



JC-CA-004-003

U.S. Department of Justice

Notice of Closed File

To: Files Unit

Division

YOU ARE ADVISED THAT THE FILE DESCRIBED BELOW HAS BEEN CLOSED

File Number:

168-12-11

Case Title:

SAN DIEGO JAILS

Date Closed:

FEB 15, 1996

Remarks/Special Information:

Investigation closed, county notified by letter.
Reason: Sufficient voluntary compliance and closing
of downtown jail scheduled.

Signature:

Andrew J. Barick

Section/Office:

Spec. Lit. Section - CRD



U.S. Department of Justice

Civil Rights Division

AEP:MHN:AJB:LWJ:ph
DJ 168-12-11

Special Litigation Section
P.O. Box 66400
Washington, D.C. 20035-6400

December 12, 1995

Mr. Ian Fan
Office of County Counsel
County of San Diego
355 County Administration Center
1600 Pacific Highway
San Diego, CA 92101-2469

Re: San Diego County Jails

Dear Mr. Fan:

This is in response to your inquiry to Andrew J. Barrick, the attorney in this Section currently responsible for the San Diego jails matter, concerning the status of this Department's investigation of conditions of confinement in the San Diego jails.

Since the initial investigation commenced, there is little doubt that improvement in physical facilities for the confinement of inmates in the San Diego jails has taken place. We note with favor the closing of outdated facilities and the opening of vastly improved new facilities including the Bailey Detention Facility and the Otay Mesa jail.

The enhancement of physical plant and other changes has resulted in this Department's noting that minimum corrective measures appear to be in place or are in process of correcting noted inadequacies as set forth in our earlier findings letter. The one major problem area remaining dealt with the Central Detention Facility ("CDF"), and for that reason this Department has been reluctant to close our investigation of the jail system. As you will recall, among other areas, our consultants were quite dissatisfied with inadequate fire safety measures in the CDF, inadequate correctional officer staffing, and insufficient medical services in that facility.

Your letter of September 8, 1995, and subsequent telephone conversations with Mr. Barrick, have been very useful in clarifying the status of CDF. Based upon the facts that San Diego is in process of building a 900 bed intake facility, the

San Diego Inmate Reception Center ("SDIRC"), which is expected to handle 100,000 bookings per year by the turn of the century, and that facility is expected to open in 1997, the current problems associated with CDF appear to be mitigated by these changes. Moreover, your statement in the September 8th letter that, "[i]n other words, CDF will be closed in order to operate SDIRC.", and "there are no current plans to use CDF after it is closed", obviously changes the picture rather significantly. Also noted is your representation of the commitment by the Board of Supervisors to improve medical care and correctional officer staffing at the existing facility and the board's approval of funding to fully staff the new facility with respect to medical service personnel and correctional officers.

Given the changes represented by you and the Board of Supervisors, it is the considered judgment of this Division that further action under the Civil Rights of Institutionalized Persons Act is unwarranted at this juncture. Accordingly, we are suspending our investigation pending completion of the intake facility and closing the Central Detention Facility to inmate use. Of course, nothing in this letter precludes a later investigation of San Diego facilities should a decision be made to continue operations at CDF once SDIRC is in operation, or should facts come to our attention which indicate that, for example, correctional officer staffing or medical services continue to reflect significant inadequacies at any facility operated by the County.

I trust this information addresses the questions you had raised.

Sincerely,



Arthur E. Peabody, Jr.
Chief
Special Litigation Section