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## San Diego County Sheriff's Department

Post Office Box 939062 • San Diego, California 92193-9062

William B. Kolender, Sheriff

William D. Gore, Undersheriff

July 5, 2007

Honorable Janis Sammartino  
Presiding Judge, San Diego Superior Court  
County Courthouse  
220 West Broadway  
San Diego, CA 92101

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SAN DIEGO  
COUNTY GRAND JURY

Dear Judge Sammartino:

**Response to the San Diego County Grand Jury's Report Dated May 17, 2007**  
**"Replace Las Colinas Now!!"**

Pursuant to California Penal Code Section 933, the following is my response to the Grand Jury's Findings and Recommendations 07-95; 07-96; 07-99 through 07-102.

**FINDINGS:**

**Finding:** The modular buildings are of the same or substantially similar construction as those utilized as temporary classrooms on public school campuses.

We Agree

**Finding:** Intensive reactive maintenance projects have prevented the total deterioration of the modular buildings.

We Agree

**Finding:** Each and every woman in San Diego County is at risk of Detention at Las Colinas if she makes one poor decision in violation of California law.

We Agree

**Finding:** Shower, washroom and toilet facilities are inadequate for the number of inmates which is not in compliance with Title 24, California Code of Regulations.

We Agree as to the following:

*"Keeping the Peace Since 1850"*

The most recent Corrections Standards Authority inspection took place in March of 2006. Charlene Aboytes, Field Representative for the CSA conducted that inspection. She indicated the following as to this finding:

- In A, C and D house, the double occupancy cells contain three bunks; when the third bunk is occupied, it results in a noncompliant status.
- The multiple cells in C and D house have more beds than the Rated Capacity.
- Each of the cells in B house are single occupancy, but each is equipped with three bunks. When more than one inmate is housed in these cells it results in a noncompliant status.
- When dormitory housing is fully occupied the result is noncompliant issues related to toilets and washbasins.
- When housing units B, C, D, and F exceed rated capacity, it results in noncompliance.
- When B house exceeds rated capacity, there are noncompliance issues related to the number of showers.

Ms. Aboytes added; “it is encouraging to hear that preliminary planning is underway for a replacement for this facility.”

**Finding:** “Gender bias is suspected when Las Colinas is contrasted with living conditions at male booking and holding facility counterparts.”

We Disagree:

The San Diego Sheriff’s Department recognizes the deteriorating conditions and continues its systematic efforts to put in place the necessary components leading to replacement of the Las Colinas Detention Facility. The Sheriff’s Department has made and continues with a concerted effort to address current health and safety concerns at the existing facility. We have invested more than \$2 million in the past two years to upgrade dormitory floors, roofs, and restrooms, as well as funded projects to upgrade cameras and recording capabilities, replace HVAC air supply grills, replace hot water boilers, abate asbestos contamination, complete preventative maintenance of the high voltage power supply, and seal and strip parking lots. These on-going maintenance efforts at the facility are focused on meeting minimal standards and needs of the inmates and detention staff, while the work to complete environmental clearance, design, and to secure funding moves forward. In addition, see response to Grand Jury Recommendation 07-99.

**Finding:** “The San Diego County Sheriff’s Department deflected suggestions of gender bias when interviewed.

Officials who testified were confident in their defense against allegations such as this.”

We Agree

**Finding:** “Based upon the dearth of expansion construction of Las Colinas since the September 17, 1996 *Settlement Agreement*, certain high level elected county officials have discounted the recommendations of five of the six previous San Diego County Grand Juries; while other high level elected county officials have not aggressively pursued those recommendations on behalf of San Diego County taxpayers.”

We Cannot Agree nor Disagree:

The Sheriff’s Department has strongly supported and pursued recommendations provided by previous Grand Juries as to the Las Colinas Detention Facility.

**Finding:** “During the approximately two and a half years it took for Carter Goble to compile the new Development Plan, nearly 38,000 women were processed and housed in Las Colinas in buildings 21 years beyond their projected life expectancy at construction.”

We Agree

**Finding:** “On March 07, 2007, the current Grand Jury witnessed the first completed renovation efforts to replace the rotten wood flooring of all modular buildings. Reportedly, the construction cost for the renovation project is \$125,000 per building. Approximately two and one half years have elapsed since the 2003/2004 Grand Jury recommendation to the date of renovation demolition.”

We Agree in part:

We agree in that the significant renovation project began earlier this year. However, once again we invested more than \$2 million over the past two years to upgrade dormitory floors, roofs, and restrooms, as well as funded projects to upgrade cameras and recording capabilities, replace HVAC air supply grills, replace hot water boilers, abate asbestos contamination, complete preventative maintenance of the high voltage power supply, and seal and strip parking lots. . In addition, see response to Grand Jury Recommendation 07-99.

**Finding:** “The current Grand Jury heard testimony from a County official who admitted not inspecting Las Colinas in recent years.”

We Cannot Agree nor Disagree:

To the best of our knowledge, all required inspections have been conducted; i.e. The Grand Jury, Fire, Environmental Health, Title 15 & 24, etc. Documentation is available as to those inspections.

