

**Nevada County Sheriff's Department
Inmate Welfare Fund:
Tipping the Scale in Criminal Justice**

2021-2022 Nevada County Grand Jury

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Nevada County Sheriff's Department Inmate Welfare Fund: Tipping the Scale in Criminal Justice

Summary

A fundamental component of every county government involves the detention of suspected criminals for impending charges, possible prosecution, and fulfillment of sentencing. Nevada County houses these detained individuals in the Wayne Brown Correctional Facility. The Inmate Welfare Fund is a component of the jail operations in Nevada County.

California Penal Code §4025 is the legal foundation of the Inmate Welfare Fund. Penal Code §4025 defines the source of revenue for the fund and the targeted purpose of expenditures from the fund. Revenues for the fund come from profits on items sold in the jail commissary and commissions charged on telephone/internet calls made by inmates. The fund shall be spent by the Sheriff primarily for the benefit, education, and welfare of the inmates confined within the jail.

As of May 2022, Assembly Bill 1782 pending in the legislature will rename the fund to 'Incarcerated People's Welfare Fund'. This will further tighten the focus of the IWF expenditures from 'primarily' to 'solely' for the inmate welfare.^{1 2}

During the investigation, the Jury found the Inmate Welfare Fund was used appropriately for legal fees, labor costs for the commissary, etc. No misuse was found of the Inmate Welfare Fund at the Wayne Brown Correctional Facility.

The Inmate Welfare Fund balance has increased over the last 10 years from \$69K to over \$500K, almost an 800% increase.

The Inmate Welfare Fund balance was \$360K at the end of fiscal year 2015/2016. This increased to \$557K at the end of fiscal year 2020/2021, an average increase of approximately \$33K per year. Despite recent decreases to the revenue from surcharges on calls made by inmates and use of computer tablets, the balance of the fund going forward looks stable.

The Nevada County Sheriff's Office should consider the addition of an Inmate Welfare Fund coordinator to administer expenditures of the fund balance to implement programs which benefit the welfare of inmates. This coordinator can use a pre-defined minimum end of year balance target to determine if additional programs or expenditures are a responsible use of the fund. This would be at little or no cost to Nevada County.

¹ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB1782

² <https://fastdemocracy.com/bill-search/ca/20212022/bills/CAB00024054/#actions>

Nevada County should emulate successful Inmate Welfare Fund administration in other counties (e.g., Humboldt County). Programs, grants, and partnerships should be managed by dedicated staff to improve the use of this fund.

The inmates benefit directly from the Inmate Welfare Fund. Increasing the use of the fund will improve the living conditions for the inmates and the working conditions for the staff at the Wayne Brown Correctional Facility.

Glossary

BoS	Nevada County Board of Supervisors
FY	Fiscal Year
IWF	Inmate Welfare Fund
JBCP	Jail Based Competency Program
Jury	Nevada County Grand Jury
NCSO	Nevada County Sheriff's Office
RFP	Request for Proposal
WBCF	Wayne Brown Correctional Facility
SWAP	Sheriff's Work Alternate Program

Background

The Inmate Welfare Fund (IWF) has a long history in California, starting in 1927 as the 'Doheny Fund.' A group of private investors initiated a store in Los Angeles to service the incarcerated, the proceeds creating a fund for the inmate's well-being. In 1951, Governor Earl Warren, at the advice of his good friend, Los Angeles County Sheriff Eugene Biscailuz, authorized county sheriffs to run a small store inside the jail selling tobacco, candy and other sundries. Any profits would go into an inmate welfare fund.³ This fund was used only for the inmate's well-being, continuing the mission and intent of the Doheny Fund.

California Penal Code §4025 became effective January 1, 2008,⁴ and states the IWF is mandated to provide services directly to the benefit of the inmates:⁵

The money and property deposited in the inmate welfare fund shall be expended by the sheriff primarily for the benefit, education, and welfare of the inmates confined within the jail. Any funds that are not needed for the welfare of the inmates may be expended for the maintenance of county jail facilities. Maintenance of county jail

³ <https://j6u6c3s7.stackpathcdn.com/wp-content/uploads/2020/05/Biscailuz-Article.pdf>

⁴ https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=4025.&lawCode=PEN

⁵ https://california.public.law/codes/ca_penal_code_section_4025

facilities may include, but is not limited to, the salary and benefits of personnel used in the programs to benefit the inmates, including, but not limited to, education, drug and alcohol treatment, welfare, library, accounting, and other programs deemed appropriate by the sheriff.

Based on the work and recommendations of previous Nevada County Grand Juries,^{6 7} the Nevada County Grand Jury (Jury) decided to investigate the IWF at the Wayne Brown Correctional Facility (WBCF) in accordance with their oversight role. This included revenue, expenditures, and the fund balance.

