

A decorative graphic consisting of a blue, comet-like shape with a white highlight, pointing towards the right.

Expert Monitor's Report

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

On-Site Review: April 26-29, 2021

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Table of Contents

Executive Summary.....	1
Introduction.....	2
The Settlement Monitor's Activities.....	3
B. Monitoring Process.....	4
VI. ENVIRONMENTAL HEALTH AND SAFETY.....	5
A. Environmental Health and Safety Monitor.....	5
B. Cleanliness and Sanitation of Jail Facilities.....	6
C. Laundry.....	15
D. Food Service and Kitchen Operations.....	19
E. Work Order System and Preventative Maintenance.....	23
F. Chemical Control and Biohazardous Materials.....	25
G. Negative Pressure Monitoring and Recording.....	28
H. Emergency Response and Fire/Life Safety.....	32
I. Environment of Care Monitor Inspections, Corrective Action, and Process for Incarcerated Persons to Raise Concerns.....	33
Signature.....	38

Executive Summary

This is the first Expert Monitoring Review of the Santa Barbara County Jail (SBCJ) to measure Santa Barbara County's compliance with the *Murray v. Santa Barbara County* Remedial Plan, which addresses Environmental Health and Safety conditions and policies and procedures within Santa Barbara County Jails. The on-site Expert Monitoring Review was conducted on April 26-30, 2021. The Expert Monitoring Review included a review of pre-monitoring documents produced by Santa Barbara County, on-site observations of the Northwest housing units, West Module housing units, IRC (Intake), South Module housing units, Basement Dorms, East Module housing units, Med Security Facility, D Barracks, recreational yards, classrooms, clinics, dental treatment room, kitchen, and main Laundry. Time restraints did not permit the Reviewer to access conditions in every cell or building within the facility.

An entrance and exit meeting was conducted with SBCJ custody and medical administrative staff and the staff from the Santa Barbara County Staff Counsel's Office. Plaintiffs' Counsel representative Aaron Fischer was present during portions of the on-site Expert's Monitoring Review and the entrance and exit meetings.

The Expert recognizes that the County is still in the process of implementing essential elements of the Santa Barbara County Remedial Plan.

While the Expert's report identifies areas of non-compliance and areas that could not be measured for determination of substantial compliance based on the County's inability to provide supporting documents, it is the Expert's position that as the County implements vital components of the Santa Barbara Remedial Plan the areas that were found in non-compliance and/or could not be measured for compliance will progress into substantial compliance.

This report details the pre-monitoring tour document review, on-site monitoring, staff and incarcerated persons' interviews and also includes findings and recommendations/actions that the County must make to move towards achieving substantial compliance with the Santa Barbara County Remedial Plan.

Introduction

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

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

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

The Settlement Monitor's Activities

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

A. Role of the Expert

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

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

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

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

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

B. Monitoring Process

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

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

Substantial Compliance:

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

Partial Compliance:

Indicates compliance with some components of the relevant provision of the Settlement Agreement and that significant work remains to reach substantial compliance.

Noncompliance:

Indicates noncompliance with most or all the components of the relevant provision of the Settlement Agreement and that significant work remains to reach partial compliance.

Un-ratable:

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

VI. ENVIRONMENTAL HEALTH AND SAFETY

A. Environmental Health and Safety Monitor

1. Does the Santa Barbara County designate an Environment of Care Monitor?

In April 2021, Corporal A. Gray was assigned as the Environment of Care Monitor (ECM). Prior to Corporal Gray's assignment, Sergeant Liston was the lead SBCJ staff member overseeing facility maintenance. The Expert interviewed Corporal Gray and he stated that he is also the Americans with Disabilities Act Coordinator, Prison Rape Elimination Act Coordinator, background investigator for contract staff, and has other various duties and responsibilities. As a result of Corporal Gray's multiple assignments and minimal time assigned to the position of ECM, he stated that he has not had sufficient time to perform the duties and responsibilities that are required of the ECM.

During the tour, the Expert was informed that based on Corporal Gray's excessive workload, the SBCJ Administration may be identifying a new ECM who will have more time to perform the duties and responsibilities required by the Remedial Plan.

Partial Compliance

2. Does the ECM have a Duty Statement?

The SBCJ did not provide the Expert a Duty Statement for the Environmental Health and Safety Manager.

The Expert recommends that SBCJ create the ECM Duty Statement consistent with the Remedial Plan and provide the ECM with sufficient authority to carry out such duties as outlined in the Remedial Plan.

Non-Compliance

3. Are the duties of the ECM established in writing and consistent with the Remedial Plan?

The Expert was unable to evaluate as a Duty Statement was not available.

Non-Compliance

4. Does the ECM have sufficient authority to carry out such duties as outlined in the remedial plan?

The Current ECM, Corporal A. Gray has delegated authority from the Compliance Unit Sergeant. The Compliance Unit Sergeant reports to the Compliance Unit Lieutenant, who then reports to the Commander. The Commander reports directly to the SBCJ Chief. Based on the SBCJ reporting structure, the current ECM appears to have sufficient authority to carry out such duties as outlined in the remedial plan.

Substantial Compliance

B. Cleanliness and Sanitation of Jail Facilities

- 1.(1). Did SBCJ establish a Sanitation Plan to ensure all jail facilities maintain appropriate cleanliness?

During the onsite review, the Expert was informed a draft of the SBCJ Sanitation Plan is still in development.

The Expert recommends that SBCJ establish and implement a Sanitation Plan to ensure all jail facilities maintain appropriate cleanliness.

Non-Compliance

- 1.(2). Does the Sanitation Plan provide information for cleaning issues requiring an established cleaning schedule, and the documentation of such cleaning?

The Expert was unable to evaluate as a Sanitation Plan, cleaning schedule or documentation of such cleaning were not available. The SBCJ Sanitation Plan must contain information for cleaning issues requiring an established cleaning schedule and the documentation of such cleaning.

Non-Compliance

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

The SBCJ did not provide the Expert with a Sanitation Plan, schedule and/or instructions for incarcerated persons daily access to supplies and equipment; however, based on the Expert's observations, incarcerated person interviews, and staff interviews, incarcerated persons are provided access to some cleaning supplies and equipment. Incarcerated

persons are provided bottles which contain a water diluted mixture of Virex II 256 cleaner which is a disinfectant and deodorant, and/or Oxivir Five 16 which is a one-step disinfectant cleaner. However, during incarcerated person interviews, most stated they do not receive enough cleaning solution, or the solution is watered down and does not clean properly. The cleaning solutions are provided once in the morning for cleaning and again in evening to sanitize. Incarcerated persons also stated that on occasion during the weekends, cleaning supplies and equipment are not provided.

