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Mono County Grand Jury 2013
Jail and Probation Department Tours
Case #1213.06

INTRODUCTION:

Penal Code Section 919 (b) requires that the Grand Jury inquire into the condition and management of the public prisons within the county. To comply with that requirement, the 2012-2013 Grand Jury toured the Bridgeport Jail (the "Jail") and interviewed the Mono County Sheriff (the "Sheriff"). In addition, the Grand Jury toured the Probation Department facility in Bridgeport (the "Probation Department") which also is used as a temporary holding facility (maximum 96 hours hold) for juveniles.

ASSEMBLY BILL 109:

In April of 2011 the State passed Assembly Bill 109 ("AB 109") also known as "prison realignment", and implementation began in October, 2011. AB 109 transfers from the State to the counties the responsibility for incarcerating, rehabilitating and managing low-level offenders for the full term of their sentences. The State continues to incarcerate offenders who commit serious, violent, or sexual crimes. Prior to enactment of AB109, non-serious felons sentenced for more than one year would be incarcerated in the State penitentiary system.

MEETING WITH THE SHERIFF:

The tour began with a meeting with the Sheriff which included a question and answer session.

Background

The Sheriff was appointed in December 2012 when the then-Sheriff retired. According to the Mono County Sheriff's Department website, he began his law enforcement career in 1985 with the Los Angeles County Sheriff's Department. In the year 2000, he moved his family to Mono County and started his Mono County career as a June Lake resident Deputy. Over the past years, the Sheriff has worked a variety of assignments with both departments ranging from Field Training Officer, Dispatcher, Special Assignment Deputy, Helicopter Observer, Chief Deputy Coroner, Sergeant, Lieutenant, and Undersheriff.

Budget

The County receives $77/day from the State per each sentenced inmate incarcerated pursuant to AB 109; however, the expense per inmate is $178 per day. The County funds the additional amount and the Sheriff's Department is currently staying within its allocated budget. The Community Correction Partnership ("CCP") is approximately $347,000/year, and determines how that money will be divided between the various programs, including Probation, Sheriff, Mammoth Lakes Police Department, District Attorney, etc. The majority of the funding goes to Probation and the Sheriff's Department.

Jail Staff

There are currently 18 jail employees. Some of the correctional personnel are transient as the Jail is often used as a stepping stone to the patrol division or to other law enforcement agencies. There is a minimum of two employees on a shift at one time, one of which is always assigned as the 911 operator and dispatcher. The Jail is required to have a female employee at the Jail at all times to deal with female arrestees and inmates. Some of the staff are bilingual and receive a small stipend for that specialty. The Sheriff is very proud of his staff and gives them all very high marks for professionalism.

Jail Infrastructure

The Jail currently houses 30 inmates with a capacity for 44 inmates. The Jail has no facilities for meetings or vocational training and the mental health programs are usually conducted in the detoxification room. The California Department of Corrections and Rehabilitation ("CDCR") and the Standards of Training for Corrections ("STC") has oversight of the Jail and staff and conducts annual inspections. The Mono County Jail consistently receives very high reviews.

Inmates

By the end of this year, the Sheriff anticipates that the Jail will house 15 long-term inmates. Most inmates will serve about half their sentence and/or will fulfill a "split sentence" where part of their sentence will involve working on the outside under the jurisdiction of the Probation Department. Inmates performing work detail/community service receive time-off credit from their sentence. Approximately 50% of the inmates are in custody for drug related crimes.

State Requirements

Due to AB109, the State now mandates that the County must meet ADA (Americans with Disabilities Act standards, have mental health counseling, alcohol and drug treatment programs, domestic violence training, etc. as is required in the State Penitentiaries. The Sheriff said that the Mono County Health Department, Alcoholics Anonymous, Narcotics Anonymous, Wild Iris, etc., are working with the Sheriff's Department in meeting these requirements.

New Facility

The County has requested State funding for a new jail twice and was denied both times. Considering the overcrowding of other prisons in the State, the Mono County request for a new facility is considered very low priority. The estimated cost for a new jail is $25 million; the current facility was constructed in the mid-1980's.

