

NEVADA COUNTY COURTHOUSE

REASON FOR INVESTIGATION

California Penal Code Section 919(b) requires the Civil Grand Jury to annually inspect the condition and management of the public prisons within the county.

PROCEDURE FOLLOWED

The Grand Jury inspected the Holding Facility at the Nevada County Courthouse on November 13, 2001, and again on February 1, 2002. The Jury interviewed the staff responsible for operation of the facility, including the Transportation Team.

FINDINGS

1. The Holding Facility at the Courthouse is for inmates who are to appear in court. The inmates are transported to and from the Wayne Brown Correctional Facility (WBCF), the Truckee sub-station and the Juvenile Assessment Center.
2. The Holding Facility can accommodate up to 30 inmates at one time.
3. During the November inspection the intercom system in the Holding Facility was not functional and had not been for many years. At the second inspection in February the system was working.
4. In November fire alarms in the Holding Facility were not working. In February, this problem was being addressed.
5. There are no fire alarms or smoke detectors in the court section of the building.
6. Nevada County uses private security guards at the public entrance of the courthouses in Nevada City and Truckee.
7. The Courthouse's first floor surveillance cameras are not positioned to allow monitoring of all exit doors.
8. There are no surveillance cameras in the upstairs courtrooms and halls.
9. There is no system to monitor and control the issuance or return of "keycards."
10. Nevada County is one of very few counties in California that does not have a courtroom inside the correctional facilities.

11. In 2001 a total of 10,092 inmates were transported. Of that number, 7,948 were transported to and from WBCF and the Courthouse. The remainder includes out of the area transports.
12. The Transportation Team has not had a female transport officer in over one year.
13. The Transportation Team also transports inmates to and from other counties, states, state prisons, and for medical needs.
14. The Transportation Team has a Ford van (8-passenger) with over 147,244 miles, Ford sedan (2-passenger) with over 154,008 miles, a Dodge van (12-passenger) with over 98,837 miles, a Chevy Suburban for use in Truckee with over 132,948 miles, and two mini-vans (maximum of 5 passengers each) with lower mileage.
15. By comparison, the Sheriff's patrol vehicles are traded in at approximately 80,000 miles, and the Probation Department has two new vehicles that stay within the county.

CONCLUSIONS

1. The lack of safety concerns for the public and employees at the Courthouse puts Nevada County at risk of a tragic incident.
2. The Courthouse is in need of a complete surveillance system.
3. The Courthouse must be brought to an acceptable level of fire safety.
4. The two mini-vans are inadequate due to security concerns (sliding door malfunctions) and a limited inmate capacity requiring multiple trips.
5. The excessive mileage on the vehicles used by the Transportation Team presents a severe security concern due to the high probability of breakdowns. This situation puts the safety and security of officers and inmates in jeopardy.
6. Nevada County needs a courtroom at the Wayne Brown Correctional Facility to reduce the excessive number of trips and improve safety and security to and from the Nevada County Courthouse. The addition of a courtroom would lower the cost of transporting inmates, resulting in a significant savings to the county.

RECOMMENDATIONS

1. Nevada County should provide a courtroom at the WBCF.
2. The Sheriff and the Board of Supervisors need to work together to provide the Transportation Team with reliable transport vehicles.
3. The lack of an adequate fire safety system must immediately be addressed.

4. Surveillance cameras should be added to the second floor of the Courthouse.
5. Surveillance cameras must be added to allow officers to view all security doors.
6. A system must be developed to control issuance and return of "keycards."

REQUIRED RESPONSES

Sheriff due by August 19, 2002

Board of Supervisors due by September 18, 2002

**NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO
2001-2002 CIVIL GRAND JURY INTERIM REPORT NO. 13
DATED JUNE 18, 2002
RE: NEVADA COUNTY COURTHOUSE HOLDING FACILITY**

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

I. GRAND JURY INVESTIGATION:

Nevada County Courthouse Holding Facility.

A. RESPONSE TO FINDINGS & RECOMMENDATIONS:

Findings:

- 1. The Holding Facility at the Courthouse is for inmates who are to appear in court. The inmates are transported to and from the Wayne Brown Correctional Facility (WBCF), the Truckee sub-station and the Juvenile Assessment Center.**

Partially disagree

Juveniles are not housed in the holding facility and have no contact with adult inmates.

- 2. The Holding Facility can accommodate up to 30 inmates at one time.**

Agree

- 3. During the November inspection the intercom system in the Holding Facility was not functional and had not been for many years. At the second inspection in February the system was working.**

Agree

- 4. In November fire alarms in the Holding Facility were not working. In February, this problem was being addressed.**

Agree

All fire alarms are now completely functional.

