification, as consistent with individual needs.

5.N.11.a. Were the procedures for public announcements communicated to incarcerated people during the orientation process?

The Expert reviewed the Santa Barbara County Sheriff's Office Custody Operations Orientation Handbook and found that the Handbook contains the following language: "Jail staff will be sure to let you know about all directions and announcements." The orientation video includes the same language and is being shown in the MJ Intake Release Center intake area and on the County televisions (MJ and NBJ) daily.

5.N.11.b. Have the procedures for public announcements been incorporated into relevant policies and post orders?

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirement for staff in housing units where an individual with a hearing-related disability resides for public announcements to be communicated as consistent with individual Effective Communication needs. The policy includes the requirement for staff to effectively communicate announcements for visiting, meals, recreation release, recall, count, lock-up, and unlock. Additionally, the policy allows for verbal announcements to be effectively communicated via written messages on a chalkboard or dry-erase board or by personal notification, as consistent with individual needs. The County did not produce post orders for the Expert to review.

To reach substantial compliance with provision 5.N.11, the County must:

- Ensure that in housing units where an individual with a hearing-related disability resides, public announcements (regarding visiting, meals, recreation release and recall, count, lock-up, and unlock) are communicated as consistent with the individual's Effective Communication needs.
- Ensure the procedures are incorporated into relevant policies and post orders.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5. O. Prisoners with Intellectual/Developmental Disabilities

5.O.1. *The County shall develop and implement a comprehensive written policy and procedure regarding people with Intellectual and/or Developmental Disabilities, including:*

- a) Screening;*
- b) Identification of their adaptive support needs and adaptive functioning deficits; and*
- c) Monitoring, management, and accommodations for people with Intellectual or Developmental Disabilities.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. As acknowledged by the ADA Expert, Custody Operations ADA Policy (209) includes the requirements of this provision. Wellpath will also revise its Receiving Screening Policy (E-02) and Adaptive Supportive Needs Policy (F-O1B). The County anticipates completing this requirement in the next five months.

Analysis/Observations:

In 2022, Wellpath piloted a policy and process to screen incarcerated persons for intellectual and developmental disabilities. The pilot screening process included screening questions (Adaptive Needs Assessment) and a referral process to a psychologist for further for cases of potential Intellectual/Developmental Disability. The screening and identification process included timelines for the psychologist to make contact with the incarcerated person, including an expedited process for urgent referrals. The psychologist would conduct a record review as well as psychological testing using standardized intelligence assessments such as the Quick Test (QT) and the Test of Nonverbal Intelligence-4 (TONI-4), and in addition, an Adaptive Support Evaluation. The psychologist would identify adaptive support deficits and adaptive support needs while in custody for cases identified as having an Intellectual/Developmental disability. The psychologist would also develop an adaptive support needs plan. Incarcerated persons who had an adaptive support needs plan were enrolled in the Mental Health Special Needs Program.

Due to management changes, the pilot program was halted, and Wellpath is redeveloping the process. This was a setback on implementation of this Remedial Plan provision.

Wellpath staff reported that the Wellpath policies (site-specific) are now being finalized, and the psychologist who will conduct the evaluations/secondary testing has been hired. Wellpath also reported that the process that will be implemented will include a process to screen incarcerated persons for intellectual and developmental disabilities and identify adaptive deficits and adaptive supports as required by the *Murray v. Santa Barbara County Remedial Plan*.

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed the policy includes the requirement for custody staff to be made aware of incarcerated persons who are identified as Intellectually/Developmentally disabled and their adaptive support needs. The policy also includes the requirements for staff to provide and document adaptive supports.

The revised policies must be provided to the Expert and the plaintiffs' class counsel prior to implementation for review and comment. After the Experts and plaintiffs' class counsel review and approval, the County must ensure that the Wellpath policies and procedures are implemented and include the requirements of the *Murray v. Santa Barbara County Remedial Plan*.

5.O.1.a. Do the policy and procedures include the following?

- a) Screening?*
- b) Identification of their adaptive support needs and adaptive functioning deficits?*
- c) Monitoring, management, and accommodations for people with Intellectual or Developmental Disabilities?*

As detailed above, Wellpath is in the process of implementing a comprehensive process for the screening, identification of adaptive support needs, and adaptive functioning deficits for incarcerated persons with Intellectual/Developmental disabilities.

To reach substantial compliance with provision 5.O.1, the County must:

- Develop and implement the policy and procedure for screening, identification of adaptive deficits and support, and monitoring, management, and accommodations for incarcerated persons with Intellectual or Developmental Disabilities.
- Provide the revised policies to the Expert and plaintiffs' class counsel prior to implementation for review and comment.

