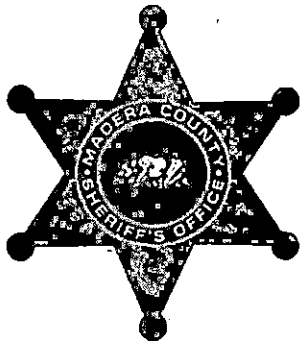
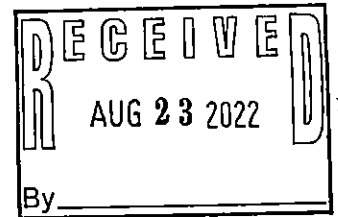




OFFICE OF THE SHERIFF

Tyson J. Pogue, Sheriff-Coroner



To: Erin Kenny, Jury Division, First Floor
From: Sheriff Tyson Pogue
Date: August 22, 2022
Re: Response to Grand Jury Report 2122-01

Ms. Kenny,

Please find the enclosed response from the Madera County Sheriff regarding Grand Jury Report 2122-01. The report was finalized, signed and attempted to be delivered August 22, 2022, however we discovered your office closed at 3pm.

I have included two identical copies to facilitate a stamped copy for our records.

Sincerely,

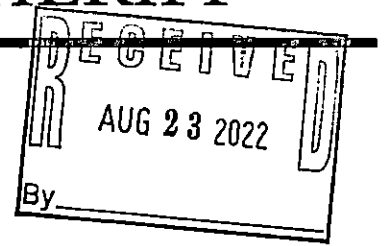
A handwritten signature in black ink, appearing to read "Tyson J. Pogue".

Tyson J. Pogue, Sheriff-Coroner



OFFICE OF THE SHERIFF

Tyson J. Pogue, Sheriff-Coroner



August 22, 2022

The Honorable Michael Jurkovich
Supervising Judge of the Grand Jury
Madera County Superior Court
200 S. G Street
Madera, CA 93637

Subject: Response to the 2122-01 Grand Jury Report titled, "Penal Institutions in Madera County."

Honorable Judge Jurkovich:

In accordance with California Penal Code sections 933 and 933.05, this correspondence serves as the response of the Madera County Sheriff to the Madera County Grand Jury (MCGJ) report titled "Penal Institutions in Madera County."

I have reviewed the resulting report as well as the findings and recommendations. The report contained three (3) findings and three (3) recommendations pertaining to the Madera County Jail. The following are those findings, recommendations, and my responses as requested:

Finding 1:

MCGJ finds that in housing areas of the jail, staffing levels are not adequate to ensure the safety of the staff and inmates.

Response: I partially agree/disagree with this finding pursuant to California Penal Code 933.05(a)(2).

Staffing shortages are an issue for nearly every county correctional facility state-wide. Though public safety has inherent associated risks, and staffing shortages will increase those risks, we do utilize overtime and contracted security to supplement the deficit to ensure the safety of our staff and inmates.

I agree that additional staffing is necessary based on a number of factors. With realignment, we are housing increasingly sophisticated inmates as well as inmates that have been convicted and sentenced that would have previously served their sentences in state prison. We continue to have more requirements and regulations added to our workload each year. Our facility has grown over the years, but we struggle with recruitment and retention. We are seeing several correctional officers taking positions with the California Department of Corrections. Others take positions in the private sector unrelated to public safety and corrections for a higher paying career

and/or better schedules. Though we can bridge the gap with overtime temporarily, this is a short-term mitigation and will ultimately result in burn-out compounding the problem.

I disagree with what may likely be an unintentional inference that we are not currently able to safely manage our facility or ensure the safety of staff and inmates. I believe a more correct findings statement would be that we will have long term negative impacts to the facility and programs should the staffing levels remain at their current level for an extended period of time.

I agree that staffing is a major issue that needs to be addressed as soon as possible.

Finding 2:

MCGJ finds that the custody areas lack routine maintenance.

