

**September 22, 2020 COVID-19 Spot Check of the
Santa Rita Jail Facility by the Joint Neutral
Corrections Operations and COVID-19 Expert
Confidential Draft**

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Introduction

Timeline:

- May 27, 2020 & June 3, 2020 Initial COVID-19 Inspection
- June 10, 2020 Initial COVID-19 Inspection Report
- July 7, 2020 COVID-19 Spot Check Inspection
- July 30, 2020 First COVID-19 Spot Check Inspection Report
- August 25, 2020 COVID-19 Spot Check Inspection
- September 7, 2020 Second COVID-19 Spot Check Inspection Report

On September 22, 2020, I conducted a third unannounced (2-hour notice at 0630hrs) Covid-19 spot check of the Santa Rita Jail (SRJ). These spot checks are designed to monitor compliance with current CDC/Public Health recommendations, and to monitor the progress of the implementation of the recommendations made in previous inspection reports of the SRJ.

During this spot check, I was accompanied by Daniel Carvo (a newly hired Sabot Consultant), the Watch Commander, and the Compliance Unit Sergeant. I would like to take a moment to thank the Watch Commander and the Compliance Unit Sergeant for their assistance and patience during this tour.

I toured the following areas within the facility; Staff entrance, Staff Dining Room (SDR) Intake-Transfer-Release (ITR), Main Kitchen including the kitchen worker breakroom, Housing Unit 34 (Male Minimum Security), Housing Unit 24 (Women's Unit-all security levels), Housing Unit 9 (Male Behavioral Housing Unit), Housing Unit 6 (Male medium and high security), and the Outpatient Housing Unit (OPHU). I reviewed the out-of-cell time logs for all housing units including the OPHU in electronic form as collected by Sgt Costeiu. I also conducted interviews with a variety of staff and inmates throughout the facility.

It is important for me to reiterate here that I am not an epidemiologist, an infectious disease doctor, or a public health doctor. My observations, findings, and recommendations are based on my expertise in corrections operations, and the published CDC **“Interim Guidance on Management of Coronavirus Disease 2019 (Covid-19) in Correctional and Detention Facilities”** that was updated as of July 22, 2020.

As a result, I defer to the Alameda County Department of Public Health (“Public Health”) and other medical professionals on all clinical matters.

Onsite Observations September 22, 2020

General Observations

As is my practice on these follow-up COVID-19 inspections, I interview staff and inmates in each of the housing units and conduct random spot checks of cells/dormitories for soap, masks, cleaning supplies, COVID-19 education materials that are at a 6th grade reading level.

99.9% of staff were seen wearing masks throughout the inspection (one Aramark employee was wearing his mask below his nose), most inmates were wearing masks when out of their cells/dormitory living area as well except for about 10 inmates in the 6D dayroom. This is something I will discuss later in this report and make a recommendation.

On September 12, 2020 there was a COVID-19 outbreak identified in Housing Unit 3D which spread to Housing Unit 3C. As a result, a total of 17 inmates tested positive for exposure to the COVID-19 virus out of a total of 58 inmates housed in the two units. This will be discussed further in the “Wellpath” section of this report.

During my follow-up inspections, I always check the SRJ for cleanliness. During this inspection I observed that there was little to no trash or clothing seen anywhere (I noted a soiled jail uniform and some sandals in one of the transfer holding cells and a few scraps of paper on the floor of one of the dormitory dayrooms), tables and high contact areas appeared clean and sanitized, and the floors of the hallways and housing units were polished. In each of the housing pods I inspected, I asked about education materials, soap and mask distribution, cell/dormitory cleaning schedules, high touch surface cleaning, and laundry exchange. All inmates interviewed indicated that they were given cleaning supplies when requested. ACSO should be commended on their dedication to maintaining cleanliness not only as an important COVID-19 response, but also for the positive atmosphere it creates for both staff and inmates.