Approach

During the investigation, the Jury:

- Reviewed California Penal Codes §4025⁸ , §4025.5⁹ and Nevada County Sheriff's Office (NCSO) Policy 1001¹⁰ associated with the IWF
- Conducted interviews with key Nevada County officials and members of the community
- Conducted inspections of the Nevada County detention facilities
- Reviewed documents associated with the IWF and Board of Supervisors (BoS) presentations
- Conducted independent research on benchmarking IWF programs in comparable California counties
- Reviewed the outcomes of re-entry programs associated with a California pilot study (Penal Code §4025.5) of selected counties. Nevada County was not chosen as one of the counties in this legislation

The stakeholders for the IWF are:

- The WBCF inmates
- Staff at the WBCF
- Board of Supervisors
- Nevada County community
- Community and Nevada County partnerships:
 - Alcoholics and Narcotics Anonymous
 - Granite Wellness
 - Hospitality House

⁶ <https://www.nevada.courts.ca.gov/sites/default/files/nccourt/default/2022-01/1819-LAW-DetentionFacilityInspectionReport.pdf>

⁷ <https://yubanet.com/wp-content/uploads/2018/05/1718-LAW-DetentionFacilityInspecc.pdf>

⁸ https://california.public.law/codes/ca_penal_code_section_4025

⁹ <https://law.onecle.com/california/penal/4025.5.html>

¹⁰ <https://www.nevadacountyca.gov/DocumentCenter/View/42820/Sheriffs-Office-Custody-Policy-Manual>
p. 502

- Nevada County Health and Human Services:
 - Behavioral Health
 - Home Team
- Nevada County Community Corrections
- Project Heart
- Stepping Up
- Turning Point

Discussion

The Jury is mandated by California Penal Code §919, subdivision (b) which provides: “The grand jury shall inquire into the condition and management of the public prisons within the county.”¹¹

A fundamental component of every county government involves the detention of suspected criminals for impending charges, possible prosecution, and fulfillment of sentencing. Nevada County houses these detained individuals at the WBCF.

Nevada County

The California County of Nevada was incorporated April 25, 1851. The Nevada City/County detention center was first opened in 1859.¹²

The NCSO patrols all of Nevada County, provides shared services with three cities (Grass Valley, Nevada City, Truckee), and administers three of the Nevada County detention facilities. The three incorporated cities maintain municipal police departments.

The Jury inspected four correctional facilities in Nevada County:

- Nevada County Courthouse Holding Facility
- Nevada County Sheriff’s Office Truckee Substation Holding Facility serving arrestees from Nevada, Placer, and Sierra Counties
- Wayne Brown Correctional Facility
- Washington Ridge Conservation Camp (state detention center under California Department of Corrections and Rehabilitation)¹³

¹¹ https://california.public.law/codes/ca_penal_code_section_919

¹² <https://www.nevadacountyca.gov/1029/History-of-Nevada-County>

¹³ <https://www.cdcr.ca.gov/facility-locator/conservation-camps/washington-ridge/>

Law Enforcement in Nevada County

Incarceration creates a relationship between the inmates and the officers charged with caring for the safety and well-being of the prisoners. The dominant aspect of this relationship is the deprivation of freedom for the inmates, reinforced constantly with steel bars, restraints, clothing, rules, signs, and other reminders. Freedom for inmates is limited and enforcing restrictions is the job of the correctional officers.

In the past six years, the NCSO has spent almost \$6 million in overtime costs, (F1) close to an average of \$1 million per year¹⁴. While some overtime provides a financial benefit to the officers, this may jeopardize the safety of the officers, inmates and the community.¹⁵ Staffing shortages in Law Enforcement is a state and nationwide epidemic, not just a local problem.^{16 17}

Wayne Brown Correctional Facility

The WBCF is the main county jail serving Nevada County and has a capacity for 284 inmates, housing an average daily population of 195 inmates who are serving sentences or waiting for trial.¹⁸ The Nevada County Corrections Division has a staff of 49 Correctional Officers and 5 Correctional Sergeants.¹⁹

Inmate Welfare Fund – Penal Code §4025 alignment with Sheriff’s Policy 1001

California Penal Code §4025 states the IWF is mandated to provide services for the welfare of inmates:²⁰

The money and property deposited in the inmate welfare fund shall be expended by the sheriff primarily for the benefit, education, and welfare of the inmates confined within the jail. Any funds that are not needed for the welfare of the inmates may be expended for the maintenance of county jail facilities. Maintenance of county jail facilities may include, but is not limited to, the salary and benefits of personnel used in the programs to benefit the inmates, including, but not limited to, education, drug and alcohol treatment, welfare, library, accounting, and other programs deemed appropriate by the sheriff.

¹⁴ <https://transparentcalifornia.com/salaries/2020/nevada-county/>

¹⁵ <https://www.lexipol.com/resources/blog/fallout-the-stress-of-working-short-in-corrections/>

¹⁶ <https://www.npr.org/2021/06/24/1009578809/cops-say-low-morale-and-department-scrutiny-are-driving-them-away-from-the-job>

¹⁷ <https://www.npr.org/2018/12/12/675359781/americas-growing-cop-shortage>

¹⁸ https://en.wikipedia.org/wiki/List_of_California_county_jails

¹⁹ https://transparentcalifornia.com/salaries/2020/nevada-county/job_title_summary/?page=4&s=title

²⁰ https://california.public.law/codes/ca_penal_code_section_4025

In April 2022, the NCSO posted a handbook outlining the Sheriff’s Office Custody Policy.²¹ The quote in the NCSO Custody Policy 1001 references Penal Code §4025 and is inconsistent in two instances which changes the intent of the IWF. The references to the ‘general’ inmate population and including ‘capital construction’ are not in Penal Code §4025.

NCSO Custody Policy 1001 states:

The Inmate Welfare Fund is allocated to support a variety of programs, services and activities benefiting the **general** inmate population and enhancing inmate activities and programs. This includes **capital construction** and improvement projects in support of such programs, services and activities (Penal Code §4025).

