

County of Santa Clara

Office of the Sheriff

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MEMORANDUM

Laurie Smith
Sheriff

TO: Laurie Smith, Sheriff

FROM: Captain David Sepulveda
Lieutenant Joseph Nguyen

DATE: January 25, 2019

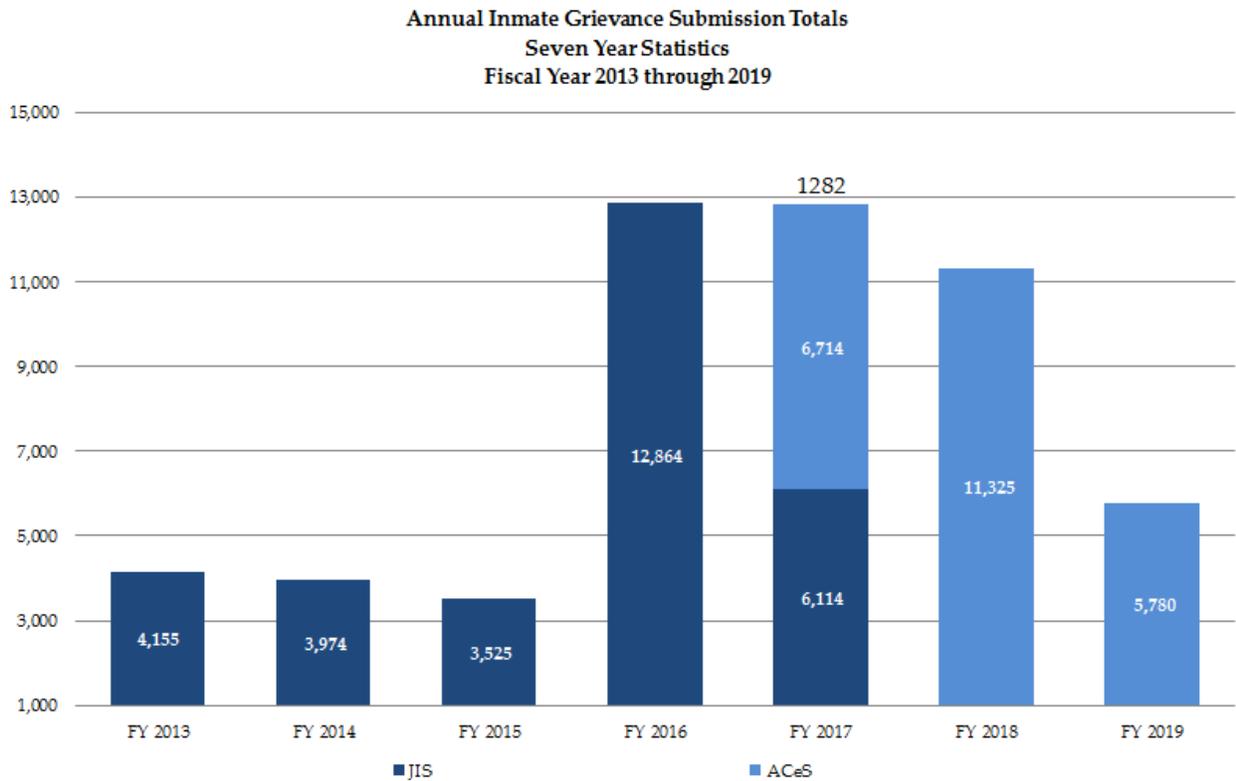
SUBJECT: Grievance and Appeals Unit Bi-Annual Statistics and Audit Report
July 01, 2018 through December 31, 2018

Sheriff Laurie Smith initiated the Jail Reform Plan in 2016, which called for the improvement and strengthening of the Inmate Grievance Process. By January of 2017, a new Grievance Unit was established and on June 5, 2017 the ACeS Inmate and Grievance Appeal Tracking System was implemented to; electronically document the receipt of an inmate grievance, assign grievances to the appropriate business unit, monitor the progress of the resolution process, track the inmate's receipt of the grievance response, and to provide an automated and trackable grievance appeal process. A revised, simplified, multi-lingual Grievance Form and Grievance Lockbox System were also implemented to ensure inmate complaints regarding conditions of confinement were confidentially and securely submitted. The aforementioned changes have increased the transparency and efficiency of the Inmate Grievance Process.

