

WAYNE BROWN CORRECTIONAL FACILITY

REASON FOR INVESTIGATION

California Penal Code Section 919(b) requires the Civil Grand Jury to annually inspect all detention facilities within the County of Nevada.

PROCEDURE FOLLOWED

The Grand Jury made a physical inspection of the facility and interviewed correctional personnel on September 14 and November 2, 1999. The following personnel were interviewed:

Mike Hanson, Captain, Facility Commander.

Lee Osborne, Lieutenant.

Mike Pittman, Lieutenant.

Correctional Officers.

Prior to their inspection the Grand jury reviewed the previous Board of Corrections Report as well as the 1998-1999 Grand Jury report as it pertains to the Wayne Brown facility.

FINDINGS

1. As of the date of these inspections, the facility currently has eight (8) vacant correctional officer positions.
2. The medium and medium/maximum security areas are routinely manned by a single correctional officer.
3. The correctional officers interviewed voiced concern about safety issues for both staff and inmates when these areas are singularly staffed. They feel that the failure to fill the vacant positions places stress and fatigue due to the overtime demands.
4. Correctional officers indicated that the jail administration was not familiar with the day-to-day problems encountered and that there is very little contact with the jail administration during their shifts.
5. Correctional officers voiced concern about recruitment and the filling of the vacant positions. They indicated that low salary levels have caused journeyman officers to seek employment in other county's jails.
6. There is no video monitoring of the exercise yard in the minimum-security housing area.
7. Visual surveillance to the minimum visiting area is limited. Staff has indicated that this problem is to be remedied in the very near future.
8. The jail's medical clinic is adequately staffed to meet the inmate medical needs.
9. The overall jail facility is clean and appears to be physically well maintained.

CONCLUSIONS

1. The placement of a single correctional officer in the medium and medium/maximum areas presents a potential security risk to both staff and inmates.
2. The failure to fill the eight correctional officer positions appears to be placing stress and causing fatigue to the officers who are willing to perform the necessary overtime.
3. Current salaries for correctional officers appear to present a recruitment problem.

4. The correctional staff interviewed appeared well trained and professional.
5. The lack of video monitoring in the minimum exercise area could create a security risk.

RECOMMENDATIONS

1. That the Sheriff and Jail Commander re-evaluate the current policy of staffing the security areas with a single correctional officer.
2. That the Sheriff and the County Personnel Officer give high priority to the problem of recruitment and hiring of correctional officers.
3. That the jail administrators seek to improve communication with line staff.
4. That the Board of Supervisors review salaries of correctional officers in an effort to solve the recruitment problem that presently exists.
5. That a video-monitoring device be installed in the jail's minimum exercise area.

REQUIRED RESPONSES

Sheriff, Due August 30, 2000

Board of Supervisors, Due September 30, 2000

County Director of Personnel, Due August 30, 2000

COUNTY OF NEVADA

STATE OF CALIFORNIA

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Clerk of the Board

September 13, 2000

The Honorable Carl Bryan
Presiding Judge of the Nevada County Courts
Nevada County Court House
Nevada City CA 95959

Subject: Board of Supervisors' Responses to the 1999-2000 Nevada County Civil Grand Jury Interim Report No. 3, dated May 12, 2000, regarding the Wayne Brown Correctional Facility; and Grand Jury Final Reports No. 7 and 8, dated June 28, 2000, regarding the Nevada County Courthouse and Holding Facility, and the Nevada County Sheriff's Sub-Station in Truckee.

Dear Judge Bryan:

The attached responses by the Board of Supervisors to the 1999-2000 Nevada County Civil Grand Jury Interim Report No. 3, dated May 12, 2000, and Final Reports Nos. 7 and 8, dated June 28, 2000, 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 September 12, 2000. They are based on either personal knowledge, examination of official county records, review of the response by the Sheriff and Personnel Departments, or testimony from the Board Chairman and county staff members.

The Board of Supervisors would like to thank the members of the 1999-2000 Grand Jury for their participation and effort in preparing these Interim and Final Reports.