In a 2021 report, the Sacramento County Grand Jury²² found misappropriation of the Sacramento County Sheriff’s Office. IWF. Correct references to the Penal Code §4025 are needed in the NCSO Custody Policy 1001 to align the Sheriff’s Office Policy with the Penal Code. (F2)

IWF Expenses, Balance and Annual Presentations to the Board of Supervisors

The Penal Code §4025²³ states: “An itemized report of these expenditures shall be submitted annually to the board of supervisors.” The Board of Supervisors (BoS) has not received an annual IWF itemized expenditures presentation for at least six years. (F3)

The IWF provides communication, legal, and educational services to inmates in the custody of the NCSO. The IWF expenses include labor costs for the commissary, recreation, entertainment, food, clothing, and other miscellaneous items. Based on documents provided in this investigation, the balance of the fund has increased steadily from \$360K at the end of fiscal year (FY) 2015/2016 to \$557K at the end of FY 2020/2021, an average increase of approximately \$33K per year.

Revenue related to the IWF

The IWF revenues come primarily from profits of items sold in the commissary at the WBCF, surcharges on calls made by inmates, and inmate’s use of computer tablets.

NCSO has contracted with Aramark to manage the commissary since at least 2008²⁴. The Aramark contract was renewed recently for five years without soliciting for

²¹ <https://www.nevadacountyca.gov/DocumentCenter/View/42820/Sheriffs-Office-Custody-Policy-Manual> p. 502

²² <https://www.sacbee.com/news/investigations/the-public-eye/article252730348.html>

²³ https://california.public.law/codes/ca_penal_code_section_4025

²⁴ <https://www.nevadacountyca.gov/Search?searchPhrase=aramark&pageNumber=2&perPage=10&departmentId=-1>

competitive bids from other qualified vendors (e.g., Access SecurePak, Keefe Commissary Network, and Inmate Commissary Services). (F4)

In August 2021, there was a significant change to the revenue structure of the IWF regarding the rates for calling services. The California Public Utilities Commission reduced the maximum rate cap from \$0.21/min to \$0.07/min.²⁵ During this investigation, concern was raised regarding the potential loss of revenue, resulting in a reluctance to spend the IWF balance.

Documents provided during this investigation indicate the revenue from the Telemate contract averaged \$49K over the past 6 years. A decrease from \$0.21/min to \$0.07/min projects to a decrease in \$33K per year in revenue to the IWF from this portion of the revenue stream. Comparing a 6-year average year-end balance increase of \$33K against the 6-year average projected decrease in telephone commissions of \$33K, the balance projection of the IWF going forward is stable. (F5)

Partnerships

California initiated a pilot program (Penal Code §4025.5) with select counties.²⁶ Nevada County was not one of the counties selected. Counties in this program used partnerships for re-entry programs (Appendix A).

Non-profits are available to WBCF for partnership on programs designed for inmate rehabilitation, assimilation into society, drug and alcohol dependencies, family matters, etc. (Appendix B). At the time of this report, few have worked directly with WBCF (Appendix C). The list of non-profits available to offer services to the inmate population were identified in interviews or by the Jury's independent research. (F6)

Programs and Grants

Inmate programs at WBCF were curtailed or suspended because of COVID-19 restrictions and pending legislative actions. Other northern California counties (e.g., Humboldt County) maintained active programs during the past two years. (F7) These counties strive for a low targeted IWF balance, investing revenue into the IWF programs and staff to run those programs. Humboldt County²⁷, which is comparable to Nevada County in population and proximity, has administered the IWF in this manner.

The NCSO's webpage on the Nevada County website lists a variety of programs offered at WBCF, few of which have been active for the last two years, nor are active at the time of this report. (F8)

A senior analyst helping with grants vacated the position. NCSO leadership identified the senior analyst's position as critical for grants and data analysis. (F9)

²⁵ <https://www.cpuc.ca.gov/news-and-updates/all-news/cpuc-caps-phone-rates-for-those-incarcerated>

²⁶ <https://law.onecle.com/california/penal/4025.5.html>

²⁷ <https://humboldt.gov/DocumentCenter/View/96296/Section-C---Law-and-Justice?bidId>

Benchmarks

Below is a table sorted by IWF balance, comparing Nevada County to comparable northern California counties. The table includes county population (2020 census), percent of jail capacity, average number of inmates, and corrections officers' overtime.

Note especially the Humboldt, Marin, Napa, and Sutter balances as all four counties keep the IWF balance at a low minimum target.

Counties adhering to the Penal Code §4025 with BoS IWF presentations are Butte, Humboldt, Marin, Napa, Placer, Sutter, and Yolo. Not all the counties are adhering to the Penal Code to present annual IWF itemized expenditures at BoS meetings.

The choice of counties to benchmark includes those in the §4025.5 pilot re-entry programs (Marin²⁸, Napa²⁹, Sacramento^{30 31}). As stated previously, Nevada County was not chosen.

