STANISLAUS COUNTY *Keeping the Peace Since 1854*

SHERIFF'S DEPARTMENT
Adam Christianson, Sheriff-Coroner

ADMINISTRATION DIVISION

June 10, 2011

The Honorable Ricardo Cordova, Presiding Judge
Stanislaus County Superior Court
P.O. Box 3488
Modesto, CA 95353

Re: Response to Grand Jury Report 11-30GJ

Dear Judge Cordova;

The Sheriff's Department is in receipt of the Stanislaus County Civil Grand Jury's completed 2010/2011 County Jail and Temporary Detention Facilities Inspections report (case 11-30GJ), as mandated by California Penal Code Section 919 (b). Included in the report are findings and recommendations regarding three Sheriff's Department facilities: the downtown Men's Jail, Public Safety Center and Honor Farm.

Pursuant to Penal Code Sections 933 (c) and 933.5, the following is our response to the 2011 Civil Grand Jury Report from the Adult Detention Division, as it pertains to the three detention facilities.

Stanislaus County Downtown Men's Jail Findings:

F1. The Sheriff's Department will be a part of the site selection committee for the newly proposed courthouse location in downtown Modesto.

Response: The respondent agrees with the finding.

Lieutenant C. Harper and Sergeant M. White currently represent the Sheriff's Department on the selection committee.

F2. The men's jail is within compliance of CSA and Stanislaus County Health Services Agency requirements.

Response: The respondent agrees with the finding.

F3. Due to cutbacks and the federal consent decree, sheriff officials indicated that in the past three (3) years, 424 prisoners were forced to be released early. That averages out to 141.3 inmates released annually back into the neighborhoods of Stanislaus County.

Response: The respondent agrees with the finding.

As noted, a large number of inmates have been released into the community before completing their sentences. The Sheriff's Department continues to work diligently to ensure those who are released pose the least amount of risk to the community. The Sheriff's Department is also working to expand opportunities for inmates to participate in beneficial programs. Representatives from the Chief Executive Officer's office and the Sheriff's Department are also planning for an expansion of inmate beds.

F4. Not all camera monitoring systems have the ability to record.

Response: The respondent agrees with the findings.

California Government Code Section 34090.6 states that recordings of routine video monitoring must be retained for at least one year. Due to the large number of cameras inside the facility, the storage capacity required to retain all recordings for one year is cost prohibitive.

F5. All three facilities have implemented a new automated calling software package designed to notify off-duty personnel of emergencies and overtime coverage.

Response: The respondent agrees with the findings.

F6. Medical/mental health and dental service appears to be satisfactory.

Response: The respondent agrees with the findings.

F7. Significant amounts of standing water are located in the secure portion of the jail's basement.

Response: The respondent agrees with the finding.

This has been an on-going issue. Last year, the judges' parking lot adjacent to the Courthouse was re-paved, in part to address water issues in the tunnel leading from the jail to the Courthouse, which is directly below the parking lot. Although this project reduced the amount of water seeping into the tunnel, the problem continues and GSA maintenance personnel are working to stop the seepage.

F8. The men's jail is due for their next CSA inspection in April of 2011.

Response: The respondent agrees with the findings.

Stanislaus County Men's Jail Recommendations:

R1. The Sheriff's Department shall be part of the site selection planning authority for the location of the new courthouse and conduct a needs assessment to see if a new men's jail can be constructed on this location.

Response: The respondent agrees with the recommendation.

As noted previously, the Sheriff's Department has two representatives on this committee. Additionally, representatives from both the Chief Executive Officer's office and the Sheriff's Department are working together to update the jail Master Plan, which includes the new courthouse site.

R2. No recommendation.

R3. Staffing level updates need to be upgraded to ensure public safety.

Response: The respondent agrees with the recommendation.

This is a budgetary issue the Sheriff's Department will continue to monitor and address as the local economy improves.

R4. Enhance the monitoring/video technology for safety/security.

Response: The respondent agrees with the recommendation.

The Sheriff's Department has made improvements to the monitoring system, including new monitors placed in Control and the installation of several new cameras.

State mandates require retention of routine video recordings for at least one year. With the large number of cameras inside the facility, storage capacity required to retain all recordings for one year is cost prohibitive.

R5. No improvement needed at this time.

Response: The respondent agrees with the recommendation.

R6. CCS shall be closely monitored by county health care officials to ensure compliance, accreditation, and satisfactory service.

