

Ventura County Grand Jury 2012 - 2013



Final Report

Detention Facilities Inspections

June 26, 2013

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Detention Facilities Inspections

Summary

The 2012-2013 Ventura County Grand Jury (Grand Jury) in adhering to the California Penal Code Section 919(b) states that, "The Grand Jury shall inquire into the condition and management of the public prisons within the county." In addition, section 921 states " . . . the Grand Jury is entitled to free access, at all reasonable times, to the public prisons, and to the examination, without charge, of all public records within the county." [Ref-01, 02]

In order to ensure the safety and security of arrestees in detention facilities, as dictated by the California Penal Code 919(b), the Grand Jury inspected all jails and holding facilities through the lens of "Realignment," ordered by the Supreme Court of the United States in the fall of 2011. The legislation "realigns" from the state to local level responsibility for supervising people convicted of certain felony crimes. This is the State of California's (State) solution to overcrowding in its institutions. This action has an effect on the detention facilities in the County.

The number of inmates at the Ventura County Main Jail totaled 1,400 before realignment began in October, 2011, but routinely exceeds 1,600 inmates at present. The County expects to receive approximately 1,100 individuals released from prison to probation supervision at full implementation. All fourteen County facilities inspected met the minimum standards of the California Standards Authority (CSA), as found in Title 15 and Title 24 of the California State Code of Regulations (CCR). [Ref-03, 05]

All of the Police Departments (PD) and County holding facilities inspected were aware of and conformed to the policies and procedures for processing juvenile detainees. Juvenile detainees are treated differently from adult detainees.

The Grand Jury observed some facilities with areas that need improvements: the Santa Paula Police Department (SPPD) and Fillmore Police Department (FPD) booking areas need improvement in general housekeeping (floors and counters). The FPD did not have cleaning agents readily available for cleanup of bodily fluids. FPD and Ventura Police Department (VPD) did not have adequate first aid supplies and the VPD did not have an Automatic External Defibrillator (AED). [Ref-04]

The Grand Jury recommends that: the City of Ventura (Ventura) purchase an AED for the VPD. The Ventura County Sheriff's Department (VCSD) and Ventura County Probation Department (Probation Department) should work to increase the safety of staff/juveniles in the medical areas. The FPD needs to be refurbished until such time as funds are available for a new building or until relocation can be made. [Ref-04]

The Grand Jury commends the Probation Department, Sheriff's Department and the various Police Departments of Ventura County for their continuing efforts to

foster community-based programs that bring together and develop better relationships between law enforcement and the public.

Background

As a result of a lawsuit brought by inmates of California state prisons, the United States Supreme Court ordered the State to reduce its prison population by more than 30,000 inmates over a three-year period. The State will achieve this reduction through legislation (AB 109 and AB 117) created to transfer responsibility for incarceration and supervision of certain low-risk offenders from the State to its 58 counties. The legislation also changes the penal code and sentencing laws to allow new offenders to be sentenced to local jails rather than to state prison. Although the transfer of control is gradual, the County expects to receive approximately 1,100 individuals released from prison to probation supervision at full implementation. Additionally, an estimated 800 individuals sentenced by local courts to serve time in County jails will eventually be released to probation. [Ref-08]

The California Penal Code Section 919(b) allows for a great deal of flexibility by Grand Juries in their mandatory inquiries and inspections. Every aspect suggested by the CSA need not be inspected; therefore, each independent Grand Jury may define its goals of inspection, so long as they fall within the parameters of the applicable penal codes. (Att-01) [Ref-01-02]

One of the main focuses of the 2012-2013 Grand Jury was the effect that realignment is having on the physical condition of the jails and holding facilities in addition to the treatment of inmates. A concern was that the maintenance standards may have been compromised due to the population increases. The CSA is a state regulatory agency that establishes and promulgates standards for the construction, operation and administration of local detention facilities. These standards are found in Title 15 and Title 24, of the CCR. [Ref-03]

The VCSD asked the County of Ventura Board of Supervisors for additional staff, seven deputies and ten civilian correctional officers, given the realignment demands. The increase in inmates has caused an increase in inmate assaults and gang issues. In addition, there were increasing hours of staff overtime. [Ref-05]

