

NEVADA COUNTY HOLDING FACILITY NEVADA COUNTY COURTHOUSE IN NEVADA CITY

Summary

The Nevada County Grand Jury is statutorily required to inspect public prisons annually within Nevada County. The Nevada County Sheriff's Office has responsibility for the management of county correctional facilities at Nevada County Courthouse in Nevada City.

Security is handled via a security desk that electronically controls access through the facility and has cameras to monitor conditions. Additional security cameras are needed.

The Nevada County Grand Jury strongly recommends the Superior Court, Nevada County Sheriff's Office and Nevada County Board of Supervisors work together to obtain funding for safety and security upgrades.

Reasons for Investigation

California Penal Code §919(b) states in part; "*The grand jury shall inquire into the condition and management of the public prisons within the county.*" The Nevada County Grand Jury (Jury) defines public prisons as any adult or juvenile correction or detention facility within the county.

Background

The Nevada County Sheriff's Office (NCSO) is a county sheriff's office within the State of California as defined by the California Penal Code. The NCSO is responsible for the management of the county correctional facilities located in the Nevada County Superior Court, Nevada City Branch (Courthouse).

This area has six cells on the ground floor for use as an inmate holding area for inmates awaiting court appearances. This area of holding has two entrances in use during normal business hours. Public entry is via Church Street where people are subject to security screening. The Washington Street door is primarily used for ingress and egress of inmates when the underground sally port is not used and for self surrender actions.

Administrative staff of the Courthouse (Staff) is responsible for the daily functions of this facility.

Procedures Followed

The Jury reviewed previous reports concerning holding facilities for reference. Interviews with courthouse management staff, NCSO courthouse staff and county facilities staff were conducted. On January 16, 2014, the Jury inspected the NCSO holding facility along with other areas of the Courthouse, located at 201 Church Street, Nevada City.

Facts

- Fa. 1** Nevada County (County) is the owner of certain real property located in Nevada City and having a street address of 201 Church Street. Ownership and maintenance responsibilities are: County, in all areas used for temporary holding; Administrative Office of the Courts (AOC) for all other areas.
- Fa. 2** The Courthouse was once the site of the Nevada County Jail and Courthouse. An annex was added to the structure for additional courtrooms and office space.
- Fa. 3** The Courthouse handles criminal court cases and various civil court actions.
- Fa. 4** In 1991 prisoners were moved from this facility to the Wayne Brown Correctional Facility.
- Fa. 5** A portion of the Courthouse now serves as a holding area for individuals scheduled for criminal court hearings. It also serves to conduct some booking duties for self-surrenders.
- Fa. 6** A self-surrender is when an individual knows that they are subject to arrest and voluntarily turn themselves in to custody.
- Fa. 7** Security is handled at a single security area (Desk). The Desk is responsible for access throughout the area via electric locks. Movement is recorded via a series of cameras.
- Fa. 8** The camera system is wholly owned by the AOC. The camera system is operated and monitored by NCSO staff.
- Fa. 9** There are cameras positioned throughout the interior and exterior of the Courthouse building.
- Fa. 10** The camera system ensures that NCSO movements and security activities are monitored through the AOC camera system.
- Fa. 11** Camera images are displayed on a computer screen that can have a single image, or multiple images viewed simultaneously.

- Fa. 12** The Washington Street intake hallway is used for movement of self-surrenders and inmate movement between a transport vehicle and holding cells.
- Fa. 13** There was an analog camera in the Washington Street intake hallway that was not compatible with the new security system and was removed and not replaced.
- Fa. 14** A digital camera for live view only is available for approximately \$300.00 to \$500.00. An additional digital recording system connection would cost \$1,000.00 to \$1,500.00.
- Fa. 15** The Staff has requested funds from the AOC for purchase and installation of additional external and internal cameras for:
- court rooms,
 - hallways,
 - underground garage area,
 - sally port.
- Fa. 16** The 2012-2013 Jury Report recommended upgrades to the Courthouse camera security system. Staff responded to the Jury Report Recommendations as follows:
- *“The current camera system was purchased by the Administrative Office of the Courts (AOC) and is the sole property of the Court. While the Court will coordinate any system changes and camera placement with the Nevada County Sheriff’s Department, we do not expect that the County will contribute funds to purchase additional cameras for a system that they do not own.”*
 - NCSO response was that *“...there was no funding available.”*
- Fa. 17** The NCSO response to the recommendation was that, *“...there was no funding available.”*
- Fa. 18** The NCSO is responsible for submitting an annual budget to the Nevada County Board of Supervisors (BOS) for approval.
- Fa. 19** The BOS is responsible for approval of the NCSO budget.