JAIL TOUR:

Intake/Sally Port

The Grand Jury was introduced to the Supervising Sergeant of the Jail (the "Sergeant") who was to be our guide through the facility. The tour began at the Intake area or Sally Port where

vehicles with inmates arrive. Prior to entering the Booking Area, officers' guns must be secured in the gun locker which is located adjacent to the Sally Port.

Booking Area

The Booking Area is where all inmates are processed for admittance and given an orientation. Inmates are given an "Inmate Handbook - Jail Division" pamphlet which explains the rules and regulations of the Jail as well as inmate grievance procedures and available inmate programs. The walls also have signage which relate to the rules and procedures of the Jail. There is a booking cage where inmates are asked to sit while the officer processes the individual. The Jail takes away all clothing and personal property of inmates and the items are inventoried and stored until the inmate leaves the facility or the family picks up the items. By law, inmates' property must be secured and the property must be tracked on a computer.

Inmates are fingerprinted with a digital machine and the prints are transmitted to the Department Of Justice ("DOJ"). The Booking Area also has a breathalyzer that is linked to the DOJ in Fresno.

Inmates are required to answer questions from an "Intake Questionnaire" and a "Visual Assessment Questionnaire" which are then entered into a computer. The answers provide an inmate evaluation which determines the appropriate cell block where the inmate should be incarcerated. The Sheriff's Department can over-ride the computer classification.

Every room in the Jail, including the booking cage, is monitored by cameras and recording devices. The telephones are also monitored. According to the Sergeant, there is no expectation of privacy in the Jail except in the attorney/client meeting room.

Library

The Booking Area also contains a library of books and periodicals. The Jail is required to buy and provide books and other reading material for the inmates. Books are also donated by the Mono County Library.

Booking Area Adjacent

There are three separate rooms off the Booking Area/Library. One room is used to strip search inmates when they are being processed. All strip searches are videotaped. The officer will only visually check body orifices. If a cavity search is deemed necessary, a search warrant is required and the search is performed by a medical doctor. Cavity searches are very rare.

Another room is used for medical appointments with a doctor or physician's assistant from the Bridgeport Clinic who comes to the Jail four days a week. If medical help is required the other three days, Mono County paramedics will respond. Staff is cognizant that **Methicillin-resistant Staphylococcus aureus** ("MRSA") and other staph infections are highly contagious and take precautions to prevent their spread. Inmate prescriptions are written by medical personnel and dispensed by the Jail staff. Depending on the number of inmates, medical costs can run as much as $100,000 to $150,000 per year. There is a contract with the State Prison System for serious medical/psychological cases. Otherwise, the Jail is required to pay all

medical costs for inmates and the Sheriff's Department has no ability to control the medical costs. Currently there are two inmates over seventy years of age.

The third room off the Booking Area is a "sobering" cell, also known as detoxification, where arrestees who are under the influence and addicts who are in withdrawal are separated from the general inmate population. Any inmate in detoxification must be checked every half hour by the staff.

Laundry

Long-term inmate trustees manage the laundry facility. California law requires twice weekly clothing exchanges. Inmates will also often times hand wash their clothes in the sink in the wards.

Kitchen

The Kitchen is inspected once a year by the CDCR and by the Mono County Health Department. According to the Sergeant, the Kitchen is rated as one of the cleanest kitchens in the State. The Kitchen appeared very clean and efficient and the cook clearly took pride in his food preparation. Breakfast is served at 7 am, lunch (the most substantial meal) at noon, and a light dinner is at 6 pm. All menus must be approved by a State dietitian.

The Jail has two civilian cooks with inmate helpers. The Sheriff's Department would like to hire a third cook, but that position has not been approved. (When one cook is on vacation or sick, the remaining cook can be on duty for 12 hour shifts for up to 30 days straight).

The Kitchen has a huge walk-in freezer and walk-in refrigerator as well as a large pantry. The Jail keeps a two month's food supply in case of road closures or other emergencies. The Jail is not required to accommodate special diets, although pregnant inmates are required by State law to have a modified diet.