5. There are no fire alarms or smoke detectors in the court section of the building.

Agree

Smoke detectors will be installed in the court section of the building by September 30, 2002.

The General Services department in consultation with the Risk Manager and the Courts will evaluate and install fire alarms in the courts section of the building as needed by November 30, 2002.

6. Nevada County uses private security guards at the public entrance of the courthouses in Nevada City and Truckee.

Agree

7. The Courthouse's first floor surveillance cameras are not positioned to allow monitoring of all exit doors.

Partially disagree

There are no surveillance cameras on the first floor of the courthouse. Cameras are installed in the court holding facility on the first floor.

8. There are no surveillance cameras in the upstairs courtrooms and halls.

Agree

9. There is no system to monitor and control the issuance or return of "keycards".

Agree

Since the Grand Jury report was published, a keycard control system has been jointly developed and established by courthouse staff and the Sheriff's Department.

10. Nevada County is one of very few counties in California that does not have a courthouse inside the correctional facilities.

Agree

A video arraignment and court hearing system has been installed at the Wayne Brown Correctional Facility (WBCF) and is presently in use.

11. **In 2001 a total of 10,092 inmates were transported. Of that number, 7,948 were transported to and from WBCF and the Courthouse. The remainder includes out of the area transports.**

Agree

12. **The Transportation Team has not had a female transport officer in over one year.**

Partially disagree

A part-time female transportation officer now works in the unit 2 days per week.

13. **The Transportation Team also transports inmates to and from other counties, states, state prisons, and for medical needs.**

Agree

14. **The Transportation Team has a Ford van (8-passenger) with over 147,244 miles, Ford sedan (2-passenger) with over 154,008 miles, a Dodge van (12-passenger) with over 98,837 miles, a Chevy Suburban for use in Truckee with over 132,948 miles, and two mini-vans (maximum of 5 passengers each) with lower mileage.**

Agree

Since the Grand Jury report was published, all of the vehicles have been replaced according to the normal vehicle replacement schedule.

15. **By comparison, the Sheriff's patrol vehicles are traded in at approximately 80,000 miles, and the Probation Department has two new vehicles that stay within the county.**

Agree

Recommendations:

1. Nevada County should provide a courtroom at the WBCF.

The recommendation will not be implemented at this time.

Construction of an additional courthouse at the WBCF would not be a cost effective allocation of resources at this time based on actual and anticipated need and the cost of constructing an addition to the facility.

If the WBCF is expanded in the future to meet a larger inmate population, consideration will then be given to including a courthouse in the facility design.

Video arraignment facilities are currently available and in use at the WBCF and are regularly used to reduce the need for inmate court appearances.

2. The Sheriff and the Board of Supervisors need to work together to provide the Transportation Team with reliable transport vehicles.

The recommendation has been implemented.

Aging transport vehicles have been replaced. The county Vehicle Fleet Management division monitors agency and department vehicle use and provides replacement vehicles on a regular basis according to use or exceptional need.

3. The lack of an adequate fire safety system must immediately be addressed.

The recommendation will be implemented by November 30, 2003.

Smoke detectors will be installed in the court section of the building by September 30, 2002.

The General Services department in consultation with the Risk Manager and the Courts will evaluate and install fire alarms in the courts section of the building as needed by November 30, 2002.

Fire alarms in the court holding facility were replaced in February 2002.

4. Surveillance cameras should be added to the second floor of the Courthouse.

The recommendation will not be implemented at this time.

Cameras will not be installed on the second floor of the courthouse at this time due to the small increase in security that would be gained compared to the cost of providing the equipment and additional staffing that would be needed to monitor the equipment.

If the installation of cameras on the second floor of the courthouse is shown to be cost effective in the future, they will be considered upon recommendation of the courts and the Sheriff.

5. Surveillance cameras must be added to allow officers to view all security doors.

The recommendation will not be implemented at this time.

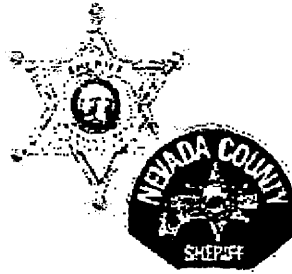
Same response as Recommendation No. 4. Installation of security cameras at all security doors is not cost effective at this time.

6. A system must be developed to control issuance and return of "keycards."

The recommendation has been implemented.

See response to Finding No. 9. A keycard control system has been developed and implemented.

NEVADA COUNTY SHERIFF'S OFFICE



**KEITH ROYAL
SHERIFF/CORONER**

July 5, 2002

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 in response to the Grand Jury's June 2002 Report relative their findings, conclusions and recommendations as they pertain to the Nevada County Courthouse Holding Facility, Nevada County Sheriff's Substation, and the Truckee and the Wayne Brown Correctional 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 important report.