Having said that, during the course of my inspection I was told by Housing Unity Deputies in several Pods throughout the SRJ that cleaning in the GP units and other higher security units are only being cleaned twice a day rather than after every use. In my expert opinion, cleaning after every use should be occurring in every housing unit to maximize the prevention/mitigation of the spread of the virus. I am aware that there are studies that suggest very little transmission occurs as a result of high touch surface contamination, but in an abundance of caution I recommend the more frequent high touch surface cleaning. This, in my expert opinion, is even more important in a dormitory setting where inmates are using common toilets, sinks, phones, etc. Having said that, I defer to public health and other medical experts on what is appropriate.

Staff Entrance

On September 22, 2020 at 0830hrs, I met with the Facility Captain and the Compliance Unit Sergeant outside SRJ. We were all properly wearing face masks and social distancing. On previous tours we had entered through an anteroom (Staff Training Room) where every staff member entering the jail went through a COVID-19 screening including getting their

temperature taken, and answering questions regarding COVID-19 symptoms. On this tour, the training room was being used for training. As a result, the staff COVID-19 check in process was moved outside in front of the staff entrance. There were mobile canopies set up and staffed for COVID-19 screening inspections. Everyone is required to properly wear a mask prior to entering the secure perimeter. If the person does not have a mask, they will be issued one at the screening station. The informational signs regarding COVID-19 in that area were current, and the screening staff were all properly wearing Personal Protection Equipment (PPE). Although it was mentioned that a semi-permanent structure was going to be built outside the staff entrance (a shed to be used for staff screening), it is unclear what SRJ will do in the interim if inclement weather becomes an issue. In the time between my September 22, 2020 follow-up inspection and this final report, Assistant Sheriff Madigan sent me photos of the completed shed structure that will be used for staff screening outside the secure perimeter. I commend the ACSO for moving quickly to build an alternative space to conduct staff screening outside the secure perimeter. Staff Covid-19 screening outside the secure perimeter is a critical component of the ACSO's Covid-19 prevention/mitigation efforts.

Intake-Transfer-Release (ITR)

As the name implies, this area of the facility is where inmates are received into the facility from numerous law enforcement agencies, transferred out to other agencies, or released to either a community program or the community at large. I inspected the ITR where inmates are screened and booked into the SRJ. On the way to the ITR, I observed all badge staff and civilian staff properly wearing face masks. In the ITR I observed the same screening tent outside the secure ITR intake area. I only observed one inmate being processed into the facility. The individual being processed into the facility was wearing a mask and both law enforcement officers were wearing masks and gloves.

One of the transfer holding tank/sallyports had some half-eaten food and dirty inmate clothing/sandals on the floor, but it appeared that the inmate had just recently exited this location.

I also inspected the booking area and observed the area to be clean and all staff to be appropriately wearing PPE. I was told that staff do the cleaning in this area and that includes the use of an ultraviolet light machine for high contact areas and cells at least every 24 hours.

I interviewed the sergeant on duty regarding procedures for intake. Specifically, when and how individuals are designated as "Cite and Release" or "Keepers" (booked and housed), and he indicated there is a Station Order describing the process and those documents were provided to me.

I also interviewed the Intake Sergeant about the procedures for the release of a COVID-19 positive inmate (referred to by the Jail as a "Medical Red"). I was told that full PPE Tyvek suits, gloves, masks, shoe coverings, and protective eyewear are used and staff sanitize any inmate contact areas and objects after every use. Since many inmate releases are to community-based programs and staff from those programs come the SRJ to pick them up,

I was told that the receiving entities are always told of the inmates' medical condition. If the inmate is positive on release, Public Health is notified for follow up.

I am concerned about how inclement weather will affect the Jail's ITR procedures. In my expert opinion, it is critical that the pre-screening of arrestees remain out of the interior of the ITR if possible, to avoid the inadvertent introduction of the virus into the jail. I will follow up with this on my next spot inspection and make a recommendation later in this report.