Findings

- Fi. 1** The safety of county and court employees and the public is compromised by a lack of security cameras in some areas of the Courthouse.
- Fi. 2** Although the Staff is attempting to remedy some of the identified safety and security issues, there are still deficiencies in the security camera system that needs immediate attention by the AOC.

- Fi. 3** NCSO could be active in assisting the Staff in their request for camera upgrades because the cameras are a first-line observation of potential harm.
- Fi. 4** This issue has been on the forefront for several years without resolution. The safety of the public, the Courthouse employees and NCSO staff remains at risk.

Recommendations

- R. 1** The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to take all the steps necessary to move forward with a formal agreement in order to secure funding from the AOC and provide safety improvements immediately to ensure the safety of the public and Court employees.
- R. 2** The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to prioritize funding requests and obtain the funding from the AOC to implement the safety improvements.
- R. 3** The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to follow through with the request for funding, the implementation of the safety improvements and ensure the required work is completed.

Responses

Nevada County Sheriff: Findings 1, 2, 3 and 4 and Recommendations: 1 and 2.
Due Date: August 16, 2014

Nevada County Board of Supervisors: Findings 2, 3 and 4 and Recommendations 1, 2 and 3
Due Date: September 16, 2014

Nevada County Superior Court: Finding 1, 2 and 3 and Recommendation 1, 2 and 3.
Due Date: August 16, 2014



**NEVADA COUNTY SUPERIOR COURT
OFFICE OF THE JURY COMMISSIONER
201 CHURCH STREET, SUITE 6
NEVADA CITY, CA 95959**

Thomas M. Anderson
*Presiding Judge of the
Grand Jury*

Audrey M. Golden
Deputy Jury Commissioner

(530) 265-1475

August 12, 2014

Keith Overbey Foreman
Nevada County Civil Grand Jury
950 Maidu Avenue
Nevada City, CA 95959

Dear Keith:

Enclosed is the response from Nevada County Superior Court of California, on the subject of the Nevada Holding Facility and the Recorders response for the Elections office.

Sincerely,

A handwritten signature in black ink, appearing to read "Audrey M. Golden", written over a horizontal line.

Audrey M. Golden

SUPERIOR COURT OF THE STATE OF CALIFORNIA
County of Nevada

CANDACE S. HEIDELBERGER,
Presiding Judge



G. SEAN METROKA,
Court Executive Officer

201 Church Street
Nevada City, CA 95959
(530) 265-1311

August 11, 2014

The Honorable Thomas M. Anderson
Presiding Judge of the Grand Jury
Superior Court of Nevada County
201 Church Street
Nevada City, CA 95959

Dear Judge Anderson:

As requested in the 2013-2014 Nevada County Grand Jury Report on the subject of the Nevada County Holding Facility, Nevada County Courthouse in Nevada City, the following response is submitted.

Findings

Fi.1 The safety of county and court employees and the public is compromised by a lack of security cameras in some areas of the Courthouse.

Agree.

Fi.2 Although the Staff is attempting to remedy some of the identified safety and security issues, there are still deficiencies in the security camera system that needs immediate attention by the AOC.

Agree.

Fi.3 NCSO could be active in assisting the Staff in their request for camera upgrades because the cameras are a first-line observation of potential harm.

Disagree.

The Court would certainly welcome any help the NCSO might offer to enhance the Court's camera system. However, this system is the Court's responsibility and we rely on the Judicial Council for funding to expand / enhance the system.

Recommendations

R.1 The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to take all the steps necessary to move forward with a formal agreement in order to secure funding from the AOC and provide safety improvements immediately to ensure the safety of the public and Court employees.

Not implemented.

The entities listed in this recommendation do not all share responsibility for improving the court's camera system and cannot be compelled to enter into a formal agreement in order to secure funding for this system.

- R.2** The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to prioritize funding requests and obtain the funding from the AOC to implement the safety improvements.

Not implemented.