The Expert recommends that the SBCJ Sanitation Plan include a schedule with instructions for incarcerated persons' daily access to supplies and equipment to conduct cleaning and disinfection of housing units, including floors, toilets, sinks, and showers. The Sanitation Plan must also include the type and amounts of cleaner disinfectant each incarcerated person and/or dormitory must be provided to adequately clean and disinfect their living and common areas.

Non-Compliance

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

The SBCJ did not provide the Expert a Sanitation Plan, schedules to complete weekly inspections, and/or documentation of weekly inspections. Additionally, while touring the housing units, the Expert noted problems in various showers being unclean and containing mold, rust, dirty drains, or soap build up. Some toilets and sinks were not clean and contained mold buildup. The West Module housing unit had birds flying inside the building with bird droppings around the building and fans. Some walls had what appeared to be food or stains on them. Baseboards and corners needed to be cleaned to remove excess dirt/grime buildup.

The Expert recommends that SBCJ Sanitation Plan contain a schedule for jail staff to complete weekly inspections of housing units, to include floors, toilets, sinks, and showers with prompt steps to address identified cleaning and disinfection needs.

Non-Compliance

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

The SBCJ did not provide the Expert a Sanitation Plan and schedule for daily cleaning. Additionally, during the onsite review, the following discrepancies were noted by the Expert in the following locations:

Intake - Two incarcerated persons assigned to a "Lobby Crew" and Utility Worker Staff are assigned to clean Intake. It appears that regular janitorial sweeping and mopping are completed; however, certain areas throughout the building require deep cleaning/scrubbing.

Health Care Clinics - The "Lobby Crew" is assigned to clean the health care clinics daily. In addition to the "Lobby Crew," SBCJ contracts with "Big Green Cleaning Company" to clean health care clinics on Tuesdays and Thursdays. Overall, the clinics appeared mostly clean.

Kitchen – The main kitchen is cleaned by incarcerated persons/kitchen workers after cooking meals and serving is complete. Most of the daily cleaning appears to be superficial and does not involve deep cleaning. Certain walls appear to have dirt or food stains on them and need cleaning/painting. Many areas contain debris under or behind racks, tables, or stored items/boxes. Some areas need repairs, such as broken tiles and paint.

Laundry – The laundry room is cleaned by assigned incarcerated persons/laundry workers. The Laundry room needs organizing and cleaning. During the onsite review, birds were flying inside the building where clean clothing is stored. Bird droppings were noted in various areas. Birds can contaminate clean clothing with mites and fleas, and droppings can contaminate washed clothing and breed parasites.

Common Areas and Hallways – Various hallways were swept, but had debris or dirt build up in baseboards and corners. Some walls contained what appeared to be food stains and require cleaning or painting. Common areas such as Recreational Yards need cleaning, sweeping, and power washing. Yard toilets contained mold and/or debris build up, and had bug and ant problems.

The Expert recommends that the SBCJ Sanitation Plan include a schedule for the daily cleaning of intake, health care clinics, kitchen, laundry, and other common areas, such as hallways and the tunnel.

Non-Compliance

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

The SBCJ did not provide the Expert a Sanitation Plan or schedule for the weekly cleaning of visitation rooms and classrooms. SBCJ informed the Expert that visiting rooms and classrooms are cleaned by the "Lobby Crew" when in use. During the onsite review, the Expert was informed that as a result of COVID 19 restrictions, visiting rooms are not open to the public but may be used for attorney visits. The Expert noted that although visiting rooms appeared swept and clean, the North West visiting room had debris between the grill and plexiglass.

The Expert recommends that the SBCJ Sanitation Plan include a schedule for the weekly cleaning of visitation rooms and classrooms, and or more frequently as needed.

Non-Compliance

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

The SBCJ did not provide the Expert with a Sanitation Plan or schedule for the biweekly power washing of shower areas. Additionally, during the onsite review, the Expert was informed the biweekly power washing of showers is not completed. The Expert was informed by a utility worker that they do not power wash showers in order to prevent damage to tiles/grout. The Expert was informed that showers are cleaned by spraying bleach and cleaning with a scouring pad and drill once a month. As previously noted, showers appeared unclean and require biweekly power washing or frequent deep cleaning.

The Expert recommends that the SBCJ Sanitation Plan includes a schedule for the biweekly deep cleaning and/or power washing of all SBCJ shower areas.

Non-Compliance

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

The SBCJ did not provide the Expert a Sanitation Plan or schedule for the weekly cleaning of cell bars, windows, and lights, and the Expert noted the weekly cleaning of cell bars, windows and lights does not appear to be completed. The Expert noted that Restrictive Housing cells that have bars and contain a grill behind the bars require cleaning. These areas contain an accumulation of food and liquid droppings, buildup and require deep cleaning. The Expert also noted heavy amounts of food droppings in and below the food ports. It appeared that

some of these areas have not been cleaned for some time. The Expert also noted that dormitories with bars were cleaner.

The Expert recommends that the SBCJ Sanitation Plan includes a schedule for the weekly cleaning of cell bars, windows, and lights.

Non-Compliance

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

The SBCJ did not provide the Expert with a Sanitation Plan or schedule for the quarterly cleaning of fans and air vents. The Expert noted that the quarterly cleaning of fans and air vents does not appear to be completed. West Module building fans had dust and/or bird dropping on grill. Most dorm vents appeared to be clean, but some had minor dust. Some cell vents appeared to be clean, but many were covered with paper or what appeared to be toilet paper.

The Expert recommends that the SBCJ Sanitation Plan includes a schedule for the quarterly cleaning of fans and air vents.

Non-Compliance

2. Does the SBCJ provide incarcerated people orientation upon intake, regarding the jail's expectations and procedures for cleanliness, elimination of clutter, and proper use of personal property containers?

As part of document production, the SBCJ produced a copy of the "Custody Operations Orientation Handbook" which is provided to incarcerated people upon intake. The Expert noted that the handbook does address cleanliness, elimination of clutter, and proper use of personal property containers. However, during the onsite review, the Expert noted that many incarcerated persons own an excessive amount of personal property and are unable to fit all of their personal property into the issued property box. Many of the living area rules and conditions of cells outlined in the Custody Operations Orientation Handbook are not enforced, such as excessive property, obstructing vents, lights, and windows. Various cell walls also displayed graffiti.

The Expert recommends daily or weekly inspections be completed and the enforcement of established rules to assist with the reduction of clutter and help keep living areas cleaner.

The Expert noted that during the incarcerated person interviews, many incarcerated persons complained the property boxes were too small and that it is impossible to store all their personal belongings, which include the consumable commissary.

The Expert recommends that SBCJ staff be more proactive in enforcing the rules, policies, and procedures regarding expectations for cleanliness, elimination of clutter, and the proper use of personal property containers. Additionally, the Expert recommends that SBCJ review whether the issued property containers can adequately store the county property that is issued (clothing, footwear, documents), and the amounts of personal property, which includes commissary items. SBCJ may need to consider a more adequately sized storage container that will effectively allow incarcerated persons to store personal property amounts/items they are allowed to retain.