Nevada County has an average of \$1 million overtime per year. During the investigation, the Jury found the workload of the corrections officers does not allow time to effectively manage an IWF, or to initiate new programs, partnerships, re-entry processes, or explore grants available to aid in inmate recoveries. (F9)

²⁸ http://www.partnershiphp.org/Community/Documents/Marin/Marin_ReEntry%20Resources.pdf

²⁹ <https://www.georeentry.com/10-years-of-reentry-services-napa-county/>

³⁰ https://www.sacsheriff.com/pages/rccc_reentry.php

³¹ <https://www.sacsheriff.com/documents/rccc/Reentry%20Programs%20Guide%20-%20%20Version%20Revision%2010%2020.pdf>

Table: IWF Comparable Counties

County	IWF Balance	Corrections* Officers Overtime ³²	Population ³³	# Inmates (avg) ³⁴	Percent of Jail Capacity	% Inmates to Population
Placer ³⁵	\$1.7-2.5MM (2019-2020)	\$2.7MM	412,300	656	72%	0.16
Nevada	\$550K (2021)	\$1.0MM	103,487	195	69%	0.19
Yolo ³⁶	\$330K (2020-2021)	\$0.44MM	216,986	309	79%	0.14
Napa ³⁷	\$177K (2020)	\$2.2MM	136,207	237	86%	0.17
Marin ³⁸	\$100K (2016-2020)	\$2.0MM	260,206	265	76%	0.10
Sutter ³⁹	\$70K (2021)	\$0.41MM	99,063	250	71%	0.25
Humboldt ⁴⁰	\$0-200K (2021-2022)	\$1.1MM	134,310	388	93%	0.29
Sacramento	N/A**	\$8.3MM	1,588,921	3501	87%	0.22
Butte ⁴¹	N/A	\$1.6MM	208,309	538	88%	0.26
El Dorado	N/A	N/A	193,221	383	83%	0.20
Shasta	N/A	\$0.97MM	182,139	381	88%	0.21
Mendocino	N/A	\$0.91MM	91,305	284	96%	0.31
Yuba	N/A	\$0.43MM	83,421	372	87%	0.45

*Average per year (2018-2020)

**N/A = not available

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³² <https://transparentcalifornia.com/>

³³ https://en.wikipedia.org/wiki/List_of_counties_in_California

³⁴ https://en.wikipedia.org/wiki/List_of_California_county_jails

³⁵ <https://www.placer.ca.gov/DocumentCenter/View/56498/23A?bidId>

³⁶ <http://yolocountyca.swagit.com/play/08312021-665>

³⁷ <https://services.countyofnapa.org/AgendaNetDocs/Agendas/BOS/11-10-2020/6F.pdf>

³⁸ http://www.partnershiphp.org/Community/Documents/Marin/Marin_ReEntry%20Resources.pdf

³⁹ <https://www.suttercounty.org/home/showpublisheddocument/4175/637583040122600000>

⁴⁰ <https://humboldt.gov.org/DocumentCenter/View/96296/Section-C---Law-and-Justice?bidId>

(p. 40)

⁴¹ https://buttecounty.granicus.com/MetaViewer.php?view_id=2&clip_id=1002&meta_id=156166

Humboldt County Inmate Welfare Fund: Model for Success

The 2021-2022 Humboldt County proposed budget *Law and Justice* presentation includes the Sheriff's IWF⁴². The headcount in the Humboldt County Sheriff's organization is 302, two of those dedicated to the IWF. In the management of the 417-bed correctional facility, the Sheriff's Office manages a Sheriff's Work Alternate Program (SWAP) and the Jail Based Competency Program (JBCP)⁴³. SWAP allows qualified individuals to work outside the facility on a correctional farm, firewood production, landscaping, and Caltrans highway clean-up projects. The IWF allows for using funds in creating these types of opportunities for inmates. (F10)

The JBCP is a partnership in Humboldt County with WellPath to work with inmates declared incompetent to stand trial. Nevada County uses WellPath to administer health care, therefore this partnership should be available to expand this type of program at WBCF.

For the last three years, dedicated Humboldt County staff members managed programs and services provided by the IWF. A description of the IWF in the Humboldt County proposed budget *Law and Justice* presentation is below:

In accordance with Penal Code 4025, the Sheriff has established a commissary store in connection with the facility to provide supplies to inmates. Any profit is deposited to the Inmate Welfare Fund (IWF) for the benefit, recreation, education, or welfare of inmates. The fund pays for resources related to community re-entry efforts and in-custody programs designed to help rehabilitate the population. This includes programs such as mindfulness, yoga, substance abuse counseling and anger management classes. A program coordinator manages the programs and services provided by this funding. An Inmate Welfare Fund Committee provides oversight of the fund's budget and the Sheriff's Business Office provides fiduciary responsibilities for the accounting of the fund.

The Humboldt County IWF budget balance over the last three years is kept low according to the Sheriff's Office presentations. This is indicative of a program where the revenues and expenditures are aligned, striving for a high utilization of the IWF balance. The IWF balance sheet from 2018-2022 is on p. 50 of the Humboldt County proposed budget, with a notation "Inmate Welfare Fund submitted no additional funding requests."

⁴² <https://humboldt.gov/DocumentCenter/View/96296/Section-C---Law-and-Justice?bidId>

⁴³ <https://wellpathcare.com/2020/11/16/sheriffs-office-launches-jail-based-mental-competency-treatment-program/>

Conclusion

The IWF balance has increased over the last 10 years from \$69K to over \$500K. The IWF can be used for costs of personnel associated with improving inmate welfare. Over the past 6 years, the NCSO has averaged close to \$1MM per year in overtime expenditures. The current staff, burdened by overtime, would benefit from additional staff. NCSO should consider the addition of an IWF coordinator.