The Sheriff, the Sergeant and the Grand Jury ate the same lunch that was served to inmates. The lunch consisted of a meat burrito, refried beans, corn, half an orange and both vanilla and chocolate pudding. The Grand Jury was also served chips and salsa. The Grand Jury consensus was that the meal was very good and there was more than an adequate amount of food.

Administrative Program and Control Areas

The Administrative Office is a staff-only secured area with desks and workstations. There is a walk-in computer closet with an impressive amount of hardware. The computer system is connected to a back-up generator that insures the system is always operational and that records will not be lost if the main power fails. All Jail records are computerized, along with telephone and Dispatch records.

There is also a small room that contains a weapons safe which holds pepper ball guns, hand grenades with gases, sting balls, stab vests, tasers and other equipment to use in the case of an inmate fight.

The Control Area contains the 911 Dispatch Center. The Sergeant informed us that all Jail employees must be both correctional officers and 911 operators. Dispatch must be staffed at all times so if, for example, a female 911 operator is needed to assist with a female inmate, another officer must take over the 911 dispatch. The 911 dispatch serves as the Dispatch Center for the entire County. 911 calls via cell phones are directed to Bishop and then are transferred to Bridgeport Dispatch.

Everything in the Control Area is done electronically. The operator in the Control Area can communicate between various agencies such as Fire, Fish and Game, County, CalTrans, etc. This area also contains the controls in which the Sheriff's Department can electronically open and close (lock) the cell block doors as well as giving the staff control of the inmate's televisions, cell block lights and water. There are video feeds monitoring the entire facility and an intercom system for communication with the inmates. The Sergeant said the videos are retained for 50 days and they can be very helpful as evidence in the case of fights between inmates in the cell blocks.

The Sergeant informed us that the CAD computer system hardware is getting old and it is getting more difficult to acquire parts as the manufacturer has gone out of business. The Sergeant said that the entire system will soon need to be replaced. The County Board of Supervisors is aware of this and the Sheriff's Department has been told that a budget is being worked on for the eventual replacement.

The Control Area also contains the Inergen fire control panel which is the fire suppression mechanism for areas where water would damage computers, other electronics or the food supply. A dry pipe overhead fire sprinkler system protects the rest of the facility. Fire inspections of the Jail occur annually by the Mammoth Lakes Fire Protection District.

Cell Blocks

Cell block "A" is the maximum security block that contains inmates who have been arrested for violent offenses, are hardened criminals or who have come from State Prison or are on their way to State Prison. The inmates are kept in separate cells and there is an adjoining common area with a table and benches, a TV and a pay phone. Each cell can be separately locked. No inmates were in the common area while the Grand Jury was touring the Jail. According to the Sergeant, most of the inmates spend their time sleeping in their cells. "A" Block can accommodate 16 inmates.

Cell block "B/C" is a minimum to light-medium security block. There are two large rooms where the inmates sleep and which are connected to a common area containing tables and benches, a TV and a pay phone. Some inmates work and are outside of the Jail during the day. Other inmates don't want to work and, according to the Sergeant, spend most of their time sleeping. The inmates we saw in the common area were watching TV, doing push-ups on the benches or talking with other inmates. The inmates we observed appeared clean, well-groomed and healthy. Cell Block "B/C" can accommodate 24 inmates.

Cell block “D” is a 4-person cell for females. The Jail can also add cots or temporarily put the women in the isolation cells, or the sobering cell if there are more than 4 female inmates at one time. The Grand Jury did not see Cell block “D”.

There are two isolation cells that are typically used for discipline and/or for protective custody (for example, any inmate charged with or convicted of sex crimes is placed in an isolation cell). In the same area there is a small cell for inmates who serve as trustees. This cell has an open door and the trustees are able to move about the Jail area during the day. The trustees wear orange jumpsuits while the rest of the inmates wear black and white striped jumpsuits. The trustees we observed who interacted with the staff were spoken to in a polite and friendly manner.

Inmate fights occur approximately once a month although most are not serious and are resolved when the jailer steps in.

