

**Scott R. Jones***Sheriff*

September 4, 2018

Honorable David De Alba, Presiding Judge  
Sacramento Superior Court  
720 Ninth Street, Department 47  
Sacramento, CA 95814

Re: Sacramento County Grand Jury Report: Middle of the Night Jail Releases:  
Balancing Safety and Jail Processing Concerns

Dear Judge De Alba:

Pursuant to Penal Code sections 933 and 933.05, the following specific responses are respectfully submitted to you regarding the 2017-2018 Grand Jury's Findings and Recommendations on Middle of the Night Jail Releases: Balancing Safety and Jail Processing Concerns. Sheriff's Department personnel compiled the information included in this document. Should you have any questions related to its content, please contact me, and I will provide you with the most appropriate staff to answer your question.

**Finding 1. The new jail management system (ATIMS) being implemented in the Jail will modernize and make more efficient all jail operations from intake to release.**

**Response to Finding 1:** Concur

**Recommendation 1. Implementation of the new ATIMS system should be expedited and specifically be aimed at minimizing late night releases.**

**Response to Recommendation 1:** Non-concurrence

The Sheriff's Department respectfully disagrees with the Grand Jury's recommendation. Although expediting the development of the new ATIMS system is also appealing to the Sheriff's Department, ATIMS, scheduled to replace the three-decade-old system, JIMS, will also incorporate several additional programs to create one, comprehensive jail management system.

The Sheriff's Department is working diligently with ATIMS developers to implement the new jail management system in accordance with a set schedule that has been created by industry experts. This schedule takes into account numerous factors that are expected to result in a fully capable, state-of-the-art system when completed. For this

reason, it is our intent to allow the implementation schedule to continue as planned. ATIMS is currently on schedule for implementation the 4<sup>th</sup> quarter of 2019.

Currently, seventy-four agencies, including the Sheriff's Department, totaling 2,706 users have access to the current JIMS system, as it combines several law enforcement operating systems with multi-agency shared data.

As we agree the new system scheduled for implementation will modernize and provide efficiencies to jail operations, ATIMS will not change the requirements to release inmates from jail nor will it replace the need for more staffing to facilitate the necessary work that must be completed to accurately calculate and confirm each scheduled release.

Court ordered releases are typically released prior to 10:00 p.m., and releases after this time and up to 5:00 a.m., are persons legally afforded the right to leave jail. Examples of lawful releases during late night hours are bond outs, time served releases, or citation releases. By not adhering to legal release requirements, the Sheriff's Department opens the County to potential liability.

It is the Sheriff's Department's practice to offer any person being released during late night hours an opportunity to voluntarily remain in the release tank until the morning.

**Finding 2. Until the ATIMS system becomes operational, the jail continues to process releases without regard to the time of the release. This results in more than necessary late night releases occurring on a daily basis.**

**Response to Finding 2: Non-concurrence**

The Sheriff's Department respectfully disagrees with the Grand Jury's findings. The Sheriff's Department conducts releases in accordance with the law. The Sheriff's Department cannot hold any person beyond a reasonable amount of time necessary to process required documentation for release of the individual. When a bond is posted, or time is served by inmates, and other court mandates are due, the release is conducted in a timely manner. The majority of all sentenced releases are processed and released during the morning hours.

There are those unique cases when an inmate is required to be held for a specific period of time. If a person is required to serve a sentence of 24 hours and they begin their jail term at 11:00 p.m., as this may have been the hour they chose to arrive at the jail, then the inmate will subsequently be released at 11:00 p.m. the next evening in accordance with the law. If the hour is late in the evening, the Sheriff's Department will allow the person to remain in the release tank until the morning hour. This is strictly voluntary.

ATIMS will allow for a fully integrated jail management system that will better assist staff with the reception, processing, classification, housing, and release of inmates. However, ATIMS will not replace the need for greater staff assigned to the jail's booking

area to access ATIMS and process the release. Additionally, ATIMS will have no effect on requirements when it comes to releases from our correctional facilities.

