Nevada County Sheriff's Office Truckee Sub-Station and the Superior Court Holding Facility

Summary

The Nevada County Grand Jury is statutorily required to annually inspect public prisons within Nevada County. The Nevada County Sheriff's Office has responsibility for the management of county correctional facilities, including inmate-holding facilities at the Nevada County Sheriff's Office, Truckee Sub-Station and at the Nevada County Superior Court, Truckee Branch.

The Truckee Sub-Station was built in the early 1960s and has an inmate capacity of twelve. It is used to temporarily house persons arrested in the Truckee area and inmates who are transported daily from the Wayne Brown Correctional Center for court appearances. There is also an inmate holding facility at the Nevada County Superior Court, Truckee Branch used to briefly hold inmates awaiting court appearances.

The Nevada County Grand Jury recommends that certain improvements should be made as soon as possible. These include:

- Increased supervision of the inmate workers housed at the Truckee Sub-Station.
- Additional cameras to better observe the activities of inmates, both inside and outside
 of the facilities.
- Bringing the Truckee Sub-Station into compliance with the State Fire Marshal inspection.
- Replacement of the evidence/property lockers currently in use at the Truckee Sub-Station.
- Expedite construction of a secure inmate loading/unloading area at the Nevada County Superior Court with a secure enclosure, commonly known as a sally port.
- Expedite construction of a secure enclosed walkway area used to transport inmates into the Nevada County Superior Court.

Reasons for Investigation

California Penal Code section 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 (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 department 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 at the Truckee Sub-Station (Sub-Station) and the Nevada County Superior Court, Truckee Branch (Truckee Court). The Sub-Station also houses the NCSO law enforcement operations in the Truckee area.

The Sub-Station and the Truckee Court are Type 1 facilities as defined by the Corrections Standards Authority, a sub-agency of the California Department of Corrections and Rehabilitation. The Sub-Station and the Truckee Court are low security risk, temporary holding facilities. Inmate confinement is limited to ninety-six hours. The Sub-Station is used to house persons arrested in the Truckee area and inmates who are transported daily from the Wayne Brown Correctional Center for court appearances. The Truckee Court is used to briefly hold inmates awaiting court appearances.

Procedures Followed

On September 28, 2010, the Jury inspected the Sub-Station located at 10879 Donner Pass Road, Truckee, California and a second holding facility located within the Truckee Court located at 10075 Levon Avenue, Truckee, California. The Jury toured the facilities, interviewed representatives from the NCSO and reviewed documentation received from the following public agencies:

- Nevada County Sheriff's Office
- California Department of Corrections and Rehabilitation, Corrections Standards Agency
- California Department of Forestry, Office of the State Fire Marshal

Facts

Nevada County Sheriff's Office Truckee Sub-Station

- 1. The existing surveillance camera system at the Sub-Station does not:
 - Completely monitor all inmate-housing areas.
 - Monitor the hallway adjacent to a work sink and an exterior door.
 - Allow adequate monitoring of the inmate worker when outside of the Sub-Station.
- 2. The evidence/property lockers are made of wood with a non-keyed locking system.
- **3.** At the time of the inspection, per the *Fire Safety Correction Notice* prepared by the Office of the State Fire Marshal dated and signed on May 24, 2010, the Sub-Station had six listed deficiencies, one of which remains outstanding since May 2007.

- **4.** "Fire clearance" has been withheld by the State Fire Marshal, pending correction of all the listed items.
- **5.** At the time of the inspection, there were two inmate workers housed in the Sub-Station.
- 6. One inmate worker, a Placer County inmate, was transported to Placer County facilities by Placer County Sheriff's Office personnel each morning and returned to the Sub-Station each evening. The Jury was told the inmate was not searched for contraband by Sub-Station personnel on return from the Placer County facilities.
- 7. The second inmate worker was a Nevada County inmate responsible for meal preparation, general cleaning and other duties as assigned at the Sub-Station. This inmate worker was:
 - Unsupervised when outside in the area adjacent to the Sub-Station, including the parking area, the public library and the Truckee Court.
 - Not always searched for contraband on his return from outside of the Sub-Station.
 - Observed to lack overall cleanliness as required in the Wayne Brown Correctional Facility County of Nevada Inmate Informational Handbook.
- **8.** The inmate workers' cell was observed by the Jury to lack cleanliness and did not comply with the *Wayne Brown Correctional Facility County of Nevada Inmate Informational Handbook*.