Inmate discipline can include a restriction of privileges (i.e. canteen, television) and/or lockdown. Lockdown can be for 24 hours, up to a maximum of 30 days unless another disciplinary problem occurs within the 30 days. After 30 days, a medical/psychological exam is required for every 10 additional days. Additional discipline may consist of a “disciplinary loaf” which is very bland food with ingredients directed by the State. The Sergeant said the “loaf” has never been used as discipline in the Bridgeport Jail.

Inmates can file grievances for living conditions or regarding staff. The process begins with a complaint being filed with the Jailer, and if not settled, then moves up the chain of command.

Mail (incoming and outgoing) is censored and inmate-to-inmate mail is thoroughly reviewed. Confidential correspondence (e.g. to/from an attorney) is opened by the inmate in the presence of a Jailer, and given a quick check for contraband, metal, drugs, etc.

Visitation privileges are fairly lenient as visitation is available every day and evening except for Tuesday which is when the Court is in session.

Yard

There is a small vestibule that leads outside to a secure walkway and the “Yard”. The Yard has a cement floor and is covered by a roof. Two sides of the Yard are completely enclosed in thick wire mesh with the other two sides being the exterior walls of the Jail. Although the Yard provides some fresh air, there is not much, if any sunshine. Staff removed the basketball hoop because the inmates pulled it down and there was the potential to use the metal rim as a weapon. The weights were also deemed a problem and removed as they were being used as a battering ram on the mesh enclosure. According to the Sergeant, State law requires the Jail to offer a minimum of three hours a week in the Yard. Three to five hours are offered to inmates, although the inmates often don’t use their allotted time. The only recreation the Yard provides is handball which is played against one of the Jail’s concrete walls.

Inmate Canteen

The Grand Jury did not see the Canteen but the Sergeant informed us that the inmates may purchase snacks and personal hygiene items among other things. The profits from Canteen sales go to pay for inmate amenities such as the library books, the TVs and cable service and the repair and upkeep of the Yard. According to the Sergeant, last year the Jail Canteen made more than $100,000 profit on candy and snacks alone.

Exterior and Interior of the Jail

Both the exterior and interior of the building were well maintained and free of graffiti. The interior walls were clean and appeared to be freshly painted. The floors were clean and all areas were adequately lighted. The bathrooms were clean and the inmate areas were neat and uncluttered. The temperature throughout the building was comfortable.

INMATE PROGRAMS AND QUALITY OF LIFE:

Community Service/Work Crews

The Jail has work crew program which provides inmates with the opportunity to work in the community, helping with things such as clearing snow from around fire hydrants, County roadside maintenance and litter pick-up, and cemetery upkeep. Although the inmates do not get paid, it is a popular program as it allows the inmates outdoor exercise, a break from the prison monotony and work credit towards their sentence. Unfortunately, there is only enough staff to oversee this service three days a week.

Educational and Vocational Training

Currently, education is very limited and difficult to provide because the Jail population is so transient. As more long-term inmates are housed in the Jail, the need for education and vocational training will have to be addressed. At this time, the Jail does not have the space for classrooms. If a request is made, the Mono County Office of Education would make an evaluation to see if the class/program could be made available.

Mental Health and Substance Abuse Programs

A Mono County mental health worker visits the Jail every Monday (or more frequently, as necessary) and provides substance abuse counseling. An Alcoholics Anonymous representative holds meetings every Sunday. According to the Sergeant, mental health and counseling will become more of an issue when the Jail has more long-term inmates.

Recreation

The main form of indoor recreation seems to be watching television or reading. The only opportunity for outdoor recreation appears to be handball in the Yard, and that is only available 3 to 5 hours a week.

Religious Services

There are no religious services, although an inmate may request a visit by a member of the clergy and the Sheriff's Department will try to accommodate the request. According to the Sergeant, requests for clergy are rare.

PROBATION DEPARTMENT TOUR:

Introduction

The Probation Department administers adult and juvenile probation programs and its goals are to protect the community, rehabilitate probationers and prevent crimes and delinquency.

