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COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

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August 24, 2015

Hon. Salud Carbajal
Hon. Janet Wolf
Hon. Doreen Farr
Hon. Peter Adam
Hon. Steve Lavagnino
Members of the Board of Supervisors
Santa Barbara County

RECEIVED

AUG 24 2015

1ST DISTRICT OFFICE

By Personal Delivery

Subject: Creation of Position for Inmate Grievance Coordinator

Dear Members of the Board:

Families ACT! is extremely concerned by the number and quality of healthcare related grievances submitted by inmates at the Santa Barbara County Jail. During a recent two year period, there were 771 healthcare related grievances submitted to the Sheriff.¹ These represent over 28% of all the jail grievances filed, and the vast majority of these healthcare related grievances (71.98%) are concerned with general medical issues. These do not include the less formal procedure of sending in a "kite," an informal and untracked request made by an inmate. Generally, only when "kites" have been unsuccessful in resolving a matter an inmate files a formal grievance.

With this in mind, we propose that the Board of Supervisors establish an independent position reporting to the Board of Supervisors to track inmate grievances, especially those that are healthcare related, and to report to your board monthly at a regular public meeting about the issues raised by the inmates. This person will have responsibility within the jail to educate the inmates about the grievance procedures, be available to assist in completing the forms, be attentive to possible retaliation, and to advise inmates


¹ Healthcare related grievances include those for dental, mental health, medication and general medical issues. Please see the enclosed source material from the Santa Barbara Sheriff's Department.

about their options under HIPAA. We recognize that there are issues of privacy and security that will need to be addressed, but the net result should be better accountability for inmate health issues, better supervision by your board, and lower litigation costs for the county.

Funding for the position initially could come from money now allocated to the proposed Corizon contract. This interim position could be filled temporarily until its value has been demonstrated, perhaps during an initial term coexisting with any renewal of the proposed Corizon contract.

We look forward to working with your staff to develop these ideas for the benefit of our inmates and Santa Barbara County as a whole.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Rory O. Moore". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Rory O. Moore
President, Board of Directors

Enclosures:

1. Memorandum, July 24, 2015, Updated Medical and Mental Health Grievance Numbers 2013-2015, from Lt. Shawn T. Lammer, #2761.
2. Compilation of Inmate Accounts to Families ACT! regarding Medical and Mental Health Treatment at Santa Barbara County Jail.

Memorandum

Date: July 24, 2015
To: Commander Kelly Hamilton
From: Lt. Shawn T. Lammer #2761
Subject: Updated Medical and Mental Health
 Grievance Numbers 2013-2015
CC: Chief Julie McCammon



Commander,

In the aforementioned, you will find the updated grievance numbers which correspond to Undersheriff Melekian's and Supervisor Carbajal's request.

Grievances July 20, 2013, through July 20, 2015

Type	Amount	Service In Place	Service Initiated	Out of Custody	Duplicate	Inmate Refused Treatment
Dental	37	31	4	1	0	1
Mental Health	78	54	13	7	2	2
Medication	101	66	22	2	1	10
Medical	555	321	136	37	48	13
Total	771					

Other Relative Statistics July 20, 2013, through July 20, 2015

ADP	Bed Days	Calendar Days
945	689,850	730
	1.1 per 1,000 inmates	
Daily Grievance Average:	per day	1.06 per day

Definitions

Service In Place:	Services already in place before the grievance was filed.
Service Initiated:	Services initiated after the grievance was filed.
Out of Custody:	Inmate was out of custody when the grievance was addressed.
Duplicate:	Grievance filed for the same issue before a response could be generated.
Inmate Refused Treatment:	Inmate refused to be examined, seen, or take their prescribed medication
ADP:	Average Daily Inmate Population for FY 2013/14 through 2014/15
Bed Days:	Calculated by multiplying the 2 year ADP average by 365 days

The below is some additional information you may require and need just in case.

Grievances July 20, 2013 through July 20, 2015

Type	Amount	Percentage of Total Grievances Filed	Service In Place	Service Initiated	Out of Custody	Duplicate	Inmate Refused Treatment
Dental	37	1.35%	31	4	1	0	1
Mental Health	78	2.86%	54	13	7	2	2
Medication	101	3.70%	66	22	2	1	10
Medical	555	20.31%	321	136	37	48	13
Total	771	28.22%					
Total Grievances	2732						

Should you require any additional information, please let me know.

Respectfully,

Shawn

Shawn T. Lammer, Lieutenant
Santa Barbara County Sheriff's Office
Custody Support Division
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Santa Barbara Inmate Accounts of Medical and Mental Health Care – August 2015

Below is a compilation of reports received by Families ACT! staff from recent and former inmates, and their family members, at the Santa Barbara County Jail. Some are first-person accounts, and others are summarized. Identities have been withheld because of privacy and retaliation concerns.

