



SHERIFF'S DEPARTMENT
Adam Christianson, Sheriff-Coroner

ADMINISTRATION
DIVISION

July 24, 2009

The Honorable Jack M. Jacobson, Presiding Judge
Stanislaus County Superior Court
P.O. Box 3488
Modesto, CA 95353

Re: Response to Grand Jury Report 09-18

Dear Judge Jacobson:

The Sheriff's Department is in receipt of the Stanislaus County Civil Grand Jury's completed 2008/2009 Correctional Facilities Inspections report (case 09-18) as mandated by California Penal Code Section 919(b). Included in the report are findings and recommendations regarding three Sheriff's Department facilities, the Main Jail, Public Safety Center, and Honor Farm.

Pursuant to Penal Code Sections 933(c) and 933.05 the following is our response.

Stanislaus County Main Jail Findings:

The entire facility should be replaced. Replacement of this facility has been recommended since the 1988 *Jail Needs Assessment and Master Plan*.

Response: Agree. The updated Public Safety Center Jail Needs Assessment and Public Safety Service Master Plan submitted to the Board of Supervisors on June 26, 2007 indicated that there is a significant shortage of adult detention beds to meet today's needs and demands. In addition to meeting growth demands, two of the three adult detention facilities, the Men's Jail and the Honor Farm should be considered for replacement. The funding is not currently available to build more bed space, which could allow for closure of the facility.

Paint storage Room is a fire hazard.

Response: Disagree. The paint stored in the "paint storage room" is latex based, non-flammable paint. According to the Fire Inspector for the City of Modesto Fire Department, anything less than ten gallons of flammable liquid does not require special cabinets or storage.

There does not appear to be clear written guidelines and standards for classification of inmates to determine their housing. The process as it exists appears to be an Ad Hoc process, which does not provide inclusion of qualified custodial staff specifically trained to make these decisions.

Response: Disagree. Formal inmate classification policies, procedures and related training have been in existence for many years. There are in excess of 30 pages of policy specific to the classification of inmates in the Stanislaus County Detention Facilities. Further there is a Classification Unit staffed with deputies specifically trained to appropriate classify inmates.

It was noted that certain inmates, classified as high-risk, were not allowed in the enclosed exercise facilities without wrist and ankle restraints.

Response: Agree. Maximum-Security inmates, as a matter of long-standing policy, are to be in full restraints while on the yard.

The configuration of the rooftop exercise area and the officer's observation station creates a blind spot which may cause a security issue.

Response: Disagree. There is a walkway for Yard Deputies that surrounds three sides of the inmate yard area. There is no designated "observation station."

There were no citizen complaint forms available when requested.

Response: Agree in part. Citizen complaint forms have always been available at the Main Jail. Staff may not have been able to locate a copy.

Inmates were not accessible to Grand Jury members.

Response: Disagree. Access to inmates by members of the Grand Jury has always been available upon request. It is unknown if any requests were made to speak with inmates.

Stanislaus County Main Jail Recommendations:

The entire facility should be replaced. Replacement of this facility was recommended in the 1988 Jail Needs Assessment and Master Plan and continuously after that. This Grand Jury concurs with that recommendation.

Response: The recommendation has not been implemented, but will be implemented in the future. The updated Public Safety Center Jail Needs Assessment and Public Safety Service Master Plan submitted to the Board of Supervisors on June 26, 2007 indicated that there is a significant shortage of adult detention beds to meet today's needs and demands. In addition to meeting growth demands, two of the three adult detention facilities, the Main Jail and the Honor Farm should be considered for replacement. The funding is not currently available to build more bed space, which could allow for closure of the facility.

The paint storage does not meet the *OSHA (Office of Safety and Health Administration) Standards of Storage of Flammable and Combustible Liquids 1926.152.

Response: The recommendation will not be implemented. The paint stored in the "paint storage room" is latex based, non-flammable paint, therefore the standard cited does not apply.

Specific guidelines for inmate classification should be developed by qualified professionals and disseminated as training document for staff involved in the assignment of housing and programs of inmates.

Response: The recommendation has been implemented. Formal inmate classification policies, procedures and related training have been in existence for many years. There are in excess of 30 pages of policy specific to the classification of inmates in the Stanislaus County Detention Facilities. The Classification Unit consists of ten (10) full time deputy sheriffs and eight (8) part-time deputy sheriffs. Each deputy is given on-the-job training, as well as formal classroom training. The Classification Unit Sergeant provides policy updates and schedules bi-monthly meetings with the entire unit in attendance. The Classification Deputies are required to provide a unit report after every shift and the sergeant reviews the unit reports on a daily basis. The Integrated Criminal Justice Information System is utilized to record each inmate's criminal and behavior history as well as each facility and cell location the inmate has been housed in. The Classification Deputies work as team to ensure the safety and security of our facilities and the inmates are housed in the most appropriate locations available.

