

CORRECTIONAL AND OTHER FACILITIES UNDER JURISDICTION OF NEVADA COUNTY SHERIFF

REASON FOR INVESTIGATION

California Penal Code §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 Wayne Brown Correctional Facility, Nevada County Courthouse Holding Facility, and Sheriff’s 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 obtained from these facilities, including the April 2007 Nevada County Jail Needs Assessment prepared by Steven Reader Enterprises, *et al* (Needs Assessment.)

Wayne Brown Correctional Facility (WBCF)

FINDINGS

1. WBCF was opened in 1992 and currently has a total capacity of 250 beds.
2. At the time of inspection, August 31, 2006, the average daily population was 185. There were 26 female inmates but only 16 beds available in the female section.
3. Space limitations, current inmate classification requirements, and the dramatic increase in female population necessitates some females being housed in the minimum-security dormitory-style wing, and sharing a recreation room area with male inmates.
4. All inmates are assigned to housing units and activities using California Code of Regulations (CCR) Title 15 Classification Plan. Classification is based on gender, age, criminal sophistication, seriousness of crime charged, physical or mental health needs, assaultive/non-assaultive behavior and other criteria, which provides for safety of inmates and staff.
5. Inmates are assigned housing based on available number of distinct housing units or cells in the facility.

6. WBCF was built with expansion in mind. Land, facilities, plumbing and power hookups are in place to expand capacity to 450 inmates.
7. The Needs Assessment, which is currently under review by Nevada County officials, found that, “The primary need for inmate housing at Wayne Brown Correctional Facility is a complete and comprehensive female housing unit. The current housing situation for females is very inadequate.”
8. The Needs Assessment offered three options to address the primary need noted in Finding 7: Option One - “new female housing unit with new centralized visitor center”; Option Two - “new male housing unit with new centralized visitor center”; and Option Three - “remodel only, add housing units inside the existing jail.”
9. In 2006 4,216 inmates, 3,458 male and 758 female, were transported between WBCF and the courthouse. Another 405 inmates were transported to the courts in Truckee.
10. There is a closed circuit video system installed linking WBCF to the courts in Truckee and Nevada City but it is not utilized.

CONCLUSIONS

1. The available housing units prevent complete segregation of male and female inmates.
2. Current proximity of male and female inmates in the minimum-security area creates a serious risk of liability to the county.
3. Option One under the Needs Assessment “new female housing unit with new centralized visitor center” would give WBCF a total of 259 male beds and 84 female beds which would meet the primary need noted in Finding 7.

RECOMMENDATION

The evaluation and review of the Needs Assessment by Nevada County officials should be expedited, with Option One being given the most serious consideration.

Courthouse Holding Facility

FINDINGS

1. The Nevada County Courthouse contained the county jail until WBCF was built in 1992. The original jail had a capacity of 63 inmates.

2. Inmates are brought to this facility daily for court appearances.
3. Inmates are confined to cells on the second floor, then escorted through a public hallway to the courtrooms.
4. The hallway is not always cleared of people when inmates are moved to the courtrooms, exposing the public, inmates, and deputies to risk. This finding was also reported in the 1998-1999 and 2001-2002 Grand Jury Reports.
5. There are few security cameras in the public areas where deputies escort inmates to the courtrooms and do not cover the entire area. There is wiring for cameras in many locations, but the cameras have been removed. This finding was also reported in the 1998-1999 and 2001-2002 Grand Jury Reports
6. All doors are alarmed but not all can be viewed by a security camera. This finding was also reported in 1998-1999 and 2001-2002 Grand Jury Reports.
7. To avoid transporting prisoners a closed circuit video system is in place, linking the Nevada City and Truckee courts to WBCF.
8. The closed circuit video system is not utilized.
9. In 2006, 4,216 inmates were transported from WBCF to the courthouse holding cells.
10. A finding in the 2001-2002 Grand Jury Report stated, "Nevada County is one of the few counties in California that does not have a courtroom inside their correctional facility." Both the Sheriff and the Board of Supervisors (BOS) agreed to the finding but stated "...a closed circuit video system for arraignment has been installed at WBCF."