* * * * *

February – July 20th 2015 inmate with **mental health diagnosis** put in a kite requesting that he be seen for Mental Health in order to be placed back on his medication—Depakote or Abilify. Just this week (July 20) he was seen for the first time. He feared that if he made an issue of this he would be taken off of the MSF (formerly Honor Farm).

February 5, 2015 - Inmate was booked into the jail with a cast on his arm for a fracture he had recently incurred in an accident. The decision was made to remove the cast looking for contraband but never replaced it. His forearm is now grossly deformed. Between wrist and elbow a dramatic curvature. Grievance was filed on 2/17/15 and received 2/18/15 by deputy #3154. Photos documenting the deformity are available.

2015 -- inmate with **medical condition** and **mental health diagnosis** who has filed numerous grievances and has tried to file several writs of habeas corpus. He suffers from several mental health diagnoses. Amitiptyline has worked well in the past but staff states they cannot get even the inexpensive generic brand. Neither do they have Seroquel, Wellbutrin or Statera, which have helped his various diagnoses in the past. He is in chronic pain from “trigger finger” diagnosis. When cortisone shots do not work, surgery to cut the tendon is indicated, but the staff decided that although his condition causes chronic pain and limits the use of his hand, it was not life threatening. Inmate is told that he can only get Aspirin from the doctor, but it takes 3 weeks to see the doctor. **Inmate reports that other inmates often wait 3 weeks to see the doctor. And typically can get no antibiotic ointment, band-aids, etc. for 3 weeks. People are getting infections. Staph infections are rampant. Reports that Corizon runs out of meds and they are arbitrarily discontinued for months at a time.**

[Please keep in mind that if an inmate has a 90 day jail sentence, it is understandable that the jail will not have a surgery conducted for the trigger finger and have him handle it when he is released. Mr. L is serving a multi-year jail sentence. They cannot treat people who are living in their jails for several years in the same manner that they treat short timers. With CDC (state prison), there is daily sick call. If someone needs to see the doctor for any reason, they can see a doctor the same day. If someone needs aspirin, they are given it right away. If they have a medical issue that cannot be treated in the prison, they are sent out for treatment. It absolutely does not need to be life threatening.]

Another inmate reports seeing a mentally ill inmate who would not be quiet thrown up against the wall in solitary by the custodial officer on duty.

Statement from former inmate submitted August 2015:

"I have been diagnosed with Post Traumatic Stress Disorder, Attention-Deficit/Hyperactivity Disorder, Anxiety, and Depression. I have suffered with this most of my life and was not diagnosed with Anxiety and Depression disorder until my early 40s. I found myself self -medicating, with alcohol, and in turn, grew into the disease of addiction.

"In 2013, I elected to get off probation by finishing my sentence incarcerated. I was incarcerated for almost 6 months. Even though I had filled out many requests to see the psychiatrist, it took a couple of months to do so. When I did see him, he prescribed two new medications for me, both I was unfamiliar with. I do not believe I was asked to sign a release of my medical records so that I could be restarted on the medication that my most recent physician had prescribed to me.

"I believe it took a few days to actually start this new medication, and I noticed that was not able to sleep. The psychiatrist had mentioned this was a possible side effect, however, I was being given this medication at morning meds, and that was about 1:00- 1:30 AM. This went on for a few days, almost a week. I was not able to sleep, and I told the med nurse and she stated for me to fill out another request to see mental health. I did. The request was never honored.

"In addition to this, about a week later, I felt faint and went to my bunk. I tried to climb into bed, and my bed was on the top bunk. Then next thing I know, my cell mates were standing over me, yelling for the C.O.s for help. Apparently, I had fainted. The women in the tank stated that they could hear my head hit the cement all the way across the tank. My leg was twisted from the fall, my body had fell in an awkward position. The C.O.s responded and asked if I was okay, I said I was okay, but I felt dizzy. One of the male C.O.s was taking the lead, and stated that if it persisted to let one of the C.O.s when they came by to check on us, and I could go to Medical. I said OK.

"After about an hour, I still felt nauseous and dizzy. My head hurt, and so did my hips and knee from falling on it on the cement. A female C.O. came by and I asked to go to Medical. She had been one of the responding C.O.s and she said she would be back to take me. it was after 9 pm, now so she said I could wait in the community room, and she closed the cell doors. So I was sitting at the table, alone. Everyone was locked in, and I had no access to the bathroom in case I threw up, or had to use the bathroom.