Outpatient Housing Unit

I briefly toured the OPHU, which includes medical isolation cells. I was informed that there were no "Medical Red" inmates currently housed in isolation. The inmates housed in the OPHU on the day of this inspection were recovering from surgeries. The OPHU was clean and staff where all properly wearing masks. Staff represented the inmates who were medically available were receiving out-of-cell time that is consistent with their classification security level, but the documentation was not adequate to support that representation. It is critical that staff document all pod time, yard time and program time accurately and consistently. Without that supporting documentation, experts, like myself, will not find the SRJ to be in compliance. Out-of-cell time is critical to the health and welfare of all medically available inmates (inmates who are medically red are not medically available), especially during this challenging time, and the pandemic cannot be used as an excuse to lockdown inmates who are medically available to enjoy the same privileges as inmates who are housed in locations other than the OPHU. Individuals may fail to report symptoms of COVID or other health concerns if they believe they will lose privileges in medical isolation or quarantine.

Main Kitchen

On this follow-up inspection, I arrived in the kitchen area shortly after the morning meal and during lunch preparations. A brief survey of the area revealed several inmate workers on the food preparation line. They were not social distancing as previously noted in my reports because of the design of the meal assembly machines. They were all properly wearing masks and gloves; however, one Aramark employee walked by with the top of his mask below his nose. I immediately pointed this out to custody staff and our escorts. The employee was counseled and immediately adjusted his mask over his nose where it remained the entire time we were present in the kitchen area. Wearing a mask is important, but wearing a mask correctly is imperative. As you will see later in this report, this was a common theme and warrants a follow up recommendation.

While social distancing may not be possible on the food assembly line, social distancing is important and possible during kitchen worker breaks and mealtimes. I emphasized the importance of enforcing the social distancing rules during breaks and mealtimes because the masks will be taken off while eating and drinking. It is believed that one of the last clusters of positive inmates originated in the kitchen area. While walking around the kitchen area, I observed a medium sized inmate kitchen worker breakroom. This room is an enclosed area with a standard width door as the entrance and approximately 6 tables inside the break-room. In the room were approximately 20 inmate workers on a break.

They were not wearing masks and were not socially distancing. I pointed this out to my escort staff and continued my tour of the kitchen. By the time I had completed my tour of the kitchen, my escort staff, the ACSO Watch Commander, and the Aramark Kitchen Supervisor had already developed an action plan for correcting the break room issue. It was decided that inmate workers breaks would be staggered to reduce the total number of inmates on a break at the same time.

The lack of social distancing on kitchen worker meal breaks is particularly troubling because I clearly identified this issue in my previous inspection recommendations. It appears that my recommendation regarding social distancing in the kitchen worker break room was either not implemented or was not being enforced. Complacency and/or the lack of hypervigilance could very well cause a super spreader event and jeopardize the health and safety of inmates and staff alike.

Moreover, later during the tour, I observed two inmate trustees loading food trays outside a housing unit as we passed by to go to another Pod. Neither inmate trustee had their masks covering their noses. A Deputy was present and could clearly see that the inmates were not wearing their masks properly. Again, this is an enforcement issue, and badge staff need to be reminded to strictly enforce the mandatory mask station order.

Housing Unit 34 (Male Minimum Security)

This housing unit consists of several medium sized dormitory units. SRJ has reduced the total number of inmates per dormitory unit to provide more social distancing between inmates. I observed that the upper bunks were all empty and being used by the lower bunk inmates as a storage area for their belongings. The unit itself was very clean and staff indicated that inmate pod workers cleaned up after everyday room release. I noticed videophones along the wall and noted that inmates have scheduled appointments to utilize them. I was told that all phones are wiped down and sanitized after each use.

Housing Unit 24 (Woman's Unit-All Security Levels)

This unit is a good example of what happens when limited space, high demand, and complicated classification factors all intertwine. This female unit houses multiple classification levels and medical levels of female offenders except Covid-19 positive inmates. Staff should be commended for being able to keep track of the different custody, mental health, and medical requirements for each inmate housed in this unit. Because of the numerous classification and security level inmates present in this Pod, more work needs to be done in terms of tracking out of cell time for inmates housed in this unit.