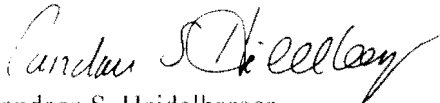
Funding for the Judicial Branch and our court is very limited and expenditures must be prioritized according to greatest need. While we agree that this system is important to the overall security of our court buildings, we cannot say with certainty that the proposed system enhancement should be made the highest priority for funding statewide – we rely on the Judicial Council to make that assessment and allocate funding accordingly.

- R.3** The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to follow through with the request for funding, the implementation of the safety improvements and ensure the required work is completed.

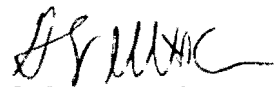
Partially implemented.

The Superior Court of Nevada County has requested State funding to implement the recommended safety improvements and we routinely follow up on our request to ensure it isn't lost in bureaucracy. We cannot ensure the work is completed until funding is allocated by the Judicial Council.

Respectfully submitted,



Candace S. Heidelberger
Presiding Judge



G. Sean Metroka
Court Executive Officer

**NEVADA COUNTY
SHERIFF'S OFFICE**



KEITH ROYAL
SHERIFF / CORONER
PUBLIC ADMINISTRATOR

July 11, 2014

The Honorable Thomas M. Anderson
Presiding Judge of the Grand Jury
201 Church Street
Nevada City, Ca. 95959

RE: Response to 2013-2014 Nevada County Holding Facility Nevada County Courthouse in Nevada City Grand Jury Report

Dear Honorable Judge Anderson:

In response to the Grand Jury Report dated June 16, 2014 on the Nevada County Holding Facility Nevada County Courthouse in Nevada City.

FINDINGS:

1. The safety of county and court employees and the public is compromised by a lack of security cameras in some areas of the Courthouse.

Partially Disagree

Due to past experience, we do not feel an imminent threat of serious injury to the public, courthouse employees, and/or county employees exists. We have had an excellent record with our transport of prisoners from transportation units to the Courthouse in Nevada City. We are committed to mitigating risk at every opportunity within the County's existing resources. Inmates are transported from the transportation unit to the Courthouse in customary restraints, including leg shackles and waist shackles. Officer safety practices are primary in maintaining a safe environment while transporting prisoners; although security cameras may provide additional security.

2. Although the Staff is attempting to remedy some of the identified safety and security issues, there are still deficiencies in the security camera system that needs immediate attention by the AOC.

Partially Disagree

If money were no object it would be optimal for additional security cameras to be installed and additional staff to monitor the cameras. In light of the fact that the AOC has other funding requests to consider and a limited budget, the immediacy of the attention needed by the AOC is questionable on our part. Our opinion is that the AOC must determine their funding priorities.

3. NCSO could be active in assisting the Staff in their request for camera upgrades because the cameras are a first-line observation of potential harm.

Agree. We are always willing to participate in discussions with Court Staff regarding Courthouse Security.

4. This issue has been on the forefront for several years without resolution. The safety of the public, the Courthouse employees and NCSO staff remains at risk.

Partially Disagree

The issue has not been fully resolved, yet, due to past experience, we do not feel an imminent threat of serious injury to the public, courthouse employees, and/or county employees exists. We have had an excellent record with our transport of prisoners from transportation units to the Courthouse in Nevada City. We are committed to mitigating risk at every opportunity within the County's existing resources. Inmates are transported from the transportation unit to the Courthouse in customary restraints, including leg shackles and waist shackles. Officer safety practices are primary in maintaining a safe environment while transporting prisoners; although security cameras may provide additional security.

RECOMMENDATIONS:

1. The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Offices of the Court and the Nevada County Superior Court need to take all the steps necessary to move forward with a formal agreement in order to secure funding from the AOC and provide safety improvements immediately to ensure the safety of the public and Court employees.

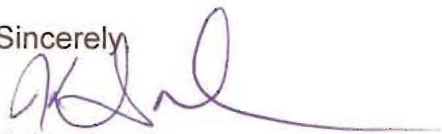
The recommendation will not be implemented because the Nevada County Sheriff's Office does not secure funding from the AOC for Court equipment.

2. The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Offices of the Court and the Nevada County Superior Court staff need to prioritize funding requests and obtain the funding from the AOC to implement the safety improvements.

The recommendation will not be implemented because the Nevada County Sheriff's Office does not secure funding from the AOC for Court equipment.

