

A blue, comet-like graphic with a long tail points from the left towards the title. On the right side of the page, there is a large, vertical graphic consisting of several concentric, overlapping circles in shades of green and white, creating a tunnel-like effect.

Agreement Between Orange County and Disability Rights California

Expert Monitor's Report (Eighth Round)

Rights of People With Disabilities

On-Site Review: February 23 - 27, 2026

Produced by:
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Submitted:

June 4, 2026

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I. Introduction

On March 22, 2018, Disability Rights California (DRC) notified the County of Orange of its intent to monitor Orange County Jail facilities, as consistent with its federal and state law authority to monitor facilities with respect to the rights and treatment of individuals in California who have disabilities.

DRC and its authorized agents conducted facility monitoring tours of the Jail on May 10-11, 2018, June 11, 2018, and January 30-31, 2019. DRC's monitoring included (1) interviews with leadership and staff from the Orange County Sheriff's Department (OCSD) and Correctional Health Services (CHS), (2) interviews and other communications with a substantial number of people in custody at the Jail during and outside of the above-mentioned monitoring tours, and (3) review and substantive analysis of relevant records, data, and policies.

On March 8, 2019, DRC issued findings from its monitoring investigation of Orange County Jail facilities, including issues related to the rights of incarcerated people with disabilities, the treatment of incarcerated people with mental health care needs, the use of restrictive housing, and the treatment of incarcerated people who identify as LGBTQ.

Following the issuance of DRC's findings, the Parties engaged in discussions regarding a process to address the findings without the need for adversarial litigation.

On November 21, 2019, the Parties executed a Negotiations Agreement, which provided a procedural framework for resolving the disputed claims.

Consistent with the Parties' Negotiations Agreement, the Parties mutually agreed for Sabot Consulting to serve as a neutral expert (1) to conduct a comprehensive, independent review of policies, procedures, and practices related to the topics set forth in the Settlement Agreement, and (2) to complete a report with findings and recommendations to address any identified deficiencies. The County retained Sabot Consulting to serve as the neutral Expert pursuant to an agreement executed on January 25, 2020 (amended on February 22, 2020, and August 1, 2022).

Sabot Consulting's team of experts conducted site visits at the Jail during the months of March, May, and June 2020. The assessment included interviews with 37 incarcerated persons, sworn staff, and non-sworn staff working at the Jail, as well as an extensive policy and data review.

On March 19, 2021, Sabot Consulting submitted to the Parties its Final Report, Orange County Sheriff's Department Custody Operations: Americans with Disabilities Act, Restrictive Housing, LGBTQI, and Healthcare Program Assessment.

Consistent with the Parties' Negotiations Agreement, the Parties then engaged in careful negotiations of a Remedial Plan (RP) to address the findings of Sabot Consulting's Assessment Report and to implement its recommendations, as appropriate. Negotiations were substantially informed by DRC's ongoing review of relevant records, data, and other materials, information-sharing with the County, and communication with people incarcerated at the Jail.

While Sabot Consulting's assessment and the Parties' negotiations were necessarily slowed by the circumstances of the COVID pandemic, the Parties' negotiations have proceeded as expeditiously as possible towards a resolution and formal agreement. In consultation with DRC

and its authorized agents, the County has already begun to implement several of Sabot Consulting's recommendations and related remedial actions during the period of negotiations.

The County agreed to implement the provisions of the RP, subject to monitoring by Sabot Consulting and by DRC with its authorized agents, and further discussions between the Parties.

The County agreed to develop and implement appropriate and adequate plans, policies, and practices to ensure implementation of and compliance with the RP. During the period of monitoring pursuant to the Parties' Agreement, the County is required to submit plans or policies to DRC for review and comment.

DRC's March 2019 findings letter and Sabot Consulting's Assessment Report each identified concerns regarding the treatment of incarcerated people with mental health disabilities at the Jail.

- Subsequent to those findings, the County has taken and continues to take steps to enhance Jail mental health care programming.
- Certain mental health-related issues are addressed in the RP, including as related to disability-related accommodations and program access, reforms to restrictive housing/isolation practices, and reforms to disciplinary practices as they apply to people with mental health or other disabilities.
- The Parties agree that the Jail's mental health treatment programming requires further development to meet the needs of the population. The Parties further acknowledge that DRC and its authorized agents will continue to monitor the treatment of people with mental health disabilities at the Jail, including through monitoring processes.
- If DRC identifies concerns with respect to the care and treatment of people with mental health disabilities, it will raise those concerns with the County and confer in good faith as to necessary remedial action to address any such problems. If DRC finds that such concerns are not adequately addressed, it will so inform the County and may take any necessary action, including by any legal means, to protect the rights of people with mental health disabilities.

II. The Expert's Monitoring Role and Monitoring Activities

The Parties previously agreed to a process and framework for monitoring the implementation of the Remedial Plan (RP). The Parties also agreed in the Negotiations Agreement and continue to agree that Sabot Consulting will serve as the neutral Expert for purposes of monitoring the RP implementation.

The Expert is required to complete a comprehensive review (Compliance Review) of the County's implementation of the components of the RP within 180 days of the execution of the Agreement and conduct a Compliance Review every 180 days thereafter during the term of the Agreement. The Expert is required to review whether the County has adequately implemented each component of the RP and is required to identify which components, if any, are not yet adequately implemented.

As part of the Compliance Review, the Expert is required to issue a draft report (Compliance Report) that states their opinion as to whether the County has adequately implemented the components of the RP and which components, if any, are not yet adequately implemented. Within fifteen (15) days following the issuance of a draft Compliance Report, the Parties may provide written responses to the draft Compliance Report. If either Party submits a written response to the draft Compliance Report, the Expert will consider the response(s) and issue a final report within fifteen (15) days. The final report will address any written responses submitted by the Parties. If neither Party submits a written response to the draft report, the Expert's draft report will become the final report.

Within 15 days of the issuance of the Expert's final Compliance Report, the Parties will meet and confer to discuss the Expert's findings and recommendations. Within 30 days of the issuance of the final Compliance Report that includes a finding that the County has not adequately implemented one or more components of the RP, the County shall develop a proposed plan that identifies the actions it will take to address the Expert's findings (Action Plan). The Parties will then have 30 days to agree upon the County's proposed Action Plan or negotiate a revised Action Plan.

If the Expert issues two successive Compliance Reports finding that the County has adequately implemented the same component of the RP, such a finding will result in a suspension of monitoring by the Expert of the corresponding component. The Expert may, however, continue to review whether the County has adequately implemented a component for which monitoring has been suspended pursuant to this provision if such review is necessary for determining whether the County has adequately implemented other components of the RP for which monitoring has not been suspended pursuant to this provision. If, during the term of the Agreement, DRC forms the good faith belief that the County is no longer adequately implementing a component of the RP for which the Expert had suspended monitoring pursuant to this provision, DRC shall promptly notify the County in writing and present a summary of the evidence upon which such a belief is based. Within 30 days thereafter, the County shall serve a written response stating whether it agrees or disagrees with DRC's position. In the event that the County agrees, monitoring by the Expert and DRC pursuant to this Agreement shall resume with respect to the RP component(s) at issue. In the event the County disagrees, the Parties shall present to the Expert in writing their positions. The Expert will, within 30 days, issue a written decision regarding whether to resume monitoring of the RP component(s) at issue.

B. Monitoring Process

In each Compliance Report, the Expert is required to identify whether the County has adequately implemented each RP provision. The Expert is required to make the findings utilizing the following definitions:

Adequately Implemented (AI): Implementation of all or most components of the relevant RP provision, and no significant work remains to accomplish the goal of that provision.

Partially Implemented (PI): Implementation of some components of the relevant RP provision, and significant work remains to reach adequate implementation.

Not Implemented (NI): No implementation of most or all the components of the relevant RP provision, and significant work remains to reach partial implementation.

Un-ratable (UR): Used where the Expert has not been provided data or other relevant material necessary to assess implementation or factual circumstances during the monitoring period, making it impossible for a meaningful review to occur at the present time.

Not Assessed (NA): Used where the Expert has not assessed implementation with a particular provision during a monitoring period. This designation should be used only where circumstances make it infeasible for the Expert to complete the assessment during the monitoring period.

Monitoring Suspended Based on Previous Findings of Compliance (MS): Used where two successive Compliance Reports have found that the provision has been adequately implemented.

III. Executive Summary

This is the eighth Expert Monitor Review to measure Orange County's (OC) compliance with the Settlement Agreement and the RP, which address related mandates, including:

- I. Policies and Procedures
- II. ADA Tracking Procedures
- III. Identifying People With Disabilities
- IV. Orientation
- V. Effective Communication
- VI. Intellectual and Developmental Disabilities
- VII. Healthcare Appliances, Assistive Devices, Durable Medical Equipment
- VIII. Housing Placements
- IX. Access to Programs, Services, and Activities
- X. Access to Worker Opportunities
- XI. Access to Community Work Programs
- XII. Disability-Related Grievance Process
- XIII. Alarms/Emergencies/Announcements
- XIV. Searches, Restraints, and Counts
- XV. Transportation
- XVI. ADA Training, Accountability, and Quality Assurance

The eighth round of monitoring focused on the Theo Lacy Facility (TLF), Central Men's Jail (CMJ), Central Women's Jail (CWJ), the Intake Release Center & Transportation (IRC), and the James A. Musick Facility (JAMF). The on-site Monitoring Review was conducted from February 23 – 27, 2026. The Monitoring Review included a review of pre-monitoring documents produced by the County of Orange (OC); on-site observations; interviews of sworn and non-sworn personnel (e.g., housing deputies, HCA CHS healthcare staff (medical and mental health) classification staff); and interviews of incarcerated persons housed in the OC Jails.

An entrance meeting was conducted with representatives from the County of Orange (Orange County Jail Administration and staff from the County Counsel's Office). A meeting was also conducted with representatives from HCA CHS. In addition, DRC Representatives were also present during the meeting and during portions of the monitoring tour. An exit meeting was conducted via Zoom on March 9, 2026, with representatives from the County of Orange (Jail Administration, Custody, HCA CHS, and staff from the County Counsel's Office) and DRC Representatives.

The Expert would like to thank all OC Jail staff for their assistance in facilitating access to the Jails, coordinating staff and incarcerated person interviews, and producing the pre-monitoring documents. The Expert found that the staff were open and transparent in their responses during the staff interviews.

The Expert finds that since the previous monitoring tour, additional provisions set forth in the Settlement Agreement and RP (and local policies/procedures) have been implemented, and previously implemented provisions continue to be found as "Adequately Implemented." In addition, some areas previously rated "Partially Implemented" during the previous tour were rated "Adequately Implemented" during the eighth monitoring tour. However, the Expert finds that, in

some cases, more information and evidence are needed to determine compliance with the required provisions/elements.

For areas found not to be “Adequately Implemented,” a more thorough assessment will continue to be conducted during future monitoring tours, including a review of proof-of-practice documentation. With the implementation of related policies, procedures, and training, staff continue to be informed and understand the Settlement Agreement and RP requirements, and how those requirements correlate to their respective job duties.

As this was the eighth monitoring tour, elements of the Settlement Agreement and RP that were found “Adequately Implemented” in the previous seven rounds of monitoring have been moved to “Monitoring Suspended Based on Previous Findings of Compliance.” However, the Expert will continue to review whether the County has adequately implemented a component for which monitoring has been suspended, if necessary, to determine whether the County has adequately implemented other components of the RP for which monitoring has not been suspended. Additionally, the Expert will follow the RP requirements if areas identified by DRC as “Adequately Implemented” are later found by DRC to no longer be adequately implemented, and the County agrees with DRC’s position. In the event the County disagrees, the Expert will review the parties’ position and provide a written decision regarding whether to resume monitoring of the RP component(s) at issue.

The County continues to put processes and practices in place to move provisions from partially implemented or not implemented to adequately implemented, and to suspend monitoring.

Since the last monitoring tour, the County has:

- Installed shower grab bars in the lower-tier non-ADA showers in the TLF Mods and in both upper- and lower-tier showers in Mod O.
- Revised the J-112 form used to identify disability accommodation needs at and after intake, and phased out the J-105A form and implemented a new J-113 form.
- Revised Policy 8000.11 to require that, if the EC Form is not received by the ADA unit by the end of the shift, ADA staff will contact the appropriate shift sergeant.
- Created an Inmate Services Video “Rise and Rebuild”, which provides incarcerated persons with information on programs available at the OC Jails.
- Implemented Video Relay Services (VRS) tablets for deaf and/or hard-of-hearing incarcerated persons to have access to VRS technology.
- Revised the ID/DD Housing Unit Adaptive Support Needs Log to include a section for staff to assess intellectually disabled incarcerated persons for work accommodations.
- Revised the ID/DD Housing Unit Adaptive Support Log to require supervisors to include their Personal Identification Detail when signing their review.
- Programs Counselors created recruitment/introduction flyers to recruit and inform incarcerated persons about program opportunities

Additionally, the County continues to have an effective process in place for disability-related designations, as well as for sharing accommodation information with custody (Classification and ADA Compliance Unit) staff when disabilities and associated accommodations are identified. The County also continues to have an effective process in place in which Medical Case Management (ADA) and the custody ADA Compliance Unit work collaboratively to interview and assess

incarcerated persons with disabilities, provide accommodations, and inform them about the ADA program and how to request accommodations. The County also has a Mental Health staff member at each facility designated to coordinate ADA-related issues as part of the ADA team. The County has processes in place to ensure incarcerated persons are provided their Health Care Appliance/Assistive Devices and Durable Medical Equipment, and that the devices are maintained in good working order. The County provides incarcerated persons with ADA-related information during orientation. The County has made substantial strides to provide incarcerated persons with disabilities meaningful access to worker opportunities and the Community Work Program. The ADA Compliance Unit staff continue to engage with staff and disabled incarcerated persons in implementing the requirements of the RP. All incarcerated persons with identified disabilities who were interviewed during the tour were aware of the ADA staff and stated they would resolve issues brought to their attention. Both the Custody/CHS Administration and staff remain committed to ensuring the RP requirements are implemented and that disabled incarcerated persons receive their accommodations and equal access to OC Jails programs, services, and activities. The process for custody staff to document Effective Communication continues to improve, and all staff interviewed were aware of the RP requirements.

However, as in the previous report, staff are not consistently using the incarcerated person's preferred method of communication (ASL/VRI) when providing Effective Communication, as required by the Remedial Plan.

The Expert's report identifies areas deemed as Adequately Implemented, Partially Implemented, Not Implemented, Unratable, Not Assessed, and Monitoring Suspended Based on Previous Findings of Compliance.

The following reflects the overall ratings given for the 115 provisions of the ADA Remedial Plan:

- Adequately Implemented – 5
- Partially Implemented – 32
- Not Implemented – 0
- Un-ratable – 0
- Not Assessed – 0
- Monitoring Suspended Based on Previous Findings of Compliance - 78

It is the Expert's belief that as the County continues to implement vital components of the Settlement Agreement and RP, including those outlined in this report, the areas that have not been found to be Adequately Implemented will progress to an Adequately Implemented rating.

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 meeting the mandates of the Settlement Agreement and RP.

Based on the document review and on-site monitoring tour, the summary of ratings and recommendations is listed below:

PROVISION	REQUIREMENT	CURRENT RATING	PRIOR RATING
I.	POLICIES AND PROCEDURES		
I.A.	Reasonable Accommodation Policy	MS	MS
I.B.	Finalize policies, practices, and procedures within six (6) months. Recommendations: The Expert recommends that the County finalize the revisions to policies, procedures, and practices to ensure compliance with the ADA, its implementing regulations, and related federal and state disability laws and to ensure compliance with the remedial plan provisions	AI	PI
II.	ADA TRACKING PROCEDURES		
II.A.	Implementation of a centralized, real-time networked electronic system Recommendations: The Expert recommends that the County finalize revisions to policies, procedures, and practices to ensure compliance with the ADA, its implementing regulations, related federal and state disability laws, and the RP provisions.	PI	PI
II.B.	Requirements of the ADA tracking system Recommendation: See recommendation II.A above	PI	PI
II.C.	Tracking System is readily available and used by all custody, medical, mental health, program, and other staff. Recommendation: See recommendation II.A above	PI	PI
II.D.	ADA tracking is not called “special needs list”	MS	MS
III.	IDENTIFYING PEOPLE WITH DISABILITIES		
III.A.	Identification of a person’s disability and disability needs throughout custody	MS	MS
III.B.	During medical intake screening, Identification of a person’s disability is based on self-identification, health record, staff observation, and request of a third party	MS	MS
III.C.	During medical screening, determine effective communication and document effective communication provision	MS	MS
III.D.	Conduct medical screening in a confidential setting	MS	MS
III.E.	Use of evidence-based and Trauma Informed practices during medical screening	MS	MS
III.F.	Provision of accommodations (housing, HCS/AD/DME) promptly, communicated to relevant staff, and documented in the ADA Tracking System	MS	MS
III.G.	Notification of custody staff and the ADA Compliance Unit of a person’s disability and disability-related needs	MS	MS
III.H.	Tracking of all disabilities and disability-related needs in the ADA Tracking System	PI	PI

	Recommendation: See recommendation II.A above		
III.I.	Development of a process for conducting disability-related evaluations after medical intake screening	MS	MS
IV.	ORIENTATION		
IV.A.	Adequately inform persons with disabilities of ADA rights	MS	MS
IV.B.	Provision of an orientation video in an accessible format, including Spanish	MS	MS
IV.C.	Information from the orientation process was communicated effectively	MS	MS
IV.D.	Posting of ADA Rights Notice	MS	MS
IV.E.	Unit orientation and individualized support for individuals who are blind, low vision, deaf, hard of hearing, or who have Developmental or Intellectual disabilities	MS	MS
V.	EFFECTIVE COMMUNICATION		
V.A.	Assessment of Effective Communication and provision of Effective Communication Recommendations: The Expert recommends that the County ensure that clinical and custody staff use the preferred method of communication for clinical and due process encounters, with a particular focus on cases where the incarcerated person's preferred method of communication is through a Sign Language Interpreter (SLI). The Expert also recommends that the County continue to conduct audits and, when cases are identified in which an SLI was not utilized when required, take corrective action to ensure an SLI is appropriately provided.	PI	PI
V.B.	Assessment of Effective Communication needs	MS	MS
V.C.	Primary consideration of the Effective Communication preference Recommendations: The Expert recommends that the County ensure that clinical and custody staff give primary consideration to the incarcerated persons' preferred method of communication, with a particular focused effort on cases where the incarcerated person's preferred method of communication is through a Sign Language Interpreter (SLI). The County should continue training and use existing quality assurance procedures (audits) to ensure that staff appropriately and consistently use an SLI when indicated. Post tour, the County reported that CHS is conducting education and currently has another contract with an SLI vendor as a backup. In addition, audits are being conducted.	PI	PI
V.D.	Provision of auxiliary aids and services when simple written or oral communication is not effective. Recommendations: The Expert recommends that the County ensure that clinical and custody staff provide sign language interpretation services when oral communication is not effective, and SLI is the incarcerated person's preferred method of communication.	PI	PI

	The Expert also recommends that the County continue to conduct audits and, when cases are identified in which an SLI was not utilized when required, take corrective action to ensure an SLI is appropriately provided.		
V.E.	Provision of Effective Communication for programs, services, and activities Recommendations: The Expert recommends that the County ensure that clinical and custody staff use the preferred method of communication for clinical and due process encounters, with a particular focus on cases where the incarcerated person's preferred method of communication is through a Sign Language Interpreter (SLI). Provide the Expert with the proof of practice for Effective Communication documentation by program staff, again with a focus on SLI provision. The Expert also recommends that ADA Deputies affirmatively notify incarcerated persons with communication (reading or writing-related) disabilities of their availability to assist and of the methods to request/secure such assistance from housing unit deputies and other staff.	PI	PI
V.F.	Requirements of Effective Communication for Due Process Events and Clinical Encounters Recommendation: See recommendation V.A. above	PI	PI
V.G.	Checking the ADA Tracking System to identify Effective Communication needs, provision of Effective Communication, and documentation of Effective Communication Recommendation: See recommendation V.A. above	PI	PI
V.H.	Lip reading is generally not used as a means of Effective Communication. If the preferred method is lip reading, staff must speak slowly and loudly	MS	MS
V.I.	Logging use of SLI Recommendation: See recommendation V.A. above	PI	PI
VI.	INTELLECTUAL AND DEVELOPMENTAL DISABILITIES		
VI.A.	Development of OCSD and CHS policies and procedures for Intellectual/Developmental Disabilities	MS	MS
VI.B.	Development of OCSD and CHS policies and procedures for screening for Intellectual/Developmental Disabilities, including cognitive deficits, adaptive supports. Recommendations: The Expert recommends that the County ensure secondary screening is conducted within the required timeline.	PI	PI
VI.C.	Monitoring individualized plans for individuals with Intellectual/Developmental Disabilities	MS	MS
VI.D.	Training of relevant staff on individualized plans, accommodations, and adaptive supports for Intellectual/Developmental Disabilities individuals	MS	MS
VI.E.	Provision of accommodations and adaptive supports tailored to intellectual/developmentally disabled persons' needs.	PI	PI

	Recommendations: The Expert recommends that the County ensure staff (CJX and TLF) provide and document the adaptive supports, prompts, assistance, and reminders on the Housing Unit Adaptive Support Log. In addition, the Expert recommends that the County finalize and implement the policy revision regarding interim accommodations.		
VI.F.	Access to easy reading books for Intellectual/Developmental and learning-disabled individuals	MS	MS
VI.G.	Provision of discharge planning Recommendations: Provide the Expert with details of discharge plans completed for the incarcerated persons identified as DD.	PI	PI
VII.	HEALTHCARE APPLIANCES, ASSISTIVE DEVICES, DURABLE MEDICAL EQUIPMENT		
VII.A.	Provision of HCA/AD/DME and individualized assessment	MS	MS
VII.B.	Tracking and documenting the inspection and maintenance of HCA/AD/DME	MS	MS
VII.C.	County-provided wheelchairs	MS	MS
VII.D.	Charges for provision, repair, or replacement of HCA/AD/DME	MS	MS
VII.E.	Retention of personal HCA/AD/DME	MS	MS
VII.E.1.	Provision of an equivalent alternative jail-issued device when HCA/AD/DME is removed Recommendations: The Expert recommends that the County ensure staff document on the Safety and Security Assessment form when Jail staff determine it is necessary to remove an individual's personal HCA/AD/DME for safety and security reasons, whether an alternative device was provided or no alternative was possible.	PI	PI
VII.E.2.	Consultation with medical staff and documentation when determination of alternative device and/or accommodation Recommendations: See the recommendation in section VII.E.1 above.	PI	PI
VII.E.3.	Repair and/or replacement of personal HCA/AD/DME	MS	MS
VII.E.4.	Replacement HCA/AD/DME provided by the County is sufficient to provide access to the Jail's programs, services, and activities.	MS	MS
VII.E.5.	Provision of an equivalent alternative jail-issued device when HCA/AD/DME is removed	MS	MS
VII.F.	Permit of a prosthetic limb or similar device, absent specific security concerns	MS	MS
VII.F.1.	Examination of the person when a prosthetic limb or device is removed	MS	MS
VII.F.2.	Repair of a prosthetic limb or similar device promptly	MS	MS
VII.F.3.	Prompt steps to provide assessment and provision of the alternative assistive device if the person requires a prosthetic limb or similar device and does not have one	MS	MS