**Finding:** “Notwithstanding the annual recommendation of five out of six previous Grand Jury Reports that Las Colinas be replaced, one County official who had not visited there recently testified that replacement was not a high priority on past County-wide Capital Improvement Needs Assessments (CINA).”

We Agree in part:

The San Diego Sheriff’s Department supports past Grand Jury Findings calling for the replacement of the Las Colinas Detention Facility; and that it be a high priority for the County-wide Capital Improvement Needs Assessment.

**Finding:** “The Grand Jury heard testimony from a County official who claimed to have inspected Las Colinas within the past two years. This official was unaware of the rotting floors and the grossly insufficient bathroom facilities.”

We Cannot Agree nor Disagree

**Finding:** “If those excess funds had been allocated to a Las Colinas construction trust fund, three quarters of the current proposed construction cost estimate would be covered.”

We Agree in part:

While the Sheriff has ended the past eleven years with a positive fund balance, a portion of these funds were committed each year to funding needed infrastructure projects within the Sheriff’s Department or other County Departments.

## **RECOMMENDATIONS**

### **Grand Jury Recommendation 07-95:**

The 2006-2007 San Diego County Grand Jury recommends that the San Diego County Board of Supervisors and the San Diego County Sheriff’s Department:

“Come to an agreement on priorities that will pave the way for the replacement of Las Colinas Women’s Detention Facility with all possible speed.”

We Agree; the recommendation has been implemented:

The Board of Supervisors recently accepted the Capital Improvement Needs Assessment for FY 2007-08. A replacement for the aging Las Colinas Detention Facility is the highest un-funded priority on this assessment list.

**Grand Jury Recommendation 07-96:**

The 2006-2007 San Diego County Grand Jury recommends that the San Diego County Board of Supervisors, the San Diego County Sheriff's Department and the City of Santee officials:

“Make a prompt, joint, unannounced visit to Las Colinas.”

We Agree:

The San Diego Sheriff's Department provides robust oversight in addition to the on site facility staff. We have in place a Standards and Compliance Team responsible for the continuous oversight and inspection of that facility. We would welcome any additional cooperative visitation and/or inspection. Also, there are numerous oversight and inspection bodies associated with the operation of the Las Colinas Detention Facility; such as:

State Corrections Standards Authority  
Fire Marshall  
Environmental Health  
Title 15 Medical  
Grand Jury  
CLERB  
Sheriff's Senior Management

**Grand Jury Recommendation 07-97:**

The 2006-2007 San Diego County Grand Jury recommends that the San Diego County Sheriff's Department:

“Encourage the firm producing the Environmental Impact Report to move posthaste to finish it.”

We Agree; the recommendation has been implemented:

The Department of Public Works is working closely with Dudek Engineering + Environmental, the County's selected consultant, to complete a comprehensive EIR as quickly as possible.

**Grand Jury Recommendation 07-99:**

The 2006-2007 San Diego County Grand Jury recommends that the San Diego County Sheriff's Department:

“Direct the Las Colinas Women’s Detention Facility Maintenance Department to continue renovations of older, modular buildings until a new facility can be constructed.”

We Agree; the recommendation has been implemented:

The San Diego Sheriff’s Department has spent approximately \$1.5 million in the last fiscal year on modular building life-safety improvements to keep the facility operational. These upgrades are in addition to approximately \$1.2 million that is spent by the County on routine maintenance. The completion of an independent condition assessment of the Department’s detention facilities in the spring of 2007 enables the Department to prioritize jail maintenance projects and categorizes life/health/safety projects as the most critical.

As an example, the County has invested more than \$2.5 million in the past two years to centralize door control systems and upgrade dormitory floors, roofs, and restrooms; to upgrade security cameras and recording capabilities; replace HVAC air supply grills; replace hot water boilers; abate asbestos contamination; complete preventative maintenance of the high voltage power supply; and seal and stripe parking lots. These projects are in addition to the over \$1 million spent annually for on-going maintenance efforts at that facility.

