

# LAW AND JUSTICE COMMITTEE

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*Front row, left to right:*

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## LAW AND JUSTICE COMMITTEE

The Law and Justice Committee experienced a very active year of investigations. Our term enabled us to focus on the following three areas:

- All of the San Bernardino County Jails and several of the Sheriff's stations
- Probation (High Desert Juvenile Detention and Assessment Center and the Fred D. Jones Youth Center)
- Public Defender (Indigent Defense Fund process and staffing)

### San Bernardino County Jails/Stations:

The following jail facilities were inspected:

Adelanto Detention Center	Barstow Station
Big Bear Station	Central Detention Center
Colorado River Station	Glen Helen Rehabilitation Center
Twin Peaks Station	Victor Valley Station
West Valley Detention Center	Yucaipa Station

Juvenile Detention and Assessment Centers:

- Apple Valley
- Gilbert Street
- Rancho Cucamonga

Visitation reports were written on each of the above facilities. Findings and recommendations were written on those facilities where we deemed improvements were needed.

### **GENERAL FINDINGS FOR JAILS**

The Sheriff's Department is concerned about the safety of department personnel. Proactive involvement in lessening the possibility of danger to Sheriff's Department employees needs to be pursued in the following areas:

1. According to the Centers for Disease Control (CDC) in Atlanta, the number of reported cases of tuberculosis (TB) in the U.S. during the past decade has been on the rise. TB is spread from person to person through the air. Individuals working in confined environments, such as jails, patrol cars or offices, are more likely to contract the disease than individuals working outdoors.

During this past summer, there was an incident in the Needles area that brought members of the Sheriff's Department into contact with a food service worker who, allegedly, had active TB. The Sheriff's Department did an outstanding job in dealing with this situation.

After the first of this year, a community college student was also diagnosed with TB.

TB-related incidents are becoming numerous, and contracting TB is more likely for those dealing with the public.

The California Department of Corrections requires their personnel have a TB test every year. California public schools require their personnel to have a TB test every two years.

If TB is diagnosed early, medications are available for effective treatment.

2. Each Sheriff's Academy graduate is issued a protective vest. Currently, the policy for wearing protective vests when working in the jails is voluntary. Many Sheriff's Department employees who work in the jails do not wear protective vests.

During the past five years, a similar voluntary policy was in effect at the California Institution for Men (CIM) at Chino until an employee died as a result of being stabbed. He was not wearing a protective vest. The Grand Jury realizes that an incident similar to this is possible at any of our facilities. At present at CIM, all personnel are required to wear protective vests.

## **RECOMMENDATIONS**

- |       |  |
|-------|--|
| 09-33 | Require all Sheriff's Department employees to have an annual TB test as part of their continued service with the department. (Finding 1) |
| 09-34 | Require designated Sheriff's Department employees working in the jails to wear protective vests while on duty. (Finding 2)               |

## **PROBATION DEPARTMENT**

### **SUMMARY**

In November 2007, the County of San Bernardino (County) ended its partnership with a subsidiary of a national juvenile group home company. The once enthusiastic and hopeful plan of the San Bernardino County Probation Department, the company, and its subsidiary to house juveniles in a new facility called the Fred D. Jones Youth Center (Center) ended in November, 2007. The subsidiary emptied its Hesperia facility of personnel and juveniles and closed its doors. The facility was sold and reopened as a public charter school.

### **BACKGROUND**

In February 2004, the Center was opened and began accepting juveniles placed by the county juvenile courts and by the Probation Department. This facility was located in the First Supervisorial District and was actively supported by the former Chairman of the Board of Supervisors, Bill Postmus. The new 65,000 square-foot facility was constructed at a cost of nearly five million dollars. The parent company and subsidiary funded the construction of the facility through loans secured on the basis of a contract with the County. The County and the company had signed a ten-year renewable, \$48 million agreement. Construction of the facility took over a year to complete. It was located in the 16900 block of Lemon Street in Hesperia, California.

The Center was planned to house a relatively large number of juveniles from the ages of 12 to 18. According to subsidiary management, there would be no locks and no time-out rooms. Rather, the juveniles would participate in strenuous outdoor activities, attend school, optional Bible study, and have access to mental health treatment. The programs provided at the facility would aim to instill a sense of self-discipline, dignity and a sense of honor in the juveniles. But in January 2007, the Probation Department, citing moral issues, unilaterally backed out of the agreement and began withdrawing and relocating its juveniles.