VII.G.	Removal of HCA/AD/DME when placed in a temporary holding cell, sobering cells, or observation cells	MS	MS
VII.H.	Provision of HCA/AD/DME upon release	MS	MS
VII.H.1.	Return of personally owned HCA/AD/DME prior to release	MS	MS
VII.H.2.	Provision of HCA/AD/DME upon release if a person does not have a personal device	MS	MS
VII.H.3	Documentation of the provision of HCA/AD/DME upon release	MS	MS
VIII.	HOUSING PLACEMENTS		
VIII.A.	Housing of disabled persons in the most integrated setting Recommendation: The Expert recommends that the County continue physical plant modifications to bring accessible housing online, including full activation of the Musick facility, which will allow the County to house disabled incarcerated persons in the most integrated setting, consistent with their individual security classification, in facilities that accommodate their disabilities and in which they have equivalent access to programs, services, and activities.	PI	PI
VIII.B.	Equivalent access to out-of-cell time, programs, services, and activities Recommendations: Ensure that all persons with disabilities, including those in ADA-accessible or other specialized housing, have equal access to programs, services, and activities available to similarly situated persons without disabilities, consistent with their health and security needs. These programs include: • Dayroom and out-of-cell time If used as a recreation space, the County must ensure disabled incarcerated persons who are prescribed wheelchairs have equal access to the recreation space adjacent to Barracks G and H.	PI	PI
VIII.C.	Housing assignment system utilizing information in the ADA Tracking System	MS	MS
VIII.D.	Placement of disabled persons by Classification Recommendations: The Expert recommends that the County ensure that all persons with disabilities, including those in ADA-accessible or other specialized housing, have equal access to programs, services, and activities available to similarly situated persons without disabilities, consistent with their health and security needs. These programs include: • Dayroom and out-of-cell time.	PI	PI
VIII.E.1.	Deactivation of Sheltered Living cells	MS	AI
VIII.E.2.	Housing of persons in Sheltered Living cells only if there is no other placement consistent with classification/housing needs	MS	MS
VIII.F.	Assistance of persons with disabilities (including wheelchairs) to access the Central Men's Jail yard	MS	MS
VIII.G.	Quality Assurance Audits to ensure housing accommodations	MS	MS

VIII.H.	Development of a process to expeditiously move people to accessible housing	MS	MS
IX.	ACCESS TO PROGRAMS, SERVICES, AND ACTIVITIES		
IX.A.	Provision of information and provision of equal access to programs, services, and activities Recommendations: The Expert recommends that the County ensure that disabled incarcerated persons are provided the required out-of-cell time. Ensure that the disabled incarcerated persons are provided access to religious and educational program opportunities. Ensure that the disabled incarcerated persons are provided with accommodations to access visiting. The County should explore expanding program opportunities in Mods that currently are only offered MAT and religious programs.	PI	PI
IX.B.	Provision of assistance to persons with disabilities so that they can meaningfully participate in the Jails programs, services, and activities	MS	MS
IX.C.	Provision of reading and scribing documents (legal, medical, request forms, grievances, due process, etc.)	MS	MS
IX.D.	Equal access to library, recreational, and educational reading material	MS	AI
IX.E.1.	Logging and tracking of out-of-cell time, program participation, including acceptance, refusals, and the amount Recommendations: The Expert recommends that the County ensure the out-of-cell (dayroom and outdoor) tracking includes whether the incarcerated person with a disability accepts or refuses the out-of-cell opportunity, and if an incarcerated person accepts the out-of-cell opportunity, the amount of time spent out-of-cell or at outdoor recreation.	PI	PI
IX.E.2.	ADA Unit interviews of disabled persons on a monthly basis	MS	MS
IX.E.3.	Annual review of structured programs	AI	AI
X.	ACCESS TO WORKER OPPORTUNITIES		
X.A.	Equitable work opportunities for disabled incarcerated persons	MS	MS
X.A.1.	Job descriptions and hiring criteria	MS	MS
X.A.2.	Individualized assessment by medical staff to identify work/duty restrictions Recommendations: The Expert recommends that for the next monitoring round, the County produce the medical progress notes for the cases the Expert selects from the cases referred by the Work Deputies and ADA staff	AI	PI
X.A.3.	Consideration of reasonable accommodations by work supervisors with input from incarcerated persons	MS	MS
X.A.4.	Provision of equitable work opportunities for incarcerated persons with intellectual disabilities with appropriate accommodations Recommendations: The Expert recommends that the County produce completed "Inmate ADA Worker Proof of Accommodation	PI	PI

	Forms and Adaptive Support Logs that reflect staff assessed the incarcerated person for work accommodations.		
XI.	ACCESS TO COMMUNITY WORK PROGRAM		
XI.A.	Equitable Community Work Program opportunities for disabled incarcerated persons	MS	MS
XI.A.1.	Job descriptions and hiring criteria	MS	MS
XI.A.2.	Individualized assessment by medical staff to identify work/duty restrictions Recommendations: The Expert recommends that, for the next monitoring round, the County produce the progress notes (medical and mental health) for cases listed on the CWP Disqualification Log.	PI	PI
XI.A.3.	Consideration of reasonable accommodations by work supervisors with input from incarcerated persons	MS	MS
XI.A.4.	Provision of equitable work opportunities for incarcerated persons with intellectual disabilities with appropriate accommodations	MS	MS
XI.B.	Ending the practice of medical staff not approving people with disabilities' participation in CWP without consideration of essential functions and accommodations Recommendation: See the recommendation in section X.A.2 above.	PI	PI
XI.C.	Provision of reasonable accommodations	MS	MS
XII.	DISABILITY-RELATED GRIEVANCE PROCESS		
XII.A.1.	Informing incarcerated persons of disability grievance procedures	MS	MS
XII.A.2.	Effectively communicate grievance procedures.	MS	MS
XII.B.	Tracking of grievances that request disability accommodations	MS	MS
XII.C.1.	Availability of grievance forms	MS	MS
XII.C.2.	Addressing grievances forms internally and not refusing, destroying a grievance form, or obstructing and interfering	MS	MS
XII.C.3.	Assisting Intellectual/Developmentally disabled persons to submit grievances and appeal of grievances	MS	MS
XII.D.1.	Screening of ADA-related grievances by Housing Sergeant Recommendation: Ensure ADA-related grievances and appeals that present an urgent issue immediately provide an interim accommodation that addresses the urgent issue pending a final response to the grievance or resolve the grievance promptly with the participation of health care staff.	AI	AI
XII.D.2.	Grievance responses within fourteen days Recommendations: The Expert recommends that the County document the date when the written response to the grievances <u>is provided</u> to the incarcerated person and ensure this occurs within 14	PI	PI

	days of the receipt of the grievances. The County should also continue to work toward a solution, including through use of Axon Standards for grievances, regarding the ADA unit's notification, tracking, and management of ADA grievances that are "handled as inmate request."		
XII.D.3	When the County is unable to resolve a grievance within fourteen days. Recommendations: The Expert recommends that the County, in cases where the County is unable to resolve ADA-related grievances within fourteen days (e.g., the incarcerated person must be referred to a specialist, and the appointment will not occur within fourteen days or the grievance involves a personnel complaint), ensure the County provides a response within fourteen days communicating why the County cannot resolve the grievance within the fourteen-day deadline and, if relevant, provide information regarding any subsequent events scheduled to resolve the grievance (e.g., a specialist appointment) and address, as appropriate, the provision of interim accommodations pending resolution.	PI	PI
XII.D.4.	Grievance response requirements Recommendation: The Expert recommends that the County ensure the grievance responses include: • Whether the grievance is granted, in whole or in part, • The date of the grievance response and the date the issue was resolved (if applicable), • Clear language as to the resolution is (e.g., "the device was delivered on [DATE]") rather than "your concern was addressed"), including a clear statement with the reasoning for the decision. • The results of the medical evaluation (if applicable)	PI	PI
XII.D.5.	Input from OCSD and CHS when responding to grievances	MS	AI
XII.D.6.	Interview by the ADA Unit regarding requests for accommodation	MS	AI
XII.D.7.	Inclusion of the process for appealing the grievance response Recommendation: Ensure all grievance responses include an explanation of the process for appealing the grievance response.	AI	AI
XII.D.8.	Effective communication of grievance or appeal responses Recommendations: The Expert recommends that the County ensure staff effectively communicate all grievance and appeal responses to the grievant/appellant and document the communication method(s) used and their effectiveness	PI	PI
XII.D.9.	Provision of grievance or appeal response	MS	MS
XII.E.	Retaliation for requesting accommodations or submitting grievances	MS	MS
XIII.	ALARMS/EMERGENCIES/ANNOUNCEMENTS		
XIII.A.	Accommodations for alarms and emergencies	MS	MS
XIII.B.	Policies for alarms and emergencies are communicated to persons with disabilities using Effective Communication.	MS	MS

XIII.C.	Communicating effectively during emergencies and alarms	MS	MS
XIII.D.	Offering of vests and maintenance, and posting of a list of persons with disabilities who require accommodations during emergencies and alarms	MS	MS
XIII.E.	Prioritizing of deaf or hard of hearing during alarms, emergency announcements, and evacuations	MS	MS
XIII.F.	Effective communication of announcements Recommendation: The Expert recommends that the County provide proof of practice that staff effectively communicate verbal announcements to persons with disabilities that affect communication	PI	PI
XIII.G.	Effective communication of all written notices Recommendations: The Expert recommends that the County provide proof of practice that staff effectively communicate written notices to persons with disabilities that affect communication	PI	PI
XIV.	SEARCHES, RESTRAINTS, AND COUNT		
XIV.B.	Provision of accommodations during searches, application of restraints, and count Recommendations: Although monitoring is suspended for this provision, the Expert recommends that the County establish a uniform procedure for staff to accommodate disabled incarcerated persons when restraints are applied so they can use their assistive device and ambulate safely	MS	MS
XV.	TRANSPORTATION		
XV.A.	Provision of accommodations when in transit	MS	MS
XV.B.	Availability of prescribed ACA/AD/DME during the transport process	MS	MS
XV.C.	Use of accessible vehicles	MS	MS
XV.D.	Provision of staff assistance for mobility impairments during transport	MS	MS
XVI.	ADA TRAINING, ACCOUNTABILITY, AND QUALITY ASSURANCE		
XVI.A.	Annual staff ADA training	MS	MS
XVI.B.	Appropriate ADA training for ADA instructors	MS	MS
XVI.C.	Policies and procedures for monitoring, investigating, and tracking staff violations (or allegations of violations) of ADA requirements and Jail ADA policies Recommendations: The Expert recommends that the County ensure the County finalizes and implements the OCSD written policies and procedures for monitoring, investigating, and tracking staff violations (or allegations of violations) of ADA requirements and Jail ADA policies once the Axon Standards software is rolled out	PI	PI
XVI.D.	Development of an ADA accountability plan Recommendations: The Expert recommends that the County implement the ADA accountability plan to timely log and investigate allegations from any source that staff have violated the ADA or Jail	PI	PI

	ADA-related policies and procedures once the Axon Standards software is rolled out. Ensure violations of the ADA or Jail ADA-related policies and procedures are logged and tracked, and follow the CHS/OCSD progressive discipline policy		
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IV. Findings

A. Policies and Procedures (Section I)

- A. *It shall be the policy of the County to provide equal access to the Jail's services, programs, and activities to incarcerated people with disabilities. No person with a disability, as defined in 42 U.S.C. § 12102 and under California law, 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 shall be the policy of the County to provide reasonable accommodations or modifications where necessary to provide equal access to services, programs, or activities, consistent with the Americans with Disabilities Act ("ADA"), 28 C.F.R. § 35.130, and other applicable federal and state disability laws.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- B. *The County shall, within six (6) months of finalizing this RP and in consultation with Counsel and the joint Expert, complete revision of its policies, procedures, and practices to ensure compliance with the ADA, its implementing regulations, related federal and state disability laws, and to ensure compliance with the remedial provisions outlined herein. Implementation of revised policies, procedures, and practices will proceed expeditiously and consistently with the parties' agreement. The six-month implementation deadline will not apply to the County's development of a disability tracking system, addressed in Paragraph II.A.*

The County reported that OCSD policy revisions are ongoing. "The Grievance policy is currently being revised and will be shared with DRC and the Expert. OCSD will revise any additional policies as may be identified by DRC and the Expert." The County also reported that, "Policies were reviewed by DRC and Sabot. Will submit copies with document production."

The County has revised and implemented revisions to the following policies:

- Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities and the related forms.
- Health Care Agency Correctional Health Services Policy and Procedure 6602 Health Evaluations for OCSD Inmates who Violate Jail Rules (Effective date 4-24-24).
- Health Care Agency Correctional Health Services Policy and Procedure 1022 Inmate Workers (In-Jail and Community Work Program) (Effective 2-09-24, Revised 1-11-24)
- Health Care Agency Correctional Health Services Policy and Procedure 6002 ADA Effective Communication (Effective 6-28-24, Revised 1-23-24)

During this monitoring period, the County revised Policy 8000.11 to require that, if the EC Form is not received by the ADA unit by the end of the shift, ADA staff will contact the appropriate shift sergeant. The Expert notes that a few policies still require revision to meet the RP requirements. However, policies that have already been revised (CCOM 8000) get periodic/as-needed revisions. This shows that the County has a well-functioning policy review/update process in place.

Post tour, CHS produced the Correctional Health Services Nursing Supervisor Grievance Response Guideline. The County has not reported whether the CHS will include the RP grievance requirements in policy.

Based on this, the Expert finds that the County has partially implemented the RP requirements. The Expert recommends that the County revise and implement all applicable policies required by the SA.

Adequately Implemented (Previous Rating Partially Implemented)

Note: The County's policy revisions have been approved by both DRC and Sabot; however, substantive policy revisions related to the Remedial Plan requirements will continue to be reviewed.

B. ADA Tracking Procedures (Section II)

- A. *The County shall implement a centralized, real-time networked electronic system to identify and track all incarcerated people with disabilities and their specific accommodation needs (the "ADA Tracking System"). The County will make its best effort to implement the ADA Tracking System by January 1, 2023, and will provide notice of any delay to this timeline to allow the parties to confer and address the matter. Until the new ADA Tracking System is in place, the County shall continue to use its existing system for tracking incarcerated persons' disabilities and their specific accommodation needs ("Existing ADA Tracking System").*

The County reports that "OCSD will continue to expand and implement ServiceNow and Guardian RFID to identify and track all incarcerated people with disabilities and their specific accommodations. It is anticipated that the system will be fully developed in July 2026 and will be up and running in September 2026, following 90 days of training." The County also reported that "CHS continues to work with OCSD IT and the vendor in the build-out of the system. "

During previous on-site monitoring tours, the County reported that the SOMA application had been transitioned to ServiceNow and would be managed and supported by OCSD IT Services. ServiceNow includes over 20 modules that will interface with 30 other databases. In addition, Guardian RFID has been rolled out for tracking safety and security checks, outdoor rec, and dayroom, and has expanded to include out-of-cell time and individual tracking. The County also plans to integrate Guardian RFID with ServiceNow.

Pending the full implementation of ServiceNow, the County continues to use the existing system to track incarcerated persons' disabilities and specific accommodation needs through the OCSD's "Existing ADA Tracking System," as required by the RP.

The Expert will continue to monitor the functionality of ServiceNow and Guardian RFID once fully implemented to ensure the RP's tracking requirements are functioning as required.

Based on this, the Expert finds that the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County continue implementing a centralized, real-time, networked electronic system (ServiceNow) to identify and track all incarcerated people with disabilities and their specific accommodations.

B. The ADA Tracking System shall identify:

- 1. All types of disabilities, including but not limited to mental health, Intellectual/Developmental Disability, learning, speech, hearing, vision, mobility, dexterity, upper extremity, or other physical or sensory disabilities;*
- 2. Disability-related health care needs;*
- 3. Barriers to communication, including but not limited to Intellectual/Developmental Disability, learning, and hearing, speech, or vision disabilities;*
- 4. Accommodation needs, including but are not limited to accommodations related to housing, programming, classification, Effective Communication, adaptive supports, health care appliances, assistive devices, and/or durable medical equipment ("HCA/AD/DME");*

Please refer to Section B. A above for the Expert's analysis and observations.

The County reported, "OCSD will continue to expand and implement ServiceNow and Guardian RFID to identify and track all incarcerated people with disabilities and their specific accommodations. It is anticipated that the system will be fully developed in July 2026 and will be up and running in September 2026, following 90 days of training. "

Pending the full implementation of ServiceNow, the County continues to use the existing system to track incarcerated persons' disabilities and their specific accommodation needs with the OCSD's "Existing ADA Tracking System" as required by the RP.

The Expert will continue to monitor the functionality of ServiceNow and Guardian RFID once implemented to ensure the tracking requirements of the RP are functioning as required.

Based on this, the Expert finds that the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County continue the process of implementing a centralized, real-time networked electronic system (ServiceNow) to identify and track all incarcerated people with disabilities and their specific accommodations.

- C. *The ADA Tracking System's information shall be readily accessible to and used by all custody, medical, mental health, program, and other staff who need such information to ensure appropriate accommodations, adaptive supports, and meaningful access for persons with disabilities.*

Please refer to Section B. A above for the Expert's analysis and observations.

The County reported, "OCSD will continue to expand and implement ServiceNow and Guardian RFID to identify and track all incarcerated people with disabilities and their specific accommodations. It is anticipated that the system will be fully developed in July 2026 and will be up and running in September 2026, following 90 days of training."

Pending the full implementation of ServiceNow, the County continues to use the existing system to track incarcerated persons' disabilities and their specific accommodation needs with the OCSD's "Existing ADA Tracking System" as required by the RP.

The existing ADA Tracking System information continues to be available to custody and medical/dental and mental health staff, program staff, and work supervisors.

The Expert will continue to monitor the functionality of ServiceNow and Guardian RFID once implemented to ensure the tracking requirements of the RP are functioning as required.

Based on this, the Expert finds that the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County continue the process of implementing a centralized, real-time networked electronic system (ServiceNow) to identify and track all incarcerated people with disabilities and their specific accommodations.

- D. *The ADA Tracking System shall not be called the "Special Needs List."*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

C. Identifying People With Disabilities (Section III)

- A. *The County shall, throughout a person's time in custody, take steps to identify and verify each person's disability and disability-related needs.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- B. *During the medical intake screening conducted for every person booked into the Jail, CHS staff shall take steps to identify and verify each person's disability and disability-related needs, including based on:*

1. *The individual's self-identification or claim to have a disability;*
2. *Documentation of a disability in the individual's Jail health record and/or County (OCHCA) records;*
3. *Staff observation/referral to ADA Unit regarding a person who may have a disability; or*
4. *The request of a third party (such as a family member) for an evaluation of the individual for an alleged disability.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- C. *When conducting the medical intake screening, staff shall determine if the individual has a disability affecting communication and, if yes, provide and document the provision of Effective Communication during the medical intake screening.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- D. *CHS staff shall conduct medical intake screenings, including for disabilities, in settings that allow for reasonable privacy and confidentiality.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Monitoring Suspended Based on Previous Findings of Compliance)

- E. When conducting screening and intake, CHS shall utilize evidence-based and Trauma-Informed practices that take into account that many incarcerated people have experienced trauma.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- F. If the medical intake screening identifies that the person in custody requires any accommodations (e.g., housing, HCA/AD/DME), such accommodations shall be provided promptly to the incarcerated person. The need for such accommodations shall also be communicated to all relevant staff and documented in the ADA Tracking System/Existing ADA Tracking System.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- G. The medical staff shall immediately notify custody staff and the ADA Compliance Unit regarding a person's disabilities and disability-related needs.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- H. All disabilities and disability-related accommodation needs identified during the intake process shall be tracked in the ADA Tracking System/Existing ADA Tracking System.*

The County reported, "OCSD will continue to expand and implement ServiceNow and Guardian RFID to identify and track all incarcerated people with disabilities and their specific accommodations. It is anticipated that the system will be fully developed in July 2026 and will be up and running in September 2026, following 90 days of training. Updates to the J-112 (medical) and J-113 (mental health) were completed, and the revised forms have been in use." The County also reported that the CHS policy was updated, and that training and use of the new form were implemented."

Disability accommodation information continues to be provided to the ADA Compliance Unit staff. When received, the ADA Compliance Unit staff enter the information into the "Existing ADA Tracking System" for tracking purposes.

The County revised, incorporating input from the Expert and DRC, the J-112 form used to identify disability accommodation needs at and after intake. The County also phased out the J-105A form and implemented a new J-113 form.

The Expert recommends that relevant staff be trained on the forms and their use. This Expert will assess implementation on these forms and related procedures, likely starting in the next round.

Based on this, the Expert finds that the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County continue implementing a centralized, real-time, networked electronic system (ServiceNow) to identify and track all incarcerated people with disabilities and their specific accommodations. The County should ensure relevant staff are appropriately trained on the rollout of the new forms to ensure the procedure is consistent and effective in identifying, tracking, and implementing disability-related accommodations.

- I. *CHS shall develop a process for conducting disability-related evaluations for persons in custody after the medical intake screening. Such evaluations can occur at the request of the person in custody, staff who observe a potential need for accommodation, or third parties. Like the medical intake screening, such evaluation shall be conducted by a qualified health care professional to determine whether a person has a disability and, if yes, any reasonable accommodations necessary for the person to have equal access to programs, services, and activities offered at the Jail.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

D. Orientation (Section IV)

- A. *The County shall ensure that persons with disabilities are adequately informed of their rights under the ADA, including but not limited to:*
 1. *The right to reasonable accommodations;*
 2. *The process for requesting a reasonable accommodation;*
 3. *The grievance process, location of the forms, and process for getting assistance in completing the grievance process;*
 4. *The role of the OCSD and CHS ADA Coordinators and methods to contact them;*
 5. *Instructions on how persons with disabilities can access health care services, including the provision of Effective Communication and other accommodations available in accessing those services; and*
 6. *The availability of and process for requesting access to auxiliary aids, including sign language interpreters and other accommodations for people with disabilities affecting communication.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- B. Upon booking, persons with disabilities shall receive, in an accessible format (including in the Spanish language), an orientation video regarding rules or expectations. Once they are housed, persons with disabilities shall receive, in an accessible format (including in the Spanish language), the Jail rules, the ADA information brochure, and the ADA inmate qualifications/acknowledgment of rights/programs form as part of the initial ADA interview process conducted by the ADA Compliance deputies.*

As noted in the sixth report, two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Adequately Implemented)

- C. The County shall ensure that all information from the orientation process is communicated effectively to people with communication-related disabilities. The County shall ensure that any orientation videos are available with closed captioning and in the Spanish language.*

As noted in the sixth report, two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Adequately Implemented)

- D. The County shall post an ADA Rights Notice that provides information about incarcerated persons' rights under the ADA, reasonable accommodations, and contact information for the ADA Coordinator. The Notice shall be prominently posted in all housing units, in the booking/intake areas, in medical/mental health/dental treatment areas, and at the public entrances of all Jail facilities.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- E. The County shall ensure that staff orient and provide individualized support for persons who are blind, low vision, deaf, hard of hearing, or who have Developmental or Intellectual disabilities when the County initially places such people in housing or transfers such people to a new housing unit. The orientation must be effectively communicated to ensure that the person with a disability can safely navigate the housing unit and understands how*

to request assistance, including from staff working in the housing unit. The nature and extent of the orientation will depend on individual need.

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

E. Effective Communication (Section V)

- A. *For people with disabilities affecting communication, the County shall assess each person's Effective Communication need and shall provide Effective Communication based on individual need.*

The County reported that, "OCSD will continue to reinforce training and provide reminders to ensure compliance with effective communication requirements for due process encounters. OCSD is performing audits to ensure effective communication is being provided during due process events and is taking corrective action when necessary (e.g., following up with staff and providing reminders). Recently, OCSD sent out a briefing memo regarding an update to Policy 8000.11(d) requiring all effective communication forms to be submitted to the ADA Compliance Unit by the end of the staff member's shift, otherwise the ADA Compliance Unit will contact the appropriate shift sergeant to assist in obtaining the completed form." The County also reported that CHS created a guideline for staff on the three (3) options available to utilize to ensure SLI is utilized for patients needing it. Staff education was conducted, and audits are ongoing to ensure the preferred form of communication is used by staff. Results of the audits will be provided with documentation production.

