

GRAND JURY INSPECTIONS OF CORRECTIONAL FACILITIES IN NEVADA COUNTY WAYNE BROWN CORRECTIONAL FACILITY

REASON FOR INVESTIGATION

California Penal Code section 919(b) requires the Grand Jury to inquire annually into the condition and management of the public prisons within the county. An essential element of these inquiries is an inspection tour of each facility.

PROCEDURE FOLLOWED

The Grand Jury inspected the Wayne Brown Correctional Facility located at Eric W. Rood Administrative Center, 950 Maidu Avenue, Nevada City, toured the facility, reviewed documents and interviewed representatives from the Nevada County Sheriff's Department.

BACKGROUND

The Wayne Brown Correctional Facility (WBCF) was dedicated December 17, 1991. It was designed to house 237 inmates, with adjacent land available to double this capacity. It is a Type II facility that houses individuals pending arraignment, during trial, and upon sentencing. Inmates are housed according to the following classification criteria: sex, age, criminal sophistication, seriousness of crime charged, physical or mental health needs, assaultive/non-assaultive behavior, and other criteria which will provide for the safety of inmates and staff. Classification of inmates is not based on an inmate's race, color, creed, or national origin.

FINDINGS

1. A Nevada County Sheriff's Captain directs and oversees Wayne Brown Correctional Facility.
2. WBCF provides a variety of programs and opportunities for the inmates, including educational programs. In 2005, inmates received 6 high school diplomas and 23 G.E.D.s.
3. WBCF contracts with the California Forensic Medical Group (CFMG) to provide and coordinate medical services for the inmates.
4. Many inmates have mental health issues due to substance abuse.

5. WBCF contracts for a psychiatrist to be on site 5 hours per week and a psychologist 10 hours per week. When a mental health provider is not on site, services are obtained through the on-call provider and/or county behavioral health.
6. The number of assaultive inmates is increasing due to methamphetamine use.
7. WBCF provides a grievance procedure for the inmates.
8. Installation of additional security cameras has been scheduled since last year's Grand Jury inspection.
9. All inmates go through a classification process to determine where they will be housed.
10. The Maximum Security section is used to house inmates who are violent offenders, on parole holds, are going through the court process, or inmates who have been sentenced to County jail but fail to meet the qualifications for Minimum Security housing.
11. The Minimum Security section has 94 beds in a dorm style setting. Male and female inmates are housed separately but share a co-ed dayroom.
12. On the date of the Grand Jury's inspection, 40 female inmates were housed in a facility designed for sixteen.
13. Lone correctional officers perform inmate counts and room checks without being visually monitored.
14. WBCF operates with a "No Hostage" policy according to Nevada County Sheriff's Office, Corrections Division Directive; "Under no circumstance will weapons be given to any inmate, suspect, or hostage taker. Employees will NOT offer themselves in exchange for any hostage...."
15. Minimum Security inmates work at various job assignments inside and outside the facility and are given the opportunity to acquire basic work skills. Facility job assignments include the kitchen, laundry, library, and maintenance.
16. Minimum Security inmates may be assigned to work outside the facility with other government agencies and non-profit organizations. Inmates provide the community with over 22,000 hours of service each year.
17. Inmates are not always thoroughly searched when they return from outside of WBCF, nor is the holding area or multi-purpose room routinely searched prior to or after their presence.

CONCLUSIONS

1. The Wayne Brown Correctional Facility is not adequate to accommodate inmates who must be segregated according to classification guidelines.
2. Officer safety and facility security can be compromised when lone, unmonitored officers perform inmate counts within the inmate housing area.
3. Inmates who are not thoroughly searched when they return from outside of Wayne Brown Correctional Facility could import contraband and jeopardize the security of the facility.
4. Holding areas and multi-purpose rooms not routinely searched prior to or after inmate presence could jeopardize the security of the facility and the safety of staff and inmates.
5. The inmate grievance procedure appears adequate. There is a well-established protocol for the review process by higher-ranking officers.

RECOMMENDATIONS

1. The Board of Supervisors should consider immediate expansion or alteration of the Wayne Brown Correctional Facility to alleviate the inmate classification issues.
2. The Sheriff should direct all officers entering an inmate housing area to be visually monitored.
3. The Sheriff should direct the officers assigned to Wayne Brown Correctional Facility to thoroughly search all inmates upon return from outside the facility.
4. The Sheriff should direct the officers assigned to Wayne Brown Correctional Facility to thoroughly search all multi-purpose rooms and holding areas before and after inmates are present.

