

**TRINITY COUNTY GRAND JURY
2010-2011**

FILED

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CLERK OF THE SUPERIOR COURT
COUNTY OF TRINITY
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**Judicial Committee
JUR2010/2011-002
Final Report**

Trinity County Detention Facility

Approved June 7, 2011

Jerry Brasuell
**Jerry Brasuell
Foreman**

2010-2011 Trinity County Grand Jury

Judicial Committee

Trinity County Detention Facility

Summary

The Judicial Committee investigated the Trinity County Detention Facility (Jail) in Weaverville. While the facility is old and understaffed it was found to be clean and operating under the constraints imposed by budget and the out-of-date facility. The Jail is out of state-mandated compliance (see Corrections Standards Authority Report – June, 2010, attached). These non-compliance issues have been reported in prior years' Grand Jury reports back to 1984.

The Dispatch and Jail facilities are staffed 24 hours a day. While the Dispatch does not need to coexist with the Jail, due to staffing constraints, it is operated within the Jail Facility.

Background

Section 919 (b) of California Penal Code provides "The Grand Jury shall inquire into the condition and management of the public prisons within the County". This inquiry should take into account the construction, operation and administration of the facility. The Jail is considered to be Type II; it holds inmates pending arraignment, during trial, and after sentencing to the County Jail.

The current Jail was built in 1977 and expanded in 1990/91. Total full-time staff, including the kitchen, is 13. There are also three part-time cadets and three part-time kitchen workers. According to a memo from the Sheriff's Office to the Board of Supervisors (Memo on Number of Officers Required to Operate Jail/Dispatch – July 26, 2006, attached) the minimal staffing required to achieve best results, including the Jail Commander, is 19. The maximum rated housing capacity of the Jail per California Standards Authority is 53 (see attached report), although it has housed as many as 69 inmates at a time, 30% over its design capacity. The Jail houses male and female inmates, the average number of females being six. The average length of stay is 21 days.

The maximum length of time an inmate can be incarcerated at the Jail after sentencing is up to four one-year consecutive sentences. However, most inmates stay less than a year. The Jail has single and double cells and dormitories. Each dormitory can house up to 14 individuals.

Method of Investigation

An in-depth interview was conducted with the Sheriff and Under Sheriff by the Grand Jury on September 7, 2010. Ten Grand Jury members undertook an extensive inspection tour of the Jail Facility and Dispatch Area on November 2, 2010. The Grand Jury tour of the Jail did not include a review of the evidence locker, and we recommend that this be done on future Grand Jury inspection tours. Follow-up visits were conducted to verify facts and obtain updated information. Follow-up interviews were conducted with the outgoing and incoming Sheriffs in addition to members of the Board of Supervisors.

The Committee also reviewed the Corrections Standards Authority (CSA) Report of June 8, 2010, the Trinity County Environmental Health Report of November 8, 2010, and the CSA 2008-2010 Biennial Inspection Reply from the Office of the Sheriff dated October 15, 2010. In addition, the Committee reviewed previous Grand Jury reports dating back to 1984 to determine whether recommendations were being implemented. In response to a request from the Committee, the Jail Commander created a table of statistics comparing the Jail staffing with the CSA Standards requirements. These statistics are also attached to this report as Trinity County Sheriff's Office Jail Statistics in Comparison with CSA Standards – March 2011.

Discussion

The management of the Jail, as well as many small detention facilities in the state, is very challenging. The difficulties of maintaining detention facilities in rural counties are well publicized and documented. Substantial sums must be generated via taxes or non-operating financial sources (e.g. grants, fees for incarcerating inmates, etc.) to keep the facilities viable.

There appears to be no long-term strategic planning with other departments that would allow for pooling of financial and human resources providing for greater efficiency and incorporation of needed changes. In 1999, a "Proposal for Local Detention Facilities Construction Grants, Juvenile and Adult Facility Funding – 11/12/98" was signed by the Chief Probation Officer for submission to the California Board of Corrections. The Grand Jury was told that the proposal for an adult facility was never approved by the County Sheriff and therefore was not submitted, although funding was available at the time from the State of California. This extensive proposal recommended the creation of a full justice center with a county jail, juvenile detention center, court facility and related support facilities. This justice center would have allowed for shared services such as administration, reception, record-keeping, kitchen and laundry. It is unknown whether the economic benefits and ongoing operating costs of such a facility were defined. These plans also included moving the hospital to this location and the infrastructure was put into place to accommodate all facets of this project.

During its tour and investigation, the Grand Jury found these areas of the Jail to be out of compliance:

- Communications Center
- 911 System
- Reverse 911 Mapping Computer System
- Video Surveillance System
- Livescan Fingerprinting System
- Sobering Cell
- Staffing
- Medical Treatment
- Dormitories
- Computer Equipment Rooms
- Key Locks
- Inmate Exercise Area
- Kitchen
- Dining/Multi-purpose Room

Any non-compliance of the CSA Standards could create liabilities for Trinity County that would not be backed by the State of California. A lack of legal or financial support from the State may also result in the closing of the Jail. For a discussion of Jail alternatives, see JUR2010/2011-001, "Trinity County Jail - A Mandate or a Dead Weight?"

To facilitate incoming calls the **Communications Center**, including dispatch and 911, has two stations that are identical. Each of the stations is staffed by a dispatcher. If dispatch is short on staff an officer is pulled from the Jail, putting the Jail in a non-compliant state for substandard staff coverage. This non-compliant issue with the CSA would leave the County liable when anything happens in the Jail area. Access to the Communications Center area is limited and requires maneuvering around obstacles to reach the actual dispatch computers. Also, it is not Americans with Disabilities Act (ADA) compliant as there is no wheelchair access.

The **911 System** is an issue. During a 2010 generator test, an emergency call was lost. It took the dispatcher 45 minutes to re-establish communication with the caller. This system also requires two or more reboots of the computer after generator testing is completed. While these issues are being addressed by AT&T and Verizon, who share uninterrupted power supply, this is still a liability issue. With the recent repairs, the Communications Center has not had any new problems with the 911 System crashing when the generator test occurs. Further repairs and updates are still necessary so that other potential problems will not affect the 911 System during the generator tests.

Responses to emergency 911 calls have occasionally been misdirected due to a lack of knowledge by Communications Center staff of the geographic service areas of the County. Cell phone calls are routed to the California Highway Patrol (CHP) if caller is within ½ mile of a State highway and forwarded to the Sheriff's Dispatch with no information on the location of the caller. Another concern is that people are dropping their landline phones in favor of cell phones causing a problem for identifying callers and locations.

The **Reverse 911 Mapping Computer System** is an automated calling computer system designed to notify the public of an emergency in their area. The system does not have proper mapping coordinates and will place calls to the wrong area on emergencies. This can alarm the public unnecessarily and leave the area affected by the emergency unaware of the danger and without help. Due to people dropping landline phones and only using cell phones, there is not an adequate way to contact everyone by use of this system.

The **Video Surveillance System** has outlived its useful lifespan. This system is inadequate and failing. Neither replacement nor upgrade funding is budgeted. Prior Grand Jury reports have addressed this important issue and responses indicated immediate correction, which has not been done. Safety issues arise for inmates and correctional staff because there is no way to view all areas at all times (the "B" and "D" dorms have no cameras installed). When available, the video recordings comprise still images captured at three-second intervals; not live video. This has precluded immediate identification of attacks and other dangerous incidents, and has failed to support appropriate disciplinary actions in the past. After additional follow up, it was brought to the attention of the Grand Jury that even more cameras have failed, an increased safety issue for inmates and correctional staff.

The location of the **Livescan Fingerprinting System** violates ADA codes. There is no wheelchair access and it violates CSA codes because inmates have to be brought through the booking area, which is not secure for fingerprinting. However, the Livescan System is a revenue source for the Jail from its use by private citizens, although the location puts them at some risk because of its proximity to the booking area.

The **Sobering Cell** will not accommodate a wheelchair passing through the doorway (CSA and ADA non-compliance) and the inside privacy wall surrounding the toilet is too high for viewing that portion of the cell. If an inmate is placed in the Sobering Cell after 10:00 p.m., the inmate is held in the Sobering Cell until 6:00 a.m. when another officer comes on duty. Therefore they are non-compliant in that they cannot perform a check of the inmates to assess their degree of sobriety. The required twice every 30-minute check of inmates cannot be performed and the Jail is out of compliance with CSA. The Sobering Cell has also been used as a holding cell when the need arises which is another non-compliance issue with CSA.

Staffing issues have been an on-going problem since 1984, as referred to in previous Grand Jury reports. This is a situation that can no longer be ignored. It takes more than five persons to cover one (1) position 24-hours per day, seven days a week, 365 days a year including vacation, sick time, and training time. California law requires staffing of the Jail; it does not require patrol or other enforcement activities. This can result in the reduction of patrol and enforcement activities at budget time to accommodate the requirements of the Jail.

More female staff is needed to handle female inmates per Penal Code Section 4021(a). This Section requires a female staff member be immediately available and accessible whenever there are female inmates. There are times when female inmates have no

interaction with female staff at the Jail for several days. Female staffing and nighttime jail staffing are both non-compliant with CSA. When a female is arrested and there is no female staff on duty at the Jail, the female is taken to Juvenile Hall to be searched before booking with the potential of placing Juvenile Hall in a non-compliant state. This places both facilities out of compliance as there is no female on staff at the Jail and a female officer from the Juvenile Hall is removed from the housing unit to handle the searching of the female inmate.

Staff is also unable to take restroom breaks on a regular basis.

Medical Treatment. When diabetic inmates are in need of insulin injections they are taken into a small closet-like room with a single officer. There is no surveillance in this room and only one entrance/exit. This creates a potentially dangerous situation for officer and inmate alike.

The **Dormitories** are overcrowded. When the need arises, temporary cots are brought into the dorms to house additional inmates and the female units have been used to house male inmates causing the Jail to be out of CSA compliance and creating a safety issue for officers. Due to lack of cameras in dorms "B" and "D", officers have no prior knowledge of what they may encounter when they enter. The "B" dorm is a male dorm for two inmates, and the "D" dorm is a male dorm for housing four inmates. From the Environmental Health report it was also noted that there is mold in the female dormitories. The mold in the women's dorm restrooms on the ceiling appears wet and there is also a rusty vent cover; both are evidence of a possible ventilation problem.

The **Computer Equipment Rooms** are small and in need of ventilation. While fans are being used to dissipate the heat, air conditioning is needed to prevent computer damage during the summer. Heat causes computer systems to malfunction, and extreme heat causes computers to fail. General recommendations for housing computer equipment are not below 50 degrees or above 82 degrees Fahrenheit for optimum performance. This has been an ongoing issue mentioned in previous Grand Jury reports and has not been adequately addressed.

The **Key Locks** throughout the facility are being repaired by General Services staff who have received appropriate training paid for by special funding. General Services is currently looking for another revenue source to complete the repairs. This will help with security at the aging facility. Some electronic locks have failed and need to be replaced.

The concertina wire surrounding the **Inmate Exercise Yard** is inadequate. It is over-stretched and needs more wire for adequate security. Escapes have happened in the past.

The **Kitchen** has damaged floor covering that is being repaired. The refrigerator/freezer unit is inadequate for food storage and the freezer was leaking water onto the floor.

The **Dining/Multi-purpose Room** is not being used for inmate meals. Due to lack of staffing, meals are served in inmate cells and the designed dining space is instead used for meetings, training, and other events.

The following Findings/Recommendations are based on the information obtained during the November 2, 2010 inspection of the Jail.

Findings/Recommendations

Finding 1:

After reviewing previous years' final reports of the Grand Jury, the same issues addressed in this report have risen repeatedly without satisfactory resolution. The Jail Facility needs to be replaced. It is over 30 years old, out of CSA and ADA compliance, and much of its interior is obsolete. Overcrowding is common and the space is inadequate to meet current needs.

Recommendation 1a:

The facility must be brought into CSA compliance and/or be replaced to be eligible for State protection from potential lawsuits.