The Health Care Agency Correctional Health Services Policy and Procedure 6002 (ADA Effective Communication) includes a process for CHS staff to assess an incarcerated person's Effective Communication needs during the health care intake screening. The CHS implemented a revised J-112 (Medical & ADA Notification Form). All medical and ADA alerts (previously split between the J-112 & J-105A forms) are now captured solely on the J-112. The ADA Accommodations section was expanded with dropdowns, and a new section was added for any Effective Communication needs. The J-112 is provided to classification staff and the ADA Compliance Unit, and it is entered into the Existing ADA Tracking System. The process improvements are positive and are expected to improve workflows and system efficacy.

The CHS has a process in place for medical providers to identify Effective Communication needs and to provide and document the accommodations during clinical encounters. The CHS policy also requires medical staff to access the ADA Tracking System or the patient's EHR, as applicable, to identify whether the patient requires reasonable accommodations for Effective Communication prior to routine health encounters. CHS staff are also required to document the provision of Effective Communication in the patient's health record using an ADA Effective Communication form or directly enter the Effective Communication provided in the electronic medical record (electronic Effective Communication Form).

During a previous tour, the CHS leadership reported that in April 2025, an “Alert” was implemented in the health record to prompt users/clinical staff to document Effective Communication before closing out the progress note/file. This new “Alert” was reviewed by the Expert during the on-site review.

To measure the County’s compliance with the requirement to provide Effective Communication, the Expert randomly selected 32 cases where the incarcerated person was identified as having a disability that affects communication. The Expert reviewed the medical progress notes in the EHR to determine if the medical staff provided and documented Effective Communication during the encounters. Listed below is a summary of the review:

- In 21 of the 32 cases, documentation of Effective Communication was sufficient. In these cases, the incarcerated persons had the following disabilities, and their preferred method of communication was as follows:
 - Fourteen cases with a hearing disability and their preferred methods of communication were: PocketTalker, speak loudly, speak slowly, speak loud and clear, hearing aids, and/or speak loud and slowly. In all medical encounters (medical, dental, and mental health) for this group, Effective Communication was provided and documented by medical staff.
 - Seven (7) cases with an intellectual/developmental disability, and their preferred method of communication is speaking slowly or speaking clearly. In all medical encounters (medical, dental, and mental health) for this group, Effective Communication was provided and documented by medical staff.

Examples where the provision of Effective Communication was not adequate:

- An incarcerated person with a hearing disability (preferred method of communication ASL) – Of the 22 medical encounters, an SLI/VRI was provided in ten (10) encounters, written communication was provided in six (6), verbal communication was provided in one (1), other form of communication was provided in one (1), in four (4) the incarcerated person refused VRI, and in one (1) the VRI was down.
- An incarcerated person with a hearing disability (preferred method of communication ASL) – Of the ten (10) medical encounters, an SLI/VRI was provided in four (4) encounters, written communication was provided in five (5) (VRI was down in one (1), and there was no notation of communication in one (1).
- An incarcerated person with a hearing disability (preferred method of communication ASL) – Of the 11 medical encounters, an SLI/VRI was provided in nine (9) encounters and written communication was provided in two (2), with no access to VRI in one (1).
- An incarcerated person with a hearing disability (preferred method of communication: Certified Deaf Interpreter [CDI]). A Certified Deaf Interpreter is needed when a deaf person's communication needs are not adequately met by a hearing interpreter alone, such as in complex situations, such as due-process or medical encounters, or when the deaf person uses a non-standard sign language. CDIs are crucial for bridging cultural and linguistic gaps, especially for deaf individuals with limited language skills, visual impairments, or who use a different signed language, ensuring accurate and effective communication. – Of the 17

medical encounters, a VRI was provided in 15 encounters (there was no indication that a CDI was used in all 15), one (1) hand gestures, and one (1) written.

- An incarcerated person with a hearing disability (preferred method of communication ASL) – Of the 44 medical encounters, an SLI/VRI was provided in 15 encounters, nine (9) refused VRI (used written communication in 2), 18 written communication was provided (in 4 VRI was unavailable), and in two (2) verbal communication.

The County has implemented revisions to the Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities, which include an Effective Communication section that requires custody staff to identify incarcerated persons with Effective Communication needs and to provide and document Effective Communication as required by the RP. The form for staff to document Effective Communication has also been revised and implemented.

CHS has also implemented Policy 6002 – ADA Effective Communication. Based on the Expert's findings, the Expert continues to recommend that additional training of staff on the policy be provided, including the requirements to check and utilize the Effective Communication alert (SLI/ASL/VRI) for patients' Effective Communication needs in the EHR, and provision of the patient's primary/preferred method of communication.

The Expert determined from interviews with classification staff, staff involved in the disciplinary process (issuance and hearings), and staff involved in the service of notices to appear and service of new charges that they are aware of the requirement to identify the Effective Communication needs and document the Effective Communication accommodations provided during due process events. The County produced 1,688 completed Orange County Sheriff's Department Effective Communication forms. The completed forms include documentation of Effective Communication for the following types of encounters:

- Housing Unit Orientation (395)
- ADA Interview (672)
- Classification (307)
- Grievance (1)
- Intake ID/New charges (328)
- Release (274)
- Rules Violation (8)
- Other (6)

A review of the Effective Communication forms for the incarcerated persons whose preferred method of communication is ASL/VRI revealed the following:

- One (1) case where classification staff used written communication.
- Two (2) cases where the intake staff used written communication and gestures.
- Two (2) cases where the release staff used written communication, one (1) case lip reading.
- Two (2) cases where the Effective Communication form was not provided for the release process.

- One (1) case where simple English was used during the housing unit orientation.
- Two (2) cases where written communication was used during the housing unit orientation.

The ADA Compliance Unit staff consistently provides and documents Effective Communication for all communication disabilities. However, staff who conduct the housing unit orientation, Classification staff, Intake/ID staff, and release staff do not consistently provide the preferred method of communication (ASL/VRI) as required by the RP.

Based on this, the Expert finds the County has partially implemented the RP requirements. The Expert recommends that staff provide the preferred method of communication for clinical encounters.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County ensure that clinical and custody staff use the preferred method of communication for clinical and due process encounters, with a particular focus on cases where the incarcerated person's preferred method of communication is through a Sign Language Interpreter (SLI). The Expert also recommends that the County continue to conduct audits and, when cases are identified in which an SLI was not utilized when required, take corrective action to ensure an SLI is appropriately provided.

- B. The County shall assess all people detained at the Jail for any period of time to determine if they have a disability that affects communication. A disability affects communication if it affects hearing, seeing, speaking, reading, writing, or understanding. Persons who have disabilities affecting communication include, but are not limited to, people who are blind or have low vision, who are deaf or hard of hearing, who have a speech, learning, Intellectual/Developmental Disability, who have a traumatic brain injury, or who have a mental illness.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- C. In determining what accommodations are necessary to achieve Effective Communication, including what auxiliary aids and services may be necessary, the County shall give primary consideration to the preference of the person with Effective Communication needs.*

The revised and implemented Health Care Agency Correctional Health Services Policy and Procedure 6002 – ADA Effective Communication states, "In determining what accommodations are necessary to achieve Effective Communication, including what auxiliary aids and services may be necessary, CHS staff shall give primary consideration to the preference of the patient." The revised and implemented Custody & Court Operations Manual (CCOM) 8000 – Inmates with Disabilities also requires the identification of the incarcerated person's primary method of communication.

The County reported that “OCSD will continue to reinforce training and provide reminders to ensure compliance with effective communication requirements for due process encounters. OCSD is performing audits to ensure effective communication is being provided during due process events and is taking corrective action when necessary (e.g., following up with staff and providing reminders). Recently, OCSD sent out a briefing memo regarding an update to Policy 8000.11(d) requiring all effective communication forms to be submitted to the ADA Compliance Unit by the end of the staff member’s shift, otherwise the ADA Compliance Unit will contact the appropriate shift sergeant to assist in obtaining the completed form.” The County also reported that “CHS created a guideline for staff on the 3 options available to utilize to ensure SLI is utilized for patients needing it. Staff education was done, and audits are continuing to ensure the preferred form of communication is utilized by staff. Results of the audits will be provided with documentation production.”

CHS provided the results of the Effective Communication Electronic Health Record audits. The results are listed below.

Timeframe	Patient	Encounters	EC Form		EC Form Compliance	Primary Method Compliance
July- Dec 2025	XXXXXX	59	57		97%	66%
			Primary (Y)	Primary (N)		
			39	18		
	XXXXXX	23	23		100%	87%
			Primary (Y)	Primary (N)		
			20	3		
	XXXXXX	13	12		92%	69%
			Primary (Y)	Primary (N)		
			9	3		
	XXXXXX	15	15		100%	87%
			Primary (Y)	Primary (N)		
			13	2		
	XXXXXX	47	47		100%	94%
			Primary (Y)	Primary (N)		
			44	3		
	XXXXXX	7	7		100%	86%
			Primary (Y)	Primary (N)		
			6	1		
					Jul-Dec 2025 EC Forms Compliance	Jul-Dec 2025 Primary Method Compliance
					98%	81%
Timeframe	Patient	Encounters	EC Form		EC Form Compliance	Primary Method Compliance
July- Dec 2025	XXXXXX	59	57		97%	66%
			Primary (Y)	Primary (N)		
			39	18		
	XXXXXX	23	23		100%	87%
			Primary (Y)	Primary (N)		
			20	3		
	XXXXXX	13	12		92%	69%
			Primary (Y)	Primary (N)		
			9	3		
	XXXXXX	15	15		100%	87%
			Primary (Y)	Primary (N)		
			13	2		
	XXXXXX	47	47		100%	94%
			Primary (Y)	Primary (N)		
			44	3		
	XXXXXX	7	7		100%	86%
			Primary (Y)	Primary (N)		
			6	1		
					Jul-Dec 2025 EC Forms Compliance	Jul-Dec 2025 Primary Method Compliance
					98%	81%

The County has a process in place to identify the incarcerated person's Effective Communication accommodations, including the implementation of policy revisions and forms to ensure compliance with the RP.

However, based on the findings in Section V (E. Effective Communication), further monitoring of implementation, including whether staff consistently give primary consideration to the incarcerated person's preference for Effective Communication (ASL/VRI), will be necessary. Proof of practice through the review of completed Effective Communication forms and the implementation and utilization of ServiceNow's ADA tracking system will continue.

Based on this, the Expert finds that the County has partially implemented the RP requirements. The Expert recommends that staff provide the preferred method of communication for clinical encounters.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County ensure that clinical and custody staff give primary consideration to the incarcerated persons' preferred method of communication, with a particular focused effort on cases where the incarcerated person's preferred method of communication is through a Sign Language Interpreter (SLI). The County should continue training and use existing quality assurance procedures (audits) to ensure that staff appropriately and consistently use an SLI when indicated. Post tour, the County reported that CHS is conducting education and currently has another contract with an SLI vendor as a backup. In addition, audits are being conducted.

- D. Effective auxiliary aids and services shall be provided when simple written or oral communication is not effective. Such aids may include, but are not limited to, bilingual aides, qualified sign language interpreters, certified deaf interpreters, oral interpreters, readers, sound amplification devices, captioned television/video text displays, speech-to-text, and real-time captioning, videophones, and other telecommunication devices for deaf persons (TDDs), video relay services, video remote interpreting services, audiotaped texts, Braille materials, large print materials, screen readers, writing materials, written notes, and signage.*

The County reported that, "OCSD will continue to reinforce training and provide reminders to ensure compliance with effective communication requirements for due process encounters. OCSD is performing audits to ensure effective communication is being provided during due process events and is taking corrective action when necessary (e.g., following up with staff and providing reminders). Recently, OCSD sent out a briefing memo regarding an update to Policy 8000.11(d) requiring all effective communication forms to be submitted to the ADA Compliance Unit by the end of the staff member's shift, otherwise the ADA Compliance Unit will contact the appropriate shift sergeant to assist in obtaining the completed form." The County also reported that, "CHS created a guideline for staff on the 3 options available to utilize to ensure SLI is utilized for patients needing it. Staff education was done, and audits are continuing to ensure the preferred form of communication is utilized by staff. Results of the audits will be provided with documentation production."

The revised and implemented Health Care Agency Correctional Health Services Policy and Procedure 6002 – ADA Effective Communication lists the following Assistive Devices and Methods of Technology that are provided for Patients Needing ADA Effective Communication:

- Contracted qualified and certified translators and interpreters
- Qualified Sign Language interpreters, including American Sign Language (ASL) and Certified deaf interpreters
- Readers, speech-to-text, and real-time captioning
- Sound amplification devices
- Video Remote Interpreting (VRI)
- Video Relay Service (VRS)
- Closed captioning videos
- Speaking at an increased volume
- Speaking at a slower rate
- Providing replacement hearing aid batteries
- Large print educational handouts
- Issuing pocket talkers
- Repeating, rephrasing statements, and/or using basic language
- Allowing additional time for the patient to respond
- Vests to alert staff if the patient is hard of hearing or visually impaired
- Audiotaped texts, Braille materials, and screen readers
- Writing materials, written notes, and signage
- Providing a mental health clinical staff member to assist, when warranted, for patients with a cognitive or Developmental disability (refer to Health Care Agency Correctional Health Services Policy and Procedure Cognitive and Developmentally Disabled Patients)

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities lists the following assistance or accommodations that may be provided to incarcerated persons with Effective Communication accommodation needs:

- Use of a qualified sign language interpreter
- Use of Simple English
- Use of a bilingual aide
- Repeated statements
- Speaking slowly
- Rephrasing statements
- Using written communication
- Using lip reading (only if the inmate's preferred/primary method of communication is lip reading)
- Use of sound amplification device
- Captioned television/video text displays
- Speech-to-text and real-time captioning
- Videophones and other telecommunication devices for deaf inmates
- Braille materials

- Screen readers
- Reading documents to the inmate
- Providing magnifier
- Using large print
- Using scribe
- Any other tool that was used to facilitate Effective Communication

The County produced the following documents, which reflect that the VRI was provided for communication during the rating period (Medical):

- July 2025 – Eight (8) occasions – 70 minutes
- August 2025 – 20 occasions – 245 minutes
- September 2025 – 19 occasions – 225 minutes
- October 2025 – 18 occasions – 114 minutes
- November 2025 – Five (5) occasions – 23 minutes
- December 2025 – Two (2) occasions – 6 minutes

The Expert notes that there were two (2) occasions where an in-person interpreter was provided, and this is not reflected in the VRI/SLI usage log.

The VRI invoices reflect the following (Custody):

- July 2025 – 70 minutes
- August 2025 – 145 minutes
- September 2025 – 225 minutes
- October 2025 – 114 minutes
- November 2025 – 23 minutes
- December 2025 – 6 minutes

The County also produced OCSD Effective Communication Forms where an SLI/VRI was required for custody-related procedures. The Expert reviewed the Effective Communication Forms to determine if EC was provided/documented for all cases identified as requiring an SLI:

- Classification interview – Of four (4) encounters, one (1) case where VRI was provided. In two (2) cases, staff used written communication, and in one (1) case, the Effective Communication form was not produced.
- Housing Unit Orientation – Of four (4) encounters, two (2) cases where VRI was provided. In one (1) case, the Effective Communication form was not produced, and in one (1) case, lip reading was used.
- ADA Initial/Monthly Interview – Of (3) encounters, in all cases, a VRI was provided.
- Release – Of four (4) encounters, one (1) case where VRI was provided. In three (3) cases, no EC Form was produced.
- Intake – Of four (4) encounters, two (2) cases where VRI was provided. In one (1) case, lip reading was used (was on hold for VRI for 20 minutes), and in one (1) case, hand gestures were used.

To measure the County's compliance with the requirement to provide Effective Communication, the Expert randomly selected 32 cases where the incarcerated person was identified as having a disability that affects communication. The Expert reviewed the medical progress notes in the Electronic Health Record to determine if the medical staff provided and documented Effective Communication during the encounters. For the summary of the review, see Section V (E. Effective Communication A). Further training and quality assurance are necessary to ensure consistent implementation of this provision by CHS staff.

The County produced 1,688 completed Orange County Sheriff's Department Effective Communication forms. For the summary of the review and the Expert's analysis, see Section V (E. Effective Communication A).

The Expert also reviewed 1,257 ADA Interview/Activity Logs the County produced and noted that the Activity Logs reflect that disabled incarcerated persons are provided with auxiliary aids and services (qualified sign language interpreters, readers, sound amplification devices, captioned television/video text displays, speech-to-text, and real-time captioning, videophones, and other telecommunication devices for deaf persons (TDDs), video relay services, video remote interpreting services, audiotaped texts, large print materials, writing materials, written notes, etc.) as required by the RP.

Based on this, the Expert finds that the County has partially implemented the RP requirements. The Expert will continue to monitor this provision closely with the rollout of the ServiceNow ADA Tracking System.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County ensure that clinical and custody staff provide sign language interpretation services when oral communication is not effective, and SLI is the incarcerated person's preferred method of communication. The Expert also recommends that the County continue to conduct audits and, when cases are identified in which an SLI was not utilized when required, take corrective action to ensure an SLI is appropriately provided.

- E. The County shall ensure that staff provide Effective Communication such that persons with communication-related disabilities can participate as equally as possible in Jail programs, services, and activities for which they are qualified.*

During the on-site monitoring tour, staff interviewed stated they were provided the ADA Inmate Tracking List and that, with this list, they can identify the Effective Communication accommodation needs of incarcerated persons participating in jail programs. The specific Effective Communication accommodation needs are listed in the Current ADA Tracking List.

During the incarcerated person interviews, the incarcerated persons reported the following:

- Three (3) incarcerated persons stated that although the ADA Deputies provide reading and writing assistance, housing unit staff do not assist them and refer them to the ADA Deputies or other incarcerated persons.

The Expert was not able to confirm or refute these claims.

The ADA Interview/Activity Logs reflect entries in which ADA staff provided effective communication accommodations so the incarcerated person could participate in Jail programs, services, and activities.

The County reported that, “OCSD will continue to reinforce training and provide reminders to ensure compliance with effective communication requirements for due process encounters. OCSD is performing audits to ensure effective communication is being provided during due process events and is taking corrective action when necessary (e.g., following up with staff and providing reminders). Recently, OCSD sent out a briefing memo regarding an update to Policy 8000.11(d) requiring all effective communication forms to be submitted to the ADA Compliance Unit by the end of the staff member’s shift, otherwise the ADA Compliance Unit will contact the appropriate shift sergeant to assist in obtaining the completed form. ADA Deputies will continue to affirmatively notify incarcerated persons with communication (reading or writing-related disabilities) of their availability to assist, and the methods to request/secure such assistance from housing unit deputies and other staff. OCSD will continue to provide housing unit deputies and staff with reminders to provide or obtain assistance for incarcerated persons with communication disabilities. OCSD has provided proof of practice for Effective Communication documentation by program staff, including SLI provision, in the document production.” The County also reported that, “CHS created a guideline for staff on the 3 options available to utilize to ensure SLI is utilized for patients needing it. Staff education was done, and audits are continuing to ensure the preferred form of communication is utilized by staff. Results of the audits will be provided with documentation production.”

There has been continued progress on this RP provision. However, as in previous reports, several sub-components of this provision, discussed in this section, have been rated as Partially Implemented. There are still some concerns with the provision of Effective Communications by CHS and OCSD staff. Although custody staff interviewed reported that they are aware of the Effective Communication form, check for Effective Communication needs, and are knowledgeable of the Effective Communication requirements, there were cases where the incarcerated person’s preferred method of communication (ASL/VRI) was not used.

During the previous monitoring tour, the County provided attendance sheets for classes offered by Rancho Santiago Community College (“Rancho”) that reflected the County’s provision of accommodations and those provided by outside community providers. However, during this monitoring tour, attendance sheets were not requested. During the next monitoring round, the Expert will request a sampling size of the rosters and the accommodation forms completed by the instructors.

The Expert will continue to monitor this provision and requests that the County produce ADA Accommodation forms for staff facilitated by OCSD Programs staff and other programs, such as religious services.

Based on this, the Expert finds that the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County ensure that clinical and custody staff use the preferred method of communication for clinical and due process encounters, with a particular focus on cases where the incarcerated person's preferred method of communication is through a Sign Language Interpreter (SLI). Provide the Expert with the proof of practice for Effective Communication documentation by program staff, again with a focus on SLI provision. The Expert also recommends that ADA Deputies affirmatively notify incarcerated persons with communication (reading or writing-related) disabilities of their availability to assist and of the methods to request/secure such assistance from housing unit deputies and other staff.

F. The requirements in subsection (G) shall apply for Effective Communication in the following situations:

- 1. Due Process Events*
 - a. Classification processes;*
 - b. Jail disciplinary hearing and related processes;*
 - c. Service of notice (to appear and/or for new charges);*
 - d. Release processes;*
- 2. Clinical Encounters*
 - a. Obtaining medical history or description of ailment or injury;*
 - b. Communicating diagnosis or prognosis;*
 - c. Providing medical care (note: medical care does not include medication distribution);*
 - d. Performing medical evaluations;*
 - e. Providing mental health care;*
 - f. Performing mental health evaluation;*
 - g. Providing group and individual therapy, counseling, and other therapeutic activities;*
 - h. Providing patient's rights advocacy/assistance;*
 - i. Obtaining informed consent or refusal for provision of treatment;*
 - j. Explaining information about medications, medical or mental health procedures, treatment, or treatment options;*
 - k. Explaining discharge instructions;*
 - l. Providing clinical assistance during a medical/mental health round (note: this requirement does not apply to performing routine medical/mental health safety checks).*

The revised and implemented Health Care Agency Correctional Health Services Policy and Procedure 6002 – ADA Effective Communication lists the following clinical encounters that require the provision of Effective Communication accommodations and completion of an ADA Effective Communication:

- Health history, current ailments, and/or injuries

- Diagnosis, treatment options, and prognosis
- Health evaluations
- Individual and group therapy/counseling and evaluation sessions
- Assistance with patient's rights advocacy
- Informed consent or refusal of health care
- Explaining medications, medical or mental health procedures, and discharge instructions
- Providing clinical assistance during a medical/mental health round

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 – Inmates with Disabilities lists the following events and other processes that rise to the level of the higher standard for ensuring Effective Communication by OCSD staff:

- Classification interviews and processes
- Sergeant's Disciplinary Hearings
- Major Jail Rule Violation Interviews (e.g., serving initial copies of documents, etc.)
- Special Management Unit placement and related processes
- Service of notice (to appear and/or for new charges)

The County reported that, "OCSD will continue to reinforce training and provide reminders to ensure compliance with effective communication requirements for due process encounters. OCSD is performing audits to ensure effective communication is being provided during due process events and is taking corrective action when necessary. Recently, OCSD sent out a briefing memo regarding an update to Policy 8000.11(d) requiring all effective communication forms to be submitted to the ADA Compliance Unit by the end of the staff member's shift, otherwise the ADA Compliance Unit will contact the appropriate shift sergeant to assist in obtaining the completed form. Staff conducting housing unit orientation, Classification staff, Intake/ID staff, and release staff will be reminded to provide the preferred method of communication (in particular, VRI/SLI)." The County also reported that, "CHS created a guideline for staff on the 3 options available to utilize to ensure SLI is utilized for patients needing it. Staff education was done, and audits are continuing to ensure the preferred form of communication is utilized by staff. Results of the audits will be provided with documentation production."