The statistics on the following pages are based on data gathered from the ACeS Inmate Grievance and Appeal Tracking Database. Long term trends can be established with the continued application and review of the ACeS System. The following statistical analysis compares grievance volume from year to year, along with ranking of all grievance

categories, timeliness of responses, and the rate of appeal dispositions- with emphasis on the first half of the fiscal year.

Figure 1

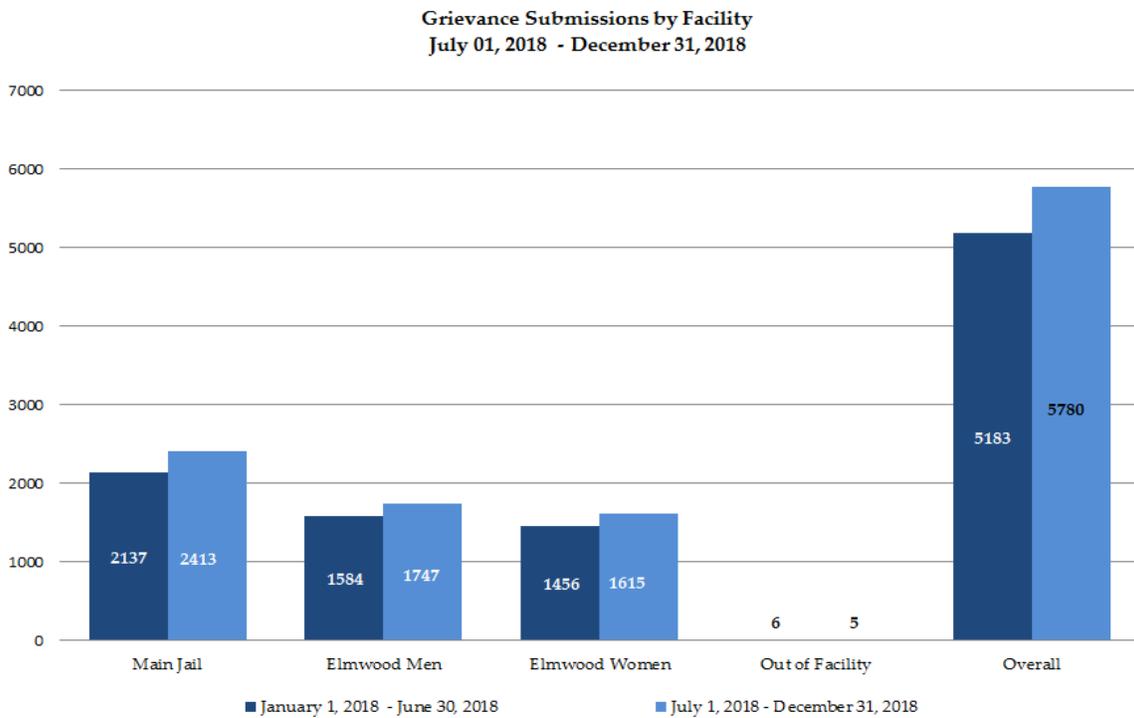


Historical Grievance Volume

Data entry of inmate grievances into the outdated Jail Information System (JIS) ended as of June 5, 2017. With the implementation of the ACeS in June of 2017, all Inmate Grievances and Grievance Appeals have been entered, tracked/monitored and returned using the new and improved system. The chart above compares the total grievance submissions for the last seven years. The color contrast signifies the difference between which system was used to track those grievances, with ACeS grievances being in light blue.

Along with the implementation of ACeS, anonymous grievance lockboxes were installed in every inmate housing unit throughout the County’s correctional facilities at both Main Jail and Elmwood. Overall Grievances have increased since 2016, which can oartially be attributed to the inmate population feeling more confident in the strengthened grievance system.