Recommendation 1b:

Perform interim repairs as practical, with highest priority on those that affect inmate and staff safety and security. Look at funding from Homeland Security, FEMA, and/or other revenue sources including CA Assembly Bill AB111. for a new Jail Facility and/or ideally a green Justice Center that would include providing reserve beds for temporary Federal Government prisoners (a potential revenue source). Although it may seem extreme, we have an extreme problem. Investigate non-traditional funding sources, such as the Bill and Melinda Gates Foundation, Yahoo!, or the ABC "Extreme Makeover Home Edition" program for assistance with creating a new Jail Facility. For other alternatives see JUR2010/2011-001, "Trinity County Jail - A Mandate or a Dead Weight?".

Finding 2:

The following are immediate needs that must be addressed with the current Jail Facility:

- generator system repairs
- aging and inadequate security video system
- number of staff, especially females
- complete repairs to Jail locks
- lack of ventilation for the computer equipment rooms

Recommendation 2a:

Aggressively pursue repair and/or replacement of aging items and install proper ventilation systems to keep the Jail functioning. Explore utilizing state surplus for compatible parts to replace the camera system in the Jail.

Recommendation 2b:

Advertise Jail positions to a broader spectrum of the population and fill needed positions on the Jail staff to meet state compliance.

Finding 3:

The following are issues with Environmental Health compliance:

- mold in the women's dormitory area
- flooring in the kitchen area
- the refrigerator/freezer in the Jail kitchen

Recommendation 3:

Follow through and complete needed repairs and purchases to bring the Jail into compliance with Environmental Health.

Finding 4:

The following items are out of CSA and/or ADA compliance:

- Communications Center
- sobering cell
- location of the Livescan Fingerprinting System

Recommendation 4:

Due to building constraints, the only way to come into compliance is to build a new Jail/Justice Center. Until such time as a new facility is available, convert the dining/multi-purpose room into a stand-alone Communications Center and use the opened space for the Livescan System and booking area. Pursue grants for transfer and implementation of the communication services. Lower the wall of the sobering cell to accommodate needed checks.

Finding 5:

The 911 and Reverse 911 Mapping Systems are inadequate. There have been dropped emergency calls and mapping coordinates for the Reverse 911 Mapping System are unreliable. The County was mapped in preparation for the Reverse 911 System; however, the detailed information was not utilized by the vendor.

Recommendation 5:

Request County Counsel to revisit the contracts with the Mapping System vendors and explore options to have these issues corrected as expediently as possible. Work with Information Technology (IT) to be prepared when minor issues present themselves and pursue revenue sources for when shortfalls are encountered. Explore software for Global Positioning System (GPS) to assist in locating emergency calls made from cell phones.

Finding 6:

Emergency services calls are not always dispatched to the correct geographic area of Trinity County.

Recommendation 6:

Upon hiring, train new Dispatchers in the geographic service areas (including mile markers) of Trinity County to ensure correct dispatch of emergency services. Develop and maintain effective reference materials in the Communications Center to support accurate location identification.

Finding 7:

The concertina wire surrounding the inmate exercise yard leaves a potential for escape. The wire is ineffective and unsafe for inmates and staff, and poses a threat to public safety.

Recommendation 7:

Identify and contract with a qualified installer to replace the concertina wire.

Finding 8:

The designated area for dispensing medications is unsafe due to inadequate space and security measures.

Recommendation 8:

When medical staff is on-site, administration of medications by correction officers should be moved to an actual medical room on the premises. Installation of a camera in the medication room for monitoring purposes would improve safety of staff and inmates.

Responses Required

In accordance with the California Penal Code 933.05 a response is required as indicated below.

<u>Respondent</u>	<u>Finding/Recommendation</u>	<u>Due Date</u>
Board of Supervisors	#1a, 2a, 4, 5, 6	90 Days
Acting Trinity County CAO	#1a, 2a, 3, 4, 5	60 Days
Trinity County Sheriff	#1a, 1b, 2a, 2b, 3, 4, 5, 6, 7, 8	60 Days
Trinity County General Services	#3a, 4, 5, 8	60 Days
Trinity County IT Department	#2a, 5	60 Days

The governing bodies indicated above should be aware that comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Bibliography

Americans with Disabilities Act

Standard California Code (Penal Code) – 2005 Edition

Trinity County Grand Jury Final Reports 1983/84 – 2009/10

Trinity County Environmental Health Report – November 8, 2010

Appendices

Corrections Standards Authority Report – June, 2010

Trinity County Sheriff's Office Jail Statistics in Comparison with CSA Standards – March 2011

Memo on Number of Officers Required to Operate Jail/Dispatch – July 26, 2006

Memo on Jail Dorm/Cell Rated Capacity – April 7, 2011



OFFICE OF THE SHERIFF
TRINITY COUNTY

101 Memorial Drive, P.O. Box 1228
Weaverville, CA 96093
(530) 623-2611

LORRAC CRAIG, Sheriff/Coroner
ERIC PALMER, Undersheriff

DATE: 10/15/10

CSA 2008-2010 BIENNIAL INSPECTION REPLY

TO: MR. DON ALLEN – CSA FIELD REPRESENTATIVE

FROM: SHERIFF LORRAC CRAIG

Reply to Noncompliance Issues:

With respects to the noncompliance issues concerning Title 15, Section 1027 - Number of Personnel, the Trinity County CEO has approved the hiring of two additional Correctional Officers/Dispatchers for the Trinity Co. Sheriff's Department. As of 09/21/10 the Trinity Co. Sheriff's Dept. has hired two Correctional Officers/Dispatchers and is currently in the process of hiring two Correctional Officer/Dispatcher Cadet positions. The additional staff will help alleviate some of the noncompliance issues addressed by the California Standards Authority with respects to the 2008-2010 Biennial Inspection Report.

The hiring of additional staff will help with completing the assigned duties during high activity times and ensure that cell checks are completed hourly, especially during times that the cell checks have less likely been completed, both at the beginning of each shift and at the end of each shift.

The additional staff will also help resolve many short staffing problems during the time period of 2200hours to 0600hours when most of the time there is currently only one Correctional Officer/Dispatcher assigned to the jail division during this time period. This will provide a second Correctional Officer on duty which would allow for the Correctional Officers to perform the Sobering Cell checks directly and complete the 6 hour medical evaluation as required pursuant to Title 15, instead of performing a visual check of the inmates through the Sobering Cell window.

With respects to the problem with sober inmates being left in the Sobering Cell after 0600hours when a second officer has come on duty, a memorandum has been provided to all Correctional Officers to immediately remove all sober inmates from the Sobering Cell as soon as a second Correctional Officer becomes available to assist.

The hiring of additional staff will hopefully provide at least one more female Correctional Officer/Dispatcher or Correctional Officer Cadet so that more female officers would be available on shifts when female inmates are housed at the Trinity Co. Sheriff's Dept. Jail. In effect this would allow the jail staff to complete cell checks on the female inmates during the time period of 2200hours to 0600hours and provide a female officer on duty to search female inmates when arrested and brought into the custody of the jail.

The Administration is proposing to promote one Correctional Officer to a Corporal position.

Due to physical plant design, the lack of holding cells results in the use of the Sobering Cell until inmates are housed or released. The Correctional Staff have been advised through memorandum to avoid such practices due to this practice being a noncompliance issue concerning Title 15 standards.

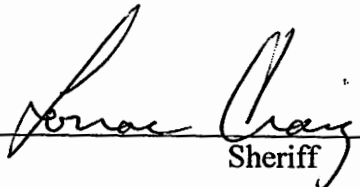
At this time the County Board of Supervisors has allocated the funds needed for repairs for worn or faulty locking mechanisms in the jail. The repairs just need to be completed. In the interim, the Trinity County General Services personnel have been assisting with repairs where they can as needed.

Due to physical design, the Jail is often limited on housing space. With respects to the rated capacity for the female housing unit, every effort will be made by the jail staff to house new female inmates in other dorms as housing allows.

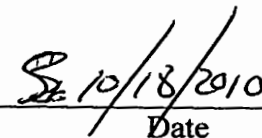
The problem concerning the limited visibility in the Sobering Cell due to a partition installed for privacy next to the toilet should be resolved once the hiring of two more Correctional Officers/Dispatchers and/or Cadets is completed. Having the additional staff should alleviate the gaps in the graveyard schedule which would provide two Correctional Officers on each shift at all times. The hiring of the additional staff should allow for enough staff to properly complete direct checks on subjects placed in the Sobering Cell.

Current policy for holding inmates in the Sobering Cell till their BAC level is .000 will be changed so that it complies with Title 15 standards. The policy will allow for inmates to be moved from the Sobering Cell when they are no longer a threat or danger to themselves or others. Inmates placed in the Sobering Cell will be held there only until their behavior indicates that they are no longer a threat or danger to themselves or others. Inmates will not be released from custody though until their BAC level is .000 per Sheriff Lorrac Craig.

The Trinity County Sheriff's Department Jail was built in 1973. As a result, maintenance continues to be a problem because of the age of the facility. However, The Trinity County General Services is very timely with responding and repairs.



Sheriff



Date

CORRECTIONS STANDARDS AUTHORITY

600 Bercut Drive
Sacramento, CA 95811
916-445-5073
www.csa.ca.gov



June 8, 2010

Sheriff Lorrac Craig
Trinity County Sheriff's Department
P.O. Box 1228
Weaverville, California 96093

Dear Sheriff Craig:

BIENNIAL INSPECTION, TRINITY COUNTY SHERIFF'S DEPARTMENT, ADULT DETENTION FACILITY, PENAL CODE SECTION 6031

On April 21, 2010, the Corrections Standards Authority (CSA) conducted the 2008-2010 biennial inspection of the Trinity County Jail. The jail was inspected for compliance with the Minimum Standards for Local Detention Facilities, as outlined in Titles 15 and 24, California Code of Regulations. The inspection consisted of a review of applicable written policies and procedures governing the operation of the facilities, a site visit of each facility, and a review of documentation to verify your practices follow your written procedures.

We would like to acknowledge members of your jail team for all of their assistance, patience, and courtesy during the inspection process. We personally thank Jail Manager, Sergeant Pete Braga and Med Tech II Jack Pederson for devoting the extra time and effort needed to prepare for a successful inspection. Inspections create significant demands on your already very busy staff.

The complete CSA inspection report is enclosed and consists of: this transmittal letter; an informational sheet identifying the facility and listing any areas of noncompliance; the Procedures checklist outlining applicable Title 15 sections; the Physical Plant Evaluation outlining Title 24 requirements for the design, and the Living Area Space Evaluation that summarize the detention facility's configuration. We encourage the practice of maintaining a permanent file for historical copies of all inspections that would also include documentation of corrections made following the inspection. This file should be the first point of reference when preparing for all future inspections.

Local Inspections

In addition to a biennial inspection by the CSA, annual inspections are required by the County Health Officer and the Fire Marshal¹ pursuant to Health and Safety Code §101045 and §13146.1 respectively. Please consider our report in conjunction with the reports from the local health officer and the local fire authority for a comprehensive perspective of your facility.

¹ Effective 1/1/05, the fire marshal's inspection is required every two years.

Fire Inspection

The Fire Marshal from the Weaverville Fire Department inspected the jail on May 28, 2008. No deficiencies were noted and a fire clearance was granted. To remain current, a fire inspection will be needed before December 31, 2010.

Health Inspections

The Trinity County Health Department conducted the health inspections that included reviews of the medical, nutritional, and environmental health policies, procedures and records as well as an inspection of the facility. The one deficiency originally noted in the environmental health report has been re-evaluated by the environmental health specialist and while not rising to the level of noncompliance at the present time, the kitchen floor covering needs repair. The one deficiency originally noted in the nutritional health report has been corrected. No concerns were noted in the medical/mental health report.

The table below includes the dates of the inspections.

Medical/Mental Health	Environmental Health	Nutritional Health
10/29/09	10/29/09	5/25/10

CSA Inspection

Title 15 Review of Policies and Practices

The inspection began with a pre-inspection briefing on December 16, 2009 to assist staff in preparing for the inspection. A review of the applicable policies and a preliminary review of documentation were performed to determine compliance with Title 15 regulations. We suggested minor revisions to the policies that were promptly completed before the site inspection. For further information, please refer to comments noted on the Procedures Checklist.

On April 21, 2010, the inspection process continued at the jail with further review of available documentation including samples of security check logs, incident reports, grievances and disciplinary actions to ensure that practices are consistent with policies. We found no issues of noncompliance during our documentation review of inmate records, classification records, and incident reports. Long-term restraints are not used in this facility so no records were reviewed. The facility does not have a safety cell.