To measure the County's compliance with the requirement to provide Effective Communication, the Expert randomly selected 32 cases where the incarcerated person was identified as having a disability that affects communication. The Expert reviewed the medical progress notes in the Electronic Health Record to determine if the medical staff provided and documented Effective Communication during the encounters. For the summary of the review, see Section V (E. Effective Communication A). Further training and quality assurance are necessary to ensure consistent implementation of this provision by CHS staff.

The County produced 1,991 completed Orange County Sheriff's Department Effective Communication forms. For the summary of the review and the Expert's analysis, see Section V (E. Effective Communication A).

The staff who conduct the housing unit orientation, Classification staff, Intake/ID staff, and release staff do not consistently provide deaf incarcerated persons' preferred method of communication (in particular, VRI/SLI).

Based on this, the Expert finds that the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County ensure that clinical and custody personnel use the preferred method of communication for clinical and due process encounters, with a particular focus on cases where the incarcerated person's preferred method of communication is through a Sign Language Interpreter (SLI).

G. In the situations described in subsection (F) above, Jail staff shall:

- 1. Prior to the encounter, access the ADA Tracking System or Electronic Health Record system (as applicable) and identify if the person requires reasonable accommodation(s) for Effective Communication;*
- 2. Provide reasonable accommodation(s) to achieve Effective Communication and*
- 3. Document the method used to achieve Effective Communication and how the staff person determined that the person understood the encounter, process, and/or proceeding.*

The revised and implemented Health Care Agency Correctional Health Services Policy and Procedure 6002 – ADA Effective Communication and the revised and implemented Custody & Court Operations Manual (CCOM) 8000 – Inmates with Disabilities include the RP requirements for the identification, provision, and documentation of the Effective Communication accommodations.

To measure the County's compliance with the requirement to provide Effective Communication, the Expert randomly selected 32 cases where the incarcerated person was identified as having a disability that affects communication. The Expert reviewed the medical progress notes in the Electronic Health Record to determine if the medical staff provided and documented Effective Communication during the encounters. For the summary of the review, see Section V (E. Effective Communication A). Further training and quality assurance are necessary to ensure consistent implementation of this provision by CHS staff.

The County also produced OCSD Effective Communication Forms for cases in which an SLI/VRI was required. For the summary of the review, see Section V (E. Effective Communication D).

A review of EHRs and Effective Communication Forms reveals that some medical providers and OCSD staff do not follow requirements for Effective Communication, including using the incarcerated person's preferred method of communication and accessing VRI/SLI when warranted. The County must ensure staff identify, provide, and document the incarcerated person's preferred method of communication.

The County has revised and implemented the Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities and the associated Effective Communication Form and process for custody and classification staff to identify, provide, and document the Effective Communication accommodations.

The County reported that, "OCSD will continue to reinforce training and provide reminders to ensure compliance with effective communication requirements for due process encounters. OCSD is performing audits to ensure effective communication is being provided during due process events and is taking corrective action when necessary (e.g., following up with staff and providing reminders). Recently, OCSD sent out a briefing memo regarding an update to Policy 8000.11(d) requiring all effective communication forms to be submitted to the ADA Compliance Unit by the end of the staff member's shift, otherwise the ADA Compliance Unit will contact the appropriate shift sergeant to assist in obtaining the completed form." The County also reported that, "CHS created a guideline for staff on the 3 options available to utilize to ensure SLI is utilized for patients needing it. Staff education was done, and audits are continuing to ensure the preferred form of communication is utilized by staff. Results of the audits will be provided with documentation production."

Based on this, the Expert finds that the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County ensure that clinical and custody provide the preferred method of communication for clinical and due process encounters, with a particular focused effort on cases where the incarcerated person's preferred method of communication is through a Sign Language Interpreter (SLI).

- H. Lip reading generally should not be used by staff as a means of Effective Communication. If an incarcerated person's preferred/primary method of communication is lip reading, then staff shall accommodate by speaking slowly and loudly.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- I. The County shall establish a process for logging all instances where sign language interpreters are provided to persons in custody. The County shall also log all instances where a sign language interpreter was needed but was not provided.*

The County reported that, "OCSD will continue to reinforce training and provide reminders to ensure compliance with effective communication requirements for due process encounters. OCSD is performing audits to ensure effective communication is being provided during due process events and is taking corrective action when necessary (e.g., following up with staff and providing reminders). Recently, OCSD sent out a briefing memo regarding an update to Policy 8000.11(d) requiring all effective communication

forms to be submitted to the ADA Compliance Unit by the end of the staff member's shift, otherwise the ADA Compliance Unit will contact the appropriate shift sergeant to assist in obtaining the completed form." The County also reported that, "CHS created a guideline for staff on the 3 options available to utilize to ensure SLI is utilized for patients needing it. Staff education was done, and audits are continuing to ensure the preferred form of communication is utilized by staff. Results of the audits will be provided with documentation production."

The revised and implemented Health Care Agency Correctional Health Services Policy and Procedure 6002 – ADA Effective Communication states, "In the event a SLI is not available, is waived, or refused by the patient, CHS clinical staff shall employ the most effective form of communication available (i.e., VRI) when communicating with a patient with a hearing disability. For patients refusing SLI assistance, A Refusal to Accept Treatment and Release of Liability Form is completed with the reason."

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities policy states, "Staff shall complete the Effective Communication (EC) form and notify (email) the ADA Compliance Unit and record when, for whom, and for what purpose a sign language interpreter was used. If there is a safety or security risk presented that does not permit the use of a Sign Language interpreter or VRI device, staff must document the justification for proceeding without those services on the Effective Communication (EC) form."

To measure the County's compliance with the requirement to provide Effective Communication, the Expert randomly selected 32 cases where the incarcerated person was identified as having a disability that affects communication. The Expert reviewed the medical progress notes in the Electronic Health Record to determine if the medical staff provided and documented Effective Communication during the encounters. For the summary of the review, see Section V (E. Effective Communication A). Further training and quality assurance are necessary to ensure consistent implementation of this provision by CHS staff.

The County also produced OCSD Effective Communication Forms for cases in which an SLI/VRI was required. For the summary of the review, see Section V (E. Effective Communication D).

The staff who conduct the housing unit orientation, Classification staff, Intake/ID staff, and release staff do not consistently provide deaf incarcerated persons' preferred method of communication (VRI/SLI).

Although the County has policies, procedures, and processes, including the associated forms for staff to document the provision of sign language interpreters, there were cases in which staff did not document instances when an interpreter was needed but not provided. The Expert finds that the County has partially implemented the RP requirements. The Expert will monitor these processes during the rollout of the ServiceNow ADA tracking system.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County ensure that clinical and custody staff provide the preferred method of communication for clinical and due process encounters, with a particular focused effort on cases where the incarcerated person's preferred method of communication is through a Sign Language Interpreter (SLI). .

F. Intellectual and Developmental Disabilities (Section VI)

- A. *OCSD and CHS shall develop and implement comprehensive and coordinated written policies and procedures for serving incarcerated people with Intellectual/Developmental Disabilities.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- B. *CHS will develop and adopt a comprehensive screening process for trained clinical staff to identify Intellectual/Developmental Disabilities, including cognitive deficits, adaptive functioning deficits, and adaptive support needs.*
1. *If a person is known to have or suspected of having an Intellectual/Developmental Disability, the County shall provide a secondary screening performed by a licensed clinical psychologist within seven (7) business days.*
 2. *CHS will timely contact the appropriate Regional Center and request the person's current Individualized Program Plan (IPP) with the person's authorization. Once received, health care and custody staff will review the IPP to ensure that appropriate supports and services are provided.*
 3. *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.*
 4. *CHS and OCSD will timely provide relevant information and input about a person's Intellectual/Developmental Disabilities and related needs to the OCSD Classification and ADA Compliance Unit staff for appropriate consideration as to housing, work assignments, disciplinary measures, and other relevant matters.*

The County reported that, "CHS collaborated with RCOC to establish protocols ensuring contact hours are maintained beyond standard office hours. This guarantees the timely sharing of PHI and facilitates prompt accommodations for individuals, minimizing delays and improving service responsiveness. A guideline was created for staff, and a copy will be submitted. Audit is in place. Will submit results with document production."

The County has implemented a screening process for trained clinical staff to identify Intellectual/Developmental Disabilities, including cognitive deficits, adaptive functioning deficits, and adaptive support needs. The screening process includes the RP requirements.

The Behavioral Health Counselor I's interviewed stated that they review all cases identified as having a potential intellectual/developmental disability, and where there are *Armstrong* notices for incarcerated persons identified as DD1, DD2, and DD3. Upon notification, they contact the Regional Center, contact the family, and obtain a release of information. The cases are then referred to the psychologist who conducts the evaluations. They also stated that any case in which such an evaluation was conducted more than one (1) year ago is reevaluated, and all cases in custody are reevaluated annually. After the psychologist completes the evaluation, they update the J-112 form and prepare the Adaptive Support Log for custody staff.

The CJX, TLF, and JAMF ADA Tracking Lists produced during the on-site monitoring tour include 30 incarcerated persons identified as Developmentally Disabled and nine (9) pending Intellectual/Developmental disability assessments. The County also produced 85 OCSD CHS J-112s that designated incarcerated persons as "Cognitive Disabled." The County produced a "Regional Center" spreadsheet that reflects 51 Regional Center Contacts. The Regional Center spreadsheet includes the dates the County contacted the Regional Center. A review of the dates found that the responses from the "Regional Center" are typically within one (1) day to seven (7) days.

The Regional Center spreadsheet lists five (5) cases in which it was confirmed that the incarcerated person was a current or past Regional Center client. However, it is not reflected that the County was provided with the current Individualized Program Plan (IPP) where appropriate.

The Expert previously reported that on October 21, 2025, CHS, RCOC leadership, and DRC together held a productive meeting to streamline communications and enhance interagency coordination. During this meeting, CHS and RCOC discussed a process to identify incarcerated individuals who may be RCOC clients and to share IPPs and related information, as available. The CHS has a protocol in place with multiple Regional Center Contacts to ensure timely communication, and the timeliness of the communication has significantly improved.

During the monitoring round, the County did not provide information on any cases showing that, whenever possible, the County worked with the Regional Center and any relevant County agencies to move the 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.

There are three (3) clinicians who conduct the IDD assessments at the Jail. CHS produced 45 Intellectual/Developmental disability assessments completed during the rating period. In a review of the assessments, the Expert found that in five (5) cases, the secondary screening was performed within the seven (7)- business-day requirement. In 12 cases within 14 days, in 18 cases within 30 days, in nine (9) cases within 60 days, and in one (1) case within 90 days. For the extremely overdue cases, CHS reported that these are due to refusals. CHS has indicated that it will provide the refusal forms. The County must ensure that ID/DD IPs are receiving appropriate supports, based on the initial (pre-screening) support plans and/or other staff input and/or direct observation, etc.

CHS completes and provides a Functional Performance Worksheet and J-112 to OCSD Classification and ADA Compliance Unit staff, advising them of information for consideration for housing, work assignments, disciplinary measures, and other relevant matters. Additionally, as part of the Intellectual/Developmental disability assessment, the clinician makes recommendations regarding the incarcerated person's adaptive support needs, including reminders for dayroom, outdoor recreation, showers, tooth brushing, clinical appointments, participation in clothing exchanges, assistance with reading and writing, and assessment for victimization concerns. This information is conveyed to the ADA staff, who prepare an individualized ID/DD Housing Unit Adaptive Support Needs Log for the housing unit staff where the incarcerated person is housed.

Based on this, the Expert finds that the County has partially implemented the RP requirements. Post-tour, CHS reported that screening results for future monitoring will be produced.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County take necessary steps to ensure secondary screening is conducted within the required timeline.

- C. *A multidisciplinary team that includes appropriate healthcare staff shall monitor and ensure appropriate care and support for people with an Intellectual/Developmental Disability. For each patient, the multidisciplinary team will develop an individualized plan that 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 reviewed quarterly. If a member of the team becomes aware that a person with an Intellectual/Developmental Disability has a change in (1), (2), or (3) above, the team will promptly review and, if necessary, update the person's plan.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- D. *Relevant staff, including housing deputies, the ADA Compliance Unit, and work supervisors/teachers, shall be trained and informed, as appropriate, as to (a) incarcerated people with Intellectual/Developmental Disabilities, their individualized plan, and related accommodation and adaptive support needs; and (b) staff responsibilities to provide for such needs as well as to monitor for and address any safety, vulnerability, or victimization concerns.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- E. People identified as having an Intellectual/Developmental Disability shall be provided with accommodations and adaptive supports tailored to their needs, including (but not limited to) communications at the appropriate comprehension level, more time to complete directions, and specific behavioral and activities of daily living (ADL) supports.*
- 1. Jail staff will be assigned, as appropriate, to assist with health appointments, classification or disciplinary proceedings, housing/facility transfers, and other events involving potentially complex communications.*
 - 2. The ADA Compliance Unit shall track provision of supports for people with Intellectual/Developmental Disabilities on the ADA Inmate Activity Log.*

The County reported that, "OCSD will continue to reinforce training and provide reminders regarding the documentation and reviews required of the Adaptive Support Needs Log. Currently, interim adaptive supports are provided if indicated, i.e., if an incarcerated person was previously identified as ID/DD in OJC, CDC, or Regional Center, they are immediately provided accommodations; if CHS suspects ID/DD, the incarcerated person is listed as "pending ID/DD" to let OCSD staff know adaptive supports may be needed while waiting for the physician's evaluation. OCSD and CHS are working on a policy revision regarding interim accommodations that will be provided to the Expert and DRC for review."

The County has revised and implemented the Custody & Court Operations Manual (CCOM) 8000 – Inmates with Disabilities to include the following:

"8000.13 – Inmates with Intellectual and Developmental Disabilities

e) Adaptive Support Needs Logs

1. For any inmate identified as intellectually or developmentally disabled, CHS staff shall initiate and send an Adaptive Support Needs Log to the ADA Compliance Unit via email at ADACompliance@ocsheriff.gov.
2. The ADA Compliance Unit will forward the Adaptive Support Needs Log to the appropriate housing location/guard station which houses the inmate.
3. The ADA Compliance Unit will collect all completed Adaptive Support needs Logs at the end of each calendar month, or upon the inmate's release. For those inmates still in custody, a new Adaptive Support Needs Log will be provided to the inmate's housing location for the next month.

8000.14 – Housing Inmates with Intellectual/Developmental Disabilities

- f) Staff assigned to the inmate's housing location shall use the Adaptive Support Needs Log to aid them in areas where ID/DD inmates may need reminding to complete basic life skills and tasks. Minimum standards to aid these inmates with Intellectual/Developmental Disabilities in the housing units may include, but are not limited to:
1. Showers: prompt as deemed necessary by medical/mental health staff.
 2. Brushing Teeth: prompt as deemed necessary by medical/mental health staff.
 3. Laundry Exchange: prompt during routine laundry exchange if indicated.
 4. Cell Cleaning: prompt when a cell or bed area needs cleaning. Prompt the inmate to clean their cell/bed area. If the inmate is unable to complete the task(s), please advise both shift Sergeant and CHS mental health staff to

- assist with this item. Advise Classification unit, if necessary, for possible housing change.
5. Outdoor Recreation/Dayroom: prompt when offered. Prompt the inmate to use recreational/leisure time.
 6. Clinical Appointments: prompt as deemed necessary by medical/mental health staff.
 7. Assessment for Victimization: If this box is checked, a Deputy will have a weekly one-on-one private discussion with the inmate to ensure the inmate is safe from abuse and exploitation. Intellectually or developmentally disabled inmates may be vulnerable to verbal, physical, and sexual abuse, as well as property loss through theft, coercion, and manipulation. If the inmate relays victimization concerns, staff will comply with all applicable OCSD policies and procedures to ensure the inmate's safety and/or prevent the inmate from being the victim of property loss. Staff will document their reminders and any assessments for victimization on the Adaptive Support Needs Log For additional information refer to CCOM Section 8000.13(e) - Adaptive Support Needs Log.
- g) Pressuring/Victimization: At least once per month, or within one (1) week of arrival on a new unit, BHB/ADA Deputy will conduct a private one-on-one interview to ensure the inmate is safe from abuse and exploitation
1. The BHB/ADA Deputy will document the confidential one-on-one interviews. If the inmate relays victimization concerns, staff will comply with all applicable OCSD policies and procedures to ensure the inmate's safety and/or prevent the inmate from being the victim of property loss."

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities includes the RP requirement for staff to provide incarcerated persons with Intellectual/Developmental disabilities with accommodations and adaptive supports tailored to their needs, including (but not limited to) communications at the appropriate comprehension level, more time to complete directions and specific behavioral and activities of daily living (ADL) supports. The Custody & Court Operations Manual (CCOM) 1602.5 – Discipline Policy states, "The inmate shall have access to staff or inmate assistance when the inmate is illiterate, or the issues are complex." The Custody & Court Operations Manual (CCOM) 1200 Classification Policy does not address the RP requirements for Jail staff to be assigned as an assistant, as appropriate, to assist with the classification proceedings/hearings, housing/facility transfers, and other events involving potential complex communications. The County reports that the effective communication forms serve as proof that incarcerated persons are being assisted by staff during events involving potential complex communication. Specifically, classification policy 1204.9 refers to the receipt of the J-112/J-105a form from CHS and the completion of the J-119, detailing the incarcerated person's special protocols, which are sent to the ADA Unit and tracked. The Health Care Agency Correctional Health Services Policy and Procedure 8651 – Cognitive or Developmentally Disabled Patients states, "ADA Nurse Coordinator Responsibilities may include assisting the patient with comprehension with non-emergent health interviews/appointments."

The Revised Health Care Agency Correctional Health Services Policy and Procedure 6407 – Reasonable Health Accommodations for Patients with Disabilities states, "When clinically indicated, CHS mental health clinical staff serve as assistants for patients

diagnosed with a cognitive or Developmental disability to assist with non-emergent health interviews/appointments, custody disciplinary hearings, and inter and intra-facility transfers (refer to CHS P&P 8651 – Cognitive and Developmentally Disabled Patients).”

The County produced 99 ADA Interview/Activity Logs for incarcerated persons identified as having an Intellectual/Developmental disability. The logs reflect ADA Compliance Unit staff meeting monthly with the incarcerated person to address verbal and written communication, visits, commissary, and self-care. The County also produced 282 ID/DD Housing Unit Adaptive Support Needs Logs for the months of July 2025 to December 2025. Although there has been improvement in staff logging the required adaptive supports, during the supervisor’s weekly review, there were still numerous instances in which staff did not provide or document the required adaptive supports, and supervisors did not review the logs weekly as required at CJX and TLF. The County also reported that the ID/DD Housing Unit Adaptive Support Needs Log has been revised to require supervisors to include their Personal Identification Detail.

The Adaptive Support Logs for the JAMF reflect that staff provided and documented the required adaptive supports, and supervisors reviewed the logs weekly as required.

During the on-site review, the Expert found that staff at CJX and TLF are more consistently providing and logging the required adaptive supports, and the supervisors are conducting the required weekly reviews; however, there are still some gaps. The Expert expects to see further progress in the next round.

During the previous monitoring tour, there were concerns about the lack of a process to provide *interim* adaptive supports pending an ID/DD evaluation. If certain adaptive support needs are apparent, based on a record review, previous detentions, or other factors, there should be a process to provide those adaptive supports on an interim basis pending completion of the full ID/DD evaluation and adaptive support plan. To address this, CHS advised the Expert that in the future, CHS would prepare and provide OCSD information on adaptive support needs for incarcerated persons who are pending DD evaluation. This will allow OCSD to provide the necessary support to incarcerated persons pending the DD evaluation process.

Based on this, the Expert finds the County has partially implemented the RP requirements.

Partially Implemented (Previous Partially Implemented)

Recommendations: The Expert recommends that the County ensure staff (CJX and TLF) provide and document the adaptive supports, prompts, assistance, and reminders on the Housing Unit Adaptive Support Log. In addition, the Expert recommends that the County finalize and implement the policy revision regarding interim accommodations and adaptive supports.

- F. Incarcerated people with Intellectual/Developmental Disabilities, as well as learning disabilities, will have access to easy reading books, magazines, and electronic tablet programs consistent with their reading and cognitive abilities, such that they have equal access to such materials as compared with other incarcerated people at the Jail.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- G. *CHS and OCSD staff will provide discharge planning tailored to the needs of people with Intellectual/Developmental Disabilities, including appropriate and effective linkages to housing assistance and community-based service providers.*

The County reported that “Resource packets were reviewed, and contents are aligned in all facilities. Staff education was done. Jail to Community Re-Entry Program leadership and staff are aware and are taking on the discharge planning for DD/IDD with SMI diagnosis.

The revised and implemented Health Care Agency Correctional Health Services Policy and Procedure 8651 – Cognitive or Developmentally Disabled Patients states, “Discharge Planning - CHS JCRP Clinicians are responsible for coordinating discharge planning for patients with cognitive and or Developmental disabilities, making referrals, and linking them to appropriate community providers.”

The CJX Behavioral Health Counselor I’s interviewed stated that they conduct discharge planning 30 days before the incarcerated person’s release. The County produced a packet of resources that is provided to the incarcerated person. The resource packet includes a summary of medical care while in custody, information on community resources such as housing, community programs, health clinics, drug and alcohol abuse clinics, and sober living homes, education on how to prevent the spread of COVID-19, and information on the Regional Center of Orange County. The County did not provide the discharge plans completed during this rating period.

Based on this, the Expert has determined that the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendation:

Provide the Expert with discharge plans and related documentation completed for the incarcerated persons identified as ID/DD. The Expert also recommends that ID/DD incarcerated person discharge plans be appropriately tailored to the needs of that population, in substance and in process. Engaging County Behavioral Health Services staff more directly and deliberately may help get this provision into AI.

G. Health Care Appliances, Assistive Devices, Durable Medical Equipment (Section VII)

- A. *The County shall immediately provide HCA/AD/DME to persons for whom HCA/AD/DME are a reasonable accommodation. The County shall ensure an individualized assessment*

by qualified health care staff to determine whether HCA/AD/DME is warranted and to ensure equal and meaningful access to programs, services, and activities in the Jail.

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- B. The County shall track and document the inspection and maintenance of HCA/AD/DME. Such documentation shall include the following information for each device: whether the person has all assigned HCA/AD/DME; whether the person believes the assigned HCA/AD/DME is appropriate; whether the HCA/AD/DME is in good working order; and, if the HCA/AD/DME requires repair or replacement or is inappropriate for the person, a description of the actions taken (e.g., to repair/replace HCA/AD/DME, evaluation for different HCA/AD/DME, etc.).*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- C. The County shall ensure that all County-provided wheelchairs are in working order and have features consistent with individual needs.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- D. The County shall not charge people in custody for the provision, repair, or replacement of HCA/AD/DME.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- E. Personal HCA/AD/DME. The County shall allow people to retain personal HCA/AD/DME (including reading glasses, as allowed by current policy) unless there is an individualized determination that doing so would create an articulated safety or security risk.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- 1. Where Jail staff determine it is necessary to remove an individual's personal HCA/AD/DME for safety and security reasons, the County shall immediately provide an equivalent alternative Jail-issued device unless custody staff, with supervisory review, determine and document, based on an individualized assessment, that the device constitutes a risk of bodily harm or threatens the security of the facility.*

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities includes a formalized process for custody staff to conduct and document the individualized assessment when personal HCA/AD/DME is removed from an incarcerated person.

The Safety and Security Assessment Form has been put in place to guide the implementation of this provision. The form provides an effective procedure for this RP requirement. It will also be important to ensure that this form and process are considered within the ServiceNow ADA Tracking System rollout.

The County reported that, "OCSD will continue to reinforce training and provide reminders regarding the documentation required on the Safety and Security Assessment form, including whether an alternative device was provided or no alternative was possible. OCSD will specifically address the issue with Sergeants to ensure they are involved in the process and are working with the deputies to complete the forms correctly before they are forwarded to the Watch Commanders. Corrective action will be taken as necessary."