5.O.2. If a person is known to have or suspected of having an Intellectual or Developmental Disability, the County shall contact the appropriate Regional Center within the next business day of the person's arrival at the Jail. The County shall request the prisoner's current IPP (Individualized Program Plan) with the individual's authorization. Once received, medical and custody staff shall review the IPP to ensure that all communications and services being provided are appropriate. If the person is not a

Regional Center client, the County shall request that the Regional Center (or other appropriate agency) perform an evaluation. Whenever possible, Jail staff will work with the Regional Center and any relevant County agencies to move a person with an identified Intellectual or Developmental Disability out of custody and into a setting with appropriate supports to meet the person's individual needs.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports that Wellpath's Mental Health Coordinator communicates with Tri-Counties Regional Center staff regarding the identified inmates and appropriate treatment plans as required by this provision. The County maintains a log to record interactions with Tri-County Regional Center. The County will provide the ADA Expert with proof of practice to demonstrate compliance with this provision.

Analysis/Observations

The County produced a "Contact with Tri-County Regional Center," which reflects 15 cases where the County contacted the Tri-County Regional Center. However, eight (8) cases are outside the rating period. The Expert reviewed the ADA Tracker Lists produced by the County and identified 11 cases indicating an actual or potential intellectual/developmental disability. Of these 11 cases, four (4) were not included in the "Contact with Tri-County Regional Center" list.

The County must ensure policies and procedures are implemented that require that, in cases where a person is known to have or suspected of having an Intellectual or Developmental Disability, the County must contact the appropriate Regional Center within the next business day of the person's arrival at the Jail. Post monitoring tour, the County reported they have re-initiated this process and intend to continue the practice for all incarcerated persons who are suspected to have an intellectual or developmental disability.

5.O.2.a. Did the County request the incarcerated person's current IPP (Individualized Program Plan) with the individual's authorization?

Of the eight (8) cases listed in the DD-ID Tri County Regional Center Contact List (cases during the rating period), in three (3) cases the list reflects the incarcerated person is a prior/current Tri County client, in three (3) cases the list reflects the incarcerated person is not a Tri County current/prior client, and in two (2) the list does not reflect if the incarcerated person is a current/prior Tri County Client. In two (2) of the three (3) cases where the incarcerated person is identified as being a current/prior Tri-County client, the list reflects that the County reviewed the IPP. However, in the other case,

the list does not reflect whether the County reviewed the Tri-County IPP. In addition, there was no information available for four (4) cases not listed on the DD-ID Tri-County Regional Center Contact List.

The County must ensure that the County requests the incarcerated person's current IPP (Individualized Program Plan) with the individual's authorization.

5.O.2.b. Once received, did medical and custody staff review the IPP to ensure that all communications and services being provided are appropriate?

The County did not produce the IPPs for the cases where the IPP was provided to the County by Tri-County Regional Center. However, the County produced the MDT Meeting IPP Reviews for the document production period. The meetings are held every two (2) weeks and include a review of the current SBCJ IPP prepared by Wellpath. Documentation that medical and custody staff reviewed the IPP. In review of the MDT Meeting IPP Reviews, there is no reference to a review of the Tri-County IPP.

The County must ensure that once received, medical and custody staff review the Regional Center IPP to ensure that all communications and services being provided are appropriate.

5.O.2.c. In cases where the incarcerated person is not a Regional Center client, did the County request that the Regional Center (or other appropriate agency) perform an evaluation?

Of the three (3) cases where the incarcerated person was not a Regional Center client, the County did not produce documentation that the County requested that the Regional Center (or other appropriate agency) perform an evaluation.

The County must ensure that, for cases where the incarcerated person is not a Regional Center client, the County must request that the Regional Center (or other appropriate agency) perform an evaluation when warranted.

5.O.2.d. Whenever possible, did Jail staff work with the Regional Center and any relevant County agencies to move a person with an identified Intellectual or Developmental Disability out of custody and into a setting with appropriate supports to meet the person's individual needs?

The County did not produce documentation for cases where Jail staff worked with the Regional Center and any relevant County agencies to move a person with an identified Intellectual or Developmental Disability out of custody and into a setting with appropriate supports to meet the person's individual needs.