There are fourteen detention and holding facilities in the County: Camarillo, East Valley Facility/Thousand Oaks, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, Santa Paula, Simi Valley (SVPD), Ventura, Main Jail and Todd Road. There is one Work Furlough Facility, and one Juvenile Justice Complex (JJC) in Oxnard. [Ref-01, 02] (Att-01)

Methodology

The Grand Jury interviewed law enforcement personnel, observed detention facilities and interviewed officers/staff during site visits. Newspapers, detention reports, and legislation with respect to mandates and penal codes required by detention facilities were evaluated and researched. The Grand Jury’s Mandatory Inspection Form was used to evaluate twenty-six different items. (Att-01) [Ref-03]

Data was gathered from the fourteen county facilities. The booking processes for juvenile and for adult arrestees were evaluated. At the adult facilities and holding cells, attention was on cleanliness/maintenance of the cells/dayrooms, installation and visibility of the AED. The records for the AED units were also inspected at detention facilities. The facilities to be impacted by overcrowding are the County Main Jail and Todd Road Jail. Other findings were based on the Grand Jury’s Mandatory Inspection Form, information presented by the designated Point of Contact (POC) officer/staff, POC on site, and observations made on site by the Grand Jury. [Ref-04] (Att-01)

The inspection table below summarizes the results of the inspection of detention facilities in the County. The first column in the table identifies topics from CSA regulations selected by the Grand Jury. The results were determined by three methods: (1) direct observation during facility visits; (2) verbal reports from the designated POC’s during the facility visits; (3) review of the Policy and Procedures (P&Ps) applicable to the detention facility. The following legend identifies the rating system used by the Grand Jury in the interpretation of CSA regulations: (Att-01)

- S–the facility Satisfies CSA minimum standards
- E–the facility Exceeds the minimum CSA standards
- N–the facility Needs improvement as indicated, still meeting the CSA minimum standards
- NA–Not Applicable for this facility
- R–Received documentation requested from the facility

Facts

FA-01. Mandatory Inspection Form, as adopted by the 2012 – 2013 Grand Jury.

	Jails					Holding Cells								
	Main Jail	Todd Road Jail	Juvenile Justice Facility	Work Furlough Facility	East Valley Facility/TO	Camarillo	Fillmore	Moorpark	Ojai	Oxnard	Port Hueneme	Santa Paula	Simi Valley	Ventura
Policy & Procedure Manuals	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Training for Natural Disasters	S	S	S	S	S	E	N	S	E	S	S	S	S	S
Medical Incidents	S	S	S	S	S	S	E	S	S	S	S	S	S	S
Physical Facility Observations														
Average Capacity	1600	900	420	85	20	4	6	10	2	75	4	26	25	6
Average Length of Stay (Hours)	NA	NA	NA	1 yr.	8	6	3	2	2	6	6	6-9	6	2
Cell Cleanliness & Sanitation	E	E	S	S	E	E	S	E	S	S	S	N	E	S
Arrestee/Inmate Clothing/Personal Hygiene	S	S	S	S	S	S	S	S	S	S	S	S	E	S
Bedding/Linens	S	S	S	S	S	NA	NA	S	S	S	S	NA	E	NA
Toilet Accessibility	S	S	S	S	S	S	N	S	S	S	S	N	S	S
Bodily Fluids Cleansers/Drainage	S	S	S	S	S	S	N	S	S	S	S	S	S	S
Showers	S	S	S	S	S	NA	NA	S	NA	NA	NA	NA	S	NA
Safety & Maintenance	S	E	S	S	E	S	S	S	S	S	S	S	S	S
Phone Accessibility	S	S	S	S	S	NA	S	S	S	S	S	S	S	S
Water Accessibility	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Food/Snacks	S	E	S	S	S	S	S	S	E	S	S	S	S	S
First Aid/Medical Necessities and AED Accessibility	S	S	S	S	S	S	N	E	S	S	S	S	S	N
Classification/Segregation by Male/Female	S	S	S	S	NA	NA	S	S	NA	S	S	S	S	S
Classification/Segregation by Charge/Violence	S	S	S	NA	NA	NA	S	S	NA	NA	NA	S	NA	NA
Appropriate Use of Restraints	S	S	S	S	S	S	S	S	E	S	S	S	E	S
English/Spanish Translators	S	S	S	S	S	S	S	S	E	S	S	S	E	S
Special Accommodations for Juveniles														
Appropriate Use of Restraints	S	S	S	S	NA	E	S	S	S	S	S	S	S	S
Segregation from Adults	S	S	NA	NA	NA	S	S	S	S	S	S	S	S	S
Shouting Distance to Staff	S	NA	NA	NA	NA	S	S	S	S	S	S	S	S	S
Phone Call to Parents	S	NA	S	NA	NA	S	S	S	S	S	S	S	S	S
Interview before Transfer to Juvenile Hall	NA	NA	NA	NA	NA	S	S	S	S	S	S	S	S	S
Log	S	NA	S	NA	NA	S	S	S	S	S	S	S	S	S
Longest Time a Juvenile Held (Hours)	2	NA	NA	NA	NA	6	2	3	2	2-6	2	2-4	6	4