IWF coordinator may include the following responsibilities:

- Evaluating the inmate population to recommend appropriate programs for the inmate welfare
- Exploring and applying for grants to benefit inmates
- Partnering with non-profit organizations or within the Nevada County government
- Establishing a re-entry program for inmates
- Administering and supporting an IWF committee
- Working to establish the mental health programs for those incompetent to stand trial, such as the JPCP in Humboldt County
- Establishing appropriate educational opportunities and partnerships for high school and advanced degree programs
- Investing time to explore programs for crafts, hobbies
- Exploring and proposing internal wage-earning options for inmates
- Establishing post-incarceration career opportunities with the community
- Investigating other detention centers for IWF best practices
- Working closely with staff, fiscal officer, to establish the annual BoS presentations for the IWF

Those who benefit directly from the IWF are the inmates. Their lives have the potential to be enriched by education, work programs, re-entry assistance, drug and alcohol abuse programs, parenting classes, etc. The staff of the NCSO, the community, and partnerships with non-profits who help inmates and inmate's families will benefit from the potential programs the IWF could support.

Commendation

During this investigation, the Nevada County Sheriff's Office (NCSO) staff assisted proactively with the Nevada County Grand Jury (Jury) in this Inmate Welfare Fund (IWF) investigation. The consistent theme in this assistance was for the safety and protection of the inmates and concern for their welfare.

As a part of the statutory duty of the Jury, in March 2022, detention facility inspections were conducted at the Washington Ridge Conservation Camp, the Wayne Brown Correctional Facility (WBCF), the Nevada County Courthouse Holding Facility, and the Truckee Substation Holding Facility. During these inspections, the Jury met and interviewed numerous correctional officers of many different ranks.

Respect for every staffer vaulted to high levels after the tours. The genuine caring for the people under their charge was palpably evident. The circumstances are extreme under which this care is provided, especially at WBCF. In addition, the diverse personality types of the inmates are challenging. The Jury stands and applauds the daily dose of humanity served by the men and women who perform this noble work in such trying conditions.

Findings

- F1: The overtime noted in the last six years indicates the need for additional staff. (Fact1) (R1)
- F2: The Sheriff's Office Policy 1001 reference to the IWF for the 'general' inmate population may artificially limit programs beneficial to inmate welfare. Reference to 'capital improvements' may lead Nevada County to use the funds in conflict with Penal Code §4025. (Fact2) (R2)
- F3: The NCSO has not provided an annual report of the itemized IWF expenditures to the BoS for the last six years as per Penal Code §4025. (Fact3) (R3)
- F4: The Aramark contract for food and commissary services at WBCF was renewed without issuing a competitive request for proposal (RFP). (Fact4) (R4)
- F5: The IWF will continue to serve as a financial resource towards improving the welfare of the inmates incarcerated in Nevada County. The decrease in the Telemate funds from \$0.21 to \$0.07 will not diminish the overall balance. (Fact 5) (R1)
- F6: The Jury found there was no clear and transparent process or point of contact within NCSO to evaluate potential non-profit or profit partnerships. (Fact6) (R6)
- F7: The NCSO did not provide inmate programs to the same extent as other comparable counties during the last two years. Other counties (e.g., Humboldt) continued programs, ensuring availability of programs for the inmate's welfare. (Fact7) (R7)
- F8: For the last two years, programs listed on the NCSO website were curtailed or suspended. (Fact8) (R8)
- F9: The Jury found NCSO did not have adequate staff to apply for grants, develop programs, or establish partnerships for the benefit to the inmates. (Fact9a) (Fact9b) (R1)
- F10: The Jury found the NCSO lacks programs such as Humboldt's SWAP or the JBCP to benefit inmates. (Fact10) (R10)

Recommendations

The Jury recommends the NCSO:

- R1: Use a portion of the \$557k IWF balance to create a IWF coordinator position. The job description will include establishing partnerships with non-profits, programs, and application and management of grants. (F1) (F5) (F9)
- R2: Update Sheriff's Office Policy 1001 with the appropriate verbiage found in Penal Code §4025 to avoid a misuse of this fund. (F2)
- R3: Maintain compliance with Penal Code §4025 by presenting an itemized list of expenditures from the IWF annually to the BoS. (F3)
- R4: Initiate a competitive RFP process before the current food and commissary contract expires. Request proposals from qualified vendors. (F4)

(Recommendation R5 intentionally omitted)

- R6: Create a process to develop and implement partnership opportunities, including sharing grants, free services (AA/NA), and government programs (e.g., 4025.5). (F6)
- R7: Establish an objective for a fully utilized, low targeted IWF balance and spend the IWF efficiently for programs to benefit inmates. (F7)
- R8: Maintain the NCSO website to accurately reflect the status of the programs listed. (F8)

(Recommendation R9 intentionally omitted)

- R10: Leverage successes from other California counties by developing and implementing programs to enhance inmate welfare (e.g., SWAP, and JBCP). (F10)

Responses Required

Pursuant to Penal Code §§ 933 and 933.05, the following response is required:

- The Sheriff of Nevada County: respond to R1, R2, R3, R4, R6, R7, R8, R10 within 60 days of receipt of this report.

Pursuant to Penal Code section 933.05, the following response is requested:

- The Chief Fiscal Officer of the Nevada County Sheriff's Department: respond to R2, R3, R4, R7 within 60 days of receipt of this report.

Responses are to be submitted to the presiding Judge of the Nevada County Superior Court in accordance with the provisions of California Penal Code section 933.05. Responses must include the information required by Section 933.05.

Appendix A: California Counties with Re-entry programs (Penal Code §4025.5)

(back to Partnerships)

California Penal Code §4025.5 created a program for select counties to expend money from the IWF to provide inmates assistance with the re-entry process. The Jury researched the progress the counties have made on re-entry programs; those links follow the Penal Code citation below.

