

# Adult Custody Office of the Ombuds

## Equal Opportunity Division Office of the County Counsel County of Santa Clara Fiscal Year 2023 Annual Report

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DEEPLY HEARING JUSTICE-INVOLVED INDIVIDUALS TO  
DIFFERENTLY SUPPORT UNMET HUMAN NEEDS IN THE JAILS

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## **Executive Summary**

This Adult Custody Office of the Ombuds (ACOO) Annual Report covers Fiscal Year (FY) 2023 (i.e., July 2022 through June 2023). For the fiscal year, ACOO had 520 total interactions with justice-involved individuals, their family members, and County jail-centered service providers. From those 520 jail-centered interactions, ACOO provided 776 different individual and organizational support services to help the County satisfy unmet needs in the County's Elmwood Men's (52%), Elmwood Women's (14%), and Main Jail (34%) facilities.

### **Individual Support Services**

Individual support services represented 81% of ACOO's work last fiscal year. When justice-involved individuals or their families initially interacted with ACOO, they tended to do so with uncertainty of how to navigate some aspect of jail services. ACOO met those individuals with three types of support to help them improve their navigation of the jail services available to them: option generation, communication coaching, and conflict coaching.

To help support individuals, the ACOO ombuds listened to the feelings and unmet needs that drove people to seek ACOO support. ACOO then aggregated the feelings and unmet needs data, by categorizing individuals' expressed words into the primary categories. During the recent fiscal year, the ACOO-categorized feelings individuals most often expressed about how they experienced County jail-centered services before receiving support from ACOO were: Frustration (33%), Annoyance (23%), Confusion (19%), and Anxiety (12%). The unmet needs individuals cited about how they experienced County jail-centered services before receiving support from ACOO were: Not feeling a sense of respect/dignity (48%), Not feeling understood (25%), Not feeling trust for/in County service providers (20%), and Not feeling safety (7%).

To help measure whether County justice-involved individual experiences improved with relational services, ACOO also aggregated experiential data after ACOO support. During the recent fiscal year, more than 90% of the individuals ACOO worked with later expressed an improved jail-services experience. 60% of the individuals ACOO supported also expressed a sense of empowerment to make more informed decisions for themselves (at a 4 level on a Likert 1-5 scale) when navigating jail services moving forward. The two most common attitudes individuals expressed following their post-ACOO-support experience were: Confident (36%) and Satisfied (27%). After ACOO work, no one expressed ongoing frustrated, annoyed, or anxious feelings.

### **County Organizational Focused Services**

Organizational support services represented 19% of the work ACOO did last year. ACOO worked with the Sheriff's Custody Bureau (90%), Custody Health Services-Mental Health (8%), and County criminal justice partners (2%). At times, ACOO acted as an ombuds bridge between

a justice-involved individual and a service provider to help simplify jail-process navigation and streamline real-time system feedback to jail service providers on what was not working.

The full FY 2023 Annual Report is made up of three sections:

**Section I** speaks to ACOO standards of practice and how ACOO work supported individuals and County organizations in getting needs met by generating different and better options, providing communication and conflict coaching, and ombuds bridging between justice-involved individuals and jail-centered service providers as jail challenges arise.

**Section II** reports on ACOO jail-centered services statistics: number of ACOO interactions and services provided; and effect of ACOO individual and organizational support services.

**Section III** details times when ACOO support shifted the dynamic between justice-involved individuals and jail-centered service providers from uncertain (or stuck) to effective and complete. This effort included continuation of the Grievance Unit Pilot to support inmates with multiple grievances.

## **Glossary of Organizational Terms and Acronyms**

**Reader Acknowledgement:** As a continuing acknowledgement of the County's frequent use of organizational terms and acronyms that may be unfamiliar to the public, and to help clarify shorthand communication forms used in this FY 2023 report, a glossary of five organizational terms and acronyms is included here:

1. **Justice-Involved Individuals:** People detained in custody at the County of Santa Clara Main Jail or Elmwood Correctional Complex.
2. **ACOO:** The Adult Custody Office of the Ombuds provides justice-involved individuals with communication, conflict coaching, and process-option generation. ACOO also provides ombuds-bridging to help streamline real-time system feedback and make it easier for County organizations to meet jail needs. A goal is to use transformative mediation approaches, restorative practices, and organizational ombuds standards to help bring County services together, repair relationships, build trust and mutual understanding, and help people feel met or heard regarding their underlying needs.
3. **ACOO Standards of Practice:** confidentiality, neutrality/multi-partiality, independence, and informality.
4. **CHS-MH: Custody Health Services (Mental Health):** a team within the County's Custody Health Services Department that provides mental health patient care inside County jails,

from jail booking to jail release, and coordinates with the County's Behavioral Health Services Department to support mental health patients in diversion programs.

