

County Detention Facilities

Summary

California Penal Code Section 919 mandates that each County Civil Grand Jury conduct an annual inspection of detention facilities within its jurisdiction. In Sonoma County there are four facilities which fall within this mandate: the Main Adult Detention Facility (MADF), the North County Detention Facility (NCDF), the Juvenile Justice Center (JJC), and the Juvenile Probation Camp (JPC). MADF and NCDF are administered by the Sonoma County Sheriff's Office, while the JJC and JPC are administered by the County Probation Department.

MADF is currently dealing with a number of challenges. As a result of budget cuts arising from the 2008 recession, the Sheriff's Office lost approximately 20 percent of its custodial personnel. In order to cover the required shifts at the main jail, the Department has had to impose significant mandatory overtime levels. This has resulted in an increase in on-the-job injuries and increased stress on detention staff.

Staff levels have thus far failed to keep pace with normal attrition, despite an intensive effort to recruit new personnel. For reasons which are unclear, the percentage of applicants who are ultimately hired as Correctional Deputies is very low, and it appears that the return to pre-recession staffing levels is going to be a long and challenging process.

Another serious issue facing MADF and county jails throughout the State is overcrowding. There are several factors at play here, but the most significant is the Public Safety Realignment Act (commonly known as Realignment), which took effect in October 2011. The Act provides that individuals sentenced for nonviolent and non sex-related offences may serve their sentences in county jails instead of a State prison. Historically, the maximum sentence which could be served in county jail was one year, plus time awaiting trial and sentencing. In the wake of Realignment, however, inmates are serving as long as fifteen years at MADF and other county facilities.

With offenders serving longer sentences, there has been a significant increase in the volume of contraband coming into the jail. The result has been more medical emergencies and violent behavior. To combat this problem, the Sheriff's Office is preparing to deploy a full-body scanning device designed to detect substances which have been ingested or inserted into the body. Additionally, the Department is preparing to deploy a Detention K-9 which has been trained to detect drugs.

Another issue of concern is a lack of adequate space in the intake/booking area. In order to properly process incoming detainees, a booking sheet and pre-acceptance medical screening questionnaire need to be completed. The space constraints in this area of the jail mean that staffing is often inadequate, and there can be serious delays in the admissions process. Department administrators are well aware of this problem and are seeking funding to re-design the area so that booking and intake can work more efficiently.

Despite these ongoing challenges, the Sonoma County Civil Grand Jury is satisfied that proper standards of administration, custodial care, and safety are being maintained at MADF and other detention facilities.

Background

This is a self-initiated report. No specific complaints of misconduct or abuse were received by the Grand Jury during the present term.

Methodology

The Grand Jury conducted inspections at each of the facilities listed above. Jury members met with managers, line staff, medical personnel, and contract personnel. Two members of the Grand Jury participated in the semi-annual Sheriff's Office Citizen's Academy in the fall of 2014, which included touring the jail facilities and meetings with senior staff. Grand Jurors also reviewed the booking/intake and psychological evaluation

process, medical and pharmacy coverage, grievance procedure, developmental programs, and recreational activities.

Discussion

Main Adult Detention Facility

In September and October 2014, members of the Sonoma County Civil Grand Jury (Grand Jury) toured the MADF and interviewed senior staff. MADF is located in Santa Rosa adjacent to the Hall of Justice Complex. The facility is a medium/maximum security jail which houses both pre-trial and sentenced inmates. It operates on a direct supervision model for inmate management, which encourages officer contact with inmates to develop trust and rapport. The design capacity at MADF is 916 inmates; as of March 2015, the inmate population was 795, or 86.7 percent of capacity.

Staffing Shortages. The 2008 recession had a profound impact on Sonoma County budget projections. One result was an approximate 20 percent drop in staffing for the Sheriff's Department and the loss of a large number of custodial officers. Despite recent improvements in the local economy, both the Law Enforcement and Detention Divisions of the Sheriff's Office are still far short of pre-recession staffing levels. The Department has dealt with this shortage in several ways, including an increase in mandatory overtime levels. In 2014, the average number of overtime hours worked by correctional officers was 36.1 hours per month.

Not surprisingly, the long hours now required of staff at County detention facilities have resulted in a significant rise in on-the-job injuries. This has increased the number of correctional staff who are unavailable to cover required shifts, compounding the need for mandatory overtime as existing staff are required to cover the open shifts. Almost without exception, Department personnel who were interviewed by the Grand Jury indicated that they liked their jobs, but that the amount of overtime was a serious strain on their health and on their personal lives.

