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**SACRAMENTO COUNTY**



**SHERIFF'S DEPARTMENT**

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**SCOTT R. JONES**  
*Sheriff*

August 20, 2016

Hon. Kevin R. Culhane, Presiding Judge  
Sacramento Superior Court  
720 Ninth Street, Department 47  
Sacramento, CA 95814

**RE: SHERIFF'S DEPARTMENT RESPONSES TO SACRAMENTO GRAND JURY REPORT**

Your Honor:

Please see the attached responses prepared by the Sheriff's Department, specifically addressing the following areas addressed in the Grand Jury's 2015-2016 report:

- Domestic Violence: An inconsistent priority for Law Enforcement
- Release of Mentally Ill Inmates from the Main Jail

Please let me know if we can provide any additional information to you or the Grand Jury.

Very truly yours,

SCOTT R. JONES, SHERIFF

A handwritten signature in blue ink that reads "Erik S. Maness".

Undersheriff Erik S. Maness

## **Sheriff's Department Response Grand Jury FY2015-2016 Report**

### **DOMESTIC VIOLENCE: AN INCONSISTENT PRIORITY FOR LAW ENFORCEMENT**

In this report, the Grand Jury identified several findings indicating a less than ideal agency commitment to reducing domestic violence (Findings F1 – F3) including:

- Agency Leadership not prioritizing investigative efforts or partnerships to reduce domestic violence and provide greater service to associated victims
- Agency failure in developing partnerships with local, State and National domestic violence advocacy groups
- Agency failure to develop or maintain active partnerships with police, prosecutors, victim advocates and social service agencies to reduce incidence of domestic violence
- Agency failure to provide specialized domestic violence training to its patrol/field officers
- Agency failure to utilize field-based lethality risk assessment tools
- Agency failure to collect and track domestic violence occurrences
- Agency failure to provide coordinated and accessible domestic violence services for victims and their families

While respecting the findings of the report, we do not believe it demonstrates a clear picture or understanding of the Sacramento Sheriff's Department current response to domestic violence. Nor does it demonstrate our continued commitment to responding to, investigating, partnering with area groups, and serving those persons affected by domestic violence. Our efforts exceed those outlined in the Grand Jury report.

In response to the Grand Jury findings, we will provide a background of our agency's domestic violence response, our current protocols, and resources, as well as our plan to improve and reestablish this organization as an area leader in this field.

#### **BACKGROUND**

In 1993, the Sacramento County Sheriff's Department first entered into a partnership with "Women Escaping A Violent Environment" (WEAVE) to increase response and support efforts to victims of domestic violence. The partnership focused on reducing repetitive incidents and breaking the cycle of domestic violence. The basis of this collaboration was industry best practices and establishment of Domestic Violence Response Teams (DVRT). After developing relationships with the District Attorney's Office, the concept of "vertical", or more specifically, linear, prosecution evolved. This strategy was drawn up to serve victims better and increase conviction rates, particularly for repeat offenders. Another aspect of this program involved patrol based training to raise awareness of domestic violence, victim psychology, offender profile, the cycle of

violence and the impact on children was created and implemented during sessions of Advanced Officer Training (AOT). Officers assigned to field/patrol services attend AOT once every two years. A four-hour instructional block on domestic violence response has occurred each training cycle since 1994, with only three exceptions.

In 1999, under the umbrella of “station house decentralization”, the Sacramento County Sheriff’s Department divided its investigative resources and created additional investigative teams to be placed within the community-based station houses to increase service levels. DVRT teams were established within each of the three community station houses and with the assistance of funding from Federal Grant resources, WEAVE advocates were partnered directly with focused domestic violence detectives including sharing office space and database resources. Two detectives served each station house and partnered with one WEAVE advocate who solely focused their efforts on domestic violence investigations. DVRT members were trained and certified as experts in domestic violence investigations and victim assistance. Among their duties, DVRT investigators assisted victims with obtaining restraining orders and emergency protective orders, provided support and transportation to court hearings, provided assistance in obtaining emergency housing for victims, and provided assistance to the children including locating counseling services to better process events.

During this period, the Sacramento County Sheriff’s Department, and its domestic violence detectives continued to develop relationships with domestic violence advocacy groups. They became members of various collaborative efforts including the Domestic Violence Preventative Collaborative (DVPC) chaired by “My Sister’s House” and the Domestic Violence Death Review Panel chaired by the Sacramento County District Attorney’s Office.