Sincerely,

Bruce Conklin
Chairman of the Board

Attachment

bc:pb

cc: ✓ Foreman, Grand Jury
Ted Gaebler, County Administrator
County Counsel

NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO
1999-2000 CIVIL GRAND JURY INTERIM REPORT NO. 3

DATED MAY 12, 2000

RE: WAYNE BROWN CORRECTIONAL FACILITY

Responses to findings and recommendations are based on either personal knowledge, examination of official county records, review of the response by the Sheriff and the Personnel Department, or testimony from the board chairman and county staff members.

I. GRAND JURY INVESTIGATION:

Wayne Brown Correctional Facility

A. RESPONSE TO FINDINGS & RECOMMENDATIONS:

Findings:

- 1. As of the date of the inspections, the facility currently has eight (8) vacant correctional Officer positions.**

Agree

- 2. The medium and medium/maximum security areas are routinely manned by a single correctional officer.**

Agree

- 3. The correctional officers interviewed voiced concern about safety issues for both staff and inmates when these areas are singularly staffed. They feel that the failure to fill the vacant positions places stress and fatigue due to the overtime demands.**

Neither agree nor disagree. The Board has no knowledge of the correctional officers' testimony to the Grand Jury.

- 4. Correctional officers indicated that the jail administration was not familiar with the day-to-day problems encountered and that there is very little contact with the jail administration during their shifts.**

Neither agree nor disagree. The Board has no knowledge of the correctional officers' testimony to the Grand Jury.

5. **Correctional officers voiced concern about recruitment and the filling of the vacant positions. They indicated that low salary levels have caused journeyman officers to seek employment in other county's jails.**

Neither agree nor disagree. The Board has no knowledge of the correctional officers' testimony to the Grand Jury.

6. **There is no video monitoring of the exercise yard in the minimum-security housing area.**

Agree

7. **Visual surveillance to the minimum visiting area is limited. Staff has indicated that this problem is to be remedied in the very near future.**

Agree with the first sentence. Neither agree nor disagree with the second sentence. The Board has no knowledge of the correctional officers' testimony to the Grand Jury.

8. **The jail's medical clinic is adequately staffed to meet the inmate medical needs.**

Agree

9. **The overall jail facility is clean and appears to be physically well maintained.**

Neither agree nor disagree. The Board has no knowledge of the condition of the facility during the Grand Jury inspection. However, previous inspections by members of the Board confirmed the facility is consistently clean and physically well maintained.

RECOMMENDATIONS

1. **The Sheriff and Jail Commander re-evaluate the current policy of staffing the security areas with a single correctional officer.**

The recommendation has been partially implemented but requires further analysis. The Board has taken action in the 2000-01 Budget to reclassify four positions to Correctional Officers. Seven additional positions will also be reclassified to Correctional Technicians. A proposal to phase in the additional positions will be presented to the Board by the Sheriff's Department in September 2000.

The Sheriff will further review the Board of Corrections November 1999 correctional center staffing report and present additional staffing recommendations to the Board of Supervisors by January 1, 2001.

2. **The Sheriff and the County Personnel Officer give high priority to the problem of recruitment and hiring of correctional officers.**

The recommendation has been implemented. The Board directed the County Administrator during the 2000-01 budget process to make the recruitment of Correctional Officers a high priority. A continuous recruiting program has been implemented and the advertisement of vacant Correctional Officer positions has been expanded. Additionally, the implementation of the classification and compensation study in July 2000 should help recruitment efforts by raising Correctional Officer salaries to more competitive levels. The competing labor markets will also be closely monitored by the Personnel Department to determine if additional salary adjustments should be made.

3. **The jail administrators seek to improve communication with line staff.**

The recommendation has been implemented. The Sheriff assigned a new correctional facility administration team in September 1999. Since then, communication with correctional facility line staff has been a high priority and specific actions have been taken by the Sheriff to address the communication issues raised by the Grand Jury.

The Board of Supervisors has additionally directed the Personnel Department, through the County Administrator, to assist the Sheriff in this regard with additional employee relation initiatives including training, advisement, and consultation.

4. **The Board of Supervisors review salaries of correctional officers in an effort to solve the recruitment problem that presently exists.**

The recommendation has been implemented. In July 2000 the Board approved implementation of the countywide classification and compensation study. This resulted in a 13.03% increase for the classification of Correctional Officer I and a 12.70% increase for Level II officers. The salary increases will be fully implemented by October 2001.