- FA-02.** The officers at FPD have received all mandated training for the year. However, the disaster training which is coordinated with the City of Fillmore has yet to be scheduled due to lack of finances and vacant positions. [Ref-01-03]
- FA-03.** The cells at the SPPD were dirty. [Ref-01, 03]
- FA-04.** For both FPD and SPPD, there were no toilets in the cells. There is a toilet in the FPD booking area for use by the detainees. The toilet in the FPD is in need of replacement, as the tank cover could be removed. There was also an open floor drain, no grate over the hole, in the FPD. [Ref-01, 03]
- FA-05.** The cleaning agents for bodily fluids were not easily located by the FPD staff in the booking area. [Ref-01]
- FA-06.** The FPD and VPD did not have ample supplies in their first aid kits. The FPD first aid kit was located in an Emergency Medical Technician bag. The VPD did not have an AED in their section of the building. In addition, there were insufficient signs indicating the location of a first aid kit at the FPD or AED at the VPD. [Ref-04]
- FA-07.** The following facilities exceed the standards of the CSA in the area of facility cleanliness: Main Jail, Todd Road Jail, East Valley Facility/Thousand Oaks, Camarillo, Moorpark, Ojai, Port Hueneme and Simi Valley. (Att-01) [Ref-03]
- FA-08.** The American Heart Association recommends that all public service personnel have access to and receive training in the use of the AED. [Ref-04]
- FA-09.** The majority of PDs make an attempt to have at least one officer on duty who has some working knowledge of the Spanish language. Simi Valley officers use their Smart Phones to translate words needed in reports/conversations with arrestees. The Ojai PD has qualified Spanish-speaking officers available on each shift. SVPD has "on-call" Spanish-speaking personnel, if the need arises. (Att-01)
- FA-10.** The following holding cell facilities have developed community outreach programs or faith-based programs for juveniles: Camarillo's "Diversion Program," Ojai's "Project Parenting," and "Diversion Program," Moorpark's "Community Drug Forum," Simi Valley's "Project Parenting" and Port Hueneme's "Cops and Jocks," (a Leadership Program). These programs are geared toward getting the parents/responsible parties of the offenders more involved and proactive in juveniles' activities. There has been a drop in the number of meetings of the programs due to the low level of parental participation, as reported by POC staff. [Ref-07]
- FA-11.** During visits to the Main Jail, Special Medical Unit, and Todd Road Jail Clinic, the Grand Jury observed that the keys to the medication drawers were kept in unsecured areas. [Ref-03]
- FA-12.** On three separate visits to the JJC, the Grand Jury observed that the door to the clinic pharmacy was propped open in violation of policy. Policy IMQ

Standard J-107 (I) states, "Storing Medications: . . . stored in designated room(s) that should be locked at all times." [Ref-09]

- FA-13.** There are areas that cannot be seen in the clinic area at the JJC. Security at the control center is limited to visible areas in the clinic, excluding the examination rooms. Medical staff radio(s), for emergencies, were left unattended on the counter/desk. They also did not have personal alarms on their uniforms. Security cannot see common areas in the clinic from the control center, located in the outer hall. A juvenile, once inside the medical clinic, is no longer supervised by or visible to security staff. [Ref-09]
- FA-14.** There were bunk-beds along the walls in the dayrooms at the Main Jail and Todd Road Jail.