To reach substantial compliance with provision 5.O.2, the County must:

- Ensure that in cases where an incarcerated person is known to have or suspected of having an Intellectual or Developmental Disability, the County contacts the appropriate Regional Center within the next business day of the incarcerated person's arrival at the Jail.
- Ensure staff request the incarcerated person's current IPP (Individualized Program Plan) with the individual's authorization.
- Once the IPP is received, ensure medical and custody staff review the IPP to ensure that all communications and services being provided are appropriate.
- In cases where the incarcerated person is not a Regional Center client, ensure the County requests that the Regional Center (or other appropriate agency) perform an evaluation when warranted.
- Ensure that, whenever possible, Jail staff work with the Regional Center and any relevant County agencies to move a person with an identified Intellectual or Developmental Disability out of custody and into a setting with appropriate supports to meet the person's individual needs.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5.O.3. *People identified as having an Intellectual or Developmental Disability will be provided with accommodations tailored to their needs, which may include but are not limited to communications at the appropriate comprehension level, more time to complete directions, and specific behavioral supports.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Non-Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The Custody Operations ADA Policy (209) includes the requirements of this provision. Wellpath is conducting a screening of individuals with ID/DD. Wellpath also implemented an Adaptive Support Needs Assessment Form to identify possible ADA inmates during receiving, as well as a "learning disability" check box on the MTO. The County updated its Classification Interview Form, which custody deputies use during the Classification Interview prior to housing incarcerated persons. Such form incorporates the ADA Expert's additional intake questions that are not already achieved in the medical intake process, including those necessary to screen for ID/DD. Wellpath is in the process of redeveloping its pilot program for identifying ID/DD incarcerated persons and estimates that this program will return in the next six to eight months.

Analysis/Observations

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirement for staff to provide Intellectually/Developmentally disabled incarcerated persons with accommodations tailored to their needs, which include but are not limited to communications at the appropriate comprehension level, more time to complete directions, and specific behavioral supports. However, the process for screening, identification, and verification of Intellectually/Developmentally disabled incarcerated persons and their adaptive support needs is currently not in place. Additionally, a process for staff to document the provision of the accommodations is not in place.

The Expert does note that although the screening, identification, and verification of Intellectually/Developmentally disabled incarcerated persons and their adaptive support needs is currently not in place, the County currently identifies some of the incarcerated persons with Intellectual/Developmental disabilities (CDCR *Clark Class* Members and incarcerated persons with a history of Intellectual/Developmental disabilities. Their adaptive supports, when identified, are listed in the County's ADA Tracker List, which is available for staff. However, there is no process for staff to document the adaptive supports provided.

To reach substantial compliance with provision 5.O.3, the County must:

- Ensure incarcerated persons identified as having an Intellectual or Developmental Disability are provided with accommodations tailored to their needs, which include but are not limited to communications at the appropriate comprehension level, more time to complete directions, and specific behavioral supports, including a process to document the provision of the accommodations.
- Ensure the accommodations and supports are contained in an Individualized Plan that is made available to relevant health care and SBSO staff and must be reflected in the County's Jail ADA tracking system.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5.O.4. A multidisciplinary team that includes appropriate health care staff will monitor and ensure appropriate care for people with an Intellectual or Developmental Disability. The multidisciplinary team will develop an individualized plan for each person with an Intellectual or Developmental Disability, which addresses:

- (1) safety, vulnerability, and victimization concerns,*
- (2) adaptive support needs, and*
- (3) programming, housing, and accommodation needs.*

The multidisciplinary team's plan will be regularly reviewed and updated as needed.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Non-Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. As of August 2024, the County began holding a multidisciplinary meeting that meets the requirements of this provision for individuals who have been identified as ID/DD by other agencies, by self-identification, or by family members of the incarcerated person. The County also develops individualized treatment plans for these individuals. The County is working with the Wellpath mental health team to house these individuals in housing that is appropriate to their needs. Wellpath is in the process of redeveloping its pilot program for identifying ID/DD incarcerated persons and estimates that this program will return in the next six to eight months. Once complete, the County will expand these meetings to include all incarcerated persons identified as ID/DD.

Analysis/Observations

As noted in section 5.O.1, above, Wellpath had a pilot program for identifying intellectual and developmental disabilities and is currently in the process of finalizing site-specific Wellpath policies, and once implemented, will include a process to screen incarcerated persons for intellectual and developmental disabilities and identify adaptive deficits and adaptive supports as required by the *Murray v. Santa Barbara County Remedial Plan*.

The RP requires the County to develop an individualized plan that addresses:

- safety, vulnerability, and victimization concerns,
- adaptive support needs, and
- programming, housing, and accommodation needs.

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes the requirement for a multidisciplinary team that includes appropriate healthcare staff to monitor and ensure appropriate care for people with an Intellectual or Developmental Disability. The policy includes the requirement and process for the multidisciplinary team to ensure the provision of adaptive support services necessary for a developmentally disabled/intellectually disabled inmate to function at an acceptable level in the jail environment. The policy includes specific functions and timelines for the multidisciplinary team to conduct the reviews. However, as previously noted, the process for screening and verification of Intellectually/Developmentally disabled incarcerated persons and their adaptive support needs is currently not in place. Additionally, a process for staff to document the provision of the accommodations is not in place.