During the initial review of sample documentation of the grievance process, we noted the form provided an avenue for documenting resolution or appeal; however, the form was not always used. If answered by memorandum rather than by using the response form, appeal information was often omitted. We also noted that responses from medical staff did not always provide sufficient information to determine a disposition or if the concern was appropriately answered.

The practices were revised before the April inspection. Information was added to the inmate orientation handout to ensure the inmate was aware of the grievance and appeal process. We found

subsequent documentation to be complete and answers were timely and appropriate. The grievances gave no indication that the minimum services are being denied.

We reviewed documentation of the discipline process and found the sanctions to be appropriate and an appeal process was available. During the initial review, we sometimes found it difficult to determine if the inmate was allowed sufficient time to prepare a defense or waived the 24 hours allowed by the regulation. Additionally, while we saw no record of mandated privileges being denied without a disciplinary hearing, the policy did allow for visits to be withheld for minor rule violations. If a sufficient number of visits are denied as a sanction without a hearing, resulting in the inmate having less than the minimum number of two visits per week (Section 1062), the facility would be non-compliant with both regulations.

To ensure no mandated privileges were denied without due process, the policy was revised immediately to require hearings in all matters of discipline and staff was refreshed regarding the overall discipline process. Subsequent documentation was reviewed and we considered the concern corrected.

Noncompliance Issues

Title 15, Section 1027, Number of Personnel: This regulation specifies staffing requirements including that sufficient personnel be on duty at all times to ensure the implementation and operation of all programs and activities required by the regulations. Included in this regulation are requirements that hourly safety checks are performed and that female staff are immediately available and accessible when female inmates are in custody. We were unable to confirm compliance of either requirement.

We reviewed records of hourly safety checks and found that the documentation did not support that checks were occurring within 60 minutes as required by this regulation. Closer examination revealed that safety checks within 60 minutes are not being documented during the twice-daily shift change, often resulting in gaps as long as 3 hours without a log entry. We also noted gaps during high activity times such as booking/releasing processing, court movement, and medication pass (medications are prepared and passed by officers). After reviewing the staffing roster and work schedule, it appears that staff is not failing to complete the log entry but instead are too busy to complete the task.

The current staffing roster for the jail consists of five management/supervisors and 12 jail officers, a decrease of one jail officer since our 2008 inspection. At the time of this inspection, only nine officers are available for assignment in the jail and the part-time resource pool has been depleted. Furthermore, only the facility manager position is filled and the four jail supervisory positions are vacant.

With no unexpected absences, only one officer is on duty in the jail at least five and often six nights every week between the hours of 10:00 pm and 6:00 am. A dispatcher is also on duty and is available to rotate into the jail assignment when the jail officer assumes the dispatching duties. Jail staff and dispatching staff often serve in both capacities but the dispatchers cannot be counted as jail staff because the dispatching assignment is a fixed-post position.

When only one officer is present, the jail is locked down and officers do not enter any of the cells. No services can be provided. Cell checks are performed through a window in the door. Visibility is limited, especially in the dormitories where inmates are bunked further from the door and the furnishings offer ample places to secret contraband.

Visibility in the sobering cell is compromised by the presence of a partition located next to the toilet fixture. While the partition is required by regulation, its purpose is not for modesty but to provide support and prevent falls by inebriates. As currently configured (50" high partition), without entering the sobering cell, staff will have difficulty being able to visually observe inmate activity on the opposite side of the partition.

Consistent with Penal Code Section 4021(a), this regulation and requires a female staff member be immediately available and accessible when female inmates are present. The Trinity County Jail has one housing unit that is set aside for female inmates and includes 10 beds. Five female inmates were present on the day of the inspection and we were told that female inmates are typically always present.

The female unit is separated from rest of the jail by a solid metal door. On most nights when one officer is assigned to the jail, either the dispatcher or the jail officer is a female. If no officers request leave time (illness, vacation, training, etc.), at least one day each week between the hours of 10:00 pm and 6:00 am, there are no female officers on duty and immediately available to female inmates. When no female staff is present, no safety checks are performed in the female housing unit because officers attempt to adhere to a second mandate of Penal Code Section 4021. Subsection (b) prohibits staff from entering a cell of an inmate of the opposite sex except in the company of an employee of the same sex as the inmate. The officers we spoke with said that in the event of an emergency, they would have to violate the statute and enter a cell without a female staff member present. In similar fashion, if a female arrestee is brought to the jail for booking when no female officers were present, staff must contact the juvenile hall to see if a female probation officer is available to perform a booking search before allowing the female into the jail.

When one officer is on duty, the booking process is suspended after the initial intake steps are completed. The inmate waits in a holding cell until a second officer is available, often the next morning before processing can be completed. When one officer is on duty, no inmates are released from custody including those already housed. As a result, a person brought to the jail between the hours of 10:00 pm and midnight will not be released or housed until after 6:00 am the following morning when someone comes in to be present while the fingerprinting, photographing, and clothing exchange processes can be completed. Inmates securing bail during this time period are also not released until after 6:00 am.

While a measure of the jail supervision staffing level to determine compliance within the regulations is difficult to capture, we are uncomfortable with the current status. Corporals serve as first-line supervisors and all four allotted positions were vacant at the time of the inspection. Sergeant Braga cannot fill all the shifts himself and he is further limited because he must regularly fill in for vacant 911 operator/dispatcher positions. At the time of our inspection, Sergeant Braga was the operator/dispatcher for 12 hour shifts on Mondays and Tuesdays (6:00 am to 6:00 pm) and for 4 hour shifts on Wednesdays, Thursdays, and Fridays (6:00 am to 10:00 am).

Optimally, when all positions are filled, the minimum jail staffing has been designated to be two officers (one male and one female) and a supervisor. While the scope of this inspection does not allow the time necessary to complete an in-depth staffing analysis, it appears that this minimum level may be insufficient to provide the services mandated by these regulations especially during times of high activity.

Title 15, Section 1056, Use of the Sobering Cell: This regulation specifies the requirements including that it only be used for holding inmates who are a threat to their own safety or the safety of others due to their state of intoxication. Inmates are to be checked by staff at least every 30 minutes. An evaluation by a medical staff person or by custody staff, pursuant to written medical procedures, is required whenever an inmate is retained in the sobering cell for more than six hours. And lastly, such inmates are removed from the sobering cell when they are able to continue with processing. The intent of the regulation is to provide a protected environment in which to safely detain and monitor inebriants temporarily until they are sober enough to continue processing. It is not intended to detoxify inmates under a medical protocol typically followed in a medical treatment facility.

As further demonstration of the need for additional staff, during our initial visit, we noted that when only one officer was on duty, the evaluation by a medical staff person or by custody staff pursuant to written medical procedures was not being done when an inmate was in the sobering cell for over six hours. Staff was waiting until a second person was present before going into the cell to perform the evaluation; often until 6:00 am when the next shift came on duty. Additionally, sober inmates remained in the cell until a second officer was present, possibly mixing sober inmates with inebriates.

When we completed our inspection during the April visit, we again reviewed sobering cell logs and found the documentation to be improved. Sergeant Braga updated the log forms to provide prompts for additional information and he provided staff training to remind officers of the importance of documentation. As a result, we noted that safety checks were logged at more random times and that the evaluations were being documented more frequently. We asked how the evaluations were being performed during the hours when one officer was on duty if he/she was not entering the cell. We were told the evaluations were being performed through the glass window in the cell door. While it is possible that some components of the evaluation could be accomplished through the door, we are concerned that the physical separation prohibits a true and complete assessment of the inmate.

We continued to find records of inmates remaining in the sobering cell until after 6:00 am when a second officer was available. If the inmate was sober well before the second officer was available, it is possible that sober inmates were held in the cell at the same time as others that were still impaired. Whenever sober inmates remain in the sobering cell, with or without other inebriates present, the facility is noncompliant with this regulation.

Noncompliance with this regulation is also driven by the physical plant design. Because of limited space and pursuant to policy, the sobering cell may be used to detain persons other than inebriates. Hostile inmates, restrained inmates, and inmates requiring separation may be held in the sobering cell. During busy times, the cell may be used as a holding cell when no other cells are available. When the sobering cell is used to hold inmates other than those requiring sobering, the facility is noncompliant with this regulation.

Having only one sobering cell poses additional challenges when multiple inmates need the sheltered environment but are incompatible in one cell. In those cases, staff must decide who is the most needy. If male inmates occupy the cell and an intoxicated female inmate arrives for booking, staff must decide who gets the benefit of the sobering cell. While the policy suggests contacting neighboring agencies for assistance, we were told that typically staff decides who needs the cell the most and moves the least impaired inmate(s) to single cells located elsewhere in the jail to make room in the sobering cell. Until funding is available for building additional sobering cells, we suggest the process for accepting and monitoring inebriates be reviewed and all options are explored.

The sobering cell is also used to hold persons under the influence of drugs. While some drugs can impair consciousness, attention, balance and orientation, many do not. We reviewed documentation in which the inmates were not impaired in any way but were held in the sobering cell only because they were arrested for being under the influence of drugs. When the sobering cell is used for holding inmates who are a not threat to their own safety or the safety of others due to their state of *intoxication*, the facility is noncompliant with this regulation.

During our tour of the facility, we spoke with staff and inmates. Staff members we spoke with were knowledgeable, and demonstrated an understanding of the regulations and the agency's policies. The conversations with inmates were generally positive in nature. All of the inmates we spoke with said they were being treated fairly and were either receiving the services mandated by the regulations or they were aware of the services available and the methods to request them.

Physical Plant

The jail was originally constructed under the 1973 Title 24 Regulations. A single housing cell and two dormitories and were added under the 1988 regulations. The application of the less-restrictive 1994 Regulations allowed the use of a second bed in two of the single occupancy cells, resulting in a facility rated capacity of 53 inmates.²

We found the facility to be clean but the existing design and continual deferral of major maintenance projects raises security concerns and limits the ability to provide programs that could reduce recidivism. Space is limited which compromises the ability to securely move inmates through cramped work areas and to observe and monitor inmate activity in cells and dormitories. Program space is insufficient to allow programming if resources were available.

Locking mechanisms on some cell doors are worn or faulty. We observed that some keys failed to work and some electric locks failed to function as designed. For security reasons, we will not specify the issues of concern in this letter but we did discuss them with Sergeant Braga. We suggest the annual security review required by the regulations (Section 1029) should be updated regularly to ensure that a plan is in place to make improvements and repairs as funding becomes available. If requested, we are available to provide technical assistance as you address these concerns.

While not rising to the level of noncompliance, we noted two additional beds in the men's dormitories. The two dorms are identical and support a total capacity of 26 inmates; the capacity is limited by shared dayroom space. One is rated at 14 and the other is rated at 12 but both have 14 beds. The additional beds provide some flexibility when assigning inmates to housing locations. Because there has not been a pattern and practice of housing more than 26 inmates in the dormitories, we do not find the facility noncompliant with the Title 24, Section 2.8, Dormitories.

Noncompliance Issues

Title 24, Section 8227, Multiple Occupancy Cells: This regulation specifies the minimum requirements for multiple occupancy cells to determine the rated capacity. As configured, the rated

² Facilities are inspected under the regulations in effect at the time of receipt of the Letter of Intent for initial construction or significant remodel as specified in Title 24, Section 13-102 (c) 1.

capacity for the multiple occupancy cell in the female housing unit is four inmates yet the cell has eight bunks. While not crowded on the day of the inspection, records reflect that the additional beds are used when necessary. When more than four inmates are housed in this cell, the facility is noncompliant with this regulation.

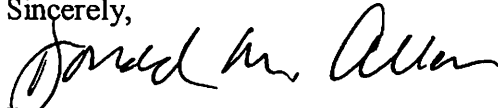
Summary and Corrective Action

We enjoyed the opportunity to work with your staff and to share experiences. We appreciate Sergeant Braga's dedication to ensure the safe and secure operation of the Trinity County Jail in spite of the many challenges he faces daily.

Please provide an overall corrective action plan on or before August 1, 2010 to address the issues of noncompliance noted during our inspection. Please include any changes made to the procedures or reporting forms that were discussed during the inspection. Please provide copies of any policies that were developed or modified and how staff was informed of any changes. Upon review of documentation to confirm compliance, we will remove the findings of noncompliance from our database.