Response: I disagree with this finding pursuant to California Penal Code 933.05(a)(2).

I would encourage the MCGJ to tour other county facilities state-wide. Our facility is clean and well maintained in comparison. We have three maintenance personnel who work around the clock ensuring the facility remains in good working order. They access routine maintenance requests daily. Per staff, they handle around 10 routine maintenance requests daily and consistently keep up with demands. There are always opportunities for improvement, but I am unable to agree to a blanket statement that the entire facility lacks routine maintenance.

Finding 3:

MCGJ finds that a lack of a daily structured regimentation contributes to a lack of self-pride by inmates.

Response: I disagree with this finding pursuant to California Penal Code 933.05(a)(2).

Inmate schedules are very consistent and must meet state mandates. Each inmate is afforded the opportunity to shower, recreate, socialize and take care of basic needs. Not all inmates take advantage of these opportunities. Under normal circumstances, we are unable to force an inmate to come out of their cell, nor force them to shower. We are not able to force them to socialize, shave, brush their teeth nor take care of basic hygienic needs. The inmates own mental wellness and personal decisions or preferences primarily contribute to their hygiene and appearance within the facility.

Several of our inmates are suffering from substance abuse and mental health disorders. It has been a challenge to get these inmates to shower properly. We provide free hygiene supplies and schedule regular shower days. We recently purchased 250 new mattresses as well as replaced the clothing for inmates in the entire facility.

I believe the modules visited in the limited time available to the MCGJ were not an accurate representation of all inmates.

Recommendation 1:

MCGJ recommends that staffing levels in housing areas be increased immediately to ensure the safety of both the staff and inmates.

Response: I agree with this recommendation. Over the past year, at one point, we filled nearly every vacant funded position. However, due to challenges in Human Resources, as well as many departures, we have lost as many as we gained. County correctional officer recruitment and retention is a state-wide challenge. I have had discussions about our challenges with Human Resources, our team, and Madera County Administration, strategizing ways to improve the situation. We will aggressively attempt to implement this recommendation.

Recommendation 2:

MCGJ recommends that long-deferred maintenance issues be immediately addressed.

Response: I agree, and this recommendation is already implemented.

Maintenance issues should be prioritized and addressed as soon as practicable. Like any facility, some projects are a massive undertaking. The MCGJ specifically mentioned the rubber shower flooring. We agree this is a project that needs to be completed. Replacement of this rubber matting will cost around \$78,600 and will be a major project within the facility. This is not a simple project that can be handled by County maintenance staff and must be contracted out. This is one of our major projects currently pending. Around the first of the year, we will begin a 24-million-dollar expansion and renovation project which will provide needed facility expansions. Most importantly this expansion will add a mental health module, expand the intake area, and retrofit an older area of the jail turning the space into classrooms.

We will keep a close eye on maintenance projects and ensure they are addressed as needed.

Recommendation 3:

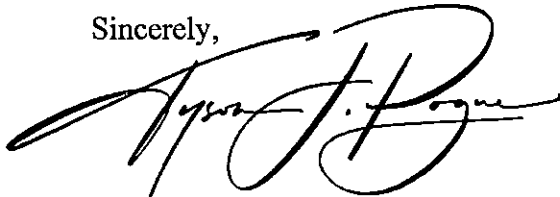
MCGJ recommends that immediately a daily regulated schedule be implemented for inmates.

Response: I agree, and this recommendation is already implemented.

We offer daily programming on a consistent basis to inmates. Though sometimes emergencies and uncontrollable circumstances interrupt that schedule, we strive to keep their environment consistent, and predictable.

I want to take this opportunity to thank the grand jury for their time and attention in this important matter. I appreciate your valued service to the community and for providing an opportunity to respond to the findings and recommendations of the Grand Jury's report.

Sincerely,



Tyson J. Pogue, Sheriff-Coroner