Wellpath staff reported that the Wellpath policies (site-specific) are being finalized, as discussed in 5.O.1, above.

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- 5.O.4.a. *Did the multidisciplinary team develop an individualized plan for each person with an Intellectual or Developmental Disability?*
- 5.O.4.b. *Did the individualized plan address safety, vulnerability, and victimization concerns?*
- 5.O.4.c. *Did the individualized plan address adaptive support needs?*
- 5.O.4.d. *Did the individualized plan address programming, housing, and accommodation needs?*
- 5.O.4.e. *Was the multidisciplinary team's plan reviewed on a regular basis and updated as needed?*

As discussed above, the County and Wellpath are working on procedures for implementation of these of individualized plan processes and components. Some procedures, including multidisciplinary team (MDT) meetings, are in place to some extent, with more implementation efforts planned.

The County produced the MDT Meeting IPP Reviews for the document production period. The meetings are held every two (2) weeks and include a review of the current SBCJ IPP prepared by Wellpath. The areas reviewed include:

- Safety, Vulnerability, and Victimization
- Adaptive Support Needs
- Programming, Housing, and Accommodation Needs

The notes reflect input from Classification staff, Mental Health staff, and input from the incarcerated person (interview prior to the meeting). The meeting notes do not include the names and title/classification of staff present, nor reflect the author of the notes.

To reach substantial compliance with provision 5.O.4, the County must:

- Ensure that *a multidisciplinary team that includes appropriate health care staff monitors and ensures appropriate care for all incarcerated persons identified with an Intellectual or Developmental Disability once the secondary testing process is implemented.*
- The Expert recommends that the MDT Meeting IPP Reviews include the names and title/classification of staff present and the author of the notes.
- Ensure staff are trained on *Murray* Remedial Plan requirements.
- Provide proof-of-practice to the Expert.

5. P. Physical Accessibility Requirements

5.P.1. The County shall implement an ADA transition plan to remedy Main Jail physical plant features that could result in access barriers for people with disabilities.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County is in the process of fully implementing this requirement. In 2018, the County commissioned Vanir Construction to identify ADA deficiencies and develop an ADA transition plan for the Main Jail. On November 9, 2021, a contract was awarded to Nacht and Lewis for the redesign of the main jail campus to bring it into compliance with ADA requirements. In 2022, Nacht and Lewis began holding a series of workshops with the County's project team to develop detailed program requirements for renovating the existing facilities. As a result of those meetings, the County is proceeding with the remodel of the Inmate Receiving Center of the Main Jail to address accessibility concerns, which is scheduled to be complete by the Summer of 2027. Intake Improvements will include accessibility compliance of cells, showers, public restrooms, visiting (for public and incarcerated population), and toilets for the incarcerated population, as well as an ADA path-of-travel to public parking. The County will also remedy accessibility issues in the main recreation yard at the Main Jail.

Per the terms of the parties' August 2023 Stipulation, the County intends to achieve compliance with the Remedial Plan through the addition of ADA-compliant housing capacity at the Northern Branch Jail. Upon activation of the additional unit(s) at the Northern Branch Jail (expected by 2029), the County will cease housing class members in the Main Jail's South, West, East, Central, and Back Central housing units. Per the parties' agreement, the housing units in West, East, Central, Back Central, and Northwest need not undergo physical plant remediation of existing ADA accessibility deficiencies as part of interim or long-term remedial measures set forth in the Remedial Plan. In the interim, the County ceased housing class members with ADA accessible housing needs in any of the housing units in West, East, Central, Back Central, and ensures that all class members with ADA accessible housing needs are provided accessible housing and equitable access to the Jail's programs, services, and activities. The County initiated interim accessibility measures, including installing ADA-accessible workout equipment in the recreation yards at both facilities, ensuring equal access to programming and mental health housing, and initiating discharge planning protocols to ensure accommodations and accessible transportation are provided on discharge.

Full compliance with this provision will likely follow remodel, reconfiguration, renovation, or new construction of the facilities as contemplated in paragraph 10 of the Stipulated Judgement.

Analysis/Observations:

The County previously produced the ADA Self-Evaluation and Transition Plan of the SBCJ, conducted by Vanir. The Transition Plan does not have an issue date. However, the Vanir Transition Plan reflects that the site evaluation was conducted from September 6, 2016, to June 7, 2018. The County of Santa Barbara - Santa Barbara Jail ADA Transition Plan for Adult Detention Facility, completed by Vanir, identifies physical plant accessibility barriers of the MJ.

In the previous report, the Expert noted that on May 16, 2023, the County of Santa Barbara Board of Supervisors voted to recommend that the Board of Supervisors:

- Receive a report on conceptual options for renovations at the MJ and new construction at the NBJ Jail;
- Regarding the MJ, direct staff to proceed with a minimized renovation plan that addresses the Inmate Reception Center makes Americans with Disabilities Act (ADA) improvements and eliminates use of other beds.