As officers of the Mono County Superior Court (the "Court"), the staff provide investigatory programs and supervision for adult probationers. The Department provides intake, investigation and supervision of all juveniles referred by Town and County law enforcement agencies. The Probation Department is a distinct and separate County department and the Chief Probation Officer reports to the County Chief Administrative Officer.

Mono County maintains Probation offices in Mammoth Lakes and Bridgeport. Office hours are Monday through Friday from 8:00a.m. to 5:00p.m. The Mono County Juvenile Hall, located at 57 Bryant Street in Bridgeport, is a 96-hour special purpose facility. Minors arrested in Mono County are temporarily detained at this facility and then transferred to a facility in Independence. When juveniles are in custody, the facility is staffed 24 hours a day.

Tour

The Grand Jury was given a tour of the Probation Department and Juvenile Hall by the Chief Probation Officer ("Officer") and staff.

The current caseload includes 300 probationers, of which 30 are youth. There are 5 Probation Officers, plus the Chief Probation Officer and one Probation Aide; all are sworn officers of the Court. One officer works specifically with youth. Currently the Department has 3 officers working with adults and there is one vacancy with interviews underway. Most of the officers work in the Mammoth Lakes facility due to the larger population and corresponding level of juvenile issues.

Currently there is a large caseload of 80 – 130 probationers per Probation Officer. According to the Chief Probation Officer, if there were 2 – 3 more officers, home visitations of probationers could occur more frequently. A probation sentence is assigned by a judge, and typically ranges from 3-5 years.

Juvenile Hall

There are two temporary cells located in the Bridgeport facility. One is a "wet" cell with a toilet and sink; the other "dry" cell does not include a toilet or sink. There is also a day area with a table, couch, kitchen and full bathroom. The Bridgeport facility is not used frequently as juveniles are transported to a larger facility in Independence. There, the juveniles are provided

with educational programs and psychological services. There are no juvenile residential facilities in either Mono or Inyo County, which means juveniles are sent elsewhere after sentencing. Very few are placed in foster homes.

The focus in the juvenile system is to keep the juveniles with their family and to work with the family to rehabilitate the juvenile. Typical crimes committed by juveniles include drug abuse, petty theft and sexual offenses. Rehabilitation includes substance abuse counseling, education, vocational skills, anger management, etc. Incorrigibility is a juvenile offense, and juveniles cannot be detained for this offense; parents must deal with these behaviors independently from the court system.

The CASA ("Court Appointed Special Advocate") program has been extremely beneficial in rehabilitating juveniles. The CASA's focus is upon the child, not the system. Inyo County has many of these, but Mono County does not. CASA has just been implemented in Mono County, and additional training is scheduled to be offered. CASA can work with delinquents, although it currently does not in Mono County. The Executive Director of Wild Iris is serving concurrently as the Director of CASA.

Probationers

Probationers are grouped into three categories – low, medium and high risk. Probation Officers monitor low-risk probationers via the telephone, email and mail service. Officers conduct face-to-face meetings with low-risk probationers every few months. Medium-risk probationers are monitored electronically with a GPS-type monitor. Probationers in this category have had multiple DUI convictions, drug abuse convictions, committed sexual crimes and/or domestic violence. The highest risk probationers meet with their Probation Officer twice a month. The Sheriff's Department can provide random probation checks for the Probation Department, with a courtesy request. Recidivism in Mono County is statistically slightly lower than the State average.

When on probation, an individual cannot move out of State unless the Court has granted permission and there is coordination with the receiving State/County. If granted permission to leave the State/County, the probationer is supervised as a courtesy by the respective county, however, the Mono County Court still retains jurisdiction.

FINDINGS AND RECOMMENDATIONS:

1. The Grand Jury found that the Jail and Juvenile Hall are clean and well-maintained. Both operations have budgetary limitations but are working well within those limitations. Given the physical limitations and understaffing of the Jail, it seems to be very well run. The prisoners seem to be treated humanely. The Sheriff and Sergeant were professional, helpful and were rightfully proud of their operation.
   - ***Recommendations: none***

2. The Grand Jury found that AB 109 has not yet seriously impacted the functions of the Jail. Staff, however, predict that the number of full-time prisoners will increase to 15 by the end of this year. There is a concern about mixing career criminals with those who have merely

slipped up and the Grand Jury found that this problem will only become more extreme as the Jail houses more long-term inmates.

