

Attachment A

Santa Barbara Sheriff's Office
Grievance Review
Annual Report 2023

To: Anthony Espinoza, Lieutenant

From: Mark V. Mahurin, Grievance Oversight Coordinator

Dental: Twenty-seven (27) Grievances (4.97%)

There were twenty-seven (27) grievances related to dental treatment for 2023. Eight (8) of these were from SBJ and nineteen (19) were from the NBJ facility. Many of these were related to pain due to dental issues and each was treated with pain medication with most receiving antibiotics. Each was treated by the dentist or is scheduled to be treated by the dentist. One (1) complaint was that the appointment did not occur when scheduled. This complaint was sustained, as the appointment needed to be rescheduled. Two (2) patients refused the recommended treatment. One (1) patient was released from custody prior to the appointment with the dentist. Comparing the twenty-seven (27) grievances filed for 2023 to the prior five year's average of nineteen (19), this is an increase of 42.1% in the number of dental grievances filed. Zero (0) grievances were resolved on appeal and zero (0) grievances required follow-up to determine a proper resolution.

Mental Health: Thirty-eight (38) Grievances (7.00%)

During this period, there were thirty-eight (38) mental health or mental health medication grievances for review. Twenty-eight (28) of these were from SBJ and ten (10) were from the NBJ facility. Most of the grievances were requests for mental health medications or adjustment of existing medication. Each received treatment with the Psychiatrist to address the specific medication issue. Three (3) of these grievances were duplicates of a previously filed grievance. Seven (7) grievances were sustained for a delay in service or in obtaining medications. Comparing the thirty-eight (38) grievances filed in 2023 to the prior five year's average of twenty-eight (28), this is an increase of 35.7% in the number of mental health grievances filed. Zero (0) grievances were resolved on appeal and zero (0) grievance required follow-up to determine a resolution.

Medications: One hundred nineteen (119) Grievance (21.92%)

I reviewed one hundred nineteen (119) grievances related to medications other than mental health medications during 2023. Eighty-three (83) of these were from SBJ and thirty-six (36) were from the NBJ facility. Treatment and medication adjustments resolved the majority. Seven (7) grievances were duplicates to a previously filed grievance. Thirty-five (35) grievance complaints were sustained, with the majority being missing doses of or late receipt of medications. Comparing the one hundred nineteen (119) grievances filed for 2023 to the prior five year's average of eighty-one (81), this is an increase of 45.6% in the number of medication grievances filed. Two (2) grievances were resolved on appeal and one (1) required follow-up to determine an appropriate outcome. The complaint was not clear if the patient was grieving his medications or transportation for not taking him to court. The patient was instructed to re-write his concern more clearly, but the patient did not resubmit a complaint to medical for follow-up.

Medical: Two hundred seventy-five (275) Grievances (50.64%)

I reviewed two hundred seventy-five (275) general medical grievances for 2023. One hundred seventy-seven (177) of these were from SBJ and ninety-eight (98) were from the NBJ facility. Sick call, MD and follow-up appointments or other similar actions addressed the majority. Thirty-one (31) of these were duplicates of a previously filed grievance. Twenty-five (25) of these complaints were sustained, with the majority being a delay in receiving service. Comparing the two hundred seventy-three (273) grievances filed in 2023 to the prior five year's average of two hundred five (205), this is an increase of 33.1% in the number of medical grievances filed. Nine (9) grievances were resolved on appeal and zero (0) grievances required follow-up to determine a resolution.

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MAT Sixty-nine (69) Grievances (12.71%)

I reviewed sixty-nine (69) MAT grievances for this period. Thirty-eight (38) of these were from SBJ, and thirty-one (31) were from the NBJ facility. Fifty-eight (58) grievances were about being on the wait list, with five (5) of these being resolved on appeal. Four (4) of these grievances were also duplicates to a previously filed complaint. One (1) grievance was a complaint about being removed from the program. The patient was caught trying to divert medications on 3 separate occasions. This grievance also resulted in an appeal. One (1) grievance was a complaint about medication not being crushed in front of the patient. This complaint was sustained. One (1) was a complaint about the dose of medication being given. The patient felt he needed a higher dose. Four (4) grievances were claims of being in a MAT program prior to being booked into Santa Barbara County. In all cases participation could not be confirmed. One (1) was a complaint that his dosage was wrong. This complaint was sustained because when the patient was transferred to Ventura County, his dose was 16-4 mg. When he returned to SBJ, it was bridged at 8-2 mg. This was corrected on 11/20/23. One (1) grievance was a complaint about a reaction to Suboxone. The patient met with the medical director to discuss this issue and it was decided to continue Suboxone for one month, then follow-up. One (1) of these was a complaint about getting the UTOX and lab work completed. The patient was admitted to the MAT program on 12/15/23, with the lab and UTOX test being ordered on 12/19/23. Previously, the MAT grievances were counted as general medical grievances. The MAT category was added this year, as the number of grievances related to the MAT program are on the rise and it was decided to track them as a separate item. There is no prior average for comparison. No grievances required follow-up to determine a proper outcome.