RESPONSES REQUIRED

Nevada County Board of Supervisors – September 11, 2006

Nevada County Sheriff – August 13, 2006



NEVADA COUNTY SUPERIOR COURT

201 CHURCH STREET, SUITE 6

NEVADA CITY, CA 95959

(530) 265-7209

ALBERT P. DOVER
*Presiding Judge of the Civil
Grand Jury*

MICHELLE OLIVER-SPEIGHTS
Deputy Jury Commissioner

July 14, 2006

Sheriff Keith Royal
Nevada County Sheriff's Office
950 Maidu Avenue
Nevada City, CA 95959

Re: Response to the Grand Jury Report

Dear Sheriff Royal:

We are in receipt and thank you for your response to the Civil Grand Jury's report regarding "Inspection of Correctional Facilities in Nevada County – Wayne Brown Correctional Facility."

Very truly yours,

A handwritten signature in black ink, appearing to be "APD", written over a circular stamp or mark.

Albert P. Dover
Presiding Judge of the Civil Grand Jury

APD:mos

Cc: Civil Grand Jury

**NEVADA COUNTY
SHERIFF'S OFFICE**



**KEITH ROYAL
SHERIFF/CORONER
PUBLIC
ADMINISTRATOR**

July 10, 2006

RECEIVED

Honorable Judge Al Dover
Presiding Judge of the Civil Grand Jury
Superior Court of Nevada County
201 Church Street
Nevada City, CA 95959

JUL 14 2006 HRS

Re: 2005-2006 Grand Jury Report: Inspection of Correctional Facilities in Nevada County—Wayne Brown Correctional Facility

Dear Judge Dover:

This correspondence is prepared in response to the 2005-2006 Grand Jury Report, dated June 20, 2006, relative their findings, conclusions and recommendations as they pertain to the Nevada County Sheriff's Office Wayne Brown Correctional Facility (WBCF).

FINDINGS

Wayne Brown Correctional Facility

- 1) *A Nevada County Sheriffs' Captain directs and oversees Wayne Brown Correctional Facility.*

Agree.

- 2) *WBCF provides a variety of programs and opportunities for their inmates, including educational programs. In 2005, inmates received six high school diplomas and 23 G.E.D.'s.*

Agree.

- 3) *WBCF contracts with the California Forensic Medical Group (CFMG) to provide and coordinate medical services for inmates.*

Agree

- 4) *Many inmates have mental health issues due to substance abuse.*

Agree. The purchase of a secure Mental Health bed, Mental Health Court, and continued close relationship with Nevada County Behavioral Health Department, greatly help to mitigate these problems.

- 5) *WBCF contracts for a psychiatrist to be on site five hours per week and a psychologist 10 hours per week. When a mental health provider is not on site, services are obtained through the on-call provider and/or County Behavioral Health.*

Agree. The new contract with CFMG includes a tele-psychiatric component to enhance these services.

- 6) *The number of assaultive inmates is increasing due to methamphetamine use.*

Agree.

- 7) *WBCF provides a grievance procedure for the inmates.*

Agree.

- 8) *Installation of additional security cameras has been scheduled since last year's Grand Jury inspection.*

Agree. This project has been delayed until FY 2006/07 due to unforeseen costs to repair the showers in the Minimum Security Section.

- 9) *All inmates go through a classification process to determine where they will be housed.*

Agree.

- 10) *The Maximum Security Section is used to house inmates who are violent offenders, on parole holds, are going through the court process, or inmates who have been sentenced to County jail but fail to meet the qualifications for Minimum Security housing.*

Agree.

- 11) *The Minimum Security Section has 94 beds in a dorm style setting. Male and female inmates are housed separately but share a co-ed dayroom.*

Agree.

- 12) *On the date of the Grand Jury's inspection, 40 female inmates were housed in a facility designed for sixteen.*

Disagree. The Maximum/Medium Security housing area is designed to hold up to 16 female inmates. At the time of the Grand Jury visit all Maximum/Medium housing was utilized to house male inmates due to classification issues. All Maximum/Medium Security females were housed in the Minimum Security Unit dormitories which house 8 to 16 inmates. Female inmates who qualify for minimum security housing are housed there. We do not, nor have we housed 40 inmates in space designed to house 16.

- 13) *Lone correctional officers perform inmate counts and room checks without being visually monitored.*

Agree. See #8 above.