Figure 2



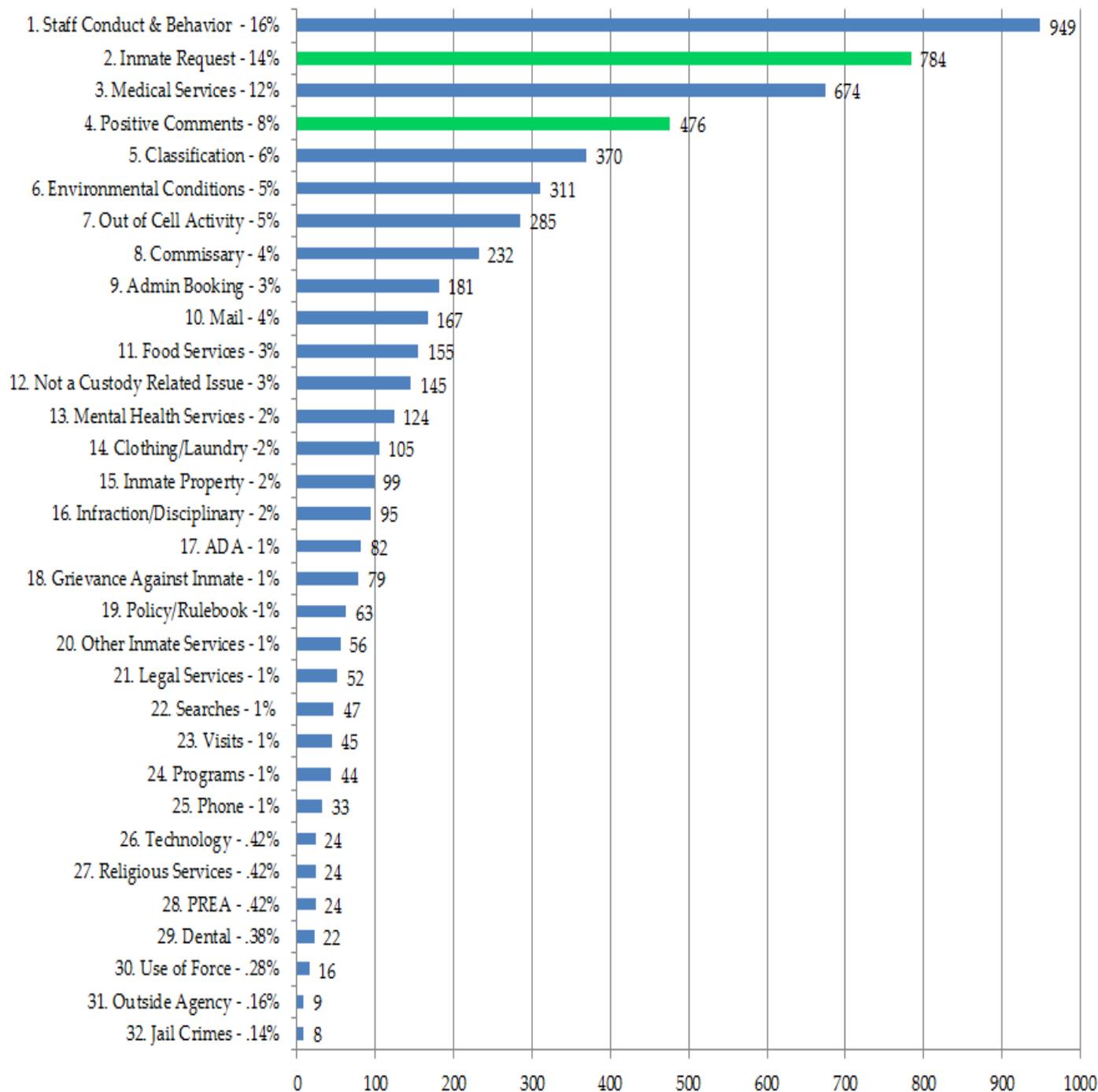
Inmate Grievance Volume by Facility

With a full year of data collected in ACeS, the above chart depicts the submission of grievances by facility for the last half of Fiscal Year 2018 compared to the first half of Fiscal Year 2019.

Total inmate grievance submissions increased by +9% across all three facilities. The Main Jail Facility accounted for 42% of all grievances, compared to 30% at Elmwood Men's and 28% at Elmwood Women's. A closer look at the data reveals that the Elmwood Women's Facility submits 28% of the grievances, though they are 14% of the population, while the Elmwood Men's Facility submits 30% of the grievances, and they are 60% of the population. Fewer grievances produced by the Elmwood Men's Facility might possibly be attributed to the fact that the Men's Facility only houses Low and Medium security inmates who enjoy more freedom than their more restrictive counterparts housed at the Main Jail and areas of the Women's Facilities. The Grievance Unit will be conducting a review of this finding to better define this trend.