CONCLUSIONS

1. The Grand Jury has repeatedly called attention to the lack of security within the Nevada County Courthouse, and the BOS and the Sheriff have repeatedly promised to address these problems without result. This inaction does not well serve the public or the inmates.
2. It is irresponsible for the County to move inmates through crowded public hallways. Continuing this practice places inmates, the public, and law enforcement personnel in harm's way and exposes the taxpayers of Nevada County to potential liability.
3. Furthermore, labor, vehicle maintenance, and fuel expenses could be significantly reduced if the courts made better use of video arraignment equipment available to them.

RECOMMENDATIONS

1. Again, the Grand Jury recommends additional security cameras be installed, particularly in public areas.
2. For safety and efficiency, the Grand Jury renews its recommendation that arraignments be conducted utilizing available video equipment.
3. The County should consider locating a courtroom inside WBCF.

Sheriff's Substation at Truckee

FINDING

There were no substantive findings. The Grand Jury acknowledges a "sallyport gate" has been installed. This corrects a deficiency identified in previous Grand Jury reports

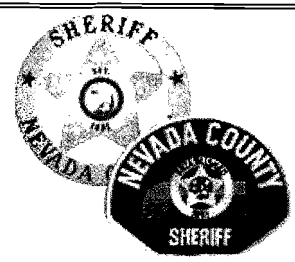
RESPONSE REQUIRED

Nevada County Sheriff August 27, 2007

Nevada County September 25, 2007

Rec'd 8/20/07 AM

**NEVADA COUNTY
SHERIFF'S OFFICE**



**KEITH ROYAL
SHERIFF/CORONER
PUBLIC
ADMINISTRATOR**

August 13, 2007

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

Re: 2006-2007 Grand Jury Report: Inspection of Correctional Facilities in Nevada
County-Truckee Sheriff's Holding Facility

Dear Judge Tamietti:

This correspondence is prepared in response to the 2006-2007 Grand Jury Report, dated
May 30, 2006, relative their findings, conclusions and recommendations as they pertain to
the Nevada County Sheriff's Office Correctional Facilities.

WAYNE BROWN CORRECTIONAL FACILITY (WBCF)

FINDINGS

- 1) *"WBCF was opened in 1992 and currently has a total capacity of 250 beds."*

Agree.
- 2) *"At the time of inspection, August 31, 2006, the average daily population was 185.
there were 26 female inmates but only 16 beds available in the female section."*

Agree.
- 3) *"Space limitations, current inmate classification requirements, and the dramatic
increase in female population necessitates some females being housed in the
minimum-security dormitory-style wing, and sharing a recreation room area with
male inmates."*

Agree. Currently, minimum security female inmates are housed in the Minimum
Security Housing Unit. Medium and maximum security female inmates are housed
in a Medium/Maximum security housing unit.

- 4) *"All inmates are assigned to housing units and activities using California Code of Regulations (CCR) Title 15 Classification Plan. Classification is based on gender, age, criminal sophistication, seriousness of crime charged, physical or mental health needs, assaultive/non-assaultive behavior and other criteria, which provides for safety of inmates and staff."*

Agree.

- 5) *"Inmates are assigned housing based on available number of distinct housing units or cells in the facility."*

Agree.

- 6) *"WBCF was built with expansion in mind. Land, facilities, plumbing and power hookups are in place to expand capacity to 450 inmates."*

Agree.

- 7) *"The Needs Assessment, which is currently under review by Nevada County officials, found that, "The primary need for inmate housing at Wayne Brown Correctional Facility is a complete and comprehensive female housing unit. The current housing situation for females is very inadequate."*

Agree.

- 8) *"The Needs Assessment offered three options to address the primary need noted in Finding 7: Option One – "new female housing unit with new centralized visitor center"; Option Two – "new male housing unit with new centralized visitor center"; and Option Three – "remodel only, add housing units inside the existing jail."*

Agree.

- 9) *"In 2006, 4,216 inmates, 3,458 male and 758 female, were transported between WBCF and the courthouse. Another 405 inmates were transported to the courts in Truckee."*

Agree.

- 10) *"There is a closed circuit video system installed linking WBCF to the courts in Truckee and Nevada City but it is not utilized."*

Partially agree. The video system is used several times a week between the Truckee Court and the WBCF. The Nevada City Courts do not use the system.

