

*San Mateo County Sheriff's Office  
Detention Division*

**Attachment D**

**Continuity of Operations  
Plan:**

*“Overcrowding at the Maguire  
Correctional Facility”*



**Greg Munks, Sheriff**

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## **MISSION STATEMENT**

Create a continuity of operations plan to provide appropriate service to staff, inmates, and customers of the Maguire Correctional Facility in the event of inmate overcrowding needs.

## **OBJECTIVES**

- Educate staff, inmates, and allied agencies on the effects of overcrowding
- Develop draft continuity plan by mid September 2007
- Identify additional staffing needs
- Fiscal planning, including staff time and increased resources
- Identify new locations inside the facility to safely house additional inmates
- Identify which programs will be negatively affected by increased population
- Research alternative sentencing methods, types of bookings, release strategies
- Identify storage locations for additional bunks and bedding
- Strive to return the facility to safe/normal/rated capacity operating population (688)

## Plan Design

The Maguire Correctional Facility is a Type II Jail Facility per the California Correctional Standards Authority Ca. Title 15. The rated capacity of the facility is 688 inmates. The facility is meant to function in an efficient manner that in addition to booking/releases includes dignified housing, food service, hygiene, medical treatment, recreation, and inmate rehabilitation programming in all housing areas.

The facility is intended to work within the rated capacity as a Direct Supervision facility with staff assigned on a four team rotation basis, supported by an administrative staff located outside of facility security.

This plan is designed to work as a check list activity to adapt the facility in both an operational and physical nature in the event the rated capacity is exceeded. The modifications will work proportionately to the increase in population in order to maintain as many of the design features of the facility as possible to reduce shifting away from the Direct Supervision philosophy. This plan is not intended to supersede the MCF and Procedure Manual. An Asterisk (\*) indicates that a definition is available in the glossary of terms.

### **Color Coded Response Levels: (the levels were developed due to fluctuations in populations throughout a 13 year period)**

#### **Green**

**At or 20% Above Rated Capacity (688-825 inmates)**

#### **Yellow**

**21% to 30% Above Rated Capacity (826-894 inmates)**

#### **Orange**

**31% to 40% Above Rated Capacity (895-963 inmates)**

#### **Red**

**41% to 60% Above Rated Capacity (964-1100 inmates)**

#### **Black**

**Over 61% Above Rated Capacity (1101 inmates and up)**

## Response Levels

### Green

#### Response to Green Level:

1. Operate as a Direct Supervision Facility associated with “as built plans”
2. Diverse Programming in operation throughout the facility
3. Staffing levels coincide with Title 15 Direct Supervision philosophy and operational methodology (ratio of 1-64 on a pod)

### Yellow

#### Response to Yellow Level

1. Maintain Standard Business Practices for Green
2. Encourage cite and release on misdemeanors by allied agencies
3. Adhere to and exceed all Title 15 minimum standards
4. Utilize all Direct Supervision tactics and operations
5. All inmate programs are running with no restrictions
6. Identify future needs for additional bunks/bedding and storage
7. Post staffing levels increase when necessary based on inmate to staff ratio
8. Make recommendation to the District Attorney to direct their staff to support misdemeanor positive O.R. reports unless it is for crime of violence

9. Recommend the Private Defender request a Bail Review Hearing within one week of O.R denial if an inmate is kept in custody.
10. Issue a County wide teletype to all law enforcement agencies advising officers to cite and release whenever possible
11. All appropriate on view 23152 (a), 23152 (b) and 647(f) charges be taken to First Chance. Any inmate booked on the aforementioned charges must have a Jail O.R. denial form signed with a written explanation from the Jail Intake Sgt. or Watch Commander as to why he/she had to be booked into custody
12. Remind internal staff and outside agencies to utilize the “street citation” program which is in adherence to 827.1 PC which provides that In County misdemeanor arrest warrants can be cited out
13. Sheriff’s O.R. will investigate an assessment tool to better predict risk factors that may result in more positive recommendations.
14. The Re-Entry Program Team will report on a weekly basis their progress

## Orange

### **Response to Orange Level**

1. CTC (now OHU) is open and available for overflow housing
2. At higher end, triple bunks are added to *program* rooms of 4east, and 5 west (Security issue as program room has to stay open for access to bathrooms)
3. Programs may be interrupted / canceled due to lack of space and or staff supervision

4. Review SWP criteria to include crimes involving drug, violence and weapon charges after close review
5. As inmate population on pods continues to increase, review Direct Supervision procedures: recreation times may need modifications with a goal of minimizing tension
6. At high end (950) teletypes to outside agencies asking for cite and release
7. Title 15 minimum standards followed
8. Post staffing increased as needed
9. Weekend transportation runs by MCF staff to nearby Counties
10. \* Jail Overcrowding Task force assembled on September 15, 2004.
11. Convene a \*Crisis Action Team as a sub/working group of the Overcrowding Task Force who can act immediately
12. The Sheriff's Administration will work with the Court in facilitating the setting of dates for self surrenders and weekender's
13. Contact sentenced persons who are due to surrender and extend their date out 30 days.