Findings

- FI-01.** All incarceration facilities in the County meet or exceed the minimum standards of the CSA for the areas reviewed. (FA-01)
- FI-02.** Holding facilities and jails in the County are doing a satisfactory job holding, pre-booking or booking, and incarcerating juveniles. The following PDs have innovative programs dealing with juveniles: Camarillo, Ojai, Port Hueneme, and Moorpark. However, there has been a drop in the number of meetings of the programs due to the low level of parental participation. Referrals are made to the various programs as the need arises or requests are made. This was reported by POC during inspections. (FA-01, 10)
- FI-03.** The VPD does not have an AED. (FA-01, 06, 08) [Ref-04]
- FI-04.** Some areas at the FPD are in need of repairs. The toilet and sink used by the detainees are made of porcelain and the tank cover is removable. The Grand Jury sees an opportunity for detainees to use the cover of the tank as a weapon. Also noted was the floor drain, in the toilet area, which does not have a cover (grate). Contraband could be hidden in the drain and there is a possibility of an accidental fall. (FA-01, 04)
- FI-05.** The registered nurse on duty at the JJC has a keycard for the pharmacy. The door should remain locked at all times, except when the nurse is in the pharmacy. (FA-12) [Ref-09]
- FI-06.** While conducting the inspection at the JJC the following were found: (FA-13) [Ref-09, 10]
- the medical staff could not be seen by security from the control center (located in the hallway)
 - when a juvenile is received by the medical staff, there is no security staff in the immediate area

- the medical staff have radio(s) for emergencies but place them on the counter/desk, where they would be out of reach
- the medical staff does not have personal alarms to wear on their person/uniform

FI-07. Due to the Grand Jury’s inquiries into the JJC Clinic, the Grand Jury received requested P&Ps governing the pharmacy, rendering medical treatment to juveniles and sight supervision of juveniles by security staff while in the clinic. These policies are dated 2007. (FA-12, 13) [Ref-09, 10]

FI-08. The Grand Jury found that bunk-beds in the day-room indicate overcrowding in the Todd Road Jail and Main Jail facilities. (FA-14)

Recommendations

R-01. The Grand Jury recommends that Fillmore and Santa Paula PDs keep booking areas clean and cleaning agents be kept in the booking area for health and safety cleanup during emergencies. (FI-04)

R-02. The Grand Jury recommends that the FPD booking area be refurbished and the toilet and sink be replaced with a multi-purpose stainless steel unit. (FI-04)

R-03. The Grand Jury recommends that an AED be purchased by the City of Ventura for the VPD, placing it near the detention holding cells. All personnel should be trained in its use. (FI-03)

R-04. The Grand Jury recommends that the Probation Department enforce all policies regarding the clinic/pharmacy in the institutions. The Health and Safety Policies should be made known to all employees. (FI-05-07)

R-05. The Grand Jury recommends that all policies and procedures be updated annually and enforced. JJC administrator and health services administrator, California Forensic Medical Group Inc. should work together to implement their policies. It is recommended that security staff remain in the clinic when juveniles are treated. (FI-05-07)

Responses

Responses Required From:

City Council, City of Fillmore (FI-01, FI-02, FI-04) (R-01)

City Council, City of Santa Paula (FI-01) (R-01)

City Council, City of Ventura (FI-03) (R-3)

Ventura County Sheriff (FI-04) (R-01, R-05)

Ventura County Probation Department (FI-05, FI- 06) (R-04, R-05)

Provided for Information Only:

- City Council, City of Camarillo (FI-01, FI-02)
- City Council, City of Moorpark (FI-01, FI-02)
- City Council, City of Ojai (FI-01, FI-02)
- City Council, City of Oxnard (FI-01, FI-02)
- City Council, City of Port Hueneme (FI-01, FI-02)
- City Council, City of Simi Valley (FI-01, FI-02)
- City Council, City of Thousand Oaks (FI-01, FI-02)

Commendations

The Grand Jury commends the Probation Department, Sheriff’s Department and the various Police Departments of Ventura County for their continuing efforts to foster community-based programs that bring together and develop better relationships between law enforcement and the public.