This concludes our inspection report for the 2008-2010 inspection cycle. If you have any questions, or if we can be of any assistance, please contact me at (916) 324-9153 or by e-mail at don.allen@cdcr.ca.gov. We are always available to provide any technical assistance you might request.

Sincerely,



DONALD M. ALLEN

Field Representative

Facilities Standards and Operations Division

Enclosures

cc: Sergeant Peter Braga, Trinity County Sheriff's Department
Chair, Board of Supervisors, Trinity County *
Presiding Judge, Superior Court, Trinity County *
County Administrator, Trinity County *
Grand Jury Foreman, Superior Court, Trinity County *

* Complete copies of this inspection report are available upon request.

**Corrections Standards Authority
Adult Detention Facility
Inspection Cycle Information**

CSA Code: 5820	Inspection Cycle: 08/10	
County: Trinity	Inspection Date: 4/21/2010	
City: Countywide	Field Representative: Allen, Don	

A. Description

Department: Trinity Sheriff's Department	Department #: 314	
Administrator: Lorrac Craig, Sheriff	Phone #: (530) 623-3740	
Address: P.O. Box 1228	FAX #:	
Weaverville, CA 96093	Email:	
Facility: Trinity Co. Detention Facility	Type: II	
Facility Address: 101 Memorial Dr (PO Box 1228)	Phone #'s: (530) 623-8124	
City, State Zip: Weaverville, Ca 96093		
Mailing Address:	Fax #'s:	
	(530) 623-3924	
Manager: Pete Braga	Phone # (530) 623-3924	
Title: Commander	Email:	

B. Physical Plant

Year Facility Completed: 1976	Applicable Standards: 1973	
	1988	
	1994	
Year Last Remodeled: 1988		
Date of Anticipated Opening:		

C. Lawsuit Information

Court-ordered Population Cap (if applicable):

D. Population Information

<u>Rated Capacity</u>	<u>Non-Rated Special Use Beds</u>	<u>Avg. Daily Population</u>
Total RC: 53	Medical/Mental Health:	# Males:
Total # of Beds: 53	Disciplinary:	# Females:
	Other Beds:	
Total Capacity: 53	Total NRC: 0	Total ADP: 0

E. Local Inspections And Dates

Inspection Type	Date	Inspection Type	Date
Fire and Life Safety	5/28/2008	Health-Environmental	10/29/2009
Health-Medical/MMH	10/29/2009	Health-Nutrition	5/25/2010

CSA Code: 5820
County: Trinity
Facility: Trinity Co. Detention Facility

Inspection Cycle: 08/10
Inspection Date: 4/21/2010

F. Staffing

	Positions	Vacancies
Management/Supervisor	5	4
Line Custody / Custody Staff	12	3
Support Staff	7	0

G. Standards Compliance

Reg. #	Code	Article	Article Title	Description
1027	15	3	Training, Personnel & Management	Number of Personnel
1056	15	5	Classification & Segregation	Use of Sobering Cell
8227	24	Part 2	Physical Plant 470A	Multiple Cells

TYPE II AND III FACILITIES
Corrections Standards Authority
PROCEDURES

CSA Code: 5820

FACILITY NAME: Trinity County Jail	FACILITY TYPE: Type II
PERSON(S) INTERVIEWED: Sergeant Pete Braga	
FIELD REPRESENTATIVE: Don Allen	DATE: December 16, 2009, April 21, 2010

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
1020 CORRECTIONS OFFICER CORE COURSE¹ In addition to provisions of Penal Code Section 831.5, all custodial personnel have completed the "Corrections Officer Core Course" as described in Section 179 of Title 15, CCR. Custodial personnel may substitute 832.3 PC training and the "Corrections Officer Basic Academy Supplemental Core Course" as described in Section 180, Title 15, CCR as an alternative.	X			STC Participants.
1021 JAIL SUPERVISORY TRAINING All supervisory custodial personnel have attended the STC or POST supervisory training.			X	All four jail supervisor positions (corporals) were vacant at the time of the inspection.
All supervisory custodial personnel have completed the "Corrections Officer Core Course" identified in Section 1020. <i>(The intent is that core training be completed prior to assuming supervisory responsibilities.)</i>			X	
1023 JAIL MANAGEMENT TRAINING All jail management personnel have completed either the POST or the STC management course specified in Section 182, Title 15, CCR.	X			
1025 CONTINUING PROFESSIONAL TRAINING With the exception of any year that a core training module is completed, all facility/system administrators, managers, supervisors and custody personnel complete the annual required training specified in Section 184, Title 15, CCR.	X			If the training schedule is followed, all staff will have completed this training. Please advise CSA if training is not completed.

¹ For STC participating agencies, consistency with training sections 1020, 1021, 1023 & 1025 is annually assessed by the STC Division. Unless otherwise indicated, the regulatory intent is for training to occur within one year from the date of assignment.

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE - COMMENTS
<p>1027 NUMBER OF PERSONNEL</p> <p>There are sufficient personnel on duty at all times (whenever there is an inmate in custody) to ensure the implementation and operation of all programs and activities required by these regulations.</p>		X		<p>Current staffing levels and scheduling limits staffing to one officer. five to six days each week between the hours of 10:00 pm and 6:00 am. When only one officer is on duty, the jail is locked down. No inmates are moved and staff does not enter the cells. New detainees are accepted but the booking process is not completed until additional staff arrives at 6 am. No releases are performed between 10:00 pm and 6:00 am.</p> <p>When no female is on duty (typically at least one day each week), safety checks are not done in the women's housing unit.</p> <p>When one officer is on duty, safety checks in F and G dorms are done through the door window, not by walking through the dorm.</p> <p>As scheduled, 36 hours of each week, the jail manager has a collateral duty assignment as the 911 Operator/Dispatcher which is a fixed post position. He must be relieved if his presence is needed to provide supervision to staff.</p> <p>The four supervisory positions (corporals) were vacant at the time of the inspection. The positions have been vacant for much of this inspection cycle and will remain vacant due to budget limitations.</p> <p>See also text under Section 1056, Use of the Sobering Cell.</p>
<p>There is a written plan that includes the documentation of hourly safety checks.</p>		X		<p>J109.52, J122.20</p> <p>While a plan exists, when only one officer is on duty, safety checks in Dorms F and G are done by looking through the door window without going into the dormitory.</p> <p>When no female officer is on duty, safety checks are not performed in the female housing unit.</p> <p>Documentation of safety checks reflect gaps in excess of 60 minutes during high-activity times of the day including med pass, food service, clean-up, visiting, and inmate movement (booking, releasing, court appearances) even when two officers were working.</p>

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE - COMMENTS
There is at least one employee on duty at all times with the ability to respond to any inmate in the event of an emergency (male and/or female; PC § 4021).		X		<p>J103.9 J103.40 J109.53 J109.50</p> <p>While included in the jail schedule, the fixed-post position of 911 operator/dispatcher cannot be counted as jail staff. Whenever the dispatcher must work in the jail, jail staff replaces the operator/dispatcher.</p> <p>Policy requires that female officers be immediately available whenever a female inmate is in custody but because of insufficient staff, this policy is not followed. At the time of the inspection, the staffing level and employee schedules did not allow for a female to always be on duty. If all staff are available (no sick leave, vacations, training, court appearances) then typically at least one day each week, only male staff is present between the hours of 10:00 pm and 6:00 am. Employee absences result in more frequent shifts being out of compliance.</p> <p>Pursuant to policy and to minimize violations of PC 4021, when no female staff is present, safety checks are not performed in the female housing unit. Staff reported that in the event of an emergency, male officers can and do enter the female unit without a female staff being present.</p> <p>When only one officer is on duty in the jail, patrol deputies or on-duty CHP must be called in to assist in the event of an emergency. By policy, staff is to wait for a second officer before entering the cells.</p> <p>When no female officers are on duty and female detainees are brought to the jail for booking, the detainees are first taken to the juvenile hall for searching by a female probation officer (if one is available).</p>

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
A staffing plan is available which indicates there are sufficient personnel assigned and their duties.		X		<p>J103.00 and 109.53</p> <p>J103.15 Undersheriff is the facility administrator. Sergeant is the facility manager. J109.54</p> <p>Minimum staffing is set at two officers in the jail and one on the communications console. This policy also establishes the procedure that if only one officer is available in the jail then the perimeter and all interior doors are to be secured. No inmate movement is allowed and officers do not enter the cells.</p> <p>After review of the current staffing plan, when only one officer is assigned to the jail, there is insufficient staff to ensure the implementation and operations of the programs and activities required by the Title 15 Regulations. We recommend a detailed staffing study be performed to determine if two officers are sufficient to provide all the services required by the regulations.</p>
Inadequacies in the staffing plan are reported, in writing, with recommendations to the local jurisdiction having fiscal responsibility.	X			<p>J109.54</p> <p>We understand that requests have been made however insufficient funding is available to fill vacant positions.</p>
1029 POLICY AND PROCEDURES MANUAL ²				
There is a published manual of policies and procedures for the facility that addresses applicable regulations and includes:	X			
Table of organization, including channels of communications;	X			J103.60 – J103.70
Inspections and operations reviews by the facility administrator/manager;	X			J108.20 J109.65
Use of force;	X			J104.00
Use of restraint equipment;	X			J109.96 General Use of Security Restraints including pregnant female inmates. J155.70-J155.80 Use of Physical Restraints
Screening newly received inmates for release per Penal Code Sections 849(b)(2) and 853.6, and any other such processes as the administrator is empowered to use for release;	X			J111.15
Security and control, including: Physical counts of inmates; Searches of the facility and inmates, and, Contraband control and key control. At least annually the facility administrator reviews, evaluates and documents internal and external security measures.	X			<p>J109.00 – J112.10</p> <p>We recommend regular review of search policies by County Counsel.</p> <p>Security review dated 4/16/2010.</p>

² Procedures related to security and emergency response may be in a separate manual to ensure confidentiality by limiting general access.

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
Emergency procedures, including: Fire suppression pre-plan as required by Section 1032 of these regulations; Escape, disturbances, and the taking of hostages; Civil disturbance; Natural disasters; Periodic testing of emergency equipment; and, Storage, issue and use of weapons, ammunition, chemical agents, and security devices.	X			J108.20 J109.00 – J119.10
Suicide prevention; and,	X			J156.00 J121.40 Classification and Medical Screening at Booking J151.12 Intake Medical Screening Procedure J151.22 Monitoring Inmates in Segregation J152.30 Receiving Screening
Segregation of inmates.	X			J121.00 – J121.75 J121.40 Classification and Medical Screening at Booking J151.12 Intake Medical Screening Procedure J151.22 Monitoring Inmates in Segregation J152.30 Receiving Screening
The manual is available to all employees.	X			J100.50
The manual is updated annually.				J100.40
1032 FIRE SUPPRESSION PREPLANNING				J115.00 J220.00 – J250.00
Pursuant to Penal Code Section 6031.1, there is a fire suppression pre-plan that has been developed in consultation with the responsible fire authority and includes:	X			
Monthly fire and life safety inspections by facility staff with a two-year retention of the inspection record;	X			J115.10 Corrected since the 06-08 inspection.
Fire prevention inspections as required by Health and Safety Code Section 13146.1(a) and (b); ³	X			5/28/2008
An evacuation plan; and,	X			Updated 2/8/2008.
A plan for the emergency housing of inmates in the event of a fire.	X			An agreement is in place with the Shasta County Sheriff's Department.
1040 POPULATION ACCOUNTING				
The facility maintains an inmate demographics accounting system, which reflects the monthly average daily population of sentenced and unsentenced inmates by categories of male, female, and juvenile.	X			
The Jail Profile Survey information is provided to the CSA.	X			

³ Effective 1/1/05, statute was changed to require fire inspections every two years rather than annually.

