



Grand jury: Realignment gives SLO County Sheriff's Office headaches

Already facing violence and smuggling, officials now wait to see results of Prop. 47

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San Luis Obispo County Jail

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The San Luis Obispo County Sheriff's Office continues to grapple with violence and smuggling at the County Jail, due mainly to the changing inmate population since state prison realignment in 2011, according to a [civil grand jury report](#).

But it is too soon to realize the effects of last year's successful Proposition 47 ballot initiative that reclassified many non-violent drug and property crimes from felonies to misdemeanors, the grand jury found.

Prison realignment, or Assembly Bill 109, signed by the governor in 2011, requires courts to send people convicted of low-level, non-violent and non-sexual crimes to county jails to serve their sentences in an effort to reduce the state's overcrowded prisons.

The San Luis Obispo County Jail's inmate population has increased by 57 percent between 2010 and 2014, the report reads, and it is estimated that 30-35 percent of jail inmates at any time are AB 109 inmates.

The daily average inmate population was 701 at the end of September 2014, according to the Board of State and Community Corrections, which documents jail populations quarterly.

The report said that overcrowding has also undermined rehabilitation programs and opportunities for physical exercise.

Though the report said the jail was well-managed and maintained, it noted that "as more inmates serve their sentences locally in lieu of state prison, there is limited physical space and an increase in assaults, violence and gang politics."

The Sheriff's Office reported little change in the amount of contraband smuggled into the jail, despite a recently acquired K-9 unit and electronic body scanner to screen inmates. The Sheriff's Office said smuggling methods have become more sophisticated, according to the report.

"Many of the AB 109 inmates have done previous time in the state prison system and are much more educated in these (smuggling) tactics compared to non-AB 109 jail inmates," the report stated.

The grand jury said that AB 109 inmates also serve longer jail terms, creating more incentive to acquire drugs.

Jury foreman Larry Herbst said that while Prop. 47 has already had some effect on the jail, the grand jurors found that it was too soon to draw conclusions from a law that was seven months old.

The Sheriff's Office told jurors it would be two years before it could determine Prop. 47's local effects.

"There are forces both pushing and pulling, so to speak," Herbst said. "But I'd say there's an expectation that with more officers citing and releasing there would be a downward (jailpopulation) trend."

The report did note, however, that three local police departments closed holding cells at their respective stations due to underuse, as people arrested for the newly downgraded crimes are either cited and released or taken directly to jail.

Jurors also toured Juvenile Hall, currently undergoing an expansion due for completion later this year, and reported it was properly staffed, well-maintained and provided effective rehabilitative programs.

It lastly examined the Sheriff's Office's crime lab, which added 300 square feet due to a recommendation by the 2013-14 grand jury. This jury found that the lab was staffed by two very

busy, full-time forensic technicians required to be on call to report to crime scenes 24 hours a day. One retirement or transfer would have a detrimental impact on crime investigation throughout the county, the report reads. The jury recommended the Sheriff's Office begin now looking into hiring an additional technician, given that training for the position takes roughly five years.

The report made no recommendations regarding troubles at the jail.

In response, the Sheriff's Office said it agrees with the crime lab recommendation, but a more pressing need is refilling patrol positions lost during the economic recession.

However, a glaring omission in the report is the five inmates who have died in custody at the jail or shortly after being taken to a hospital since January 2014.

Herbst said he could not comment on why the grand jury did not address the deaths in the report or whether it is currently investigating them.