Partial Compliance

- 3.(1). Did the SBCJ establish procedures to maintain cleanliness in housing areas where an incarcerated person is unable or unwilling to adequately clean?

During the tour, the SBCJ informed the Expert that procedures to maintain cleanliness in housing areas where an incarcerated person is unable or unwilling to adequately clean are being developed.

The Expert recommends that SBCJ complete and implement the procedures to maintain cleanliness in housing areas where an incarcerated person is unable or unwilling too adequately clean.

Non-Compliance

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

During the onsite review, the Expert was informed that procedures are still being developed. Additionally, during the tour, the Expert interviewed housing unit staff/Deputies to identify what they would do if an incarcerated person was unable to clean their cell or living area due to the incarcerated persons disability (mental illness, developmental disability, or special needs). Most Deputies stated they would get other incarcerated persons to clean the living area. Deputies working in Restrictive Housing stated they would take incarcerated person out of their cell and place them in shower area while they cleaned the cell.

However, during the Expert's onsite review and personal observations of some living areas and cells, some incarcerated persons had dirty living areas or cells containing excessive amounts of clutter/garbage or extremely dirty toilets. Some cells in Restrictive Housing were unsanitary with excessive amounts of debris, hair, and food items throughout the floor. It appeared that some cells have not been cleaned for some time. While observing some incarcerated persons in these cells, the Expert noted that cell conditions may be related to the incarcerated person's mental health.

The Expert recommends SBCJ complete and implement the procedures to maintain cleanliness in housing areas where an incarcerated person is unable or unwilling too adequately clean. The procedures should provide direction for staff to ensure appropriate assistance is provided to incarcerated persons, who are expected to participate in cleaning, and have mental illness, intellectual and developmental disabilities, or other special needs.

Non-Compliance

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

During the onsite review, the Expert was informed the policy and procedures for effective cleaning, disinfection, distribution, and repair of mattresses is being developed.

The Expert recommends that SBCJ develop and implement a standardized policy and procedure(s) for effective cleaning, disinfection, distribution, and repair of mattresses.

Non-Compliance

- 4.(2). Does the policy provide a process for inspection and replacement of all frayed and cracked mattresses that cannot be disinfected sufficiently to eliminate harmful bacteria?

During the onsite review, the Expert was informed the policy and procedure(s) for inspection and replacement of all frayed and cracked mattresses that cannot be disinfected sufficiently to eliminate harmful bacteria is being developed.

During the onsite review, the Expert noted that SBCJ does not have a standardized method of cleaning or distributing mattresses. It appeared

each housing unit has their own process of cleaning and distributing mattresses. For example, Intake Utility Workers were interviewed and stated they spray the mattresses with cleaner/disinfectant which are then left out for 15 to 20 minutes to dry. The mattresses are then wiped down and placed in a bin inside the "Mattress Room." These mattresses are placed back into circulation/service. The Expert reviewed some mattresses located inside the "Mattress Room." Although the mattresses appeared clean, some were worn down and/or had tears on the edges.

The Expert noted the Main Laundry Room does contain an area for the repair of mattresses. Torn or frayed mattress covers are removed and replaced with new sown vinyl covers.

The Expert noted during incarcerated person interviews, some incarcerated persons stated they did receive a clean mattress, while others said their mattress was either dirty, had a body odor smell, were worn down and/or had tears.

The Expert recommends for SBCJ to develop and implement a standardized policy and procedure(s) for effective cleaning, disinfection, distribution and repair of mattresses. The policy must also include a process to document when a clean and serviceable mattress is issued to an incarcerated person.

Non-Compliance

5. Does SBCJ ensure that newly arrived incarcerated persons receive a clean and serviceable mattress?

As the Expert previously noted, a standardized policy needs to be created and implemented, which should also include a method to document when a clean and serviceable mattress is issued.

Non-Compliance

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

During the onsite review, the Expert was informed that procedures for a cell to be cleaned prior to an incarcerated person's placement in that cell have not been created.

The Expert recommends that SBCJ establish and implement procedures for a cell to be cleaned prior to an incarcerated person's placement in that

cell. The procedures must also contain a method to document the cell was cleaned prior to an incarcerated person's placement in that cell.

Non-Compliance

- 6.(2). Does SBCJ have documentation and or verification of cell cleaning prior to an incarcerated person's placement in that cell?

The Expert was unable to rate as the SBCJ did not provide documentation or verification of cell cleaning prior to an incarcerated person's placement in a cell.

During the onsite review, the Expert interviewed building Custody Deputies to identify how cells are cleaned prior to an incarcerated person's placement. Staff stated that in some cases they call incarcerated workers to clean up a cell, or they themselves will clean out garbage, sweep and or wipe down the cell.

During the Incarcerated person interviews, some incarcerated persons informed the Expert that they were assigned to a serviceable cell, while others stated their cell was dirty and contained trash throughout.

Non-Compliance

7. Does the SBCJ ensure that the plastic beds, or "boats," are cleaned and disinfected anytime they are assigned to a different incarcerated person or when there is a biohazardous or bloodborne incident involving the mattress or "boat"?

During the onsite review, the Expert was informed that due to a decrease in the incarcerated person population, SBCJ no longer utilizes plastic beds/boats. Additionally, a process of documenting when a plastic bed/boat is cleaned and disinfected, or when there is a biohazardous or bloodborne incident involving a mattress or boat has not been created.

During the onsite review, the Expert did not observe any incarcerated persons assigned to a plastic bed or "boats." However, the Expert did see a few plastic beds/boats being stored in the facility dock area. The Expert was informed that most of the plastic beds are stored in a shed. The Expert recommends that if SBCJ intends to maintain plastic beds/boats, or have them available for emergency use, then procedures be developed on the cleaning, disinfecting, and documentation of when they are issued to incarcerated persons.

Un-ratable

C. Laundry

- 1.(1). Is clothing and linen exchange completed for all incarcerated persons at least weekly, and more frequently when circumstances warrant?

The Expert noted that SBCJ conducts clothing and linen exchange weekly based on a schedule that was provided through document production.

The Expert noted that clothing and linen exchange is mandatory in certain housing units, while other housing units offer weekly one-for-one clothing and linen exchange. Additionally, incarcerated persons stated clothing or linen exchange may sometimes be exchanged more frequently when certain circumstance warrant.

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

Some incarcerated persons stated they are sometimes issued clothing or linen that is stained, damaged/ripped, or the wrong size. When they request an exchange, some staff will exchange for items that are in better condition, while some staff refuse to exchange the items. All incarcerated persons stated it depends on the staff member(s) they ask.