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
1041 INMATE RECORDS There are written policies and procedures for the maintenance of appropriate individual inmate records which include intake information, personal property receipts, commitment papers, court orders, reports of disciplinary action taken, medical orders issued by the responsible physician and staff response, when appropriate, and non-medical information regarding disabilities and other limitations.	X			J116.70
1044 INCIDENT REPORTS There are written policies and procedures for the maintenance of written records of all incidents that result in physical harm, or serious threat of physical harm, to an employee, inmate or other person. Such records include names of persons involved, a description of the incident, actions taken, and date and time of the occurrence.	X			J104.40 Use of Force J117.90 J122.10 Incident Reports J122.15 Injury Reports J122.20 Shift Logs
Written record is prepared by appropriate staff and submitted within 24 hours of the incident.	X			J104.40 Use of Force J122.10 Incident Reports Completed by end of shift.
1045 PUBLIC INFORMATION PLAN The facility has suitable written policies and procedures for the dissemination of information to the public, government agencies and news media.	X			Located in the Jail Commanders office.
Title 15, CCR, Minimum Standards for Local Detention Facilities is available for review by the public and inmates.	X			Most recent copy is available.
Facility rules and procedures affecting inmates as specified in this section are available to the public and inmates.	X			An orientation handout is available to the public and provided to all inmates.
1046 DEATH IN CUSTODY Written policy and procedures assure that there is a review of each in-custody death. The review team includes the facility administrator and/or manager; the health administrator; the responsible physician; and other health care and supervision staff who are relevant to the incident.	X			J127.10 Inmate Deaths The policy was revised since the last inspection.
When a <u>minor</u> dies in a facility, the administrator of the facility provides the Corrections Standards Authority with a copy of the death in custody report that is submitted to the Attorney General under Government Code Section 12525, within 10 days of the death.			X	Minors are not held.
1050 CLASSIFICATION PLAN The facility has a written classification plan designed to properly assign inmates to housing units and activities.	X			J121.00-J121.75 Classification and Inmate Housing
Includes receiving screening performed at intake by trained personnel.	X			
Includes maintenance of a record of each inmate's classification level, housing restrictions and housing assignments.	X			Cell location and classification information is maintained in a computer program. Corrected since the 06-08 inspection.

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
The facility has an actively functioning classification system and/or classification committee as specified.	X			
1051 COMMUNICABLE DISEASES All inmates with suspected communicable diseases are segregated until a medical evaluation can be completed.	X			J121.40 Classification and Medical Screening at Booking J151.12 Intake Medical Screening Procedure J152.30 Receiving Screening J158.10 Communicable Disease In The Jail
In absence of medically trained personnel at the time of intake into the facility, an inquiry is made to determine if the inmate has or has had any communicable diseases, or has observable symptoms of communicable diseases, including but not limited to tuberculosis or other airborne diseases, or other special medical problems identified by the health authority.	X			J121.40 Classification and Medical Screening at Booking J151.12 Intake Medical Screening Procedure J152.30 Receiving Screening J158.10 Communicable Disease In The Jail We suggested additional questions that could be added to the intake screening process to assist staff and better identify medical/mental health concerns early in the process.
Inmate's response is noted on booking form and/or screening device.	X			J151.12 Intake Medical Screening Procedure
1052 MENTALLY DISORDERED INMATES There are written policies and procedures for the identification and evaluation of all mentally disordered inmates. An evaluation by health care staff occurs within 24 hours of identification or at the next daily sick call, whichever is earliest. Segregation is used only to protect the safety of the inmate or others.	X			J121.40 Classification and Medical Screening at Booking J133.00-J133.22 Managing the Mentally Disordered J151.12 Intake Medical Screening Procedure J151.22 Monitoring Inmates in Segregation J152.30 Receiving Screening J152.50-155.60 Managing the Mentally Disordered
There are provisions for transfer of such inmates to a medical facility for diagnosis, treatment, and evaluation of such suspected mental disorder, pursuant to Section 1209, Title 15, CCR.	X			
1053 ADMINISTRATIVE SEGREGATION There are written policies and procedures that provide for administrative segregation of inmates who are determined to be prone to: escape; assault staff or other inmates; disrupt operations of the jail; or, are likely to need protection from other inmates.	X			J121.50 Classification Categories J121.55 Administrative Segregation J151.22 Monitoring Inmates in Segregation (policy requires medical staff see the inmate daily)
The administrative segregation consists of separate and secure housing with no deprivation of privileges other than those necessary to obtain the objective of protecting inmates and staff.	X			J139.10 Special Privileges

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
1055 USE OF SAFETY CELL A safety cell, specified in Title 24, Section 2-470A.2.5, is used only to hold inmates who display behavior that results in the destruction of property or reveals an intent to cause physical harm to self or others.			X	There is not a safety cell available in the facility. The remainder of this regulation was deleted from this checklist.
1056 USE OF SOBERING CELL A sobering cell, specified in Title 24, Section 2-470A.2.4, is used only for holding inmates who are a threat to their own safety or the safety of others due to their state of intoxication. There are written policies and procedures for managing the sobering cell, including handling both males and females.		X		J155.00-J155.27 Management of the Chemically Dependent J133.50-133.60 Use of Detoxification Cell J155.16 Alternatives to Detoxification Cell This policy directs staff to take inebriates to the Shasta jail if the one sobering cell is unavailable or additional sobering cells are needed. The practice is to determine if accommodations can be made within the facility and keep only the more severe inebriates in the sobering cell and move other, less intoxicated inmates, to other cells. As noted in previous inspections, there is only one sobering cell available. As there are no holding cells available, this cell is occasionally used for holding non-sobering inmates. The facility is out of compliance with this regulation when ever the cell is used to hold those other than those in need of the sobering cell. J155.11, J133.50 These policies allow the use of the sobering cell for holding inmates in restraints and for holding hostile inmates, regardless of their sobriety. The policies also allow use of the cell as a holding cell during emergencies. As a practice, all inmates under the influence of drugs are placed in the sobering cell. The documentation of such cases did not indicate that the inmates were impaired in such a way to support placement in the sobering cell.
Intermittent direct visual observation of inmates in sobering cells conducted no less than every half hour.	X			J111.30 Policy requires safety checks every 15 minutes.

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
<p>An evaluation by a medical staff person or by custody staff, pursuant to written medical procedures in accordance with Section 1213 of these regulations, occurs whenever any inmate is retained in a sobering cell for more than six hours.</p>		X		<p>During times when medical staff is present, the evaluations were performed.</p> <p>According to the documentation of incidents when medical staff were not present, custody staff re-evaluates the sobriety level of the inmate at 6 hours, 8 hours, and 10 hours. Officers call the medical provider for a medical clearance as necessary.</p> <p>At the time of our initial review, when only one officer is on duty (10:00 pm to 6:00 am), the sobriety evaluation was not being documented. The practice was changed following the initial review and now this evaluation is being attempted through the glass window in the cell door. While any evaluation may be better than no evaluation, "through the door" evaluations are insufficient to determine if the inmate has a serious medical problem as required by this regulation.</p> <p>At the time of the inspection, a medical protocol was being developed for custody staff to follow that would prompt a call to the medical provider.</p>
<p>such inmates are removed from the sobering cell when they are able to continue with processing.</p>		X		<p>Sgt. Braga said inmates remain in the sobering cell until they are a .00 Blood Alcohol Content (Sheriff's policy). On nights (10:00 pm to 6:00 am) when only one officer is on duty, staff is not available to operate the testing machine until morning. As such, inmates typically remain in the sobering cell all night or until a second officer is present.</p>
<p>1057 DEVELOPMENTALLY DISABLED INMATES</p> <p>There are written procedures for identification and evaluation of all developmentally disabled inmates. Any special housing is initiated when it is determined to be necessary pursuant to Section 1050, CCR.</p>	X			<p>J155.95 Developmentally Disabled Inmates</p>
<p>A contact to the regional center occurs within 24 hours when an inmate is suspected or confirmed to be developmentally disabled.</p>	X			
<p>1058 USE OF RESTRAINT DEVICES</p> <p>Restraints are used only to hold inmates who display behavior that results in the destruction of property or reveals an intent to cause physical harm to self or others.</p>	X			<p>J155.70-J155.80 Use of Physical Restraints</p> <p>As during previous inspections, while a policy exists and there is a restraint chair available; it has not been used during the inspection cycle. No records were available for review.</p> <p>Disruptive inmates are moved to a single cell and the restraints are removed.</p>

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
Restraints are not used as discipline or as a substitute for treatment.	X			J155.70-J155.80 Use of Physical Restraints
There are written policies and procedures for the use of restraint devices including acceptable restraint devices; signs or symptoms which should result in immediate medical/mental health referral; availability of CPR equipment; protective housing of restrained persons; provisions for hydration and sanitation needs; and exercising of extremities.	X			J155.70-J155.80 Use of Physical Restraints
Inmates are placed in restraints only with approval of the facility manager, watch commander, or if delegated, a physician.	X			J155.70-J155.80 Use of Physical Restraints
All inmates in restraints are housed alone or in a specified area for restrained inmates.	X			J155.72 Use of Hard Restraints This policy has been revised from the 06-08 inspection; however, the policy allows staff to place restrained persons in the sobering cell. If the restrained inmate is not intoxicated as specified by Section 1056, the facility would be out of compliance with 1056. If restrained inmates were detained in the sobering cell, unrestrained inmates would have to be displaced to a regular holding cell. If the agency chooses to continue to allow the use of restraints, we suggest revising this policy.
Direct visual observation is conducted and logged at least twice every 30 minutes.	X			
Continued retention in such restraints is reviewed every <u>two</u> hours.	X			
A medical opinion on placement and retention shall be secured as soon as possible but no later than <u>four</u> hours from the time of placement.	X			
Medical review for continued retention in restraint devices occurs at a minimum of every <u>six</u> hours.	X			The policy requires follow-up medical reviews be done every four hours. After hours, the review would be accomplished telephonically.
A mental health consultation is secured as soon as possible, but no later than <u>eight</u> hours from the time of placement.	X			The policy requires a mental health evaluation be performed within 8 hours after placement, even if the inmate is no longer restrained. After hours, the review would be accomplished telephonically.
1059 USE OF REASONABLE FORCE TO COLLECT DNA SPECIMENS, SAMPLES, IMPRESSIONS Pursuant to Penal Code Section 296, policy and procedures describe the use of reasonable force to collect blood specimens, saliva samples, or thumb/palm print impressions from individuals who are required to provide them, but refuse written or oral requests to do so. Policies and procedures address:	X			J104.41 Force has not been used to collect DNA during this inspection cycle.
The use of reasonable force is preceded by documented efforts to secure voluntary compliance, including advisement of the legal obligation to provide the specimen, sample or impression, and the consequences of failing to do so.	X			

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
Supervisory authorization is obtained prior to use of reasonable force.	X			
If the use of reasonable force includes cell extraction, the extraction is audio- and video-taped and retained by the department, as required by statute. <i>(Consult with counsel statutes applicable to your Department.)</i>	X			
The facility administrator reports any use of reasonable force to the Corrections Standards Authority within 10 days of the incident, in the format prescribed by the Authority.			X	This reporting requirement is no longer necessary. We suggest removing it from policy.
1061 INMATE EDUCATION PROGRAM Facility administrator has planned and requested an inmate education program from appropriate public officials.	X			J138.35 Education The facility has contracted with the Shasta County Adult Education to provide a GED Program at the Trinity Jail. This information was added to the orientation handout.
Voluntary academic and/or vocational education is available to sentenced and pretrial inmates.	X			On a limited basis do to lack of resources and program space.
1062 VISITING Facility administrator has developed and implemented policies and procedures for inmate visiting.	X			J128.00-J128.25 Inmate Visiting J103.50 Volunteer Organizations
(TYPE II ONLY) All inmates in Type II facilities are allowed at least two visits totaling at least one hour per week.	X			Usually more than the minimum standards.
(TYPE III ONLY) Inmates in Type III facilities are allowed at least one visit totaling at least one hour per week.			X	
Visitation procedures include provisions for visitation by minor children of the inmate.	X			J128.25
1063 CORRESPONDENCE The facility administrator has developed written policies and procedures for inmate correspondence. The policy and procedures provide that:	X			J126.00-J126.65 Inmate Correspondence J130.00 Inmate Reading Material J130.10 Rejection of Publications
There is no limitation placed on the volume of mail an inmate may send or receive.	X			J126.00-J126.65 Inmate Correspondence J130.00 Inmate Reading Material
Mail may be read where there is a valid security reason and the facility manager approves.	X			J126.00-J126.65 Inmate Correspondence J130.00 Inmate Reading Material
Confidential correspondence with officials, the Corrections Standards Authority, the facility administrator and/or manager is permitted. Confidential mail searches for contraband, cash, checks, or money orders are conducted in the presence of the inmate.	X			J126.00-J126.65 Inmate Correspondence J126.30 Legal Correspondence J126.40 Confidential Correspondence
Inmates without funds are permitted at least two postage-paid letters each week to family and friends, and unlimited postage-paid correspondence with his/her attorney and the courts.	X			J126.30 Legal Correspondence J126.40 Confidential Correspondence J137.10 Supplies for Indigent Inmates