I interviewed three female inmates in each of the pods of this housing unit. All inmates indicated they receive cleaning supplies when requested and felt safe in terms of exposure to COVID-19. One inmate indicated that they are only allowed to mop their cells during "Pod Time" (out-of-cell time) and that it cut into their recreation time. Custody staff noted that there are security and physical space constraints that have led to this policy. At the time of my inspection, there were only three medical orange inmates in 24E. The remaining inmates were a hodgepodge of security levels which makes managing this housing unit more challenging. The whole purpose of having an medical orange unit is to

isolate the vulnerable females from the rest of the general female population. I recognize that because of the increased population in the SRJ, the classification unit has limited housing options. In my expert opinion, Command Staff and the Wellpath Medical Staff should be consulted before the classification unit is allowed to change a housing configuration like what has been done in this unit.

Housing Unit 9 (Male Behavioral Housing Unit-BHU)

There were approximately ten male inmates playing basketball in the inner recreation yard when we entered this unit. An interview with custody staff revealed that the yard is mopped and all equipment is wiped down between yard releases. They also rotate hand-held sporting equipment (basketballs) and wipe them down between uses.

Mandatory overtime is a fact of life at SRJ and although on the surface it may seem unimportant, which staff are assigned to a housing unit (particularly in a behavioral health unit) is critical to the smooth operation of a unit. SRJ staff understand this nuance and try to post staff who are assigned regularly to these units when overtime is necessary. This is important in order to be able to effectively manage this vulnerable and unpredictable population well. In my four onsite inspections, the same Housing Unit Deputies were present, and were very familiar with each inmate in the Pods and clearly understood how to care for and manage the BHU inmates. SRJ Command Staff should be commended for this practice.

I noted that although the floors were clean, they did not have the glossy shine that I had noted in other units. I was informed that the use of polishing compounds and powerful buffer machines is just not safe for the BHU inmates housed in this unit.

I also noticed a plexiglass partition with a vented hole for interacting with inmates that had been constructed in the housing area outside the Pod dayrooms on one of the tables. I was told this is used for one-on-one communications between inmates and medical and/or mental health staff. This adds an extra layer of protection for staff and inmates when conducting face-to-face encounters.

Housing Unit 6 (Male Medium and High Security)

The first thing I noticed upon entry into this housing unit was the large number of inmates in the day room of each pod. I also noticed that at least ten of the twenty or so inmates were not wearing a mask. Inmate mask compliance is an ongoing daily struggle with the inmate population, but there is a mandatory mask station order in place, and it must be strictly enforced. Inmates who are not wearing their masks properly when out of their cells must be asked to wear their masks properly or return to their cells. Staff who do not enforce this mandatory mask station order should be disciplined. The station order is not a perfunctory order. It is an order designed to maximize the safety of staff and inmates and to reduce the chances of staff and inmates being infected by this respiratory drop/aerosolized virus.

I interviewed two inmates housed in this unit. The first was an inmate who had contacted Plaintiffs' counsel regarding his concerns. I allowed the inmate to describe each of his

complaints in detail. Arguably, some of these complaints were not COVID-19 related, but I allowed him to explain his concerns, and I actively listened to each of them. I provide an abbreviated list here:

- Carpets in the day room need to be replaced. Shampooing is not enough.
- Showers need to be power washed.
- Ventilation system needs to be checked regularly and filters changed/cleaned.
- Soap provided is too rough. He would prefer the large blue bars of soap.
- Indicates he has not seen a mop in the 19 months he has been housed here.
- Nobody is social distancing.
- Canteen prices are too high.

I note as to this inmate's complaints regarding the showers, carpets, and mops being available, my inspection found the showers and the carpets to be clean, but having some stains, but in neither case were those stains impacting the sanitary nature of the showers or carpets. I confirmed that the carpets had been shampooed, and the pod workers clean the showers daily. The ventilation system filters should be changed on a regular schedule and I will confirm what that schedule is during my next inspection. As I note in my findings, the inmates were not properly social distancing and many inmates, including this one, were not properly wearing their masks.

The second inmate I interviewed was in a wheelchair at the time of the interview. He indicated he had been shot in the back and although he is able to stand and walk short distances, he needs a wheelchair for the constant pain. It should be noted that although he wore a mask during the interview, it was below his nose the entire time. When asked about some of the same things the first inmate listed as concerns, this inmate indicated the following:

- Vents do appear to be dirty and in need of cleaning.
- Showers are clean, but water temperature is too cold.
- Cleaning supplies (including mops) are readily available. However, he did not know he could ask for soap.