Nevada County Superior Court, Truckee Branch

- **9.** There is a holding facility in the Truckee Court for inmates awaiting court appearances.
- **10.** Inmates are transported in a secure vehicle by an armed correctional officer between the Wayne Brown Correctional Center, the Sub-Station and the Truckee Court.
- 11. At the Truckee Court inmates are moved from the secure vehicle in an outdoor, unsecured, open area located in close proximity to a public library and county offices.
- **12.** Inmates are moved from the secure vehicle to the Truckee Court through an outdoor, unsecured, open walkway utilized by court and county employees and the public.
- 13. There are no surveillance cameras in the inmate loading/unloading area or in the outdoor, unsecured, open walkway through which inmates are moved in and out of the Truckee Court.
- **14.** Inmates at the Truckee Court are moved through an unsecured, open area located in close proximity to the courtroom, the judge's chamber, the jury deliberation room and offices housing court employees.

Findings

Nevada County Sheriff's Office Truckee Sub-Station

- 1. Employees and inmates at the Sub-Station may be exposed to potentially dangerous situations as surveillance cameras do not monitor all inmate areas.
- 2. The lack of secure handling, storage and control may lead to loss, contamination, degradation and/or destruction of evidence/property.
- **3.** The deficiency documented in the State Fire Marshal's inspection of the Sub-Station may expose employees, inmates and the public to potentially dangerous situations.
- **4.** Employees, inmates and the public may be exposed to potentially dangerous situations because inmate workers are unsupervised when outside of the Sub-Station.
- **5.** Employees and inmates may be exposed to potentially dangerous situations when inmate workers are not searched on return to the Sub-Station.
- **6.** The guideline for dorms and individual housing units and the statement on hygiene in the *Wayne Brown Correctional Facility County of Nevada Inmate Informational Handbook* are not being enforced at the Sub-station.

Nevada County Superior Court, Truckee Branch

- 7. There is concern regarding officer and public safety, as well as potential prisoner escape, when transferring inmates between vehicles and the Truckee Court.
- **8.** There is concern regarding employee and public safety when moving inmates within the building housing the Truckee Court.

Recommendations

The Nevada County Sheriff should initiate procedures to:

- 1. Ensure monitoring of all inmate areas at the Sub-Station.
- **2.** Ensure the safety and secure storage of evidence and property. The NCSO should replace the existing wooden, non-keyed lockers with metal lockers equipped with a keyed locking system.
- **3.** Ensure full compliance with the State Office of the Fire Marshal.
- **4.** Supervise the inmate worker's activities when the inmate worker is outside of the Sub-Station.

- **5.** Search inmate workers for contraband upon return from outside of the Sub-Station.
- **6.** Ensure inmate workers are clean and properly groomed and their quarters are kept clean and orderly.

The Nevada County Sheriff should open dialogue with the Nevada County Superior Court to:

- 7. Secure the open inmate loading/unloading area at the Truckee Court with a sally port.
- **8.** Secure the open walkway area used to transport inmates into the Truckee Court with a secure enclosure.
- **9.** Review the process for the movement of inmates through unsecured areas of the building housing the Truckee Court.

Responses

Nevada County Sheriff, August 29, 2011

NEVADA COUNTY SHERIFF'S OFFICE



August 17, 2011

Honorable Judge Tom Anderson Presiding Judge of the Grand Jury 201 Church Street Nevada City, CA 95959 AUG 1 8 2011

RE:

Response to 2010-2011 Nevada County Sheriff's Office Truckee Sub-station and Superior Courthouse Holding Facility

Dear Honorable Judge Anderson:

In response to the Grand Jury Report dated June 24, 2011 on the Nevada County Sheriff's Office Truckee Sub-station and Superior Courthouse Holding facility.