HIPAA Not Signed: Fifteen (15) Grievances (2.76%)

I reviewed fifteen (15) grievances where the HIPAA release was not signed by the patient. Twelve (12) of these were from SBJ and three (3) were from the NBJ facility. This number was added to the information I track in 2020 and I only have the three-year average for comparison. Comparing the fifteen (15) HIPAA issues in 2023 to the three year average of fifteen (15), there is no increase or decrease.

Observations & Recommendations:

The average time between the grievance filing and a response from medical or mental health during this period was 5.2 days. Twenty-six (26) Six grievances exceeded the fifteen (15) day response requirement. Medical staffing shortages and misrouted grievances accounted for most of these delays.

In 2023, there were 7,305¹ requests for medical related services, of which five hundred forty-three (543), or 7.4% resulted in a grievance. The total requests for service decreased by 37.8% when comparing the prior five years' average of 11,761 requests.

During 2023 there were 1,646 total grievances filed. 1,209 were from SBJ and 437 were from NBJ. Of the 1,646 total, five hundred forty-three (543), or 33.0%, were medical related. The total number of grievances increased by 21.83% compared to the prior five year average of 1,351 grievances.

The ADP for SBJ for 2023 was 423 and the ADP for NBJ was 336.

During 2023, the Sheriff's Office received Four (4) community inquiries. There were two (2) dental inquiries, one (1) medical inquiry and one (1) MAT program inquiry.

Respectfully,



Mark V. Mahurin

¹ This number does not include issues handled on scene or requests deemed to require immediate medical attention.

Grievances January 1, 2023 through December 31, 2023

Type	Total	Percentage of Total Medical/ Mental Health Grievances	Response Resolved Complaint	Follow-up needed	Complaint Resolved after Follow-up	Complaint Resolved on appeal	Out of Custody	Duplicate	Inmate Refused Treatment
Dental	27	4.97%	27	0	0	0	2	0	2
Mental Health Medication	38	7.00%	38	0	0	0	0	3	2
Medical	119	21.92%	116	1	0	2	2	7	5
MAT	275	50.64%	266	0	0	9	10	31	10
HIPAA not signed	69	12.71%	64	0	0	5	0	4	1
	15	2.76%	0	0	0	0	0	0	0
Total	543	100.00%	511	1	0	16	14	45	20
Total SBJ	347								
Total NBJ	196								

Average Days for Response/Treatment:

Total Service Requests:	7,305	% Grievored:	5.2
SBJ Grievances:	1,209		7.4%
NBJ Grievances:	437		
Total Grievances:	1,646	% Medical Related:	33.0%
SBJ Avg. Annual	423		
NBJ Avg. Annual	336		

Community Inquiry

Dental	2
Mental Health Medication	0
Medical	0
MAT	1
Total Requests:	4

Resolution: 4 Awaiting Response: 0 Out of Custody 0

Follow-up Needed:

Out of Custody: Response returned to Medical for additional details.
 Duplicate: Inmate was out of custody when the grievance was addressed.
 Inmate Refused Treatment: Grievance filed for the same issue before a response could be generated.
 Psychiatrist: Inmate refused to be examined, to follow recommendations, or to take prescribed medication.
 Dentist: Available in the Facility 5 days per week, with an on call RNP psychiatrist available.
 Title 15- Grievance Time Limit : Available in the Facility 16 hours per week.
 Article 6 § 1073 requires that the Facility policy set a reasonable time limit for response. Our Policy time limit is 15 Days.

Outside of Facility Appointments:

Dates for out of custody appointments are not provided prior to transport due to security concerns.