The County provided an update on the construction plan of the MJ-Intake Release Center (IRC). The plan includes making ADA modifications to the intake area, visiting, and housing units of the IRC. The plans also include ADA-compliant path of travel, holding cells, visiting, recreational yards, housing unit cells, and showers.

To reach substantial compliance with provision 5, P.1, the County must:

- Implement the ADA transition plan to remedy the MJ physical plant features that could result in access barriers for people with disabilities.

5.P.2. The above ADA transition plan will be implemented in the timeframe set forth in the Stipulated Judgment. The County and the Sheriff's Office agree that, during the period of implementation of the ADA transition plan at the Main Jail, they will take all reasonable steps to promote and ensure accessibility for people with disabilities to the maximum extent possible. This includes the use of interim measures to address existing access barriers to ensure safety and program access for people with disabilities.

2023 Stipulation Interim Measures: Defendants will complete development of the ADA Transition Plan for the entire Jail system, to include interim measures to address disability accessibility deficiencies, as follows:

- 1) Measures During Period of Physical Plant Remediation/Improvements. Defendants will implement interim remedial measures towards mitigating*

ADA/Disability-related physical plant deficiencies consistent with the plan contained in Exhibit A.

- 2) Development of ADA Plan for Main Jail Renovation. As a part of the design phase of the ADA improvements for the Main Jail renovation, Defendants shall provide the design plans, with timelines, for implementation of ADA improvements referenced in Paragraph 1 of Exhibit A, which shall be developed with input from Plaintiffs' counsel and the Remedial Plan Experts.*
- 3) Main Jail Units Slated for Non-Use Are Not Subject to Physical Plant Remediation, Exclusion from Housing Class Members with Disabilities. Defendants intend to achieve compliance with the Remedial Plan through the addition of ADA-compliant housing capacity at the Northern Branch Jail. Upon activation of the additional unit(s) at the Northern Branch Jail (expected by 2029), Defendants will cease housing any class members in the Main Jail's South, West, East, Central, and Back Central housing units. Accordingly, the Parties further agree:*
 - a) The housing units in West, East, Central, Back Central, and Northwest need not undergo physical plant remediation of existing ADA accessibility deficiencies as part of interim or long-term remedial measures set forth herein and in the Remedial Plan.*
 - b) By no later than December 1, 2023, Defendants will cease housing class members with ADA accessible housing needs in any of the housing units in West, East, Central, Back Central, and Northwest, and will ensure that all class members with ADA accessible housing needs are provided accessible housing and equitable access to the Jail's programs, services, and activities (see Remedial Plan Section V.H (Housing Placements)).*
 - c) South Dorm may continue to house class members with ADA accessible housing needs until the activation of the planned additional housing unit(s) at Northern Branch Jail, so long as all facilities for that unit (beds, toilets, lavatories, showers, recreation space, etc.) meet ADA accessibility requirements under federal and state law, and class members with disabilities in that housing unit are provided equitable access to the Jail's programs, services, and activities (STP, education, jobs, recreation, etc.)*

Disability Accessibility Measures During Period of Physical Plant Remediation/Improvements.

Defendants will implement interim remedial measures towards mitigating ADA/Disability-related physical plant deficiencies as follows:

- 1. The County will remediate the accessibility deficiencies at the Main Jail in the Inmate Reception Center and the South Dorm, with completion by April 27, 2027. Intake Improvements will include accessibility compliance of cells, showers, public restrooms, visiting (for public and incarcerated population), and toilets for the incarcerated population, as well as an ADA path-of-travel to public parking. The County will also remedy accessibility issues in the main recreation yard at the Main Jail.*

2. *The County will install general-use and equivalent ADA-accessible workout equipment in all recreation yards facility-wide by December 2023.*
3. *The County is committed to providing complete and equitable programming to individuals with disabilities, consistent with relevant Remedial Plan requirements. Programming, including the Sheriff's Treatment Program, is offered to all incarcerated people across the facilities, including those in South Dorm. Incarcerated people in South Dorm recently completed a six-week program.*
4. *The County has initiated discharge planning protocols for individuals with disabilities to ensure that they are discharged with any necessary accommodations and provided accessible transportation when needed.*
5. *The County is committed to providing equal access to the specialized mental health units for people with physical, visual, hearing, cognitive, and any other disabilities*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Un-ratable

County Response:

Please see 5.J.1. and 5.P.1. above.