While touring the main Laundry, the Expert observed loads of washed clothing that had been sorted by incarcerated laundry workers and had been prepared for reissuance. Within the sorted piles were some clothing items that appeared to have stubborn stains, or were altered, or ripped/damaged.

The Expert recommends that laundry workers receive more training in sorting all clothing and linen to remove items that do not appear clean, have been altered, or are ripped/damaged. It is also recommended that proper amounts of detergent cleaner and or bleach are added to each wash, or that washing machines are not overloaded to ensure a more thorough cleaning.

Partial Compliance

1.(2). Are kitchen workers provided clean kitchen uniforms daily?

The Expert noted that based on kitchen staff and incarcerated person/kitchen worker interviews, kitchen workers are provided washed kitchen uniforms daily.

Incarcerated kitchen workers that were interviewed stated they are provided washed kitchen uniforms daily. However, during the onsite review, the Expert observed many incarcerated persons wearing kitchen uniforms that were off white, and grayer in color, and some had what appeared to be uncleanable/stubborn stains. Although the kitchen uniforms are washed daily, many uniforms do not appear clean/white in color. It is unclear if sufficient bleach is added to the washing machines, or if the washing machines are overloaded when washing. The Expert noted this area needs more attention and review.

Partial Compliance

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

During incarcerated person interviews, the Expert noted that in situations where an incarcerated person presents to jail staff clothing or linen that is soiled, or they need an urgent exchange of clothing/linen, incarcerated persons stated that some staff will exchange the items. Incarcerated persons also stated that it depends on which staff you ask. Some Custody Deputies will exchange, while other Custody Deputies will not. Incarcerated persons stated that in some cases, the clothing is exchanged on the same day, while in other cases it may take one day or two days.

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

Partial Compliance

2. Does SBCJ provide, document, and maintain records of training provided to incarcerated workers and staff assigned laundry duties on chemical safety, biohazardous and bloodborne contaminated clothing and linens, use of personal protective equipment, and Material Safety Data Sheets (MSDS)?

The SBCJ did not provide the Expert with the training curriculum or training records.

During the onsite review, the Expert interviewed the Laundry Coordinator in the main Laundry and three incarcerated person workers.

The Laundry Coordinator stated he received training for laundry chemical use and safety by another laundry staff member, but that the training was on-the-job verbal training.

One incarcerated person assigned to washing and worked with cleaning chemicals stated he was provided on-the-job verbal training. No formal or documented training was provided.

MSDS were not available on site, however, MSDS binders have been created and are in the dock/warehouse area. The Expert was informed the MSDS binders will soon be distributed to all locations that store chemicals.

The Expert recommends that SBCJ develop and provide training to staff and incarcerated workers on chemical use and safety, including cleaning biohazardous and bloodborne contaminated clothing and linen, the use of personal protective equipment, and MSDS. The training provided to staff and incarcerated workers must be documented, and records maintained to provide verification and proof of practice.

Non-Compliance

- 3.(1). Do staff make health care referrals for any incarcerated person refusing to exchange linen if there is reason to believe such refusal relates to the person's mental health condition?

The Expert requested copies of documentation for any health care referrals submitted by staff, or documentation from clinical staff on addressing and/or resolving an incarcerated person's refusal to exchange linens if there was reason to believe such refusal related to the incarcerated person's mental health condition. The Expert was informed this process has not been fully implemented or finalized and therefore documentation was not provided.

The Expert interviewed housing unit Deputies and mental health staff to evaluate what is being done with incarcerated persons who refuse to exchange linen or clothing, and the reason for refusing may be related to their mental health.

Overall, most housing unit Deputies stated they would call mental health staff if they suspected an incarcerated person is refusing clothing or linen exchange as a result of their mental health.

Mental Health staff also stated they do receive calls from housing unit Custody Deputies about incarcerated persons who will not maintain proper hygiene and need intervention. Mental health staff stated they would like to see custody staff be more engaged and call mental health for incarcerated persons who do not maintain proper hygiene or cell cleaning.

During incarcerated person interviews, the Expert noted that some incarcerated persons stated that other incarcerated persons with severe mental health needs are being housed in dorms with general population incarcerated persons. Incarcerated persons claim some mental health incarcerated persons (male and female) have severe hygiene and cleaning needs, and other incarcerated persons are instructed to clean up after them. This includes cleaning soiled clothing/linen, cells or living areas. In some cases, the incarcerated persons must clean urine, feces, and or blood (female dorms). Female incarcerated persons claim they have filed grievances in an attempt to resolve this issue, but nothing gets done. An incarcerated person assigned to an isolation cell stated he has submitted grievances regarding incarcerated persons who are assigned to adjoining cells where he can smell severe odors because they do not maintain personal hygiene or cell cleanliness.

During the tour, the Expert also observed various housing units and or restrictive housing cells, where it appeared the incarcerated persons were not maintaining proper hygiene or cell cleaning.

The Expert recommends that SBCJ develop procedures for all staff to contact mental health staff when an incarcerated person refuses to exchange linen/clothing and there is reason to believe such refusal relates to the person's mental health condition. It is also recommended the procedures include a process to document the referrals for tracking purposes.

Partial Compliance

3.(2). Does Mental Health staff assist in resolving the situation, as appropriate?

The Expert noted that Mental Health staff who were interviewed stated they receive approximately one call in a one or two-week period regarding incarcerated persons with hygiene issues. Staff stated they will respond to interview the incarcerated person and complete a mental

health and risk assessment to determine why they are not maintaining hygiene. If they determine the incarcerated person does have mental health issues, they will follow up with a psychological evaluation.

Mental Health staff further stated they would like to see custody staff more involved in calling mental health for incarcerated persons not caring for themselves, specifically those incarcerated persons assigned to isolation housing.

The Expert recommends mental health staff document all contacts received by custody staff and the actions taken in resolving the situation for tracking purposes and providing proof of practice.

Partial Compliance

D. Food Service and Kitchen Operations

- 1.(1). Are incarcerated persons assigned to kitchen duties provided clean outer clothing daily?

The Expert noted that after interviewing incarcerated kitchen workers, they stated they are provided washed outer clothing daily. However, as the Expert previously noted, the clothing may be washed, but not all clothing appears clean or white in color.

As the Expert previously noted, it is recommended that laundry workers receive more training in sorting kitchen workers clothing to remove items that do not appear clean. It is also recommended that the proper amounts of detergent cleaner and or bleach are added to each load, or that washing machines are not overloaded to ensure a more thorough cleaning.

Partial Compliance

- 1.(2). If during an incarcerated person's work shift the clothing becomes soiled, is it replaced promptly?

The Expert noted that a main kitchen staff who was interviewed stated that if an incarcerated person soiled their clothing, they would send the person back to their housing unit to get clean clothing.