In 2007 as the Sheriff’s Department began to depart from the station house decentralization of previous years, the DVRT transitioned to the Centralized Investigations Division. At this time, grant monies became less available, and the partnership between SSD and WEAVE reduced in size to three investigators and one WEAVE advocate.

In 2010, and on the heels of an unprecedented department-wide staff reduction due to budget cuts, a massive reduction of investigative staff occurred at the Centralized Investigations Division. Out of necessity, leadership modified the DVRT, and the assigned investigators gained additional responsibilities. This transition required investigating additional crime categories under the umbrella of People Crimes. The loss of funding further impacted this agency’s ability to host a WEAVE representative as part of our collaborative DVRT effort and the “in house” relationship dissolved.

While two domestic violence detective specialists remained in the People Crimes unit, these positions eventually became consumed as generalist investigators struggled to meet the high number of investigations. The final specialist detective left the unit in February of 2015 becoming a homicide investigator.

## CURRENT

Although focused investigative efforts and victim support suffered, the response to domestic violence incidents and support for victims and victim families has remained a high priority for the Sheriff's Department and the Centralized Investigations Division's investigative and command staff.

As stated above, since domestic violence instruction was included in field/patrol based Advanced Officer Training, it has been a component of each cycle with the exception of three occurrences. This four-hour block of instruction is co-instructed by one "People Crimes" detective and one representative from the District Attorney's Office. Instruction currently includes:

- First responder challenges facing domestic violence response
  - Repeat calls for service
  - Recanting victims
  - Uncooperative victims
- The cycle of domestic violence
- Domestic violence legal updates
- Best practices in initial response/investigation including identification of appropriate evidence
- Human trafficking

Detectives have maintained a constant presence and collaborative working relationship with area advocacy groups including both the Domestic Violence Preventative Collaborative (DVPC) and the District Attorney's Domestic Violence Death Review Committee.

Detectives assigned to the People Crimes unit have maintained strong working relationships with the District Attorney's Office Domestic Violence Unit and its victim services unit.

In 2012, then-Undersheriff Rick Book led the Sheriff's Department in conjunction with over 120 community stakeholders in working with the District Attorney's Office to develop the "Family Justice Center". The FJC would ultimately develop as a "one stop" facility to report domestic violence, speak with investigators, provide assistance with temporary restraining orders, find safe housing, locate child/family services and obtain support in moving forward from the incident and away from being victimized by further violence. This project is still ongoing, and the Sheriff's Department remains a strong partner to this day.

In April 2016, the People Crimes unit reorganized with a prioritization placed on two crime categories: Assault with Deadly Weapons (specifically gun violence) and Domestic Violence. The unit now includes three detectives specifically assigned to domestic violence investigations including all sub-categories such as spousal/partner abuse, spousal/partner rape, violation of domestic violence court orders, domestic

vandalism, and other crimes. Recreating this focused group of detectives will establish a known single point of contact both internally and throughout the community to easily locate and gain pre and post-incident assistance.

In June 2016, communication began with WEAVE to establish a renewed partnership including the possibility of “hosting” WEAVE advocates within the Centralized Investigations Division to assist detectives with victim/family interviews, and provide increased, unified emergency and court support for victims.

## **WHERE WE ARE HEADED**

With the re-creation of the focused domestic violence detective group, we have developed an internal investigator training program that will include full certification through the Robert Presley Institute of Criminal Investigation Center (ICI). While investigators typically complete “core” investigative courses covering a broad spectrum of investigative methods, theories, practices and training, “certification” as an investigator requires a focused effort within a specific field. To be certified, detectives must complete no less than 80 hours of training within their specific field of investigation and an additional 120 hours of supportive investigation training directly related to their primary focus. Certification not only increases an investigator’s knowledge and effectiveness but also improves expert courtroom recognition, testimony and case development.

It is our goal to regain our partnership with WEAVE and host advocates in-house to directly assist detectives and provide coordinated, accessible services to victims. This partnership will increase direct services available to victims and families including emergency housing, counseling, court services and restraining orders. It is our hope to have WEAVE advocates housed within Centralized Investigations Division and partnered with detectives before the end of 2016.