- 14) *WBCF operates with a "No Hostage" policy according to Nevada County Sheriff's Office, Corrections Division Directive; "Under no circumstance will weapons be given to any inmate, suspect, or hostage taker. Employees will NOT offer themselves in exchange for any hostage..."*

Agree

- 15) *Minimum Security inmates work at various job assignments inside and outside the facility and are given the opportunity to acquire basic work skills. Facility job assignments include the kitchen, laundry, library, and maintenance.*

Agree

- 16) *Minimum Security inmates may be assigned to work outside the facility with other government agencies and non-profit organizations. Inmates provide the community with over 22,000 hours of service each year.*

Agree

- 17) *Inmates are not always thoroughly searched when they return from outside of WBCF, nor is the holding area or multi-purpose room routinely searched prior to or after their presence.*

Partially agree. Inmates returning from outside the facility are searched each time as allowed by law, policy, and their individual classification. Holding areas and multi-purpose rooms are searched as circumstances dictate and time allows.

RECOMMENDATIONS

- 1) *The Board of Supervisors should consider immediate expansion or alteration of the Wayne Brown Correctional Facility to alleviate the inmate classification issues.*

The recommendation requires further analysis. We agree with the recommendation and the issue has been brought to the Board of Supervisor's attention.

- 2) *The Sheriff should direct all officers entering an inmate housing area to be visually monitored.*

This recommendation has not yet been implemented, but will be implemented in the future. This is impractical at this time, until the technology is in place to do so. The security camera upgrade has been delayed until FY 2006/07 due to unforeseen costs to repair the showers in the Minimum Security Section. Central Control can audio monitor the sections and each Correctional Officer has a "Man Down" emergency device with them at all times when on duty. Staff makes every effort to visually monitor inmate activity as time allows.

- 3) *The Sheriff should direct the officers assigned to Wayne Brown Correctional Facility to thoroughly search all inmates upon return from outside the facility.*

This recommendation was already in existence. Existing policy addresses this issue. Inmates returning from outside the facility are searched each time as allowed by law and their individual classification.

- 4) *The Sheriff should direct the officers assigned to Wayne Brown Correctional Facility to thoroughly search all multi-purpose rooms and holding areas before and after inmates are present.*

This recommendation was already in existence. Existing policy addresses this issue. Holding areas and multi-purpose rooms are searched as circumstances dictate and time allows.

Sincerely,



Sheriff Keith Royal

cc: Pat Ward, Board Analyst
Ray Hoffman, Grand Jury Foreman

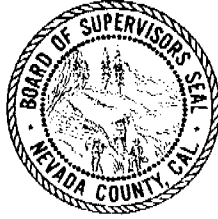
COUNTY OF NEVADA

STATE OF CALIFORNIA

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Cathy R. Thompson
Clerk of the Board

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Web: www.mynevadacounty.com/clerkofboard

August 8, 2006

The Honorable Judge Al Dover
Presiding Judge of the Nevada County Courts
Nevada County Court House
Nevada City CA 95959

Subject: Board of Supervisors Responses to the 2005-2006 Nevada County Civil Grand Jury Report,
*Grand Jury Inspection of Correctional Facilities in Nevada County - Wayne Brown
Correctional Facility*

Dear Judge Dover:

The attached responses by the Board of Supervisors to the 2005-2006 Nevada County Civil Grand Jury Report, dated June 12, 2006, entitled, *Grand Jury Inspection of Correctional Facilities in Nevada County - Wayne Brown Correctional Facility*, 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 August 8, 2006. Responses to Findings and Recommendations are based on either personal knowledge, examination of official County records, information received from the Sheriff's Office, or the Board of Supervisors and County staff members.

The Board of Supervisors would like to thank the members of the 2005-2006 Grand Jury for their participation and effort in preparing their Reports, and their participation in the Grand Jury process.

Sincerely,

Nathan H. Beason
Chair, Board of Supervisors

Attachment

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

**NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO
2005-2006 CIVIL GRAND JURY REPORT
DATED JUNE 12, 2006**

**INSPECTION OF CORRECTIONAL FACILITIES IN NEVADA COUNTY – WAYNE
BROWN CORRECTIONAL FACILITY**

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

DD received 8/17/06

I. GRAND JURY INVESTIGATION:

Inspection of Correctional Facilities in Nevada County – Wayne Brown Correctional Facility

A. RESPONSE TO FINDINGS & RECOMMENDATIONS:

Findings:

1. **A Nevada County Sheriff's Captain directs and oversees Wayne Brown Correctional Facility.**

Agree

2. **WBCF provides a variety of programs and opportunities for the inmates, including educational programs. In 2005, inmates received 6 high school diplomas and 23 G.E.D.s.**

Agree

3. **WBCF contracts with the California Forensic Medical Group (CFMG) to provide and coordinate medical services for the inmates.**

Agree

4. **Many inmates have mental issues due to substance abuse.**

Agree

The combined effects of a secure Mental Health bed, Mental Health Court, and a continued close relationship with the Nevada County Behavioral Health Department, greatly help to mitigate these problems.