His specific complaints included the following:

- Wheelchair arm rest is falling off and there are no footrests.
- He indicated there is a lack of access to tablets in the unit.
- He has requested to see Mental Health three times and has not received a response.

- His request for a thicker or second mattress has been denied for custody reasons.
- Sick call process seems to work well. Getting in to see a doctor seems to take much longer.

Staff Dining Room (SDR)

I inspected the staff dining during lunch hours and noted that all food service workers were wearing masks and gloves. Tables and chairs have been set up to limit social contact in that there are only two chairs per table. They even limit contact at the drink dispenser by having a food service employee fill cups and provide staff with disposable utensils.

Wellpath

I met with Wellpath Director of Nursing, Mike Durbin, in the afternoon and he immediately provided me with information regarding the recent cluster of positive inmate cases. On September 12, 2020 there was a COVID-19 outbreak identified in Housing Unit 3D which spread to Housing Unit 3C. As a result, a total of 17 inmates tested positive for exposure to the COVID-19 virus out of a total of 58 inmates housed in the two units. Mr. Durbin indicated that they were still not completely sure how or where the first COVID-19 positive inmate was exposed, but they think it was from a recent out-to-court transport. That inmate then exposed three other inmates in his housing unit. One of the three inmates was then moved to a different housing unit (3C) before staff became aware of the outbreak. Mr. Durbin noted SRJ became aware of the outbreak on Saturday, September 12, 2020 but that contract tracing to determine the spread to housing unit 3C did not occur until Monday, September 14, 2020. The delay in contact tracing may have had an impact as a total of 17 inmates ultimately tested positive for COVID-19 exposure after the two housing units were put on quarantine status. The ACSO and Wellpath may want to consider implementing mechanism for immediate contacting tracing that is available 24 hours a day/ seven days a week. I recommend that they discuss this seeming gap with Public Health, and I defer to Public Health on this issue.

Mr. Dubin also noted that SRJ currently has about a 30%-40% refusal rate for the COVID-19 test. He also stated that most of the refusals come from inmates who are heavily under the influence or are off their medication upon arrival at the jail. Fortunately, SRJ treats all refusals as a presumptive positive for quarantine purposes.

UPDATE ON PRIOR RECOMMENDATIONS NOT COMPLETED OR UNKNOWN STATUS

- **Recommendations:** Neither an Ombudsman or an Inmate Advisory Council is required, but both would go a long way toward resolving inmate related issues informally and reducing the workload of an already overburdened badge staff. The IAC would allow the inmates an informal process in which to air their complaints, make recommendations for improvements and problem solving. You may be surprised how much you could learn from the inmate population, how much the tension level would

be reduced, and how much staff time would be saved by implementing these two initiatives. They work well at CDCR and in the Santa Clara County Jail.

Response: The SRJ Command are committed to creating an Inmate Advisory Council. They have asked for, and I have provided a set of CDCR regulations and Departmental Operation Manual sections regarding how an IAC operates, and I am in the process of obtaining the Santa Clara County IAC policies and procedures to share with the SRJ Command staff. It is my opinion that the Compliance Captain can also serve as the Ombudsman. This will allow the SRJ Command staff to field questions, comments, and concerns from the public, advocates, attorneys, and families in a centralized location. Having the ADA unit, the Grievance and Appeal Unit, Gang Unit, Multi-Service Deputy Unit, and the ACA, is critical to monitor compliance for all of those units. . It is my opinion that the SRJ Command staff see the wisdom of creating an IAC and will get there sooner than later.

The ACSO is in the process of creating an IAC so I find this recommendation to be making substantial progress but still not complete as of September 22, 2020.

- **Recommendation:** The ASCO needs to be more vigilant in its enforcement of properly wearing masks and social distancing in the kitchen. The ACSO should develop a contingency plan for kitchen workers to socially distance when equipment breaks or in other emergencies.