Response: The respondent agrees with the recommendation.

R7. Water leaks immediately be corrected.

Response: The respondent agrees with the recommendation.

As noted previously, the judges' parking lot adjacent to the Courthouse was re-paved to address water seepage in the tunnel, which is located directly beneath the parking lot. Although the project reduced the seepage, the problem continues and GSA maintenance personnel are working toward a resolution.

R8. No recommendation at this time.

Stanislaus County Public Safety Center Findings:

F1. CCS was briefly unaccredited by the State of California. CCS is based in Tennessee and had a high turnover rate. CCS obtained re-accreditation in California, was briefly on probation with Stanislaus County and is now fully accredited. CCS is one and one-half years into a five-year contract with Stanislaus County.

Response: The respondent agrees with the finding.

F2. Staffing levels are dangerously low due to budgetary cuts. The national ratio is one custodial officer for every 4.47 inmates, while California's ratio is one custodial officer for every 6.46 inmates. (Petersilia, J. (2006). *Understanding California Corrections.* University of California, Irvine, Center for evidence-based corrections. http:ucicorrections.seweb.uci.edu/pdf/cprcsummary.pdf).

- Stanislaus County officials have a ratio of one custodial officer for every 9.5 inmates.

Response: The respondent agrees with the finding.

The Sheriff's Department, in conjunction with the Chief Executive Officer's staff, will monitor this issue and address it as the local economy improves.

F3. Two (2) housing units (150 beds total) have been vacated and are not currently in use.

Response: The respondent agrees with the finding.

Stanislaus County Public Safety Center Recommendations:

R1. County leaders carefully monitor the services provided by CCS for continued professional health care.

Response: The respondent agrees with the recommendation.

Currently, a Public Safety Center Sergeant is assigned to attend weekly CCS correlation meetings to discuss inmate care, health issues and scheduled inmate appointments outside the facility. This information is shared with the Facility Commander, who also confers with

supervisors from CCS. Any deficiencies or problems noted are forwarded to CCS and also to a Sheriff's Lieutenant, who oversees the CCS contract and confers with other county leaders who have an interest in CCS and the overall care provided to the inmate population.

R2. Increase staffing level to ensure the safety of the staff, inmates and the public.

Response: The respondent agrees with the recommendation.

Based upon the existing allocation of staffing, the Public Safety Center is fully staffed with fulltime employees and also overtime hours; no positions are left unfilled. An independent firm conducted a staffing analysis of the facility, which is consistent with the Grand Jury's recommendation to increase staff. The Sheriff's department will monitor this issue and work closely with the Chief Executive Officer's staff to address the staffing shortages as the local economy improves.

Stanislaus County Honor Farm Findings:

F1. The Honor Farm lost half of their facility due to an accidental fire. Insurance Negotiations are still in progress and pending.

Response: The respondent agrees with the findings.

Negotiations with the Insurance Provider reached a successful settlement. Representatives from the Chief Executive Officer's office and the Sheriff's Department are working in partnership to upgrade the jail facility Master Plan, including the replacement of the 172 inmate beds lost in the fire at the site of the Public Safety Center.

F2. A federal consent decree mandates that no more than 1, 492 inmates can be housed at the men's jail, PSC, and the Honor Farm at any given time.

Response: The respondent agrees with the finding.

F3. 21 million dollars has been cut from the Sheriff's Department staff. This is a reduction of 25% to both custodial and patrol deputies.

Response: The respondent agrees with the finding.

F4. The staff at the Honor Farm, along with the involved first responders did an outstanding job of evacuating, moving, and securing inmates during the unexpected fire. The SCCGJ recognizes that the diligent work was done without warning and there were **no injuries** (emphasis added) at all. This incident is a textbook example of the immediate response times of all first responders to a remote facility in a timely manner. A mutual aid agreement ensures allied agencies of nearby police and fire departments respond to all emergencies at any location.

Response: The respondent agrees with the finding.

In response to the statement, "During 2010, 13 escapes were reported but records could not conclusively provide details on how many of those were captured," at the end of the second paragraph under **The Honor Farm** – 8224 West Grayson Road Modesto" on page 7 of the Civil Grand Jury's Report 11-30-GJ:

The Honor Farm was designed to be a low risk, minimum facility for non-violent, non-risk offenders. It was never designed to house the classification of inmate being housed today. While staff are very aware of the conditions and are ever vigilant, there are occasions when inmates escape or walk away from work crew assignments. An escape from custody is charged as an additional offense and an arrest warrant is issued. In 2010, all but four of the fifteen inmates were captured (see attachment A).