The Expert interviewed incarcerated kitchen workers and noted that incarcerated persons stated that if their uniforms are soiled, they are not exchanged until they return to their dorm at the end of their work assignment.

Un-ratable

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

The Expert requested copies of weekly inspection results and or documentation of any corrective actions taken, however, the Expert was informed that documentation was not available for the rating period and that inspections have not been implemented.

Non-Compliance

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

The Expert was unable to rate as copies of the weekly inspection reports submitted to the ECM were not provided.

Non-Compliance

- 2.(3). Does SBCJ/ECM ensure actions are taken to correct any identified issues on the weekly inspection of kitchen operations?

The Expert was unable to rate as copies of the weekly inspection reports submitted to the ECM were not provided.

Non-Compliance

- 3.(1). Does SBCJ develop and implement policies and procedures for food services and kitchen operations as required in Section 1246 of California Code of Regulations Title 15?

The Expert was unable to rate as policies and procedures have not been developed and/or implemented.

The Expert recommend that SBCJ develop and implement policies and procedures for food services and kitchen operations as required in Section 1246 of California Code of Regulations Title 15.

Non-Compliance

- 3.(2). Does the food services and kitchen operations policy include provisions for;

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

The Expert was unable to rate as policies and procedures have not been developed or implemented.

Non-Compliance

- 3.(3). Does the policy provide that incarcerated person workers are medically screened prior to being assigned to work in the kitchen?

The Expert was unable to rate as policies and procedures have not been developed or implemented.

The Expert recommend that SBCJ food services and kitchen operations policy include procedures for incarcerated kitchen workers to be medically screened prior to assignment in the kitchen or food handling. The procedures must include instructions to document the medical clearance and provide verification and proof of practice.

Non-Compliance

4. Does the SBCJ provide incarcerated person workers with training and education regarding kitchen operations?

The SBCJ did not provide the Expert with copies of a training curriculum and/or training records.

The Expert interviewed incarcerated kitchen workers. The Expert noted that all incarcerated persons stated they are provided verbal instructions but have not had formal training and/or education regarding kitchen operations.

The Expert recommends that SBCJ develop and provide incarcerated person workers training and education regarding kitchen operations. The training provided must also be documented for the purpose of tracking and verification.

Non-Compliance

- 5.(1). Does the SBCJ conduct periodic temperature monitoring of food?

As part of document production, the SBCJ produced food temperature check logs from July 1, 2020 through December 31, 2020. However, the Expert noted discrepancies in food temperatures when the temperature checks were taken, from the food temperatures of the food trays when served (see 5.(2). below).

Partial Compliance

- 5.(2). Does the SBCJ take steps to ensure that food prepared as hot, is served hot to the greatest extent practicable?

The Expert noted during the onsite review, kitchen staff stated the food is prepared and then put into pans. The pans are then put into oven warmers to keep the food hot and at the desired heat temperature. Right before kitchen workers serve the trays, the food is taken out of the electric ovens and the food temperatures are taken. These are the same temperature recordings the Expert was provided. Based on the food temperature logs that were provided, the food is prepared hot.

The Expert was informed that once the trays are filled with hot food, they are put into containers and taken to the housing units. The carts are taken to the housing units commencing at approximately 5:30 p.m. After the evening shift comes on duty around 6:00 p.m., the housing unit staff will begin distributing the food trays.

The Expert noted that based on incarcerated person interviews, it appears the preparation temperatures are significantly different than the serving temperatures. Most all incarcerated persons stated the hot food trays are never hot. Most are either warm, lukewarm, or cold.

In addition, incarcerated persons who are on Kosher diets or special diets claim that the food is always cold, and in many cases, the food amounts are small, and/or food items are missing from trays.

Some incarcerated persons claimed that they are able to see or hear when the food carts are rolled into their building and that it takes anywhere from thirty minutes to sometimes more than one hour before the food is served.

Various incarcerated persons claim they have filed grievances regarding this specific issue.

The Expert recommends that in addition to taking preparation food temperatures, that staff also take food serving temperatures when the food trays are distributed to incarcerated people. This will verify if the

serving temperatures are hot to the greatest extent practical. SCBJ may also need to re-evaluate the time when the food trays are served, and/or food carts are taken to the housing units. SBCJ may also need to review procedures when housing unit staff are required to begin food tray distribution to prevent the food trays/carts from sitting in housing units for long periods of time.

Partial Compliance

E. Work Order System and Preventative Maintenance

1. Does the SBCJ train staff on the process of submitting work orders?

The Expert requested copies of training curriculum and/or training records. SBCJ provided an "Instructor Lesson Plan" and a PowerPoint presentation titled "Master DRC PowerPoint." The Instructor Lesson Plan contains one page outlining a "Work Order System and Preventive Maintenance" (Page 57), and the PowerPoint presentation contains two slides specific to "Work Order System and Preventive Maintenance" (Slides 142 and 143). The documents explain the types of issues requiring the submission of work orders and that SBCJ shall utilize the work order reporting system to schedule preventative maintenance and repairs; however, the curriculum does not include instructions on the process for submitting work orders.

During the onsite review, the Expert interviewed various housing unit building staff. All staff were familiar with the process of submitting work orders. Staff stated they received on-the-job training when they started working at SBCJ by their training Custody Deputy.

The Expert recommends that SBCJ revise the training curriculum to include the process for submitting work orders, and a method to document the training for the purpose of verification and proof of practice.

Partial Compliance

- 2.(1). Does the SBCJ utilize the work order reporting system to schedule preventive maintenance and repairs?

During the onsite review, the Expert was informed that this process has not been implemented.

The Expert recommends that SBCJ implement the work order reporting system to schedule and track preventive maintenance and repairs.

Non-Compliance

- 2.(2). Does the work order reporting system provide for any cleaning or maintenance requiring an established schedule, including, at a minimum for;
- a. Regular maintenance of plumbing? Has not been implemented.
 - b. Quarterly cleaning of fans and ventilation grills? Has not been implemented.
 - c. Quarterly replacement of ventilation filters? Has not been implemented.
 - d. Regular external contractor monitoring of negative pressure cells and gauges? Has not been implemented.
 - e. Monthly fire extinguisher inspections? Has not been implemented.
 - f. Monthly fire and life safety inspections? Has not been implemented.

During the tour, the Expert was informed that the work order reporting system for any cleaning or maintenance requiring an established schedule has not been implemented.

The Expert recommends that SBCJ implement the work order reporting system to provide for any cleaning or maintenance requiring an established schedule.

Non-Compliance

- 3.(1). Does SBCJ develop and implement an environmental inspection policy with procedures that include an assessment of maintenance issues for every housing unit?

The Expert requested copies of the environmental inspection policy; however, the Expert was informed the policy is being developed.