Despite intensive hiring efforts, staffing levels have not kept pace with normal attrition. While there is no lack of applicants for jobs as

Correctional Deputies, fewer than 10 percent of those who apply are ultimately hired. This is due in part to County Civil Service Rules, which limit the number of individuals who have passed background checks and a written examination from being interviewed. Beyond that, however, it is unclear why there is such a high attrition rate during the hiring process. Salaries are competitive with most Bay Area Sheriffs' Departments, prior drug use guidelines appear to be reasonable, and a high percentage of applicants who take the written exam are successful.

In reviewing the most recent available data for Correctional Deputy recruitment (February 2015), it was evident that a substantial number of recruits wash out during the interview process. The Sheriff's Office appears to be setting a very high bar in the interview process, on the theory that it is ultimately less expensive for the County to hire only highly motivated and qualified personnel than to expedite the hiring process by lowering standards. The Grand Jury concludes that, despite continued recruiting efforts and an outreach program to attract more qualified female and minority applicants, the return to pre-recession staffing levels is going to be a long and challenging process.

Overcrowding. MADF is currently operating at an inmate population level in excess of what best practices prescribes, i.e., 85 percent of design capacity. This is significant in light of the staffing shortage described above. The Grand Jury's investigation disclosed that there are several factors at work here. First and foremost is the Public Safety Realignment Act (Assembly Bill 109), which took effect in October 2011. This legislation was the result of a federal court ruling which mandated that California drastically reduce inmate populations in its thirty-three prisons to 137.5 percent of design capacity. Commonly known as Realignment, the law provides that individuals sentenced for non-violent and non sex-related offences may serve their sentences in county jails instead of a state prison.

Historically, the longest sentence that could be served in county jail was one year, plus time that the offender spent in jail while awaiting trial and sentencing. As a result of Realignment, however, inmates are now serving sentences

of up to fifteen years. Individuals coming into MADF as a result of Realignment (21.4 percent of the inmate population as of March 2015) tend to be more serious offenders, having previously served time in state prison. Because they are serving longer sentences, they are more inclined to smuggle contraband into the facility, increasing the burden on custodial staff.

Although MADF is still a fairly modern facility, it was not designed to house individuals serving long sentences. It is inadequate in terms of recreation and outdoor access, visiting protocols, and rehabilitative programs.

One development which may ameliorate the overcrowding problem is California Proposition 47, which was passed in a referendum vote last November. Essentially, Prop 47 has the effect of converting many non-violent crimes, such as drug and property offenses, from felonies to misdemeanors. The measure affects both future convictions and allows for individuals currently incarcerated for crimes covered by the measure to petition for resentencing.

Although this measure passed by a substantial majority vote (59.3 percent), it was publicly opposed by the Sonoma County Sheriff and District Attorney, as well as many other law enforcement professionals around the State. Their concern is that many of the individuals affected by Prop 47 will reoffend if released without serving the sentence imposed by the court, and that crime rates will increase.

The criminal court system is currently overwhelmed with applications for resentencing, and many inmates have already had their sentences reduced or have been released from custody for time served. The result at MADF has been the release of approximately fifty inmates who would otherwise have remained in custody to serve their sentences. It is premature to estimate the eventual impact of Prop 47 on the jail population and public safety, but it is expected to have a beneficial effect on the current overcrowding situation.

More than 50 percent of the MADF inmate population is awaiting trial or sentencing. It has been suggested that relaxing bail standards could ease the overcrowding problem by permitting more pre-trial inmates to avoid

incarceration, either by being released on their own recognizance or on minimal bail. The Grand Jury is persuaded, however, that bail decisions are best left to the discretion of trial judges.

A more effective approach is the Electronic Monitoring Program currently in effect at both MADF and NCDF. Offenders may apply to serve their sentences at home while wearing an electronic monitoring device. The objective of the program is to allow offenders to continue their education or keep their job and otherwise remain productive members of society while serving their sentence.

Drugs. The influx of illegal drugs into MADF is a problem of growing concern. Although this is due in part to increasing drug use—particularly marijuana and methamphetamine—within the general population, Realignment has resulted in an increasing number of individuals being incarcerated for longer periods of time. Parole violators are more likely to attempt to smuggle illegal substances into the jail, either for sale to other inmates or for personal use. This presents a serious challenge for custodial personnel, since they must deal with an increasing number of medical emergencies and unruly behavior resulting from drug use. Since July 2014, there have been more than 220 incidents of contraband coming into County detention facilities.