While we are currently able to utilize existing crime analysis and crime reporting to identify the number, frequency, and location of calls for service related to domestic violence, we do not currently track specific detailed information associated with reoffending rates. We will begin working with the Intelligence/Analyst Group as well as tech services to identify appropriate crime tracking, repeat response and early intervention criteria. The goal will be to determine prolific offenders and repeat victims to break the cycle and possibly even intervene or make services available earlier stage to increase victim safety. Along these lines, we will be reaching out to neighboring agencies and organizations throughout the State to identify existing best practices with the use of field-based lethality risk assessment tools. Our focus will include:

1. Risk Factors
  - a. Determining an increase in frequency or severity of violence in incidents
  - b. Identifying transitional violence
  - c. Indicative events of future violence such as controlling behavior, stalking, threats to harm self, children or spouse

In addition to the current domestic violence training during the annual AOT cycle, we are looking to take advantage of the new “team policing” model and overlap staff days. We are working to develop briefing training that investigators can conduct during overlap days. This biannual training will include response, initial investigation, and legal updates. Our goal is to have this in place by spring 2017. Two identified topics of instruction include:

1. Identifying Children Exposed to Domestic Violence
  - a. Recognizing how an environment of chaos, profanity and threats can affect psychological growth and development
  - b. Recognizing dissociative disorders such as problematic behavior, poor school performance, and socially reclusive behavior
  - c. Understanding how to better interview and obtain information from children through the use of SAFE interview teams to determine severity of home violence and the possibility of child abuse
2. Presenting a “Trauma Informed” approach in responding to incidents
  - a. Utilizing resources such as the Substance Abuse and Mental Health Services Administration to teach officers how trauma is experienced by victims and children
  - b. Understanding the traumatic effects of domestic violence and child exposed domestic violence and how it can alter brain, cognition and memory functions. This understanding can lead to better interview techniques and ultimately better reports documenting the incident

Lastly, we are currently examining both our internal and public facing web pages to identify how to make information available for officers and victims more easily accessible.

By embracing the above concepts, the Sacramento County Sheriff’s Department can not only succeed in establishing itself as a leader in commitment to decreasing domestic violence, but also as a leader in providing coordinated victim assistance.

# RELEASE OF MENTALLY ILL INMATES FROM THE MAIN JAIL

## Findings

- F1. Inmates who need mental health services are at an increased risk for re-incarceration and/or psychiatric hospitalization if they are not linked to community mental health services during the critical 24-72 hours after release.**

The Sheriff's Department concurs with the Grand Jury's finding that inmates who need mental health services are at an increased risk for re-incarceration or psychiatric hospitalization if no mechanism provides a link to community mental health services within the immediate 72 hours after release. At the foundation of the finding is the critical 24-72 hour period directly following the release of an inmate suffering from one or more mental illnesses. The complexity of this situation involves a wide variety of variables, many of which are not directly under the control of the Sacramento Sheriff's Department. However, the Department, and a multitude of multidisciplinary partnering services, work tirelessly to bridge that pivotal period. Through this quest, the Sacramento County Sheriff's Department focuses a significant amount of effort towards three distinct services aimed at stabilizing the inmate in custody, preparing the inmate for integration back into the community, and providing information on where to locate accessible resources.

### In Custody

The Sacramento County Sheriff's Department contracts with the University of California Davis to provide Jail Psychiatric Services (JPS). The focus of the custody centric mental health services includes the detection, diagnosis, and treatment of inmates suffering from psychiatric illnesses. The JPS also provides crisis intervention and manages acute psychiatric patient service designed to stabilize mental health condition while housed within the facility.

### Pre-Release

Before release, mental health professionals identify individuals exhibiting severe mental illnesses and develop individualized discharge plans. The JPS discharge planner and mental health personnel collaborate with a diverse set of groups that offer a wide variety of services. These groups include, but are not limited to, County Behavioral Health Services, Mental Health Court, community providers, and mental health triage navigators. The triage navigators provide services on a daily basis from 8 AM to 2 AM.

## Release

Mental health professionals also provide inmates with information they can take with them after leaving the facility. These products serve as a guidebook for individuals who may elect to seek out community resources. In addition to knowledge based material, Jail Psychiatric Services also provides a free 30-day prescription of medications to help maintain their mental health stability.

### **F2. Mentally ill inmates released during non-business hours and at night when they cannot access services are also more at risk for recidivism and exacerbation of mental health symptoms.**

At the foundation of any examination involving the correlation of mentally ill inmates being unable to access services due to the time of release is the Sacramento County Sheriff's Department's statutory obligations. As previously discussed in Grand Jury Finding (F1), the Sacramento County Sheriff's Department actively strives to guide the release of mentally ill inmates towards successful reintegration in the community. As it relates to the time of release, the Sheriff's Department continually seeks to balance an individual's statutory rights with decisions that could promote a more successful integration.

