

Tuolumne County
Administration Center
2 South Green Street
Sonora, CA 95370

Phone: (209) 533-5521
Fax: (209) 533-6549



Heather Ryan
Sr. Board Clerk of the
Board of Supervisors

**BOARD OF SUPERVISORS
COUNTY OF TUOLUMNE**

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August 20, 2024

(Amended per Courts request on October 17, 2024, to correct addressee's)

Judge of Superior Court
Honorable Kevin Seibert & Honorable Hallie Gorman Campbell
Tuolumne County Superior Court
12855 Justice Center Drive
Sonora, CA 95370

Re: Response to Grand Jury Report – **Dambacher Detention Center Facility and Mother Lode Regional Juvenile Detention Facility dated June 26, 2024**

The following is submitted in response to the 2023-24 Grand Jury Report as it pertains to the Dambacher Detention Center and the Mother Lode Regional Juvenile Detention Facility (MLRJDF). The Tuolumne County Board of Supervisors, Sheriff-Coroner, and the Chief Probation Officer wish to extend their gratitude to the Grand Jury members for their time in preparing the final Grand Jury reports. Please accept this as a joint response.

Chapter 1: Dambacher Detention Center

Findings

F1. The Jail is currently short-staffed resulting in the need for on-duty deputies to perform transports.

Response: Agree

We continue to actively recruit and more importantly, retain employees with competitive salaries and benefits indicative of industry standards. Onboarding new employees will allow for adequate and safe staffing levels that will result in sustaining collateral assignments such as transport, work crew, and other inmate programs. We also understand that custody staffing adversely affects all divisions of the Sheriff's office, as it is common to staff custody positions with patrol deputies, when staffing levels are critical or constitutional mandates are at risk.

F2. Additionally, at the time of the tour, the jail was short a booking nurse and a full-time registered nurse. There is a resource issue when it comes to hiring reliable and experienced candidates in Tuolumne County.

Response: Agree in part. Disagree in part.

While on duty, nursing staff responds to intake (booking area) to process all incoming arrestees. Wellpath recently hired a full-time RN. Additionally, another EASS (Early Access Stabilization Services) nurse was given clearance into the facility and will be providing services, effective immediately. With these additions, their staffing levels are full and as follows: x1 Health Services Administrator, x2 full-time RNs, x2 full-time LVNs, x3 per-diem RNs, x1 part-time RN, x2 full-time EASS nurses, and x1 part-time EASS nurse.

F3. HVAC system failures for heating and cooling the facility and backup generators only last so many hours when power goes out. This allows for hot or cold temperatures in the jail depending on the time of year.

Response: Agree

Tuolumne County Facilities is recently under new management. They currently have one staff member who is certified to work on HVAC systems and recently contracted with Champion HVAC to perform maintenance on the HVAC system. While we have actively pursued fixing this problem within the jail for approximately three years (including 19 service requests this calendar so far), we feel confident the new management in the facilities department is doing their due diligence by contracting this maintenance to a private company.

Recommendations

R1. The Tuolumne County Grand Jury recommends that communications with the Board of Supervisors ensure competitive wages and benefits hiring and retention of staff. (F1 and F2)

Response: Implemented

While the Board of Supervisors made significant investments in compensation, over the last several years, for public safety positions, they understand many of the positions remain below market. To retain staff, wages and compensation must be competitive with surrounding agencies, which it currently is not, due to recent salary increases in the surrounding agencies. We continue to work closely with county administration and the Deputy Sheriff's Association in a collaborative effort to explore all areas of compensation to remain competitive with the industry standard. The County of Tuolumne and the Deputy Sheriff's Association are scheduled to begin contract negotiations soon. Not remaining competitive in compensation has resulted in record-low vacancies in law enforcement, specifically in Tuolumne County over the last 5 years. Custody staff compensation continues to fall below neighboring agencies.

R2. The Tuolumne County Grand Jury urges the County Jail to continue offering hiring bonuses, to increase future applications. (F1 and F2)

Response: Implemented

The Board of Supervisors approved a new hiring incentive policy, developed by staff, with a focus on public safety in December 2022. The Sheriff's Office currently offers hiring bonuses of \$12,000 to new hires and \$20,000 to lateral hires. Continuing to offer these bonuses helps attract new staff to our agency.