In certain instances Grand Jurors may choose to speak directly to an inmate. Jail staff should be aware of this prerogative.

Response: The recommendation has been implemented. Access to inmates by members of the Grand Jury has always been available upon request. The origin of this recommendation is not known, as it has never been the policy, nor was any directive given, to prevent members of the Grand Jury from having access to inmates.

High-risk inmates that are currently restrained during their period in the exercise area should be allowed to exercise in their secured and separate enclosure without wrist or ankle restraints.

Response: The recommendation requires further analysis. Maximum-Security inmates, as a matter of long-standing policy, are to be in full restraints while on the yard. Staff is reviewing this policy with County Counsel.

The officer's observation station located in the exercise area should be moved to a location that provides an unobstructed view of all inmates.

Response: The recommendation will not be implemented. There is no designated "observation station" to be moved. There is a walkway for Yard Deputies that surrounds three sides of the inmate yard area Adult Detention Policy and Procedures 5.02.03 states, in part, "While on the yard, the two deputies will position themselves so as to be able to see all areas of the yard and all inmates at all times."

At the recommendation of the current Civil Grand Jury, a directive was issued by the Sheriff dated May 19, 2009. Citizen complaint forms will now be available in all Sheriff's facilities and on-line, to be issued upon request without questioning.

Response: The recommendation has been implemented. The day of the Grand Jury inspection at the Main Jail, a digital copy of the form was placed on the computer in central Control and this information has been disseminated to staff.

Stanislaus County Public Safety Center Findings:

Main Kitchen

It appeared that the food procurement procedures were missing opportunities to create greater economies of scale.

Response: Disagree. In accordance with purchasing policies the kitchen staff advertises for bids on food products and makes fiscally sound decisions based on those bids.

It was noted that there several versions of uniforms worn by custodial and ancillary staff. This could potentially facilitate an escape.

Response: Agree in part. All Sheriff's Department employees responsible for the supervision of inmates are required to wear an authorized uniform. The uniforms vary based on job classification and duties. Inmates that work in the kitchen are minimum-security inmates and do not pose a flight risk.

Minimum Custody Housing Unit

The officer located in the lobby area had an obstructed view of the housing units due to existing window coverings.

Response: Disagree. The blinds on the windows are kept in the open position and do not obstruct the view. The blinds reduce glare from the ceiling lights and are put in the closed position when security requirements dictate.

Overall the cleanliness of the minimum security housing unit needs improvement.

Response: Agree in part. Minimum Housing Unit B, which formerly housed male inmates, was damaged and needed repairs and paint. The unit is currently being refurbished.

General Population Unit

The furniture in this unit is not anchored to the floor and made of flammable materials.

Response: Agree in part. The furniture in this unit is not anchored to the floor. The furniture is specific to jail and prison facilities. The furniture is flame resistant and Fire Marshall approved.

Stanislaus County Public Safety Center Recommendations:

Main Kitchen

The current cost of feeding per inmate approaches \$6.00 per day. The kitchen management is encouraged to seek additional means to create economies of scale in food procurement i.e., joint purchases of commonly used food products with nearby counties.

Response: The recommendation will not be implemented. The \$5.87 cost per day includes food costs, as well as salaries, utilities, supplies, equipment needs, etc. Each county has specific purchasing policies and guidelines. This does not allow for “joint purchases” between counties. In accordance with purchasing policies the kitchen staff advertises for bids on food products and makes fiscally sound decisions based on those bids.

Applications should be made to the federal government for access to federal food stores if possible, and other mechanisms that would result in the reduction of daily food costs.

Response: The recommendation will not be implemented. When requesting food assistance from the federal government, it is the individual who will be receiving the benefit that is evaluated, not the agency making the requests. Inmates do not qualify for any federal or local assistance while incarcerated.

It is recommended that all staff interacting with inmates dress in a uniform manner to reduce the potential of prisoner escape.

Response: The recommendation has been implemented. All Sheriff’s Department employees responsible for the supervision of inmates are required to wear an authorized uniform. The uniforms vary based on job classification and duties. All of the inmates that work in the kitchen are sentenced and are classified as minimum-security inmates. Inmates in this classification are evaluated and do not pose a flight risk.

Minimum Custody Housing Unit

Window coverings in the lobby area should be removed or permanently raised to provide an unobstructed view of the inmate activity area.