**Recommendation 2. Until implementation of ATIMS, steps should be taken to minimize late night releases as recommended.**

**Response to Recommendation 2:** Partially concur

In 2017, the Sheriff's Department processed 39,687 releases, an average of 109.22 releases per day. Illustratively, for calendar year 2017, the number of releases were broken down by the hour. The numbers below have all foreign agency transfer releases removed, as these inmates are transferred by bus or van to another agency. Inmates may be released by recommendation of pre-trial services, bail or cash bond, or release under California Penal Code 849(b) – detainment only.

Additionally, the Sheriff's Department must maintain compliance with a court-ordered consent decree and section 853.6 of the Penal Code. All arrestees booked with only misdemeanor warrants shall be issued a citation and released, unless judges' remarks indicate otherwise. This includes all out-of-county warrants. All misdemeanor, fresh arrests and non-sentenced misdemeanor court remands shall be cited and released, excluding crimes and arrest/bench warrants for domestic violence.

The Sheriff's Department is obligated to ensure an inmate's rights are not infringed upon when they are eligible for release.

The below chart reflects the number of releases, by the hour, for calendar year 2017:

| EVENING RELEASES    |                      |
|---------------------|----------------------|
| 10:00 PM - 11:00 PM | 4.2 releases per day |
| 11:00 PM - 12:00 AM | 6.4 releases per day |
| 12:00 AM - 1:00 AM  | 3.7 releases per day |
| 1:00 AM - 2:00 AM   | 2.3 releases per day |
| 2:00 AM - 3:00 AM   | 2.0 releases per day |
| 3:00 AM - 4:00 AM   | 2.2 releases per day |
| 4:00 AM - 5:00 AM   | 2.8 releases per day |

This chart shows an average of 23.6 people released from the Main Jail between the hours of 10:00 p.m. to 5:00 a.m. each day. This does not take into consideration people who have bonded, which legally necessitates an obligation to release regardless of the time of day. The average number of people who bond from jail each day reflects an average of 4.4 persons, dropping releases to an average of 19.2 people during the seven hour period reflected in the chart.

It is important to note releases during the above timeframe are classified as "Quicks," meaning they are brought into custody for a misdemeanor charge. A few examples of such misdemeanor charges may include Public Intoxication (PC 647(f)) or Health & Safety Code 11550, or Driving under the influence (CVC 23152). Most of the

individuals arrested for the above offenses and are brought to jail will remain in custody until they are deemed sober to be safely released back into the community. Many of these individuals have employment and would like to be released from custody before the following morning to ensure they arrive at their worksite. A late morning release could jeopardize an individual's employment.

Given the current staff allocation for the processing of releases throughout a twenty-four hour period, seven days a week, the Sheriff's Department attempts to minimize late night releases. As a means to ensure a person's safe release from the jail, it is the Sheriff's Department's practice to offer any person being released during late night hours an opportunity to remain in the release tank until the morning hour.

**Finding 3. There may be inconsistencies within the different shifts regarding how CORs are processed by Jail desk personnel and given to the release officers. The chain of command, including who is responsible, is not defined.**

**Response to Finding 3:** Partially concur

The Sheriff's Department partially concurs with the Grand Jury's findings.

The release process is very complicated and requires scrutiny at every workflow position. A diagram of the process has been included with this report. Please see Attachment A.

The current electronic system in place, JIMS, is antiquated, and it is used by both the Court and the Sheriff's Department to process releases. ATIMS, the system identified to replace JIMS in the fourth quarter of 2019 has been purchased and is in the development phase. Any inconsistencies in the current release process should be improved with the new management system.

The Sheriff's Department respectfully disagrees with the Grand Jury's findings as it relates to chain-of-command oversight of the shift jail desk personnel. All booking staff, including the Court Order Release Officer, has a supervisor, a Sheriff's Records Officer II, assigned to each of the four shifts at the Main Jail. Several shift supervisors, sergeants, and a watch commander, lieutenant, are assigned to the four shifts at the Main Jail. Each shift follows established policy and protocol to ensure proper processing of releases.