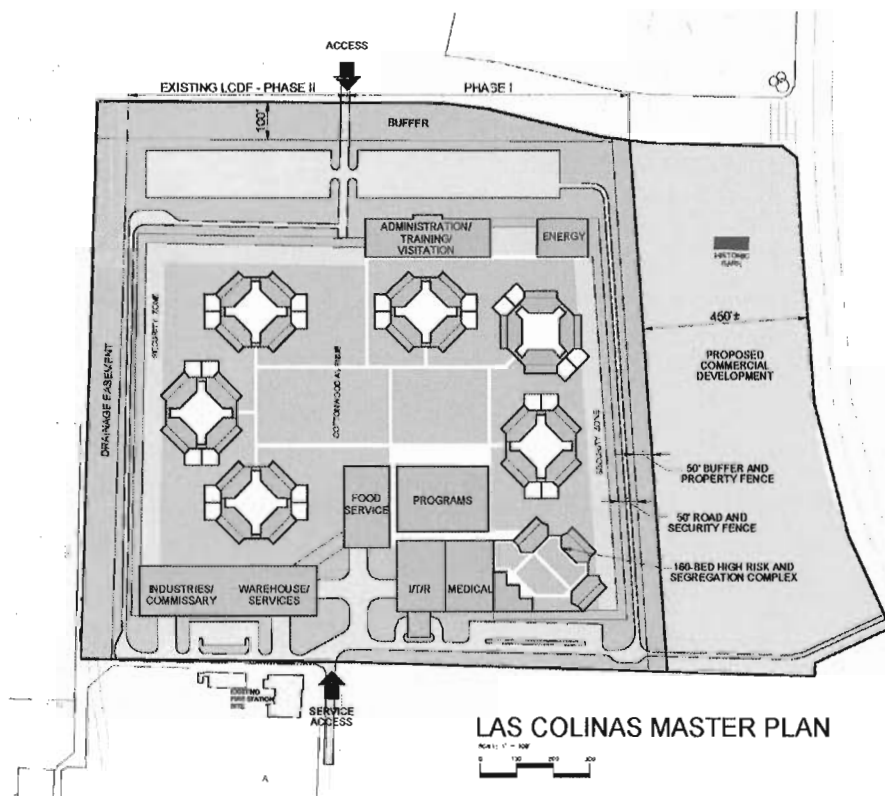
**Grand Jury Recommendation 07-100:**

The 2006-2007 San Diego County Grand Jury recommends that the San Diego County Sheriff’s Department:

“Consider changing the planned replacement configuration of Las Colinas 90 degrees to a north/south orientation with a setback from Magnolia Avenue.”

We Agree; the recommendation has been implemented:

Two public scoping meetings were held in the fall of 2006 for the EIR Notice of Preparation. Based on feedback received at these meetings and in subsequent correspondence, the Department requested that the planning consultant responsible for preparing the 2003 Development Plan revise the proposed site plan. The resulting revised site plan, (see inset next page), adjusts the facility boundary so that the project follows a north/south configuration and provides for a minimum of 450 feet of setback between the Detention Facility and Magnolia Avenue. This is the preferred project and the focus of impact analyses for the purposes of the EIR, which is scheduled for completion in the summer of 2008.



**Grand Jury Recommendation 07-101:**

The 2006-2007 San Diego County Grand Jury recommends that the San Diego County Sheriff's Department:

“Should develop a shielding buffer zone and berm of trees and shrubs along Magnolia Avenue and continue public access to parking from Cottonwood Avenue to help address concerns of some Santee residents.”

We Disagree; the recommendation will not be implemented:

The Sheriff's Department disagrees partially with that portion of the finding that specifies the buffer between Magnolia Avenue and the facility consist of a berm and landscaping. The realignment of the facility boundary into a north/south configuration has relocated a portion of the developable acreage allocated to Ryan Companies in their DDA with the County. The “buffer” zone along Magnolia would likely be slated for some type of development in accordance with the DDA and in compliance with the Santee Town Center Specific Plan. The disposition of this acreage is under the jurisdiction of the Department of General Services.

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The Sheriff's Department disagrees partially with that portion of the recommendation that suggests public access to parking should be from Cottonwood Avenue. The realignment of the facility allows for a new public access to the north onto Town Center Parkway (see attached revised site plan). Service, inmate transportation, and intakes and releases would continue to occur at the Cottonwood access, thereby preserving the status quo for these functions.

**Grand Jury Recommendation 07-102:**

The 2006-2007 San Diego County Grand Jury recommends that the San Diego County Sheriff's Department:

“Decide on a final layout for a new detention facility, obtain final approval of architectural plans and ***REPLACE LAS COLINAS WOMEN'S FACILITY NOW!!!***”

We Agree; the recommendation is in the process of being implemented”

This recommendation will be implemented in stages, with the first phase already complete. A preferred project layout has the endorsement of the County and is currently under assessment for the Environmental Impact Report. The County and the Department are communicating with various State agencies with an eye toward securing funding for the project. Upon certification of the EIR and all CEQA requirements (anticipated in 2008), the County will begin the design phase for the new facility when funding is approved. Construction on the new facility will begin following design approvals.

***COMMENDATION:***

The 2006-2007 San Diego County Grand Jury commends San Diego General Services and Las Colinas Women's Detention Facility Maintenance Department personnel for their exemplary efforts to keep this jail open and operational. Because of their dedication, the facility stands today.

We Agree

In closing, I would like to thank the Grand Jury for their efforts in this investigation. The San Diego Sheriff's Department agrees with the Grand Jury that a replacement for Las Colinas Women's Detention Facility is a high priority and that a new facility should be built as expeditiously as possible.



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If the Grand Jury needs further clarification or additional discussion, please feel free to contact Commander Al Skoglund of our Detention Services Bureau at (858) 974-2088.

Sincerely,

  
William B. Kolender, Sheriff

WBK/aas

cc: Members, Board of Supervisors  
Walt F. Ekard, CAO  
Thomas Pastuszka, Director, Clerk of the Board  
David R. Higgins, Foreman, 2006-2007 San Diego County Grand Jury