I find this recommendation to be incomplete. Here it is clear to me that the recommendation for social distancing for staff and inmates on meal breaks in the kitchen either was not communicated to the SRJ Custody Kitchen Sergeant and the Aramark Kitchen Supervisors or it was not being properly enforced. In either event, it was not occurring and could very easily result in a superspreader event. While the ACSO is commended for taking immediate corrective action by staggering the times when inmates are allowed to take their meal breaks in the kitchen area, the ACSO and Aramark must be hypervigilant in their enforcement of social distancing in the kitchen where possible. I will return to the kitchen on my next spot check to see if there has been improvement in this area.

- **Recommendation:** Create a fact sheet or video that explains the Covid19 response plan from beginning to end. Run it on the TV multiple times a day and make it available in the tablets. It is my expert opinion that this increase in information will exponentially reduce the fear-based complaints, the stress and fear of the inmates, and the staff time required to deal with these complaints.

I find this recommendation to be complete. Wellpath has created a very informative Covid-19 brochure that is titled “What to expect at Santa Rita Jail during Covid-19”. This brochure is handed out to each inmate who is booked into the SRJ, and gives them the basic information they need to understand why they are housed in each medically color coded housing unit and what they can expect

while in those housing units. It is very well done, and Wellpath should be commended for creating this brochure.

Findings and Recommendations

- **Finding:** While inspecting Housing Unit 6, In Pod 6D, I observed what appeared to be approximately 25 inmates out of their cells in the Pod dayroom together, Not only was there no social distancing occurring, but there were also at least 10 inmates who were not wearing their masks properly. Some were down below their noses, and others had their masks down below their chins. In addition, while walking between housing units during my inspection, I observed two inmate trustees pushing carts out of a housing unit with their masks down below their noses. In both instances, the Housing Unit Deputies and our escorts could clearly see that these inmates were not properly wearing their masks in violation of Commander Sanchez’s July 22, “Housing Unit Updated-Inmate Mask Wearing” station order, but made no effort to correct these violations as directed by the July 22, 2020 station order.
 - **Recommendation:** I recommend programming inmates in smaller numbers in the solid door higher security pods where possible. Programming in smaller numbers will mean less out of cell time, but if social distancing is strictly enforced, it will mitigate the potential spread of the virus if it is introduced to the pod. We must recognize social distancing is very difficult to enforce when inmates continually ignore the direction given by staff and the education materials readily available to them on their tablets and on the TV. SRJ should consider disciplining inmates who refuse to social distance with a loss of privileges. I am very concerned about inmates being out of their cells in large numbers while NOT wearing their masks properly. The Station Orders issued by Assistant Sheriff Madigan and Commander Sanchez must be strictly enforced and staff and supervisors who fail to do so should be disciplined. The ACSO and Wellpath have done an excellent job keeping their Covid-19 positive numbers close to zero in spite of the jail population increasing, but the failure to enforce the mandatory mask orders for inmates, has the potential to undermine this excellent work. The result could have a devastating impact on the health and welfare of staff and inmates.

- **Finding:** According to Wellpath, there is no contract tracing that occurs on a weekend even if there are inmates who test positive in the inmate population outside of the Blue medical isolation housing units for newly booked inmates. This may be a process gap that could result in additional inmates being infected by inmates who have been exposed but are asymptomatic and remain in the housing unit, or by inmates who are moved from an exposed unit to another housing unit by classification.
 - **Recommendation:** Wellpath may wish to consult with Public Health as to whether or not contact tracing should be conducted immediately on the weekends after an inmate has tested positive for COVID-19 or is displaying symptoms in order to mitigate the inadvertent spread of the virus as a result

of the two day or three day delays on weekends and holidays. I defer to Public Health on this matter.

- **Recommendation:** The Compliance Unit should develop and implement an internal audit tool to use during their spot checks throughout the facility.
- **Response:** Although the Compliance Unit is up and running and it appears they are conducting internal audits, they need to develop an audit tool and a way of tracking internal audit results.

I find this recommendation to be in progress, but not complete.