The Expert recommends that SBCJ develop and implement an environmental inspection policy with procedures that include an assessment of maintenance issues for every housing unit. The policy must also include a method to document an assessments of maintenance issues, and actions taken to correct maintenance issues, for every housing unit.

Non-Compliance

3.(2). Does the environmental inspection policy contain procedures for every housing unit that include an assessment of maintenance issues for;

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

The Expert was unable to rate as the environmental inspection policy has not been developed.

Non-Compliance

F. Chemical Control and Biohazardous Materials

1. Did SBCJ develop and implement chemical control policies and procedures for the safe storage, dilution, and distribution of chemicals used at the jail?

The Expert requested copies of the chemical control policies and procedures; however, the Expert was informed the policy and procedures are being developed.

It is recommended that SBCJ develop and implement a chemical control policy and procedures for the safe storage, dilution, and distribution of chemicals used at the jail.

Non-Compliance

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

The Expert requested copies of training curriculum or training records; however, SBCJ did not provide these documents.

The Expert recommends that SBCJ develop and implement a chemical safety training for all staff and incarcerated persons assigned the responsibility of cleaning. The training provided to staff or incarcerated person must also be documented for tracking purposes.

Non-Compliance

- 2.(2). Does the SBCJ, or the SBCJ contract provider maintain documentation that demonstrates evidence of training for all staff and incarcerated person-workers involved in cleanup?

The Expert requested copies of training documentation for staff and incarcerated persons; however, these documents were not provided.

Non-Compliance

3. Did the SBCJ revise and ensure the implementation of its Communicable Disease policy, including to ensure appropriate use and concentration of pyrethrum spray?

During the onsite review, the Expert was informed the Communicable Disease policy is being revised.

The Expert interviewed various staff members who stated Pyrethrum is not being used at SBCJ. However, Policy Procedures Manual (PPM) 244 titled "Communicable Diseases," currently directs staff to use Pyrethrum spray to clean mattresses or cells/living areas for incarcerated persons who have ectoparasitic infestations, such as scabies, fleas, or lice.

This area needs further review and clarification.

The Expert recommends that the Communicable Disease policy be revised and clarified if pyrethrum spray is used. If SBCJ continues the use of pyrethrum spray, the policy must include the appropriate use and concentration of pyrethrum spray that is used, and staff assigned to utilize pyrethrum spray to clean mattresses or cells/living areas for incarcerated persons who have ectoparasitic infestations, such as scabies, fleas, or lice, need to be fully aware and are trained in the Communicable Disease policy.

Partial Compliance

- 4.(1). Did SBCJ develop and implement policies and procedures for cleaning, handling, storage, and disposing of biohazardous materials, including waste?

The Expert requested copies of policies and procedures for cleaning, handling, storage, and disposing of biohazardous materials including waste; however, the policies and procedures were not provided. During

the onsite review, the Expert was informed the policies and procedures were being revised.

The Expert recommends SBCJ complete the revisions to the policies and procedures and implement them for cleaning, handling, storage, and disposing of biohazardous materials, including waste.

Non-Compliance

- 4.(2). Does SBCJ ensure that Material Safety Data Sheets (MSDS) are accessible anywhere chemicals are stored, mixed, or diluted?

During the onsite review, the Expert noted that various locations such as the main Laundry, Intake, cleaning cart storage, or housing units that stored, mixed, or diluted chemicals did not have MSDS available. However, during the tour, while in the dock/warehouse, staff presented the Expert various MSDS binders and informed the Expert that the MSDS binders will soon be distributed to locations where chemicals are stored, mixed, or diluted.

Partial Compliance

5. Does the SBCJ ensure that staff and incarcerated workers responsible for cleaning biohazardous materials, or areas suspected of being contaminated by pests (e.g., lice or scabies) are outfitted with protective equipment and receive appropriate supervision?

The Expert noted that SBCJ staff who were interviewed stated incarcerated person crews from "D" Barracks are utilized to clean biohazardous incidents. The Expert interviewed three incarcerated persons assigned to the "D" Barracks "Main Jail Worker" crew who are assigned to clean biohazardous incidents. Two incarcerated persons stated they are always provided full Personal Protective Equipment (PPE) which consists of jumpsuit, goggles, shoe booties, mask, and gloves. One incarcerated person stated he is not always provided full PPE when cleaning biohazards. The incarcerated persons further stated that most times, but not always, they will have direct supervision by the "Property Custody Deputy" or a custody staff member. For example, they are sometimes directed and told to go clean the affected areas.

The Expert recommends that SBCJ develop a method to document when staff or incarcerated persons are utilized to clean biohazardous incidents. The documentation must include the location, date, PPE utilized and the cleaning solution(s) that were applied. The documentation will provide verification SBCJ staff and incarcerated workers responsible for cleaning

biohazardous materials, or areas suspected of being contaminated by pests (e.g., lice or scabies) are outfitted with protective equipment and receive appropriate supervision as required and provide proof of practice. All documentation should be forwarded to the ECM.

Partial Compliance

G. Negative Pressure Monitoring and Recording

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

The Expert requested documentation of magnehelic gauge checks for every shift during the rating period. However, the Expert did not receive documentation of magnehelic gauge checks for all negative airflow cells. Per PPM 244 titled Communicable Diseases, staff are required to check the magnehelic gauges once each shift and document checks and discrepancies in the housing unit 24-hour Module Report.

SBCJ has three separate locations where negative pressure cells are maintained.

- 1) Northwest Housing Unit cells 21-24,
- 2) West Module - C7 & C8,
- 3) East Module/New East cells 25-38.

As part of document production, the Expert received copies of the East Module 24-Hour Post Recap Reports from July 1, 2020, through December 31, 2020, which provide gauge checks for New East cells 25-38. SBCJ did not provide documentation or 24-Hour Post Recap Reports for Northwest cells 21-24 or West Module C7 & C8. As a result, the Expert was unable to determine if each shift is completing magnehelic gauge checks each day for all SBCJ negative airflow cells during the rating period.

Additionally, after a careful review of the East Module 24-hour Post Recap reports, the following discrepancies were identified.

The Expert reviewed copies of the 1st, 10th, and 20th reports for each month during the rating period, and December 31, 2020, for a total of 19 separate days. The following discrepancies were identified from these 24-hour Post Recap module Reports:

- According to all Post Recap Reports, the gauge checks are completed at 0600 and 1800 hours. A box is checked to indicate

the gauge checks were completed and the condition is noted. All 19 reports had checked the box and indicated the condition was "good."