The Personnel Department will additionally evaluate the effectiveness of these salary increases and their impact on recruitment in a highly competitive labor market. The County Administrator and the Sheriff will make recommendations to the Board during the 2001-02 budget process if additional adjustments are warranted.

5. **A video-monitoring device be installed in the jail's minimum-security exercise area.**

The recommendation will not be implemented.

The Sheriff examined the issues raised by the Grand Jury relative to the facility minimum security exercise yard and after review, believes concerns can be addressed by relocating the current work station to provide greater visibility of the minimum-security section access corridor and more readily observe the exercise yard. This modification is less expensive than a

video-monitoring device and provides the same practical effect. Relocation of the workstation will be coordinated with the General Services Department and completed by January 1, 2001.

B. OTHER RESPONSES REQUIRED:

Keith Royal, Sheriff-Coroner – August 30, 2000
Director of Personnel – August 30, 2000

COUNTY OF NEVADA

DEPARTMENT OF PERSONNEL

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August 25, 2000

The Honorable Judge Carl Bryan
Nevada County Courts
301 Church St.
Nevada City, CA 95959

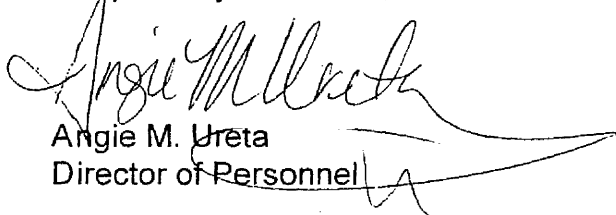
SUBJECT: Nevada County Personnel Department Responses to the 1999-2000 Grand Jury Report No. 3 - Wayne Brown Correctional Facility

Dear Judge Bryan:

Attached you will find responses by the Nevada County Department of Personnel to the 1999-2000 Grand Jury Final Report No. 3 regarding the Wayne Brown Correctional Facility. The responses are submitted as required by California Penal Code Section 933 (c).

I would like to point out that I am the newly appointed Director of Personnel with a tenure of 3 ½ months. Since I had no first hand factual knowledge of the circumstances surrounding the investigation, I was unable to agree or disagree with the findings of the Grand Jury. However, I was able to discuss the actions the Personnel Department has taken since my tenure began. I assure you that I have a high commitment to providing effective and responsive Personnel services to the organization and the community and look forward to participating toward solutions to these important issues.

Respectfully submitted,


Angie M. Ureta
Director of Personnel

cc: Foreman, Grand Jury
Ted Gaebler, County Administrator

**NEVADA COUNTY PERSONNEL DEPARTMENT RESPONSES TO
1999-2000 CIVIL GRAND JURY INTERIM REPORT NO. 3
RE: WAYNE BROWN CORRECTIONAL FACILITY**

I. GRAND JURY INVESTIGATION:

Wayne Brown Correctional Facility

A. RESPONSE TO FINDINGS & RECOMMENDATIONS:

I, Angie Ureta, am responding on behalf of the Personnel Department after only three months as the new Director of Personnel. Since I was not on staff at the time of the inspections and had no first hand factual information, I was unable to agree or disagree with any of the findings. In regard to the recommendations, however, I responded to actions the Personnel Department has taken since my tenure began in May.

Findings:

- 1. As of the date of the inspections, the facility currently has eight (8) vacant correctional Officer positions.**

Neither Agree or Disagree.
- 2. The medium and medium/maximum security areas are routinely manned by a single correctional officer.**

Neither Agree or Disagree.
- 3. The correctional officers interviewed voiced concern about safety issues for both staff and inmates when these areas are singularly staffed. They feel that the failure to fill the vacant positions places stress and fatigue due to the overtime demands.**

Neither Agree or Disagree.
- 4. Correctional officers indicated that the jail administration was not familiar with the day-to-day problems encountered and that there is very little contact with the jail administration during their shifts.**

Neither Agree or Disagree.
- 5. Correctional officers voiced concern about recruitment and the filling of the vacant positions. They indicated that low salary levels have caused journeyman officers to seek employment in other county's jails.**

Neither Agree or Disagree.

6. **There is no video monitoring of the exercise yard in the minimum-security housing area.**

Neither Agree or Disagree.