In the early 2000's, State-licensed foster care facilities were nothing new to the Probation Department. There were over a hundred homes for assigned risk juveniles in San Bernardino County. The County Probation Department is responsible for assigning each juvenile to a home appropriate for his or her risk designation. In this case *risk* does not mean dangerous. Risk factors are related to the amount of care each individual needs. For instance, juveniles with special needs, health, emotional, and learning problems are considered a higher risk factor than those without those needs. Higher *risk* does not directly translate to *more dangerous*. Juvenile group homes are not intended for the criminal juvenile elements. The Probation Department has a long and successful history of utilizing private group homes managed by organizations such as Boys Republic, Trinity Youth Center, Silver Lakes Group Homes, and many others.

Individual counties determine into which type of facilities their juveniles are placed. Private juvenile homes became more prevalent in California, growing from 3,295 private homes in 2002 to 5,465 private homes in 2005. Beginning in 2001, the parent company proposed that the Center, which was then in the planning stage, would be for nonviolent juveniles. According to the 2003-2004 San Bernardino County Grand Jury Report, the Probation Department needed to respond to a demand by the California Department of Corrections for more bed space for juvenile residential detention treatment centers. Despite some controversy over the terms of the agreement, the Board of Supervisors approved a ten-year agreement with the parent company and subsidiary for 72 beds for in-County juvenile resident assessments and treatment services. The agreement stated, among a number of other items, that Probation personnel would not be required at the facility and the State and County would share the \$5000 a month cost for each juvenile. Unfortunately, the Grand Jury 2003-2004 Report assumed that the agreement contained a clause that allowed a *release from bed guarantee* if there were an insufficient number of juveniles to fill the 72-bed requirement. This clause grew to be the major contentious issue between the subsidiary's management and the Probation Department. A high-ranking Probation Department administrator had, in 2001, promised the Board of Supervisors, who had been considering housing juveniles in tents, that those beds would be filled for many years to come.

The parent company's website describes media articles and programs aired and published during the 1980's. Many of these articles, TV spots, and commentaries were, at least in part, critical of its methods and style. Prior to 2000, *60 Minutes* televised at least two critical segments about the parent company's unorthodox management of juvenile offenders. A number of websites and news articles from the 1980's and 1990's reviewed by members of the Grand Jury reported many problems associated with the parent company's facilities in other states.

After nearly four years of planning, the 65,000 square-foot, ten-acre Center opened on a Monday in January, 2004. The Center accepted its first 20 juveniles the following Friday. Problems with the Center's operations began immediately.

The facility housed juveniles from San Bernardino County in addition to juveniles from other counties. At the subsidiary-managed Center, not only were the juveniles involved with several types of misconduct, but so was the staff. One staff member was arrested in March of 2006, for having unlawful sex with the 14-year-old daughter of another staff member. The subsidiary president resigned in May of 2006, after the publication of sexual molestation incidents involving juveniles by two female staff members. One female staff member reportedly had sexual relations with two underage boys from other counties. The allegations were verified and the staffer fired.

The Probation Department felt that the State was not responsive to the 300-plus incident reports sent to the State by Probation in 2005 concerning the situation at the Center, and the State continued to license the facility. However, newspaper reports describe a 2006 investigation of the Youth Center by the State Department of Social Services after a complaint by one of the molestation victim's mothers. The State's investigation of the Center found that the juveniles were served food containing foreign objects including flies, metal and plastic. One juvenile was choked by a staff member while roughhousing. Another juvenile was denied medical attention after he injured his

hand. The State investigation found that one juvenile housed at the facility had a sexual perpetrator history, a violation of both State regulations and the County agreements with the subsidiary.

During 2005, 82 juveniles ran away from the facility. The large, nearly unsecured facility was a short distance to a bus stop and a trip to San Bernardino and other points. In the period from April through July 2006, 51 calls to the Sheriff's station in Hesperia were made for assistance at the Center. The Sheriff's Department voiced concern with the number of calls involving the Center. This prompted the Probation Department to staff a Probation Officer at the Center. One of the original selling points to the Board of Supervisors was that no County staff would be needed at the facility.

The problem of runaways from the facility created issues of public safety. A 15 year-old was committed to the Center in early 2006. One of many runaways from the Jones Center, the juvenile surfaced months later as the suspected shooter in an incident that left an 11 year-old dead and a 13 year-old wounded on the grounds of Martin Luther King Jr. Middle School in the City of San Bernardino. San Bernardino Police reports said witnesses described the juvenile as asking an 11 year-old boy where he was from, meaning what gang did he belong to. When the boy responded he didn't belong to a gang, the juvenile shot and killed him. The boy's brother was shot in the hand and has since recovered. The adjudication of this case has not been made public, as all juvenile proceedings are confidential.

