

CORRECTIONAL AND HOLDING FACILITIES IN NEVADA COUNTY

REASON FOR INVESTIGATION

California Penal Code Section 919(b) requires “The grand jury shall inquire into the condition and management of the public prisons within the county.” The Nevada County Grand Jury defines public prisons as any adult or juvenile correction or detention facility within the county.

PROCEDURE FOLLOWED

The Grand Jury inspected the Wayne Brown Correctional Facility (WBCF), the Nevada County Courthouse Holding Facility, and the Sheriff Substation at Truckee. The Grand Jury interviewed the Nevada County Sheriff and the management and staff responsible for the operations of each facility. The Grand Jury reviewed various documents requested from these facilities.

FINDINGS

General

1. Nevada County crime statistics for 2002 are down from 2001 in all categories with the exception of assaults and vehicle theft.

Robbery	-54%
Rape	-42%
Homicide	-33%
Burglary	-13%
Larceny	-13%
Vehicle Theft	+33%
Assault	+ 7%
2. Average overtime in the sheriff’s department for 2002, by sergeants and deputies, was eight hours per two-week pay period.
3. Per the Sheriff’s office, video conferencing is available at the WBCF to use for court hearings and arraignments. Although statistics are not kept on usage, the Grand Jury was informed that the courts located in Nevada City seldom use it. Video arraignments are requested and scheduled an average of two to three times a week by the bailiff at the Truckee court.
4. Prisoners held at the Wayne Brown Correctional Facility must be transported to courthouses in either Nevada City or Truckee for court appearances and trials.
5. WBCF staff members have the responsibility for transporting inmates as needed.

Wayne Brown Correctional Facility

1. The facility was found to be clean and well maintained. It has received commendation in the California Board of Corrections' (BOC) inspection report dated July 3, 2002.
2. At the time of inspection, there was an increased female inmate population. Appropriate housing for this group required careful planning by facility management to maintain separation of inmates by gender and classification.
3. Based on the information supplied by the jail commander, the facility design has the flexibility to manage the space available to support the present needs of the county.
4. Inmates are provided with medical care under contract with California Forensic Medical Group. Dental care is available as needed.
5. The Grand Jury was told staffing level continues to be below the level recommended by the BOC.

Truckee Sheriff Substation

1. The substation has completed its first year of operation following the establishment of the Town of Truckee Police Department on September 1, 2001.
2. The substation is a Type 1 facility that can house inmates for a maximum of 96 hours excluding weekends and holidays.
3. Staff morale is reported to be very good despite tight scheduling of personnel, which requires the use of overtime.
4. The shortage of female correction officers has been resolved.
5. As of February 28, 2003, no decision had been made concerning the utilization of an unoccupied area of 2,300 square feet created by the downsizing of the sheriff's staff when the Town of Truckee Police Department began operations.
6. The substation needs staff locker rooms, additional storage, and more office space than is currently allocated.

Nevada County Courthouse Holding Facility

1. The holding facility was built in 1964 and constructed based on the older technology of linear jails. It is clean and previously reported discrepancies have been repaired.
2. The Sheriff's department launched an intensive investigation into the cause of the prisoner escape at the Nevada City County Courthouse on June 3, 2002. Conditions and/or procedures that could be a source of possible problems were identified, remedies were developed and implemented by staff training.

3. Radio communications between the courthouse staff and the sheriff's department, which had been a factor in the June 2002 escape, have been upgraded and standardized.
4. Due to a change in state law, bailiffs in criminal courts have been replaced with deputy sheriffs.

CONCLUSIONS

1. The Grand Jury continues to be concerned about adequate staffing at all facilities should absences decrease the number of personnel available.
2. The courthouse holding facility, though sufficient for temporary housing of inmates for court appearances and trials, is inefficient and obsolete in its layout.
3. A court complex adjacent to WBCF would eliminate much of the transporting of inmates and provide better utilization of officers now being used as drivers.