The County reports there were 10 cases where Jail staff determined it was necessary to remove an individual's personal HCA/AD/DME for safety and security reasons.

In the review of the completed Safety and Security Assessment forms, the review found that in three (3) cases, although CHS staff stated that the removal negatively impacts the health and safety of the inmate and possession of the assistive device is medically necessary, staff did not document that an alternative device was provided. In one (1) case, custody staff reported that prior to the completion of the Safety and Security Assessment form, CHS staff had discontinued the order.

Based on the County's failure to document on the Safety and Security Assessment form whether an alternative device was provided or that no alternative was possible in two (2) cases (20% of cases reported), the Expert has determined that the County has partially implemented the RP requirement.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County ensure staff document on the Safety and Security Assessment form when Jail staff determines it is necessary to remove an individual's personal HCA/AD/DME for safety and security reasons, whether an alternative device was provided or no alternative was possible.

2. *If such a determination is made, an ADA Coordinator or supervisory level designee shall document the decision and reasons for it and shall consult with medical staff within 48 hours to determine an appropriate alternative device and/or accommodation.*

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 – Inmates with Disabilities includes a formalized process for custody staff to conduct and document the individualized assessment in cases where Jail staff determine it is necessary to remove an individual's personal HCA/AD/DME for safety and security reasons.

The County reported that, "OCSD will continue to reinforce training and provide reminders regarding the documentation required on the Safety and Security Assessment form, including whether an alternative device was provided or no alternative was possible. OCSD will specifically address with Sergeants to ensure they are involved in the process and are working with the deputies to complete the forms correctly before they are forwarded to the Watch Commanders. Corrective action will be taken as necessary."

The County reports there were 10 cases where Jail staff determined it was necessary to remove an individual's personal HCA/AD/DME for safety and security reasons.

Based on the County not documenting on the Safety and Security Assessment form whether an alternative device was provided or that no alternative was possible in two (2) cases, the Expert has determined the County has partially implemented the RP requirement.

Partially Implemented (Previous Rating Partially Implemented)

Recommendation: The Expert recommends that the County ensure staff document on the Safety and Security Assessment form when Jail staff determines it is necessary to remove an individual's personal HCA/AD/DME for safety and security reasons, whether an alternative device was provided or no alternative was possible.

3. *If an individual's personal HCA/AD/DME is in need of repair, the County shall either repair the HCA/AD/DME at the County's expense or provide the person with a replacement HCA/AD/DME at the County's expense while the person is incarcerated.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

4. *Any HCA/AD/DME provided by the County to replace an individual's personal HCA/AD/DME shall be sufficient to provide the person with safe access to the Jail's programs, services, and activities.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

5. *If the County repairs a personal HCA/AD/DME, the County shall provide the person with an interim HCA/AD/DME while the personal HCA/AD/DME is being repaired.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- F. *Prosthetics. The County shall permit any person who has a prosthetic limb or similar device and needs such prosthesis full use of such prosthesis while in custody absent specifically identified security concerns.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

1. *If a prosthetic limb or device is removed, a health care provider will examine the person as soon as possible, and not later than the next sick call after the removal, in order to address any negative impact on the health or safety of the person and to provide an alternative device and/or accommodation.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

2. *If a person requires repair or maintenance of a prosthetic limb or similar device, the County shall take prompt steps to resolve the issue, including providing interim accommodations as indicated.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

3. *If CHS determines a person requires a prosthetic limb or similar device but does not have one, the County will take prompt steps to provide appropriate assessment and timely provision of prostheses or similar device. The County will provide an alternative assistive device, based on clinical assessment and meaningful consideration of the*

individual's stated preference, as an interim accommodation to facilitate equal access to services.

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- G. *The County shall not automatically remove HCA/AD/DME when incarcerated people are placed in temporary holding, sobering, or observation cells and shall remove HCA/AD/DME only based on individualized security factors and only for the minimum time necessary.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- H. *HCA/AD/DME Upon Release. The County shall take steps necessary to address a person's disability needs upon release. In no event will a person in need of HCA/AD/DME be released without access to HCA/AD/DME that is in good working order and appropriate for the person's needs.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

1. *The County will ensure that any personally owned HCA/AD/DME that has been removed is returned to the incarcerated person prior to release from custody.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

2. *Upon release, if an incarcerated person does not have personal HCA/AD/DME or came to the Jail with HCA/AD/DME that is not adequate for the person's needs, the County will permit the person to retain any HCA/AD/DME that the County provided to the person while in custody, or the County will provide a comparable device. Jail staff may alternatively coordinate with the incarcerated person, the person's family, or friends, and/or other County agencies to secure HCA/AD/DME for the person prior to release.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

3. *The County shall document this process in a manner that (a) can be reviewed for quality assurance and (b) ensures individual tracking and an adequate inventory of HCA/AD/DME.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

H. Housing Placements (Section VIII)

- A. *The County shall house persons with disabilities in the most integrated setting appropriate, consistent with their individual security classification, in facilities that accommodate their disabilities and in which they have equivalent access to programs, services, and activities.*

The County reported that, “The Musick Facility has opened and incarcerated persons with disabilities are included among those housed at Musick. OCSD installed grab bars in non-ADA showers in the Theo Lacy Facility, which was completed by the end of January. Low bunk/low tier (“LBLT”) is already noted on the ADA Tracking List as an accommodation, but OCSD can provide a reminder that this also means that there are no stairs in the path of travel.”

During the on-site review, four Modules were activated at JAMF. Additionally, the female population from the CWJ has been relocated to the JAMF.

The County continues to make physical plant modifications, adding accessible housing, accessible features, and accessible paths of travel to ensure incarcerated persons have equivalent access to the Jail’s programs, services, and activities. Pending the additional modifications, the County’s current accessible housing for incarcerated persons who require accessible housing and features includes:

- TLF Mod O – Sector 37 and Sector 42 (28 beds)
- TLF A/E Barracks (40 beds)
- IRC Mod K – Sectors 9-14 (one cell in each Sector, six (6) cells)
- IRC Mod L – Sectors 15-20 (one cell in each Sector, six (6) cells)
- IRC Mod M – Sectors 21-26 (one cell in each Sector, six (6) cells)
- CMJ Mod O – Ward C (all 18 bunks), Ward D (18 lower bunks), and Sheltered Living (SL) 24 beds. The housing of incarcerated persons in SL requires the Assistant Sheriff’s approval.
- CWJ Mod P-13 – Eight (8) bunks
- JAMF Mod A – Sectors 1 and 2 – 16 bunks

- JAMF Mod B – Sectors 3 and 4 – 16 bunks

The Custody & Court Operations Manual (CCOM) 1200 – Inmate Classification Procedure states, “Classification and Population Management Unit (PMU) staff will take into consideration the inmate’s abilities and movement needs when assigning housing locations. Being disabled in any way is not justification for a higher security classification. Every effort will be made to accommodate inmates with mobility disabilities in their housing assignments. In the event an inmate with a mobility disability is assigned to non-ADA housing or a specific accommodation cannot be met, Classification and PMU staff will ensure that an inmate deemed to require accessible accommodations is provided with such accessible accommodations as soon as possible.”

The Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities states, “Inmates with a disability shall be housed in the most integrated setting appropriate, consistent with their individual security classification, in facilities that accommodate their disabilities and in which they have equivalent access to programs, services, and activities. Qualified inmates with a disability will have access to the same services, programs, and activities offered to other inmates of the same classification level. Inmates with disabilities will be provided accessible showers, toilets, sinks, equipment, etc., consistent with their disability and accommodation needs.”

Due to the limited number of accessible housing locations (including at CMJ) coupled with classification case factors, the County must house incarcerated persons with higher classification case factors who require accessible housing in the TLF Mod O. The opening of the JAMF brings additional accessible beds online. However, JAMF will house lower-security-level incarcerated persons and will not be able to house all incarcerated persons (specifically, higher-security-level or Protective Custody incarcerated persons). Thus, attention must continue to be paid to ensuring adequate accessible housing options across all facilities to meet the population’s needs. This is particularly true for the TLF Mod O-disabled population.

The Expert also notes, CHS’s statement, per 3/17/26 email, that “CHS is in the process of creating the option to host Telehealth appointments at JMF by April 15th.” This will enhance program access for IPs with disabilities who are eligible for JAMF placement.

Again, during the rating period, no incarcerated persons were housed in Central Men’s Sheltered Living (SL) cells. The last date an SL cell was occupied was 6/1/2024. This remains a significant accomplishment.

During previous on-site reviews, there were cases where incarcerated persons with mobility disabilities who do not require fully ADA-compliant housing reported concerns about accessibility issues in their housing units, primarily regarding (a) grab bars in showers, (b) level terrain in/out of shower areas, (c) shower space to use a shower chair and access to a shower chair, and (d) grab bars next to one’s bed or toilet. There were also inconsistencies in the TLF recreation yards and in other areas regarding the provision of chairs, which are generally useful but essential for people with mobility disabilities who cannot stand for extended periods (or sit on the floor). To address these issues, the County issued a memo reminding staff to provide chairs in the recreation areas. In addition, the County installed grab bars for showers at TLF. The shower grab bar renovations started

on December 9, 2025, and they were completed on March 10, 2026. Shower bars were installed in lower-tier showers in all housing areas, and in both upper- and lower-tier showers in Module O. During the interviews, incarcerated persons with mobility disabilities reported that the grab bars make a significant difference for shower safety and accessibility. DRC noted that it remains essential that individuals with disabilities who require accommodations beyond grab bars continue to receive them (accessible showers, shower chairs, and shower benches), and that these accessibility features be cleaned regularly and as needed. The County reported that OCSD will continue to offer access to accommodations, such as a fully accessible shower and shower chair, as determined to be medically necessary. Cleaning supplies are provided to incarcerated persons each morning so they can clean daily. Incarcerated persons may also request cleaning supplies later in the day (e.g., during their dayroom/shower).

Additionally, in review of the 1,257 ADA Interview/Activity Logs the County produced, the following cases were identified in which incarcerated persons were housed in housing not matching their accommodation needs. These short narratives are quotes from the logs:

- Rehoused from O-37-1-2 TO O-38-2-1. Not housed in ADA compliant cell
- Housed on the upper tier in Mod O despite the requirement for a low bunk/low tier. Classification and PMU were contacted to make the appropriate housing change. PMU notified ADA Compliance that there is no available low-tier housing for him that meets his other needs. They are actively looking for appropriate housing. In the meantime, Mod O staff have been notified that when it is his dayroom, they will need to escort him down the elevator and back into his dayroom through his sector door.
- Requires ADA housing. Currently living in regular LBLT housing because no ADA housing is available that is consistent with his classification.
- Spoke with Classification, there is no ADA housing for him due to his classification.

The County is making its best efforts to house persons with disabilities in the most integrated setting, consistent with their individual security classification case factors, in facilities that accommodate their disabilities and provide them with equivalent access to programs, services, and activities. As accessible housing is brought online, including the activating of all units at the Musick (JAMF) facility, the County will be in a better position to ensure that all disabled incarcerated persons are housed in the most integrated setting, consistent with their individual security classification, in facilities that accommodate their disabilities and in which they have equivalent access to programs, services, and activities. However, the County must evaluate the housing placements for individuals with similar accessible concerns listed above and ensure they are housed in areas where they can access the jail programs, services, and activities (including shower/recreation) and provide the in-cell accommodations they require as applied to all security levels.

Based on this, the Expert finds that the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendation: The Expert recommends that the County continue physical plant modifications to bring accessible housing online, including full activation of the Musick facility, which will allow the County to house disabled incarcerated persons in the most

integrated setting, consistent with their individual security classification, in facilities that accommodate their disabilities and in which they have equivalent access to programs, services, and activities.

- B. The County shall provide persons with disabilities at all classification levels with access to out-of-cell time, programs, services, and activities that are equivalent to the access provided to persons without disabilities with comparable security and classification profiles.*

The County reported that, “OCSD will continue to ensure incarcerated persons with disabilities are provided equivalent access to out-of-cell time, programs, services, and activities. It is expected that implementation of ServiceNow and Guardian RFID will help ensure out-of-cell time.”

During the monitoring tour, there was no incarcerated person housed in the CMJ Mod O Sheltered Living (SL) cells.

Although the revised and implemented Custody & Court Operations Manual (CCOM) 8000 – Inmates with Disabilities states, “Qualified inmates with a disability will have access to the same services, programs, and activities offered to other inmates of the same classification level,” due to the limited number of accessible cells/beds, the County must place incarcerated persons with higher classification case factors who require accessible housing in the TLF Mod O due to the limited number of accessible cells. Based on this, and the classification rules which prohibit the mixture of the incarcerated population, the disabled incarcerated persons who require accessible housing are not being provided with access to out-of-cell time, programs, services, and activities equivalent to similarly situated non-disabled incarcerated persons, including in-person programs (educational, self-help and computer programs), and work assignments. The County is making its best efforts to provide equivalent programming to disabled incarcerated persons with lower classifications, such as escorting them to the TLF Programs building for in-person programs and to the Green Sector for recreational opportunities.

The Expert wants to highlight that during the rating period, no incarcerated persons were housed in SL cells. The last date a Sheltered Living (SL) cell was occupied was 6/1/2024. Any use of a SL cell for an incarcerated person requires the Assistant Sheriff’s approval. If exigent circumstances require immediate housing in these cells, the Assistant Sheriff will be notified as soon as possible.

Once more accessible housing is brought online at CJX and TLF, the County will be in a better position to ensure incarcerated persons with disabilities who require accessible housing are provided equivalent access to out-of-cell time, programs, services, and activities as persons without disabilities with comparable security and classification profiles, and incarcerated persons who do not require accessible housing. There has been significant progress in program opportunities, as highlighted in Section IX of this report.

During a previous monitoring tour, issues regarding the lack of programming opportunities (in-person education and religious) for incarcerated persons with disabilities housed in the CMJ Mod O Ward C were identified. Because Mod O Ward C houses incarcerated persons with medical issues/concerns, there is a high concentration of disabled incarcerated persons housed in Mod O Ward C. The Mod O Ward C population is the only general

population (GP) classification housed at the CMJ. All other incarcerated persons at CMJ are classified as protective custody, and classification rules require that the populations cannot mix, leaving the Mod O Ward C population with limited programming opportunities. To address this concern, the County began utilizing the adjacent dayroom for in-person religious programming for the CMJ Mod O Ward C population. This remains a positive development. In addition, on March 27, 2026, the County stated, in response to DRC's reported concerns on this issue, that "OCSD is developing a schedule and any other necessary processes to ensure all inmates in Mod O may access programming opportunities." Any further updates will be assessed during the next monitoring period.

The County previously reported that the TLF Barracks' outdoor field recreation area (Green Sector) will not be available for use due to construction. As an alternative, the County will use the grassy area adjacent to Barracks G and H for outdoor recreation. The Expert toured the area and, if it were to be used as a recreation space, identified some path-of-travel concerns because the walkway is made of decomposed granite rather than concrete. In the rainy season, this would be difficult for an incarcerated person in a wheelchair to navigate the perimeter of the recreation yard (and thus may not be able to access the area at all). If used as a recreation space, the County must ensure that disabled incarcerated persons who use wheelchairs have equal access to it.

The County previously reported that, "once in use, the recreation space adjacent to Barracks G and H will be fully accessible to incarcerated persons prescribed wheelchairs and with other assistive walking devices, e.g., the area has an ADA-compliant porta potty, the perimeter path is wide enough to accommodate a wheelchair and is made of compacted decomposed granite (DG) that has been installed in a manner to provide a firm, durable surface even in wet conditions, along with drainage to ensure no pooling of water. OCSD will monitor accessibility once the recreation area is in use and adjustments may be made, if necessary. The full plans for the recreation area can be shared with the Expert and DRC during the next site visit." The parties have conferred, and there is a tentative plan to address the two deficiencies in the alternative green space, i.e., the vertical transition at the walkway entry/exit and access to an ADA restroom. OCSD further reported that it will also ensure proper drainage/no pooling of water. Additionally, OCSD confirmed that Mod O IPs are being offered access to the green space at least twice per week.

The County continues to provide lower-security classification disabled incarcerated persons residing in TLF Mod O access to the outdoor field recreation area (Green Sector) rather than the much smaller, concrete-filled interior recreation space in TLF Mod O, Sector 37 (disability cluster unit). During the monitoring tour, incarcerated persons interviewed stated that they are being provided access to the Green Sector yard. The Expert finds that the TLF Green Sector meets the RP Requirement for access to three (3) hours of recreation for incarcerated persons housed at TLF and, in some cases, provides the RP Requirement for additional recreation opportunities on a rotational basis. The Expert found that TLF currently complies with the RP requirements for recreation hours beginning at daylight.

Based on this, the Expert finds that the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: Ensure that all persons with disabilities, including those in ADA-accessible or other specialized housing, have equal access to programs, services, and activities available to similarly situated persons without disabilities, consistent with their health and security needs. These programs include:

- Dayroom and out-of-cell time

If used as a recreation space, the County must ensure disabled incarcerated persons who are prescribed wheelchairs have equal access to the recreation space adjacent to Barracks G and H. The Expert also encourages OCSD's plan to "develop[] a schedule and any other necessary processes ensuring all inmates in [CMJ] Mod O can access programming opportunities" consistent with ADA equal access requirements.

C. *The County shall maintain a housing assignment system that utilizes information in the ADA Tracking System/Existing ADA Tracking System for each person's disability needs, including, but not limited to:*

1. *The need for ground floor housing;*
2. *The need for a lower bunk;*
3. *The need for grab bars in the cell;*
4. *The need for a cell with sufficient clearance for a wheelchair;*
5. *The need for accessible toilets;*
6. *The need for accessible showers;*
7. *The need for no stairs or other obstructions in the path of travel;*
8. *The need for level terrain; and*
9. *The need for mental-health-related accommodations.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

D. *Classification staff shall not place persons with disabilities in:*

1. *Inappropriate security classifications simply because no ADA-accessible cells or beds are available;*
2. *Designated medical areas unless the person is currently receiving medical care or treatment that necessitates placement in a medical setting; or*
3. *Any location that does not offer the same or equivalent programs, services, or activities as the facilities where they would be housed, absent a disability.*

The County reported that, "OCSD will continue to ensure incarcerated persons with disabilities in accessible housing are provided equivalent access to out-of-cell time, programs, services, and activities. It is expected that implementing ServiceNow and Guardian RFID will help ensure compliance with out-of-cell time. Installation of grab bars in TLF showers has been completed."

The Custody & Court Operations Manual (CCOM) 1200 – Inmate Classification Procedure states, “Classification and Population Management Unit (PMU) staff will take into consideration the inmate’s abilities and movement needs when assigning housing locations. Being disabled in any way is not justification for a higher security classification. Every effort will be made to accommodate inmates with mobility disabilities in their housing assignments. In the event an inmate with a mobility disability is assigned to non-ADA housing or a specific accommodation cannot be met, Classification and PMU staff will ensure that an inmate deemed to require accessible accommodations is provided with such accessible accommodations as soon as possible.”

The Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities states, “Inmates with a disability shall be placed in housing that is consistent with their security classification and their accessibility needs. Qualified inmates with a disability will have access to the same services, programs, and activities offered to other inmates of the same classification level. Inmates with disabilities will be provided accessible showers, toilets, sinks, equipment, etc. consistent with their disability and accommodation needs.”

The Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities also states, “An inmate’s need for a mobility device or tapping cane in a housing unit shall not be a basis for assigning the inmate to the infirmary, a medical unit, or a mental housing unit, or for excluding the inmate from placement in those settings should they otherwise be warranted. The fact that an inmate has a disability and/or requires a reasonable accommodation shall not be a factor in determining an inmate’s security classification. Not all inmates with a mobility disability or tapping cane require an ADA accessible cell or unit. However, the inmate may still require reasonable accommodations related to their housing such as a cell with certain ADA features (grab bars), lower bunk/lower tier, or access to an ADA accessible shower facility. Where CHS staff or ADA Compliance unit staff advise the Classification Unit that an inmate requires a housing accommodation (e.g., ADA Cell, ADA Housing, lower bunk/lower tier), the Classification Unit/PMU Unit shall determine the appropriate housing location consistent with the inmate’s classification and disability-related needs.”

As in the previous monitoring tour, Classification and PMU staff stated that incarcerated persons with a disability are not placed in inappropriate security classifications simply because no ADA-accessible cells or beds are available or in designated medical areas unless the person is currently receiving medical care or treatment that necessitates placement in a medical setting; or in any location that does not offer the same or equivalent programs, services, or activities as the facilities where they would be housed absent a disability.

However, as noted in H.B above, due to the limited number of accessible cells/beds available, the County must place incarcerated persons with higher classification case factors who require accessible housing in the TLF Mod O due to the limited number of accessible cells in the CMJ Mod O. Based on classification case factors and limited accessible housing options due to physical plant issues, many disabled incarcerated persons who require accessible housing are not being provided with access to out-of-

cell time, programs, services, and activities equivalent to non-disabled incarcerated persons with like classifications. Once more accessible housing is brought online, the County will be in a better position to ensure incarcerated persons with disabilities who require accessible housing are provided equivalent access to out-of-cell time, programs, services, and activities as compared to persons without disabilities with comparable security and classification profiles, and as compared to incarcerated persons who do not require accessible housing.

In addition, on March 27, 2026, the County stated, in response to DRC's reported concerns on this issue, that "OCSD is developing a schedule and any other necessary processes to ensure all inmates in Mod O may access programming opportunities." Any further updates will be assessed during the next monitoring period.

The County must ensure that sufficient designated ADA-compliant housing is available for the mobility-disabled population.

Based on this, the Expert finds that the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County ensure that all persons with disabilities, including those in ADA-accessible or other specialized housing, have equal access to programs, services, and activities available to similarly situated persons without disabilities, consistent with their health and security needs. These programs include:

- Dayroom and out-of-cell time.

Additionally, the Expert encourages OCSD's plan to "develop a schedule and any other necessary processes ensuring all inmates in CMJ Mod O can access programming opportunities" consistent with ADA equal access requirements.

E. Sheltered Living cells

- 1. The County agrees that the Sheltered Living (SL) cells behind the O Module at Central Men's Jail create operational difficulties, including with respect to the provision of adequate out-of-cell time, program access, and socialization for incarcerated persons with disabilities. OCSD will deactivate and no longer use these SL cells for incarcerated persons with disabilities at the earliest date feasible, given COVID-related housing demands (e.g., quarantine housing) and alternative accessible housing. OCSD will begin to re-house individuals with disabilities from SL as soon as other accessible housing units are available.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Adequately Implemented)

2. *Until the Central Men's Jail SL cells are deactivated, the County shall house a person with a disability in the SL cells only if there is no other placement that is consistent with the person's classification/housing needs and meets the person's accessibility needs.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- F. *The County shall assist incarcerated persons with disabilities (including in wheelchairs) to access the Central Men's Jail yard from the elevators and to navigate the ramp leading to the yard. Staff shall ensure incarcerated persons with mobility disabilities are provided access to an accessible restroom when in the Central Men's Jail yard.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- G. *The County shall conduct periodic quality assurance audits to ensure that all people in custody who require accommodations in housing are placed in housing consistent with their needs.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- H. *The County shall develop a process to expeditiously move people in custody with disability-related needs who are inappropriately housed in an inaccessible placement to an accessible placement.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

I. Access to Programs, Services, and Activities (Section IX)

- A. *The County shall ensure that all persons with disabilities, including those in ADA-accessible or other specialized housing, are informed of and have equal access to programs, services, and activities available to similarly situated persons without disabilities, consistent with their health and security needs. Such programs, services, and activities include, but are not limited to:*

1. *Dayroom and out-of-cell time;*
2. *Outdoor recreation and exercise equipment;*
3. *Showers;*
4. *Telephones;*
5. *Reading materials;*
6. *Reading and scribing documents;*
7. *Religious services;*
8. *Educational, vocational, reentry, and substance abuse programs;*
9. *Work Assignments, including the Community Work Program;*
10. *Medical, mental health, and dental services and treatment;*
11. *Public visiting; and*
12. *Attorney visiting.*

The County reported that, “OCSO will continue to ensure incarcerated persons with disabilities in accessible housing are provided equivalent access to out-of-cell time, programs, services, and activities. It is expected that the implementation of ServiceNow and Guardian RFID will help ensure out-of-cell time.”