To combat this problem, the Sheriff's Office is planning to join a number of other counties in the State that have installed full-body scanning devices designed to detect substances which have been either ingested or inserted into the body. In addition, the Department is in the process of deploying a Detention K-9 which has been trained to detect drugs on or inside the body. These measures, which are scheduled to be implemented within the next several months, are expected to significantly reduce the volume of drugs coming into the jail.

Intake/Booking Process. One area needing improvement at MADF is the intake/ booking process. While the protocol for processing new inmates into the facility appears to be sound, the area where screening and intake occurs is inadequate. A comprehensive pre-acceptance medical screening questionnaire needs to

be prepared for every incoming inmate. The booking officer must be satisfied that the individual meets screening requirements before the jail will admit him or her. If an individual is not ambulatory or exhibits signs of severe emotional disturbance, for example, he or she will be transported to a local medical facility.

Once an individual has been admitted, a Classification Officer determines whether the inmate can join the general jail population or must be relegated to one of the restricted modules, safety cells, or sobering cells. In making this decision, the Classification Officer reviews all available information, including charges filed, past in-custody behavior, and any gang affiliation.

At present, there is insufficient physical space within the booking and intake areas to efficiently process and assess individuals entering the facility, particularly on weekends. If jail personnel are not made aware of medical or substance abuse issues, for example, the inmate may not be properly monitored. If an inmate who is at risk for a violent assault, such as a gang recusant or sex offender, is assigned to the wrong housing unit, the results can be very serious. These factors make it imperative that intake and booking personnel have adequate space and facilities to perform their duties.

Department officials are very much aware of this problem and have been working to find a viable solution. One approach would be to close down the existing kitchen and truck in meals from the Juvenile Justice Center. Alternatively, a stand-alone kitchen could be constructed at another location on the MADF grounds. The existing kitchen would then be converted into an expanded booking/intake area with increased staffing. Either of these projects would be expensive to implement, and the Grand Jury is advised that there is no budget allocation as yet.

Earthquake Preparedness. The August 24, 2014 earthquake centered south of Napa has been described by senior Sheriff's Office personnel as a wake-up call for Sonoma County. In November 2014, the Grand Jury met with senior staff at MADF to investigate what steps have been taken to ensure the safety of

inmates, staff, and visitors in the event of a major seismic event.

The Department has put in place a comprehensive protocol to deal with a number of exigencies which could arise in the event of a 6.0+ magnitude earthquake. This includes the installation of an emergency generator to maintain critical facility operations. In the event of a power shortage or failure, the emergency power generator will activate automatically in approximately eight seconds.

Evacuation routes are now posted in all housing quarters, public areas, and common hallways. Battery powered emergency lighting has been installed at all emergency exits. All electrical and pneumatic locks are now programmed to remain in the locked mode in the event of a power failure. Protocols have also been established for a line of command succession in the event that the Watch Commander is incapacitated or otherwise unavailable.

Mutual Aid contacts have been established with other counties to assist in the event that an evacuation is necessary. Arrangements have been made for use of buses from Alameda and other local counties to transport inmates in the event that an evacuation is required. Three days worth of meals are now maintained on premises. Santa Rosa and Rincon Fire agencies have toured MADF to become familiar with access routes.

The Grand Jury applauds this proactive effort on the part of the Sheriff's Office to assure that any major earthquake or similar disaster will be met with an organized and effective response.

North County Detention Facility

In February 2015, Grand Jury members inspected the NCDF and met with the Senior Detention Lieutenant in charge of the facility. NCDF is located adjacent to the Charles M. Schulz County Airport. It houses low-risk inmates who are normally transferred from MADF when their eligibility has been determined. Inmates at NCDF are assigned to one of several work crews and receive work credits to reduce their time in custody. Until recently, there was a women's unit, which is now closed due to a shortage of female staff.

The current inmate population is approximately 250 minimum-security individuals. With Realignment, the inmate population is becoming more sophisticated, and smuggling of contraband is increasing. Inmates are pat-searched daily and randomly strip-searched.

Staffing is down, despite an aggressive recruiting effort (discussed above). As of February 2015, there were twenty-three staff members working at the facility, which constitutes less than 50 percent of full strength. The result is that five out of seven housing units are currently closed, and the Department has found it necessary to contract with Alameda County to house approximately fifty low-to-medium risk individuals at the Santa Rita jail. It is unfortunate that staff shortages preclude more inmates from serving their sentences at this facility.