5. **SO:** The County's Sheriff's Office, which oversees its Custody Bureau and the County's jails under the direction of the elected County Sheriff.
6. **Sheriff's Custody Bureau:** The Division of the SO that operates and manages most aspects of County jails under the direction of the SO's Assistant Sheriff. Of note, the Custody Bureau does not direct all jail-centered services. For example, Custody Health Services and ACOO provide services connected with County jails.

## **Section I. ACOO Jail-Centered Services and Standards of Practice**

ACOO uses Organizational Ombuds Standards to support people feeling heard in their jail-centered needs. ACOO listens to people, validates their feelings, helps them clarify their unmet needs, and acts as a go-between to help people differently and better navigate jail-centered services. Through a combination of individual-focused and County organizational-focused services, the ACOO ombuds gives justice-involved populations opportunities gain a sense of personal agency and make more informed choices to increase County responsiveness to unmet needs.

### **ACOO Jail-Centered Services**

#### **Individual Support Work**

*Communication and conflict coaching:* A process in which ACOO and the individual communicate one-on-one to identify and develop understanding, interaction strategies, and interaction skills to build constructive ways to address conflict and communicate effectively to resolve conflict or improve situations.

*Option Generation:* A process by which an individual, with the help of ACOO, generates as comprehensive a list as possible of options to address an issue or concern with pros and cons considered in weighing the best options for moving forward.

#### **County Organizational Support Work**

ACOO conducts informal inquiries to better understand policies relating to a question or concern shared by an individual and shares real-time feedback with stakeholders to bring awareness of the processes or gaps that may contribute to issues.

## ACOO Standards of Practice

**Neutrality/multi-partiality:** ACOO works to hear from all relevant parties to an issue to help them craft solutions that are satisfactory to everyone, given system limitations and the context within which the issue arose. The ACOO ombuds takes no sides on any issue, rather the ombuds seeks a multi-perspective approach to help identify robust options moving forward.

**Confidentiality:** The events, experiences, interests, needs, and all disclosures an individual presents to ACOO are held in strict confidence. The exception to ombuds confidentiality is where non-disclosure poses an imminent risk of serious harm to the justice-involved individuals or others. Individuals may consent to disclosure of information that helps build relational trust or collaboration with relevant other parties.

**Independence:** ACOO is detached and distinct, in operation, structure, function, nature, and appearance from the SO and its Custody Bureau, CHS-MS, and Behavioral Health Services. ACOO works independently from those departments in the ways ombuds content and ombuds requests get handled in the legitimate performance of ombuds practices and duties.

**Informality:** ACOO is an off-the-record communication and conflict-resolution resource to assist jail-system-involved individuals and their families to address concerns. ACOO does not participate in any formal grievance protocols, investigations, or legal proceedings. ACOO works collaboratively at the lowest organizational levels and moves across, up, and down the system of service providers and the SO chain of command to help generate informal options and solutions to challenges in the jails.

## Section II. ACOO Support Services (statistics and examples)

<b>Fiscal Year 2023</b>	Main Jail	Elmwood Men's	Elmwood Women's	<b>TOTAL</b>
Number of interactions (calls and in-person)	180	273	78	<b>531</b>
Number of services provided	258	413	105	<b>776</b>

Ombuds staff dedicated to ACOO in FY2023: **1**

ACOO work was categorized by individual support services and County organizational support services, which together helped the County satisfy unmet needs in the jails.

## Individual Support Services

The County jails have processes, forms, and jail-centered service providers to support a wide range of topics (including basic food, shelter, mental health, and medical needs), and the ACOO ombuds is a resource to support individuals' personal agency in navigating unmet needs. When justice-involved individuals or their families communicated with ACOO, they tended to express jail-system navigational challenges and uncertainty about how to navigate some aspect of County jail services.