RECOMMENDATIONS

1. The Board of Supervisors, Superior Courts, the Sheriff's Department, and other appropriate county agencies should study the future construction of a court complex adjacent to WBCF. Although budget constraints currently may prohibit construction, it is time for proactive planning to accommodate the county's continuing growth and to improve the efficient utilization of personnel and resources.
2. With a year's worth of information concerning the level of activity at the Truckee substation, the staffing level should be reviewed to assure adequate coverage without excessive overtime.
3. The Truckee substation should be allowed to expand into the vacant 2,300 square-foot-area in the present building to accommodate locker rooms, office space, break room, and secure storage.

REQUIRED RESPONSES

Board of Supervisors due by July 29, 2003

Sheriff due by June 30, 2003

NEVADA COUNTY SHERIFF'S OFFICE



*Keith Royal - FYI
How soon on to next
year's follow up court*
KEITH ROYAL
SHERIFF/CORONER
D 6/16
COPY

May 29, 2003

Presiding Judge Al Dover
Superior Courts of Nevada County
201 Church Street
Nevada City, CA 95959

Dear Judge Dover:

This correspondence is prepared in response to the Grand Jury's Report dated April 29, 2003, relative their findings, conclusions and recommendations as they pertain to the Nevada County Sheriff's Correctional and Holding Facilities. The Sheriff's Office would also like to acknowledge the investigative efforts of the Grand Jury, as well as recognize their hard work in preparation of this comprehensive report.

FINDINGS

General

1. "Nevada County crime statistics for 2002 are down from 2001 in all categories with the exception of assaults and vehicle theft."

Response: Agree. Overall reportable crime was in fact down when compared to the prior year. However, the overall "crime rate" did experience a slight increase. The crime rate is derived based on the total number of specific types of crimes, as well as the population residing within the defined geographic location.

In September 2001, the Truckee Police Department came into existence and began responding to and handling crimes within the Town. Prior to that time we were under contract for law enforcement services for the Town of Truckee. The services we provided resulted in increased crime statistics relating to the Sheriff's Office. When the contract expired the Sheriff's Office began responding to and handling crimes that were specific to the unincorporated portion of the County. Due to this change, the overall reportable crime handled by the Sheriff's Office decreased, and at the same time, so did the total population served by the Sheriff's Office.

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KEITH.ROYAL@CO.NEVADA.CA.US

2. "Average overtime in the sheriff's department for 2002, by sergeants and deputies, was eight hours per two-week pay period."

Response: Agree.

3. "Per the Sheriff's office, video conferencing is available at the WBCF to use for court hearings and arraignments. Although statistics are not kept on usage, the Grand Jury was informed that the courts located in Nevada City seldom use it. Video arraignments are requested and scheduled an average of two to three times a week by the bailiff at the Truckee court."

Response: Agree.

4. "Prisoners held at the Wayne Brown Correctional Facility must be transported to courthouses in either Nevada City or Truckee for court appearances and trials."

Response: Agree.

5. "WBCF staff members have the responsibility for transporting inmates as needed."

Response: Partially agree. Officers assigned to the Transportation Unit do the transports. They are members of the Corrections Division. They are not assigned to the WBCF.

Wayne Brown Correctional Facility

1. "The facility was found to be clean and well maintained. It has received commendation in the California Board of Corrections' (BOC) inspection report dated July 3, 2002."

Response: Agree.

2. "At the time of inspection, there was an increased female population. Appropriate housing for this group required careful planning by facility management to maintain separation of inmates by gender and classification."

Response: Agree.

3. "Based on the information supplied by the jail commander, the facility design has the flexibility to manage the space available to support the present needs of the county."

Response: Partially agree. We are currently functioning reasonably well and within legal requirements. The facility was not designed to handle the increasing female population, which is consistently twenty percent of the total population. The facility needs to be expanded in the future to accommodate more female inmates. A recent BOC study indicates that the increasing female population is a statewide trend.

4. "Inmates are provided with medical care under contract with California Forensic Medical Group. Dental care is available as needed."

Response: Agree.

5. The Grand Jury was told staffing level continues to be below the level recommended by the BOC."

Response: Agree.

Truckee Sheriff's Station

1. "The substation has completed its first year of operation following the establishment of the Town of Truckee Police Department in September 1, 2001."

Response Agree.

2. "The substation is a Type I facility that can house inmates for a maximum of 96 hours excluding weekends and holidays."

Response: Agree.