Because the County was required to pay for 72 occupied beds per day at the facility, whether or not the beds were occupied, billing became an on-going point of contention between the subsidiary and the Probation Department. Problems at the Center were the subject of numerous meetings between the subsidiary and Probation, but no satisfactory solution was reached. In late summer of 2006, the Probation Department had lost faith in the partnership. After repeated attempts to end the contract and having had to provide County staff to assist at the Center, in July 2006, Probation no longer complied with the 72-bed requirement.

The Probation Department's association with the subsidiary was terminated on January 1, 2007. However, even without the original legal agreement, Probation continued to house some juveniles at the facility. The subsidiary struggled on with a dwindling number of juveniles sent by other counties throughout the State until November, 2007, when the company ceased operations and left California. The subsidiary is still an affiliate of the parent company operating a juvenile home in another state. As the result of the contractual wording in the original agreement, several key points were disputed by the parties. The main point of contention was the payment for the bed guarantee requirement. After studying the situation, even the 2003-2004 Grand Jury, the media, and the Probation Department were confused on this point. The Probation Department and County Counsel disagreed with the parent company regarding when certain obligations under the contract were triggered. The result was a breach of contract suit brought against the County in April 2007, and settled in March 2009, for \$2,700,000 in favor of the subsidiary and parent company.

## **FINDINGS**

1. The current administration of the Probation Department acted in the best interest of the County in terminating its association with the parent company and its subsidiary in November 2007.
2. The County contract between the parent company and its subsidiary in California was unclear in its intent and treatments of the participating party's responsibilities and duties.
3. Although the State did license the facility at the beginning of the relationship between the County and the subsidiary, no County entity investigated the past history of the subsidiary, its parent company, or those people working for those companies before entering into an expensive contractual agreement.

## **COMMENDATION**

Regardless of the consequences of the contractual arrangement with the parent company and its subsidiary, the Probation Department protected the juveniles under its control from a dangerous situation. (Finding 1)

## **RECOMMENDATIONS**

- 09-35 Clarify responsibilities and state exact time specifications in future contracts with private companies. (Finding 2)
- 09-36 Conduct operational and financial audits on private business enterprises. (Finding 3)
- 09-37 Perform background checks on executive personnel before entering into contracts with private companies. (Finding 3)

# **HIGH DESERT JUVENILE DETENTION AND ASSESSMENT CENTER**

## **SUMMARY**

The four-year old Probation Department facility, located north of Apple Valley on Dale Evans Parkway, is a state-of-the-art facility. The basic layout is a mirror image of the older sister facility at West Valley Juvenile Detention Center in Rancho Cucamonga. It is well-designed and engineered for the safety of both inmates and workers. Personnel, at all levels interviewed, were enthusiastic about the facility and their own positions. There is tight control over the inmates (wards) in highly-structured programs and environment. 113 sworn officers work assigned shifts of eight hours each, plus overtime.

## **BACKGROUND**

**Power Supply:** Probation personnel attested to the functionality of back-up power generation. They said that Southern California Edison (SCE) power outages occur several times a year and the generators have never failed. The longest outages are in the two-hour range, but the generators have always been reliable. Due to the number of SCE outages at the complex and the number of test trials per year, the electrical system appears adequate.

**Education:** Schooling is required for wards under 18 years of age. The County Office of Education operates the educational classes at various locations within the facility. There are 10 to 15 students per classroom with one teacher and one aide. Wards showed an intense concentration not normally found in public schools.

Wards excel in General Education Diploma (GED) testing. 90% of the students taking the test have received a passing grade. Students are transported to the Central Detention Center (CDC) for testing. Any high school credits earned are sent to the ward's home school for evaluation and acceptance toward a high school diploma.

**Medical:** The clinic is well-staffed with nurses and support personnel on duty 24/7 and a medical doctor three days per week. Wards are given a physical examination by a nurse upon entry, each time they re-enter the system, and annually thereafter.

Wards are allowed one sick call every 24 hours for non-emergency situations. They are provided with care for reproductive health, including treatment of sexually transmitted diseases and birth control.

Lab work is drawn and collected in-house and sent to Arrowhead Regional Medical Center (ARMC). Wards with injuries or serious medical problems are transported to ARMC or, in an emergency, to St. Mary's Hospital in Apple Valley.

**Mental Health and Treatment:** There is an extensive mental health program for the wards at the facility. In addition to a psychiatric evaluation upon entrance, psychiatric care is available one time per week, and counseling is provided 24/7.

There is a specialized Forensic Adolescent Services Team (FAST) for needs such as behavioral problems, crisis intervention, independent living skills and reintegration into home and society. An administrator spoke at length, explaining the concept, and the varied "watch levels" of behavioral conduct. He also explained that probation staff does all internal risk classification. This classification is by gender, age, size, type of crime, history and attitude. This process usually takes less than one week for new wards.