Once court personnel schedule an inmate for release, the Sheriff's Department must process the individual within a reasonable amount of time and allow them to exit the facility. The Sheriff's Department cannot arbitrarily keep an individual incarcerated even if the outcome was a guaranteed success. Keeping an individual involuntarily in the facility would violate a person's Constitutional rights and subject the Sheriff's Department and Sacramento County to litigation.

In an effort to achieve the same outcome, without incurring civil liability, the Sheriff's Department offers inmates the option to stay in the release area of the jail until the next morning when community services are available. Officers provide information on where to access mental health services and community resources to those inmates that choose not remain in the release area until the next morning

The Sheriff's Department supports examining any additional resources that may provide a greater chance of success for the release of mentally ill individuals. Due to the complex human topography associated with mental illness, this effort may require a collaborative solution involving county agencies, city agencies, care providers, and non-profit organizations, who are willing to seek lasting answers.



**F3. The Main Jail data system does not flag those inmates who received mental health services during incarceration.**

The Sheriff's Department respectfully disagrees with the Grand Jury's findings that the Main Jail data system does not flag those inmates who received mental health services during incarceration.

While speculative, the data system referred to in this report is likely the Jail Inmate Management System (JIMS). Custody staff primarily utilize this system for documenting inmate incarceration into the facility, movement, housing, classification levels, and incident documentation. Currently, this is only one of three separate systems utilized in corrections. Mental Health workers assigned to corrections do complete Inmate Reports, commonly referred to as a PF-10, with information necessary for Corrections Deputies. However, this system is not designed to "flag" those who are receiving mental health services for two important reasons.

First, the custody staff is advised of limited mental health information only as it relates to the safety of the individual, safety of officers, or jail security. This situation is not unique to only psychiatric information but also other medical conditions. Not all custody staff have both the right and the need to know specific mental health information on every inmate.

Second, it is the responsibility of JPS staff to interview, assess, and evaluate the needs of an inmate. Once this assessment is complete, the JPS professionals will determine whether or not they are suffering from some form of mental illness. This determination will involve documentation in the Correctional Health Services electronic medical record system. The purpose of this system includes having a central database system that documents and provides tracking of all mental health services given to the inmates during incarceration in the Sacramento County Jail. The triage navigators and JPS utilize this information in the discharge planning process to help coordinate linking the released individual with outside mental health and community services.

Although the current JIMS is antiquated, the Sheriff's Department is in final contract negotiations for a modern system. This system will provide a greater chance for integration, while also maintaining a consistent level of granular security.

## Recommendations

- R1. Expand collaborative efforts to minimize the numbers of mentally ill inmates who are released during hours when services are not available.**

**Key participants are:**

**Sacramento County Sheriff's Office**

**Sacramento County Division of Behavioral Health Services**

**Sacramento County Superior Court**

**Sacramento County Probation Department**

**Sacramento County Police Department**

The Sheriff's Department concurs that collaborative efforts are necessary to minimize the numbers of released mentally ill inmates during hours when services are not available. The Sheriff's Department will seek additional avenues of collaboration among the identified participants.

Enhancing services with community organizations may be necessary as well. Services offered in the community are typically provided by the Probation Department and Department of Health and Human Services Behavioral Health Team.

- R2. Explore the possibility of a transition resource center near the jail where released inmates can connect with service providers, including Triage Navigators, especially after normal business hours.**

The Sheriff's Department believes this recommendation should involve a discussion with County leadership for further exploration, analysis, and consideration. Although the Sheriff's Department agrees with the desired outcome, any examination must involve discussion on non-custodial staffing, funding, resources from other county agencies and other community organizations.

- R3. Revise the tracking system to incorporate the actual numbers of mentally ill inmates in the system, services provided, and the effectiveness of Triage Navigator services upon release.**

The Sheriff's Department respectfully disagrees with this recommendation, as all mental health services provided to Sacramento County inmates are already tracked and documented in the Correctional Health Services electronic medical record system. Jail Psychiatric Services utilizes this system to document and

manage psychiatric care provided to the inmate population. This information is utilized in the discharge planning process at the jail to help coordinate linkage to outside mental health and community services.