Figure 3

Grievance Totals By Category
July 01, 2018 through December 31, 2018
5,780 Grievances Total

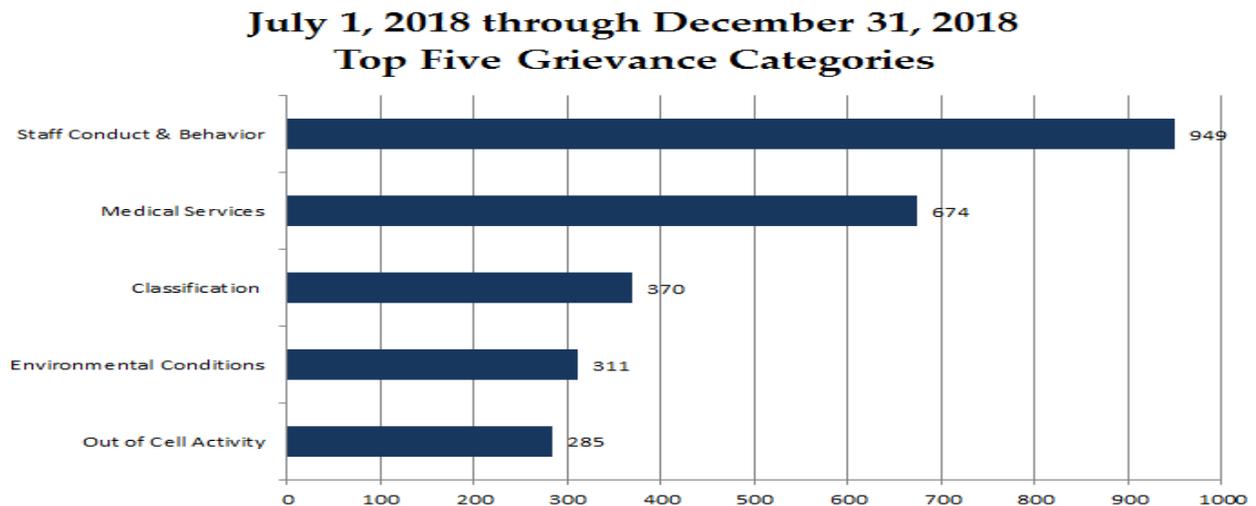


Inmate Grievance Volume by Category

Please refer to Figure 3 on the previous page.

Of the 5,780 grievances submitted during the first six months of Fiscal Year 2019, 1,260 were submitted on a grievance form, but have been properly categorized as either an Inmate Request (not a complaint) or offered a positive comment regarding our staff or services. The Grievance Unit will continue to route the requests and positive comments to their respective divisions, but they will not be included in any statistical analysis and reporting. These two non-complaint categories accounted for 22% of all grievance submissions within the last six months. For reference, all categories and subcategories are listed in the attachment **ACeS Inmate and Grievance Appeal Tracking System Categories**.

The **Top Five Grievance Categories** total 2,589 grievances, or 57% of the total, of 4,520 grievances submitted. These categories are:



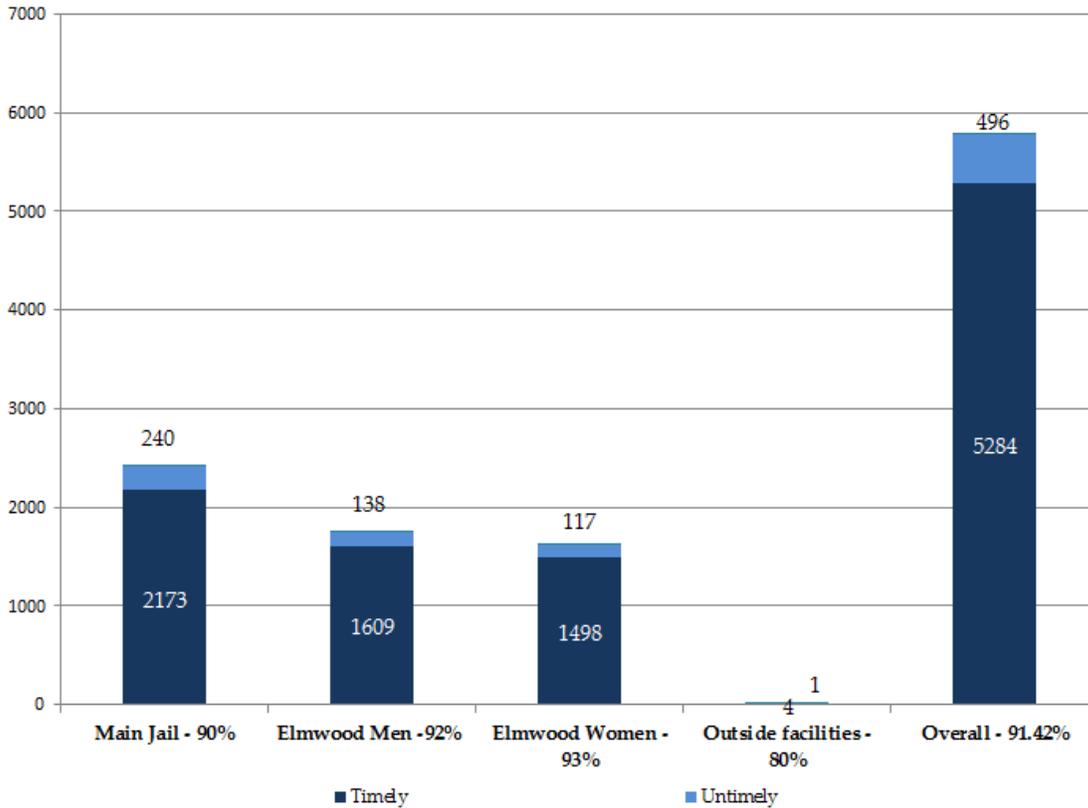
During the last six months, “*Staff Conduct and Behavior*” has replaced “*Medical Services*,” as the most frequently grieved category with 949 grievances, or 16% of the total