Nevada County Courthouse

Findings

1. "The Holding Facility at the Courthouse is for inmates who are to appear in court. The inmates are transported to and from the Wayne Brown Correctional Facility (WBCF), the Truckee sub-station and the Juvenile Assessment Center."

Response: The respondent disagrees partially with the finding. Juveniles are not housed in the holding facility. They may occasionally walk through the hallways from the sallyport in the basement on their way to a courtroom upstairs. They have no contact in any way with adult inmates.

2. "The Holding Facility can accommodate up to 30 inmates at one time."

Response: The respondent agrees with the finding.

3. "During the November inspection the intercom system in the Holding Facility was not functional and had not been for many years. At the second inspection in February the system was working."

Response: The respondent agrees with the finding.

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4. "In November fire alarms in the Holding Facility were not working. In February, this problem was being addressed."

Response: The respondent agrees with the finding. As of this writing, fire alarm systems are completely functional.

5. "There are no fire alarms or smoke detectors in the court section of the building."

Response: The court area of the building is not the Sheriff's responsibility. This statement may or may not be true as of this writing.

6. "Nevada County uses private security guards at the public entrance of the courthouse in Nevada City and Truckee."

Response: The respondent agrees with the finding.

7. "The Courthouse's first floor surveillance cameras are not positioned to allow monitoring of all exit doors."

Response: The respondent disagrees partially with the finding. There are no surveillance cameras on the courthouse first floor. There are, however, cameras located on the first floor in court holding which are functioning as desired.

8. "There are no surveillance cameras in the upstairs courtrooms and halls."

Response: The respondent agrees with the finding.

9. "There is no system to monitor and control the issuance or return of 'keycards'."

Response: Respondent disagrees with the finding. Such a system has been established. The Sheriff's Sergeants assigned to Court Security/Transportation monitor the issuance, control and return of such cards. The system is controlled by a policy jointly developed by the courthouse staff and Sheriff's Office personnel.

10. "Nevada County is one of the very few counties in California that does not have a courtroom inside the correctional facilities."

Response: The respondent agrees with the finding. However, the Sheriff's Office does utilize space within the WBCF to handle video arraignments of inmates housed at the WBCF, thus reducing the number of inmates being transported to the court.

11. "In 2001 a total of 10,092 inmates were transported. Of that number 7,948 were transported to and from WBCF and the Courthouse. The remainder includes out of the area transports."

Response: The respondent agrees with the finding.

12. "The Transportation Team has not had a female transport officer in over one year."

Response: The respondent agrees with the finding. There is a part time female transportation officer who works in the unit two days a week.

13. "The Transportation Team also transports inmates to and from other counties, states, state prisons, and for medical needs."

Response: The respondent agrees with the finding.

14. "The Transportation Team has a Ford van (8-passenger) with over 147,244 miles, Ford sedan (2-passenger) with over 154,008 miles, a Dodge van (12-passenger) with over 98,837 miles, a Chevy Suburban for use in Truckee with over 132,948 miles, and two mini-vans (maximum of 5 passengers each) with lower mileage.

Response: The respondent agrees with the finding. However, since the time of the Grand Jury inspection, all of the vehicles have been replaced as per routine. The staff member who provided the information to the Grand Jury was aware at the time that the vehicles were in the process of being replaced, and had in fact been ordered.

15. "By comparison, the Sheriff's patrol vehicles are traded in at approximately 80,000 miles, and the Probation Department has two new vehicles that stay within the county."

Response: No opinion. We have no data that either confirms or refutes the above statement.

Recommendations

1. "Nevada County should provide a courtroom at the WBCF."

Response: The recommendation will not be implemented because it is not reasonable at this time due to budget constraints. However, at such time the WBCF is expanded to manage a larger inmate population, the new portion of the facility should have a security courtroom incorporated into the facility design.

2. "The Sheriff and the Board of Supervisors need to work together to provide the Transportation Team with reliable transport vehicles."

Response: The recommendation has been implemented.

3. "The lack of an adequate fire safety system must immediately be addressed."

Response: The recommendation has been implemented.

4. "Surveillance cameras should be added to the second floor of the Courthouse."

Response: The recommendation will not be implemented because it is not reasonable at this time. This recommendation is a budget issue requiring the purchase of equipment and manpower to monitor the equipment, and thus would require Board budget approval.

5. "Surveillance cameras must be added to allow officers to view all security doors."

Response: The recommendation will not be implemented because it is not reasonable at this time. This recommendation is a budget issue requiring the purchase of equipment and manpower to monitor the equipment, and thus would require Board budget approval.

6. "A system must be developed to control issuance and return of 'keycards'."

Response: The recommendation has been implemented.