R3. The Tuolumne County Grand Jury recommends regular maintenance and system updates performed on the HVAC systems and generators to ensure maximum performance. (F3)

Response: Implemented

Tuolumne County Facilities Management recently contracted services with Champion HVAC to perform regular maintenance and fix issues regarding the facilities' HVAC system. The generator performs self-tests every 7 days. TCFM is responsible for doing annual inspections of the generator.

Chapter 2: Mother Lode Regional Juvenile Detention Facility

Findings:

F1. The Juvenile Detention Facility is understaffed, making it difficult to accommodate more juveniles when necessary.

Response: Agree

Staffing at the MLRJDF remains a challenge, as vacancy rates have ranged between 10% to 30% over the last two years. Existing staffing levels do impact the ability of MLRJDF staff to meet the needs of providing secure rehabilitative services to the three existing secure detention programs currently in operation (i.e. detention program, camp program, and Secure Youth Treatment Program (re-aligned youth)). Compounding these challenges are the realities associated with recent legislation (i.e. SB 823, the realignment of youth who would have previously gone to state custody for serious and violent offenses remaining local), as it is anticipated the facility will house youth with higher criminogenic, social/emotional, and rehabilitative needs for longer periods. Further, it is anticipated regional partners who already contract with MLRJDF for secure detention space will also be looking to contract with MLRJDF to provide this service to their re-aligned youth for significant lengths of time. Given the increased risk levels associated with rehabilitating/housing such populations, combined with the operational needs of the two other secure detention programs currently in operation, it is anticipated enhancing staffing levels will continue to be an area of need and programmatic focus. With that being said, increased revenues associated with operating three secure detention programs will continue to foster opportunities for enhancing existing staffing levels while simultaneously lowering fiscal responsibilities impacting the County General fund. Active recruitment and retention efforts are paramount to the success of MLRJDF and the youth/community we serve, and something the Probation Department is working tirelessly to evaluate and address, while also remaining cognizant of minimizing the fiscal impact on local government.

F2. The Juvenile Detention Facility currently only runs around 50% capacity, our facility is very nice, and it would be a useful resource for your other troubled juveniles to use this facility. Many other counties do not have Juvenile Detention Facilities and could benefit from having access to ours.

Response: Agree

Recommendations:

R1. The Tuolumne County Grand Jury recommends a plan be put in place to accommodate additional youth in our facility. Possibly by partnering with more neighboring counties to run closer to capacity. (F1 and F2)

Response: This Recommendation has not been fully implemented. The Department agrees that an increase in occupancy with additional partnering counties may be possible, and the Department does expect to increase additional contracting counties over the next few months. However, the Department disagrees with the recommendation to “run closer to capacity” as it may cause other negative ramifications.

The MLRJDF currently operates three separate secure detention programs contained within one living unit consisting of 18 rooms in total (12 dual occupancy rooms, and 6 single rooms; for an overall facility capacity of 30). These three separate detention programs include a 5-bed camp commitment program (the Steps 2 Success Program), a 4-bed Secure Youth Treatment program (for realigned youth formerly eligible for commitment to DJJ), and a 21-bed detention program utilized for pre and post-adjudicated youth not meeting criteria for admission to an alternative secure detention program.

Further, each of the three secure detention programs is correlated with its own local, regional, and state funding allocations entirely specific to the individual secure detention program itself. As such, youth are legislatively restricted to occupying beds assigned to their respective secure program status (i.e. camp kids cannot be housed in detention or Secure Youth Treatment beds and vice versa). Compounding these complexities are regional contracts in place that specifically allocate a guaranteed number of detention beds to regional partners (which are largely paid for in advance), which currently include the counties of Amador, Calaveras, Inyo, Mariposa, and Mono. Out-of-county detention bed contracts are regularly updated, and thus far, the MLRJDF has been able to accommodate and adjust to the housing needs of our partnering counties, which meets the regional intent of the operation while providing a significant source of revenue to the Probation Department (thereby offsetting liabilities impacting the County General fund). However, these contracts also mandate MLRJDF maintain certain vacancy levels associated with the number of contracted beds vs. contracted beds in use from our regional partners. In other words, MLRJDF must keep beds that have been contractually paid for by our regional partners open whether or not they are currently in use as MLRJDF is contractually obligated to provide the service.

