

## **THE #\\$@\*!! ROOF STILL LEAKS: A Report on the City of Willits Police Department and Holding Cells**

May 23, 2008

### ***Summary***

The Grand Jury conducted its annual visit to the Willits Police Department (WPD) to inspect operations, holding cells, the evidence room and the facility in general.

The WPD is located in a County building, which also contains the Sheriff's substation and the Superior Court. The building, on East Commercial Street, has no signs near the street to direct a person to any of the three facilities. The complex is set back 200 feet from the sidewalk. An adjacent building blocks it from view for those approaching from the west.

The Grand Jury found that the security gate, which last year's jury reported as malfunctioning, has been repaired. Another issue raised is still unresolved: rainwater continues to leak into the WPD's facility. Mendocino County General Services Agency (Buildings & Grounds) is responsible for the repair of the roof.

### ***Methods***

The Grand Jury visited the WPD facility, interviewed personnel regarding operation of the holding cells, the booking area, evidence room and conference room, dispatch office and sally port.<sup>1</sup> Documents reviewed were the current budget, Fire/Life Safety Inspection Report, Mendocino County Health Communicable Disease Control and Local Facility Health Inspection Report.

### ***Background***

California Penal Code §919(b) states, "...*the Grand Jury shall inquire into the condition and management of the public prisons within the County.*" The 2007-2008 Grand Jury undertook their charge with a visit to the City of Willits Police Department and holding cells on May 2, 2008.

### ***Findings***

1. The annual budget for the WPD provides for one Chief, three Sergeants, 10 Officers and five Dispatchers.
2. At the time of the visit, the actual staff consisted of one Chief, who is bilingual; three Sergeants and one acting Sergeant; six Officers, one of whom was on sick leave and another who was out on worker's compensation; four

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<sup>1</sup> The "sally port" is adjacent to the parking area and provides a secure area for transferring arrestees to or from the jail.

Dispatchers and one Trainee Dispatcher. In addition, there is one part-time Officer in charge of prisoner transport, who also acts as an investigator; and one Reserve Officer, who assists at special events.

3. Staff shortages are covered by the use of overtime and supervisors are required to perform field duties.
4. WPD cannot contribute an officer to the Mendocino County Major Crimes Task Force due to staff shortages.
5. Officers work a 12-hour shift. Replacing an Officer on an eight hour shift is easier, as one Officer can stay four hours longer and another Officer can come in four hours earlier.
6. Recruiting applicants is difficult: about 30% of applicants fail the background check. There is a shortage of affordable housing in Willits, and the City is remote. On the plus side, employee benefits are excellent and the pay rate is competitive with nearby law enforcement agencies. The pay is not competitive with Santa Rosa or the Bay Area. Various agencies are contacted to locate potential recruits.
7. Training for new officers includes ride-alongs. The length of training time can vary with seasonal community activities.
8. All Officers have Peace Officer Standards and Training certification (POST).
9. The current budget contains funds for officer training.
10. Some Officers are trained in the use of tasers, a non-lethal weapon available to WPD Officers. Tasers are an effective psychological deterrent; it is seldom necessary to actually use them; usually when an individual sees the taser, they become compliant.
11. Gangs are not a major problem at this time; but they are a concern. There has been some tagging (graffiti) but little violence.
12. The Gang Resistance Is Paramount (GRIP) program is presently offered to fifth graders. The program is a collaborative effort of the schools, police departments, Alcohol and Other Drug Programs (AODP), the Nuestra Alianza of Willits, and other after-school programs.
13. The City has revised its ordinance to regulate the outdoor cultivation of marijuana.
14. Occasionally there are homeless encampments on the North Coast Railroad Authority property. The encampments are removed when requested by the property owner.

**Response: (Mendocino County Mental Health Branch)**

The Department does not have knowledge of this finding and cannot agree or disagree.

15. There are more homeless transients during the summer months.

**Response: (Mendocino County Mental Health Branch)**

The Department does not have knowledge of this finding and cannot agree or disagree.

16. The closing, in 2000, of the Psychiatric Holding Facility (PHF) in Ukiah has hampered the WPD. Now, if an officer detains an individual, under §5150, who poses a danger to him or herself or to others, but who has not been accused of a crime, the only facility available is Howard Hospital which has no mental health worker on site.<sup>2</sup> The Officer must wait for a crisis worker from the County Mental Health Branch.

**Response: (Mendocino County Mental Health Branch)**

The Department cannot report on the experience of another Department and does not agree or disagree with this finding.

