

County of Santa Clara  
Commission on the Status of Women



79846

**DATE:** May 25, 2016  
**TO:** Public Safety and Justice Committee  
**FROM:** Guadalupe Rodriguez, Chairperson  
**SUBJECT:** Report back regarding 2015 Jail Monitor Report

**RECOMMENDED ACTION**

Receive report from the Commission on the Status of Women relating to Jail Monitoring Report.

**FISCAL IMPLICATIONS**

There is no impact on the County General Fund as a result of receiving this report.

**REASONS FOR RECOMMENDATION**

At the Public Safety and Justice Committee (PSJC) August 26, 2015 meeting (Item No. 4), the Commission on the Status of Women, Office of Women's Policy and Office of the Sheriff/Custody Bureau gave a presentation of the first Women's Jail Monitor Report including findings and recommendations prepared by the Commission. The Commission was asked to provide a six-month follow up on efforts to address the needs of incarcerated women. This report, approved by the Commission on May 9, 2016, summarizes the work that has happened since August 26, 2015.

**CHILD IMPACT**

The recommended action will have a positive impact on children that have incarcerated mothers. Local data indicates that 78 percent of incarcerated women are mothers, most of whom are custodial parents (Breaking Cycles, 2008).

**SENIOR IMPACT**

The recommended action will have a positive impact on seniors who are incarcerated and/or have family members that are incarcerated.

**SUSTAINABILITY IMPLICATIONS**

This report highlights an effort that is consistent with the County's sustainability goals of promoting equity and efficient/effective programs and systems that better serve female offenders and improve their outcomes.

## **BACKGROUND**

Following the presentation to PSJC in August 2015, the Commission, Office of Women's Policy (OWP) and the Office of the Sheriff/Custody Bureau worked on ways to address the needs of inmates identified by the Commission. There has been significant progress in addressing the issues as well as continued concerns:

**Gender-Responsive, Trauma-Informed Training for Staff.** Perhaps the most significant achievement has been the initial training on gender-responsive theory and trauma-informed jails that was given to all custody staff who work with female inmates. The trainings were developed and presented by OWP staff and national experts Dr. Barbara Bloom and Gabriella Grant. The trainings were presented during ten two-hour sessions to all custody staff including front line workers, supervisors, and classification staff for female inmates. Jail monitors also received the training. OWP covered training costs and the Office of the Sheriff/Custody Bureau covered overtime costs so that staff could receive the training.

One hundred and forty eight (148) people attended both trainings. This training was well received by staff and evaluations revealed a significant increase in awareness of the ways that a gender lens matters in the criminal justice system and how a trauma-informed approach makes staff and inmates safer. While evaluations were anonymous, it is important to note that twenty (20) custody staff members provided contact information so that they can be included in a Gender Responsive Custody Staff Cohort which will help develop next steps with OWP on training and to work on a system-wide strategic plan to implement gender responsive and trauma-informed protocols in the facility.

Senior staff including the Sheriff also participated in a training for administrators and managers with Dr. Stephanie Covington to develop a county-wide strategic plan for justice involved women and girls by January 2016.

**Programs Success.** Since the presentation to PSJC in August 2015, the Office of the Sheriff/Custody Bureau has supported women's vocational training that has resulted in a number of noteworthy achievements, including:

In November 2015, we had the first graduation of a pilot of a meditation program. The mediation class was well received in general, but the greater significance was the successful mixing of inmate populations. Students included general, medium, and maximum security levels as well as women in protective custody. There were no negative incidents based on their interactions. As a result of this success, several of the women were down-classed. The weekly meditation program is ongoing.

The Sustainability Program continues to work with both female and male students, and staff have allowed these students to work side-by-side in a turf conversion project. These men and women replaced 30,000 square feet of lawn area with drought resistant landscaping and converted the watering system with one that now uses recycled water. The Office of the Sheriff received a \$50,000 rebate from the State for the implementation of these changes that were achieved by this work. This money has been earmarked for sustainability projects on the women's side of Elmwood and has allowed for the launch of the Women's Healing

Garden. This Healing Garden is being designed by the women in the Sustainability Program and is scheduled to be completed in 2016.

On February 6, 2016, Jasper Ridge Farm brought some service dogs in training for a visit with special management inmates in W4A, which was extremely successful. The three hour visit was positive for both staff and inmates, but at a cost of \$1000 per visit it is not sustainable at this time.

These examples highlight the positive outcomes that result when a gender lens is applied to programming. Moving toward more evidence based, gender-responsive programming is highly supported by monitors and feedback from inmates and observations reflects that this type of approach creates a calmer, safer environment for all staff and inmates.

**Monitoring Advancements.** Since the August 2015 report the jail monitoring committee of the Commission has continued monthly monitoring at Elmwood. Focus groups have been conducted with women who have been incarcerated at Elmwood and are now in post-custody support groups. Focus groups have also included formerly incarcerated homeless women. Several in-custody focus groups are scheduled including one on April 22 with Asian Pacific-Islander women.

Monitors' discussions with inmates revealed the need for journals for women in W4B classes and the Office of Women's Policy funded the journals. Additionally, copies of the jail monitor reports have been provided to some of the pods so that the inmates can read more about this initiative and why we are monitoring.