## Red

### **Response to Red Level**

1. All Post assignments will be filled (vacancies/leaves)
2. Bunks for dayroom installed, and used for housing when necessary in the following order:
  - a. 4 west
  - b. 4 east
  - c. 5 east

- d. 5 west
  - e. Old Maguire program rooms
  - f. Choices pod will be filled with inmates from the Choices waiting list
3. Maintain Title 15 minimum standards. Any deviation from Title 15 must be approved by the Sheriff
  4. Recommend that all out of county misdemeanor warrants are cited. Recommend that DA and Courts agree to elevate bail amount to \$25,000 instead of \$7,500
  5. Recommend Electronic monitoring for Supervised Release of all non violent misdemeanor and low level felony charges

## Black

### **Response to Black Level**

1. Mandatory O.T. if shifts are not filled
2. Post staffing increased as needed (staff ration to inmates per Pod)
3. Jail programs cancelled with approval from Assist. Sheriff
4. Recreation time set at Title 15 minimum for 24 hour operations
5. Philosophy of Direct Supervision no longer in effect
6. No misdemeanor bookings
7. Contact court for 4024.1 PC early kick releases when body count exceeded actual bed count
8. Phones/Shower available as circumstances permit
9. \* Recommend the use 4018.6 PC which gives the Sheriff authorization to give inmates a 3 day pass
10. Daily Transportation runs seven days a week



11. Recommend the citation of all misdemeanor In County arrest warrants and bench warrants
12. Considerations for **electronic monitoring**: As the defendant is being calendared (48 hours) Sheriff's staff determines whether the defendant qualifies for electronic monitoring.
  - a. For defendants housed at the Maguire Correctional Facility, the Classification Unit will perform the screening. For female defendants housed at the Women's Correctional Facility, the personnel at the Electronic Monitoring Program (EMP) will perform the screening
  - b. For a defendant to be considered for electronic monitoring, he/she must have the cooperation of all residents living at the release address and have basic telephone service (options such as call waiting and call forwarding are not allowed; cellular phones and answering machines are not permitted).
  - c. If the Judge releases the defendant on electronic monitoring, the defendant will be transferred *by the Sheriff's Office* to the Electronic Monitoring Program for immediate hookup of the tamper resistant, non-removable ankle bracelet.
  - d. Should the Judge place conditions such as alcohol and drug testing in addition to electronic monitoring, the defendant will have a breath alcohol monitoring system set up in his/her home to allow testing for alcohol use. For drug testing, the defendant will schedule an appointment with the Pre-Trial Probation Services Unit. The sample can be tested with drug kits that provide immediate results. Any violation of a condition imposed by the court or violation of an Electronic Monitoring Program rule is a breach of the defendant's condition of release and can result in an immediate arrest and incarceration.

- e. Generally, there will be no fees charged to the defendant while he/she is released pretrial on electronic monitoring. Should the defendant remain on electronic monitoring after conviction, an administrative and per diem fee will be imposed on a sliding scale based upon the ability to pay.
13. All in county warrants for misdemeanors will be cited.
  14. Contact those people who are due to surrender and extend there date out 6 months

### **Glossary of Terms**

1. ***Overcrowding Task Force:*** Superior Court, Board of Supervisors, District Attorney, Private Defender, Sheriff, County Mangers Office, Correctional Health/Mental Health Services, selected community members, Community Based Inmate Service Providers, Local Law Enforcement representatives.
2. ***Crisis Action Team:*** designee of the Sheriff, County Manger, Superior Court, District Attorney, Probation, County Counsel, and the Private Defender Program. The Crisis Action Team will be summoned in an emergency, develop action plans and make necessary recommendations to the Overcrowding Task Force.
3. Per 4018.6 PC which gives the Sheriff authorization to give inmates a 3 day pass; the Sheriff is liable when the inmate is out of custody.