17. Mendocino County Mental Health Department operates a satellite clinic in Willits staffed with a mental health crisis worker, who is available from 8 a.m. to 5 p.m. on weekdays. If the Willits clinic is closed, a crisis worker has to be sent from Ukiah to assess the patient. The WPD tries to stay and watch the person at the hospital, but, if they are called out, the patient may well leave the hospital. The patient can only be detained for 23 hours. After that, the patient must be released or transferred outside the County because the County has no appropriate facilities.

**Response: (Mendocino County Mental Health Branch)**

The Department agrees that MCMH operates a satellite clinic in Willits staffed with a mental health crisis worker, who is available from 8am to 5pm on weekdays. If the Willits clinic is closed, a crisis worker must be sent from Ukiah to assess the client. We cannot agree or disagree with the rest of the finding because we do not have knowledge of another Department's experience.

18. An individual detained under a "5150" who is accused of a crime is transported to the Mendocino County Jail, where there is a mental health worker.<sup>3</sup>

**Response: (Mendocino County Mental Health Branch)**

The Department does not have knowledge of this finding and cannot agree or disagree.

19. The officer in charge of the evidence room was working the night shift and was unavailable for interview or to provide access. The WPD has a bar coding system for identifying the stored items.

20. A Homeland Security grant was used to purchase a new electronic fingerprinting machine, which is used for those who are cited and released. The machine is connected to the County's secure internet connection.

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<sup>2</sup> California Welfare and Institutions Code §5150 provides for up to a 72-hour hold when an individual poses a risk to self or others.

<sup>3</sup> As permitted under California Welfare and Institutions Code §5150 when an individual poses a danger to self or others

21. WPD has limited access to the County's JLAN criminal justice records system. This system will produce limited statistics. If more extensive statistics are desired, a request must be submitted to County Information Technology for custom programming.
22. WPD does not routinely participate in the Sheriff's teleconferencing muster at 7:00 a.m.
23. A visual examination of the three holding cells showed that they were clean and sanitary. Holding cells, if occupied, are under constant visual observation. The holding cells are shared by the Sheriff and WPD pursuant to a Memorandum of Understanding regarding use and maintenance.
24. Staff shortages require that prisoners be transported promptly.
25. The sally port is fully operative.
26. Some cell phone 911 calls are forwarded to the WPD by the California Highway Patrol; others go directly to WPD. Landline 911 calls from Willits go directly to the WPD. The 911 system is being updated.
27. WPD dispatches for the Little Lake Fire District.
  
28. **There is no sign near the street to direct people to the County owned building which is occupied by WPD, the Superior Court and the Sheriff's substation.**

**Response: (Mendocino County General Services Agency)** – The General Services Agency Director agrees with this finding.

29. There is no sign at the corner of Main Street and Commercial Street directing people to the WPD, the Little Lake Fire Department, or the County complex on Commercial Street.
  
30. **Since this County-owned building was constructed in 1988, the roof has leaked into the WPD downstairs offices. It is still necessary to cover the office equipment with plastic tarps when it rains.**

**Response: (Mendocino County General Services Agency)** – The General Services Agency Director agrees with this finding.

### ***Recommendations***

The Grand Jury recommends that:

1. WPD fill vacant Officer positions (Findings 1-6);
2. the Willits City Council augment the budget for WPD to permit hiring of additional Officers (Findings 1-6);

3. the Willits City Council budget for five Reserve Officer positions to work community events (Finding 2);
4. **Mendocino County General Services repair the leaking roof (Finding 30);**

**Response: (Mendocino County General Services Agency)** – The General Services Agency Director agrees with this recommendation. Implementation of this recommendation would occur when funding is provided to General Services Agency to replace said roof.

5. **Mendocino County General Services install a sign that is easily visible from Commercial Street (Finding 28);**

**Response: (Mendocino County General Services Agency)** – The General Services Agency Director agrees with this recommendation and will seek funding from the Willits Police Department to pay for the installation of the sign.

6. City of Willits put a sign near the corner of Main Street (Highway 101) and East Commercial Street to direct people to the Little Lake Fire Department and the WPD (Finding 29).

### ***Comments***

The City of Willits Police Department is concerned about the possible loss of all or part of its Federal grant, Community Oriented Policing Service (COPS).

Fatigue results when Officers work a 12-hour shift; safety then becomes a concern for both the Officer and the community.

As with many local police agencies, newly trained officers often leave the community for higher paying jobs.

### ***Required Responses***

City Manager, City of Willits (Findings 1-27, 29-30; Recommendations 1-3 and 6)

Police Chief, Willits Police Department (All Findings; Recommendation 1)

Willits City Council (Findings 1-27, 29-30; Recommendations 1-3 and 6)

Mendocino County General Services Agency (Findings 28 and 30; Recommendations 4 and 5)

Mendocino County Mental Health Branch (Findings 14-18)