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
1064 LIBRARY SERVICES The facility has developed and implemented written policies and procedures for inmate library service which include access to legal reference materials, current information on community services and resources, religious, educational and recreational reading material.	X			J138.25 Law Library J138.30 Jail Library
1065 EXERCISE AND RECREATION There are written policies and procedures regarding exercise and recreation.	X			J135.60 Exercise and Recreation
An exercise and recreation program is available to inmates in an area designed for recreation.	X			
The program allows a minimum of three hours of exercise distributed over a period of seven days.	X			
1066 BOOKS, NEWSPAPERS, AND PERIODICALS There are written policies and procedures which permit inmates to purchase, receive and read any book, newspaper, or periodical accepted by the United States Post Office except for specified types of publications.	X			J130.00 Inmate Reading Material
1067 ACCESS TO TELEPHONE There are written policies and procedures that allow reasonable access to a telephone beyond those telephone calls required by Section 851.5 PC.	X			J129.00 Inmate Telephone Use J129.10 Inmate Telephone Use for Access To Officials
1068 ACCESS TO COURTS There are written policies and procedures to ensure that inmates have access to the courts. Such access shall consist of the following:	X			J129.10 Inmate Telephone Use for Access To Officials J126.00-J126.65 Inmate Correspondence J126.30 Legal Correspondence J126.40 Confidential Correspondence J138.32 Legal Aid J138.33 Access to Needed Information
Unlimited mail as provided in Section 1063(f) of these regulations.	X			J126.00-J126.65 Inmate Correspondence J126.30 Legal Correspondence J126.40 Confidential Correspondence
Confidential consultation with attorneys.	X			J128.05 Contact Visits
1069 INMATE ORIENTATION There are written policies and procedures for the implementation of a program reasonably understandable to inmates designed to orient a newly received inmate at the time of placement in a living area, covering areas specified in this section of the regulations.	X			J136.00 Inmate Orientation Included in the Inmate Orientation Handbook. During the Pre-Inspection Briefing, it was discussed that info was to be added that included grievance process and GED. The handbook was revised before the inspection.

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
1070 INDIVIDUAL/FAMILY SERVICE PROGRAMS he facility has written policies and procedures to facilitate cooperation with appropriate public or private agencies for individual and/or family social service programs for inmates. Such a program utilizes available community services and resources either by establishing a resource guide or actual service delivery.	X			J138.45 Social Services Trinity County Human Services Department
1071 VOTING Facility has written policies and procedures whereby the county registrar allows qualified voters to vote in local, state, and federal elections pursuant to the elections code.	X			J140.00-J140.20 Inmate Voting
1072 RELIGIOUS OBSERVANCES Facility has written policies and procedures to provide opportunities for inmates to participate in religious services and counseling on a voluntary basis.	X			J138.05 Religious Beliefs
1073 INMATE GRIEVANCE PROCEDURE Any inmate may appeal and resolve grievances relating to any condition of confinement. Provision is made for resolving questions of jurisdiction within the facility. There are written policies and procedures that address the following:	X			J118.00, J118.10 During a preliminary review, we suggested areas needing review in the grievance process. The policy and practice was revised before the inspection. Grievance and appeal information was added to the inmate orientation handout. Subsequent documentation was complete and answers were timely and appropriate. We consider the issue corrected.
There is a grievance form or instructions for registering a grievance.	X			Before the inspection, the number of grievances submitted by each inmate was limited to two. The policy was amended to remove the restriction.
Grievances are resolved at lowest appropriate staff level.	X			
There is provision for appeal to next level of review. Policy requires written reasons for denial at each level of review. Provision is made for response in a reasonable time limit.	X			During the initial review, we noted the form provided an avenue for documenting resolution or appeal, however the form was not always used. If answered by memorandum, appeal information was often omitted. Responses from medical staff did not always provide sufficient information to determine a disposition or resolution.
1080 RULES AND DISCIPLINARY PENALTIES Facility has established rules and disciplinary penalties to guide inmate conduct.	X			J117.00 J135.00-J135.90 General Rules

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
Rules are written and posted in housing units and booking area or issued to each inmate. Verbal instructions are provided for inmates with disabilities that limit their ability to read, illiterate inmates and others unable to read English, or material is provided in an understandable form.	X			J136.00 Inmate Orientation Included in the Inmate Orientation Handbook and orientation video.
1081 PLAN FOR INMATE DISCIPLINE				J117.00 – J117.95
The facility administrator has developed and implemented written policies and procedures for inmate discipline, which address the following.	X			J117.70 Minor and Major Discipline This policy was revised before the inspection. The hearing process is provided for all discipline actions.
A designated subordinate, not involved in the charges, acts on all formal charges.	X			J1107.10 Sergeants or Corporals only.
Minor acts of non-conformance or minor violations are handled informally by staff.	X			J117.05 J117.45 J117.70 Minor and Major Discipline
When there is loss of privileges, there is written documentation and a policy of review and appeal to the supervisor.	X			J117.20 J117.70 Minor and Major Discipline J117.72 This policy was revised before the inspection. The hearing process is provided for all discipline actions.
Major violations and repetitive minor violations being handled as major violations are referred to the disciplinary officer in writing by the staff member observing the act(s).	X			J117.10 J117.70 Minor and Major Discipline J117.72 This policy was revised before the inspection. The hearing process is provided for all discipline actions.
Inmate is informed of charges in writing.	X			J117.72 J117.70 Minor and Major Discipline J117.85
A disciplinary hearing is held no sooner than 24 hours after the report has been submitted to the disciplinary officer and the inmate served with a copy of charges. The inmate may waive the 24-hour limitation.	X			J117.15 J117.70 Minor and Major Discipline J117.72
Violation(s) acted on no later than 72 hours from the time the inmate is informed of the charge(s) in writing unless waived by the inmate or for good cause.	X			J117.15 J117.70 Minor and Major Discipline J117.72
The inmate is permitted to appear on his/her behalf at the time of the disciplinary proceedings.	X			J117.15 J117.70 Minor and Major Discipline J117.72
The facility manager or designee reviews all disciplinary actions taken.	X			J117.65 J117.72
The inmate is advised in writing of the action taken in the disciplinary proceedings.	X			J117.15 J117.85 J117.70 Minor and Major Discipline J117.72
Pending the disciplinary proceedings, the inmate may be removed from the general population or program for specified reasons.	X			J117.70 Minor and Major Discipline

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE - COMMENTS
1082 FORMS OF DISCIPLINE The degree of punitive actions taken by the disciplinary officer is directly related to the severity of the rule infractions as specified in this section.	X			J117.35
1083 LIMITATIONS ON DISCIPLINARY ACTIONS No inmate is continued on disciplinary isolation status beyond 30 consecutive days without review by facility manager. Part of this review includes consultation with health care staff. Such reviews continue at least every fifteen days thereafter until isolation status has ended.	X			J117.40 J117.50117.95 Policy limits disciplinary isolation to 10 days.
Disciplinary isolation cells have the minimum furnishings and space specified in Title 24, Section 2-470A.2. Inmates are issued clothing and bedding as specified in Articles 12 and 13 of these regulations.	X			J117.40
Disciplinary cell occupants who destroy bedding and/or clothing may be deprived of such articles. The decision to deprive inmates of such articles is reviewed by the facility manager or designee every 24 hours.	X			Reviewed every 8 hours. While not a pattern and practice, we noted two incidents where articles were removed without documentation that an 8 hour review (policy) was done or a 24 hour review by the regulation. Sergeant Braga was aware of the situation at the time and reviewed the decision. We suggested that a method of documentation be developed. Subsequently the policy was updated.
No inmates exercise the right of punishment over other inmates per Section 4019.5 PC.	X			J117.75
A safety cell, as specified in Section 1055 of these regulations, or any restraint device is not used for disciplinary purposes.			X	There is not a safety cell in this facility.
No inmate is deprived of implements necessary to maintain an acceptable level of hygiene as specified in Section 1265.	X			J117.40
Food is not withheld as a disciplinary measure.	X			J117.40
Disciplinary isolation diet described in Section 1247 of these regulations is only utilized for major violations of institution rules.	X			J117.40
The facility manager approves the initial placement on the disciplinary isolation diet and ensures that medical staff is notified.	X			J117.40 Only used with Sheriff's approval.
In consultation with medical staff, the facility manager approves any continuation of the diet every 72 hours after the initial placement.	X			J117.40 Corrected since the 06-08 inspection.
Correspondence privileges are not withheld except where correspondence regulations have been violated. Decision to withhold correspondence privilege is reviewed every 72 hours.	X			J117.40 J117.95

TITLE 15 SECTION	YES	NO	N/A	P/P REFERENCE – COMMENTS
Access to courts and legal counsel is not suspended as a disciplinary measure.	X			J117.40 J117.95
1084 DISCIPLINARY RECORDS A record of all disciplinary infractions and punishment administered per Section 4019.5 PC is maintained.	X			J117.80 J117.90
DETENTION OF MINORS				
Are minors held in this facility? If yes, the regulations identified in Title 15, Article 8 apply (Minors in Jails). These regulations are summarized below for facilities that hold minors.		X		J123.00 Juvenile Detention Minors are not detained in this facility. The Applicable Minors in Adult regulations were deleted from this checklist.

**ADULT DETENTION FACILITY
LIVING AREA SPACE EVALUATION
Corrections Standards Authority Inspection**

CSA Code: 5820

FACILITY: Trinity County Detention Facility	TYPE: II	RC: 53
FIELD REPRESENTATIVE: Don Allen		DATE: April 21, 2010

ROOMS							EACH ROOM					
Location	Cell Type	Applicable Standards	# Cells	EACH CELL		Total RC	DIMENSIONS (L x W x H)	FIXTURES*				
				# Beds	RC			T	U	W	F	S
	Holding	1973	1		1	(1)	6.0x11.0x8.0					
NOTE: Booking station – toilet available. Visiting area used for short-time holding when needed.												
	Sobering	1973	2		4	(4)	9.0x6.8x8.0	1		1	1	
NOTE: Irregular 95 square feet.												
Ad. Seg.		1988	1	2	1	1	110 square feet	1		1	1	1
NOTE: This cell is used for housing protective custody/administrative segregation inmates. Rated for one inmate. Dayroom time given in multi-purpose room. When not used for housing, this cell can hold (3) for holding.												
Female Housing												
A-1	Single	1973	2	1	1	2	7.5x8.0x9.0	1		1	1	
	Dayroom						10.0x5.0					1
A-2	Multiple	1973	1	8	4	4	12.8x11.5x10.0					
NOTE: This room is used for female housing. The doors between A-1 and A-2 are left open at all times. One cell (in most cases both cells) remain open for toilet, basin and drinking fountain. Total combined square footage– sufficient for rated capacity. Tables and seating added in A-2.												
Male Housing												
B	Single	1973	2	1	1	2	7.5x8.0x9.0	1		1	1	
	Dayroom						10.0 x 5.0					
C	Single	1973	2	2	2	4	7.5x8.0x9.0	1		1	1	1
	Dayroom						15.4x9.6x9.0					
D	Single	1973	2	2	2	4	7.5x8.0x9.0	1		1	1	
E	Single	1973	2	1	1	2	7.5x8.0x9.0	1		1	1	1
4 cells double bunked – 4 cells single bunked, applied 1994 standards to allow double bunking.												
	Double		4	2	2	8	8.8 x 9.0	1		1	1	1
	Dayroom						14.9x27.6x9.0					
Male Dormitory												
F & G	Dormitory	1988	1	14	14	12	20.0x30	2		2	1	2
			1	14	14	14	20.0x30.0	2		2	1	2
NOTE: Program Space/Multipurpose 24.0 x 30.0												
NOTE: The 2 dorms have sufficient fixtures for 16 each– limited by space. The actual operation allows unlimited outdoor yard time, use of multipurpose room, and dining area. In addition, all are in-house workers or assigned to out of facility work assignments. Rated for 12 and 14 each for a total of 26 inmates. Sufficient tables and seating. Dorm F is handicap accessible.												