"She never came back. It felt like hours before another female C.O. came by and wanted to know why I was sitting there, thinking I had been in a fight and my cell mates had "rolled me out". I told her what happened, she said oh, and then opened the cell and told me to go in. I did, but I had extreme difficulty getting on my bed. I was dizzy and now afraid I was going to fall off my bunk again. But I made it up there and got a little bit of

sleep but I was too afraid. I had never had a concussion before, but I started to figure out that might be what was going on, so I was afraid to fall asleep.

“When the nurse for med pass came by, I managed to get off my bunk, I refused the meds and told her what happened and that I was not feeling well. I described my symptoms and told her there was a HUGE knot on my head. I asked her to look at it, to feel it, she refused and told me to put a request in to see the Dr. I was so frustrated that I wanted to start crying. I had a horrible headache, which I was not given anything for, and every time I closed my eyes I would get dizzy.

“The dizziness and nausea persisted for 3 to 4 days. I was afraid to take a shower, because I would get dizzy closing my eyes. I asked my cell mates if anyone would consider trading beds, and no one would, so I was afraid to get on my bunk, and afraid to sleep because I was afraid I would fall out of my bed.

“It took weeks for my hip and knee to heal from the fall.

“I have a few other examples of the lack of interest, care or compassion I have experienced in Santa Barbara County Jail, but this was one of the most severe.”

May 2013 - An inmate compared the Santa Barbara County Jail with the Ventura County Jail in terms of Medical Services:

“At the Santa Barbara County Jail, we have one doctor for all thousand inmates, who sees people for a few hours almost every day, I believe. The dentist comes every other Thursday for a few hours, and he is the only one. I served time in jail at Todd Road Jail Facility in Santa Paula. If you put in a medical kite you are seen by the next day, or at the very latest, the day after that. No matter what it is for. To see a dentist, you either go by that Friday, or the Friday following that, AT THE LATEST. They have a nurse practitioner there every day, all day, PER housing section. Also, they have a dentist there every Friday, ALL DAY, per housing section. I recall seeing people booked into the Santa Barbara Jail injure themselves purposefully in desperation in hopes of being seen by a doctor. This is an insane thing to see: imagine watching someone slam themselves into a table or bed frame just to receive basic medical attention. And this is not an embellishment; this is a very common occurrence.

“I’ve seen people suffer from seizures and asthma attacks for ten, fifteen minutes before someone walks over to help. This doesn't sound like long, but when you can't breathe at all, or your gnashing on your own tongue, sixty SECONDS is a lifetime. For anything less than a VISIBLE flesh wound, or something that causes a mess, medical treats every inmate as if they are faking their injuries. This is why people often cause themselves

harm: they hope that, and rightfully so, these VISIBLE injuries will finally warrant medical attention.

“What would happen, what would you do and how would you feel, if you went to see a doctor one day for, oh say a dermal infection, and the doctor said to you, ‘There’s Tylenol at the store. Stop wasting my time.’ I and countless others, have been told THIS SAME STATEMENT, word for word pretty much, just about every time we’ve actually gotten in to see medical, always after a two to four week wait. ‘There’s Tylenol on commissary,’ he always says. ‘Stop wasting my time.’

“During my stay at SBCJ, I was placed on the dental waiting list. I was booked in with all four of my wisdom teeth still crammed into the back of my mouth, and as anyone knows, when you don’t have room, they crack and break open, exposing the root. Three of them were cracked open, roots exposed to the elements. I had heard stories that the wait list was long, and upon further inquiry, found out that the only method of dental care provided within the facility is extraction. THAT’S it. MANY people are, at this very moment, being faced with a decision: sit with an abscess and TRY to get antibiotics from the doctor here (who takes anywhere from two to four weeks to be seen) while enduring excruciating pain and possibly DIE, or have my tooth pulled out and lose it forever? Two of my wisdom teeth start abscessing. Of course, I immediately put in a request to see dental. A few more weeks go by. It’s bad. A month goes by. Now three of my teeth are abscessed. Soon, it is so bad that I cannot sleep at night and I my eyes are constantly watering from the pain. I need antibiotics; I can’t even have the teeth pulled until I get rid of the abscesses. But I put in a request to see medical weeks ago.

“Dental abscesses can be fatal. They can be septic. The bacterial infection can move to your bloodstream; your heart, YOUR BRAIN. MY brain. MY heart. My LIFE was at risk. And it was almost as if staff thought it was funny. It got to a point where I was bedridden from the pain; I couldn’t eat, sleep; my friends would harass EVERY nurse at EVERY “pill call” to find someone to see me please. Med kite after med kite was submitted on my behalf. I alone must have filled out at least five of them. Nothing. Finally one night during pill call a nurse, when requested by the C.O. on shift, examined me and had a doctor sign a prescription for antibiotics for me in the morning. It had been three weeks since my first med kite submission.