3. "Staff morale is reported to be very good despite tight scheduling of personnel, which requires the use of overtime."

Response: Agree.

4. "The shortage of female correction officers has been resolved."

Response: Agree.

5. "As of February 28, 2003, no decision had been made concerning the utilization of an unoccupied area of 2,300 square feet created by the downsizing of the Sheriff's staff when the Town of Truckee Police Department began operations."

Response: Agree.

6. "The substation needs staff locker rooms, additional storage, and more office space than is currently allocated."

Response: Agree.

Nevada County Courthouse Holding Facility

1. "The holding facility was built in 1964 and constructed based on the older technology of linear jails. It is clean and previously reported discrepancies have been repaired."

Response: Agree.

2. "The Sheriff's department launched an intensive investigation into the cause of the prisoner escape at the Nevada City County Courthouse on June 3, 2002. Conditions and/or procedures that could be a source of possible problems were identified, remedies were developed and implemented by staff training."

Response: Agree.

3. "Radio communications between the courthouse staff and the Sheriff's department, which had been a factor in the June 2002 escape, have been upgraded and standardized."

Response: Agree. There is, however, a repeater being purchased to finish the upgrade.

4. "Due to a change in state law, bailiffs in criminal courts have been replaced with deputy sheriffs."

Response: Agree.

RECOMMENDATIONS

1. "The Board of Supervisors, Superior Courts, the Sheriff's Department, and other appropriate county agencies should study the future construction of a court complex adjacent to WBCF. Although budget constraints currently may prohibit construction, it is time for proactive planning to accommodate the county's continuing growth and to improve the efficient utilization of personnel and resources."

Response: The recommendation requires further analysis. We began to discuss the need to be proactive in expanding the facility several months ago. We have anticipated, based on past experience, that the process will take about five years to come to fruition.

We will be contacting the County Executive's Office and the Auditor's Office shortly to determine all sources of funding that currently come to the county for such a project. The next step will include contacting the Board of Corrections to determine what funding sources might be available outside of the Nevada County Government structure. All Title 24 structural requirements will have to be studied so that they can be incorporated

into building plans. Initial contacts should be completed within the next three months. Actual construction will be dependent on available funding, which may take several years to arrange.

2. "With a year's worth of information concerning the level of activity at the Truckee substation, the staffing level should be reviewed to assure adequate coverage without excessive overtime."

Response: The recommendation has been implemented. This process is ongoing. We are constantly evaluating available staffing and required functions to be sure we have enough personnel to meet legal and contractual obligations.

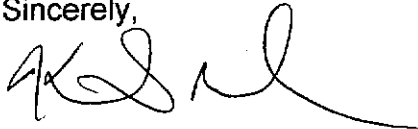
3. "The Truckee substation should be allowed to expand into the vacant 2,300 square-foot-area in the present building to accommodate locker rooms, office space, break room, and secure storage."

Response: The recommendation will not be implemented because it is not warranted or is not reasonable at this time. However, there is a need for space for locker rooms and hallways exclusive to Sheriff's patrol and jail operational needs, and it is our understanding that the locker room and hallway needs have been realized and remodeling is in process.

The Sheriff's Office does need additional space relative storage of evidence and specialized equipment at the Substation. To that end, as long as we are able to maintain several of the existing outdoor storage containers at the Substation, we should be able to accommodate our existing space needs.

At some point in the future, however, decisions will need to be made regarding space issues as they pertain to the jail facility. With a growing population in the eastern region of the County, additional space will ultimately be necessary to manage the growing number of arrests.

Sincerely,



Keith Royal
Sheriff-Coroner

KR/dn

Cc: Dieter Juli, Grand Jury Foreman

COUNTY OF NEVADA

STATE OF CALIFORNIA

950 Maidu Avenue • Nevada City • California 95959-8617

BOARD OF SUPERVISORS

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Drew Bedwell, 3rd District
Robin Sutherland, 4th District
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Cathy R. Thompson
Clerk of the Board

MEMORANDUM

TO Keith Royal, Sheriff
Gene Amstead, General Services
Paula Carli, Courts
Rick Haffey, CEO

FROM Patrick J. Ward, Senior Board Analyst

DATE May 13, 2003

SUBJECT 2002-2003 Nevada County Grand Jury Fourth Early Release Report:
"Correctional and Holding Facilities"

At today's regular meeting, the Nevada County Board of Supervisors accepted the 2002-2003 Nevada County Grand Jury Fourth Early Release Report: "Correctional and Holding Facilities."