CA Penal Code § 4025.5 (2017):

(a) There is hereby created a program in the Counties of Alameda, Kern, Los Angeles, Marin, Napa, Orange, Sacramento, San Bernardino, San Francisco, San Diego, San Luis Obispo, Santa Barbara, Santa Clara, Stanislaus, and Ventura. In each county, the sheriff or the county officer responsible for operating the jails may expend money from the inmate welfare fund to provide indigent inmates, after release from the county jail or any other adult detention facility under the jurisdiction of the sheriff or the county officer responsible for operating the jails, assistance with the reentry process within 30 days after the inmate's release. The assistance provided may include work placement, counseling, obtaining proper identification, education, and housing.

(b) This section does not authorize money from the inmate welfare fund to be used to provide any services that are required to be provided by the sheriff or the county. Money in the fund shall supplement existing services, and shall not be used to supplant any existing funding for services provided by the sheriff or the county.

(c) As part of the itemized report of expenditures required to be submitted to the board of supervisors pursuant to Section 4025, any sheriff or county officer responsible for operating a jail of a county that participates in the program shall include in the report all of the following:

- (1) How much money was spent pursuant to this section.
- (2) The number of inmates the program served.
- (3) The types of assistance for which the funds were used.
- (4) The average length of time an inmate used the program.

Programs referencing multiple counties (population as of 2020 census) ⁴⁴:

- Male Community Re-entry Programs in San Diego (3,286,069), Los Angeles (9,829,544), Kern (917,673) and Butte (208,309) - 2020:

<https://www.cdcr.ca.gov/insidecdcr/2020/02/05/mcrp-creates-building-blocks-to-trust/>

- WESTCARE services to multiple California counties on re-entry programs:

<http://www.kernprobation.com/wp-content/uploads/2017/06/Organization-Information-WESTCARE.pdf>

Links for re-entry programs, counties listed alphabetically (population size as per 2020 census.) ⁴⁵

- **Alameda (1,648,556)**

- Center for Re-entry Excellence (CARE) - 2022
<https://felton.org/social-services/adult/center-for-reentry-excellence-core/>
- EastBay - 2022
<https://www.eastbayworks.com/>
- IWF presentation to the BoS – June 2017
https://www.acgov.org/board/com_calendar/documents/Public_Protection_January_12_2017_minutesI.pdf
- IWF presentation to the BoS – 2011-2016
https://www.acgov.org/board/bos_calendar/documents/DocsAgendaReg_1_12_17/PUBLIC%20PROTECTION/Regular%20Calendar/Inmate_Welfare_Fund_PP_1_12_17.pdf

- **Alameda and Kern County resources for re-entry programs – 2022**

<http://www.insightprisonproject.org/resources.html>

- **Kern (917,673) – 2019**

GEO re-entry program

<https://www.georeentry.com/geo-reentry-program-in-kern-county-organizes-special-event/>

⁴⁴ https://en.wikipedia.org/wiki/List_of_counties_in_California

⁴⁵ https://en.wikipedia.org/wiki/List_of_counties_in_California

- **Marin (260,206)**
 - Marin County re-entry resources – 2022
http://www.partnershiphp.org/Community/Documents/Marin/Marin_ReEntry%20Resources.pdf
 - Marin County Behavioral Services re-entry programs – 2022
<https://www.marinbhhs.org/services/fred>
 - Re-entry through United Way – 2022
<https://www.211bayarea.org/marin/reentry/>
 - Inside circle re-entry resources – 2022
<https://insidecircle.org/reentry-resources/>

- **Napa – (136,207)**
 - Napa County opens 72 bed re-entry facility – February 2022
<https://www.cpoc.org/post/napa-county-opening-unjail-reentry-facility>
<https://nachtlewis.com/napa-county-reentry-facility/>
 - Partnerships – 2020
http://www.partnershiphp.org/Community/Documents/Napa/Napa_ReEntry%20Resources.pdf
 - Celebrating 10 years of re-entry services – 2019
<https://www.georeentry.com/10-years-of-reentry-services-napa-county/>

- **Orange (3,167,809) – 2020**
OCREENTRY.ORG

- **Sacramento (1,588,921)**
 - Current Sheriff's website – 2021
Sac Sheriff
 - Reentry Program brochure – 2022
<https://www.sacsheriff.com/documents/rccc/Reentry%20Programs%20Guide%20-%20%20Version%20Revision%2010%2020.pdf>

- **San Bernardino (2,194,710) – 2022**
 - Reentry Initiative – Cal State at San Bernardino
<https://www.csricenters.org/>
 - Center for Employment Opportunities – San Bernardino
<https://www.reentryprograms.com/go/center-for-employment-opportunity-san-bernardino>

- **San Luis Obispo (283,159)**
 - Restorative Partners – 2022
<https://restorativepartners.org/>
 - San Luis Obispo Community Corrections Partnership Public Safety Realignment Act 2020-2021

<https://www.bscc.ca.gov/wp-content/uploads/San-Luis-Obispo-FY-20-21-CCP-Update.pdf>

- **Santa Barbara (446,475)**
 - Resource Guide – 2022
<https://www.sbprobation.org/sbcprob/AdultForms/250.pdf>
 - Santa Barbara 211 – 2022
<https://211santabarbaracounty.org/reentry/tips-for-success/tips-checklist/>
 - Santa Barbara City College Luria Library – Transitions: Formerly Incarcerated Support – 2022
<https://libguides.sbcc.edu/transitions/support>