Wards in the juvenile system tend to have many mental issues. About 50% of those entering this facility indulge in alcohol consumption. About 90% have identifiable problems with alcohol and other drugs. A psychotherapist does local testing and evaluation and is also responsible for psychological interns. At the time of the Grand Jury visit, there were two females and five males on suicide watch.

**Housing:** Wards are housed two to a cell in community pod-type arrangements. They are assigned to a certain pod according to the classification interview. These community pod structures are situated around an interior exercise/activity area with showers within each individual cell group. Activity is almost entirely within the individual pod structures, although wards have access to adjacent outside exercise yards. Each pod has ten rooms, with one room specifically for those wards with problems. This room has a small opening which allows for handcuffs to be applied and removed when necessary.

Each ward adheres to strict rules and is never left alone. Wards are required to maintain their own cells. Other than individual educational and chore assignments within the pod, wards perform no work in the complex. Adherence to behavioral standards earns an Honor Night each week, with points earned for the purchase of privileged items.

**Visitation:** The only visitors allowed are parents and grandparents. Visits are allowed once a week, only on weekdays from 7 to 9 P.M. There is no weekend visitation. Occasionally, there may be special circumstances for a visitor outside of these parameters.

Telephone calls are allowed seven days per week. Wards get at least two free calls, but all other calls must be collect, unless otherwise ordered by the Courts.

**Capacity:** The center has a capacity for 200 wards, but at the time of the Grand Jury visit, there were 128, consisting of 115 males and 13 females. Most wards are from the high desert area of San Bernardino County, but occasionally, some are accepted from other areas/counties, depending on needs assessment.

**Meals:** The kitchen microwaves about 500 frozen ConAgra meals per day for wards and staff, with locally added pastries, salads and deserts. The usual fare is two hot and one cold, normally lunch.

**Facilities Maintenance:** County Facilities Management personnel maintain the plant. It is very well maintained with no observed hazards.

Overall, this facility is exceptionally well engineered and operated.

## **FINDING**

1. While interior cameras are adequate and have recording operations, exterior cameras lack recording capability. Staff has had to use hand-held cameras in some circumstances.

## **RECOMMENDATION**

09-38 Upgrade all exterior cameras to include recording capabilities. (Finding 1)

## **PUBLIC DEFENDER'S OFFICE**

### **BACKGROUND**

The Public Defender is charged with the responsibility to defend persons charged with offenses who are unable to afford a private attorney.

During a visit regarding a past Grand Jury recommendation concerning indigent defense funding, the Public Defender was concerned over clients being arrested for failure to pay indigent fees. This concern was related to the location of an arrest warning for violation of probation terms and chargeable fees on the same *tahl sheet* of the misdemeanor form.

Many Public Defender deputies appear with clients in video arraignments within the actual jail. In fiscal year 2008-2009, the San Bernardino County Public Defender's office had 116 budgeted Deputy Public Defender positions, but only 122 were actually filled. This office handles 80% of the caseload of the District Attorney's office and averages over 500 cases per deputy. Compared to a 325 to 350 caseload of deputies in other counties, such as Riverside or San Diego, it demonstrates that County personnel carry a disproportionate burden.

The current downturn in the economy is having no immediate effect on this office, as it is part of the Law and Justice Group and not subject to the 8% cut in funds. Some cases are dismissed by the District Attorney because of the length of time required for bringing a case to trial. If budget cuts were applied to the Public Defender's office, more cases would be dismissed before getting to court.

### **FINDINGS**

1. Many arrest warrants, issued over unpaid indigent fees could be resolved by placing the fee schedule on a separate page.

### **RECOMMENDATIONS**

- 09-39 Put Indigent Fee Schedule on a separate page from the probation warning.  
(Finding 1)

## **SHERIFF-CORONER**

### **JAIL FACILITIES**

#### **ADELANTO DETENTION CENTER**

##### **BACKGROUND**

Adelanto was formerly a privately-operated prison, beginning with its construction in 1997. It was purchased in 2005, at a cost of \$80,000 per bed. If built new, the facility would have cost about \$125,000 per bed.

The current expansion of the Adelanto Detention Center was funded by State Grant (via AB800) of \$100 million, which will add 1,386 beds, in three pods of 462 prisoners. When added to the present 706 prisoners, this will provide a total of 2,092 beds. The completion date is anticipated for 2011-2012.