Findings:

1. Employees and inmates at the Sub-station may be exposed to potentially dangerous situations as surveillance cameras do not monitor all inmate areas.

Partially Agree

We are unable to completely monitor inmate housing areas with cameras as the cells incorporate toilet commodes (privacy issues); however these housing areas are visually monitored and checked by Sheriff's Office personnel hourly.

Additionally there are cameras located in the hallway that allow for visual monitoring in front of the cells.

Added surveillance cameras on the exterior of the building could assist Sheriff's Office personnel in monitoring the inmate workers while they are outside the facility.

2. The lack of secure handling, storage, and control may lead to loss, contamination, degradation, and/or destruction of evidence/property.

Disagree

Currently, the patrol sergeant assigned to our Truckee substation is responsible for ensuring the timely transfer of booked in evidence from Truckee to Nevada City.. Personnel who have access to the contents of the evidence storage lockers in Truckee is limited to the sergeant assigned to the station. In the sergeant's absence, transfer of this responsibility is made on a case by case basis. The Sheriff's Office is not aware of any successful challenges to the evidence chain of custody in Truckee. Furthermore, the Truckee substation is access controlled as to who is allowed within the facility, especially after hours. Considering the fact the evidence locker is located directly outside the 24 hour operated 911 Dispatch Center in full view, monitored by Dispatch utilizing CCTV, the likelihood of an evidence locker breach is extremely remote.

However, as the Sheriff's Office is always looking to improve its function and considering any modification is a budgetary issue, planning for an upgrade will be considered for the FY 12/13 budget cycle.

3. The deficiency documented in the State Fire Marshal's inspection of the Sub-station may expose employees, inmates and the public to potentially dangerous situations.

Agree

However, after the Grand Jury's inspection, a Deputy State Fire Marshal reinspected the Truckee Sub-Station and issued a Fire Clearance on May 27, 2011.

4. Employees, inmates and the public may be exposed to potentially dangerous situations because inmate workers are unsupervised when outside of the Sub-station.

Disagree

We currently house two inmate workers at the Truckee Sub-station; one inmate is from the Wayne Brown Correctional Facility and the other is housed under contract with Placer County. The Nevada County inmate worker is responsible for cleaning the entire Sheriff's Sub-station, including the jail, administrative offices, outside grounds, parking areas, washing vehicles, clearing show, preparing meals for inmates, and raising and lowering of the American flags at both the Joseph Center (Truckee Courthouse) and the Sheriff's Office.

The inmate workers are sentenced to jail times and chosen from a pool of potential inmates from the Wayne Brown Correctional Facility. They are carefully selected and only inmates classified as very low security risk are accepted. The inmate worker is monitored by Sheriff's Office personnel, however, due to their low security classification; it is not feasible for staff to constantly monitor their work. Sheriff's Office personnel require that the inmate worker advise of their whereabouts at all times. When the worker is at the Joseph Center, they are supervised by other County employees.

As in Nevada City, it is very common for sentenced inmates to leave the facility without constant monitoring in order to conduct work for other County departments. Sheriff's Office personnel randomly search the inmates and their housing areas, as well as administering drug testing when appropriate.

5. Employees and inmates may be exposed to potentially dangerous situations when inmate workers are not searched on return to the Sub-station.

Partially Agree

Sheriff's Office personnel randomly search inmates and their housing areas; however, on the day of the Grand Jury inspection, one officer indicated they never searched the inmate workers. There are established Jail Directives regarding searching of inmates and the officers need to be more diligent in conducting searches on inmate workers. Additionally, there are cameras that monitor areas inhabited by both inmate workers and the general inmate population to ensure no contraband is being held or passed between inmates.

6. The guidelines for dorms and individual housing units and the statement on hygiene in the Wayne Brown Correctional Facility County of Nevada Inmate Informational Handbook are not being enforced at the Sub-station.