The revised and Implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities states, “Qualified inmates with a disability will have access to the same services, programs, and activities offered to other inmates of the same classification level. Inmates with disabilities will be provided the opportunity to work, both in the Jail and through the Community Work Program. Those who accept the opportunity will meet with the CHS ADA Compliance RN and ADA Compliance Unit. An individualized interactive process will take place to determine the type of assignment and provision of reasonable accommodations as needed to allow the inmate to participate. Staff supervising inmates must consider, with input from the inmate, reasonable accommodations that would make it possible for the inmate to perform the essential job functions and/or consider whether the inmate could, with or without reasonable accommodations, perform the essential job functions of another position. Staff shall notify the ADA Compliance Unit if they notice that an inmate with a disability is having trouble participating in programs and services, to discuss provision of reasonable accommodations as necessary to address the issue.”

The ADA Information brochure and the ADA Inmate qualifications/acknowledgment of rights/programs form, which is part of the initial ADA interview process, are consistently conducted by the ADA Compliance Unit staff. During the ADA interview, incarcerated persons with disabilities are informed about the programs, services, and activities available to them. Additionally, the Programs staff reported that staff continue to meet with every disabled incarcerated person to inform them of program opportunities. This is in addition to the ADA surveys conducted by the Programs staff. As part of the ADA surveys, Programs staff randomly select disabled incarcerated persons and provide information on programs that are available for the incarcerated persons, and also solicit information from the incarcerated persons about programs they are interested in.

The Expert has reviewed out-of-cell tracking logs (recreation) during the previous seven (7) rounds of monitoring. The results of the review have consistently found that the documentation of certain facilities or certain Mods does not reflect that the County is consistently providing the required three (3) hours of weekly recreation required by the RP.

As of August 2025, OCSD has implemented Guardian RFID, including tracking reports to accurately monitor out-of-cell time. The Expert will continue to carefully monitor the implementation and use of Guardian RFID as OCSD moves towards compliance. The standardization of documenting out-of-cell time and the development of summary compliance reports are essential for OCSD to show compliance with the Remedial Plan.

Although Guardian RFID was implemented shortly before the document production period for this report, modifications to the reports and changes to the data fields collected have been made. Some of the reports reviewed for this report contain discrepancies and anomalies, making the reported information unreliable for this reporting period. The Expert is hopeful the data and summary reports will be more reliable during the next round of monitoring.

The County will need to refine the Guardian RFID reports to accurately track out-of-cell time. With the tracking information produced by the County in future document production, the Expert will report on the County's compliance with the RP provision regarding the provision of recreation.

In a review of the 1,257 ADA Interview/Activity Logs the County produced, there were no cases where a disabled incarcerated person claimed they were not being provided the required out-of-cell time.

The County has alternative telecommunications technologies (Video Phones, Video Relay Services, and TDD). The County implemented video phone access via tablets at both jail complexes. Access to videophone technology is equal as compared to that of non-disabled incarcerated persons, as the disabled incarcerated persons have direct access to the telecommunication devices in their housing units. The disabled incarcerated persons are provided with a video phone tablet when they access the dayroom program. The County provides telephone amplification devices for incarcerated persons who are hard of hearing and who require this accommodation. In a review of the 1,257 ADA Interview/Activity Logs, there were cases in which incarcerated persons were offered/provided access to the VRS.

As reported in section F, easy reading books are available for disabled incarcerated persons. Additionally, large print reading material is available for disabled incarcerated persons. The County also provides "Books on Tape" for incarcerated persons with vision disabilities. Incarcerated persons who are interested in the "Books on Tape" are provided the service by the ADA staff. Once the ADA staff issues the audio player, the incarcerated person keeps the player with them throughout their time in custody. The incarcerated person keeps the player and a tape at all times.

- Of the 1,257 ADA Interview/Activity Logs reviewed by the Expert, there were numerous cases in which incarcerated persons were provided access to easy-to-read books, large-print reading material, a magnifying sheet, an audiobook, and/or an audio player.

As reported in sections J and K, the County provides incarcerated persons with disabilities access to Work Assignments, including the Community Work Program. The ADA Deputy asks the disabled incarcerated persons if they are interested in participating in the work

and CWP program. If the incarcerated person is interested, the ADA Deputy advises the work deputies of their interest.

The County reports that its intent is to provide incarcerated persons with disabilities access to showers by housing them in locations with accessible showers or by providing shower chairs. During previous on-site reviews, there were cases where incarcerated persons with mobility disabilities who do not require fully ADA-compliant housing reported concerns about accessibility issues in their housing units, primarily regarding (a) grab bars in showers, (b) level terrain in/out of shower areas, (c) shower space to use a shower chair and access to a shower chair, and (d) grab bars next to one's bed or toilet. There were also inconsistencies in the TLF recreation yards and in other areas regarding the provision of chairs, which are generally useful but essential for people with mobility disabilities who cannot stand for extended periods (or sit on the floor). To address these issues, the County issued a memo reminding staff to provide chairs in the recreation areas. In addition, the County installed grab bars for showers at TLF. The shower grab bar renovations started on December 9, 2025, and they were completed on March 10, 2026. Shower bars were installed in lower-tier showers in all housing areas, and in both upper- and lower-tier showers in Module O.

The County provides group and one-on-one religious services. Group religious services are provided on a rotational basis to all incarcerated persons. In the event a disabled incarcerated person requires access to an SLI, the County has a mobile iPad that is used with a Video Remote Interpreter. The iPad is also available for one-on-one religious services. The County produced three (3) ADSA Effective Communication forms reflecting a SLI was provided as an accommodation for three (3) religious encounters.

The public and attorney visiting services are accessible, and incarcerated persons with disabilities generally have equal access to the visiting programs.

Amplification devices are provided to hard-of-hearing incarcerated persons with hearing loss for use during visits.

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 – Inmates with Disabilities states, "Disabled inmates who cannot read and/or write might have difficulty gaining access to disability-related services if needed. Staff will provide these inmates with assistance with reading and writing to access services and programs. Examples include, but are not limited to, filling out inmate message slips, grievances, and commissary forms. If an inmate cannot read or write and the inmate has a disability, that information will be indicated on the inmate's J-105A form, ADA Tracking List or CHS Functional Needs List."

Staff interviewed stated they provide assistance to disabled incarcerated persons who require assistance with reading and writing. During the incarcerated person interviews, three (3) of the nine (9) incarcerated persons who identified needs in this area stated that staff do not provide assistance and that they must rely on other incarcerated persons for reading and writing support. The Expert was not able to confirm these claims.

Of the 1,257 ADA Interview/Activity Logs reviewed by the Expert, cases were identified in which incarcerated persons needed assistance with reading or writing. In these cases, the

incarcerated persons were either advised that staff would assist upon request or the ADA Deputy offered to assist or actually provided assistance. The Expert also notes that the Adaptive Support Logs indicate that the housing unit staff provide assistance with reading and writing. However, the staff does not consistently document that reading and writing assistance was offered and/or provided.

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities states, "Staff will provide reasonable modifications to jail rules, policies, and practices to enable inmates to participate in the services, programs, and activities offered to other inmates of the same classification level. Some examples of reasonable accommodations include: Assistance in reading or scribing documents (legal, medical, request forms, grievances, due process, etc.). Staff shall not provide assistance in reading legal mail, reference CCOM Policies 1900.3 and 1900.4."

All incarcerated persons are informed of the process of how to request access to medical, mental health, and dental services and treatment. Additionally, during the ADA Compliance Unit interview, disabled incarcerated persons are informed about the process for accessing healthcare (pink slip). None of the disabled incarcerated persons reported they had difficulty accessing medical services.

The County produced ADA Interview/Activity Logs that reflect that disabled incarcerated persons are provided accommodations (i.e., reading glasses, magnifying sheets, pocket talkers) so they can access programs, services, and activities.

In-person program opportunities are available at the OC jails. These programs are facilitated by OCSD program staff. There are additional in-person programs facilitated by Rancho Santiago Community College District Education facilitators. During a previous monitoring tour, Programs staff reported that at the TLF Mods, the Rancho Santiago Community College District requires a minimum of 15 participants for the class/program, and due to the limit of incarcerated persons allowed out-of-cell, OCSD cannot meet this requirement, and classes cannot be offered by Rancho Santiago Community College District educators. The County now runs three (3) groups of up to 12 incarcerated persons per group, down from four (4). The County reported that the change in the size and number of groups permitted out-of-cell is not correlated with programming groups. Rather, programming groups are limited by the Mods classroom size and the availability of other programming space (e.g., the programs building at TLF, the chapel at IRC). OCSD provides Rancho Santiago programming at every facility, except in TLF Mods (except Mod I), but is exploring the possibility of conducting Rancho Santiago programming on a rotational basis in the Mods if Rancho Santiago has instructors available.

Additionally, the Program Counselors created recruitment/introduction flyers to recruit and inform incarcerated persons at TLF about program opportunities.

Inmate Services Correctional Programs Facility Schedules for the IRC, CMJ, TLF, and JAMF program opportunities reflect the following in-person programs being offered:

- Men's Central Jail
 - Religious Services (Protestant, Christian Science, Catholic, Protestant Bible Study, Muslim, and Malachi Men)

- Self-Help (Anger Management, Back on Track, Great Escape, Orientation Workshop, Money Matters, Mental Health, and Work Readiness)
- Education/Skills (Accounting, Computers, Business, Food Service, A Skills GED, GED Math, and HiSet Testing)
- Substance Abuse (Alcoholics Anonymous, and MAT)
- Intake Release Center
 - Religious Services (Protestant Service, Bible Discipleship, Malachi Women, and Catholic Service)
 - Self-Help (Processing Group, Mental Health, Anger Management, Yoga, Great Escape, Back on Track, Creative Writing, and Work Readiness)
 - Substance Abuse (NA and AA)
- Theo Lacy Facility
 - Religious Services (Protestant, Catholic, Catholic Bible Study, Muslim Service, Protestant Bible Study, and Malachi Men)
 - Self-Help (Improve Class, Reentry, MRT, Health in Wellness, Case Management, Creative Writing, Custodial Tech, Leadership, Restorative Practices, Therapy Group, Social Skills/DBT, Street Law, Affirmative Therapy, Employment Readiness/Financial Literacy, Support Services, Great Escape, PIVOT, All In Program, Effective Parenting, Money Matters, T4C, Back on Track, Home Based Business, VR Headset, Open Processing, Custodial Tech, Men of Purpose, Diabetic Education, Shanti, Yoga, Health, and Art Therapy)
 - Substance Abuse (Smart Recovery, AA Panel, NA Panel, and MAT Group)
 - Education/Skills (ESL, Food Services, HiSet, Computers, Hazmat, and Accounting)
 - HUMV Program (Various)
 - PRIDE Program (Various)
 - TAY Program (Various)
 - Phoenix House (Various)
- James Musick Facility
 - Religious Services (Catholic, Muslim, 7th Day Adventist, Christian Science, Protestant Service)
 - Substance Abuse (NA, AA, and MAT)
 - Education/Skills (Food Service, HiSet, HiSet Math, ESL, Intro to Computers, Accounting)
 - Self-Help (PIVOT, PIVOT Continuing Ed, BOT, Self Esteem, Back on Track, Food Service, Great Escape, Seeking Safety, Effective Parenting, Parenting, Money Matters, Home-Based Business, Workforce Readiness, Book Club, and Women of Purpose)

Programs are delivered in the following locations:

- Central Men's Jail
 - 2nd Floor Classroom #1 – Max 24
 - 2nd Floor Classroom #2 – Max 14
 - 2nd Floor Computer Lab

- Mod O Dayroom Ward C
- Intake Release Center
 - 2nd Floor Multi-Purpose Room – Max 32
 - Mod J Room A (No Programs)*
 - Mod J Room B
 - Mod K Room A (No Programs)*
 - Mod K Room B (No Programs)*
 - Mod L Room A (No Programs)*
 - Mod L Room B (No Programs)*
 - Mod M Room A (No Programs)*
 - Mod M Room B (No Programs)*
 - Mod N Outdoor Rec
 - Mod N Room A
 - Mod N Room B

*Rooms utilized as Health Office, Property Overflow, and BHB Office
- Theo Lacy Facility
 - Classroom #2
 - Classroom #3
 - Classroom #4
 - Classroom #5
 - Chapel
 - Mod I – Sectors 3, 4, 5, and 6
 - Mod I – Multi-Purpose Rooms (Up and Down)
 - Mod J Multi-Purpose Room
 - Mod K Multi-Purpose Room
 - Mod L Multi-Purpose Room (No Programs)
 - Mod M Multi-Purpose Room
 - Mod N Multi-Purpose Room
 - Mod O Multi-Purpose Room
 - Mod P Multi-Purpose Room
 - Mod Q Multi-Purpose Room
 - Mod R Multi-Purpose Room
- James A. Musick Facility
 - Mod A (1) Room A
 - Mod A (1) Room B
 - Mod A (2) Room A
 - Mod A (2) Room B
 - Mod C (5) Room A
 - Mod C (5) Room B
 - Mod C (6) Room A
 - Mod C (6) Room B
 - Mod E (9) Room A
 - Mod F (11) Room A
 - Mod F (12) Room B

The County is providing in-person programs, facilitated by OCSD Inmate Services, volunteers (religious), and Rancho Santiago Community College Educators. The Programs staff continue to conduct outreach and recruitment of all GP 6-7 disabled incarcerated persons housed in CMJ and TLF Mod O. Currently, at TLF, only incarcerated persons classified as GP 6-7 (the lowest custody classifications) are eligible to participate in the in-person programs provided in the TLF program classrooms and GP 1-5 are eligible only for correspondence programs.

The County previously produced the Program's Annual Progress Review. The review reflected the following:

The "ADA Recruitment Log 7.1.24_6.30.25" contains a list of ADA individuals housed at Theo Lacy - Mod O, Men's Central Jail - Mod O, and James A. Musick Facility who have been met with throughout the reporting period during recruitment efforts by Correctional Programs staff. Please note that those listed at Theo Lacy Mod O include only incarcerated persons with GP6 or GP7 classifications. The list reflects the following:

- TLF
 - Total number of individuals recruited: 44
 - Number requesting enrollment into classes: 12
 - Number enrolled and attended: 9 (3 released before they could attend class)
 - Number completed program: 4 (others were released or dropped before program completion)
- CJX
 - Total number of individuals recruited: 42
 - Number requesting enrollment into classes: 16
 - Number enrolled and attended: 14 (1 was released and one dropped before attending classes)
 - Number completed program: 8 (6 were released or dropped before completion)
- JAMF (opened in 12/2024)
 - Total number of individuals recruited: 22
 - Number requesting enrollment into classes: 16
 - Number enrolled and attended: 16
 - Number completed program: 6 (10 were released or dropped before completion)

Disabled incarcerated persons can also participate in educational opportunities via the tablets, and the County reported that the Programs staff facilitates the provision of transcripts of educational courses completed by the incarcerated persons.

In a review of the 1,257 ADA Interview/Activity Logs the County produced, there were four (4) cases where disabled incarcerated persons requested enrollment in programs, as follows:

- Stated he was taking multiple in-person classes at TLF. Due to his new housing location (Men's Jail, Ward C), these classes are not available in person. Deputy

XXXX reached out to programs via email, asking what the best course of action is to receive classroom materials and to keep him enrolled in the classes.

- Stated she has taken programs in the past and would like to reach out to programs via a message slip to enroll. A blank Inmate message slip was provided.
- Stated he wants to attend an ESL class. Email sent to programs.
- Requested to be enrolled in the Substance Abuse class. Programs notified and responded that he is eligible, and classes will start in the fall.

The incarcerated persons with disabilities in the TLF Mod O are informed of the opportunities through direct engagement with Programs staff and the ADA Compliance Unit (e.g., during the 7-day and 30-day ADA Compliance Unit check-ins). However, during the monitoring tour, during conversations with TLF Programs leadership, they reported that delivering programs in TLF Mod O has been a notable challenge. There are reports of custody escort and/or operational challenges preventing people in Mod O from accessing group programs. Some custody staff in Mod O have said that there are “too many medical inmates” or logistical challenges to getting people to scheduled Programs. DRC recommended that OCSD leadership investigate this issue and that utilizing ADA deputies or other staff to facilitate movement and access to Programs may help address this challenge. The County reported that OCSD is developing a schedule and other necessary processes to ensure all incarcerated persons in Mod O may access programming opportunities consistent with their classification-based eligibility.

OCSD offers access to accommodations such as a fully accessible shower and shower chair as is determined to be medically necessary. Cleaning supplies are provided to the IPs each morning so they may clean on a daily basis. IPs may also request cleaning supplies later in the day (e.g., during their dayroom/shower).

With the opening of the lower security JAMF (there are no disability or mental health-related exclusions other than for those individuals needing a higher level of mental health care), the disabled incarcerated person housed at JAMF has access to a variety of in-person programs. The County should explore expanding program availability in all the mods (especially TLF Mod O, where incarcerated persons with disabilities are concentrated), including by:

- Increasing the number of individuals allowed to program in groups (taking into consideration classification and security concerns).
- Increasing the modalities of program delivery (virtual/video)
- Evaluate the location where programs can be provided (i.e., in the sectors)

The Expert notes that the Program’s leadership has indicated that if the programming group size limit were increased, the County and outside program providers would be able to expand in-person program offerings.

Module O Ward C remains the only GP housing area at CMJ, creating significant movement challenges that affect their access to programs. Programs began providing religious services for Ward C. However, the Ward C population still has less access to programming than similarly situated non-disabled incarcerated persons in the jails. As the DRC reports and the Expert agrees, this group, which may have lower classification designations, may be housed at JAMF in the future as more health care resources become available.

However, this population's programming issue will need to be addressed for the County to reach compliance with ADA Plan Section IX ("The County shall ensure that all persons with disabilities, including those in ADA-accessible or other specialized housing, are informed of and have equal access to programs, services, and activities available to similarly situated persons without disabilities, consistent with their health and security needs...."). The County reported that OCSO is developing a schedule and other necessary processes to ensure that incarcerated persons housed in Ward C receive additional programming opportunities.

The Expert will continue to monitor this component.

Based on this, the Expert has determined that the County has partially implemented the RP requirement.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County ensure that disabled incarcerated persons are provided the required out-of-cell time. Ensure that the disabled incarcerated persons are provided access to religious and educational program opportunities. Ensure that the disabled incarcerated persons are provided with accommodations to access visiting. The County should explore expanding program opportunities in Mods that currently are only offered MAT and religious programs.

- B. The County shall provide appropriate assistance to persons with disabilities so that they can meaningfully participate in Jail programs, services, and activities for which they are qualified and medically cleared.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- C. The County shall assist persons with disabilities in reading or scribing documents (legal, medical, request forms, grievances, due process, etc.).*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

Although monitoring has been suspended based on previous findings of compliance, three (3) incarcerated persons stated that although the ADA Deputies provide reading and writing assistance, housing unit staff do not assist them and refer them to the ADA Deputies or other incarcerated persons. (see Section I.A. above).

- D. The County shall provide equal access to library, recreational, and educational reading materials for persons with disabilities, including providing easy reading, large-print, and*

Braille books; a Braille writer audiobooks; accessible electronic tablet programming; and assistive technology, as necessary.

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Adequately Implemented)

Although this provision has been found to be adequately implemented, DRC continues to raise concerns about the challenging tablet distribution protocols and about how the current procedures (including non-1:1 distribution) may contribute to inequitable access.

E. The County shall log and track out-of-cell time and program participation to ensure that people with disabilities receive meaningful and equitable access to such programs and activities. At a minimum, the system shall collect information as to:

- 1. When the County offers out-of-cell opportunities (dayroom and outdoor); whether the incarcerated person with a disability accepts or refuses the opportunity; and, if an incarcerated person accepts the opportunity, the amount of time spent out of cell;*

The County reported that “It is expected that implementation of ServiceNow and Guardian RFID will help OCSD comply with this requirement of the Remedial Plan.”

As of August 2025, OCSD has implemented Guardian RFID, including tracking reports to accurately monitor out-of-cell time. The Expert will continue to carefully monitor the implementation and use of Guardian RFID as OCSD moves towards compliance. The standardization of documenting out-of-cell time and the development of summary compliance reports are essential for OCSD to show compliance with the Remedial Plan.

Although Guardian RFID was implemented shortly before the document production period for this report, modifications to the reports and changes to the data fields collected have been made. Some of the reports reviewed for this report contain discrepancies and anomalies, making the reported information unreliable for this reporting period. The Expert is hopeful the data and summary reports will be more reliable during the next round of monitoring.

The OCSD produced the following OCSD Guardian RFID Reports, Time Type Tracking Report (Dayroom), Time Tracking Report (Recreation), for the week of July 13-19, 2025. September 21-27, 2025, and November 2-8, 2025.

The Time Type Tracking Reports (Dayroom/Recreation) include the following columns:

- Inmate
- Current Housing
- Time Type
- Min. Time

- Credit Time
- Time Left
- Time Status
- Total Duration
- Credit Days
- Custody Days

The Expert utilized the September 21-27, 2025, reports to review out-of-cell access. The Expert conducted an analysis of the data from the Time Type Tracking Reports from each Module to determine if incarcerated persons were being provided and/or offered at least three (3) hours per day in a dayroom or other common area, for a total of at least twenty-one (21) hours per week and three (3) hours of recreation.

- CMJ Mod O Ward C/D – Reflects that of 10 incarcerated persons, seven (7) were provided/offered with three 3 hours of outdoor recreation.
- IRC Mod L – Reflects that of 16 incarcerated persons, seven (7) were provided/offered 21 hours of dayroom, and nine (9) were provided/offered three (3) hours of outdoor recreation.
- TLF Mod O – Reflects that of 47 incarcerated persons, 14 were provided/offered with three 21 hours of dayroom, and 11 were provided/offered three (3) hours of outdoor recreation.

Based on DRC's concern regarding CMJ Mod O refusals for rooftop recreation due to reported perceptions that IPs with disabilities do not have access to an accessible toilet on the roof, the County's reported in a 3/27/26 correspondence: "To make IPs in Mod O aware of accessible toilet availability, a sign in English, Spanish, and Vietnamese has been placed in Mod O Ward C, Ward D, the Roof Recreation elevator vestibule, and the Roof Recreation guard station." The Expert will review the signs during the next monitoring round.

Based on this, the Expert finds that the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Not Implemented)

Recommendations: The Expert recommends that the County ensure the out-of-cell (dayroom and outdoor) tracking includes whether the incarcerated person with a disability accepts or refuses the out-of-cell opportunity, and if an incarcerated person accepts the out-of-cell opportunity, the amount of time spent out-of-cell or at outdoor recreation.