Other than a few holding cells for intake and transport, the jail population is housed in open dormitory-type sections. They are placed according to their risk factor, determined by customary assessment of attitude, violence risk and level of crime. Almost all inmates are felons. At the present time there are no female prisoners

Because showers and toilet facilities are minimally screened with modesty panels, video camera placement is limited in the open dormitory areas. However, video cameras in the Bridge (control room) area can be operated, in time of need, by the deputy on station. All cameras have recording capability.

The jail provides General Educational Development (GED) classes but is limited by space.

The kitchen area is clean and well maintained.

There are 151 assigned staff positions for the jail, 95% of which are filled.

There are RN's and/or LVN's available 24/7, with doctors available on call for medical and mental health issues. The facility lacks a dental hygiene program, but inmates with dental issues are transported and seen at West Valley Detention Center.

The question of deputies wearing protective vests has been asked in each jail and the answer is always that the equipment is available, but use is not mandatory. The Grand Jury asked the Captain if employees are required to have tuberculosis (TB) tests yearly, and was told that it has never been mandated but employees can request testing if they feel it is necessary.

## **FINDINGS**

1. Facility is cooled by evaporative coolers.
2. Floor coverings in housing pods have deteriorated.

## **RECOMMENDATIONS**

- 09-40            Replace evaporative cooling system with an air conditioning system.  
(Finding 1)
- 09-41            Install new flooring in the housing pods. (Finding 2)

## **BARSTOW STATION**

### **BACKGROUND**

The Barstow Jail facility is the oldest Sheriff's building in the county. This Type I facility has a capacity for 36 male prisoners and 12 female prisoners. The Barstow Sheriff's Station is responsible to protect a 9,812 square-mile field area plus the jail operation. West Valley Detention Center (WVDC) does approximately 400 bookings for this facility. Buses pick up and deliver prisoners each day. The prisoners are non-sentenced and held no longer than overnight for court appearances. Inmate workers (four trustees) and County Facilities Management maintain the building and grounds. The trustees have a barracks-style room with a computer. Jail Deputies work eight-hour shifts, Patrol Deputies work 10-hour shifts, and the Watch Commander works a 12-hour shift. Additionally, they operate with Military Police at Fort Irwin on felony cases. Deputies are not required to wear protective vests within the jail. They do wear protective vests while on patrol. The kitchen is clean and small. It is adequate for serving the staff and the 48 present inmates. The jail cook is a trustee who is Regional Occupational Program (ROP) certified and handles the preparation of food sent from WVDC.

### **FINDINGS**

1. The Board of Supervisors has approved \$3.5 million for two phases of expansion.
2. The roof leaks in the Bridge (control room).
3. The exposed electrical wiring problems in the Bridge constitute a potential safety hazard.
4. A low-hanging metal box in the entry way is a potential safety hazard.
5. Restroom/locker room facilities are inadequate for female employees.

6. The exit for released prisoners is through the patrol car parking lot.

### **RECOMMENDATIONS**

- 09-42 Expedite the remodel and expansion of the facility. (Finding 1)
- 09-43 Repair the roof leaks in the Bridge area and the electrical/wiring problems. (Findings 2, 3)
- 09-44 Remove the low-hanging metal box in the entry area. (Finding 4)
- 09-45 Provide adequate female locker/restroom facilities. (Finding 5)
- 09-46 Install a locking-bar jail door to existing exit at front parking lot. (Finding 6)

## **BIG BEAR STATION**

### **BACKGROUND**

The Big Bear Jail is a 22-bed facility (10 single and 3 four-person rooms). The food is prepared at and transported from the West Valley Detention Center.

One building houses various County offices, including the jail, Sheriff's Office and Superior Court.

If a prisoner were to need medical attention beyond first-aid, the Big Bear Community Hospital is one block away.

The jail section of the station was clean and well-maintained. The kitchen, laundry room and common room were in excellent condition. Big Bear Jail uses several sentenced prisoners from Glen Helen to do the routine custodial duties.

### **FINDINGS**

1. The video equipment is inadequate. It is old, can only be accessed by several black and white video monitors located in various parts of the station, and has no recording capability.
2. Parking is inadequate for the number of people who use the jail, court and various county offices. There is limited secured parking.
3. A jail this size normally has four or five Sheriff Custodial Specialists (SCS). Big Bear has only three SCSs, which requires a deputy to be on duty in the jail. The

station has only one female deputy and one female SCS who are authorized to search female subjects. This can cause a problem if both are off duty. In that case, one female would have to be called in and paid overtime.