7. **Visual surveillance to the minimum visiting area is limited. Staff has indicated that this problem is to be remedied in the very near future.**

Neither Agree or Disagree.

8. **The jail's medical clinic is adequately staffed to meet the inmate medical needs.**

Neither Agree or Disagree.

9. **The overall jail facility is clean and appears to be physically well maintained.**

Neither Agree or Disagree.

RECOMMENDATIONS

1. **The Sheriff and Jail Commander re-evaluate the current policy of staffing the security areas with a single correctional officer.**

The recommendation requires further analysis, however, is partially implemented. Through the 2000-2001 budget process four positions have been reclassified to Correctional Officers. In addition, the California Board of Corrections submitted a report in November of 1999 that recommended the Sheriff add 11 Correctional Officer positions to the current staffing. Currently, Jail Administration is preparing a proposal regarding how to phase in the recommended positions and will be taking this proposal to the Board of Supervisor's in September.

2. **The Sheriff and the County Personnel Officer give high priority to the problem of recruitment and hiring of correctional officers.**

The recommendation has been implemented. The recruitment of Correctional Officers has been given a high priority in the Personnel Department. Recently, the following actions have taken place that should assist in attracting and maintaining Correctional Officers:

- 1) The Personnel Department has transitioned to a continuous recruiting program for Correctional Officers. Since January of 2000, there have been four tests. The Sheriff's office has hired 8 new correctional officers, but lost 5. The Sheriff is currently in the process of

reviewing 10 candidates from the latest eligibility list. We hope to test once a month to maintain a constant pool of candidates.

2) Personnel has recently launched a high profile recruitment for Correctional Officers which includes the use of different sources of media including newspapers, flyers, recruiting at special events (i.e. Farmers Market, State Fair), and placement of flyers locally in gyms and businesses. We are currently evaluating the use of radio and TV advertisements.

3) In addition, the implementation of the classification and compensation study on July 11, 2000 should help to alleviate the problem of lower salary levels. Personnel will closely monitor the compensation issue and competing labor market forces to review if further adjustments should be made.

3. The jail administrators seek to improve communication with line staff.

The recommendation has been implemented. The Sheriff's Department has implemented a new Jail Administration team with an emphasis on communication. Personnel will support the Sheriff's Department in continuing to provide improved communications and better access to jail administration for employees. Some of the areas Personnel will assist with include training and advisement and consultation in the area of employee relations.

4. The Board of Supervisors review salaries of correctional officers in an effort to solve the recruitment problem that presently exists.

The recommendation has been implemented. On July 11, 2000, the Board of Supervisor's approved implementation of a classification and compensation study. Implementation of the study resulted in a 13.03% increase for the classification of Correctional Officer I and a 12.70% increase for level II. It was negotiated with the unions that the study be implemented in phases. The first phase given in July was incumbents received an increase to within 8% of the full implementation. The second phase will bring the salary range to within 4% of implementation and the third phase will implement the final 4% in October of 2001. Personnel will closely monitor the situation to evaluate the effectiveness of compensation in recruiting and maintaining employees in our tight labor market.

5. A video-monitoring device be installed in the jail's minimum security exercise area.

The recommendation will not be implemented; however, the work station is being relocated to allow for better visibility.

**NEVADA COUNTY
SHERIFF'S OFFICE**



**KEITH ROYAL
SHERIFF/CORONER**

August 23, 2000

Rec'd
AUG 28 2000

Judge Carl Bryan, Nevada County Courts
301 Church Street
Nevada City, CA 95959

RE: RESPONSE TO GRAND JURY REPORT

Dear Judge Carl Bryan:

This report is prepared in response to the Grand Jury's 1999/2000 report relative their findings, conclusions and recommendations as they pertain to the Nevada County Sheriff's Office.

The Sheriff's Office would like to acknowledge the investigative efforts of the Grand Jury, as well as recognize their hard work in preparation of this important report.

The Sheriff's Office's responses to the Grand Jury's findings and recommendations are listed as follows:

Wayne Brown Correctional Facility

Findings

1-9 The Sheriff agrees with the findings.

Conclusions

1-5 The Sheriff agrees with these conclusions

Recommendations

1. The recommendation will require further analysis, but some modifications have been implemented to resolve issues raised.