- **Santa Clara (1,885,508)**
 - County of Santa Clara re-entry services – 2022
<https://reentry.sccgov.org/home>
 - San Jose Spotlight article “*After jail, Santa Clara County reentry program can change lives*” – May 2022
<https://sanjosespotlight.com/after-jail-santa-clara-county-reentry-program-can-change-lives-resource-center-incarceration-prison-recidivism/>
 - ‘NOW’ program in Santa Clara – 2022
<https://goodwillsv.org/now-program/>

- **Stanislaus (552,999)**
 - Stanislaus 211 – 2022
<https://stanislauscounty211.org/reentry/>
 - California State University at Stanislaus Project Rebound – 2022
<https://www.csustan.edu/project-rebound>

- **Ventura: (841,734)**
 - Interface Children and Family Services, Ventura County, and Social Finance (2022):
[Ventura County Project to Support Reentry - Social Finance](#)
 - Ventura 211 - 2022
[Post Incarceration Reentry Resources - 211 Ventura County](#)

Appendix B: Partnerships in Nevada County

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The list of non-profits available to offer services to the inmate population were found either from interviews or Jury research.

1. **Alcoholics and Narcotics Anonymous** - Two separate non-profit organizations independently fighting drug and alcohol addiction through 12-step programs.

Alcoholics Anonymous (AA) – founded in 1935 by Bill Wilson and Robert Smith, and has since grown to be worldwide. Nearly two centuries before this, John Wesley established a group meeting on Saturday nights called ‘penitent bands’. The choice of Saturday night was focused on removing those most susceptible to over-drinking from the ale houses.

In 1908, an American missionary in England (Franklin Buchanan) formed a Christian tolerance meeting, which in 1928 became the Oxford Group. The focus was quite aligned with Christianity, with the tenets eventually to be part of the focus of AA. Bill Wilson (founder of AA) credits the Oxford Group for saving his life.⁴⁶

Nevada County Website: <https://dist20aa.org/>
Hotline phone number: 530-272-6287

Narcotics Anonymous (NA) – founded in 1953 by Jimmy Kinnon is a “nonprofit fellowship or society of men and women for whom drugs had become a major problem”. The one requirement is a desire to ‘stop using’. As with AA, NA follows a 12-step model.⁴⁷

Sierra Foothills Website: <https://www.sfana.org/>
Business phone number: 530-645-1635

2. **Granite Wellness** –

Website: <https://www.granitewellness.org/hours-locations/grass-valley/>

Formerly known as Community Recovery Resources, Granite Wellness has five locations in Northern California, one located in Grass Valley, CA. Granite Wellness is a non-profit organization dedicated to substance abuse treatment and mental health recovery.

⁴⁶ https://en.wikipedia.org/wiki/History_of_Alcoholics_Anonymous

⁴⁷ https://en.wikipedia.org/wiki/Narcotics_Anonymous

Granite represents strength, reflecting the strength we recognize in the people we serve, and our strong communities. Through individualized wellness programs including prevention education, residential and outpatient treatment options, medication-assisted treatment, housing supports, and family services, we encourage people to find that same solid, inner strength.

3. Hospitality House

History of Hospitality House in Grass Valley:

In the wet, cold winter of 2004, a group of concerned residents gathered to discuss their dream of helping the many homeless people in western Nevada County by providing shelter and food during the winter months.

The purpose of Hospitality House:

The mission of Hospitality House is to bring homeless people in Nevada County into a circle of community caring that offers shelter, sustenance, medical care, advocacy, opportunity, dignity, and hope as we assist them in transitioning from homelessness to housing.

Access the website to find a full list of programs available. Some which are specific to those who are released from incarceration are:

- Life skills
- Job and housing readiness
- Crisis support
- Public assistance application
- Six-week culinary job training
- Onsite mental health and substance abuse screening

Website: <https://hhshelter.org/>

Shelter Line: 530-271-7144

4. Nevada County Health and Human Services

Behavioral Health

Behavioral Health has programs available for adult mental health, substance abuse, veterans benefits and resources, homelessness, career training and education resources, and applying for cash assistance. Behavioral Health has successfully partnered with the NCSO deputies on a successful pilot program ‘mobile crisis teams’, strategic calls involving potential behavior problems.⁴⁸

⁴⁸ <https://www.theunion.com/news/nevada-county-oks-new-mobile-crisis-team/>

Some of the agencies listed on the Behavioral Health website are non-profit organizations, an available resource for WBCF staff to continue investigating applying with them on cooperative grants.

Behavioral Health website:

<https://www.nevadacountyca.gov/430/Behavioral-Health>

Crisis Line: (530) 265-5811 or toll free at 1-888-801-1437.

HOME (Homeless Outreach and Medical Engagement) Team

HOME Team is a specific program under the Nevada County Health and Human Services Agency.

The HOME team identifies, engages, and provides case management and housing support to highly vulnerable homeless individuals, while meeting people where they are at in the community. The HOME Team consists of eight team members: four outreach workers, two housing navigators, one peer supporter, and one registered nurse. Team members provide linkages to services such as medical care, behavioral health or substance use disorder services, and housing navigation.

Website: <https://www.nevadacountyca.gov/2869/HOME-Team>

5. Nevada County Community Corrections Partnership

Senate Bill 678⁴⁹ established a California Community Corrections Incentives Act in 2009, creating a Community Corrections Partnership (CCP)⁵⁰ in each county to “expand on the use of evidence-based practices in sentencing and probation to reduce the state prison population.” This act had two primary objectives, to alleviate prison overcrowding and save on state finances.