The Board also directed staff to request information from other departments and agencies needed to address and respond to the Findings and Recommendations in the report requiring Board of Supervisors' response. The Board would appreciate your comments on the Findings and Recommendations applicable to your department or agency shown below:

Department/Agency	Findings	Recommendations
Sheriff	All	All
General Services	WBCF No. 3	1, 3
	TSS No. 5	
Courts	General No. 3, General No. 4	1
CEO	All	All

Each of these Findings and Recommendations are directly related to your activities and responsibilities. Your input will be extremely valuable in preparing the Board of Supervisors' response. Any additional information regarding the report in general you would like to provide will also be appreciated. It is the goal of the Board of Supervisors to provide as complete a response as possible to the Grand Jury in order to adequately address their concerns and take the appropriate action as recommended in their report.

In order to allow sufficient time for preparation and approval of the response, your reply to me by June 13, 2003 would be appreciated.

Thank you for your cooperation.

Attachment

pjw:pb

cc: Board of Supervisors
County Counsel

COUNTY OF NEVADA

STATE OF CALIFORNIA

950 Maidu Avenue • Nevada City • California 95959-8617

BOARD OF SUPERVISORS

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Law Enforcement

J 7/24/03

Peter Van Zant, 1st District
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Cathy R. Thompson
Clerk of the Board



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July 23, 2003

The Honorable Judge Ersel Edwards
Presiding Judge of the Nevada County Courts
Nevada County Court House
Nevada City CA 95959

Subject: Board of Supervisors Responses to the 2002-2003 Nevada County Civil Grand Jury Early Response Report No. 4, dated April 29, 2003 regarding Correctional and Holding Facilities in Nevada County

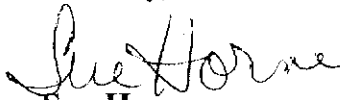
Dear Judge Edwards:

The attached responses by the Board of Supervisors to the 2002-2003 Nevada County Civil Grand Jury Early Response Report No. 4, dated April 29, 2003, are submitted as required by California Penal Code §933.

These responses to the Grand Jury's Findings And Recommendations were approved by the Board of Supervisors at their regular meeting on July 22, 2003. Responses to Findings and Recommendations are based on either personal knowledge, examination of official county records, information received from the Sheriff-Coroner, the County Executive Officer, the Courts, and the Nevada County Director of General Services, or testimony from the Board Chair and county staff members.

The Board of Supervisors would like to thank the members of the 2002-2003 Grand Jury for their participation and effort in preparing their Report.

Sincerely,


Sue Horne
Chair of the Board

Attachment

sh:pb

cc: ✓ Foreman, Grand Jury
Keith Royal, Sheriff-Coroner
Rick Haffey, County Executive Officer
Gene Armstead, General Services
Court Executive Officer
County Counsel
Mike Glisson, Assistant Court Executive Officer

NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO
2002/2003 CIVIL GRAND JURY EARLY RELEASE REPORT NO. 4

DATED APRIL 29, 2003

RE: CORRECTIONAL AND HOLDING FACILITIES IN NEVADA COUNTY

Responses to findings and recommendations are based on either personal knowledge, examination of official county records, review of the responses by the Sheriff-Coroner, County Executive Officer, the Courts, and the Director of General Services or testimony from the Board Chair and county staff members.

I. GRAND JURY INVESTIGATION:

Correctional and Holding Facilities in Nevada County

A. RESPONSE TO FINDINGS & RECOMMENDATIONS:

Findings:

General

1. Nevada County crime statistics for 2002 are down from 2001 in all categories with the exception of assaults and vehicle theft.

Robbery -54%
Rape -42%
Homicide -33%
Burglary -13%
Larceny -13%
Vehicle Theft +33%
Assault + 7%

Partially agree

Crime statistics provided the Sheriff's Department for 2001 and 2002 indicated that Homicides in 2002 were down from 2001 by 50% and Aggravated Assaults were down by 32%.