In 1999, the Sheriff's Office requested that the Board of Corrections conduct a staffing study of the Wayne Brown Correctional Facility, and make recommendations based on their observations within the facility. In their staffing analysis that was completed in November 1999, recommendations were made for increased staffing in

these areas. This would include staffing in the "A" and "B" pod sections with a minimum of two correctional officers per shift, and increase the rover positions by one correctional officer.

The Board of Corrections also recommended that we change from the current nine-hour shifts, and provided various shift options with eight-hour shifts through twelve-hour shifts. In reviewing these shift schedules, the twelve-hour shift appeared to be the most advantageous, and requires the fewest additional staff. Since the time of the study, the County has negotiated new contracts with the various labor organizations, and the Sheriff's Office has implemented the twelve-hour work schedule at the Wayne Brown Correctional Facility.

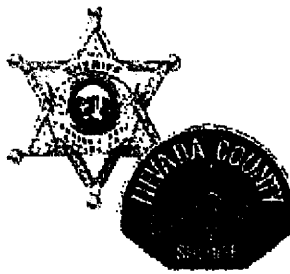
The Sheriff's Office has already taken initial steps to resolve these issues through the 2000/2001 Budget process. We have requested and received the authority to reclassify eleven existing jail employee positions. Four of these positions will be reclassified to correctional officers, and the remaining seven positions will be reclassified to correctional technicians. These changes will enable greater flexibility in the use of existing personnel.

Secondly, the Sheriff's Office has advised the Board of Supervisors of the staffing issues identified by the Board of Corrections, and will, after further review of the Board of Corrections' report, bring back recommendations to the Board of Supervisors relative staffing needs by January 1, 2001.

2. The recommendation has been implemented. Currently, the Sheriff's Office has reduced the number of correctional officer vacancies to five positions. These vacancies do not include the newly reclassified correctional officer positions. In addition, we are working closely with the County Personnel Director regarding recruitment issues, and are actively recruiting and accepting new applications for correctional officer with the most recent examinations being administered on May 18, 2000, and August 1, 2000.
3. The recommendation has been implemented. The new jail administrative team has been in place since September 1999. Since that time, they have striven to improve communications with line staff by instituting an "open door" policy, conducting regular staff meetings with management and supervisory personnel, and have placed a lieutenant on a modified schedule thus giving line staff greater access and contact with management personnel.
4. Unfortunately, the Sheriff has little control regarding wages and contract negotiations. However, the Sheriff has addressed the Board of Supervisors, the CAO, and the Personnel Director regarding the salary problems as a major recruitment and retention problem. In an effort to resolve these issues, the Board of Supervisors has taken steps to implement the Compensation and Classification Study.

5. The recommendation will not be implemented at this time. However, we have examined the issues relative appropriate monitoring of the minimum security exercise yard and believe the recommendation raised by the Grand Jury warrants consideration. After further review, we believe we can resolve their concerns by relocating the current work station to a vantage point which would enable staff to more readily observe the exercise yard, and at the same time, provide greater visibility of the minimum-security section access corridor. This modification is less expensive and will provide greater benefit. The Sheriff's Office will be working closely with General Services to begin this modification which will hopefully be completed by January 1, 2001.

**NEVADA COUNTY
SHERIFF'S OFFICE**



**KEITH ROYAL
SHERIFF/CORONER**

February 26, 2001

Honorable M. Kathleen Butz, Presiding Judge
301 Church Street
Nevada City, CA 95959

RE: RESPONSE TO GRAND JURY REPORT

Dear Honorable M. Kathleen Butz:

This report is prepared as a follow up response to the Grand Jury's 1999/2000 report dated July 28, 2000, relative to their recommendations as they pertain to the Wayne Brown Correctional Facility.

Recommendation # 5

After further review, we made modifications that were less expensive and also addressed the issue raised by the Grand Jury regarding visibility of the exercise yard by officers assigned to the "N" Section control station. To resolve this issue, we have relocated the control station to a vantage point that provides greater visibility of the exercise area to officers in order to maximize the safety of staff and inmates.

Should you have additional questions relative this matter, please feel free to contact me at 265-1384.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Royal".

Keith Royal, Sheriff

*received 2/28/01
MKB*

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