- **Finding:** One Aramark employee was not properly wearing his mask while working in the kitchen around other inmates and staff. His mask was down below his nose. In addition, I observed no social distancing occurring during the inmate meal break in the kitchen break room.

- **Recommendation:** The ASCO needs to be hypervigilant in its enforcement of properly wearing masks and social distancing in the kitchen.
- **Response:** Kitchen supervisors got together immediately on site and developed a realistic and practical action plan to divide inmates into smaller groups and stagger their meal breaks so drastically reduce the number of inmates in the break room at the same time not wearing masks while eating. I will need to observe implementation of this new action plan on my next spot inspection. I will also review any COVID-19 mask related disciplinary actions (staff and inmates), if any, during my next spot check. Because of personnel and POBAR statutes and regulations, I will review redacted actions or summaries that do not include employee names.

I find this recommendation to be incomplete.

- **Recommendation:** The ACSO should find a way to allow inmates in the OPHU (and other restricted housing units) to get out of their cells for some unstructured dayroom time or outdoor exercise.
- **Response:** The ACSO has assigned additional personnel (a Sergeant and a Deputy) to the OPHU to ensure that those inmates who are medically cleared are afforded out of cell time consistent with their security level. Although I previously found this recommendation to be completed, I learned on this visit that SRJ is still developing a mechanism for documenting out of cell time. I spoke to Compliance Unit staff regarding ways to improve tracking. As a result, I cannot in good conscience deem this recommendation completed until such time as documentation and a real-time networked tracking system is implemented and the documentation demonstrates compliance. To their credit the ACSO is moving in that

direction, but they are not there yet. I made recommendations on how to track out of cell time for medically available inmates and those who are not medically available (including inmates who have tested positive).

I modify my recommendation from complete to incomplete.

- **Finding:** During the course of my inspection, reviewed the Intake, Transfer, and Release process with the ITR Sergeant whom I found to be very knowledgeable and vigilant regarding following a process that keeps inmates and staff safe in this very challenging area of the SRJ operation. I asked him if all of the process he described to me were in writing in a policy, procedure, directive or station order. He stated that they were. However, I was only provided one memo dated March 25, 2020 to Captain Mattison from Deputy Bittle that addressed “Covid-19 ITR RELEASE PROCESS FOR OUT OF COUNTY PICKUPS”. There was insufficient information in this single memo for me to make any findings or recommendations about the Intake, Transfer and Release process as it relates to preventing or mitigating the spread of the Covid-19 during these processes. I will explore this further with Command Staff during my next spot check.

Conclusion

The ACSO and Wellpath continue to do an excellent job of preventing/mitigating the spread of the Covid-19 virus within the secure perimeter of the Santa Rita Jail. However, it is important that the ACSO not get complacent and let their guard down as it relates to strictly enforcing their Covid-19 response plan mandates. During this inspection, I found a few lapses in enforcement that could very well result in an outbreak of the virus within the secure perimeter and result in the serious illness and/or death of staff and inmates if allowed to continue. To their credit, in spite of the population steadily increasing, for the last month there have been zero positive cases in the SRJ in at least one week, and in the weeks prior there were less than 1% of the inmate population who were Covid-19 positive. This virus will be with us well into the next year, and with the regular flu season upon us, preventing/mitigating the spread of both the seasonal flu and the Covid-19 virus within the secure perimeter of the jail will become exponentially more difficult. I will be meeting with Wellpath HSA Jen Diaz and the SRJ Command Staff on my next inspection to discuss their plan of action to address the upcoming challenges and the double whammy of the seasonal flu and Covid-19 in the SRJ. As of today's date, there continues to be zero positive Covid-19 cases in the secure perimeter of the SRJ. Having said that, I continue to be very concerned about the steady rise in the SRJ population and in my expert opinion, the ACSO needs to contact the Sheriff's Association, CDCR, and the Federal Court and demand that CDCR remove the new CDCR commitments as one way of reducing the inmate population numbers.

Signature

Submitted on behalf of Sabot Technologies, Inc. dba Sabot Consulting to the County of Alameda.



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November 10, 2020

Date