The Sheriff's Office would like to thank the members of the 2013-2014 Grand Jury for their participation and effort in preparing their reports. We are committed to providing the highest level of safety and security to our employees, the public, and inmates.

Sincerely



Keith Royal
Sheriff-Coroner

COUNTY OF NEVADA
STATE OF CALIFORNIA
BOARD OF SUPERVISORS



Chair Nathan H. Beason, 1st District
Vice Chair Ed Scofield, 2nd District
Terry Lamphier, 3rd District
Wm. "Hank" Weston, 4th District
Richard Anderson, 5th District
Donna Landi, Clerk of the Board

September 16, 2014

The Honorable Thomas Anderson
Presiding Judge of the Nevada County Grand Jury
Nevada County Courthouse
201 Church Street
Nevada City, CA 95959

Re: Board of Supervisors' Responses to the 2013-14 Nevada County Civil Grand Jury Report,
Nevada County Holding Facility, Nevada County Courthouse, Nevada City.

Dear Judge Anderson:

As required by California Penal Code Section 933, the Board of Supervisors hereby submits its responses to the 2013-14 Nevada County Civil Grand Jury Report, dated June 16, 2014, entitled *Nevada County Holding Facility, Nevada County Courthouse, Nevada City.*

These responses to the Grand Jury's Findings and Recommendations were approved by the Board of Supervisors at their special meeting on September 16, 2014. The Responses are based on either personal knowledge, examination of official County records, information received from the Sheriff, the County Executive Officer, or the Board of Supervisors and County staff members.

The Board of Supervisors would like to thank the members of the 2013-14 Grand Jury for their participation and effort in preparing their Reports, and their participation in the Grand Jury process.

Sincerely,

Nathan H. Beason, Chair
Nevada County Board of Supervisors

cc: ✓ Keith Overbey, Foreman, Grand Jury
Keith Royal, Nevada County Sheriff
Rick Haffey, County Executive Officer

950 Maidu Avenue, Suite 200, Nevada City CA 95959-8617
phone: 530.265.1480 | fax: 530.265.9836 | toll free: 888.785.1480 | email: bdofsupervisors@co.nevada.ca.us
website: <http://www.mynevadacounty.com/nc/bos>

NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO
2013-2014 Nevada County Civil Grand Jury Report
Nevada County Holding Facility Nevada County Courthouse in Nevada City

DATED: June 16, 2014

Responses to findings and recommendations are based on either personal knowledge, examination of official county records, review of the responses by the County Executive Officer, or testimony from the Board of Supervisors and county staff members.

A. RESPONSES TO FINDINGS :

FINDING 2: Although the Staff is attempting to remedy some of the identified safety and security issues, there are still deficiencies in the security camera system that needs immediate attention by the AOC.

Disagree.

The Nevada County Board of Supervisors provides leadership in working with the Sheriff and Court to help direct funding to the highest priorities. Safety and security concerns have not risen to a level high enough to make this a priority project.

FINDING 3: NCSO could be active in assisting the Staff in their request for camera upgrades because the cameras are a first-line observation of potential harm.

Agree.

The Nevada County Sheriff Office has agreed to participate in discussions with Court Staff regarding Courthouse Security.

Finding 4: This issue has been on the forefront for several years without resolution. The safety of the public, the Courthouse employees and NCSO staff remains at risk.

Disagree.

The Nevada County Board of Supervisors concurs with the Nevada County Sheriff Office that there is not an imminent threat of serious injury to the public, the Courthouse employees and NCSO staff. The NCSO has an excellent record in transporting prisoners from transportation unit to the Courthouse.

B. RESPONSES TO RECOMMENDATIONS:

Recommendation 1: The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to take all the steps necessary to move forward with a formal agreement in order to secure funding from the AOC and provide safety improvements immediately to ensure the safety of the public and Court employees.

This recommendation will not be implemented. The Administrative Office of the Courts ultimately prioritizes funding requests and balances them against safety and security. Current funding is limited and there are other priority projects that remain unfunded. The County is open to supporting other alternatives, which includes housing a criminal court next to the Wayne Brown Correctional facility.

Recommendation 2: The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to prioritize funding requests and obtain the funding from the AOC to implement the safety improvements.

This recommendation will not be implemented. See R.1. above.

Recommendation 3: The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to follow through with the request for funding, the implementation of the safety improvements and ensure the required work is completed.

This recommendation will not be implemented. See R.1. above.