5. **WBCF contracts for a psychiatrist to be on site 5 hours per week and a psychologist 10 hours per week. When a mental health provider is not on site, services are obtained through the on-call provider and/or county behavioral health.**

Agree

The new contract with CFMG includes a tele-psychiatric component to enhance these services.

6. **The number of assaultive inmates is increasing due to methamphetamine use.**

Agree

7. **WBCF provides a grievance procedure for the inmates.**

Agree

8. **Installation of additional security cameras has been scheduled since last year's Grand Jury inspection.**

Agree

This project has been delayed until Fiscal Year 2006/07 due to unforeseen costs to repair the showers in the Minimum Security Section.

9. **All inmates go through a classification process to determine where they will be housed.**

Agree

10. **The Maximum Security section is used to house inmates who are violent offenders, on parole holds, are going through the court process, or inmates who have been sentenced to County jail but fail to meet the qualifications for Minimum Security housing.**

Agree

11. **The Minimum Security section has 94 beds in a dorm style setting. Male and female inmates are housed separately but share a co-ed dayroom.**

Agree

12. **On the date of the Grand Jury's inspection, 40 female inmates were housed in a facility designed for sixteen.**

Disagree

The Maximum/Medium Security housing area is designed to hold up to 16 female inmates. At the time of the Grand Jury visit, all Maximum/Medium housing was utilized to house male inmates due to classification issues. All Maximum/Medium security females were housed in the Minimum Security Unit dormitories, which house 8 to 16 inmates. Female inmates who qualify for minimum security housing are housed there. On the date in question, there were 43 females in custody. 13 females were housed in a dorm that can accommodate 16. 30 females were housed in three separate dorms that house a total of 32. Due to classification issues, the group of 13 females had to be separated from the group of 30 females. We do not, nor have we housed 40 inmates in space designed to house 16.

- 13. Lone correctional officers perform inmate counts and room checks without being visually monitored.**

Agree

See response to Finding No. 8.

- 14. WBCF operates with a "No Hostage" policy according to Nevada County Sheriff's Office, Corrections Division Directive; "Under no circumstances will weapons be given to any inmate, suspect, or hostage taker. Employees will NOT offer themselves in exchange for any hostage..."**

Agree

- 15. Minimum Security inmates work at various job assignments inside and outside the facility and are given the opportunity to acquire basic work skills. Facility job assignments include the kitchen, laundry, library, and maintenance.**

Agree

- 16. Minimum Security inmates may be assigned to work outside the facility with other government agencies and non-profit organizations. Inmates provide the community with over 22,000 hours of service each year.**

Agree

- 17. Inmates are not always thoroughly searched when they return from outside of WBCF, nor is the holding area or multi-purpose room routinely searched prior to or after their presence.**

Partially agree.

Inmates returning from outside the facility are searched each time as allowed by law, policy, and their individual classification. Holding areas and multi-purpose rooms are searched as circumstances dictate and time allows.

- 2. The Sheriff should direct all officers entering an inmate housing area to be visually monitored.**

This recommendation has not yet been implemented, but will be implemented by September 2006.

Additional security cameras were budgeted to be installed in the 2005-06 fiscal year but due to some staff turnover in the jail, the project was delayed. This project is back on track and camera installation is set for September 2006. Currently, the Central Control center can audio-monitor the sections and each correctional officer has a "Man Down" emergency device with them at all times on duty. In the meantime, staff is making every effort to visually monitor inmate activity.

- 3. The Sheriff should direct the officers assigned to Wayne Brown Correctional Facility to thoroughly search all inmates upon return from outside the facility.**

This recommendation has been implemented.

Under existing policy, inmates returning from outside the facility are searched each time as allowed by law and their individual classification.

- 4. The Sheriff should direct the officers assigned to Wayne Brown Correctional Facility to thoroughly search all multi-purpose rooms and holding areas before and after inmates are present.**

This recommendation has been implemented.

Under existing policy, holding areas and multi-purpose rooms are searched as circumstances dictate and time allows.

REQUIRED RESPONSES

Board of Supervisors – by September 11, 2006

Nevada County Sheriff's Department – August 13, 2006