

1995-96 Grand Jury

## LAW & JUSTICE/GOVERNMENT COMMITTEE

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The Law & Justice/Government Committee represents a merger of two standing committees of the Grand Jury. Its broad jurisdiction includes County agencies and their subdivisions (including municipalities) which are monitored and/or investigated. Methods used in carrying out the Grand Jury's duties include review of documents and correspondence, oral testimony by public officials, and on-site inspections.

The Law & Justice/Government Committee has devoted a considerable amount of time in 1995-96 to examining correctional institutions and jails within Alameda County. The State Board of Corrections (BOC) has been prompt, courteous and efficient in sending the Grand Jury information regarding institutional management and copies of State-mandated biennial inspection reports of correctional facilities. Members of the Grand Jury have visited institution sites and have reviewed inspection reports. Reports have been mixed in regard to institutional compliance with Code regulations. Even when reports are highly favorable, however, the absence of current health inspection reports has been a problem. Responsibility for such inspection lies with the County Health Department. After meeting with the Director of Public Health, the Grand Jury was able to secure a promise for timely health inspections for all jail facilities within Alameda County. The Grand Jury was also able to obtain copies of the most recent jail health inspection reports. In addition, the State Fire Marshall, at the Grand Jury's request, has provided copies of the most recent fire inspection reports.

Non-compliance with minimum jail standards is most frequently found in the areas of environment (plumbing, delayed repair work, general cleanliness), nutrition, and medical/mental health (communicable diseases, incomplete medical records, lack of medical referral systems). BOC recommendations should be implemented and health inspection reports should be addressed. Meanwhile, staff reductions, overcrowded facilities, and over-

age buildings, resulting in part from the County's and cities' continuing budgetary crisis and uncertainty in regard to federal grants will continue to influence future planning.

**RECOMMENDATION 96- A: That the County Health Director proceed vigorously in carrying out his plans for implementing annual health inspections of all correctional facilities as mandated by Health and Safety Code section 459.**

**RECOMMENDATION 96- B: That the Grand Jury be added to the list of those receiving copies of all annual health inspection reports.**

**RECOMMENDATION 96- C: That the Grand Jury receive copies of annual fire inspection reports.**

The Grand Jury visited Juvenile Hall and observed a fine program for rehabilitation in inadequate facilities. There is not sufficient space for the number of detainees. Medical facilities are too small and outdated. Segregation of violent offenders is not always possible.

**RECOMMENDATION 96- D: That the present complex be replaced by a new facility as soon as feasible.**

Another area of Grand Jury activity has been the evaluation of the responses made by the sixteen jurisdictions to the 1994-95 Final Report regarding the County Emergency Communication System - specifically Recommendations #95-19, 20 and 21. The Grand Jury has met with representatives of the Fire Chiefs' Association of Alameda County, the General Services Agency and the Alameda County Sheriff's Department and has reviewed the responses of the sixteen jurisdictions. The communication system appears to be functioning with the exception of system "dead spots".

**RECOMMENDATION 96- E: That all jurisdictions continue to correct and monitor any problems that still exist with the Emergency Communication System.**

Lastly, the Grand Jury has received a large number of communications from individual informants and private organizations which do not easily fit into any single category. The Grand Jury has handled such communications in a variety of ways. These have included contacting public officials by phone or in person, advising complainants to seek legal counsel, advising indigent complainants of the names, addresses and phone numbers of providers of legal service, and/or in cases where appropriate, advising complainants that their grievances are not within the jurisdiction of the Grand Jury.

**RESPONSES REQUIRED:**

Board of Supervisors A, B, C, D, E

Health Care Services Agency A, B

County Fire District(s) C

All City Councils E

RECOMMENDATION 96- J: That the Health Care Services Agency director appoint a tuberculosis control officer with the authority to make decisions on tuberculosis policy in both the hospitals and clinics.

RECOMMENDATION 96- K: That the Health Department ensure that information regarding tuberculosis is readily available to patients. Furthermore, it is recommended that the Health Department implement the recommendations of the Centers for Disease Control (CDC) report attached.

RECOMMENDATION 96- L: That the Health Department not charge patients a fee for tuberculosis testing services.

RECOMMENDATION 96- M: That all tuberculosis patients have case managers who make sure they receive treatment, directly observe them taking antibiotics when necessary, and help them get other needed services.

#### JAIL INSPECTIONS IN ALAMEDA COUNTY

The California Health and Safety Code Section 459 requires that the County Health Officer conduct an annual inspection of all jail and detention facilities in his/her jurisdiction. The Health Officer is responsible for assessing compliance with Title 15, Minimum Jail Standards, and other State and local statutes. The California Board of Corrections provides the inspection checklist, and the final report is sent to each member of the Board of Supervisors, the Department of Youth Authority Parole Services, the Community Corrections Board and the facility administrator.

Many of these inspections have not been carried out in a timely manner. The Grand Jury visited several of the detention facilities within the County. Many of the problems that are noted in prior inspection reports had not been addressed by the respective agencies.

Maintaining minimum jail standards at each of the facilities is an important part of the public health service in the County.

**RECOMMENDATION 96- N:** That the Director of Public Health develop a schedule of jail inspections and provide the services required by law.

**RECOMMENDATION 96- O:** That each agency responsible for a jail in the County correct problems noted in inspection reports in order to bring the County jails up to minimum standards.

**RESPONSES REQUIRED:**

Board of Supervisors J, K, N, O

Health Care Services Agency J, K, L, M, N

All City Councils O