Analysis/Observations

On May 16, 2023, the County of Santa Barbara Board of Supervisors voted to recommend that the Board of Supervisors:

- Receive a report on conceptual options for renovations at the MJ and new construction at the NBJ;
- Regarding the MJ, direct staff to proceed with a minimized renovation plan that addresses the Inmate Reception Center makes Americans with Disabilities Act (ADA) improvements and eliminates use of other beds.

The timeline in the stipulation includes:

The County will remediate the accessibility deficiencies at the Main Jail in the Inmate Reception Center and the South Dorm, with completion by April 27, 2027. Improvements will include accessibility compliance of cells, showers, public restrooms, visiting (for public and incarcerated population), and toilets for the incarcerated population, as well as an ADA path-of-travel to public parking. The County will also need to remedy accessibility issues in the main recreation yards at the Main Jail, as discussed in this report.

Installation of general-use and equivalent ADA-accessible workout equipment in all recreation yards facility-wide by December 2023. The Expert confirmed that the general-use and equivalent ADA-accessible workout equipment is installed in all recreation yards at the MJ and NBJ.

The County reports that currently, any incarcerated person who requires accessible housing accommodations is housed at the NBJ, unless they elect to stay at the MJ by signing a waiver that was drafted with input and approval of the Expert and Class Counsel.

The County produced the design plans to the Expert. The County provided the following timelines for implementation of ADA improvements:

Permitting – August 2025

Bidding – September to October 2025

Award at BOS – November 2025

Construction – December 2025 to April 2027

The Expert's Accessibility Expert will review the plans and provide input.

5.P.2.a. Is the County and the Sheriff's Office taking all reasonable steps to promote and ensure accessibility for people with disabilities to the maximum extent possible, including the use of interim measures to address existing access barriers to ensure safety and program access for people with disabilities during the period of implementation of the ADA transition plan at the Main Jail?

The County reports that in the interim, the County has ceased housing class members with ADA accessible housing needs in any of the housing units in MJ West, East, Central, Back Central, and Northwest (unless they elect to stay at the MJ by signing a waiver that was drafted with input and approval of the Expert and Class Counsel).

The County has also initiated interim accessibility measures, including installing ADA-accessible workout equipment in the recreation yards at both facilities, working to provide equal access to programming and mental health housing, and initiating discharge planning protocols to ensure accommodations and accessible transportation are provided on discharge.

The County is taking reasonable steps to promote and ensure accessibility for people with disabilities. These steps include the use of interim measures in addressing existing access barriers to ensure safety and program access for people with disabilities during the period of implementation of the ADA transition plan at the MJ. Some of these interim measures include:

- Escorting Mobility-Disabled incarcerated people to accessible shower locations.
- Escorting and assisting Mobility-Disabled incarcerated people to accessible exercise yard facilities.

- Providing access to video phone technology via iPhone and iPad technology.

However, the MJ continues to not provide programming opportunities such as those that are offered at the NBJ (Alan Hancock College) and the MJ Northwest Isolation workers housing (Santa Barbara City College), and mobility for incarcerated persons housed in the MJ Northwest BHUs and MJ South Dorm are only provided remote programming opportunities. The incarcerated persons housed in the BHUs do not have access to other in-person programs that are available in other housing locations. Because the BHUs house people with serious mental health needs, it is essential that this group have equal access to programs, including community-based programming. As these modules primarily house people with serious mental health needs (Northwest) and medical/physical disabilities (MJ South Dorm), it is essential that this group have equal access to programs and community-based programming.

Additionally, during the onsite review, the Expert identified some accessibility concerns in the MJ recreation yards for disabled incarcerated persons who use wheelchairs. There is currently no accessible seating in two (2) of the recreation yards that are used by the disabled incarcerated persons who use wheelchairs. The Expert has requested access for the Accessibility Expert to conduct an onsite physical plant assessment of the MJ recreation yards. These accessibility improvements cannot be deferred during the period of renovations at MJ. The Expert will review the accessibility improvements before the next monitoring tour.

To reach substantial compliance with provision 5.P.2, the County must:

- Provide Expert and plaintiffs' counsel with the timelines for the implementation of ADA improvements.
- Remediate the accessibility deficiencies at the MJ IRC by April 27, 2027.
- Ensure disabled incarcerated people are provided access to equivalent programs.

5.P.3. The County shall ensure that the North Branch Jail provides adequate accessibility for people with disabilities, consistent with accessibility requirements under federal and state law.

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Discontinuation of Monitoring

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and has maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class

Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5. Q. Alarms/Emergencies

5.Q.1. The County shall implement written policies regarding the expectations of staff as to persons with disabilities during emergencies and alarms, including as to disabilities that may affect their ability to comply with orders or otherwise respond to emergencies and alarms. For example, the policies shall ensure appropriate handling of people with mobility-related disabilities who are unable to prone out or take a seated position on the ground during an alarm or emergency. Such policies shall be communicated to staff, incorporated into the relevant policies, and communicated to people with disabilities using Effective Communication.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County completed a comprehensive ADA training curriculum that incorporates all of the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations:

5.Q.1.a. Do the policies ensure appropriate handling of people with mobility-related disabilities who are unable to prone out or take a seated position on the ground during an alarm or emergency?