- At the bottom of each Post Recap Report, a cell number is listed for each negative air flow cell so that staff can record the gauge reading results of each cell. However, only one shift is recording the actual gauge reading/results on the report. Additionally, on two dates, neither shift recorded the gauge readings.
- According to PPM 244, the gauge readings must be between 0.1 and 0.4. However, when the Expert reviewed the recorded readings on the Post Recap Reports, many readings are above the 0.4. range, which is outside the prescribed range.
- From the nineteen (19) Post Recap reports evaluated by the Expert, fifteen (15) contain at least one or more cells with readings above the mandated magnehelic gauge range; two Post Recap Reports were missing range readings; and only two Post Recap Reports had the correct gauge readings.

Per PPM 244, when the readings are outside the prescribed ranges, a Deputy is required to follow a two-step process to secure doors and/or check vents for blockage. The Post Recap Reports do not note any checks, contacts to maintenance, or submission of any work orders as required by PPM 244.

The Expert recommends that SBCJ develop an on-site post assignment handbook for custody staff assigned to work in each housing unit that contain negative airflow cells. The handbook should contain instructions on the proper checks and documentation of magnehelic gauges. The handbook should also include specific instructions on what actions staff shall take when gauges are outside the prescribed ranges or when non-conformities are identified. The handbook should also include a method for staff to sign an acknowledgement of reading and understanding the magnehelic gauge check process, and for a supervisor to monitor building staff to ensure compliance with the reviews. It is also recommended that each shift log the magnehelic gauge readings in the daily Post Recap Reports.

Partial Compliance

- 1.(2). When non-conformities are identified, are cells not used for people with circumstances requiring a negative airflow cell?

Unable to rate as the Expert did not receive magnehelic gauge checks or 24-hour Post Recap Module Reports for all housing units that contain negative airflow cells. Additionally, the Post Recap Reports for East Module did not contain information/documentation on what actions were taken when non-conformities were noted.

It is recommended that the Post Recap Reports, or other forms of documentation are used when non-conformities are identified, and incarcerated people are affected.

Un-ratable

- 1.(3). When non-conformities are identified, is a work order submitted for prompt repairs?

The Expert requested work orders for repairs completed to negative airflow cells during the rating period. However, the Expert did not receive any work orders, but were provided six "Statements of Work" documents for maintenance or work completed as explained below:

- One Statement of Work document dated June 25, 2020, is outside of the rating period.
- One Statement of Work document dated July 7, 2020, for what appears to be preventive maintenance and filter replacement. It is not clear which housing units or cells were part of this maintenance.
- One Statement of Work document dated September 21, 2020, was to calibrate and test negative pressure cells in East ISO, North West ISO, and Main Jail Central ISO.
- One Statement of Work document dated October 7, 2020, for what appears to be "HVAC" filter replacement. It is not clear which housing units or cells were affected.
- One Statement of Work document dated November 28, 2020, was for heating problems in Old East ISO cells.
- One Statement of Work document dated December 8, 2020, for filter changes in New East.

As a result, the Expert was unable to evaluate this question as there were no work orders provided for non-conformities that were identified, and/or

Post Recap Reports for all housing units with negative pressure cells were not provided.

Additionally, the Statement of Work document dated December 8, 2020, was for the replacement of filters in New East Negative airflow cells. As a result, the December 10, 2020 and December 20, 2020, Post Recap Reports indicate proper readings in all gauges, which are the only two that had correct readings as previously mentioned. However, the December 31, 2020, Module Report indicated two cell gauges were above the required range.

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

Un-ratable

2. Does the SBCJ provide and document training regarding acceptable gauge readings and the steps to take if the readings are outside the acceptable range for all staff assigned to housing areas with negative airflow cells?

SBCJ provided an "Instructor Lesson Plan" and a PowerPoint presentation titled "Master DRC PowerPoint." The 66 page Instructor Lesson Plan contains one page describing the "Negative Pressure Monitoring and Recording" requirement (Page 57). The PowerPoint presentation contains 201 slides, of which three slides include a brief description on Negative Pressure Monitoring and Recording (Slides 148, 149, and 150) . Although the PowerPoint presentation contains information about a magnehelic gauge range, the gauge information in the slides differs from the requirements noted in the SBCJ Custody Operations Policy and Procedures Manual, titled 244 Communicable Diseases. In addition, SBCJ has two types of gauges with different type of ranges (0 to 0.5, and 0 to 1.0); however, the PowerPoint presentation only provides direction for one type of pressure gauge (0 to 0.50).

It is recommended that SBCJ update the Instructor Lesson Plan and PowerPoint presentation to be consistent with the information in the SBCJ Custody Operations Policy and Procedures Manual, titled 244 Communicable Diseases. The training must be provided to all staff assigned to housing areas with negative airflow cells, and document the training provided as proof of practice.

Partial Compliance

3. Are negative pressure cells and gauges tested by an external contractor on a regular schedule, as part of the jail's preventive maintenance schedule?

Based on the aforementioned Statement of Work documents that were provided, the Statement of Work documents do not appear to be part of a regular testing of all negative airflow cells by external contractors, and do not appear to be part of a regular schedule.

It is recommended that SBCJ develop a regular schedule for external contractors to conduct negative pressure cell and gauge testing. The schedule should be part of the jail's preventive maintenance schedule.

Non-Compliance

H. Emergency Response and Fire/Life Safety

- 1.(1). Does the SBCJ inspect fire extinguishers monthly?

The Expert requested documentation of monthly fire extinguisher inspections; however, no documentation was provided.

SBCJ must conduct monthly fire extinguisher inspections and document the inspections and results.

Non-Compliance

- 1.(2). Does the SBCJ hold/conducts drills to ensure all jail staff are trained consistent with NCCHC standards on emergency response?

The Expert requested documentation of fire drills; however, no documentation was provided.

Per PPM 222 titled "Fire Suppression/Natural Disaster and Evacuation Plan," fire drills are to be conducted twice a year or when deemed necessary by the Jail Operations Division Commander. During the onsite review, the Expert was informed the drills are not being completed.

Non-Compliance

- 1.(3). Does the drill documentation include the start and stop times?

Non-Compliance

- 1.(4). Does the drill documentation include the number and location of any incarcerated persons moved as part of the drill?

Non-Compliance

- 1.(5). Does the drill documentation include any noted deficiencies?

Non-Compliance

- 1.(6). Does the drill documentation include any corrective actions taken?

Non-Compliance

The Expert recommends that SBCJ implement drills to ensure all jail staff are trained consistent with NCCHC standards on emergency response. PPM 222 titled "Fire Suppression/Natural Disaster and Evacuation Plan" does not contain or provide detailed information on how to conduct drills. It is recommended that SBCJ create manuals and/or lesson plans with detailed instructions on how to conduct drills, direction to staff on how the drills will be accomplished, and the documentation of any corrective actions taken.

Non-Compliance

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

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

During the onsite review, the Expert was informed the ECM is not conducting bimonthly Environmental Health and Safety inspections.

The Expert recommends the assigned ECM conduct bimonthly Environment Health and Safety inspections of every housing unit.