2. *The ADA Compliance Unit shall interview incarcerated persons with disabilities on a monthly basis. If, during the interview, the ADA Compliance Unit discovers that a person with a disability has refused offers for outdoor recreation three times in a row or has refused offers for dayroom three times in a row, the ADA Compliance Unit shall inquire and document the reason(s) for the refusal. The ADA Compliance Unit shall inquire whether a disability accommodation, mental health referral, or other action is needed to afford meaningful access and shall document the action taken in the*

incarcerated person's ADA Inmate Activity Log. During the monthly meeting, the ADA Compliance Unit will also provide the incarcerated person with a message slip to contact the ADA Compliance Unit regarding any disability issues. If, at any time prior to the monthly interview, any member of the ADA Compliance Unit becomes aware that an incarcerated person with a disability may need a disability accommodation, mental health referral, or other action to afford meaningful access to out-of-cell opportunities, the ADA Compliance Unit will meet promptly with the incarcerated person and document the action taken in the incarcerated person's ADA Inmate Activity Log.

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

3. *The County shall conduct an annual review to determine whether the County offers structured programs and activities, including, but not limited to, religious, educational, vocational, reentry, and substance abuse programs, on an equal basis to people with disabilities and whether there are access/accommodation barriers to be addressed.*

During the previous review, the County produced the Orange County Sheriff's Department Annual Progress Review ADA – Rights of People with Disabilities 7/1/24 – 6/30/25.¹ The Progress Review states, "The County has conducted an assessment to determine if structured programming including religious, educational, vocational, reentry, and substance abuse programs, is being offered on an equal basis to people with disabilities that are housed within the Orange County Jails. The following report will reflect a list of current programs that are offered to individuals within our jails regardless of ADA status, a snapshot of outcomes for ADA clients who enrolled and participated in programming throughout the review period 7/1/24 through 6/30/25, actions taken to expand services in Mod O housing units, and gaps that are needing to be addressed and corrective measures that will be taken." The Progress Review also included the following:

- Reference to the Programs List (Programs and Reentry Profile 8.1.25)
- Enrollment and Participation Outcomes (ADA Recruitment Log 7.1.24_6.30.25)
- Assessment of ADA individuals who were housed in the OCSD jails during the rating period (ADA Inmates_Total_7.1.24_6.30.25)
- Expansion of Services (Bi-Weekly recruitments, ADA Surveys, TLF Mod O, Religious Services CJX Mod O Ward C, Programs data integration, and ADA Accommodations proof-of-practice.
- Gaps and Corrective Measures

The Annual Progress Review includes a review of the following programs to determine whether the County offers structured programs and activities, including, but not limited

¹ The Annual Review will be due for the period of 7/1/25 to 6/30/26.

to, religious, educational, vocational, reentry, and substance abuse programs, on an equal basis to people with disabilities and whether there are access/accommodation barriers to be addressed.

- Educational Classes
- Behavior Modification Programs
- Re-Entry Programs/Classes
- Vocational Classes
- Substance Abuse Classes/Programs
- Life Skills Classes
- Religious Services

Based on this, the Expert has determined that the County has adequately implemented the RP requirement.

Adequately Implemented (Previous Rating Adequately Implemented)

J. Access to Worker Opportunities (Section X)

- A. *The County shall ensure equitable work opportunities for incarcerated persons with disabilities. Incarcerated people with disabilities who can perform the essential functions of a position, with or without accommodations, shall be considered for and placed into work opportunities in the same manner as incarcerated people who do not have disabilities and who are similarly situated with respect to other factors unrelated to disability (e.g., classification level, individualized security considerations).*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended)

1. *To ensure equitable work opportunities for incarcerated people with disabilities, the County shall: Ensure clear job descriptions that include the essential functions and clear hiring criteria that do not inappropriately screen out people with disabilities;*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

2. *To ensure equitable work opportunities for incarcerated people with disabilities, the County shall: Ensure that medical staff conduct an individualized assessment to identify work duty restrictions and/or physical limitations in order to ensure appropriate work assignments and reasonable accommodations on the job;*

The County reported that, “CHS continues to do the audits and will provide the progress notes needed in the next round.”

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities states, “Inmates with disabilities will be provided the opportunity to work, both in the Jail and through the Community Work Program Those who accept the opportunity will meet with the CHS ADA Compliance R.N. and ADA Compliance Unit An individualized interactive process will take place to determine the type of assignment and provision of reasonable accommodations as needed to allow the inmate to participate.”

The County previously produced HCA CHS Policy and Procedure 1022 – Inmate Workers. The policy includes medical criteria and specific health conditions that require a sick call appointment for clearance. The policy requires that medical staff confer with the ADA nurse coordinator, and after the evaluation is completed, for temporary or permanent disability related to mobility, dexterity, vision, hearing, or speech, an ADA Nurse Coordinator will communicate the necessary reasonable health accommodations to the OCSD ADA Compliance Unit and enter Work Program Clearance Status in the patient’s EHR. For cognitive, intellectual, and developmental disabilities, medical staff must confer with a CHS psychologist. For mental health diagnosis, medical staff must confer with a mental health clinician. For unstable medical conditions, medical staff must confer with a CHS medical provider.

The HCA CHS Policy and Procedure 1022 – Inmate Workers states:

Senior Nurse/Supervising Nurses receive inmate (in-jail and CWP) worker eligibility screening lists from OCSD’s Work Deputy for patients housed within Orange County Jail facilities prior to a patient receiving a work assignment.

- Senior/Supervising Nurse or assigned clinical staff designee will conduct a chart review to ensure the patient is:
 - Free from withdrawing from illicit drugs or alcohol.
 - Physically and mentally capable of working, including with the provision of health-related or disability-related accommodations and/or adaptive supports.
 - Assigned clinical staff reviewer will confer with appropriate CHS clinical staff or schedule appropriate follow-up sick call appointment(s) whenever health status is unclear upon reviewing patient’s EHR (refer to table in Section B for scheduling appropriate appointments).
 - Not currently placed in medical isolation/quarantine

The CHS produced the Quick Guide for DRC & Sabot: CHS Work Program Eligibility – Current Practice. The guide states:

“Correctional Health Services (CHS) clinical staff currently complete a health screening clearance before any patient receives a work assignment from the Orange County Sheriff Department’s (OCSD) Work Deputies. This applies to both in-jail work assignments and out-of-custody work programs (e.g., Community Work Program –

CWP). When necessary, CHS determines temporary or permanent health/disability accommodations and communicates these to OCSD personnel to ensure equal access to work program opportunities.

The CWP health screening process is fully aligned with the screening and clearance process for in-jail work assignments, ensuring consistency across all programs.

Medical and Mental Health Holds During Intake

Patients on health or mental health medications are not excluded from work programming unless their current condition prevents them from being physically or mentally capable of working, even with accommodations or adaptive supports.

- During intake triage screening, CHS places patients on temporary Medical or Mental Health holds when health and safety concerns arise. These holds allow time for stabilization, coping, and therapeutic effect, particularly when medications are required for substance withdrawal or mental illness.
- Patients are scheduled on the RN Calendar for medical concerns and referred to Mental Health Clinical Sick Call for mental health safety needs. These appointments ensure timely reevaluation, with the goal of removing work holds once the patient is stable and able to participate.

OCSD Screening Lists

OCSD provides CHS with inmate worker eligibility lists for both in-jail and CWP assignments. Senior Nurses or Supervising Nurses receive and review these lists prior to any work assignment.

- The assigned nurse or clinical staff designee conducts a chart review to confirm:
 1. The patient is free from withdrawal from illicit drugs or alcohol.
 2. The patient is physically and mentally capable of working, including with accommodations or adaptive supports as needed.
- When health status is unclear, CHS staff confer with appropriate clinical staff or schedule follow-up sick call appointments. This includes cases where patients are in medical isolation or quarantine.
- All chart reviews and assessments are documented in the patient's Electronic Health Record (EHR) under a clearly marked Progress Note, including:
 1. Required accommodations for participation.
 2. Reasons for any work hold, along with a timeline and reevaluation plan.

Privacy and Communication

CHS staff safeguard patient health information by adhering to HIPAA guidelines when reporting work clearance status to OCSD. Only generalized statements appear on the inmate screening worker eligibility list provided by OCSD."

The ADA Deputies reported that they query all disabled incarcerated persons about their interest in work opportunities during the initial and monthly ADA Interviews. In cases where a disabled incarcerated person informs the ADA Deputy that they are interested in a work assignment, they refer the case to the Work Deputy and Classification for a custody eligibility review. The ADA Deputies also reported that they refer the case to the CHS ADA RN for a medical review. The CHS ADA Nurse's

reported that once a disabled incarcerated person is referred to CHS by the ADA Deputy, they conduct a work clearance evaluation/interview to determine the assignments the incarcerated person can be assigned to. When they cannot make the determination for work clearance, they refer the case to a medical provider for review. Additionally, the case is referred to mental health staff for a mental health review/clearance.

Medical providers interviewed stated that all incarcerated persons are eligible to work and that, in conducting the review, the incarcerated person is not automatically excluded based on a disability or a chronic medical condition. They stated that incarcerated persons are interviewed and that they identify the physical limitations and duty restrictions for each incarcerated person. They also stated that the Work Status (Work With Restrictions/No Work) is documented on an HCA Medical Message Slip, which is provided to custody staff and to the incarcerated person, in addition to being documented in the progress notes.

The Behavioral Health Clinicians stated they conduct the in-custody work and CWP mental health clearances. They reported that they would conduct a chart review, and if the person is not in mental health acute or chronic housing, they would be eligible to work. For people who are housed in the chronic and acute mental health units, they would advise that custody staff resubmit the case 30 days after release from the mental health units. Medical and mental health staff reported that a medical message slip would be provided to custody staff listing the physical limitations.

During the Medical Intake Screening, the Expert notes that the following work-related information is documented by the RN:

- Work Status
 - Cleared for work
 - Cleared for work with accommodations(s) needed
 - Hold for medical follow-up
 - Hold for mental health follow-up
 - Mental health referral
 - Medical Case Management Sick call

The Medical Intake RN reported that the cases not cleared for work would be reviewed for work clearance by medical and mental health staff. Medical and mental health staff reported that health care clearance assessments are logged in the health record as a progress note.

As part of document production, the County produced the following documents:

- Excel Spreadsheet “Medical Work Hold” (entries for bookings for November and December 2025)
 - List includes 6 cases
 - Progress notes for 5 cases
- Excel Spreadsheet “MH Work Hold”
 - List includes 14 cases
 - Progress notes for 14 cases
- Excel Spreadsheet “ADA Workers July-Dec 2025

- The list reflects 76 disabled incarcerated persons were assigned to worker positions during the document review period

The progress notes reviewed reflect that all MH cases were on “MH Hold” due to being housed in the acute sector or hospital. The medical cases were on hold due to medical isolation (1), medical treatment (1), hospital (1), and 1 did not include the reason for the hold. One (1) case was approved for work with restrictions.

Based on this, the Expert has determined that the County has adequately implemented the RP requirement.

Adequately Implemented (Previous Rating Partially Implemented)

3. *To ensure equitable work opportunities for incarcerated people with disabilities, the County shall: Ensure that staff supervising incarcerated workers consider, with input from the incarcerated person, reasonable accommodations that would make it possible for the incarcerated person to perform the essential job functions and/or consider whether the incarcerated person could, with or without reasonable accommodations, perform the essential job functions of another position.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

4. *To ensure equitable work opportunities for incarcerated people with disabilities, the County shall: Ensure equitable work opportunities for incarcerated persons with Intellectual disabilities, with appropriate accommodations and supports (e.g., additional supervision and training, modified production expectations, expanded timeframes for completion of projects, etc.).*

The County reported that, “OCSO has developed forms for documenting accommodations, including effective communication, for incarcerated persons with disabilities who are assigned to work in the jails (non-CWP). The form has been provided to the Expert and DRC for review.”

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities states, “Relevant staff, including housing deputies, the ADA Compliance Unit, and work supervisors/teachers shall be informed, as appropriate, as to: inmates with Intellectual/Developmental Disabilities, their individualized plan, and related accommodations and adaptive support needs and staff responsibilities to provide for such needs as well as to monitor for and address any safety, vulnerability, or victimization concerns.”

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities states that work supervisors/teachers shall be informed as appropriate as to the incarcerated persons with Intellectual/Developmental Disabilities,

their individualized plan, related accommodations, adaptive support needs, and staff responsibilities to provide for such needs.

The Work Deputies interviewed stated that in the event the individual could not perform the essential functions of the work assignment, the supervisor would provide reasonable accommodations for the individual to perform the assignment, and in cases where they cannot perform the essential functions of a particular job even with an accommodation, the individual would be placed in another work assignment where they could be accommodated.

The County has developed an "Inmate ADA Worker Proof of Accommodation Form." The form has been reviewed by DRC and the Expert. Once implemented, completed forms will need to be produced during the next monitoring review.

The County also reported that the Adaptive Support Log has been revised to include a section for staff to assess intellectually disabled incarcerated persons for work accommodations. The Expert will assess this requirement during the next monitoring round.

Based on this, the Expert has determined that the County has partially implemented the RP requirement.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County produce completed Inmate ADA Worker Proof of Accommodation Forms and Adaptive Support Logs that reflect staff assessed the incarcerated person for work accommodations.

K. Access to Community Work Program (Section XI)

- A. *The County shall ensure equal access to the Community Work Program (CWP) for people with disabilities. People with disabilities who can perform the essential functions of a CWP position, with or without accommodations, shall be considered for and placed into CWP opportunities in the same manner as people who do not have disabilities and who are similarly situated with respect to other factors unrelated to disability (e.g., classification level, individualized security considerations).*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended)

1. *To ensure equitable CWP opportunities for people with disabilities, the County shall: Ensure clear job descriptions that include the essential functions and clear hiring criteria that do not inappropriately screen out people with disabilities;*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

2. *To ensure equitable CWP opportunities for people with disabilities, the County shall: Ensure that medical staff conduct an individualized assessment to identify work duty restrictions and/or physical limitations in order to ensure appropriate CWP assignments and reasonable accommodations on the job;*

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities states, "Inmates with disabilities will be provided the opportunity to work, including Community Work Program. Those who accept the opportunity will meet with the CHS ADA Compliance RN and ADA Compliance Unit. An individualized interactive process will take place to determine the type of assignment."

The Expert addresses the County's workflow process for this requirement in detail in Section J. A. above.

During the monitoring tour, the County provided the Expert with cases (CWP Disqualification Log) that had not been cleared for CWP by medical and mental health staff. The list includes 11 cases (mental health).

The Expert reviewed the County's progress notes. In review of the progress notes, the Expert found that progress notes for the 11 cases listed in the CWP Disqualification Log were not included in the document production. Based on this, the Expert could not measure the County's compliance with this provision.

In the next monitoring round, the Expert requests that CHS produce the progress notes (medical and mental health) for cases listed on the CWP Disqualification Log.

The County reported that CHS will provide documentation as requested in the next round.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that, for the next monitoring round, the County produce the progress notes (medical and mental health) for cases listed on the CWP Disqualification Log.

3. *To ensure equitable CWP opportunities for people with disabilities, the County shall: Ensure that staff supervising CWP workers consider, with input from the incarcerated person, reasonable accommodations that would make it possible for the person to perform the essential job functions and/or consider whether the person could, with or without reasonable accommodations, perform the essential job functions of another CWP position.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

4. *To ensure equitable CWP opportunities for people with disabilities, the County shall: Ensure equitable CWP opportunities for incarcerated persons with Intellectual disabilities, with appropriate accommodations and supports (e.g., additional supervision and training, modified production expectations, expanded timeframes for completion of projects, etc.).*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- B. *The County shall end its practice of medical staff not approving people with disabilities for participation in the CWP based on a person's disabilities absent meaningful consideration of essential job functions and reasonable accommodations.*

The Expert addresses this provision in detail in Sections J. A. and J. A. 2. above.

In the next monitoring round, the Expert requests that CHS produce the progress notes (medical and mental health) for cases listed on the CWP Disqualification Log.

Based on this, the Expert has determined that the County has partially implemented the RP requirement.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that, for the next monitoring round, the County produce the progress notes (medical and mental health) for cases listed on the CWP Disqualification Log.

- C. *The County shall provide reasonable accommodations to enable incarcerated persons with disabilities to participate in work opportunities, including the CWP.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

L. Disability-Related Grievance Process (Section XII)

- A. *The County shall ensure that grievance policies and procedures are readily available and accessible to all persons.*

1. *The County shall inform people of the disability grievance procedures, including, but not limited to, by posting notices throughout the Jail, ensuring the grievance procedures are explained in the orientation packet, and discussing the procedures with people with disabilities during the meeting with staff from the ADA Compliance Unit that occurs within seven days of a person being identified as having a disability.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

2. *The County shall ensure that the disability grievance procedures are effectively communicated to persons with disabilities affecting communication.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- B. *The County shall track all grievances that request disability accommodations and/or raise any disability-based discrimination or violation of the ADA, this RP, or Jail ADA-related policy.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- C. *The County shall ensure that all persons, including people with disabilities, have meaningful access to the grievance process and to grievance forms.*

1. *The County shall ensure that grievance forms are readily available to people in custody, either by placing grievance forms in the housing units in areas accessible to people in custody or ensuring that staff provides grievance forms promptly upon request, irrespective of the type of grievance raised.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

2. *Jail staff can and should attempt to address grievances informally, but may not, under any circumstances, refuse to provide a requested grievance form, destroy a grievance form, or otherwise obstruct or interfere with a person's ability to submit a grievance form.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

3. *Jail staff shall assist people in custody who require accommodations to submit a grievance or to appeal a grievance response (e.g., people who are blind, have an Intellectual/Development Disability, have a learning disability, or who have physical disabilities that make it difficult or impossible for them to write, or are illiterate).*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

D. Responses to Grievances

1. *The Housing Sergeant who receives the grievance or appeal shall screen all ADA-related grievances and appeals within one day of receipt to determine whether the grievance presents an urgent issue regarding a person's safety or well-being. For grievances and appeals that present an urgent issue, the County shall either (a) immediately provide an interim accommodation that addresses the urgent issue pending a final response to the grievance or (b) resolve the grievance promptly with the participation of health care staff, as appropriate. For grievances that raise significant and imminent health or safety risks, the County shall address the grievance immediately.*

The County reported that "OCSD has revised the grievance form and, for tracking purposes, all grievances submitted are given a jail incident (JI number), including those resolved as a request (such as for a haircut or library book). The ADA Team reviews all ADA-related grievances to determine who is best equipped to address the grievance and if the ADA Team can provide an accommodation pending review of the grievance by CHS. OCSD will also be revising the grievance policy and process. Training will be developed on how to provide grievance responses that meet the requirements of the Remedial Plan."

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 – Inmates with Disabilities policy states, "The Housing Sergeant who receives the grievance or appeal shall screen all ADA-related grievances and appeals within one day of receipt to determine whether the grievance presents an urgent issue regarding inmate's safety or well-being. For grievances and appeals that present an urgent issue, staff shall either (a) immediately provide an interim accommodation that addresses the urgent issue pending a final response to the grievance or (b) resolve the grievance promptly with participation of CHS staff, as appropriate. For grievances that raise significant and imminent health or safety risks, staff shall address the grievance immediately."

Staff reported that the Housing Sergeants screen all grievances within one (1) day of receipt, and in cases where the grievances are identified as ADA-related grievances and the issue being grieved presents an urgent issue (safety or well-being), staff provide an interim accommodation pending a response and/or resolve the issue as soon as possible. The staff also reported that, in these cases, they inform the ADA Compliance Unit.

There were no grievances where the incarcerated person raised safety concerns related to their housing and disability access needs.

In reviewing the 45 grievances identified by the County as ADA-related, the Expert notes that four (4) were not reviewed or responded to by the ADA staff. The County has a mechanism in place to screen ADA grievances within 1 day of receipt and for ADA staff to determine whether the grievance presents an urgent issue regarding the incarcerated person's safety or well-being.

Based on this, the Expert finds that the County has adequately implemented the RP requirements.

Adequately Implemented (Previous Rating Adequately Implemented)

2. *The Facility Administrative Sergeant, in consultation with the ADA Compliance Unit, shall investigate all non-urgent ADA-related grievances and appeals and provide a written response within fourteen days of receipt.*

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 – Inmates with Disabilities policy states, "The Facility Administrative Sergeant, in consultation with the ADA Compliance Unit, shall investigate all non-urgent ADA-related grievances and appeals and provide a written response within fourteen days of receipt."

The County reported that, 'For tracking purposes, all grievances are given a jail incident (JI number), including those resolved as a request (such as for a haircut or library book). The ADA Team reviews all ADA-related grievances to determine who is best equipped to address the grievance and if the ADA Team can provide an accommodation pending review of the grievance by CHS. OCSD will also be revising the grievance policy and process. All grievances will live in ServiceNow but personnel-related grievances will be pushed into Axon Standards to be handled consistent with any other public complaint. While ServiceNow will reflect all grievances, it is anticipated that Axon Standards will need to be referenced for follow-up on personnel-related grievances.'

Although the County documents the response date on the grievance, the administrative sergeants interviewed stated that this date is when they finalize the grievance response and not the date the incarcerated person is provided the completed response. The administrative sergeants reported that the completed response is provided to the housing sergeants, who then deliver it to the incarcerated person. No documentation is available indicating when the housing sergeant provides

the completed response to the incarcerated person. The RP requires that a written response to the grievance be provided to the incarcerated person within fourteen days of grievance receipt.

A review of the 45 disability-related grievances found that the County did not document the date the grievance response was provided to the incarcerated person. Additionally, during a previous tour, the County reported that OCSD has revised the grievance form and, for tracking purposes, all grievances submitted are assigned a jail incident (JI) number, including those resolved as a request (such as a haircut or a library book). The Expert notes that one grievance was handled as an inmate request in the document production.

Based on this, the Expert finds that this County has partially implemented the RP requirement.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County document the date the written response to the grievances is provided to the incarcerated person and ensure this occurs within 14 days of receipt of the grievances. The County should also continue to work toward a solution, including through the use of Axon Standards for grievances, regarding the ADA unit's notification, tracking, and management of ADA grievances that are "handled as inmate requests."

3. *In limited circumstances where the County is unable to resolve the grievance within fourteen days (e.g., the incarcerated person must be referred to a specialist and the appointment will not occur within fourteen days, or the grievance involves a personnel complaint), the County should still provide a response within fourteen days. The response should communicate why the County cannot resolve the grievance within the fourteen-day deadline and, if relevant, provide information regarding any subsequent events scheduled to resolve the grievance (e.g., a specialist appointment) and address, as appropriate, the provision of interim accommodations pending resolution.*

The revised and implemented Custody & Court Operations Manual (CCOM) 8000–Inmates with Disabilities policy states, "In limited circumstances where staff is unable to resolve the grievance within fourteen days (e.g., the inmate must be referred to a specialist and the appointment will not occur within fourteen days or the grievance involves a personnel complaint), staff should still provide a response within fourteen days. The response should communicate why the grievance cannot be resolved within the fourteen-day deadline and, if relevant, provide information regarding any subsequent events scheduled to resolve the grievance (e.g., a specialist appointment) and address, as appropriate, provision of interim accommodations pending resolution."

The County reported that the ADA Team reviews all ADA-related grievances to determine who is best equipped to address the grievance and if the ADA Team can provide an accommodation pending review of the grievance by CHS. OCSD will also be revising the grievance policy and process. Training will be developed on how to provide grievance responses that meet the requirements of the Remedial Plan. The

County also reported that, “CHS created a protocol for nursing supervisors and managers that aligns with the recommendations. We will send a copy of the protocol.”

There were eight (8) grievances where a response was not resolved within the general fourteen-day deadline. The responses stated:

- “You have been referred to the RN sick call to triage your concerns to the appropriate provider.” “You were referred to a specialist for this issue, and we are waiting for your orthotics to be made and returned.”
- “You were seen by the medical staff for this on 9/24/25.”
- “You are scheduled to follow-up with orthopedics.”
- “You are scheduled to see the ADA team to discuss your concerns.”
- “You are scheduled to see an RN to triage your concerns.”
- “You were seen on 12/26/25, but your case will be referred to Dr. XXXX.”
- “You met with a medical provider on January 14, 2026, for a follow-up. We have approved your consults for Radiology, Gastroenterology, and General Surgery, and these referrals are currently being processed.”
- “You have been scheduled to see the provider. Please discuss this at your appointment.”