“Two months and a few days from when I submitted my dental kite, I was finally seen to extract only one of my three broken and abscessed wisdom teeth. Upon arriving at the dentist. I was informed that each inmate is allotted one procedure per visit; that means, yes, I had to put in a total of THREE dental kites, wait a total of SIX months (in pain and suffering from multiple abscessed teeth all the while), go to the dentist THREE times, and take lord knows how many cycles of antibiotics. Doesn’t this end up costing the county a LOT more overall? Not to mention what a risk it is to have someone with a bacterial infection sitting untreated with what could become a fatal infection? [I asked]

the C.O. that escorts inmates back and forth to him why I have to wait two months to get a tooth extracted. He said that the dentist only comes every other Thursday from mid-morning to mid-afternoon, with a lunch break in between. So per about a THOUSAND people, the dentist sees about four or five people, extracts four or five teeth, every TWO WEEKS???? ‘Yes,’ I was told, ‘that is correct.’”

June 2013 - letter from inmate with mental health diagnosis who has been prescribed medication for bi-polar disorder, anxiety disorder and PTSD and reports: “The problem is I cannot get my meds in Santa Barbara County Jail. The Mental Health department is ...backed up between 30-60 days. I have been in custody since May 2nd 2013 and still have not been able to see a psychiatrist for medications (Celexa & Gabapentin.)”

June 2013 - Inmate with mental health diagnosis is denied their medication. Filed 8 mental health requests, then filed a grievance. **Meds given over one month after initial request.**

June 2013 - Dually diagnosed inmate reports: “It was almost a week and a half before someone from mental health asked if I needed my medication.”

“I was thrown in a ‘Safety Cell’ and treated like an animal because I had stated I was depressed and didn’t want to live with what [I] had put family through. I was stripped, undergarments cut off and shirt completely torn off, left naked in the cell covered with dried feces and urine, with stench so strong I could hardly breathe. I asked to go to the bathroom. An officer pointed to the hole in the floor. My request for toilet paper was denied; in fact, that officer did not even respond. I was there for over 15 hours and many times my request for water was denied. When Mental Health did come by, the interview was more of a condescending question and answer than an evaluation of my mental state. The custody officers seem to have no mental health training whatsoever. If they have, they seem to work in a manner that fosters an atmosphere similar to a domestic violence type situation; power = control & fear = respect. The whole dynamic triggers PTSD and sets off my anxiety & depression. Most custody officers...start their shift saying how much they do not want to me here with us. They use foul language to describe their feelings about it. I have witnessed a C.O. complain to the entire barrack that she was insulted that a grievance report was made that she had ‘kicked’ someone awake. Then for the rest of her shift she **harassed the individual that had written the grievance. The message is clear—we have to silently endure...or we will be belittled or harassed ...and provoked. Power and control, dominance and submission.**”

July 2013 - 32 year old individual **with severe mental illness** charged with trespassing had his arm ripped open by police/police canine when home owner found him meditating in their beach home. Wound stapled shut and transported to jail where he stayed 2 months. Staples apparently not removed promptly, leaving disfigured upper arm on frontal side and with multiple scars on back of arm (from canine?) Two photos available.

October 2014, same inmate was booked into jail for been warrant relating to illegal camping tickets. Released 2 days later with 2 black eyes reporting to mother that he was **tasered and hit with stick** in jail by custodial personnel.

July 2013 handwritten inmate report: "My experience with mental health has been or could easily have gone "tragic." I met with a psychiatrist here that had someone else's file and prescribed from that file. I caught the mistake, but it was close. That was after awaiting almost 3 months from when I came to jail. I had no medication for 3 months. I felt very close to going crazy. My medications were Paxil, Gabapentin and Hydroxyzine. I hope this letter can help restructure this broken system here at Santa Barbara County Jail."

2013-14 - inmate with a **serious mental health diagnosis** and a lifetime prostate condition who was recovering from cancer. Went weeks and months without proper continuation of medications and medical attention, despite having filed numerous grievances. His bladder and intestinal systems backed up and he was in great pain. His mental health deteriorated and he was in a constant struggle to get on the stabilizing medication and medical treatments that he was on in Ventura County Jail prior to his transfer to Santa Barbara. Has spent time in San Bernardino, Orange, Ventura and Santa Barbara County jails. He said it is well known that Santa Barbara County Jail has the worst medical and mental health care of all these county jails.

Date unknown - Inmate diagnosed with schizophrenia reports that it took almost 4 months to get seen by a psychiatrist. She was having outbursts and they would put her in the safety cell nude with only a hole in the ground to go to the bathroom.

2009 or 2010 – **Inmate booked into jail was on antibiotics for arm abscess.** Gauze removed from an abscess packed to check for contraband and never replaced. No antibiotics given.

Dec 2012 – dental abscesses left untreated for weeks.