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From: Dennis Williams <dwilliams326@yahoo.com>

To: Gene Valentino <genev@collectorsolutions.com>, George Touart <gtouart@cox.net>

Subject: DOJ Report

As I indicated, I need to see documents referenced in the footnotes, especially the staff analysis that was reportedly completed in 2011 by Justice Systems Inc. My guess is this study was commissioned by Bob Mac when he was defending work release and pre trial release as cost effective. That study was commissioned around 08-09. If memory serves that would be the same time that Tax Watch did a review of the County Budgets.

Justice Systems Inc is one of several cottage industries that evolved in the wake of various Federal Actions against prison systems and some county jails in the late 90's. They typically use a boiler plate formula along with a snap shot of a 24hr shift schedule. I'd have to see the one they used.

If memory serves, Main Jail has 32 posts, while CBD has 28 posts. Using a standard relief formula to calculate staff needs means 1.78 people to staff 60 posts 24 hrs each day equals a need for 320.4 Officers, almost exactly the level we operated at successfully for 8 years. During that time we achieved and maintained Statewide Accreditation, National Health care accreditation, maintained our contract to house federal inmates, and successfully passed both State and Federal audits and we did so with an average jail population of 1800 inmates per day.

While JSI notes a certain number of personnel at a given point in time, I don't see references

to Correctional Assistants which serve to fill posts that might otherwise be staffed by an officer.

Likewise I see notations that Control Rooms lack Supervisors in the control room. The design and structure of the two jail buildings are such that need for a 'supervisor' is satisfied through the on duty Shift Sgt and Shift Lt, which also serve as escort (floor walker) as and when needed.

Mind you, all personnel carry a radio for communications. A 'supervisor' is never out of reach.

Most of the case citations are not particularly relevant. They are just cases the Feds like to throw around. To sustain a successful civil rights case is no small order and has to take into account a number of fact specific findings. This report makes assertions that the report author opines as 'fact' not yet in evidence as a finding by a judge.

The '49 day response window' is geared to 'motivate' (some suggest intimidate) local governments into some quick action. All that is really needed is a broad based plan of action which could span 24 months or so to implement that address points of concern within a report.

However, DOJ could motion the Federal Court for injunctive relief and demand the appointment of federal monitor to oversee implementation of a 'proposed corrective action plan'. All such costs would be borne by the BOCC, as they are the funding entity.

It is noteworthy that no successful civil rights 'conditions of confinement' action has been undertaken in Florida since 1986. Points of litigation exists, but not a so called 'conditions' case. One jail in Florida, Broward County, has been under federal oversight since the 70's, mostly due to crowding.

Several issues/questions stand out to me:

1. The Florida Sheriff's Association is legally required to conduct annual jail inspections measured against compliance with Florida Model Jail Standards. These inspections are conducted by a team of 3 outside qualified inspectors and span 2-4 days. Each of these annual inspections would be enlightening on the various aspects of the DOJ report.

Copies of such inspections are sent to the BOCC and the Sheriff or Chief

Correctional Officer (one in the same in Escambia).

Those inspections would affirm that 'Objective Jail Classification System' had been in place from at least 2001. The Objective Jail Classification System (OJCS) was introduced through the National Institute of Corrections. It is structured to separate detainees by nature of the charge, prior incarceration behaviors, violent, non violent, felony and misdemeanor. Persons with similar classifications are housed together while maintaining a racial balance consistent with the jail population, but not segregation. If a change was made to create 'segregated cells' that is an action undertaken within the past five years at a shift level contrary to assignments made by classification.

2. Likewise, in order for the jail to maintain its Accreditation status, similar audits (inspections) assuring the jail was managed consistent with best practices, constitutional standards as well as regulatory jail standards to include OJCS. Additionally, regular reports or incidence of conflict are maintained and categorized with an up line review process to ensure objective eyes on the report before it is signed off.

3. In order to house federal inmates for a fee, the Marshall's Service had to perform annual audits as well. Fail to meet standards, lose the contract.

4. The County Correctional Planning Committee, required to meet monthly or at the call of the chair (BOCC) should be convened to address the report contents and responses. This Committee would also be the Group to Commission a 'corrective action plan' to answer questions raised by the DOJ report.

5. The DOJ report seems to only address the so called 'walker' posts? Determination of staffing levels is not predicated on one post. Staffing of the posts is a 'daily' manpower utilization decision. A sergeant or Lt determines how many people are assigned to a given shift and once a minimum level is determined, decisions can be made about time off, etc. If a supervisor lets too many people off, that's not equal to a staffing shortage, that's a manpower management problem.

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6. I would one to see a current post chart. This identifies 'optimum' levels of posts in the Main Jail and CBD. The post numbers are different for either jail as one is designed as a 'linear jail' and one is designed as 'direct supervision'. A linear jail requires posts that are "within normal sight or sound" of an Officer 24x7. Direct Supervision jails have a post within a 'pod' or 'dormitory' setting allowing for direct inter communication between staff and detainee alike.

7. When a jail manages their own inmate healthcare, costs go up. Neither Sheriffs nor Jailers are Doctors. That's the reason for hiring an inmate health care company. Economies of scale are achieved at every level while still maintaining the proper standard of care. As an aside, the use of 'first generation vs third generation' of psychotropics in large part is a non issue. The difference is generally limited to patents renewal to avoid generic substitutes while maintaining a cost benefit to the pharmaceutical company. It is the exception not the rule that generational changes improves results.

My overall sense of this report, without yet seeing the attachments, is the contents are worse than the conditions. But I would have to see the documents used that serve as the basis for the contents. Within the jail are just too many people, systems, contacts, opportunities, court visits, social services attorney visits and the like that would have exposed and badly run, dangerous, segregated jail. So e where, some how, some way deficiencies come to

"share the good news...use words when necessary"

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