Response: The recommendation will not be implemented. The blinds on the windows are kept in the open position and provide reduced glare from the ceiling lights. The blinds are put in the closed position when security requirements dictate, such as obstructing inmate views from one unit to another or when staff are preparing for searches or dealing with confidential situations.

It is recommended that the Sheriff's Department utilize inmate workers to achieve and maintain the overall cleanliness of the housing unit.

Response: The recommendation has been implemented. The units are cleaned on every shift, day, swing and graveyard. Minimum Housing Unit B, which formerly housed male inmates, was damaged and needed repairs and paint. The unit is currently being refurbished and will be finished by the end of July. The California Standards Authority completed its annual inspection of the Public Safety Center in June 2009 and made positive comments on the overall cleanliness of the facility.

General Population Unit

The Grand Jury recommends that furniture be securely anchored to the floor. Furniture purchased in the future should be made of non-flammable materials.

Response: The recommendation will not be implemented. General population units house medium to minimum security inmates and it is not required that furniture bolted to the floor. This furniture is often moved for cleaning of the day room area. This furniture is also specific to jail and prison facilities and is made of rubber and plastic for chairs and laminate for tables. This furniture is flame resistant and Fire Marshall approved.

Stanislaus County Honor Farm Findings:

Two of the units in the building that houses the high risk inmates were in such a state of disrepair as to render units uninhabitable.

Response: Agree. The Honor Farm is 32 years old and infrastructure is failing. The updated Public Safety Center Jail Needs Assessment and Public Safety Service Master Plan submitted to the Board of Supervisors on June 26, 2007 indicated that there is a significant shortage of adult detention beds to meet today's needs and demands. In addition to meeting growth demands, two of the three adult detention facilities, the Men's Jail and the Honor Farm should be considered for replacement. The funding is not currently available to build more bed space, which could allow for closure of the facility.

It was noted that un-sentenced inmates were housed at the Honor Farm which is understood to be a minimum risk facility.

Response: Agree. The Honor Farm houses both sentenced and un-sentenced inmates. Due to limited space at the downtown Men's Jail and Public Safety Center, it is necessary to utilize the beds at the Honor Farm for un-sentenced inmates. The un-sentenced population will continue to increase due to the closure of a 64-bed unit at the PSC Minimum Housing Unit, which was shut down this fiscal year for budgetary reasons.

It was noted that there were previously two types of recycling programs at the Honor Farm. One of them was making compost from green waste; the other was recycling discarded items on County roads. It appears these programs were discontinued because of the lack of funds.

Response: Disagree. The Honor Farm does not have a formal recycling program; however, the staff and inmates do actively recycle. Honor Farm inmate crews work with Public Works Roads to pick up bulky items from roadways. These items are taken to the County Landfill for recycling. This program is not managed by the Honor Farm.

Sections of the property housing facility had been previously used for growing fruit trees and vegetables. The crop was included as part of the food program for County detention facilities. This program no longer exists.

Response: Agree in part. Fruit trees grown in the past were destroyed by flooding in 1997. There was never a formal food program for County detention facilities in place. The Honor Farm does currently have a garden, which produces vegetables; however, the inference that this program was recently cancelled is not accurate.

Stanislaus County Honor Farm Recommendations:

The building that houses the high-risk inmates should be condemned and razed.

Response: The recommendation requires further analysis. The updated Public Safety Center Jail Needs Assessment and Public Safety Service Master Plan submitted to the Board of Supervisors on June 26, 2007 indicated that the Honor Farm should be considered for replacement. The funding is not currently available to build more bed space, which could allow for closure of the facility.

It is apparent that inmates classified at higher than minimum risk are housed at minimum risk facility. It is recommended that this practice be reviewed.

Response: This recommendation has been implemented. Inmate classification is reviewed during every shift on a daily basis. The Honor Farm houses both sentenced and un-sentenced inmates. Due to limited space at the downtown Men's Jail and Public Safety Center, it is necessary to utilize the beds at the Honor Farm for un-sentenced inmates. The un-sentenced population will continue to increase due to the closure of a 64-bed unit at the PSC Minimum Housing Unit, which was shut down this fiscal year for budgetary reasons.

We appreciate the time the Civil Grand Jury has devoted to inspecting our facilities and operations. Please extend my appreciation to the 2008/2009 Civil Grand Jury for their work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Christianson', with a long horizontal flourish extending to the right.

ADAM CHRISTIANSON
Sheriff-Coroner

cc: Jim DeMartini, Chairman
Stanislaus County Board of Supervisors

Diane A. Sol, Foreperson
Stanislaus County Civil Grand Jury

Richard W. Robinson, Chief Executive Officer
Stanislaus County