**Recommendation 3. Existing written instructions on processing CORs should be updated with a goal of processing such releases consistently and as quickly as possible.**

**Response to Recommendation 3:** Concur

The Sheriff's Department concurs with the Grand Jury's recommendations. The current electronic system, JIMS, is utilized by the Court to advise the Sheriff's Department's booking staff of each inmate's court outcome. Instructions given by the Court for an

inmate's release is often very detailed. Because the JIMS system is so antiquated, only a minimal amount of space is afforded the Courts to make these instructions. This issue results in the Courts utilizing a variety of acronyms and complicated phrasing to articulate release requirements. This only further complicates the process and reduces workflow efficiency for the Sheriff's Department's booking staff.

The following are a few examples of Court instructions:

REASON- FURTHPRO RTN B/W - POC RIVER CITY RECOVERY PROGRAM ILO 120D CJ  
OUTCOME- SENT 120D CJ PREV SUSP NOW IMPOSED; CTS: 40 ACT + 40 CTNT  
= 80; PROB REINST BTC PRTPD W/T 48H OF REL

REASON- JS JUDGMENT & SENTENCE  
OUTCOME- SENT PD RPT FILED SPECIFIC CONDS PREPARED BY FORM 270D CJCS  
CTS: 66D+66GTWT=132D DNA PC 2P6+ADVED/PROVIDED W/FIREARM PKT

REASON- FP FURTHER PROCEEDINGS  
OUTCOME- SENT 3Y F/P, 30D CJCS, 1D CTS, NO OBJ SWP/WF + BTP, POE BTP  
040116 830AM D-60, CPO ISSUED, EXPIRE 020119

1 060216:NC\_CT1\_4532(A)(2)PC\_AS\_FEL, 2 CRT\_DISM\_BAL\_IOJ/IVOP, CERT\_SUP\_CRT  
3 J&S\_5Y\_FORM\_PROB, 180D\_ST\_CJ\_C/S 4 W/ZERO\_DAYS\_CTS, DEFT\_SERVING\_TIME\_  
5 IN\_15M09523\_FROM\_052316-062816 6

Additionally, the workflow is complicated and depending upon daily caseload, court activities, releases to be processed, and multiple cases for the same defendant, the entire release process can ebb and flow throughout the Court's daily work between the hours of 8:00 a.m. to 6:00 p.m.

With ATIMS replacement of JIMS in the fourth quarter of 2019, the Sheriff's Department believes the release process will become more efficient.

**Finding 4. The Jail has no written checklist type system in place to inform inmates of their options upon release.**

**Response to Finding 4: Concur**

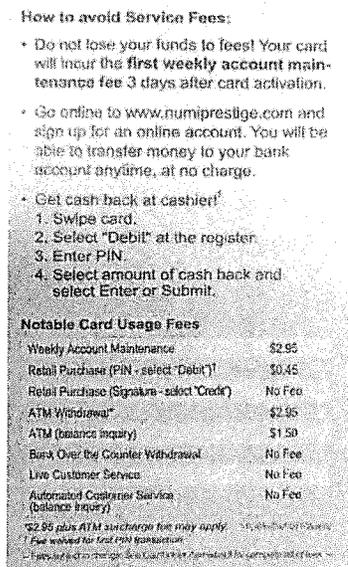
The Sheriff's Department does not provide a written checklist to each person released from custody. However, the Sheriff's Department does provide helpful signage to assist inmates upon release. For example, signage in the release tank is affixed to the wall above the telephone advising inmates they are provided free phone calls to arrange for rides upon their release.

In an effort to ensure a person's safe release from the jail, it is the Sheriff's Department's practice to offer any person being released during late night hours the opportunity to remain in the release tank until the morning. Currently, signage affixed to the wall in the release tank, in both English and Spanish, reads:

**IF YOU ARE SCHEDULED FOR RELEASE AT NIGHT BUT WOULD RATHER REMAIN IN CUSTODY UNTIL MORNING WHEN MORE SOCIAL SERVICE AND TRANSPORTATION OPTIONS MAY BE AVAILABLE TO YOU, PLEASE NOTIFY THE RELEASE DEPUTY.**

The front lobby is not designed to safely accommodate released inmates.