Non-Compliance

- 1.(2). Does the inspections include a documented assessment of and (as needed) corrective action plans for;
- a. Cleanliness of floors, walls, ceilings, bed and bedding, toilet and lavatory, cells and dayroom surfaces?
 - b. Cleanliness and disinfection of common areas and furnishings, including showers, shower chairs, plastic chairs, wheelchairs, stretchers, beds/bunks and personal property containers?

- c. Cleanliness of fans, exhaust and return ventilation grills, and the need for any maintenance repairs such as painting, broken tiles, blocked lighting, and plumbing?

The Expert was unable to rate any documented assessments as bimonthly Environmental Health and Safety inspections are not being completed.

Non-Compliance

- 2.(1). Does SBCJ provide a system through which class members are able to raise sanitation matters of concern?

Incarcerated people in the SBCJ are utilizing form SH-585a titled "Custody Operations–Incarcerated Person Grievance Form" to file grievances and/or raise sanitation matters of concern.

The Expert requested copies of grievances related to sanitation issues submitted by incarcerated persons during the rating period, and copies of any work orders that were submitted as a result of the grievances.

The Expert received copies of three grievances filed by incarcerated persons and fifteen grievance report responses for a total of eighteen grievances that were submitted by fourteen individual incarcerated persons. No work orders that were created as a result of the grievances were provided.

The Expert was able to interview four of the fourteen incarcerated persons who had submitted grievances during the rating period. Two incarcerated persons refused to be interviewed; seven incarcerated persons were no longer in custody, and one incarcerated person was not available.

- One incarcerated person filed a grievance on November 21, 2020, requesting to use the Main Jail Yard due to his yard having spider webs; smelly pavement; no direct lighting; yard was too small; no workout equipment; and his belief the small yard is never cleaned. Staff response was that they would speak with staff about cleaning the yards where he was assigned. It appears no work orders were submitted to clean the yard nor documentation verifying the grievance had been resolved. The incarcerated person was interviewed during the onsite review and claimed the grievance was not resolved; however, he was subsequently moved to another housing unit/yard.

- One incarcerated person filed a grievance on July 12, 2020, for a broken toilet and phone not working. Based on the grievance response, the toilet was fixed on July 12, 2020. The incarcerated person was interviewed during the tour. The incarcerated person stated he could not clearly remember which grievance he filed, but claims he had a toilet that was not fixed for about five days. The grievance response does not indicate if a work order was submitted for the broken toilet, but claims the toilet was fixed on July 12, 2020. The response further states that a work order was submitted on July 12, 2020, to repair the broken phone.
- On July 31, 2020, one incarcerated person filed a group grievance on behalf of multiple incarcerated persons for an ant infestation in various cells. In the grievance, the incarcerated person claimed staff sprayed insecticide, but that it did not take care of the problem. On August 4, 2020, staff responded to the grievance and stated that a pest control company applied "ant bait" on July 23, 2020, and the ant problem could take up to a week or more to eliminate as the ant bait is taken back to the colony to eliminate all ants. The response also indicates a pest control company will be back "next week" to apply more bait. During the onsite review, the Expert interviewed the incarcerated person who claimed the problem was not resolved as his cell continued to have ant problems. The incarcerated person claimed he filed an appeal, but nothing resulted from the appeal.
- One incarcerated person filed a grievance on November 27, 2020, claiming the incarcerated person in the neighboring cell was not caring for himself or cleaning his cell due to his current mental status. On December 3, 2020, staff responded to the grievance and stated the facility was fully aware of his concern and the incarcerated person's health was their priority. The response further stated the information would get passed on the appropriate departments. No further information is noted. The Expert interviewed the incarcerated person who claimed the incarcerated person next to him was not keeping good hygiene and omitted bad odors. He wanted someone to clean the cell. The incarcerated person claimed nothing got done.

In addition, during other incarcerated person interviews, the Expert asked questions about filing grievances regarding sanitation matters of concern.

Overall, most incarcerated persons stated many of their filed grievances are not completely resolved. Many claimed filed grievances are not responded to or sometimes “disappear.” Other times they were told by certain Custody Deputies that the “issue is not grievable.” However, when incarcerated persons asked other Custody Deputies, they were able to submit their grievance.

Some of the common grievance issues that were provided are;

- Food - dirty or moldy food trays, not sanitized, and cold food.
- Toilets - Leaky toilets that aren't fixed, or too dirty.
- Dirty showers that have mold/mildew, rust, water is either scorching hot, or too cold, drains have bad odors and bugs.
- Recreational Yards were dirty or not cleaned, and toilets were dirty.
- Ventilation issues – more so on hot or humid days.
- Laundry issues - not being clean/stains.

In addition, some incarcerated persons stated it depends on which Custody Deputies you approach in an attempt to resolve problems. Incarcerated persons wanted to recognize three Custody Deputies as being more proactive in resolving problems and trying to keep areas clean:

Based on incarcerated persons interviews, many grievances are not responded to or become lost. During the onsite review, the Expert asked staff if the current grievance program/system utilized by SBCJ can provide a list of all grievances that were submitted and are outstanding or overdue. Staff were unaware if the system can provide such a list. It is recommended for SBCJ to identify if the current system has the capability to track and provide real-time reports for all grievances from the time of submission to resolution. It is recommended that a method to track each grievance is created to account for all grievances.

Partial Compliance

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

The Expert noted that not all grievances are reviewed by the housing unit supervisors before each shift change. From the eighteen grievances and/or grievance responses that were provided, ten appear to have been reviewed by a supervisor before shift change. Eight appear to be reviewed by a supervisor on the next shift, or on another day.

It is recommended that SBCJ provide both a copy of the grievance submitted by the incarcerated person, and a copy of the grievance response generated by the program/system. This would allow the Expert the opportunity to review and evaluate the actual grievance request, date and time submitted, and evaluate the responses and date and times of response.

Partial Compliance

- 2.(3). When a maintenance issue is identified, are work orders submitted before the end of the following shift?

The Expert was unable to rate this question as no work orders were provided that may have been submitted as a result of a grievance. However, from the eighteen grievances that were submitted, two required work orders to be submitted to correct maintenance issues. Based on the documentation noted on the grievance response, one work order was submitted the day before the grievance was submitted. The second grievance response stated a work order was submitted on the same day the grievance was submitted. Based on this information, it appears the work orders were submitted before the end of the following shift.

The Expert recommends that SBCJ provide copies of the work orders that were submitted when a grievance contains a maintenance issue. This will provide verification of the date and time a work order was submitted.

Non-Compliance



Signature

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

A handwritten signature in blue ink that reads "Mike Brady". The signature is written over a horizontal line.

Mike Brady
Director
Sabot Consulting

August 14, 2021

Date