### **RECOMMENDATIONS**

- 09-47 Provide a state-of-the-art monitoring/recording video system similar to the one created at Victorville for ALL of the other small jails. (Finding 1)
- 09-48 Provide additional secured parking in the area. (Finding 2)
- 09-49 Transfer at least one additional female SCS and/or deputy sheriff to the Big Bear Station. (Finding 3)

## **COLORADO RIVER STATION**

### **BACKGROUND**

The Colorado River Sheriff's Station building was constructed in 1973. The building is clean but, other than the kitchen, has no ceiling sprinkler system. Fire extinguishers are easily available. The kitchen area has been updated with modern sink, stove, counters, and refrigerator. Prisoner food is delivered every week from West Valley Detention Center (WVDC). The facility includes a laundry room.

The building has an intake area for booking and one attorney visiting room. Fingerprinting, booking photos, and a breathalyzer machine are located in a separate room. There are also visiting rooms with phones for prisoners and family members.

Due to the monsoons in the desert areas, maintenance crews check back-up generators monthly for serviceability. All vehicles are kept in the secured fenced parking lot.

### **FINDINGS**

1. Crown Victoria automobiles currently in use are not appropriate for off-road use.
2. The aging Boston Whaler patrol boats need constant repairs causing additional expense to a limited budget.

### **RECOMMENDATIONS**

- 09-50 Replace Crown Victoria automobiles with 4-wheel drive vehicles on a scheduled basis. (Finding 1)
- 09-51 Replace Boston Whaler patrol boats on a scheduled basis. (Finding 2)

## **GLEN HELEN REHABILITATION CENTER**

### **BACKGROUND**

Glen Helen Facility is 50 years old. During this period of time Glen Helen has changed and now houses inmates who have committed felonies and misdemeanors. This facility also has week-end prisoners that are given jobs at County parks and Caltrans. Prisoners check in each day and leave at 6:00 pm., returning the next day for another work detail. They bring their own lunch, but water is provided.

An electronic monitoring ankle-bracelet program will be initiated shortly. The Sheriff's Department will make the decision as to who will wear the ankle bracelets. The Department predicts that the cost for the program will pay for itself by charging the prisoner a minimum of \$15.00 a day. If the electronic monitoring is violated, a warrant will be issued, and the individual will then do straight-time with no weekends.

Continuous Professional Training (CPT) is provided for each deputy (24 hours every two years). This is done with videos and simulator training. Advanced Officer Training is optional.

Medical care is provided by RN's or LVN's. If serious medical attention is necessary, the prisoner is transported to West Valley Detention Center.

The new prisoner receiving area is too small for current needs.

Some cells house two prisoners; some prisoners are housed in open dorms. The jail also has protective housing for prisoners with special needs. Prisoners wear different colored jumpsuits to signify their level of incarceration: green clothing for protective custody, orange for general population, and blue for prison workers.

The cafeteria was immaculate, large and in a separate building from cell housing.

### **FINDINGS**

1. The jail area is old and in need of paint. The two-man cells are small but appear clean and neat.
2. The open dorms were dirty and litter-filled and could invite insects and vermin.
3. The Receiving Room for booking of new arrivals was too small to accommodate the handling of a large group of incoming prisoners.
4. The deputies carry mace and are issued tasers for protection in case of an altercation. No protective vests were worn by officers. Officers have them, but to wear them is optional.

## **RECOMMENDATIONS**

- 09-52            Paint the building, which is old and in need. (Finding 1)
- 09-53            Provide prisoners housed in dorms with footlockers to store their extra clothing and food in order to keep the area free from insects and vermin. (Finding 2)
- 09-54            Enlarge the Receiving Room area in order to process large groups of incoming prisoners. (Finding 3)

## **MORONGO STATION**

### **BACKGROUND**

The Morongo Basin Station is the third largest Sheriff's station in the County, both in number of calls which averages 5,000 per month and the area serviced, 52,000 square miles. Five patrolled districts service a population of about 85,000. The area of responsibility includes the incorporated City of Twenty-nine Palms and the Town of Yucca Valley. Unincorporated communities are Morongo Valley, Landers, Johnson Valley, Joshua Tree, Wonder Valley, Pioneer Town, Amboy, Cadiz and Flamingo Heights.

The station is located in the County's Law and Justice Complex in Joshua Valley. This facility also houses three courtrooms as well as other County offices. There are two satellite offices in Yucca Valley and Twenty-nine Palms. They have joint law enforcement jurisdiction and authority on the Twenty-nine Palms Marine Corps Base located within the boundaries of the City of Twenty-nine Palms.

The entire building accommodates 92 personnel. This number includes the jail division which has five deputies, a corporal, and five Sheriff Custodial Specialists (SCS) booking officers.

This Type I Jail has a 75-bed capacity with a maximum stay of 96 hours.