Partially Agree

Sheriff's Office personnel randomly search inmates and their housing areas, however, on the day of the Grand Jury inspection, the inmate worker housing area lacked cleanliness and the inmate worker's hygiene was described as dirty. There are established guidelines for searching and requirements of personal hygiene standards for the workers as they handle food. Prior to being assigned as the inmate worker, the inmates are screened and approved to handle food by the contracted medical team at the Wayne Brown Correctional Facility. The officers have been instructed to be more diligent in conducting searches of the inmate worker housing area and assuring their hygiene standards are kept.

7. There is concern regarding employee and public safety as well as potential prisoner escape when transferring inmates between vehicles and the Truckee Court.

Agree

8. There is concern regarding employee and public safety when moving inmates within the building housing the Truckee Court.

Agree

RECOMMENDATIONS:

1. The Nevada County Sheriff should initiate procedures to ensure monitoring of all inmate areas at the Sub-station.

The recommendation has already been implemented by use of Sheriff's Office personnel rather than surveillance cameras. We are looking into increasing the number of surveillance cameras on the exterior of the building pending cost analysis and funding resources.

2. The Nevada County Sheriff should ensure the safety and secure storage of evidence and property. The NCSO should replace the existing wooden, non-keyed lockers with metal lockers equipped with a keyed locking system.

The recommendation has not yet been implemented but will be implemented in the future pending cost analysis and funding resources.

3. The Nevada County Sheriff should ensure full compliance with the State Office of the Fire Marshal.

The recommendation has already been implemented. A Fire Clearance was issued on May 27, 2011 by a Deputy State Fire Marshal.

4. The Nevada County Sheriff should supervise the inmate worker's activities when the inmate worker is outside of the Sub-station.

The recommendation has already been implemented; however, constant monitoring is not feasible with the number of staff currently assigned.

5. The Nevada County Sheriff should search inmate workers for contraband upon return from outside of the Sub-station.

The recommendation has already been implemented. Sheriff's Office staff randomly search inmates and their housing areas.

6. The Nevada County Sheriff should ensure inmate workers are clean and properly groomed and their quarters are kept clean and orderly.

The recommendation has already been implemented. Officers have been instructed to be more diligent in ensuring inmate workers are clean and properly groomed and that their quarters are kept clean.

7. The Nevada County Sheriff should open dialogue with the Nevada County Superior Court to secure the open inmate loading/unloading area at the Truckee Court with a Sally port.

The recommendation has been implemented in that the discussion has taken place, although the California Administrative Office of the Courts does not have any funding sources to cover the costs of building a Sally port.

8. The Nevada County Sheriff should open dialogue with the Nevada County Superior Court to secure the open walkway area used to transport inmates into the Truckee Court with a secure enclosure.

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The recommendation has been implemented in that the discussion has taken place, although the California Administrative Office of the Courts does not have

any funding sources to cover the construction costs that would be necessary to move judge's chambers and offices at the Truckee Superior Court.

The Sheriff's Office would like to thank the members of the 2010-2011 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

CC: CEO

CEO Rick Haffey

Board Analyst, Eve Diamond

NEVADA COUNTY SHERIFF'S OFFICE



KEITH ROYAL SHERIFF/CORONER PUBLIC ADMINISTRATOR

August 17, 2011 (updated September 30, 2011)

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Findings:

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Partially Agree

We are unable to completely monitor inmate housing areas with cameras as the cells incorporate toilet commodes (privacy issues); however these housing areas are visually monitored and checked by Sheriff's Office personnel hourly.

Additionally there are cameras located in the hallway that allow for visual monitoring in front of the cells.

Added surveillance cameras on the exterior of the building could assist Sheriff's Office personnel in monitoring the inmate workers while they are outside the facility.

2. The lack of secure handling, storage, and control may lead to loss, contamination, degradation, and/or destruction of evidence/property.