RECOMMENDATIONS

- 1) *"The evaluation and review of the Needs Assessment by Nevada County officials should be expedited, with Option One being given the most serious consideration."*

The recommendation has not yet been implemented. The Board of Supervisors is planning to review the Jail Needs Assessment and will then consider approval of a request for proposals to perform an Economic Feasibility Study as the next step in the process of expanding the Wayne Brown Correctional Facility.

COURT HOLDING FACILITY

FINDINGS

- 1) *"The Nevada County Courthouse contained the county jail until WBCF was built in 1992. The original jail had a capacity of 63 inmates."*

Agree.

- 2) *"Inmates are brought to this facility daily for court appearances."*

Agree.

- 3) *"Inmates are confined to cells on the second floor, then escorted through a public hallway to the courtrooms."*

Partially agree. Inmates are held in cells on the first floor.

- 4) *"The hallway is not always cleared of people when inmates are moved to the courtrooms, exposing the public, inmates, and deputies to risk. This finding was also reported in the 1998-1999 and 2001-2002 Grand Jury Reports."*

Partially agree. The hallways are cleared as best we can. Safety and security of the public, staff, and inmates are our highest priority. We could find no mention of the hallways not being cleared in the Grand Jury Court Holding Facility Reports for 1998-1999, or 2001-2002. There was mention of there being no surveillance cameras in the hallway areas in those reports.

- 5) *"There are few security cameras in the public areas where deputies escort inmates to the courtrooms and do not cover the entire area. There is wiring for cameras in many locations, but the cameras have been removed. This finding was also reported in the 1998-1999 and 2001-2002 Grand Jury Reports."*

Disagree. There are no cameras in the public areas of the Courthouse. The wiring spoken of is in the secure area of the old jail. The cameras were removed when the jail was vacated.

- 6) *"All doors are alarmed but not all can be viewed by a security camera. This finding was also reported in 1998-1999 and 2001-2002 Grand Jury Reports."*

Partially Agree. The doors are alarmed. No exterior doors have security cameras viewing them.

- 7) *"To avoid transporting prisoners a closed circuit video system is in place, linking the Nevada City and Truckee courts to WBCF."*

Partially agree. The system is used between the Truckee court and WBCF but not between the Nevada City courts and WBCF.

- 8) *"The closed circuit video system is not utilized."*

Agree.

- 9) *"In 2006, 4,216 inmates were transported from WBCF to the courthouse holding cells."*

Agree.

- 10) *"A finding in the 2001-2002 Grand Jury Report stated, "Nevada County is one of the few counties in California that does not have a courtroom inside their correctional facility." Both the Sheriff and the Board of Supervisors (BOS) agreed to the finding but stated "...a closed circuit video system for arraignment has been installed at WBCF."*

Agree.

CONCLUSIONS

1. *"The Grand Jury has repeatedly called attention to the lack of security within the Nevada County Courthouse, and the BOS and the Sheriff have repeatedly promised to address these problems without result. This inaction does not well serve the public or the inmates."*

Disagree. Over the past 8-10 years, Courthouse security has been increased by:

- a. Addition of security screening and key pad entry to the underground parking.
- b. Addition of security cameras to the sallyport area where inmates are brought into the facility.
- c. Addition of security cards and keypad entry mechanisms to all but the main entrance.
- d. Staffed security screening at the main entrance including metal detection and x-ray equipment.
- e. Courts contracting with the Sheriff for provision of a Sheriff's Sergeant and Deputy Sheriff to provide roving security inside the Courthouse.

RECOMMENDATIONS

- 1) "Again, the Grand Jury recommends additional security cameras be installed, particularly in public areas."

This recommendation will not be implemented at this time. The Court Holding Officers' duties are to assist with and facilitate the housing, security, and movements of inmates in the facility. Currently we do not have available staff to monitor additional cameras. Installing un-monitored cameras may create a false sense of security and increase County liability.

- 2) "For safety and efficiency, the Grand Jury renews its recommendation that arraignments be conducted utilizing available video equipment."

Recommendation cannot be implemented by the Sheriff or the Board. Use of video arraignments is at the discretion of other agencies within our criminal justice system. The Sheriff will endeavor to work with the Nevada County Superior Court, DA, and PD, toward overcoming any obstacles that may make the use of this equipment undesirable.

