

Ventura County Sheriff's Department Inmate Welfare Fund

Background

An inquiry posed to the Grand Jury with respect to the disposition of revenue derived from surcharges to inmate collect calls led the Jury to consider the administration of the County Sheriff's Inmate Welfare Fund (IWF) to which those surcharges accrued.

Methodology

The Jury visited all Ventura County jails and detention facilities as well as the various booking process centers. Questions were asked of the deputies on duty regarding telephone procedures. Several discussions were held with Sheriff's Department officials charged with overseeing the IWF. Discussions were conducted with persons engaged in delivering services procured for inmates from the fund. Confinement facilities were visited and IWF activities and locations were observed. The "Statement of Revenue, Expenditures and Changes in Fund Balance for FY [Fiscal Year] ending June 30, 2002" was examined and specific items were questioned and discussed in detail with IWF administrators. Similar activities were observed at visited confinement facilities other than those in Ventura County.

Findings

- F-1. The Sheriff of Ventura County established and has maintained an IWF in accordance with California law. See, Attachment A.
- F-2. Money deposited in the IWF is required to be spent primarily for the benefit, education and welfare of inmates confined in the jail.
- F-3. The Sheriff has wide discretion in selecting programs for the welfare of inmates.
- F-4. Among other things, funds not needed for the welfare of inmates may be spent for salary and benefits for personnel employed in programs to benefit prisoners.
- F-5. Ventura County Sheriff IWF programs include education (General Educational Development and English as a Second Language) substance abuse recovery, parenting, anger management, health counseling, vocational training (print shop and computer repair), outplacement, library services (including magazines, etc.) and recreational materials (sports equipment, games, etc.).
- F-6. Grand Jury site visits verified that the programs are in place and are being provided.
- F-7. The family and educational programs at the Ojai Women's Facility appear to be particularly well designed to effect family rehabilitation.
- F-8. Personnel delivering services are well trained, well qualified and dedicated to their work.

- F-9. There are some indications that several educational programs may be curtailed in light of the County's present financial condition.
- F-10. IWF money may be used, and is being used, to assist indigent inmates upon release including essential clothing and transportation to the inmate's home county, if that county is within 500 miles of the release point.
- F-11. IWF funds may not be spent for required County expenses of confining inmates (meals, clothing, housing, medical treatment).
- F-12. The Sheriff may augment required County expenses when he determines it to be in the best interest of the inmates.
- F-13. Augmentation with respect to mental health issues is taking place and is being appropriately applied.
- F-14. The IWF is managed by the Sheriff's "Inmate Welfare Committee" composed of six persons including the Sheriff, or his designee, and Department personnel most closely associated with confinement management and one member-at-large, subject to the Sheriff's approval.
- F-15. The IWF Committee Policies and Procedures call for a biennial outside audit of the finances and operational aspects of the Commissary to be submitted to the Board of Supervisors, for information only, and to the public and inmate population on request.
- F-16. The IWF Committee Policies and Procedures are clear, concise and mostly comprehensive.
- F-17. Subsequent to booking all inmate phone calls must be made collect since inmates are not permitted to possess cash and there is no economically feasible way to accommodate some other method of administering inmate phone calls in confinement facilities.
- F-18. Telephone stations for inmate calls are conveniently located and are in adequate supply.
- F-19. The IWF is wholly funded from operation of the Inmate Commissary and from inmate collect phone surcharge revenue.
- F-20. The Inmate Commissary is well stocked with appropriate items and the ordering and accounting system for inmates is adequate and efficient.
- F-21. The Sheriff submits an annual, itemized, for information only report of IWF expenditures to the Board of Supervisors.
- F-22. The IWF is deposited in the Treasury of the County and is subject to its internal controls.

Conclusions

- C-1. The Ventura County Sheriff's IWF is well managed and operated in accordance with California law. (F-1, 6, 7, 9, 12-15, 17, 19-21)
- C-2. The Policies and Procedures of the Sheriff's IWF Committee are clear, concise and comprehensive but can be improved by adding certain procedural details. (F-13-15, 20)
- C-3. The Sheriff's report is comprehensive and made in adequate detail to cover the entire IWF program. (F-21)

- C-4. Program administrative and executing personnel appear to be competent and dedicated to their work. (F-7, 13, 19)
- C-5. The financial administration of the IWF is well thought out and appropriate controls are in place. (F-13, 14, 18, 20, 21)
- C-6. With the sole exception of the California Rehabilitation Center at Norco, California, inmate rehabilitation programs in Ventura County are superior to like programs at similar institutions visited by the Grand Jury outside of Ventura County. (F-5, 6, 7)
- C-7. Programs designed for women inmates at the Ojai Women's Facility and particularly those for mothers and families appear to have the most promise for lasting rehabilitation of those inmates. (F-5, 6, 7)