During the recent fiscal year, the six most common surface-level aspects of jail concerns brought to ACOO included legal topics (17%), mixed topics (16%), staff conduct (12%), mental health issues (11%), medical concerns (7%), and programs (5%). Other surface-level topics included jail policies, food concerns, classification, commissary, tablets, PREA, dental, ADA, admin/booking, laundry, mail phone property, and visits (all less than 5% each).

At a deeper level, when individuals communicated with ACOO, they also indicated struggles with underlying needs like respect/dignity (48%), understanding (25%), trust for/in County service providers (20%), and safety (7%). There was a general sense amongst individuals who approached ACOO that they were unseen, unheard, or unmet in their needs. During first contact with ACOO, these individuals tended to express feelings of frustration (33%), annoyance (23%), confusion (19%), anxiety (12%), or disgust (5%), with jail services.

ACOO found that a common thread to tie these unmet needs and feelings together was individuals' lack of personal agency in navigating the jail-services system. To assist those individuals, ACOO employed option generation, communication coaching, and conflict coaching. This support helped individuals improve their ability to navigate jail services available to them and correlated to a stronger sense of personal agency. More than 90% of the time (at a 3 or higher level on a Likert 1-5 scale) individuals ACOO worked with later expressed an improved jail-services experience. 60% of the individuals ACOO supported also expressed a sense of empowerment to make more informed decisions for themselves (at a 4 level on a Likert 1-5 scale) when navigating jail services moving forward.

Following individual support work with ACOO, the intensity of high negative feelings of justice-involved people also decreased from an average of 3.5 at case open to an average of 2 on a Likert scale. The categorized feelings individuals most expressed after ACOO services were Confident (36%), Satisfied (27%), Relaxed (21%), and Energized (9%). Others expressed that they were Happy (5%), Confused (1%), Disgusted or Angry (less than 1% each) after ACOO support. In total, more than 95% of the ACOO-supported justice-involved individuals found constructive ways forward and a stronger sense of dignity, respect, and personal agency than before they found ACOO support.

## **County Organizational Support Services**

ACOO also provided organizational support services, working with jail service providers to increase individuals' access to information (58% of ACOO work), individuals' access to jail resources (24%), or both (18%). To support information- and resource-access in the jails, ACOO served as an ombuds bridge, going between individuals and County service providers to help streamline real-time system feedback when people were struggling to navigate the system (19% of ACOO work). In support of this collaborative work, ACOO primarily reached out to the Sheriff's Custody Bureau (90%), Custody Health Services-Mental Health (8%), and County criminal justice and other programs (2%), including Pretrial Services and Behavioral Health Services. Below are examples of times when ACOO helped the County support unmet jail needs.

### **Examples of ACOO Serving as an Ombuds Bridge to Support Unmet Jail Needs**

A justice-involved individual contacted ACOO with confusion about jail-program processes, eligibility, and requirements. ACOO bridged with the SO Programs Unit and provided details to help clarify uncertainties. The individual expressed satisfaction with the joint ACOO-Programs Unit feedback, and the individual shared the new information with others in his cell and building.

A family member of a justice-involved individual with mental health issues contacted ACOO. The family member expressed confusion around jail processes to support their family member's mental health. ACOO bridged with an SO Sergeant to help the family member navigate the support process, bridged with Behavioral Health Services to further support mental health needs, and provided information about a resource collaborative between the National Alliance on Mental Illness, the County, and the County's Behavioral Health Services Department. Afterwards, the family member expressed satisfaction with the collaborative support and more confidence in the pathways forward.

A public conservator contacted ACOO for support for a conservatee experiencing mental health issues in the County jails. The conservator and conservatee expressed difficulties navigating the jail system and were confused on how to move forward. ACOO generated options and then supported bridges to the relevant public defender and Custody Health Services department to help get the mental health needs met. The conservator expressed satisfaction and confidence on how to move forward following ACOO support.

A justice-involved individual communicated to ACOO after a recent transfer to the County's Main Jail. The individual expressed uncertainty on how to follow up on gender-affirming medical treatment after unsuccessful attempts to navigate jail processes to share official vital records of a name/gender change. ACOO bridged with SO for clarity on guidelines, process, and next steps. SO interviewed the justice-involved individual and notified command staff, head facility doctors, and the SO's Prison Rape Elimination Act (PREA) unit (as the



handlers of related LGBTQ issues) to bring them into the fold. The individual expressed satisfaction with ACOO-SO joint support.