- 3) "The County should consider locating a courtroom inside WBCF."

This recommendation will not be implemented at this time. At such time as funding is available to expand the size of our jail facility, we may again revisit the potential for having a courtroom inside the WBCF.

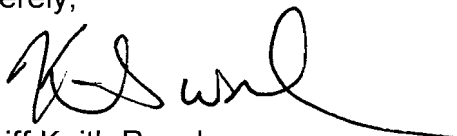
TRUCKEE STATION

FINDINGS

- 1) "*There were no substantive findings. The Grand Jury acknowledges a "sallyport gate" has been installed. This corrects a deficiency identified in previous Grand Jury reports.*"

Agree.

Sincerely,



Sheriff Keith Royal

cc: Board Analyst
Grand Jury Foreman

**NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO
2006-2007 CIVIL GRAND JURY REPORT
DATED JUNE 27, 2007**

**CORRECTIONAL AND OTHER FACILITIES
UNDER JURISDICTION OF NEVADA COUNTY SHERIFF**

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

I. WAYNE BROWN CORRECTIONAL FACILITY (WBCF)

A. RESPONSES TO FINDINGS

- 1) **WBCF was opened in 1992 and currently has a total capacity of 250 beds.**

Agree.

- 2) **At the time of inspection, August 31, 2006, the average daily population was 185. There were 26 female inmates but only 16 beds available in the female section.**

Agree.

- 3) **Space limitations, current inmate classification requirements, and the dramatic increase in female population necessitates some females being housed in the minimum-security dormitory-style wing, and sharing a recreation room area with male inmates.**

Agree.

Currently, minimum-security female inmates are housed in the Minimum Security Housing Unit. Medium and maximum-security female inmates are housed in a Medium/Maximum security housing unit.

- 4) **All inmates are assigned to housing units and activities using California Code of Regulations (CCR) Title 15 Classification Plan. Classification is based on gender, age, criminal sophistication, seriousness of crime charged, physical or mental health needs, assaultive/non-assaultive behavior and other criteria, which provides for safety of inmates and staff.**

Agree.

- 5) **Inmates are assigned housing based on available number of distinct housing units or cells in the facility.**

Agree.

- 6) **WBCF was built with expansion in mind. Land, facilities, plumbing and power hookups are in place to expand capacity to 450 inmates.**

Agree.

- 7) **The Needs Assessment, which is currently under review by Nevada County officials, found that, "The primary need for inmate housing at Wayne Brown Correctional Facility is a complete and comprehensive female housing unit. The current housing situation for females is very inadequate."**

Agree.

- 8) **The Needs Assessment offered three options to address the primary need noted in Finding 7: Option One – "new female housing unit with new centralized visitor center"; Option Two – "new male housing unit with new centralized visitor center"; and Option Three – "remodel only, add housing units inside the existing jail."**

Agree.

- 9) **In 2006, 4,216 inmates, 3,458 male and 758 female, were transported between WBCF and the courthouse. Another 405 inmates were transported to the courts in Truckee.**

Agree.

- 10) **There is a closed circuit video system installed linking WBCF to the courts in Truckee and Nevada City but it is not utilized.**

Partially agree.

The video system is used several times a week between the Truckee Court and the WBCF. The Nevada City Courts do not use the system.

B. RESPONSE TO RECOMMENDATION

The evaluation and review of the Needs Assessment by Nevada County officials should be expedited, with Option One being given the most serious consideration.

The recommendation will be implemented by the end of October 2007.

The Board of Supervisors will review and evaluate the Jail Needs Assessment in October 2007. At that time it will give full consideration of all options, including whether to make a request for proposals for an Economic and Architectural Feasibility study for the jail as the next step in the process of addressing jail classification issues.

II. COURTHOUSE HOLDING FACILITY

A. RESPONSES TO FINDINGS

- 1) **The Nevada County Courthouse contained the county jail until WBCF was built in 1992. The original jail had a capacity of 63 inmates.**

Agree.

- 2) **Inmates are brought to this facility daily for court appearances.**

Agree.

- 3) **Inmates are confined to cells on the second floor, then escorted through a public hallway to the courtrooms.**

Partially agree.

Inmates are held in cells on the first floor.