*T = Toilets; U = Urinals; W = Wash Basins; F = Fountains; S = Showers in unit; If "Total RC" appears in brackets (), it is not part of the facility's rated capacity. "+" indicates that capacity includes prorated air space from adjacent areas.

**ADULT TYPE I, II, III AND IV FACILITIES
PHYSICAL PLANT EVALUATION
Corrections Standards Authority**

Applicable Title 24 Regulations: 3/80; 8/86; 5/88; 1/91

CSA Code: 5820

FACILITY NAME: Trinity County Detention Facility					FACILITY TYPE: II	
APPLICABLE REGULATIONS (Check All That Apply):	3/80:	8/86:	5/88: X	1/91:	OTHER: 73, 94	
FIELD REPRESENTATIVE: Don Allen					DATE: April 21, 2010	

TITLE 24 SECTION	YES	NO	N/A	COMMENTS
Temporary Holding Cells (2.2)	X			
Contain 10 square feet of floor per inmate				
Limited to no more than 16 inmates			X	NOT REQUIRED IN 4/73
No smaller than 40 square feet			X	NOT REQUIRED IN 4/73
Contain sufficient seating to accommodate all inmates	X			
Toilet accessible	X			
Water fountain accessible	X			
Wash basin accessible	X			
Provides clear visual supervision	X			
Telephone accessible	X			
Weapons Locker (3.12)	X			
External to the security area and equipped with individual compartments, locks and keys				
Temporary Staging Cell or Room (2.3)			X	
1-91: Added provision for temporary staging cells-rooms				
Holds inmates classified and segregated per Title 15 § 1050 and § 1053				
Limited to holding inmates up to 4 hours			X	
Maximum capacity of no more than 80 inmates			X	
Contains 10 square feet of floor space per inmate and has a ceiling height of at least 8 feet			X	
No smaller than 160 square feet			X	
Contains seating to accommodate all inmates			X	
Contains water closet, wash basin and drinking fountain			X	
Provides unobstructed visual supervision of inmates by staff			X	
Detoxification/Sobering Cells (2.4)	X			4/73 ONLY 15 SQUARE FEET REQUIRED.
01: Name change to "sobering cell"				
Contain 20 square feet of floor per inmate				
Limited to no more than 8 inmates	X			16 IN 73
No smaller than 60 square feet			X	NOT REQUIRED IN 73
Contain toilet	X			
Contain washbasin	X			
Contain drinking fountain	X			
Partitions or handrails located next to toilet fixture to provide support	X			INSTALLED 99

TITLE 24 SECTION	YES	NO	N/A	COMMENTS
Provide easy, unobstructed visual observation	X			
Padding on the floor	X			INSTALLED 99
Shower-Delousing Room (3.4) Available in reception/booking	X			
Secure Vault or Storage Space (2.1) Available for inmate valuables	X			
Telephone (2.1) Available for inmate use per Penal Code § 851.5	X			
Safety Cells (2.5) Contain 48 square feet with one floor dimension at least 6 feet and ceiling height of at least 8 feet Limited to no more than one inmate Contain flush ring toilet with controls located outside the cell Padded floor, door and walls Equipped with variable intensity, security light, inaccessible to occupant Vertical view panel not more than 4 inches wide and at least 24 inches long, in or adjacent to the door Provide a food pass with lockable shutter no more than 4 inches high and located at least 30 inches above the floor			X	NO SAFETY CELL
Single Occupancy Cells (2.6) Maximum capacity of one inmate Contain a minimum of 60 square feet of floor area in Type I facilities and 70 square feet in Type II and III facilities Have a minimum ceiling height of 8 feet Contain toilet, washbasin and drinking fountain Contain a bunk, desk and seat (Desk and seat not required in Type I in later, less restrictive 1986 standards)	X			OLDER SECTION OF JAIL
Multiple Occupancy Cells (8227) 8-86: Deleted provision for multiple occupancy cells Contain 35 square feet per person Limited to no more than 8 inmates No smaller than 100 square feet Minimum ceiling height of 8 feet Water closet separate from washbasin and drinking fountain Sufficient bunks to accommodate each occupant Provide storage space for each occupant's personal items	X			SIZE REQUIREMENTS 4/73 REGULATION
Multiple Occupancy Rooms (8229) 8-86: Deleted provision for multiple occupancy rooms Limited to housing persons in Type III and IV facilities and workers in Type I and II facilities Contain 50 square feet of floor area per person and a minimum of 8 feet ceiling height	X			4/73 REGULATION 25 SQUARE FEET
	X			4-16 INMATES 4/73
			X	
			X	
	X			
	X			
	X			
			X	

TITLE 24 SECTION	YES	NO	N/A	COMMENTS
Limited to no more than 16 persons			X	
Access to toilets separate from washbasins (ratio 1:8) and drinking fountains			X	
Provide storage space for each occupant's personal items			X	
Double Occupancy Cells (2.7) 5-88: Added provision for double occupancy cells Maximum capacity of two inmates	X			Later Standards applied to allow double bunking of single cells.
Contain a minimum of 60 square feet of floor space in Type I facilities and 70 square feet in Type II and III facilities	X			
Have a minimum ceiling height of 8 feet and one floor dimension at least 6 feet	X			
Contain toilet, washbasin and drinking fountain	X			
Contain 2 bunks, 1 desk and seat (Desk and seat not required in Type I facilities)	X			
Dormitories (2.8) 8-86: Provision for dormitories added Contain 50 square feet of floor area per inmate and a minimum of 8 feet ceiling height	X			1994 ADDITION 14 PERSON DORM 12 PERSON DORM
Be designed for no fewer than 8 and no more than 64 inmates	X			
Facilities having a total rated capacity of 80 inmates or less, may design dormitories for no fewer than 4 inmates			X	
Access to toilets separate from washbasins (ratio 1:8) and drinking fountains Ratio changed to 1:10	X			
Provide storage space for each inmates' personal items	X			
Dayrooms (2.9) 8-86: Added requirement for 3 foot wide corridors in front of cells-rooms 99: Corridor requirement deleted	X			
35 square feet of floor area per inmate	X			25 SQUARE FEET - OLDER SECTION
Contain tables and seating to accommodate the maximum number of inmates served	X			
Access to toilets, washbasins and drinking fountains	X			
Available to all inmates in Type II and III facilities (excluding special use cells) and to workers in Type I facilities	X			
Shower (3.4) Available on a ratio of 1:16 01: Ratio changed to 1:20	X			
Lighting (3.6) Sufficient to permit easy reading. Night lighting is sufficient to allow good supervision. 6: Specifies at least 20 foot-candles at desk level and in grooming areas, with night lighting not to exceed 5 foot-candles	X			

TITLE 24 SECTION	YES	NO	N/A	COMMENTS
Beds-Bunks (3.5) 30 inches wide and 76 inches long	X			
Comfortable Living Environment [102(c)6] A comfortable living environment is maintained through an adequate heating and cooling system.	X			
Exercise Area -Type II, III and WA IV (2.10) At least one exercise area must contain a minimum of 900 square feet	X			
8-86: O utdoor exercise area provided	X			
8-86: C lear height of 15 feet with required surface area meeting a formula of: 80% of maximum rated inmate population and number of one-hour exercise periods per day = required surface area	X			
Program Space - Type II and III (2.11) Sufficient area and furnishings to meet the needs of the facility programs	X			
Dining Facilities (2.17) 15 square feet per inmate being fed	X			
Toilets, washbasins and showers are not in the same room or not in view of inmate dining	X			
Visiting (2.18) Sufficient visiting area	X			
Contact visits whenever possible for minimum security inmates			X	This is not a minimum custody facility.
Attorney Interviews (2.26) Provide for confidential attorney consultation	X			Attorney visits are held in visiting area. Contact visits are held in the juvenile hall if prior arrangements are made.
Safety Equipment Storage (2.19) Adequate space is provided for storage of equipment such as fire extinguishers, SCBA, emergency lights, etc.	X			
Janitor Closet (2.20) Located in security areas lockable, containing a mop sink and storage space	X			
Storage Rooms (2.21) Sufficient space to accommodate inmate property, bedding and supplies	X			

TITLE 24 SECTION	YES	NO	N/A	COMMENTS
Audio or Video Monitoring System -NA Type IV (2.22) Audio monitoring system capable of alerting staff in a central control Video monitoring in corridors, main entries and/or exits and programs or activity areas	X			
Fire Detection and Alarm System [102(c)6] Automatic fire alarm system capable of alerting staff in a central control point	X			
Emergency Power (2.24) Available to provide minimal lighting, maintain communications, alarm, fire, life and security systems	X			
Provide Space for: Barber/beauty shop(2.15) 8-86: Limit requirement to Type II and III facilities 99: Requirement deleted	X			
Canteen (2.16) 8-86: Added for II, III & IV facilities	X			
Confidential Interview Rooms (2.25) 8-86: Added for Type II facilities	X			



OFFICE OF THE SHERIFF
TRINITY COUNTY

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BRUCE HANEY, Sheriff/Coroner
KEN LANGSTON, Undersheriff

Memorandum

To: James P. Woodward, Presiding Judge

From: Bruce Haney, Sheriff

Date: August 15, 2011

Re: Response to 2010/2011 Trinity County Grand Jury Report
"Trinity County Detention Facility"

*Reviewed
8/15/2011*

Finding 1:

After reviewing previous years' final reports of the Grand Jury, the same issues addressed in this report have risen repeatedly without satisfactory resolution. The Jail Facility needs to be replaced. It is over 30 years old, out of CSA and ADA compliance, and much of its interior is obsolete. Overcrowding is common and the space is inadequate to meet current needs.

Response 1:

The current Jail Facility is overcrowded, outdated, and in need of many alterations to bring it into CSA and ADA compliance. Unfortunately, due to the age of the facility it isn't cost effective to take these corrective measures. However, AB900 will provide 133 million dollars in grant funding for jail construction in small counties. Several small counties are slated for funding in Phase I and Trinity County should have a very good chance at securing jail construction funds in the near future. The Sheriff's Office will aggressively seek this funding source once the grant process is initiated.

Finding 2:

The following are immediate needs that must be addressed with the current Jail Facility:

- Generator system repairs
- Aging and inadequate security video system
- Number of staff, especially females
- Complete repairs to Jail locks
- Lack of ventilation for computer equipment rooms

Response 2:

- An electrical contractor has inspected the generator and preformed any necessary maintenance. The generator is currently functioning as needed.

- The video system is failing and plans are underway to have it replaced in the coming weeks.
- Staff shortages are an ongoing concern that needs to be addressed. A minimum of two additional fulltime Correctional Officers need to be hired, along with two part-time Officers to cover for training, vacations, etc. Due to budgetary constraints it is unlikely this will be resolved in the immediate future. However, an additional female Officer has recently been hired as extra help to replace a male Officer that resigned
- Maintenance on the Jail locks is nearly finished and only a few minor repairs have yet to be completed.
- An air conditioning system is being installed in the main computer room as a result of the New Generation 911 installation. This should be completed in the next couple of months. Additionally, a new cooling system has been installed in the entire jail facility. Remedies for additional ventilation in the computer server room will be explored.

Finding 3:

The following issues with Environmental Health compliance:

- Mold in the women's dormitory area
- Flooring in the kitchen area
- The refrigerator/freezer in the Jail Kitchen

Response 3:

- The mold in the women's dormitory has been removed.
- The flooring in the Jail Kitchen needs to be replaced and/or removed. Options to either remove the linoleum entirely or replace it will be investigated.
- The refrigerator/freezer in the Jail Kitchen has been replaced.

Finding 4:

The following items are out of CSA and/or ADA compliance:

- Communications Center
- Sobering Cell
- Location of the Livescan Fingerprinting System

Response 4:

- The current layout of the Communication Center impedes efforts to bring it into ADA compliance. Current funding is not available to undertake a major redesign of the Communications Center at this time.
- Staffing shortages, design issues, and overcrowding have made the Sobering Cell noncompliant with CSA regulations. Budgetary constraints make it unlikely this will be resolved in the immediate future.
- The Livescan Fingerprinting System is currently located in an area of the Jail Facility that can be made accessible to the public as well as inmates. Unfortunately, this requires that inmates be brought through the booking area into a less secure environment to be fingerprinted. This particular room is very small and not ADA compliant. However, the Department of Justice has indicated they may be supplying the Sheriff's Office with an addition Livescan machine. This will allow for the machine to be placed in an area of the facility that is accessible to the public and ADA compliant.

