

NEVADA COUNTY COURTHOUSE AND HOLDING FACILITY

REASON FOR INVESTIGATION

California Penal Code Section 919(b), requires the Civil Grand Jury inspect detention facilities within the county.

PROCEDURE FOLLOWED

The Grand Jury toured the courthouse and holding facility, reviewed past Grand Jury reports and California Board of Corrections reports. The Grand Jury interviewed members of the Courthouse Security Committee, the county administrative officer and the then chairman of the Board of Supervisors.

FINDINGS

1. The courthouse and holding facility was clean and well maintained. The system of moving inmates from the county Wayne Brown Correctional Facility to the courthouse holding facility was adequate.
2. The courthouse holding facility meets the California Board of Corrections minimum standards for security, staffing, safety and separation of adults, juveniles, males and females.
3. Security issues have been well known for at least three years by courthouse personnel, the county senior management, the Sheriff's Department and the Board of Supervisors. They have been addressed in past Grand Jury reports. They are:
 - There are numerous points of uncontrolled public access to the courthouse.
 - Prisoners are moved through public corridors, between the jail holding facility and the courtrooms.
 - There is no video monitoring system in the corridors or courtrooms for use by personnel charged with courthouse security.
 - A stationary metal detector and hand-held wands are available but appear to be seldom used.
 - The parking garage is unprotected.
4. On April 14, 1997, the chairman of the Board of Supervisors responded to the 1996-97 Civil Grand Jury Interim Report dated February 14, 1997, regarding courthouse security as follows:

“In regard to the matter of improving Courthouse security, specifically the movement of inmates through the facility, the County Administrator, the Sheriff and Court Administrator have met several times to identify options that may be available to improve the level of security. These options with an estimated cost and plan to design and construct the improvements that may be necessary will be presented to the Board in the next 30 days.” As a result of this Board of Supervisors' directive, a Courthouse Security Committee was formed. The committee was composed of the County Administrative Office, court executive officer and Sheriff's Department. However it was unclear who the assigned chairperson was.

5. The 1997-98 Grand Jury investigation found the Courthouse Security Committee has met only occasionally and no report that met the directive of the Board of Supervisors had been prepared fully seven months past the required deadline. One memo to the county administrative officer dated December 5, 1997, states: "I know that there is a task force appointment, but being a member, we haven't met in many months."

6. The Grand Jury asked two committee members who the chairman of the security committee was. The members' response was they were uncertain but thought it was the county administrative officer. A second question asked why security issues take so long to resolve. The response was, "the budget." A review of the county audit of June 30, 1997, revealed a Courthouse Temporary Construction Fund balance of \$392,167. The County Counsel stated to the Grand Jury that these funds could be used for courthouse security improvements.

7. The Courthouse Security Committee issued a status report on January 16, 1998, eight months after the April 1997 deadline of the Board of Supervisors' directive of April 1997. This report did not show estimated costs or a plan to construct improvements as required.

8. On March 17, 1998, the director of general services presented a courthouse security report, fully 10 months past the directed deadline, to the Board of Supervisors. The report contained inconsistencies in cost estimates and did not include the Sheriff's Department in distribution. The Grand Jury has determined that no meetings of the Courthouse Security Committee were held to draft the report. The report was apparently based on the director of general services understanding of the required changes to security.

CONCLUSIONS

1. The Grand Jury finds that the failure of the Board of Supervisors to appoint a Courthouse Security Committee chairman at the time of the April 14, 1997, directive contributed to delay and confusion in resolving the courthouse security issues.

2. The Grand Jury has a serious concern that the security report presented to the Board of Supervisors on March 17, 1998 was not a committee report but that of one person's conclusions.

3. The Grand Jury believes there is a management practice in county administration that allows personnel to avoid responsibility. This practice, and Board of Supervisors style of direction, contributed to the 10-month delay in proposing solutions to the courthouse security issues.

RECOMMENDATIONS

1. The Grand Jury recommends the Board of Supervisors establish a policy for county management to apply immediate action priority in resolving security issues when identified.
2. The Grand Jury recommends the Board of Supervisors establish a policy of assigning specific responsibility and putting required response dates to directives on appropriate future agenda.
3. The Grand Jury recommends the Board of Supervisors begin holding county management accountable and responsible for any failure to act as directed.

REQUIRED RESPONSES

Board of Supervisors
Due September 30, 1998