- 4) **The hallway is not always cleared of people when inmates are moved to the courtrooms, exposing the public, inmates, and deputies to risk. This finding was also reported in the 1998-1999 and 2001-2002 Grand Jury Reports.**

Partially agree.

The hallways are cleared as best we can. Safety and security of the public, staff, and inmates are our highest priority. We could find no mention of the hallways not being cleared in the Grand Jury Court Holding Facility Reports for 1998-1999, or 2001-2002. There was mention of there being no surveillance cameras in the hallway areas in those reports.

- 5) **There are few security cameras in the public areas where deputies escort inmates to the courtrooms and do not cover the entire area. There is wiring for cameras in many locations, but the cameras have been removed. This finding was also reported in the 1998-1999 and 2001-2002 Grand Jury Reports.**

Disagree.

There are no cameras in the public areas of the Courthouse. The wiring spoken of is in the secure area of the old jail. The cameras were removed when the jail was vacated.

- 6) **All doors are alarmed but not all can be viewed by a security camera. This finding was also reported in 1998-1999 and 2001-2002 Grand Jury Reports.**

Partially agree.

The doors are alarmed. No exterior doors have security cameras viewing them.

- 7) **To avoid transporting prisoners a closed circuit video system is in place, linking the Nevada City and Truckee courts to WBCF.**

Partially agree.

The system is used between the Truckee court and WBCF but not between the Nevada City courts and WBCF.

8) The closed circuit video system is not utilized.

Agree.

9) In 2006, 4,216 inmates were transported from WBCF to the courthouse holding cells.

Agree.

10) A finding in the 2001-2002 Grand Jury Report stated, "Nevada County is one of the few counties in California that does not have a courtroom inside their correctional facility." Both the Sheriff and the Board of Supervisors (BOS) agreed to the finding but stated, "...a closed circuit video system for arraignment has been installed at WBCF."

Partially disagree.

A survey of California counties on this topic generated twenty-one responses. Of those responding, only two counties, Merced and Sacramento, have courtrooms in their adult correctional facilities. In the counties surveyed, it was more often the case for counties to have a courtroom in their juvenile hall facility. Many of the counties surveyed use video arraignment to reduce the number of transports to the courthouse. The counties who responded were Alameda, Butte, Contra Costa, Humboldt, Kern, Merced, Monterey, Napa, Sacramento, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Santa Cruz, Shasta, Sonoma, Sutter, Tehama, Yolo, and Yuba.

B. RESPONSES TO RECOMMENDATIONS

1) Again, the Grand Jury recommends additional security cameras be installed, particularly in public areas.

The recommendation will not be implemented at this time.

The Court Holding Officers' duties are to assist with and facilitate the housing, security, and movements of inmates in the facility. Currently we do not have available staff to monitor additional cameras. Installing un-monitored cameras may create a false sense of security and increase County liability.

However, over the past 8-10 years, Courthouse security has been increased by:

- a. The addition of security screening and keypad entry to the underground parking.
- b. The addition of security cameras to the sally port area where inmates are brought into the facility.
- c. The addition of security cards and keypad entry mechanisms to all but the main entrance.
- d. Staffed security screening at the main entrance including metal detection and x-ray equipment.
- e. Courts contracting with the Sheriff for provision of a Sheriff's Sergeant and Deputy Sheriff to provide roving security inside the Courthouse.

- 2) **For safety and efficiency, the Grand Jury renews its recommendation that arraignments be conducted utilizing available video equipment.**

The recommendation requires further analysis to be completed within 6 months.

The recommendation cannot be implemented by the Sheriff or the Board. Use of video arraignments is at the discretion of other agencies within our criminal justice system. The Sheriff will endeavor to work with the Nevada County Superior Court, District Attorney, and Public Defender, toward overcoming any obstacles that may make the use of this equipment undesirable.

- 3) **The County should consider locating a courtroom inside WBCF.**

The recommendation will not be implemented at this time.

At such time as funding is available to expand the size of our jail facility, we may again revisit the potential for having a courtroom inside the WBCF.

III. SHERIFF'S SUBSTATION AT TRUCKEE

A. RESPONSE TO FINDINGS

There were no substantive findings. The Grand Jury acknowledges a "sally port gate" has been installed. This corrects a deficiency identified in previous Grand Jury reports.

Agree.