The jail houses pretrial inmates, with the exception of four inmate workers who are housed separately.

Inmates are picked up by bus and transported to West Valley Detention Center on Monday, Wednesday and Friday.

No medical care is available on site, but prescription drugs can be dispensed. Minor or simple treatment is administered by the hospital which is about 300 yards from the jail. Inmates with serious medical injuries are transported to West Valley Detention Center.

A major problem of retaining deputy personnel is the active recruiting by nearby cities such as Beaumont. They offer attractive packages of higher pay and greater benefits, such as fully-paid medical.

Currently, the Morongo Station does not have a Sheriff/Coroner. This creates a problem because bodies of deceased persons may remain at the scenes for several hours before a coroner can arrive from San Bernardino. While there are potential deputy volunteers for coroner training, the funding is lacking. Minimal training would be for eight weeks, plus 60 hours overtime.

Most deputy shifts are 10 hours, alternating four days on for one week, then three days on the next week.

No juveniles are housed at this facility. They are cite-released or transferred to Juvenile Hall in San Bernardino.

There is very little gang activity, due to the rural environment.

## **FINDINGS**

1. When the facility was built in 1984, it served a much smaller population. The area population has grown significantly. For example, one toilet, on the jail side of the main building, serves 59 males. One commercially-supplied chemical toilet is placed in the rear patrol car parking area at a cost of \$110.00 per month.
2. The parking lot is unsecured and also used for detective vehicles and some privately owned vehicles of judges.
3. The squad room and detectives' offices are housed in temporary portable buildings adjacent to the parking lot. These have been in place since about 1996. These buildings are very small.
4. The kitchen area is cramped and potentially a hazard.
5. In the jail area itself, the doors are not Americans with Disabilities Act (ADA) compliant, which has resulted in at least one inmate-initiated lawsuit. In that case, jail personnel disassembled and reassembled the wheelchair which enabled the inmate to use it within the confines.
6. The required equipment in the Bridge is maintained, but outdated and worn. The workspace is cramped.
7. Throughout the areas of the jail, there is a need for security camera/recorders. Currently there are two cameras which only serve as monitors, without recording ability.

8. Officers work 10-hour shifts and often must work overtime due to needs such as court appearances. Deputies often must sleep in their cars in the unsecured parking area. This is not conducive to their being alert and rested for the danger and stress of their duties. There is a need for an area which would allow a comfortable refuge for rest.

### **RECOMMENDATIONS**

- 09-55 Add one more restroom jail-side and remodel the existing one. (Finding 1)
- 09-56 Take steps as soon as possible to secure the parking area from public access. (Finding 2)
- 09-57 Include adequate fencing and gates for controlled access at either end. (Finding 2)
- 09-58 Update the squad room and detective area into permanent or upgraded facilities to relieve the confined space problem. (Finding 3)
- 09-59 Remodel or rearrange kitchen equipment. (Finding 4)
- 09-60 Take immediate steps to bring the jail area doorways into ADA compliance. (Finding 5)
- 09-61 Conduct an audit to update the Bridge equipment as well as the general work area. (Finding 6)
- 09-62 Purchase and install a new video monitoring/recording system. (Finding 7)
- 09-63 Conduct a space audit to provide a refuge for commuting deputies. (Finding 8)

## **SAN BERNARDINO COURTHOUSE HOLDING CELL**

### **BACKGROUND**

The San Bernardino Courthouse, which houses the holding cells, was constructed in 1926. The purpose of the holding cells is to house prisoners who are awaiting their court appearances.

Two to three buses a day transport between 130-150 prisoners from other jails to these holding cells for court hearings.

Buses depart the court house at 10:30 a.m., 12:30 p.m. and 4:30 p.m.. The prisoners are returned to the jails from which they originated. No prisoners spend the night.

Before being sent to court, the prisoners are classified and are clothed appropriately to indicate their security needs. Orange jumpsuits are for the general population, red indicates high security, and green denotes prisoners segregated from the general population prisoners. Prisoners wearing blue jumpsuits are from Glen Helen and are used as janitors as needed.

There are usually four prisoners to a cell; juvenile offenders are housed separately. Female and male prisoners are housed separately and checked every 30 to 60 minutes for security. The holding facility has a staff of seven.

Deputies carry radios, pepper spray, and tasers for safety. None of the deputies are required to wear protective vests, but they are available for use.

When prisoners are transferred from the cells to courtrooms on other floors, they are secured with waist and leg chains.

