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Enhanced Inspection Process Listening Session Summary

Summary

This information item provides a summary of the feedback received during the Enhanced Inspection Process Listening Session held on December 9, 2020. The BSCC Research Team has compiled an analysis of all comments received in writing and made during the listening session. Staff will present a summary of this report at the February 11 Board meeting.

Background

At the February 2020 meeting, the BSCC Board approved a conceptual change to the jail inspection process in response to the Governor's directive to "more actively engage counties regarding deficiencies identified as part of its inspections through its public board meeting process and by more frequent follow-up inspections." The intent of the Enhanced Inspection Process (EIP) is to ensure transparency and accountability in the facility inspection process by notifying facility administrators of items of noncompliance during the on-site inspection, providing timelines for correction of these items, and THROUGH regular reporting of those items to the BSCC Board. When items of noncompliance are significant or corrective action is not being taken, the BSCC Board could invite the Sheriff or Chief Probation Officer to appear before the Board. The EIP will better hold local detention facilities accountable for expeditiously addressing serious deficiencies of noncompliance with Titles 15 and 24 of the California Code of Regulations.¹ At the September 2020 Board meeting, the Board approved a process outlining the Enhanced Inspection Process.²

The Board sought public input on the proposed EIP early in the process; two public listening sessions were held prior to the statewide shelter-in-place orders in response to the coronavirus. An update during the April 2020 Board meeting reviewed input received during these two listening sessions.³

On December 9, 2020, the BSCC held a third listening session in a virtual format. Written comments, although not required, were also accepted by email in advance of and following the meeting.

There were nearly 100 participants, including BSCC staff, present during the listening session, and thirty-one individuals provided comments during the session. Five written

¹ February 2020 Board Report is available at <http://bscchomepageofh6i2avgeocm.usgovarizona.cloudapp.usgovcloudapi.net/wp-content/uploads/Agenda-Item-C-Jail-Inspections.pdf>.

² The flow chart is available at <http://www.bsccl.ca.gov/wp-content/uploads/Enhanced-Inspection-Cycle-Flow-Chart.pdf>.

³ BSCC April 2020 Board minutes are available at: <https://www.bsccl.ca.gov/wp-content/uploads/4-9-2020-Board-Meeting-Minutes-FINAL.pdf>.

comments were received by email. Of the five written comments, two of the authors were individuals who also provided verbal comments during the online listening session. For analysis purposes, their verbal and written comments were combined. Analyses were based on 34 comments (written and/or verbal) received from unique individuals and/or agencies.

Most individuals providing comments represented community-based organizations or advocacy groups, many of whom were formerly system involved. Other commenters included family members of persons who are or have been incarcerated as well as attorneys.

The comments that were received were grouped into four main categories:

1. Local Facility Inspections
2. Role of the BSCC
3. Facility Conditions During the Coronavirus Pandemic
4. General Facility Conditions

A total of seven (7) subcategories were developed from the main categories:

- A. Inspection Process
- B. Inspection Team
- C. Written Standardized Procedures
- D. Regulations
- E. Agency Culture
- F. Facility Conditions
- G. Health and Medical Care.

In those subcategories, comments were grouped into 47 discrete “codes” that describe the comment’s subject matter. The table below is a highlight of the comment codes and the percentage of comments received in each one. Full description of the categories and codes are in the full report (Attachment A).

The BSCC is committed to listening to and carefully reviewing feedback on the inspection process. Improvements to the BSCC inspection processes will continue to be made as we continue to apply the EIP statewide and consider continuous feedback.

While some of the comments from the listening session address practices that the BSCC is already conducting, much of the feedback received requires greater attention and further review to determine the best course of action for system improvement.

The BSCC also received comments that are focused on issues outside of the BSCC’s authority. Where appropriate, BSCC staff will ensure that those comments are directed appropriately for individuals with concerns to be heard. BSCC staff is also developing web-based resources so that the BSCC’s authority and practices are clearly outlined, and individuals with concerns that fall outside that scope can determine where to best direct their feedback and questions.

Code Category	Code Subcategory	Codes	Comment Authors (N = 34)	
			Count	% of Total
Local Facility Inspections	Inspection Process	Unannounced inspections	19	55.9%
		Enhanced process is insufficient	7	20.6%
		Implementation focus	6	17.6%
		Public notification	5	14.7%
		Responsive	4	11.8%
		Independent assessment	3	8.8%
		Applied to juvenile inspections	1	2.9%
		Legislative report content	1	2.9%
	Inspection Team	Community members and advocates	7	20.6%
		Subject matter experts	5	14.7%
	Written Standardized Procedures	Interview protocol	7	20.6%
		Written protocol	4	11.8%
	Regulations	Enforced	13	38.2%
		Emergency response	2	5.9%
		National standards	2	5.9%
		Older and long-term youth	2	5.9%
		Specificity	2	5.9%
Role of the BSCC		Leadership	11	32.4%
		Improve data collection	5	14.7%
		Coordinate with YCR	2	5.9%
		Train other inspectors	1	2.9%
Facility Conditions During the Coronavirus Pandemic		Access to PPE and hygiene products	13	38.2%
		Improper or no mask use	6	17.6%
		Inability to social distance	6	17.6%
		Lack of testing	6	17.6%
		Lack of transparency	5	14.7%
		Access to cleaning products	4	11.8%
		Lack of quarantining	4	11.8%
		No family visitation	4	11.8%
		Population movement	4	11.8%
		Suspension of regulations	4	11.8%
		Facility cleanliness	3	8.8%
		Access to education and programs	2	5.9%
		Denial of hot meals	2	5.9%
General Facility Conditions	Agency Culture	Poor treatment	10	29.4%
		Will to address issues	3	8.8%
	Facility Conditions	Facility cleanliness	8	23.5%
		Long hours in cells	6	17.6%
		Insufficient meals	4	11.8%
		Commissary cost	2	5.9%
		Video visitation	2	5.9%
		Lack of programming	1	2.9%
		Potential violations of regulations	1	2.9%
		Health and Medical Care	Medical care	4
	Medication		3	8.8%
	Deaths in custody		2	5.9%
	Menstruation products		1	2.9%