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed that the policy includes *Murray* Remedial Plan requirements.

5.Q.1.b. Have the policies been communicated to staff?

The County did not provide proof of practice that the policy has been communicated to staff, and in addition, although training has been developed on the revised ADA policy, the training has not been provided to staff. The County must ensure the policies are communicated to staff.

5.Q.1.c. Have the policies been communicated to people with disabilities using Effective Communication?

The County did not provide proof of practice that the policy has been communicated to incarcerated persons with disabilities using Effective Communication. The County has developed an "ADA Inmate Interview Worksheet" designed to be used to interview incarcerated persons once they are identified as having a qualified disability. The worksheet does not include the RP-required language. In addition, the Orientation Video also does not include the RP-required language.

To reach substantial compliance with provision 5.Q.1, the County must:

- Ensure staff are trained on the policies regarding the expectations of staff to provide accommodations for disabled incarcerated persons during emergencies and alarms, including as to disabilities that may affect their ability to comply with orders or otherwise respond to emergencies and alarms.
- Revised the Orientation Video/Handbook to include the RP required language.
- Ensure the policies are communicated to incarcerated persons with disabilities using Effective Communication.
- Provide proof-of-practice to the Expert.

5.Q.2. To facilitate appropriate accommodations during alarms or emergencies, the County shall offer, but shall not require, individuals who have disabilities visible markers to identify their disability needs (e.g., wristbands). The County shall maintain a list, posted in such a way to be readily available to Jail staff in each unit, of people with disabilities who may require accommodations during an alarm or emergency.

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Substantial Compliance

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and has maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

County Response:

The ADA Expert found the County in substantial compliance with this provision.

Analysis/Observations

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed the policy includes *Murray* Remedial Plan requirements.

The Expert notes that the ADA Tracker List includes information that identifies the incarcerated persons who require accommodations during an alarm or emergency. During the onsite review, the Expert confirmed that the ADA Tracker list was maintained and readily available to Jail staff in the housing units/Mods. Additionally, incarcerated persons who are deaf and/or hard of hearing and have a vision disability are offered and provided with vests for staff to visibly identify them.

5.Q.2.a. *Does the County maintain a list that is posted in such a way to be readily available to Jail staff in each unit of people with disabilities that may require accommodations during an alarm or emergency?*

During the onsite tour, the Expert confirmed each unit at the MJ and NBJ had the Active ADA Alerts list posted in the Custody Deputy's workstation. This list includes the name, housing location, Disability, and accommodation needs of the incarcerated persons housed in the SBCJ. The Active ADA Alerts list includes in the "Notes" column that reflects the type of assistance required for "Alarm/Emergency."

5.Q.3. *The County shall install visual alarms appropriate for people who are deaf or hard of hearing.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. Visual alarms are currently installed at the Northern Branch Jail. The County is reviewing potential alarm installation at the Main Jail, but full compliance with this provision will likely follow remodel, reconfiguration, renovation, or new construction of the facilities as contemplated in paragraph 10 of the Stipulated Judgement.

Analysis/Observations

All housing units at the NBJ have visual alarms installed. All housing units at the MJ, with the exception of the Central West, do not have visual alarms installed.

To reach substantial compliance with provision 5.Q.3, the County must:

- Ensure visual alarms that meet the NFPA 72, 'National Fire Alarm Code', are installed in the MJ housing units.

5.Q.4. *All housing units shall post notices for emergency and fire exit routes.*

Compliance Rating: Discontinuation of Monitoring

Prior Compliance Rating: Discontinuation of Monitoring

Discontinuation of Monitoring

Pursuant to Paragraph 52 of the Remedial Plan, the County has been in substantial compliance with this provision and has maintained such substantial compliance for a period of at least six (6) months. Based on this, the parties conferred, and Class Counsel has no objection to the County's request and has agreed to the discontinuation of monitoring for this provision.

5. R. Quality Assurance

5.R.1. *The County shall develop and implement written policies and procedures regarding monitoring compliance with ADA requirements and Jail ADA policies, including (but not limited to) the following:*

- a) Requests for ADA accommodations;*
- b) ADA-related grievances;*
- c) ADA-related training;*
- d) Use of the ADA Tracking System.*

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. The County completed a comprehensive ADA training curriculum that incorporates all of the training requirements of the Remedial Plan, including this provision. This ADA training is pending final review by the ADA Expert and Class Counsel. Once approved and finalized, the County will initiate training for all staff. The County anticipates completing this provision in the next six months.

