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June 26, 2023

United States District Court
District of New Mexico
Attn: The Honorable Judge James Browning
United States District Court
Pete V. Domenici United States Courthouse
333 Lomas Blvd NW, Suite 660
Albuquerque, New Mexico 87102

Re: McClendon, et. al. v. The City of Albuquerque, et. al.
USDC No. CIV 95-0024 MV/ACT

Dear Judge Browning:

I have completed my assessment relevant to the mental health services provided at the Metropolitan Detention Center (MDC) in the context of Judge Parker's September 23, 2014, June 27, 2016, and September 29, 2021 Orders. This report is based on my site visit from June 7, 8, 2023, which involved participation by YesCare staff, key correctional leadership staff and attorneys for plaintiff-intervenors and MDC.

Sources of information in compiling this report included review of the following documents:

1. the PSU Matrix 2023 (January - April 2023),
2. the following policies and procedures that have been reviewed/revised since my January 2023 site visit,
 - a. Intake 105-C SOP Clinical SOP Behavioral Health,
 - b. Intake 102-C-SOP Complete Intake/Receiving Screening,
 - c. Intake 106-C- SOP Clinical SOP Suicide Risk,
 - d. Behavioral Health 1000-C-SOP
 - e. Clinical SOP Psychiatric Triage and Referral, and
 - f. J-A-9.00-Procedure in the Event of an Inmate Death,
3. CQI minutes for the January – February 2023 meetings,
4. Medical Advisory Committee (MAC) minutes for the February – March 2023 meetings,
5. Suicide Prevention committee meeting minutes from January – February 2023,
6. a June 2 ,2023, letter from Kelly Waterfall, Esq. re: concerns relevant to the mental

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from the prior site visit (48% vacancy rate) related to recruitment efforts and incentive packages.

As a result of these vacancies, correctional officers are often covering 2-3 housing pods in contrast to just one pod. PAC units are always covered by a correctional officer and are not pulled for coverage of other housing units. Leadership staff reported that during the current monitoring period, GP detainees have generally been offered during weekdays two hours of out of cell time in the morning and two hours of out of cell time during the evening hours.

Covid-19 Issues

During February and March of 2023, there was a spike in Covid 19 infections with 20-30 detainees and some staff testing positive. During the site visit, another outbreak occurred.

The following section will summarize my findings. Findings from prior site visits may be included when they provide a context to the current findings.

A. Screening and Assessment

- 1) Whether MDC has developed and implemented policies and procedures for appropriate screening and assessments of inmates with serious mental health needs.

YesCare Response 12-14-22:

Per your recommendations, all policies and procedures have been revised to include the COA provisions and MDC policies. You outlined and recommended that the following be updated: Intake 105-C SOP Clinical SOP Behavioral Health, Intake 102-C-SOP Complete Intake/Receiving Screening (it did not reference P codes), Intake 106-C- SOP Clinical SOP Suicide Risk, Behavioral Health 1000-C-SOP Clinical SOP Psychiatric Triage and Referral and J-A-9.00-Procedure in the Event of an Inmate Death. (Refer to revised policies and procedures). To clarify, SOP 105-C references the P codes not Intake 102- C-SOP.

January 2023 Findings: I reviewed with staff some suggested revisions to the above referenced policies. Compliance will be present once these policies have been revised.

YesCare Response 5-22-23:

The revised redlined version of the policies and procedures for appropriate screening and assessments of inmates with serious mental health needs have been sent to Dr. Metzner.

June 2023 Findings: As per YesCare response. I have reviewed and approved the referenced revised policies and procedures. Compliance is now present in the context of MDC having the