

Office of Inspector General County of Sacramento

2021 Update Report: COVID-19 Outbreak in the Jails

December 2, 2021

SUMMARY

With the recent outbreak of COVID-19 in the jails, the Board of Supervisors asked that the Inspector General look into the matter and report back. Over the past 4 weeks, the Inspector General has spoken with staff from Adult Correctional Health (ACH) along with the Sheriff's Office (SSO) and staff from both the Main Jail and RCCC. The Inspector General has also reviewed the current COVID-19 protocols and practices.

After investigating this matter, there is no way to pinpoint the exact cause of the outbreak. However, there are 5 identified problem areas that might have contributed to the latest COVID-19 outbreak in the jails.

PROBLEM AREAS

- Jail overpopulation and the lack of adequate space.
- The decision to place symptomatic inmates with unverified COVID-19 status in the same housing pods with quarantined inmates.
- Weak adherence by some inmates (especially those on work assignments and attending training) to the COVID-19 protocols related to the wearing of masks and social distancing.
- Weak enforcement of the COVID-19 protocols by some jail staff in some isolated incidents.
- A large number of inmates have refused the COVID-19 vaccine.

Adult Correctional Health (ACH) and the Sheriff's Office (SSO) have been transparent and responsive in identifying potential problem areas and proactive in addressing the current outbreak. ACH and SSO have worked together to implement a number of follow up actions to help control the outbreak.

ACTION ITEMS

- The SSO has agreed to return to designated COVID-19 housing. This includes intake quarantine, close contact quarantine, suspect isolation, and case isolation. The large transfer of inmates on different dates will not be placed in the same housing.
- The movement of inmates and staff will be minimized to prevent further transmission.
- For inmates on close contact quarantine, State Public Health recommends a 14 day period with weekly testing until there are (2) consecutive negative tests.
- All inmates performing any type of work assignment will be tested weekly.
- Inmates will not be allowed to engage in any type of work assignment if he or she fails to wear a disposable or cloth mask.
- All inmates meeting in a classroom type setting must strictly adhere to social distancing including facial coverings.
- Staff must diligently adhere to social distancing, masking, and the use of PPE in COVID housing units.
- Adult Correctional Health and SSO jail staff are meeting on a regular basis to review COVID-19 protocol compliance and to make any changes necessary to protect both inmates and staff.
- Adult Correctional Health has implemented a monetary reward system for inmates who voluntarily take the COVID-19 vaccination. This reward will provide additional money into their commissary account.
- The SSO requested and received a prioritized list of medically vulnerable inmates from Adult Correctional Health to help ensure these inmates are protected.
- To help with the overpopulation issues, the SSO has been releasing inmates 3 days early with time credits in accordance with PC 4019. Since the outbreak was identified, 72 inmates have been released under this provision.
- The Home Detention Program has increased their participant count by approximately 30 inmates since the beginning of the outbreak. The increase in participants are primarily new, out-of-custody intakes to limit an increase in the jail population. This number includes 7 actual releases from the jails.

- The SSO initiated discussions, through County Counsel, with the Public Defender, District Attorney, and the Court regarding the potential of early releases from the jails. As of the filing of this report, no agreements have been made.

CONCLUSION

Overall, I believe both Adult Correctional Health (ACH) and the Sheriff's Office (SSO) have been diligent in their response to the outbreak and are taking proper follow up actions. As of the date of this report, the numbers are improving. ACH has done a great job revising their COVID protocols and keeping the Board of Supervisors and public informed. ACH has done an excellent job with their COVID-19 testing practices for inmates and staff.

There are some areas of concern. This outbreak reinforces the fact that the jails are overcrowded and there is not enough space to limit the potential for COVID-19 exposure. The best distancing measures are wasted if there is not the space necessary to safely separate the potentially infected from the healthy.

The overpopulation in the jails continue to be an issue. Even with the overpopulation issue in mind, it is difficult to understand the decision to place potentially infected inmates in the same housing pod with those being quarantined. Though we may never know if this decision actually contributed to the outbreak, it was a poor decision that should never happen again. The County should continue to work on finding ways to decrease the population in the jails and identify other possible solutions to decrease potential COVID-19 exposure.

There was clearly some lax adherence to, and enforcement of, the COVID-19 protocols in some isolated incidents. Regardless of the lack of adherence by some inmates, it is the responsibility of the Sheriff's Office jail staff to ensure both inmates and staff follow the COVID-19 protocols. I personally do not believe this is a systemic problem. In general, I found that jail staff and leadership are sincerely concerned for the safety of both inmates and staff, and they take their responsibilities seriously.

I do believe there were some specific incidents where there was a failure by some jail staff to ensure compliance with the rules. I do not believe these issues rise to the level of intentional misconduct. I believe this is a performance issue that should be handled through counseling, education, and training for both staff and inmates with an emphasis on accountability. Outside of a few isolated incidents, I do believe the SSO does a good job complying with, and enforcing, their COVID-19 protocols.

Overall, the SSO does review and revise their COVID-19 protocols as necessary to ensure they are doing everything possible to keep inmates and staff safe. However, I believe more internal auditing of their COVID-19 practices by SSO command staff would be beneficial. Those audits should be documented, and I believe the Sheriff's Office should provide regular updates to the Board of Supervisor and the public on the current COVID-19 status in the jails.

Finally, I will regularly review COVID protocol practices with ACH and SSO staff and closely monitor the implementation of the current COVID outbreak action steps. Any issues or changes will be reported to the Board of Supervisors.

Though there are no policies or practices that will completely eliminate the potential spread of COVID-19 in jails, more can be done to help reduce exposure. The SSO has been very responsive to the OIG recommendations, and the Sheriff's Office has been working on some of these items prior to the publication of this report.

SUMMARY OF OIG RECOMMENDATIONS

1. The County should continue to work on finding ways to decrease the population in the jails and identify other possible solutions to decrease the potential for exposure to COVID-19 within the jails.
2. Those specific jail employees who failed to ensure COVID-19 protocol compliance should receive counseling and re-training. Increased COVID education, awareness, and training should be provided to all staff and inmates.
3. The SSO command staff should increase their internal audits of their COVID-19 practices, and those audits should be documented.
4. In addition to the regular reports by Public Health and Adult Correctional Health, the Sheriff's Office should provide periodic updates to the Board of Supervisors and the public on the current COVID-19 status in the jails.
5. ACH and the SSO should continue to find ways to encourage more inmates to voluntarily take the COVID-19 vaccine.
6. ACH and the SSO have a good working relationship and should continue to meet regularly to review COVID protocols and practices.
7. The Inspector General will regularly review COVID protocol practices with ACH and SSO staff and closely monitor the implementation of the current COVID outbreak action steps.