## **FINDINGS**

1. Between 12 and 14 secured prisoners are placed in an elevator with one deputy and taken down to the transportation area. Some prisoners are moved through public hallways in order to reach their assigned courtrooms.
2. The jail paint is chipped and the floors are deteriorating.
3. The jail is fully staffed. Some deputies are cross-trained to work in other areas of the jail.
4. The Sheriff Deputies handle all levels of prisoners daily. For protection they carry pepper spray, tasers and radios.

## **RECOMMENDATIONS**

- 09-64 Review the ratio of prisoners-to-guards for the purpose of escorting prisoners to and from the holding area to the courtrooms. (Finding 1)
- 09-65 Paint the upper cell area and repair deteriorating floors. (Finding 2)

## **TWIN PEAKS STATION**

### **BACKGROUND**

The Twin Peaks building is shared by Building and Safety, Assessor, Sheriff, including Search and Rescue, and occasionally by Agriculture.

There are three cells which are seldom used and then only for two to three hours. If an individual were to be booked, he would be taken directly to West Valley Detention Center.

The building is well-maintained and has adequate parking. The fencing in the parking area is falling down. The emergency generator is 30 years old and difficult to maintain.

Normal watch includes a minimum of two units, with more for special occasions. That total staff of 19 includes two sergeants, one lieutenant, and one captain.

Twin Peaks substation has a very active Citizens on Patrol (CoP). These are non-sworn volunteers who are “out and about” helping with visual patrol. There are 30 volunteers which also help maintain the substation.

### **FINDINGS**

1. The emergency generator is 30 years old, and it is difficult to keep it running in an emergency.
2. Fencing in east parking lot was falling down.

### **RECOMMENDATIONS**

- 09-66            Replace emergency generator which is a vital piece of equipment and needs to be replaced or updated. (Finding 1)
- 09-67            Repair or replace fencing on the east side of the station. (Finding 2)

## **VICTOR VALLEY STATION**

### **BACKGROUND**

The facility was built in 1973, and it is cramped and crowded. The jail is a court holding facility with 67 beds. This is a Type 1 facility with three-man cells for 96-hour holding. There are two deputies who work the court-holding facility. There are 76 employees including 61 sworn deputies. Each deputy can cover 200 miles on each shift depending on the calls coming in. Three areas are covered with this facility: Phelan,

Victor Valley, and Lucerne Valley. Citizen-on-Patrol program is very active in the desert. There are 11 volunteer units and over 200 volunteers.

The Desert Control Center (Communications) processed 460,000 calls last year. In addition to the 911 operators, there are two Dispatch operators. The 911 operators route the calls to a dispatcher, who then relays the calls to the patrol cars. If the call center in Rialto were to shut down, all calls would be routed to the desert communication center, which would handle the load.

## **FINDING**

1. While the station is clean and well maintained, heavy clutter from severe overcrowding was apparent. The facility is the busiest Type I Jail in the county. With bookings from 1200 to 1400 persons per month, its capacity is 67 prisoners, and is usually at maximum. Much of the station overcrowding could be alleviated by the Sheriff's Station moving to another location. Such a move would free up space for a much-needed expansion of the Control Center. These vital operator stations are cramped with aisleway navigation severely hampered by the back-to-back operator chairs.

## **RECOMMENDATION**

09-68 Relocate to a larger building. (Finding 1)

## **WEST VALLEY DETENTION CENTER**

### **BACKGROUND**

The Captain of West Valley Detention Center gave the Grand Jury an over-view of this facility. The jail was built over a three-year period and opened in 1991 for 3,200 beds. It currently houses between 2,700 to 2,900 men and women. This is the primary booking facility for the County. Of the 600 employees, 261 are sworn Deputy Sheriffs; the remaining staff includes secretaries, Security Custody Assistants (SCA), Sheriff Custody Specialists (SCS), medical personnel, records staff, education staff and maintenance staff. West Valley is also a transportation hub with 13 buses and 13 vans. These vehicles are on the road most of the day transporting prisoners from one jail to another throughout the state.

The medical clinic has two physicians on duty, kidney dialysis rooms, and tuberculosis (TB) and hepatitis rooms with a reverse air duct system so disease cannot be spread. The dental clinic has the latest equipment and three dental chairs. Prisoners are transported to this facility from other County jails for medical/dental treatment.

Housing units are separate pods. Prisoners are classified at booking regarding their charges, gang affiliation, medical issues, and complete a detailed screening classification form to determine to which pod they are assigned. The main control area allows observance 24/7 of all pods and inmates only leave their pod for medical/dental issues. Inmate workers clean and polish all areas of their pod.

**FINDING**

1. The large area that houses the electrical generators and other related equipment does not appear to be well-secured.

**RECOMMENDATION**

09-69            Establish security at the rear of the facility where the power plant is located. (Finding 1)