A Spanish-speaking justice-involved individual contacted ACOO for help requesting documents through the Mexican consulate. ACOO bridged with the Mexican consulate, which scheduled a jail visit to interview and assist the individual. After ACOO support, the individual expressed more confidence in how to navigate the system.

After a justice-involved individual was transferred to a State prison, a family member was anxious and unable to get records released to the State correctional facility related to an investigation. ACOO bridged with various County agencies to better inform the family member of a complex County process and help follow the process through to completion. The family member expressed satisfaction with the result and confidence in how to navigate the process if a future need were to arise.

While visiting a justice-involved individual in jail for one matter, a potential PREA concern surfaced. The individual was confused about whom to contact. ACOO worked with the individual to clarify the PREA process, generate options, and bridge to the PREA unit. Options discussed included telling a Sheriff's deputy, calling speed dial for Internal Affairs, calling the YMCA Rape Crisis Center, and filling out a white card or grievance. Following an interview with an SO PREA officer, the justice-involved individual expressed satisfaction with the ACOO-PREA Unit collaborative support.

A justice-involved individual visited ACOO after completed jail courses were not awarded with milestones that can reduce jail time. ACOO bridged with the SO Programs Unit, which explained class eligibility for milestone credit. While the individual did not express satisfaction with the Programs Unit's response regarding the coursework taken, the individual did express more confidence in how to navigate the Programs Unit milestone structure going forward.

Various justice-involved individuals with mental health challenges left voice messages (often late night) or communicated with ACOO live. Needs for these individuals were often unclear and lacking in easy coherence or consistent thought. In those situations, ACOO validated the individuals' feelings, worked to identify concrete needs, generated options, and in most instances, successfully bridged with CHS-MH to discuss support possibilities. CHS-MH continuously expressed appreciation of the open-door collaboration with ACOO to support CHS-MH assessments, medication support, and other support needs.

Various justice-involved individuals contacted ACOO uncertain where to get emotional support after someone had attempted suicide. These individuals said they felt unheard by County service providers and expressed confusion on where to go. ACOO listened, generated options, and helped guide them through jail processes to connect to nurses and chaplains. Afterwards, the individuals expressed more confidence in their available options and more satisfaction that they were met in their needs.

### **Section III. Support of Justice-Involved Individuals with Multiple Grievances**

In FY 2023 and extending into FY 2024, ACOO and the SO Grievance Unit partnered and focused on outreach, access, identification of candidate cases, and other design elements to support justice-involved individuals with more than ten grievances. The collaborative concept is to dive deeper than what is expressed in the jail grievances to see whether the ACOO process can help meet underlying needs. The joint effort supports these individuals with both the formal grievance process and the informal ombuds process, through which ACOO focuses on underlying needs, relational dynamics, and avenues to support real-time feedback to the SO Grievance Unit.

ACOO met with the Grievance Unit to refine the collaborative effort, improve the identification process, and measure process impacts. Going forward, the Grievance Unit will send candidates for support to ACOO, which will schedule visits in the jails for any individuals who express interest in this pilot. The intent is to increase access and personalization through an in-person focused approach.

The SO's quarterly lists to ACOO for FY 2023 included 151 individuals who received a letter presenting ACOO as an alternative path to help address their needs. 39 individuals contacted ACOO presenting issues related to the Custody Bureau (90%) and CHS-MH (10%). Issues mainly included staff conduct, legal issues, and policy issues. ACOO spoke with all 39 individuals and visited six in-person) for a more in-depth conversation. Following ACOO support this past fiscal year, a significant majority of the 39 individuals in this pilot indicated feeling acknowledged (84%), having more process understanding (70%), and feeling greater empowerment to make future decisions (70%).

### **Conclusion**

For FY 2023, one full-time equivalent (FTE) senior mediator was assigned ACOO work. For FY 2024, ACOO is dedicating approximately one-half FTE to that work, focused on ombuds services regarding justice-involved individuals with the highest number of filed grievances. The other half FTE has been shifted to assist the County's Equal Opportunity Division with providing restorative services, mediations, and conflict resolution services to County employees outside the Equal Opportunity Division's investigative and reasonable accommodation roles.