Disagree

Currently, the patrol sergeant assigned to our Truckee substation is responsible for ensuring the timely transfer of booked in evidence from Truckee to Nevada City.. Personnel who have access to the contents of the evidence storage lockers in Truckee is limited to the sergeant assigned to the station. In the sergeant's absence, transfer of this responsibility is made on a case by case basis. The Sheriff's Office is not aware of any successful challenges to the evidence chain of custody in Truckee. Furthermore, the Truckee substation is access controlled as to who is allowed within the facility, especially after hours. Considering the fact the evidence locker is located directly outside the 24 hour operated 911 Dispatch Center in full view, monitored by Dispatch utilizing CCTV, the likelihood of an evidence locker breach is extremely remote.

However, as the Sheriff's Office is always looking to improve its function and considering any modification is a budgetary issue, planning for an upgrade will be considered for the FY 12/13 budget cycle.

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The inmate workers are sentenced to jail times and chosen from a pool of potential inmates from the Wayne Brown Correctional Facility. They are carefully selected and only inmates classified as very low security risk are accepted. The inmate worker is monitored by Sheriff's Office personnel, however, due to their low security classification; it is not feasible for staff to constantly monitor their work. Sheriff's Office personnel require that the inmate worker advise of their whereabouts at all times. When the worker is at the Joseph Center, they are supervised by other County employees.

As in Nevada City, it is very common for sentenced inmates to leave the facility without constant monitoring in order to conduct work for other County departments. Sheriff's Office personnel randomly search the inmates and their housing areas, as well as administering drug testing when appropriate.

5. Employees and inmates may be exposed to potentially dangerous situations when inmate workers are not searched on return to the Sub-station.

Partially Agree

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6. The guidelines for dorms and individual housing units and the statement on hygiene in the Wayne Brown Correctional Facility County of Nevada Inmate Informational Handbook are not being enforced at the Sub-station.

Partially Agree

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The recommendation has already been implemented by use of Sheriff's Office personnel rather than surveillance cameras. We are looking into increasing the number of surveillance cameras on the exterior of the building pending cost analysis and funding resources.

2. The Nevada County Sheriff should ensure the safety and secure storage of evidence and property. The NCSO should replace the existing wooden, non-keyed lockers with metal lockers equipped with a keyed locking system.

The recommendation will not be implemented as it is not reasonable as referenced in our response to the grand jury findings. We feel our current evidence procedures and storage facilities are adequate to maintain Chain of Custody. At such time as new lockers rise to the level of priority that can be accommodated by our allocated budget, we will consider ordering new evidence lockers for the Truckee Substation.

3. The Nevada County Sheriff should ensure full compliance with the State Office of the Fire Marshal.

The recommendation has already been implemented. A Fire Clearance was issued on May 27, 2011 by a Deputy State Fire Marshal.

4. The Nevada County Sheriff should supervise the inmate worker's activities when the inmate worker is outside of the Sub-station.

The recommendation Will not be implemented as it is not reasonable as referenced in our response to the grand jury findings. We feel we are providing adequate supervision of the inmate trustee with the given number of correctional staff assigned to the Truckee substation and the criteria used to select the inmate trustee.

5. The Nevada County Sheriff should search inmate workers for contraband upon return from outside of the Sub-station.

The recommendation will not be implemented as it is not reasonable to search the inmate worker everytime they reenter any of the buildings at the Truckee Substation. We simply do not have the staff to implement this procedure. Sheriff's Office staff randomly search inmates and their housing areas.

6. The Nevada County Sheriff should ensure inmate workers are clean and properly groomed and their quarters are kept clean and orderly.

The recommendation has already been implemented. Officers have been instructed to be more diligent in ensuring inmate workers are clean and properly groomed and that their quarters are kept clean.

7. The Nevada County Sheriff should open dialogue with the Nevada County Superior Court to secure the open inmate loading/unloading area at the Truckee Court with a Sally port.

The recommendation has been implemented in that the discussion has taken place, although the California Administrative Office of the Courts does not have any funding sources to cover the costs of building a Sally port.

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The Sheriff's Office would like to thank the members of the 2010-2011 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.

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CC: CEO Rick Haffey

Board Analyst, Eve Diamond