grievances submitted. A large percentage of these grievances are received from specific housing units at the Main Jail. The Grievance Unit will be performing an in-depth analysis of this data and the results will be forwarded to the respective supervisors administration for review and action. It is important to note that Staff Conduct complaints can be generated about any classification of County employee, contractor, or volunteer assigned to the jail system, not just badge personnel.

Conversely, the *“PREA, Use of Force, and Jail Crimes”* categories combine for less than 1% of all submitted grievances for the first half of Fiscal Year 2019. The *“Environmental Conditions”* category joined the **Top Five Grievance Categories** with 311 total submitted grievances. Due to the ongoing building improvement projects to meet Jail Reform needs, housing units were closed, and subsequently inmates were temporary relocated to meet these objectives. As a result, grievances increased due to inmates’ dissatisfaction with their temporary housing location.

Figure 4

Grievance Response Timeliness
Response Provided <30 Days from Date of Grievance
July 01, 2018 through December 31, 2018

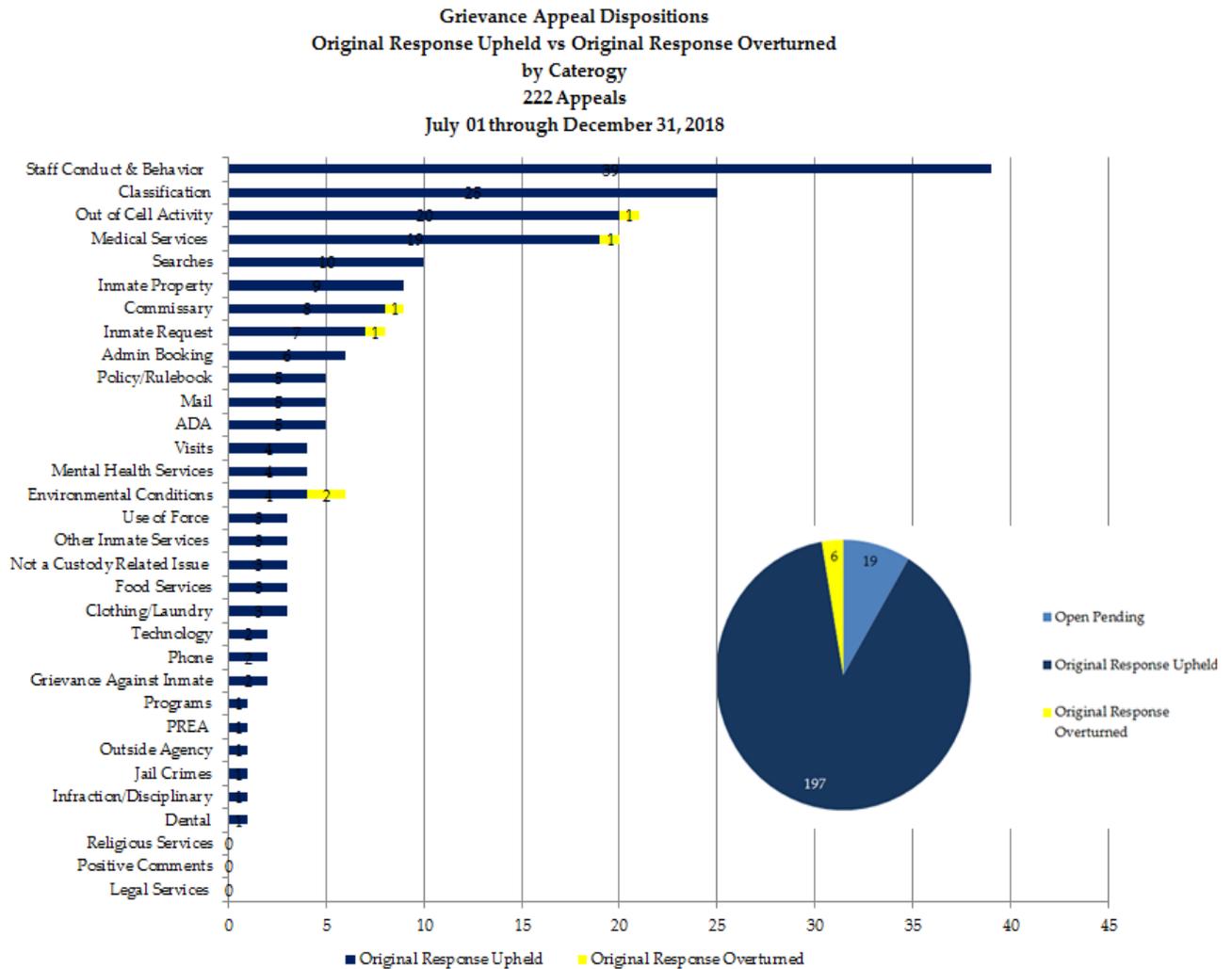


Grievance Response Timeliness

Once a grievance is collected and entered into ACeS, the Department has set a response goal of 30 days to provide the complainant with a disposition. The chart above highlights timely served dispositions versus those that did not meet the 30 day objective.

Although we strive to achieve 100% of our objective, certain grievances require additional investigative measures in order to thoroughly provide a meaningful response and outcome for the inmate. Overall, 91.42% of inmate grievances were responded to and served back to the complainant within 30 days of their submission date.

Figure 6



Grievance Appeals

Inmates are allowed to submit grievances on any condition of confinement that directly affects them. Once a disposition has been returned, the inmate may contest the response/decision and submit a Grievance Appeal to the Facility Commander.

