

Board of State and Community Corrections Overview of Inspection Responsibilities

The Board of State and Community Corrections (BSCC) is currently responsible for inspecting over 550 local adult and juvenile detention facilities. Eight (8) Field Representatives perform these inspections, deliver technical assistance, and provide follow-up services in a two-year cycle.

1. **Establish and regularly revise minimum standards:** The BSCC is required to establish minimum standards for local adult and juvenile detention facilities (Pen. Code, § 6030; Welf. & Inst. Code, §§ 210 & 885.) In the Governor's proposed FY 2020-21 budget, the Administration directed the BSCC to ensure the standards are consistent with national best practices. (Governor's Budget Summary 2020-21. Page 142.)

The BSCC uses Executive Steering Committees (ESC) to regularly review and revise minimum standards to provide a public and transparent process and to ensure that community members, stakeholders, and subject matter experts with balanced experience and expertise provide meaningful input into the regulations and align standards with best practices. Although the BSCC is required to promulgate these standards, they are not mandatory for local entities. (63 Ops.Cal.Atty.Gen 227.)

2. **Conduct, at minimum, biennial inspections:** The BSCC inspects adult and juvenile local detention facilities at least biennially to ensure they meet minimum requirements for operation and design as described in Titles 15 and 24 of the California Code of Regulations. (Pen. Code, §§ 6031 & 6031.1; Welf. & Inst. Code, §§ 209 & 885.) BSCC staff provide technical assistance and training to local detention facility administrators throughout the biennial inspection cycle to ensure continued compliance with minimum standards and provide information relative to best practices.

All inspection reports are posted to the BSCC website. (Pen. Code, § 6031.1; Welf. & Inst. Code, § 209.) The BSCC files a report with the legislature that summarizes outstanding items of noncompliance at the close of each biennial inspection cycle. (Pen. Code, § 6031.1). The BSCC does not have the power of enforcement of the laws and may not sue for compliance or impose sanctions, even if a local agency has failed to correct a life-threatening condition. (63 Ops.Cal.Atty.Gen 227; 83 Ops. Cal. Atty. Gen. 111.)

3. **Enhanced Inspection Process:** In the Governor's proposed FY 2020-21 budget, the Administration proposed "to strengthen the state's oversight of county jails" by more actively engaging counties regarding deficiencies identified as part of its inspections through its public board meeting process and by more frequent follow-up inspections. The Board will also provide additional technical assistance to those counties where issues are identified. (Governor's Budget Summary 2020-21. Page 142.)

Beginning with the 2020/2022 Biennial Inspection Cycle, BSCC staff will provide facility administrators with an initial inspection report at the close of the on-site inspection. The initial inspection report will identify outstanding items of noncompliance, which will start a clock for agencies to address these items. The BSCC Board will receive regular reports at public meetings on the status of inspections and items of noncompliance; if items of noncompliance are not addressed or are of a significant nature, the BSCC Board may request the Sheriff or Chief Probation Officer to appear before the Board.

4. **Data collection:** The BSCC collects monthly and quarterly data from adult and juvenile detention facilities through the Jail and Juvenile Detention Profile Surveys (https://www.bscc.ca.gov/m_dataresearch/). The BSCC collects other data as necessary or as directed by the Administration, including the number of COVID-19 cases in local detention facilities.