Analysis/Observations:

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) to confirm the policy includes an ADA accountability plan that includes monitoring compliance with ADA requirements and Jail ADA policies. The policy states, "The ADA Coordinator shall review and compile data regarding the following quality assurance indicators and shall submit a report to the CQA Lieutenant monthly:

- The number and type of requests for ADA Accommodations;
- The number and type of approved requests for ADA Accommodations;
- The number and type of rejected requests for ADA Accommodations, with the reasoning behind the rejection(s);
- The number and type of ADA-related grievances;
- Timeliness of response to ADA Accommodation Requests and ADA Grievances
- ADA-related training provided to staff with proof of completion(s);
- Use of the ADA Tracking System;

The County has not produced the Wellpath policies and procedures for monitoring compliance with ADA requirements and Jail ADA policies.

The County must provide proof of practice during the next monitoring tour that the ADA Coordinator is conducting monitoring as required by the policy and *Murray v. Santa Barbara County Remedial Plan*.

5.R.1.a. Do the written policies and procedures regarding monitoring compliance with ADA requirements and Jail ADA policies include monitoring of requests for ADA accommodations?

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed the policy includes written policies and procedures for the County to monitor compliance with requests for ADA accommodations. However, proof of practice that the County monitors the requests for ADA accommodations was not produced by the County.

5.R.1.b. Do the written policies and procedures regarding monitoring compliance with ADA requirements and Jail ADA policies include monitoring of ADA-related grievances?

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed the policy includes written policies and procedures for the County to monitor compliance with the ADA-related grievances. However, proof of practice that the County monitors the ADA-related grievances was not produced by the County.

5.R.1.c. Do the written policies and procedures regarding monitoring compliance with ADA requirements and Jail ADA policies include monitoring of ADA-related training?

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed the policy includes written policies and procedures for the County to monitor compliance with the ADA-related training. However, proof of practice that the County monitors the ADA-related training was not produced by the County.

5.R.1.d. Do the written policies and procedures regarding monitoring compliance with ADA requirements and Jail ADA policies include monitoring of the use of the ADA Tracking System?

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) and confirmed the policy includes written policies and procedures for the County to monitor compliance with the use of the ADA Tracking System. However, proof of practice that the County monitors the use of the ADA Tracking System was not produced by the County.

To reach substantial compliance with provision 5.R.1, the County must:

- Develop and implement the policies and procedures regarding monitoring compliance with ADA requirements and Jail ADA policies, and ensure the policies include the RP requirements.

5.R.2. The County shall develop an ADA accountability plan that will ensure quality assurance, track violations of the ADA and the Jail's ADA policies, and establish staff accountability for egregious, serious, or repeated violations of the ADA and Jail ADA-related policies and procedures.

Compliance Rating: Partial Compliance

Prior Compliance Rating: Partial Compliance

County Response:

The County reports it is in the process of fully implementing this requirement. In the next four months, the County will consult the ADA Expert regarding the development of an ADA accountability plan as required by this provision.

Analysis/Observations

The Expert reviewed the revised Custody Operations Americans with Disabilities Act (ADA) Policy Section 209 (Revised 04/2024) to confirm the policy includes an ADA accountability plan that includes *Murray* Remedial Plan requirements, including quality assurance, tracking of violations of the ADA, and the Jail's ADA policies, and establishes staff accountability for egregious, serious, or repeated violations of the ADA and Jail ADA-related policies and procedures. The policy states, "The ADA Coordinator shall review grievances and/or reports related to violations of the ADA and/or egregious, serious, or repeated violations of the ADA and/or Jail ADA-Related policies and procedures and shall report those instances to the CQA Lieutenant. The CQA Lieutenant shall review all incidents provided by the ADA Coordinator and shall consider whether the incident shall be investigated, addressed with the staff member

informally or whether the incident shall be forwarded to Professional Standards for investigation related to violation of policies and procedures.”

The County has not produced the Wellpath accountability plan for the Expert’s review.

To reach substantial compliance with provision 5.R.2, although the Custody policy has been revised, the County must:

- Implement the ADA accountability plan that will ensure quality assurance, track violations of the ADA and the Jail's ADA policies, and establish staff accountability for egregious, serious, or repeated violations of the ADA and Jail ADA-related policies and procedures.
- Ensure Wellpath develops and implements an ADA accountability plan that will ensure quality assurance, track violations of the ADA and the Jail's ADA policies, and establish staff accountability for egregious, serious, or repeated violations of the ADA and Jail ADA-related policies and procedures.



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", is written over a horizontal line.

Julian Martinez
Director
Sabot Consulting

November 7, 2025

Date