In order to become a jail monitor, it is required that an individual complete a mandatory training provided by the OWP and the Office of the Sheriff/Custody Bureau. Three jail monitor trainings have been completed since August 2015 and a fourth has been scheduled for April 8. This training should increase the total number of active monitors from 12 to 25. Jail monitors include commissioners and community members and all have been trained in the gender-responsive and trauma-informed theories that guide the strategy and goals of the program.

**Lingering Concerns – Continued Training.** While monitors laud the fact that there has been an initial training on gender-responsive and trauma informed theories with custody staff, we truly believe that this one-time training will not shift the entrenched paradigms that currently guide operations at Elmwood. We would like to see ongoing training of custody staff and are working so that Phase 2 of training with Gabriella Grant, on how to implement trauma-informed strategies, is scheduled to begin in April and May. This phase of training will likely continue throughout the summer. We hope to have more to report on the progress of staff training, and about the outcomes achieved by the self-identified staff cohort that will be working to create a more gender responsive jail, in our next report to PSJC. Furthermore, we have called for this gender-responsive training to be given to all staff, not just to those who currently work with women and not just to custody staff. Creating a gender responsive system requires that everyone who has contact with female inmates receive this training. This includes contracted services, medical staff, and facility staff. This kind of training should be given to custody staff starting at the academy.

**Concerns – Hazardous Waste.** Most issues or concerns that surface during monitoring are handled in a systematic way to ensure that we get the full context surrounding the issue or concern and so that we can explore various ways to address the issue or concern.

Occasionally, monitors will identify an urgent issue that cannot wait to be handled through this process or through detailing recommendations in the annual jail monitoring report.

Recently, we were alerted to such an issue when monitors were told by inmates that they were cleaning the bodily fluids of other inmates who were experiencing diarrhea or vomiting as a result of detoxing in the pods and unable to get to the bathroom. Inmates reported separately to multiple monitors that they feel forced to clean these fluids in their common areas if they want them to be cleaned in a timely manner. Worse yet, they reported that they were not being provided with necessary safety equipment like gloves. Monitors expressed concern for the health and safety of both the detoxing inmates (as this process could take 3 – 10 days) and for the other women who are housed with them.

Further investigation revealed that it is against policy for anyone to be forced to clean up what are essentially bio-hazardous materials, and yet inmates are still doing the cleaning and being exposed to these materials. This is especially concerning given the rates of HIV and other diseases reported in incarcerated populations. Staff shared that the policy for disposal of this waste is to call a hazardous material team to clean up the area since there is no differential currently in place for custody staff and it is outside their scope of work to do this cleaning themselves. Staff further showed us that there are multiple boxes of latex gloves available at the officers' station. Monitors are still very concerned because there is usually an extremely long wait for service once a call is placed to the hazardous materials team (the wait is typically estimated at five hours) and because of the high cost of this service every time it is needed.

In order to more effectively address this great issue, posters are being developed by OWP that highlight the policy and include information about the risk involved in cleaning hazardous materials. The posters will also point out that there are free gloves available for individuals if they choose to clean while they wait for the hazardous materials cleaning staff to arrive. The Office of the Sheriff/Custody Bureau has also added this information to the inmate handbook. We are also in the process of developing a pilot of a women's certification program in hazardous materials cleanup so that inmates can train to be a part of a "haz-mat team" that is on call within the facility. This, of course, is both beneficial for the women inmates who will receive important specialized training and the opportunity to earn certification in various safety fields.

**Concerns – Classification and Data Collection.** This is a time of thoughtful assessment for the whole jail system and much of it has revolved around issues on the men's side. We are concerned that applying something to the women that was designed specifically for the men will not result in the same outcomes for women. Monitors are concerned that major decisions around data collection and classification are being decided but the Commission has not been invited by decision makers to give input or insight into the process. Although the call for a classification system validated by gender has been documented as early as 2008, and most recently in our August 2015 report, we are unsure if this is being considered as proposals for a new system are being considered. This is also true of the CJIC data collection system that is

currently being replaced. Monitors are not at the table for discussions on critical elements and do not believe that a gender lens is being applied in these decision making processes.

**Concerns – Medical Needs.** As we continue our jail monitoring, it is clear that different departments have jurisdiction over some of the health issues that inmates face. We hope to work more closely with the Custody Health department in the next few months to see how to best address these important issues.

**Concerns – Continued MOU.** We are in the process of reviewing and extending the MOU between the Commission on the Status of Women, the Office of the Sheriff/Custody Bureau and the Office of Women’s Policy. The initial MOU expires in September 2016. The Commission would like to make some minor changes to the MOU and have the new three year agreement in place, ideally, by July 1, 2016.

Finally, we supported OWP in its proposal to host the 17th Bi-Annual Association for Justice-Involved Females and Organizations National Conference and are proud that the County of Santa Clara was selected to host in 2017. As the only national conference on both justice involved women and justice involved girls this will be an incredible opportunity to shape the national dialogue and highlight the very important efforts underway locally.

### **CONSEQUENCES OF NEGATIVE ACTION**

The report will not be received.

### **STEPS FOLLOWING APPROVAL**

The Clerk of the Board will forward the report to the full Board of Supervisors for consideration.

### **LINKS:**

- **Linked To:** 77844 : Receive annual report from the Commission on the Status of Women relating to the Jail Monitoring Program.