Another issue complicating the issue of bed space management is the fact that the Department cannot always take advantage of the 12 dual space rooms to maximize occupancy. The MLRJDF is a co-ed facility, and rooms must be assigned according to the identified sex of the youth. Additionally, many youth have offense-specific or other behavioral classification factors preventing them from being co-housed with other youth of the same sex. Accounting for these additional factors regularly limits our ability to take advantage of dual-use rooms and prevents the Department from operating closer to full capacity.

The Probation Department understands the perception that the average daily population could be used as a metric to imply the underutilization of the facility. However, as indicated above, a certain number of beds have been regionally and contractually paid for in advance and therefore must remain open whether or not in regional use. Further, given the facility is operating in the age of state realignment, MLRJDF must stand ready to accept Tuolumne County Youth who would have previously been committed to state custody, as contracting for this service would be cost prohibitive. To illustrate, a recent poll collected by the Chief Probation Officer's of California (CPOC) revealed many counties are simply not accepting Secure Treatment Youth from other jurisdictions, while those that do accept out-of-county youth charge a housing rate of anywhere from \$500.00 to \$1200.00 per day, per youth (Over the last 365 days, MLRJDF has housed two local Secure Treatment Youth, which would have cost the County anywhere from \$365,000 to \$876,000 to house out-of-county). Thus, the cost avoidance associated with ensuring a certain vacancy factor is available at MLRJDF (for Tuolumne County youth specifically) is vital to the fiscal solvency of the Tuolumne County Probation Department and our resilience in treating and mitigating juvenile delinquency in Tuolumne County. Simply put, beds must at all times be available for Tuolumne County youth while ensuring regional commitments are maintained.

The Department does agree further regional outreach would be of benefit, as would the exploration of contracting with existing or potential regional partners for the housing of Secure Treatment Youth (at a much higher daily rate, on a case-by-case basis as correlated with the ability of MLRJDF staff to accommodate the specific youth, and based upon the risk and criminogenic needs of the youth as to avoid exposing local youth to youth with higher criminogenic behaviors). As such, the Chief Probation Officer recently added one additional guaranteed contract bed as of July 1, 2024, and is in preliminary discussions with regional Chief Probation Officers to facilitate this dialogue. In addition to current measures being taken to finalize a contract with the County of Trinity for the provision of housing/treating a certain number Trinity County youth.

R2. The Tuolumne County Grand Jury recommends that the Mother Lode Juvenile Detention Facility offer similar employment incentives to those at the jail. (F1)

Response: This Recommendation has been fully implemented.

The Tuolumne County Board of Supervisors has implemented a hiring incentive program that matches the incentives offered to employees of the jail. Furthermore, the Board has worked with staff through the collective bargaining process to maintain a system of parity in compensation for similar positions amongst employees of the two detention facilities.

R3. The Tuolumne County Grand Jury recommends that the Mother Lode Juvenile Detention Facility acquire a new advanced camera security system with recording and audio capabilities.

Response: This recommendation is partially implemented and the Department expects it will be fully implemented within the next two months.

The MLRJDF is in the middle of a major renovation to its original secure detention system, including upgrades to the existing audio and visual recording equipment. The Grand Jury's recommendation is approximately 50% implemented as of this date, and full implementation is expected to occur within the next two months.

We appreciate the opportunity to respond to the above findings and recommendations.

Sincerely,



David Goldemberg,
Board Chair

David Vasquez,
Sheriff-Coroner



Daniel Hawks,
Chief Probation Officer

I hereby certify that according to the provisions of
Government Code Section 25103, delivery of this
document has been made.

RACHEL GUMMERSON
Board Clerk

By: 