Stanislaus County Honor Farm Recommendations:

R1. Shut down the Honor Farm Operations and use the two vacated housing units at the PSC to house the remaining inmates. Current custodial staff can also be placed at the PSC. Insurance settlements can be placed into the public facility fund for future expansion plans at the PSC.

Response: The respondent disagrees partially with the recommendation.

Since the completion of the Grand Jury report, the Insurance Provider and the county reached a successful settlement agreement pertaining to the two inmate housing units destroyed by fire. Representatives from the Chief Executive Officer's office and the Sheriff's Department are in the midst of updating the Master Plan for jail facility expansion, which will include future plans to close the Honor Farm facility as it currently exists and expand available beds on the current site of the Public Safety Center. The funds generated by the insurance settlement will be used to replace the inmate beds lost in the fire with a modern housing unit at the Public Safety Center.

The Sheriff's Department is currently negotiating an Inter-Governmental Service Agreement with the U.S. Department of Immigration and Customs Enforcement to house immigrant detainees in the existing vacant beds at the Public Safety Center. This agreement will afford the Sheriff's Department the opportunity to re-hire employees previously subject to a reduction in force due to the economic crisis and generate revenue for the county.

Though two units are currently vacant at the Public Safety Center, the Sheriff's Department is hesitant to close the Honor Farm and re-house inmates in those vacant units until replacement beds are constructed and available. In effect, nearly 200 current beds at the Honor Farm would be permanently lost if the facility was closed now because this dated

facility would not meet current code standards to re-open if the current economic crisis subsided before replacement beds were readily available.

R2. Custodial staff must remain mindful of complying with the federal consent decree.

Response: The respondent agrees with this recommendation.

R3. Staffing levels are well below what is appropriate for the community members of Stanislaus County.

- Stanislaus County shall adhere to the standards contained within the U.C. Irvine Report of one custodial deputy for every 6.46 inmates.

Response: The respondent agrees with this recommendation.

The Sheriff's Department will monitor this issue and work with closely with the Chief Executive Officer's staff to address staffing shortages as the local economy improves.

Sincerely,

ADAM CHRISTIANSON
Sheriff – Coroner
Stanislaus County

cc: Dick Montieth, Chairman
Stanislaus County Board of Supervisors

Rick Robinson, Chief Executive Officer
Stanislaus County Chief Executive Office

Denis D. France, Foreperson
2010-2011 Civil Grand Jury

Re: Civil Grand Jury Report 11-30-GJ Attachment A

Stanislaus County Sheriff's Department
Honor Farm Escapes - 2010

Date	Inmate Name	Bkg #	Charges	Return Date	Dispo
03/22/10	Especer, Angel	1257925	ICE. 460(b) PC	3/17/2011	Pending
04/23/10	Sanders, Vernon	1258205	245a1,273.5,243e1 PC	4/27/2010	180 Days
04/30/10	Kennon, Eston	1260075	666, 653k PC	5/18/2010	7 Yrs. CDC
05/28/10	Muniz, Jaime	1260723	ICE. 459, 664 459 PC	Still at large	
05/28/10	Camarillo, Jesus	1248090	ICE. 23153a&b CVC	9/8/2010	8 Mon. CDC
05/28/10	Sanchez, Procopio	1258337	ICE. 11352(a) H&S	Still at large	
05/28/10	Chaparro, Mauro	1256790	ICE. 11351,11352H&S	Still at large	
06/26/10	Ivy, Richard	1264378	245,459 PC 11377 H&S	6/27/2010	180 Days
07/24/10	Brooks, Jesse	1262037	459,148.9 PC	7/31/2010	365 Days
07/25/10	Cruz, Juan	1264581	ICE. 11378,11379 H&S	Still at large	
07/25/10	Perez, David	1264046	ICE. 11377 H&S	9/2/2010	4 Mon. CDC
07/25/10	Amescua, Jesus	1264394	ICE. 11379 H&S	3/29/2011	2 Yrs. 4 Mon.
08/08/10	Lopez, Walter	1261660	ICE. 148.9 PC 23152	10/23/2010	NCF
08/18/10	Guzman, Jose	1263890	ICE. 245a1, 242 PC	3/7/2011	150 days
08/27/10	Phillips, Marion	1260094	11350,11377 H&S	8/27/2010	8 Mon. CDC