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Facilities Standards and Operations Enhanced Inspection Process Update

Summary

This agenda item provides an update on the BSCC's Enhanced Inspection Process (EIP) since the September 2020 Board Meeting.

BSCC Facility Standards and Operations (FSO) Division staff have begun the 2020/2022 Biennial Inspection Cycle, and this report will provide some details on the completed inspections in recent months.

Going forward, BSCC staff will provide the Board with regular updates on facility inspections, including status of noncompliance and instances where inspections were postponed due to COVID-19 outbreaks in facilities.

Background

FSO Division Field Representatives have begun conducting detention facility inspections as part of the 2020/2022 Biennial Inspection Cycle. (Pen. Code, § 6031.) As discussed at the September meeting, Field Representatives currently are conducting targeted inspections, focusing on those agencies where there were a significant number of items of noncompliance in the previous inspection cycle and where significant items of noncompliance are evident.

In accordance with the EIP, Field Representatives provide facility administrators with an initial inspection report at the close of the on-site inspection, typically during the exit briefing. The initial inspection report identifies outstanding items of noncompliance, which starts a clock for agencies to address these items.

The purpose of the EIP is to implement the Governor's direction to strengthen the state's oversight of jails. In accordance with this direction, the EIP will provide increased transparency in the inspection process that includes regular Board updates on facility noncompliance status and requires facility administrators to address items of noncompliance expeditiously. Board members will have the opportunity to receive updates and discuss the circumstances surrounding the items of noncompliance at each meeting.

Upon receipt of the initial inspection report, agencies will have 30 days either to correct outstanding items of noncompliance or to submit a corrective action plan (CAP) outlining how those items will be addressed. Those agencies submitting a CAP must outline how items will be corrected within 60 days of the BSCC's receipt of the plan. Agencies failing to submit a CAP or failing to correct items of noncompliance within 60 days will be asked to be appear before the Board at the next regularly scheduled meeting.

Prior to returning to the field to launch the enhanced inspection process, the BSCC developed travel guidance in collaboration with the California Department of Public Health. The guidance adheres to federal, state, and, local guidelines for use of personal protective equipment, COVID-19 symptom monitoring, and, social distancing. In addition, Field Representatives and other staff entering a local detention facility where people are housed must first receive a negative result on a COVID-19 PCR test.

The following agencies have received a targeted inspection since the implementation of the September Board meeting:

- Trinity County Sheriff's Office
- Mono County Sheriff's Office
- Modoc County Sheriff's Office

Staff will provide the Board Members with updated information on status of the items of noncompliance during the meeting.

A targeted inspection was scheduled for the Riverside County Sheriff's Department in October, however, due to an outbreak of COVID-19 in the facility, that site visit has been postponed. Additional inspections have been scheduled and staff will continue to provide updates at each Board meeting.

The BSCC will hold a listening session in December to receive additional public and stakeholder feedback about the EIP. Information about the Zoom session will be posted on the BSCC website. In addition, the BSCC will accept written comments at: regulations@bscc.ca.gov