

# Response to Fiscal Year 2013-2014 Grand Jury Report Form

Report Title: In-Custody Death

Report Date: June 27, 2013 Responding Agency/Dept. Board of Supervisors

Response Prepared by: Frank Chow Title: CEO Analyst

## FINDINGS

- I (we) agree with the findings numbered: FI-08
- I (we) disagree wholly or partially with the findings numbered: FI-07  
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefore.)

## RECOMMENDATIONS

- Recommendations numbered R-03 have been implemented.  
(Attach a summary describing the implemented actions.)
- Recommendations numbered R-01 have not yet been implemented, but will be implemented in the future.  
(Attach a timeframe for the implementation.)
- Recommendations numbered R-02, R-04 require further analysis.  
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered \_\_\_\_ will not be implemented because they are not warranted or are not reasonable.  
(Attach an explanation.)

Date: October 1, 2013 Signed:   
Peter C. Foy, Chair, Board of Supervisors

Number of pages attached: 2



## Response to 2012-2013 Grand Jury Report

**Report Title: In Custody Death**

**Report Date: May 30, 2013 Responding Agency/Dept. Board of Supervisors**

**Response by: Board of Supervisors**

### FINDINGS

- We disagree with the finding numbered: ***FI-07 - Lack of documentation and its discrepancies led to the inability of staff to adequately assess her condition. The inmates/decedent's medical chart was incomplete.***

County Executive Office (CEO) staff reviewed the following documents related to this report, the : Grand Jury report, Sheriff's response, Dr. Lanyard Dial's independent review of the inmate/decedent's records, Medical Examiner's autopsy report, and the Sheriff's debriefing memo. In addition, the CEO staff followed up with questions to Sheriff's staff. CEO staff found no evidence of inadequate documentation. All the discrepancies noted by the Grand Jury report were appropriately explained by the Sheriff staff. The Board of Supervisors (Board) believes it is prudent in this case to rely on the independent review by, and medical expertise of, Dr. Dial and the Medical Examiner.

- I (we) agree with the finding numbered: ***FI-08 – There was a debriefing by the VCSD after the death, but no formal document was written or recorded into the inmate/decedent's record.***

CEO staff reviewed a debriefing memo from Sheriff's staff dated 5/16/13 indicating a death review was held, which concluded that the responses by jail medical staff and security personnel was appropriate. The Sheriff indicated in his response that normally, this memo "is not placed into the inmate/decedent's medical record."

### RECOMMENDATIONS

- Recommendations numbered R-03 have been implemented - ***The VCSD should have significant oversight requirements of any contracted services to the jails; i.e. supervising their strategic plan, policy and procedures to ensure they meet the mission of the VCSD.***

The Board agrees with the Sheriff's response that his office does have "oversight of contracted services in the jails...." The Board's experience has been that the Sheriff has consistently exercised this oversight authority in the jails over the years and continues to do so.

- Recommendations numbered R-01 have not yet been implemented, but will be implemented in the future – ***The Board of Supervisors (BOS) authorize the VCSD to***

***embark on a competitive bidding process that should include an in-depth search to select the best medical care provider for all inmates in Ventura County.***

The Board agrees with the Grand Jury report that the medical care contract for the jail inmates should go through a competitive bidding process. The current contract with CFMG was awarded in 2006 and had a term of 5 years with the option to extend for 4 additional 1 year periods. This contract was competitively marketed through the County's Purchasing Agent. Three companies returned a bid in response to the County's Request for Proposals (RFP). CFMG was determined as the best bidder and was awarded the contract. The last extension will expire in June 2015. In 2015, the CEO will work with the Sheriff and Probation to again develop a new RFP for medical care in the jails and send it out for competitive bid.

- Recommendations numbered **R-02 and R-04** require further analysis.

***R-02 - In the interim, the CFMG should review and revise their policies and procedures in conformance with this Grand Jury report.***

The Board believes any policy revision should conform to the standards as set forth by the VCSD to meet its mission and is consistent with industry practices for medical care in jails. Any change in policy by the Sheriff or CFMG that they consider beneficial in preventing such future incidents is supported by the Board. Any policy revision will be reviewed by CEO staff.

***R-04 – The VCSD and CFMG should issue a formal debriefing (Review Team Report) document after an inmate's death.***

VCSD has already issued a debriefing memo on 5/16/13 along with the Medical Examiner's autopsy report and CFMG issued an independent review by Dr. Dial. The Board will request the Sheriff to evaluate whether any additional formal report is needed.