References

- Ref-01.** State of California, Penal Code section 919(b)
<http://law.onecle.com/california/penal/919.html>
(Accessed April 16, 2013)
- Ref-02.** State of California, Penal Code section 921
<http://law.onecle.com/california/penal/921.html>
(Accessed April 16, 2013)
- Ref-03.** California Department of Corrections & Rehabilitation, Corrections Standards Authority, Title 15 and Title 24, CCR.
<http://www.cdcr.ca.gov/CSA/FSO/Regulations.html>
(Accessed October 2012)
- Ref-04.** American Heart Association
<http://www.heart.org/HEARTORG/CPRAndECC/WorkplaceTraining/AED->
- Ref-05.** Ventura County Star. “County adds staff to deal with crowded jail conditions.” October 9, 2012
<http://www.vcstar.com/news/2012/oct/09/county-adds-staff-to-deal-with-crowed-jail/>
(Accessed May 31, 2013)
- Ref-06.** Thompson, Don. Associated Press. Ventura County Star. “County jails face hurdles, lawsuits Transfer of prisoners leads to overcrowding.” March 20, 2013.

- Ref-07.** Principe, Darleen. "War on drugs starts at home." Moorpark Acorn. February 1, 2013. Page 1.
- Ref-08.** State of California, Penal Code Section 1170(h)
<http://www.rightchoicelaw.com/penal-code-section-1170h>
- Ref-09.** Ventura County Probation Department. "Ventura County Juvenile Hall Policy and Procedure Manual." page 13, 287, and 288.
- Ref-10.** Ventura County Probation Department. "Post Order. Part 1, Section IX, Subject Health Services." January, 2007.

Disclaimer

This report is issued by the 2012-2013 Ventura County Grand Jury. Due to a potential conflict of interest, a member of this Grand Jury was excused from participating in any aspect of the production of this report.

Glossary

<u>TERM</u>	<u>DEFINITION</u>
AED	Automatic External Defibrillators
Camarillo	City of Camarillo
CCR	California Code of Regulations
County	Ventura County
CSA	Corrections Standards Authority
East Valley	East Valley Sheriff's Station in Thousand Oaks
Fillmore	City of Fillmore
FPD	Fillmore Police Department
Grand Jury	2012-2013 Ventura County Grand Jury
JJC	Juvenile Justice Complex in Oxnard
Main Jail	Pre-trial Detention Facility in Ventura
Moorpark	City of Moorpark
Ojai	City of Ojai
OPD	Oxnard Police Department
Oxnard	City of Oxnard
P&Ps	Policies and Procedures
PD	Police Department
POC	Point of Contact

<u>TERM</u>	<u>DEFINITION</u>
Port Hueneme	City of Port Hueneme
Probation Department	Ventura County Probation Agency/Department
Realignment	State of California Penal, Code Section 1170(h)
Santa Paula	City of Santa Paula
Sheriff	Ventura County Sheriff
Simi Valley	City of Simi Valley
SPPD	Santa Paula Police Department
State	State of California
SVPD	Simi Valley Police Department
Todd Road	Todd Road Jail
VCSD	Ventura County Sheriff’s Department
Ventura	City of San Buenaventura
VPD	Ventura Police Department
Work Furlough	Work Furlough/Work Release Facility in Camarillo

Attachments
Att-01.
Mandatory Inspection Form Grand Jury 2012-2013

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	Jails					Holding Cells								
	Main Jail	Todd Road Jail	Juvenile Justice Facility	Work Furlough Facility	East Valley Facility/TO	Camarillo	Fillmore	Moorpark	Ojai	Oxnard	Port Hueneme	Santa Paula		Simi Valley
Policy & Procedure Manuals														
Training for Natural Disasters														
Medical Incidents														
Physical Facility Observations														
Average Capacity														
Average Length of Stay (Hours)														
Cell Cleanliness & Sanitation														
Arrestee/Inmate Clothing/Personal Hygiene														
Bedding/Linens														
Toilet Accessibility														
Bodily Fluids														
Cleansers/Drainage														
Showers														
Safety & Maintenance														
Phone Accessibility														
Water Accessibility														
Food/Snacks														
First Aid/Medical Necessities and AED Accessibility														
Classification/Segregation by Male/Female														
Classification/Segregation by Charge/Violence														
Appropriate Use of Restraints														
English/Spanish Translators														
Special Accommodations for Juveniles														
Appropriate Use of Restraints														
Segregation from Adults														
Shouting Distance to Staff														
Phone Call to Parents														
Interview before Transfer to Juvenile Hall														
Log														
Longest Time a Juvenile Held (Hours)														