Inmates generally want to work. Some are employed in an ambitious horticultural program on the NCDF grounds. Plants are sold to the public, which makes the program essentially self-supporting. A number of inmates work on road crews or at the County fairgrounds, while others may serve weekends on work release.

During the Grand Jury's inspection, the atmosphere at NCDF appeared to be relaxed, and relations between the staff and inmate population appeared to be congenial. Inmates do not want to jeopardize their ability to serve their sentence at this facility by acting out. With increasing drug use, however, misconduct and escapes from work crews are becoming a more serious problem.

Juvenile Justice Center

In March 2015, members of the Grand Jury conducted an inspection of the Juvenile Justice Center and met with senior staff. The JJC is located off of Highway 12 near Kenwood. It currently has the capacity to house 140 juveniles, with an expansion potential for up to 240 beds. Juvenile Hall, as it is commonly known, provides housing for both pre- and post-adjudicated young people. It is administered by a Probation Department Project Management Team consisting of eight individuals. The Grand Jury found that the facility is secure and that staff levels comply with State requirements.

The California Welfare and Institutions Code (Section 841) stipulates that:

“(t)he Juvenile Hall shall not be in, or connected with, any jail or prison, and shall not be deemed to be nor treated as a penal institution. It shall be conducted in all respects as nearly as a home as possible.”

The facility has a modern design and appears clean and well-lighted. Art work created by the detainees is displayed throughout the facility. A wide range of programs and activities is offered, ranging from arts and crafts to Tai Chi and weight training. Weekly Narcotics Anonymous meetings and a voluntary tattoo removal program are also offered.

Juvenile detainees enter the system through arrest, court order, or by turning themselves in. They are assigned to housing units using various criteria including age, gender and severity of charges. The primary objective of the program is to rehabilitate the detainees and assist in their reintegration into the community.

A very small percentage of juveniles apprehended by enforcement agencies are detained at Juvenile Hall; most are released to the custody of their parents or guardians. The Grand Jury found that the current detainee population is well below capacity (seventy-four juveniles as of April 2015), and the facility appears to be underutilized.

Juvenile Probation Camp

In October 2014, members of the Grand Jury toured the Juvenile Probation Camp in Forestville and met with senior Probation Department administrators. The JPC was originally established by the County Board of Supervisors in 1955, making it one of the oldest programs of its kind in California. The Camp has the capacity to house twenty-four young males, aged sixteen to eighteen. Following arrest, an assessment occurs, based on a number of factors, to determine whether the juvenile is eligible to live at the facility during his period of detention.

The Camp offers daily academic classroom instruction in collaboration with the County Office of Education. Training in welding, woodworking and the culinary arts is also offered. The juveniles can earn money by

making such products as park benches and tables. These funds may be applied to pay any court-ordered restitution.

The Camp is well maintained, and relations between residents and staff appeared to be good. As with the JJC, the Grand Jury found that occupancy at the Camp is down, due to less recidivism, fewer referrals from JJC, and a general reduction in crime committed by juvenile offenders.

Findings

- F1. MADF and other detention facilities within the County are well managed and maintained.
- F2. The current influx of drugs into adult detention facilities poses an increased risk of violent behavior, medical emergencies, and a burden on the correctional staff.
- F3. The increased jail population resulting from Realignment is placing a strain on MADF staff and has resulted in onerous mandatory overtime requirements.
- F4. Inadequate space and staffing in the intake/booking area is resulting in long delays in the admissions process.
- F5. Both the Juvenile Justice Center and the Juvenile Probation Camp are currently underutilized.

Recommendations

The Grand Jury recommends that:

- R1. Use of a full-body scanning device and a trained K-9 sniffer dog be implemented at the earliest opportunity to reduce the flow of contraband into the jail.
- R2. Aggressive efforts to recruit new correctional officers be pursued in order to reduce mandatory overtime requirements and maximize the use of NCDF.
- R3. The Department continue efforts to expand the booking/intake area at MADF.

Required Responses

Pursuant to Penal Code Section 933.05, the Grand Jury requires responses as follows:

- R1, R2, R3- Sonoma County Sheriff in charge of MADF.

Bibliography

California Penal Code Sections 919(b) and 933.05.

California Welfare and Institutions Code Section 841.

California Board of State and Community Corrections Jail Inspection Handbook.

Public Safety Realignment Act- Assembly Bill 109 (2011).

California Proposition 47 (2014).

California Board of State and Community Corrections - 2012-2014 *Biennial Inspection Report*.

California Building Code, *Code of Regulations- Titles 15 and 24*.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