- ***Recommendation: the County should be planning ahead to determine a viable solution to housing long-term inmates as a result of AB 109.***

3. The Grand Jury found that the Voluntary Work Assignment program is valuable to both inmates and the community, yet the amount of time that inmates can volunteer in this program is limited due to current staffing levels.
   - ***Recommendation: the Voluntary Work Assignments program (community service) is excellent and serves a useful purpose to society and gives inmates a sense of purpose. The outdoor work is healthy, both mentally and physically. With additional staff, the program could be expanded to 7 days a week and the Grand Jury recommends that additional staff be hired for this purpose.***

4. The Grand Jury found that there are only two cook staff members and when one is sick or on vacation, the other staff person must work additional and/or consecutive days to insure that the inmates are fed.
   - ***Recommendation: a third cook, possibly as a part-time position if feasible, should be hired to allow the 2 current cooks regular time-off and to fill-in during emergencies.***

5. The Grand Jury found that during non-business hours, the Jail and Dispatch operations have limited staff which could pose a concern for both inmates and Jail employees. The Grand Jury found that minimum Jail staffing of two persons on a shift at one time seems low, especially when one of the staff is the 911 operator and Dispatcher.
   - ***Recommendation: the Grand Jury recommends that a minimum staffing standard should be established and adhered to as a matter of safety for both inmates and Jail employees. Additional staff should be hired.***

6. Finding: the Grand Jury learned that the 911 Dispatch system and the prison electronic controls systems are reaching the end of their life expectancy. The Board of Supervisors is aware of the need to replace these systems; however, replacement funding has not yet been implemented.
   - ***Recommendation: the 911 Dispatch and Computer Control System replacement will have to be addressed soon and will be a significant cost to the County. As a result, the Grand Jury recommends that the County should be budgeting now and planning ahead for this eventuality.***

7. The Grand Jury found that the lack of physical and mental recreation and classroom learning opportunities for the inmates needs to be mitigated, especially with the recent addition of long-term prisoners. The Jail, as it now stands, does not have available space for classrooms and the exterior exercise yard is small and depressing. The 3-5 hours of outside exercise per week is insufficient.
   - ***Recommendation: the Grand Jury therefore recommends funding for a classroom for inmates and outside additional space for outdoor programs, and plus an expansion of the existing Jail (or, ideally, a new facility).***

8. The Grand Jury found that the CASA program is highly effective in Inyo County in working with juveniles, and that building upon this program in Mono County could be beneficial.
   - ***Recommendation: the Grand Jury recommends the establishment of a Establish a County-wide Juvenile Services Advisory Board. The Grand Jury also recommends funding and encouraging Encourage and fund the CASA program by offering training and volunteer recruitment.***

9. The Grand Jury found that there is no statewide database for probationers or juveniles, which means that there is no inter-county exchange of information. In fact, this prevents the Department from communicating with the Court itself.
   - ***Recommendation: none***

10. The Grand Jury found that there are approximately 130 drug offenders on probation, yet there are no resources such as half-way houses available in Mono County. The Grand Jury found that the Probation Department was under-staffed which limits the amount of contact dedicated to each probationer.
   - ***Recommendation: the Grand Jury recommends hiring two to three additional Probation Officers as each Probation Officer currently has a large caseload (80-130 cases). Additional staff would insure that more home visitations occur.***
   - ***Recommendation: the Grand Jury recommends that the County seek funding for a half-way house, similar to the one once located in Mammoth Lakes.***

11. The Grand Jury found that the front door to the Juvenile Hall/Probation facility is not sufficiently secured. The Grand Jury also found that the facility lobby is open and there is no physical barrier to prevent irate individuals from accessing staff and/or the facility.
   - ***Recommendation: the Grand Jury recommends providing security in the existing Juvenile Hall/Probation building by constructing a counter/partition in the lobby area and strengthening the exterior door locking mechanism.***