The Sheriff's Department also reported that although overall reportable crime in 2002 was down when compared to 2001, the overall "crime rate" did increase by a small amount. The "crime rate" is computed based upon the total number of specified crimes compared to the population within a defined geographic location.

2. Average overtime in the sheriff's department for 2002 by sergeants and deputies was eight hours per two-week pay period.

Agree

3. **Per the Sheriff's office, video conferencing is available at the WBCF to use for court hearings and arraignments. Although statistics are not kept on usage, the Grand Jury was informed that the courts located in Nevada City seldom use it. Video arraignments are requested and scheduled an average of two to three times a week by the bailiff at the Truckee court.**

Agree

4. **Prisoners held at the Wayne Brown Correctional Facility must be transported to courthouses in either Nevada City or Truckee for court appearances and trials.**

Agree

The Truckee court attempts to hold court hearings and try as many cases as possible either in Truckee or by video conferencing. The number of cases heard in Truckee will vary according to case load and the specialized nature of the trial.

Prisoners are transported back and forth between Truckee and the WBCF almost daily. The number varies and it is difficult to average the number. If prisoners are booked in Truckee, they are held in the WBCF and then can either be transported to Truckee for trial or have their case heard in Nevada City, again according to case load and the nature of the trial.

5. **WBCF staff members have the responsibility for transporting inmates as needed.**

Partially agree

Sheriff's Corrections Department Transportation Unit staff not assigned to WBCF transport of inmates.

Wayne Brown Correctional Facility

1. **The facility was found to be clean and well maintained. It has received commendation in the California Board of Corrections' (BOC) inspection report dated July 3, 2002.**

Agree

2. **At the time of inspection, there was an increased female inmate population. Appropriate housing for this group required careful planning by facility management to maintain separation of inmates by gender and classification.**

Agree

3. **Based on the information supplied by the jail commander, the facility design has the flexibility to manage the space available to support the present needs of the county.**

Agree

Future facility needs at the WBCF will have to consider the statewide trend towards increasing numbers of female inmates. The present number of female inmates is currently at 20% of the total inmate population but is predicted to increase.

4. **Inmates are provided with medical care under contract with California Forensic Medical Group. Dental care is available as needed.**

Agree

5. **The Grand Jury was told staffing level continues to be below the level recommended by the BOC.**

Agree

Truckee Sheriff Substation

1. **The substation has completed its first year of operation following the establishment of the Town of Truckee Police Department on September 1, 2001.**

Agree

2. **The substation is a Type 1 facility that can house inmates for a maximum of 96 hours excluding weekends and holidays.**

Agree

3. **Staff morale is reported to be very good despite tight scheduling of personnel, which requires the use of overtime.**

Agree

4. **The shortage of female correction officers has been resolved.**

Agree

5. **As of February 28, 2003, no decision had been made concerning the utilization of an unoccupied area of 2,300 square feet created by the downsizing of the sheriff's staff when the Town of Truckee Police Department began operations.**

Agree

- 6. The substation needs staff locker rooms, additional storage, and more office space than is currently allocated.**

Partially agree

Additional storage for the Sheriff's Department has been provided by moving the Sheriff's evidence section to the 'Old Juvenile Hall'. When the Sheriff's Department staff in Truckee was reduced from 42 to 17 following the formation of the Town of Truckee Police Department, the need for office space was reduced. A men's locker room has now been provided through the conversion of an office previously used for storage. A women's locker room is already available.

Nevada County Courthouse Holding Facility

- 1. The holding facility was built in 1964 and constructed based on the older technology of linear jails. It is clean and previously reported discrepancies have been repaired.**

Agree

- 2. The Sheriff's department launched an intensive investigation into the cause of the prisoner escape at the Nevada City County Courthouse on June 3, 2002. Conditions and/or procedures that could be a source of possible problems were identified; remedies were developed and implemented by staff training.**

Agree

- 3. Radio communications between the courthouse staff and the sheriff's department, which had been a factor in the June 2002 escape, have been upgraded and standardized.**

Agree

- 4. Due to a change in state law, bailiffs in criminal courts have been replaced with deputy sheriffs.**

Agree

Recommendations:

- 1. The Board of Supervisors, Superior Courts, the Sheriff's Department, and other appropriate county agencies should study the future construction of a court complex adjacent to WBCF. Although budget constraints currently may prohibit construction, it is time for proactive planning to accommodate the county's continuing growth and to improve the efficient utilization of personnel and resources.**

The recommendation requires further analysis with a status report to be provided to the Board by January 15, 2004.