The responses do not communicate why the County could not resolve the grievance within the fourteen-day deadline, nor did the responses provide relevant information regarding any subsequent events scheduled to resolve the grievance (e.g., when (generally, i.e., without specifying specific appointment date/time) the specialist appointment will occur) and address, as appropriate, the provision of interim accommodations pending resolution.

Based on this, the Expert finds the County has partially implemented the RP requirement.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County, in cases where the County is unable to resolve ADA-related grievances within fourteen days (e.g., the incarcerated person must be referred to a specialist, and the appointment will not occur within fourteen days or the grievance involves a personnel complaint), ensure the County provides a response within fourteen days communicating why the County cannot resolve the grievance within the fourteen-day deadline and, if relevant, provide information regarding any subsequent events scheduled to resolve the grievance (e.g., a specialist appointment) and address, as appropriate, the provision of interim accommodations pending resolution.

4. *If the grievance is a request for an accommodation, the response must articulate whether the County is granting the requested accommodation, providing an alternative accommodation, or declining to provide any accommodation. If the County is not providing the requested accommodation, the response must explain the reasoning for the decision. If the County is providing an accommodation (either the requested*

accommodation or an alternative), the County must document that it has provided the granted accommodation.

The County reported that, 'OCSD will review possible revisions to the grievance form and training or briefing will be developed on providing grievance responses that meet the requirements of the Remedial Plan.'

The revised and implemented Custody & Court Operations Manual (CCOM) 8000–Inmates with Disabilities policy states, "If the grievance is a request for an accommodation, the response must articulate whether the inmate will be granted the requested accommodation, provided an alternative accommodation, or whether the requested accommodation is declined. If the requested accommodation is declined, the response must explain the reasoning for the decision. If an accommodation is provided (either the requested accommodation or an alternative), staff will document that the granted accommodation has been provided."

Of the 45 grievance responses reviewed, 27 were compliant with the RP requirements while 18 were not.

Based on the Expert's review of the grievance responses, the Expert makes the following recommendations. The County grievance responses should:

- 1) Document whether the grievance is granted, in whole or in part.
- 2) Include the date of the grievance response and the date the issue was resolved (if applicable).
- 3) Include a response to all issues.
- 4) Document whether the County is providing the requested accommodation, an alternate accommodation, or declining to provide an accommodation.
- 5) If the County is not providing the requested accommodation, clearly document the reasoning for the decision.

Based on the review of the grievances and grievance responses, the Expert finds the County has partially implemented the RP requirement.

Partially Implemented (Previous Rating Partially Implemented)

Recommendation: The Expert recommends that the County ensure the grievance responses include:

- Whether the grievance is granted, in whole or in part,
 - The date of the grievance response and the date the issue was resolved (if applicable),
 - Clear language as to the resolution for all identifiable issues raised in the grievance (e.g., "the device was delivered on [DATE]") rather than "your concern was addressed"), including a clear statement with the reasoning for the decision.
 - The results of the medical evaluation (if applicable).
5. *The County shall ensure that, in responding to an ADA-related grievance, the ADA Compliance Unit receives input from all sources, including OCSD and CHS staff, as*

necessary. Input from CHS staff may be required in circumstances where the grievance raises a question regarding whether the grievant has a disability or whether an accommodation requested by the grievant is reasonable. CHS staff may provide input based on a records review and/or in-person evaluation conducted for the purpose of responding to the grievance, as circumstances warrant.

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

6. *When necessary, the ADA Compliance Unit shall interview people in custody regarding their requests for accommodations to gather information about or to clarify the nature of the request for accommodation.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

7. *All grievance responses shall include an explanation of the process for appealing the grievance response.*

The County reported that OCSD has revised the grievance form to include an explanation of the process for appealing the grievance response.

The revised and implemented Custody & Court Operations Manual (CCOM) 8000–Inmates with Disabilities policy states, “All grievance responses shall include an explanation of the process for appealing the grievance response.”

In a review of the 45 grievance responses, the Expert found that all 45 included an explanation of the process for appealing the grievance response.

Based on this, the Expert finds the County has adequately implemented the RP requirement.

Adequately Implemented (Previous Rating Adequately Implemented)

8. *The County shall ensure that it effectively communicates all grievance and appeal responses to the grievant/appellant.*

The County reported that ‘OCSD will continue to provide training and reminders to reinforce the use of the effective communication form in responding to grievances. Additionally, OCSD will be revising the grievance policy and process. Training or a briefing will be developed on providing grievance responses that meet the requirements of the Remedial Plan.’

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 – Inmates with Disabilities policy states, “Staff shall ensure that they effectively communicate all grievance and appeal responses to the inmate. For inmates with disabilities affecting communication, staff will also complete the Effective Communication form per Policy 8000.11 for responses to grievances and appeals.”

The County produced one (1) completed EC form for grievance encounter. However, a review of the ADA grievances found that four (4) additional grievances submitted by incarcerated persons with disabilities affecting communication (Developmentally Disabled) where the Effective Communication forms were not produced. In these cases, there was no documentation that the grievance responses were effectively communicated.

Based on this, the Expert finds the County has partially implemented the RP requirement. With the rollout of ServiceNow, the County must ensure that functionality is included for all staff to document the effective communication provided during the issuance of grievance and appeal responses to persons with communication disabilities.

Partially Implemented (Previous Partially Implemented)

Recommendations: The Expert recommends that the County ensure staff effectively communicate all grievance and appeal responses to the grievant/appellant and document the communication method(s) used and their effectiveness.

9. *When a person files a grievance or appeal of a grievance response, the County shall provide a copy of the grievance or appeal to the grievant.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- E. *The County shall ensure that incarcerated persons do not face any retaliation for requesting accommodations or submitting grievances.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

M. Alarms/Emergencies/Announcements (Section XIII)

- A. *The County shall accommodate people with disabilities with respect to alarms and emergencies.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- B. Relevant policies related to accommodations for alarms and emergencies shall be communicated to persons with disabilities using Effective Communication.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- C. The County shall communicate effectively and appropriately with persons who have disabilities that may present barriers to communication during emergencies or alarms.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- D. In order to facilitate appropriate accommodations during alarms or emergencies, the County shall offer, but shall not require, people who have disabilities to wear visible markers to identify their disability needs (e.g., identification vests). The County shall also maintain a list, posted in such a way to be readily available to Jail staff in each unit, of persons with disabilities that may require accommodations during an alarm or emergency.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- E. The County shall ensure that people who are deaf or hard of hearing receive Effective Communication during alarms and emergency announcements. Staff will prioritize these persons during alarms, emergency announcements, and any evacuation.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- F. Staff shall ensure that they effectively communicate all verbal announcements to persons with disabilities that affect communication. For example, staff may need to communicate*

verbal announcements in writing or electronic means (e.g., pager) to deaf incarcerated people.

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 – Inmates with Disabilities policy states, “Some inmates who are deaf and/or hard of hearing, blind or with low vision may not be able to hear announcements, alarms, or read written notices in the unit. These impairments will be listed on the Functional Needs List and the ADA Tracking List. Depending on the inmate’s level of impairment, staff assigned to housing units with inmates who are deaf and/or hard of hearing, blind, or with low vision should use the following techniques for instructions, announcements, alarms, and written notices.

- Prioritize the inmate’s evacuation.
- Whiteboard/written notes
- Speak one-on-one in an elevated, clear voice.
- Speak closely enough to allow the inmate to lip-read.
- Read the written notice.
- Provide the notice in large print.”

Staff interviewed stated they would effectively communicate verbal announcements to disabled incarcerated persons with disabilities that affect communication by conducting face-to-face communication, writing notes, speaking louder, etc. The staff has “whiteboards” available in the housing units for staff to communicate announcements to the incarcerated persons. However, three (3) incarcerated persons with a disability that affects communication stated that staff do not consistently provide the accommodations necessary for them to understand the announcements being made. The incarcerated persons stated that they must rely on other incarcerated persons and/or watch for the movement of others when announcements are made. The Expert was not able to confirm these claims. More attention and staff training are necessary to ensure the required accommodations are provided.

Proof-of-practice documentation was not provided.

The ADA STC PowerPoint includes information on the requirement for staff to accommodate people with disabilities regarding alarms and emergencies.

The County reported that, “It is expected that implementation of ServiceNow and Guardian RFID will help document when staff effectively communicate announcements to incarcerated persons with disabilities.”

The Expert asked staff assigned to housing units where incarcerated persons with disabilities that affect communication are housed to show guard station log entries documenting effective communication following announcements. Only two (2) of the six (6) housing units where deaf and/or hard-of-hearing incarcerated persons were housed had the Guard Station Log reflect that staff had provided face-to-face notifications.

Based on this, the Expert finds the County has partially implemented the RP requirement. With the rollout of ServiceNow, the County must ensure that functionality is included to

allow all staff to document the effective communication provided for all verbal announcements to persons with communication disabilities.

Partially Implemented (Previous Rating Partially Implemented)

Recommendation: The Expert recommends that the County provide proof of practice that staff effectively communicate verbal announcements to persons with communication disabilities.

- G. *Staff shall ensure that they effectively communicate all written notices to persons with disabilities that affect communication. For example, staff may need to read a written notice to blind or low-vision incarcerated people or provide such notices in large print.*

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 – Inmates with Disabilities policy states, “Some inmates who are deaf and/or hard of hearing, blind or with low vision may not be able to hear announcements, alarms, or read written notices in the unit. These impairments will be listed on the Functional Needs List and the ADA Tracking List. Depending on the inmate’s level of impairment, staff assigned to housing units with inmates who are deaf and/or hard of hearing, blind, or with low vision should use the following techniques for instructions, announcements, alarms, and written notices.

- Prioritize the inmate’s evacuation.
- Whiteboard/written notes
- Speak one-on-one in an elevated, clear voice.
- Speak closely enough to allow the inmate to lip-read.
- Read the written notice.
- Provide the notice in large print.”

However, three (3) disabled incarcerated persons with disabilities that affect communication stated that staff do not consistently provide the accommodations of reading documents and providing large print notices/material. Some stated they must rely on other incarcerated persons to fill out pink slips and commissary forms. Three (3) incarcerated persons stated that the ADA Deputy is the only staff that provides assistance. The Expert could not refute or confirm these claims.

The ADA STC PowerPoint includes the following language: “Accommodating Visual Impairments: Assist with filling out paperwork (message slips/commissary forms).” However, other than the ADA Unit staff effectively communicating with the incarcerated person during the ADA orientation process, the County did not produce proof of practice documentation where staff effectively communicated written notices to incarcerated persons with disabilities that affect communication. The Expert will monitor this during the next monitoring tour.

The County reports that, “It is expected that implementation of ServiceNow and Guardian RFID will help document when staff effectively communicate announcements to incarcerated persons with disabilities.”

Based on this, the Expert finds the County has partially implemented the RP requirement. With the rollout of ServiceNow, the County must ensure that functionality is included for all staff to document the effective communication staff provided for all verbal announcements to persons with disabilities who are affected by communication.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County provide proof of practice that staff effectively communicate written notices to persons with communication disabilities.

N. Searches, Restraints, and Count (Section XIV)

- A. *The County shall ensure that incarcerated people with disabilities, including those with prosthetic limbs, receive reasonable accommodations with respect to the following:*
1. *All searches, including pat searches and searches without clothing;*
 2. *Application of restraint equipment; and*
 3. *During counts.*
- B. *Incarcerated persons with disabilities who cannot be restrained, searched, or counted using the standard methods/processes, including but not limited to persons with certain mobility or upper extremity disabilities, using HCA/AD/DME, using prosthetic limbs, and in need of Effective Communication accommodations, must be provided reasonable accommodations.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

The County reported that “Whether restraints need to be applied will be left to deputies’ discretion on a case-by-case basis, but OCSD will provide a reminder that disabled incarcerated persons must be able to use their assistive devices and ambulate safely.”

O. Transportation (Section XV)

- A. *The County shall provide reasonable accommodations for persons with disabilities when they are in transit, including during transport to court, between Jail facilities, or to outside health care services.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- B. Prescribed HCA/AD/DME, including canes, for persons with disabilities shall be available to the person at all times during the transport process.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- C. The County shall use accessible vehicles to transport persons whose disabilities necessitate special transportation, including by maintaining a sufficient number of accessible vehicles. For scheduled transportation (e.g., court appearances and non-emergency outside medical appointments), the County shall schedule the accessible transportation in advance. The County shall ensure that, to the greatest extent practicable, persons who require accessible transportation are not required to wait longer for transportation than people who do not require accessible transportation. The County shall ensure that transportation staff do not ask persons who require accessible transportation to accept inaccessible transportation.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- D. Persons with mobility impairments shall, when necessary, be provided staff assistance getting on and off transport vehicles.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

P. ADA Training, Accountability, and Quality Assurance (Section XVI)

- A. The County shall ensure all custody, health care, and other Jail staff receive annual ADA training appropriate to their position.*

- 1. The County shall provide to all staff appropriate training on disability awareness, including the use and purpose of accommodations and modifications in accordance with the ADA and other federal and state disability law.*
- 2. The County shall provide to all staff appropriate training on Trauma-Informed Care, which will be included in the ADA training and Crisis Intervention Training (CIT).*
- 3. The ADA training shall include: formalized lesson plans and in-classroom or real-time virtual training for staff (including managers, supervisors, and rank-and-file staff) provided by certified or otherwise qualified ADA trainers. Self-directed study may be paired with real-time ADA training.*

4. *CHS and OCSD staff shall receive periodic training on the range of potential accommodation and adaptive support needs of people with Intellectual/Developmental Disabilities.*

The County produced the following OCSD training documents:

- 2 HR ADA STC Color Handouts
 - Attachment A for ADA Action Plan
 - ADA Tracking List
 - ADA Tracking List Log Instructions
 - ADA Effective Communication Form
 - Housing Unit Orientation
 - Safety and Security Assessment Form
- ADA Custody Orientation ADA Compliance Training (32 PowerPoint slides)
- Americans With Disabilities Act (2-Hour Lesson Plan)
- Americans With Disabilities Act STC PowerPoint Presentation (80 slides) Revised 7/2/25

The OCSD training material includes disability awareness training on the use and purpose of accommodations and modifications in accordance with the ADA and other federal and state disability laws. Trauma-informed care is also included in the ADA training curriculum. The Americans With Disabilities Act PowerPoint Presentation includes a segment on the adaptive support needs of incarcerated people with Intellectual/Developmental Disabilities. ADA training is provided as formal classroom training.

The County also produced Standards and Training For Corrections Program Course Rosters, which reflect that 633 staff attended the Annual STC Block Training.

During the previous monitoring tour, the County produced the following CHS/HCA training sign-in sheets, reflecting a total of 338 CHS staff members who attended the ADA Annual Mandatory Overview and Training (5/27/25 to 6/24/25).

The CHS/HCA training material includes information on the following:

- Disability awareness, including the use and purpose of accommodations and modifications in accordance with the ADA and other federal and state disability law.
- Trauma-Informed Care.

The training includes formalized lesson plans and in-classroom or real-time virtual training for staff. Staff who have attended the training include managers, supervisors, and rank-and-file staff. The Expert notes that the training is provided by certified ADA trainers. The Expert also notes that the training includes the information on accommodations and adaptive support needs of people with Intellectual/Developmental Disabilities.

The Expert notes that four (4) CHS staff have attended and completed the ADA Coordinator certification.

All staff interviewed reported they had attended the annual 2-Hour Americans With Disabilities Act training.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- B. ADA instructors shall have appropriate ADA training and subject matter expertise necessary to effectively provide ADA training to staff.*

Two previous successive Compliance Reports have found that the provision has been adequately implemented. Therefore, monitoring of this provision is suspended.

Monitoring Suspended Based on Previous Findings of Compliance (Previous Rating Monitoring Suspended Based on Previous Findings of Compliance)

- C. The County shall, in consultation with Counsel and the joint Expert, develop and implement written policies and procedures regarding monitoring, investigating, and tracking staff violations (or allegations of violations) of ADA requirements and Jail ADA policies.*

The County reported that, "OCSD will finalize and implement written policies and procedures for tracking allegations of violations of ADA requirement and jail ADA policies once Axon Standards is rolled out."

The County previously produced the following documents:

- Orange County Sheriff-Coroner Department, Orange County SD Policy Manual Policy 1001, Code of Professional Conduct and Responsibility for Peace Officers
- Orange County Sheriff-Coroner Department, Orange County SD Policy Manual Policy 1018 Rules of Conduct – General
- Orange County Sheriff-Coroner Department, Orange County SD Policy Manual Policy 347 Disciplinary Policy
- Custody & Court Operations Manual (CCOM) 1600.5 – Inmate Grievance Procedure

The Health Care Agency (HCA) Correctional Health Services (CHS) Policy and Procedure 6407 – Reasonable Health Accommodations for Patients with Disabilities states, "CHS staff may be subject to HCA's disciplinary process if found in violation of ADA or Jail ADA-related policies and procedures." The Health Care Agency (HCA) Correctional Health Services (CHS) Policy and Procedure – 1007 Staff Accountability (Effective Date 10-13-23) states, "Every staff member is responsible and held accountable for following Health Care Agency's (HCA) Code of Conduct, Correctional Health Services (CHS) policies and procedures, standardized protocols, and guidelines. In addition, they are responsible for adhering to the security/safety rules and procedures established by the Orange County Sheriff's Department (OCSD). Supervisory counseling, consultation, and/or progressive discipline, in coordination with HCA Human Resources (HR), may occur when CHS staff fail to comply with or fail to remain updated on current policies and procedures, standardized protocols, guidelines, or OCSD's security/safety rules and procedures." The policy also states, "CHS Administrative and Supervisory staff or assigned designee(s) conduct audits of and track occurrences of staff violations of policy."

- a) Examples of audits include but are not limited to policy and legal violations related to Americans with Disabilities Act (ADA) requirements, provision of disability accommodations and effective communication, and prevention of LGBTQI/transgender/intersex-based discrimination.
- b) Occurrences of staff violations include, but are not limited to, documentation of a performance management issue found within the staff member's individual drop file."

The CHS produced the ADA-CHS Accountability Log that includes 73 entries for staff who did not use the Effective Communication form during the patient encounter, 57 where the incarcerated person's preferred method of communication was not used during the encounter, and one (1) case where a provider failed to notify RN or MA of impairments.

The OCSD document review identified cases that were not in compliance with the Effective Communication Policy and Settlement Agreement. These cases should be identified, and the County must follow the Accountability Policy to correct the non-compliance issues.

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities states, "Allegations, from any source, that staff have violated the ADA or Jail ADA-related policies and procedures will be investigated. OCSD staff who OCSD finds have violated the ADA or Jail ADA-related policies and procedures shall be subject to OCSD's progressive discipline policy."

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities includes language that OCSD staff who OCSD finds have violated the ADA or Jail ADA-related policies and procedures shall be subject to OCSD's progressive discipline policy, the policies and procedures do not include a process for monitoring, investigating, and tracking staff violations (or allegations of violations) of ADA requirements and Jail ADA policies.

In the previous report, the Expert reported that OCSD, in consultation with DRC and the Expert, decided during the site visit to put implementation of the staff accountability plan on hold until OCSD implements the Axon Standards software. The Axon Standards platform will centralize and track all personnel-related information (e.g., commendations, citizen & internal complaints, SB2 complaints) in a single system of record. The Department also decided that the Axon Standards platform will serve as an early intervention and performance management tool, allowing supervisors to monitor employee conduct, recognize positive performance, and identify patterns of behavior or performance concerns that may require timely supervisory action. By centralizing and automating these processes, Axon Standards will support more comprehensive and continuous quality improvement and significantly reduce the administrative burden associated with the manual, semiannual staff accountability audits originally planned by OCSD. Implementation of Axon Standards department-wide is anticipated by the end of the year. Additionally, OCSD reported that all grievances will live in ServiceNow, but personnel-related grievances will be pushed into Axon Standards for handling consistent with any other public complaint. While ServiceNow will reflect all grievances, Standards should be referenced for follow-up on personnel-related complaints. Implementation is anticipated at the beginning of the 2027.

Based on this, the Expert finds the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County ensure the County finalizes and implements the OCSD written policies and procedures for monitoring, investigating, and tracking staff violations (or allegations of violations) of ADA requirements and Jail ADA policies once the Axon Standards software is rolled out.

- D. The County shall develop an ADA accountability plan intended to timely log and investigate allegations from any source that staff have violated the ADA or Jail ADA-related policies and procedures. OCSD staff who OCSD finds have violated the ADA or Jail ADA-related policies and procedures shall be subject to OCSD's progressive discipline policy. CHS staff who the Health Care Agency finds to have violated the ADA or Jail ADA-related policies and procedures shall be subject to the Health Care Agency's discipline policy.*

The County reported that CHS continues to log, track, and work with Human Resources to address compliance.

The revised and implemented Custody & Court Operations Manual (CCOM) 8000 - Inmates with Disabilities states, "Allegations, from any source, that staff have violated the ADA or Jail ADA-related policies and procedures will be investigated. OCSD staff who OCSD finds have violated the ADA or Jail ADA-related policies and procedures shall be subject to OCSD's progressive discipline policy. CHS staff who the Health Care Agency finds to have violated the ADA or Jail ADA-related policies and procedures shall be subject to the Health Care Agency's discipline policy."

The Health Care Agency (HCA) Correctional Health Services (CHS) Policy and Procedure 6407 – Reasonable Health Accommodations for Patients with Disabilities states, "CHS staff may be subject to HCA's disciplinary process if found in violation of ADA or Jail ADA-related policies and procedures." The Expert also notes that Health Care Agency (HCA) Correctional Health Services (CHS) Policy and Procedure 1007 – Staff Accountability (Effective Date 10-13-23) states, "Every staff member is responsible and held accountable for following Health Care Agency's (HCA) Code of Conduct, Correctional Health Services (CHS) policies and procedures, standardized protocols, and guidelines. In addition, they are responsible for adhering to the security/safety rules and procedures established by the Orange County Sheriff's Department (OCSD). Supervisory counseling, consultation, and/or progressive discipline, in coordination with HCA Human Resources (HR), may occur when CHS staff fail to comply with or fail to remain updated on current policies and procedures, standardized protocols, guidelines, or OCSD's security/safety rules and procedures." The policy also states, "CHS Administrative and Supervisory staff or assigned designee(s) conduct audits of and track occurrences of staff violations of policy."

- c) Examples of audits include but are not limited to policy and legal violations related to Americans with Disabilities Act (ADA) requirements, provision of disability accommodations and effective communication, and prevention of LGBTQI/transgender/intersex-based discrimination.

- d) Occurrences of staff violations include, but are not limited to, documentation of a performance management issue found within the staff member's individual drop file."

The CHS produced the ADA-CHS Accountability Log that includes 245 entries for staff who did not use the Effective Communication form during the patient encounter.

The County reported that, "OCSD will finalize and implement written policies and procedures for tracking allegations of violations of ADA requirements and jail ADA policies once Axon Standards is rolled out."

As discussed in the previous section, OCSD, in consultation with DRC and the Expert, decided during the site visit to put implementation of the staff accountability plan on hold until OCSD implements the Axon Standards software.

Based on this, the Expert finds the County has partially implemented the RP requirements.

Partially Implemented (Previous Rating Partially Implemented)

Recommendations: The Expert recommends that the County implement the ADA accountability plan to timely log and investigate allegations from any source that staff have violated the ADA or Jail ADA-related policies and procedures once the Axon Standards software is rolled out.



V. Signature

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

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

Julian Martinez
Director
Sabot Consulting

June 4, 2026

Date