Assembly Bill 109⁵¹ (AB109) expanded the role to “provide oversight, implementation, and assessment of realignment in Nevada County”, essentially diverting defendants convicted of less serious felonies to serve in local county jails rather than state prisons. The detention facility at WBCF has inmates under the AB109 legislation enacted in 2011.

Website: <https://www.bscc.ca.gov/wp-content/uploads/Nevada-FY-20-21-CCP-Update.pdf>

⁴⁹ <https://www.courts.ca.gov/programs-communitycorrections.htm>

⁵⁰ <https://www.nevadacountyca.gov/653/Community-Corrections-Partnership>

⁵¹ <https://www.shouselaw.com/ca/defense/laws/ab-109/>

6. Project Heart

Project Heart meets weekly in larger groups or in biweekly smaller groups, website gives locations in Grass Valley, CA:

We choose lives of excellence. And we help others to do the same. Having overcome addiction issues, the men and women of Project H.E.A.R.T. recognize the essential role of true friendship in the recovery process. We encourage others to fill their lives with friendship instead of drug abuse and criminal activity. Together, we do more than simply avoid relapse: we Hold Excellence Above Relapse — as a Team.

Website: <https://projectheart.net/>

Phone: 530-446-6025

7. Stepping up

Stepping up is a national initiative to help inmates with mental illness. In 2019, Nevada County was listed as one of the 26 California counties, and one in 550 counties across the US participating in Stepping Up:

Website: <https://stepuptogether.org/#/>

8. Turning Point Community Programs (TPCP)

Turning Point Community Programs (TPCP) is a non-profit organization established as Midtown Manor in 1976, a staff of two serving 40 individuals with psychiatric disabilities. The name changed to Turning Point in 1985, providing two augmented and treatment homes. Continued growth across California for decades finally included Nevada County (Providence Center) in 2014-15. As of 2017, the TPCP serves over 6,000 with a staff of over 700 across Northern California.⁵²

PROVIDENCE CENTER promotes wellness and recovery, partnering with individuals 18 and older living with severe and persistent psychiatric disabilities. Clients are referred for individualized, locally-based outpatient treatment. Assertive Community Treatment (ACT) and Assisted Outpatient Treatment (AOT) assist clients in achieving and maintaining a higher level of independence and quality of life within their community.

⁵² <https://www.tpcp.org/about-us/history/>

Services strengthen community integration, mental and physical well-being, vocational and educational opportunities, healthy relationships and a level of independence.

Referrals must be made through the Nevada County Behavioral Health Access Team at (530) 265-1437 -or- toll-free at (888) 801-1437

Website: <https://www.tpcp.org/programs/providence/>

Phone: (530) 273-5440

Address: 500 Crown Point Circle, Suite 100, Grass Valley, CA 95945

Appendix C: Links to Media News regarding Partnerships

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May 2022: El Dorado County partnership with the ‘Stepping Up’ program for mentally ill inmates. Nevada County was a member of Stepping Up, there is no new information available via media.

<https://www.mtdemocrat.com/news/county-stepping-up-for-mentally-ill-inmates/>

April 2021: Hospitality House in collaboration with Nevada County Behavioral Health providing training to Nevada County, Grass Valley, and Nevada City law enforcement officers on handling homelessness. This initiative is a result of a collaborative grant award to Hospitality House from the California Commission on POST with a goal to train a total of 105 local officers in 2021.

<https://hhshelter.org/hospitality-house-local-law-enforcement-and-public-health-debut-statewide-homelessness-related-peace-officers-and-standard-training/>

March 2021: Prison Advocacy Network Re-entry Guide for Northern California

https://www.prisoneradvocacynetwork.org/uploads/1/2/9/6/129656843/2021.03.02_final_pan_re-entry_guide_northern_ca.pdf

October 2020: Nevada County Sheriff’s Office announces a new mobile crisis team, an internal Nevada County team of one officer and therapist responding to calls. Collaboration within Nevada County of HOME team, Behavioral Health, Crisis Management, NCSO, and others.

<https://yubanet.com/regional/nevada-county-sheriffs-office-announces-a-new-mobile-crisis-team/>

November 2019: Nevada County hosting a ‘Stepping Up’ meeting, outlining services from arrest to re-entry. Key stakeholders (Behavioral Health, NCSO, Public Defender, District Attorney) to review intercept map and identify next steps.

<https://www.nevadacountyca.gov/CivicAlerts.aspx?AID=2476&ARC=5889>

June 2018: Union article on benefit of yoga classes on incarcerated individuals

<https://www.theunion.com/news/local-news/inmates-at-the-nevada-county-jail-say-yoga-classes-have-made-a-positive-difference-in-their-lives/>

December 2017: Union article on benefit of programs and therapists at WBCF.

<https://www.theunion.com/entertainment/ciela-hanson-kickinger-the%E2%80%8B-%E2%80%8Bbroad%E2%80%8B-%E2%80%8Bto%E2%80%8B-%E2%80%8Bfreedom/>

August 2017: Union article on the benefit of the Acting Up program at WBCF

<https://www.theunion.com/news/local-news/acting-up-program-offers-wayne-brown-correctional-facility-inmates-a-unique-opportunity/>

May 2017: Union article on an Art project (mural) at WBCF, presented to the inmates, not by the inmates.

<https://www.theunion.com/news/local-news/art-project-at-wayne-brown-correctional-facility-in-nevada-city-takes-shape/>

January 2017: Union article on Nevada County participating in the ‘Stepping Up’ initiative.

<https://www.theunion.com/news/local-news/nevada-county-team-leadership-participating-in-stepping-up-initiative/>

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