Finding 5:

The 911 and Reverse 911 Mapping Systems are inadequate. There have been dropped emergency calls and mapping coordinates for the Reverse 911 Mapping System are unreliable. The County was mapped

in preparation for the reverse 911 System; however, the detailed information was not utilized by the vendor.

Response 5:

- Two additional backup batteries are required to prevent emergency calls from being dropped when the generator kicks on as a result of power outages. Plans are underway to secure two additional batteries to address this problem.
- The contact/address information in the 911 system is not always correct. However, once a discrepancy is recognize the information is updated to ensure it is accurate as possible.
- The Reverse 911 system is not operational in the Communications Center. Efforts are currently under way with the vendor and the Trinity County IT Department to rectify this situation.

Finding 6:

Emergency services calls are not always dispatched to the correct geographic area of Trinity County.

Response 6:

- Correctional Officers/Dispatchers are assigned to a Training Officer upon their initial employment with the Sheriff's Office. Newly hired Officers must successfully complete the training program prior to them being certified to work in a solo capacity.
- Reference materials; such as maps and mile marker locations is at the disposal of Dispatch personnel as needed.

Finding 7:

The concertina wire surrounding the inmate exercise yard leaves a potential for escape. The wire is ineffective and unsafe for inmates and staff, and poses a threat to the public safety.

Response 7:

- The concertina wire in the exercise yard is inadequate. Options are currently being explored to either enclose the top of the yard completely with chain-link fencing or add additional concertina wire.

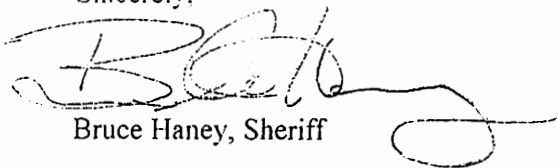
Finding 8:

The designated area for dispensing medications is unsafe due to inadequate space and security reasons.

Response 8:

- In order to stay HIPPA compliant no video cameras have been installed in the medical room. However, if safety concerns dictate that a Correctional Officer is present then one is assigned to medical staff for security.

Sincerely,



Bruce Haney, Sheriff



RECEIVED

DEC 14 2011

TRINITY COUNTY
SUPERIOR COURT

TRINITY COUNTY

Board of Supervisors

P.O. BOX 1613, WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1217 FAX (530) 623-8365

*Reviewed
JAN
12/15/11*

TO: The Honorable James P. Woodward,
Presiding Judge of the Superior Court

FROM: Trinity County Board of Supervisors *J. Minner-Chen*

SUBJECT: Response to Recommendations of 2010-11
Grand Jury Judicial Committee JUR2010/2011-002
Final Report

DATE: September 10, 2011

The Grand Jury Judicial Committee has requested a written response to their final report on the Trinity County detention Center. The response of the Board is as follows:

Finding #1: After reviewing previous years' final reports of the Grand jury, the same issues addressed in this report have risen repeatedly without satisfactory resolution. The Jail Facility needs to be replaced. It is over 30 years old, out of CSA and ADA compliance, and much of its interior is obsolete. Overcrowding is common and the space is inadequate to meet current needs.

Response: Agree

Recommendation #1a: The facility must be brought into CSA compliance and/or be replaced to be eligible for State protection from potential lawsuits.

Response: The Trinity County Detention Facility is aging and in need of major repairs, retrofitting and/or replacement to bring it into ADA and CSA compliance. Current state and federal funding is limited as are county budget funds. Presently repairs and maintenance are ranked with inmate and staff safety given highest priority. Staff will continue to pursue funding sources to replace the existing facility and will be applying for AB109 and AB111 Jail Construction Funding/State financing.

Finding #2: The following are immediate needs that must be addressed with the current Jail Facility:

- Generator system repairs
- Aging and inadequate security video system
- Number of staff, especially females
- Complete repairs to Jail locks
- Lack of ventilation for the computer equipment rooms

Recommendation 2a: Aggressively pursue repair and/or replacement of aging items and install proper ventilation systems to keep the Jail functioning. Explore utilizing state surplus for compatible parts to replace the camera system in the Jail.

Response 2a: Agree

Response 2a: Staff is actively pursuing funding sources and alternatives to address issues cited in this finding. Status of needed repairs are as follows.

- Generator system repairs: Repaired
- Aging and inadequate security video system: Replaced
- Number of staff, especially female: It is up to the department head to use funds made available in county budget to bring this staffing level up to compliance.
- Complete repairs of Jail Locks: Locks have been repaired or replaced.
- Lack of ventilation for the computer equipment rooms: New Heating and Air system. Computer room remodeled for new equipment and air duct system is an independent system paid for with Next Generation 911 upgrade funds.

Finding #4: The following items are out of CSA and/or ADA compliance:

- Communications Center
- Sobering cell
- Location of the Livescan Fingerprinting System

Response: Agree

Recommendation 4: Due to building constraints, the only way to come into compliance is to build a new Jail/Justice Center. Until such time as a new facility is available, convert the dining/multi-purpose room into a stand-alone Communications Center and use the opened space for the Livescan System and booking area. Pursue grants for transfer and implementation of the communications services. Lower the wall of the sobering cell to accommodate needed checks.

Response 4: Building and fiscal restraints continue to be barriers. Remodeling the current facility is one option. Funding and building space are limitations to a large costly remodel. Staff is pursuing alternatives and options to bring the existing building into compliance, understanding that resources are limited. AB900 and AB111 Jail Construction

funding/financing to increase capacity or replace county jail are options that staff is actively pursuing.

Finding #5: The 911 and Reverse 911 Mapping Systems are inadequate. There have been dropped emergency calls and mapping coordinates for the Reverse 911 Mapping System are unreliable. The County was mapped in preparation for the Reverse 911 System; however, the detailed information was not utilized by the vendor.

Response: Agree

Recommendation 5: Request County Counsel to revisit the contracts with the Mapping System vendors and explore options to have these issues corrected as expediently as possible. Work with Information Technology (IT) to be prepared when minor issues present themselves and pursue revenue sources for when shortfalls are encountered. Explore software for Global Positioning System (GPS) to assist in locating emergency calls made from cell phones.

Response 5: This finding is close to being remedied. IT analyst working on system and has set-up main server. Java Script not working. Problems with system support contract and licensing not returning calls. Request County Counsel to review contract for services. Draft letter regarding lack of system support and response to problems with system and indicated in contract.

Finding 6: Emergency services call are not always dispatched to the correct geographic area of Trinity County.

Response: Agree

Recommendation 6: Upon hiring, train new Dispatchers in the geographic service (including mile markers) of Trinity County to ensure correct dispatch of emergency services. Develop and maintain effective reference materials in the Communications Center to support accurate location identification.

Response 6: Will not be implemented. Trinity County's remote and rural geography is a challenge. Lack of cell phone service in many areas and fewer landlines are contributing to this problem. Staff training is critical to improving this finding. Use of computer program system to track mile marks is helpful but will not resolve the issue. 1 out of 8 calls are not accurate. Staff is pursuing state funded "Next Generation Reverse 911." This will allow cell phones to register to be picked up by 911 system. Currently cell phone 911 calls are intercepted by CHP.



file

TRINITY COUNTY

Office of the County Administrator
WENDY G. TYLER, County Administrative Officer
P.O. BOX 1613, WEAVERVILLE, CALIFORNIA 96093-1613
PHONE (530) 623-1382 FAX (530) 623-8365

RECEIVED

APR 15 2012

TRINITY COUNTY
SUPERIOR COURT

TO: The Honorable James P. Woodward,
Presiding Judge of the Superior Court

FROM: Wendy Tyler, County Administrative Officer

SUBJECT: Response to Recommendations of 2010-11
Grand Jury Judicial Committee JUR2010/2011-002
Final Report

DATE: April 14, 2012

Wendy Tyler
Reviewed
4/24/12

The Grand Jury Judicial Committee has requested a written response to their final report on the Trinity County detention Center. My apologies to the Grand Jury for the tardiness of this response. In my capacity as County Administrative Officer and department head for Information Technology and General Services, my response is as follows:

Finding #1: After reviewing previous years' final reports of the Grand jury, the same issues addressed in this report have risen repeatedly without satisfactory resolution. The Jail Facility needs to be replaced. It is over 30 years old, out of CSA and ADA compliance, and much of its interior is obsolete. Overcrowding is common and the space is inadequate to meet current needs.

Response: Agree

Recommendation #1a: The facility must be brought into CSA compliance and/or be replaced to be eligible for State protection from potential lawsuits.

Response: Is being implemented as funds allow. The Detention Facility is a very old and well-used building. It is in need of major repairs, retrofitting and/or replacement to bring it into ADA and CSA compliance. State and federal funding is limited as is the County General Fund. Repairs and maintenance do take place, with items being ranked with inmate and staff safety given highest priority.

Finding #2: The following are immediate needs that must be addressed with the current Jail Facility:

- Generator system repairs
- Aging and inadequate security video system
- Number of staff, especially females
- Complete repairs to Jail locks
- Lack of ventilation for the computer equipment rooms

Response: Agree.

Recommendation 2a: Aggressively pursue repair and/or replacement of aging items and install proper ventilation systems to keep the Jail functioning. Explore utilizing state surplus for compatible parts to replace the camera system in the Jail.

Response 2a: Has been partially implemented. Substantial efforts have been made in getting the jail locks and doors repaired. The server room is located in an air conditioned building with an additional fan used for better air movement. The generator system has been repaired. Plans are underway to deal with security camera issues. Staffing will continue to be an issue until additional funding is located. We cannot control the gender of the applicant pool.

Finding 3: The following are issues with Environmental Health compliance:

- Mold in the women's dormitory area
- Flooring in the kitchen area
- The refrigerator/freezer in the Jail kitchen

Response: Agree

Recommendation 3: Follow through and complete needed repairs and purchased to bring the Jail into compliance with Environmental Health.

Response: Has been implemented. New walk-in refrigerator has been installed; kitchen flooring replacement is scheduled for completion this spring, mold issues are being dealt with.

Finding #4: The following items are out of CSA and/or ADA compliance:

- Communications Center
- Sobering cell
- Location of the Livescan Fingerprinting System

Response: Agree

Recommendation 4: Due to building constraints, the only way to come into compliance is to build a new Jail/Justice Center. Until such time as a new facility is available, convert the dining/multi-purpose room into a stand-alone Communications Center and use the opened space for the Livescan System and booking area. Pursue grants for transfer and implementation of the communications services. Lower the wall of the sobering cell to accommodate needed checks.

Response 4: Has been partially implemented. The livescan machine has been relocated. Plans are underway to lower the wall in the sobering cell. Relocation of the communications center is a major undertaking, and will not be implemented.

Finding #5: The 911 and Reverse 911 Mapping Systems are inadequate. There have been dropped emergency calls and mapping coordinates for the Reverse 911 Mapping System are unreliable. The County was mapped in preparation for the Reverse 911 System; however, the detailed information was not utilized by the vendor.

Response: Agree

Recommendation 5: Request County Counsel to revisit the contracts with the Mapping System vendors and explore options to have these issues corrected as expediently as possible. Work with Information Technology (IT) to be prepared when minor issues present themselves and pursue revenue sources for when shortfalls are encountered. Explore software for Global Positioning System (GPS) to assist in locating emergency calls made from cell phones.

Response 5: Has been partially implemented. The Sheriff is looking to replace the existing 911 and reverse 911 systems with a newer system from a different vendor. IT and Sheriff are working with the vendor to determine system features, capabilities, cost and implementation logistics.

Finding 8: The designated area for dispensing medications is unsafe due to inadequate space and security measures.

Response: Partially agree.

Recommendation 8: When medical staff is on-site, administration of medications by correction officers should be moved to an actual medical room on the premises. Installation of a camera in the medication room for monitoring purposes would improve safety of staff and inmates.

Response: Requires further analysis. The procedures used within the jail for dispensing medication are not within the purview of the CAO. Concerning installation of a camera in the medical room, that issue was previously addressed in this response.

CALIFORNIA PENAL CODE 933 - 933.05

933

933. (a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report. (b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section "agency" includes a department.

933.05

933.05. (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.