The chart above displays all Grievance Appeals for the last six months. Out of 5,780 submitted grievances, 222 or 3.8% of all dispositions were contested by the complainant. Inversely, 96.2% of all submitted grievances were not appealed. The low number can be attributed to the overall satisfaction of each meaningful response.

Conclusion

Goals and objectives were set for the Inmate Grievance Process when the Sheriff initiated her Jail Reform Plan in 2016. After two and a half years of implementation, there has been significant positive progress. Inmates have a safe and secure means to make complaints about County staff or operations. Grievance data is now provided via statistical reports to facility management and the public on a monthly basis as a way to monitor complaints and for optimum transparency. The Monthly Grievance Dashboard not only highlights categories in the jails that require further focus, evaluation, and attention, but also provide a baseline for how the Department is doing meeting the ongoing objectives of the Jail Reform Plan. For further information, all previous Monthly Grievance Dashboards are available on the [Sheriff's Jail Reforms webpage](#).

The next objective is to create an electronic Grievance Form that can be submitted directly to the Grievance Unit, eliminating the use of paper. The ability for inmates to submit, track, and receive their dispositions electronically will be a huge stride towards environmental sustainability and technological efficiency and transparency.

ATTACHMENT: ACeS Inmate and Grievance Appeal Tracking System Categories

CC: Rick Sung, Undersheriff
Eric Taylor, Assistant Sheriff
Kenneth Binder, Assistant Sheriff
Mike Doty, Assistant Sheriff
Captain Timothy Davis, Support Services Division
Captain Christopher Grumbos, Administrative Services Division
Captain Blanca Hoyt, Main Jail Division
Captain Amy Le, Elmwood Division
Captain David Sepulveda, Custody Bureau Administration
All Support Unit Managers
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