Recommendations

- R-1. That the Policies and Procedures of the Sheriff's IWF Committee be amended to require biannual meetings of the Committee as a minimum.
- R-2. That the Policies and Procedures of the Sheriff's IWF Committee be amended to require that prior to any scheduled Committee meeting an agenda be determined and published for the Committee.
- R-3. That the Policies and Procedures of the Sheriff's IWF Committee be amended to require that minutes of Committee meetings be taken and recorded as a matter of official Committee record.
- R-4. That the biennial audits performed on the IWF for the Sheriff include review of the minutes of the previous biannual meetings.
- R-5. That, in so far as is feasible with IWF resources, the educational services at the Todd Road Jail and the Ojai Women's Facility be maintained at their present level or increased.

Required responses

Ventura County Sheriff (R-1-5)

Commendations

The Sheriff is commended for establishing and maintaining a high quality IWF and program. The officials supervising the administration of the Sheriff's IWF, the administrative personnel in the field administering the fund and personnel delivering the services to the inmates are all deserving of high praise for their diligence in the performance of this duty and their dedication to achievement of the purposes of the IWF.

Attachment A
Inmate Welfare Funds
(Includes 2002 changes from Senate Bill No. 1481, underscored)

4025. (a) The sheriff of each county may establish, maintain and operate a store in connection with the county jail and for this purpose may purchase confectionery, tobacco and tobacco users' supplies, postage and writing materials, and toilet articles and supplies and [deletes "to"]sell these goods, articles, and supplies for cash to inmates in the jail.

(b) The sale prices of the articles offered for sale at the store shall be fixed by the sheriff. Any profit shall be deposited in an inmate welfare fund to be kept in the treasury of the county.

(c) There shall also be deposited in the inmate welfare fund 10 percent of all gross sales of inmate hobbycraft.

(d) There shall be deposited in the inmate welfare fund any money, refund, rebate, or commission received from a telephone company or pay telephone provider when the money, refund, rebate, or commission is attributable to the use of pay telephones which are primarily used by inmates while incarcerated.

(e) 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. Inmate welfare funds shall not be used to pay required county expenses of confining inmates in a local detention system, such as meals, clothing, housing, or medical services or expenses, except that inmate welfare funds may be used to augment those required county expenses as determined by the sheriff to be in the best interests of inmates. An itemized report of these expenditures shall be submitted annually to the board of supervisors.

(f) The operation of a store within any other county adult detention facility which is not under the jurisdiction of the sheriff shall be governed by the provisions of this section, except that the board of supervisors shall designate the proper county official to exercise the duties otherwise allocated in this section to the sheriff.

(g) The operation of a store within any city adult detention facility shall be governed by the provisions of this section, except that city officials shall assume the respective duties otherwise outlined in this section for county officials.

(h) The treasurer may, pursuant to Article 1 (commencing with Section 53600), or Article 2 (commencing with Section 53630) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, deposit, invest, or reinvest any part of the inmate welfare fund, in excess of that which the treasurer deems necessary for immediate use. The interest or increment accruing on these funds shall be deposited in the inmate welfare fund.

(i) The sheriff may expend money from the inmate welfare fund to provide indigent inmates, prior to release from the county jail or any other adult detention facility under the jurisdiction of the sheriff, with essential clothing and transportation expenses within the county or, at the discretion of the sheriff, transportation to the inmate's county of residence, if the county is within the state or within 500 miles from the county of incarceration. This subdivision does not authorize expenditure of money from the inmate welfare fund for the transfer of any inmate to the custody of any other law enforcement official or jurisdiction.

4026. The sheriff or other officer in charge of a county or city jail may provide for the manufacture of small articles of handiwork by prisoners out of raw materials purchased by the prisoners with their own funds or funds borrowed from the inmate welfare fund, which articles may be sold to the public at the county or city jails, in public buildings, at fairs, or on property operated by nonprofit associations. County- or city-owned property shall not be sold or given to prisoners for use under this section, except as expressly permitted by this section. The sheriff or other officer in charge shall comply with subdivision (c) of Section 4025 and provide that the balance of the sale price of the articles be deposited to the account of the prisoner manufacturing the article after repaying the inmate welfare fund any amount borrowed.