The Sheriff's Department will work to provide a list of nearby ATM locations should an inmate care to use their debit card upon release. This can also be included with the packet of information each released inmate currently receives. This packet includes the following piece of information:



Additionally, this information is printed on the back of the debit card.

The Sheriff's Department is confused by the Grand Jury's statement that a person leaving the facility with less than \$20 in their possession may not receive their full complement of money. Each packet of information provided to a released inmate who comes into the facility with money is provided instructions on how to reclaim their funds free from service fees. Without further information from the Grand Jury, the Sheriff's Department is unable to provide additional information about this finding.

In response to the "Navigators" assigned to the Main Jail. The County's Department of Health and Human Services opted to discontinue the services of the "Navigators" inside the jail. Upon release, inmates are provided with a phone number to contact a "Navigator," if they so choose. Correctional Health Services and Sheriff's Department staff may also forward a referral to the posted "Navigator" hotline.

**Recommendation 4. A written or electronic checklist-type release form should be developed and utilized to fully inform persons being released of their options during late night hours to incorporate all suggestions previously noted.**

**Response to Recommendation 4: Concur**

The Sheriff's Department will review this recommendation and work with the Department of Health and Human Services to seek ways to provide options to persons being released during late night hours.

The Sheriff's Department is working to develop signage for inmates in the release tank to access the County's 211 system. It is a valuable resource for soon-to-be released persons to use. The system, which is free and available 24/7, can also be accessed from any public pay phone. This system provides updated access to a variety of different services to include, but not limited to, housing, health care, food, mental health, financial help, and substance abuse.

**Finding 5. The Jail does not have a taxi service contract or taxi voucher system that would provide persons being released in the middle of the night with the free option of a taxi service.**

**Response to Finding 5: Concur**

**Recommendation 5. The county should contract or use a voucher system to provide a taxi service option for late night releases.**

**Response to Recommendation 5: Partially concur**

The Sheriff's Department believes this recommendation should involve a discussion with County leadership to contemplate the facilitation and financing of such a venture. This issue has the potential to affect all interested parties, and further exploration, analysis, and consideration is required.

**Finding 6. The present debit card system is not user friendly, does not offer a cash option, and may result in a service charge. Further, use of the system may result in the loss of amounts under \$20.**

**Response to Finding 6: Non-concurrence**

**Recommendation 6. The existing debit card system should be reviewed, with the aim of making it more user friendly. Persons being released should be given cash if their balances are less than \$20.**

**Response to Recommendation 6: Non-concurrence**

The Sheriff's Department does not keep cash-on-hand at the Main Jail or the Rio Cosumnes Correctional Center. To maintain cash on-site, the Sheriff's Department

would have to increase staffing to accurately staff and follow the County's policy on separation of duties with cash handling.

The Sheriff's Department believes the debit card system (NUMI) is user friendly. The debit card issued by the Sheriff's Department to released persons can be used as a MasterCard or debit card at numerous locations surrounding the Main Jail and elsewhere. There are 86 ATM locations within a 1 mile radius of the Main Jail where money can be withdrawn for a charge of \$2.95 a transaction.

Additionally, a person with a NUMI card can walk into a bank during banking hours and request withdrawals of any amount free-of-charge. Currently, three banks within 500 yards of the Main Jail offer this service. If a released person purchases an item in a retail establishment and chooses to use their NUMI card as credit, they will incur no charges. If a released person chooses to make a retail purchase and chooses the debit option utilizing their personalized pin number, they will be charged \$0.45.

Each inmate who comes into custody with money, or was given money by a donor during their incarceration, is released with a packet of information containing NUMI MasterCard information. One of the six pieces of information included in the packet is a card titled, "How to avoid service fees," and it provides the person with the numerous options on the use of the card.

The Sheriff's Department is exploring options of adding an ATM machine to the lobby of the Main Jail that could dispense cash, with little or no fees. We are unsure if this is possible with our current contracted vendor.

Very truly yours,

SCOTT R. JONES, SHERIFF



Erik Maness, Undersheriff

Copy: Sacramento County Clerk-Recorder's Office  
Sacramento County Grand Jury

# INMATE RELEASE PROCESS