Court facility construction is the responsibility of the State as approved by the State Legislature under AB 233 and signed by the Governor in 1997. The State just completed an extensive review process of existing court facilities in each County and published a comprehensive report in March 2003 outlining court needs throughout the State. Although a court complex adjacent to the Wayne Brown Correctional Facility was not specifically identified as a need in the Court Facilities Plan for Nevada County, the idea may have merit and will be addressed in discussions with the State regarding future plans for Nevada County court facilities.

The Sheriff has also anticipated the potential need for court facilities adjacent to the WBCF and has indicated he will be working with the State Board of Corrections, the County Executive Officer, the Auditor Controller, and the Court to determine future facility needs and explore funding options for new court facilities adjacent to the WBCF. He said he expects to complete initial discussions within the next three months and is hopeful that, depending on validation of the need for expanded facilities and identification of potential funding sources, construction of a new court facility complex adjacent to the WBCF might be able to begin within the next five years.

Any plan to move forward with a plan for construction of new court facilities adjacent to the WBCF however, will first depend on the State, through the Nevada County Court, to determine that a need exists to do so and formally identify that need in the Court Facilities Plan for Nevada County. Since that has not yet been done and due to the uncertain nature of State funding for future court construction, the Sheriff's estimate of beginning construction of a new court facility adjacent to the WBCF within the next five years may be overly optimistic.

If the Court believes there is a need for additional court facilities adjacent to the WBCF, the County will evaluate the request as part of a comprehensive integrated Capital Facilities Plan that evaluates all related issues including the economic impact of moving County Court facilities from downtown Nevada City. Additionally, any new plan to relocate the Court will have to clearly demonstrate that it will be cost effective from an asset management perspective that considers capital outlay for construction, ongoing operational maintenance costs, and related costs of other County facilities.

2. **With a year's worth of information concerning the level of activity at the Truckee substation, the staffing level should be reviewed to assure adequate coverage without excessive overtime.**

The recommendation has been implemented.

This process has been on-going since the formation of the Town of Truckee Police Department and the accompanying reduction of Sheriff's Department staff at the Truckee substation. The Sheriff, through an on-going evaluation of available staffing and required functions, ensures that all legal requirements, operational needs, and contractual obligations with the Town of Truckee are consistently met. The County Executive Officer also reviews Truckee Substation staffing on an annual process through the County budget process.

3. **The Truckee substation should be allowed to expand into the vacant 2,300 square-foot-area in the present building to accommodate locker rooms, office space, break room, and secure storage.**

The recommendation will not be implemented because expansion of the Truckee Substation is not required to meet current legal requirements, operational needs, and contractual obligations with the Town of Truckee and because facility space is needed for providing other essential County services.

A remodeling project is presently underway to convert the vacant 2,300 square feet at the Truckee Substation to provide space for other priority County uses including Human Services Agency, In-Home Supportive Services (IHSS) Public Authority, and Child Support Services functions. Immediate Sheriff department facility needs at the Substation have been met by conversion of the "Old Juvenile Hall" for storage of Sheriff's evidence, and the conversion of a vacant office at the Substation previously used to store Sheriff's evidence into a men's locker room. The Sheriff concurs that additional space is not presently essential or necessary for Truckee Substation operations.

Expansion of the jail facility in Truckee may be required in the future as the population in the Eastern region of the County continues to grow. The Sheriff and County Executive Officer will closely monitor the anticipated need for additional jail space in Eastern Nevada County and continue to explore all options for providing needed public safety and jail facilities in the Eastern part of the County near Truckee including regional partnerships with other counties and jurisdictions.

Required Responses:

Board of Supervisors due by July 29, 2003
Sheriff due by June 30, 2003