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Response Procedure to Grand Jury Reports

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within 60 days. Governing bodies (for example, the Board of Supervisors) must respond within 90 days. Please submit all responses in digital format to the Presiding Judge, the Grand Jury Foreman and the CEO's office.

Report Title: Mendocino County Jail, Courthouse Holding Cells, and Evidence Room

Report Date: March 20, 2006

Response by: Kevin Broin Title: Sheriff

FINDINGS

- I agree with findings numbered:

Mendocino County Jail Findings: 1, 2, 3, 4, 5, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26.

Mendocino County Courthouse Holding Cell Findings: 1 through 8.

Mendocino County Evidence Room Findings: 1 through 3.

- I disagree wholly or partially with the findings numbered:

Mendocino County Jail Findings: 6 and 8.

Finding #6

"Correctional Deputies receive \$1,000 a year as a clothing allowance".

I partially disagree with this finding. The amount is \$800.

Finding #8

"Basic Correctional Deputy training consists of twelve weeks working in-house with a Field Training Deputy, six weeks of Core (basic) training, and three weeks of California Penal Code Section §832 training".

I disagree partially with this finding. The initial in-house training is thirteen weeks and the PC 832 arrest and firearms is two weeks.

RECOMMENDATIONS

- Recommendations number have been implemented. **N/A**
- Recommendation number has not yet been implemented, but will be implemented in the future. **N/A**
- Recommendations numbered 1 and 2 require further analysis.

#1. "A social worker be added to the staff of the MCJ". (MCJ Finding 22)

This recommendation requires further analysis due to being part of the request for proposal in the third round of the Mentally Ill Offender Crime Reduction Grant. If received will begin in 2007.

#2. "The Mendocino County Board of Supervisors should at the earliest possible date relocate and consolidate all of the Mendocino County Justice facilities to one central location on a site that is easily accessible". (MCJ Finding 25 and Holding Cell Finding 8)

Further analysis needs to be completed prior to implementation. The Criminal Justice Master Plan and Needs Assessment are complete. The Feasibility Study will be complete in the first quarter of 2007.

This will have budgetary impacts and those costs are going to be explored in the feasibility study. We will continue to work with our criminal justice partners, the CEO, and the Board of Supervisors to achieve this recommendation.

- Recommendations numbered _____
Will not be implemented because they are not warranted or are not reasonable. (Attach an explanation) **N/A**

Date: 9-18-06

Signed: *Kevin Broin*
Kevin Broin - Sheriff

No. of pages attached: 2

KEVIN BROIN
Sheriff-Coroner



Undersheriff Gary Hudson

Captain Kurt Smallcomb
Field Services

Captain Tim Pearce
Corrections

COUNTY OF MENDOCINO

OFFICE OF THE SHERIFF-CORONER

September 18, 2006

Honorable Cindee Mayfield, Presiding Judge
Superior Court of California
County of Mendocino
County Courthouse
Ukiah CA 95482

Re: **Response to Report of the 2005-2006 Grand Jury**

Dear Judge Mayfield:

The 2005-2006 Grand Jury requires my response to the following report:

1. ***MENDOCINO COUNTY JAIL, COURTHOUSE HOLDING CELLS, AND EVIDENCE ROOM***

Penal Code section 933.05 requires me to respond to each of the Grand Jury's findings and recommendation in a specified format. I have done my best to comply with the spirit of the statute, but as I am sure you are aware, there are instances where none of the available response options are appropriate—such as when a finding or recommendation speaks to a matter that is outside the control of my office.

MENDOCINO COUNTY JAIL

FINDINGS

1. The Mendocino County Jail (MCJ) can currently accommodate 302 inmates.

Sheriff's Response: I agree with the finding.

2. There are currently 57 budgeted positions for the Corrections Department: one Captain, two Sergeants, eight Corporals and 46 Correctional Deputies, not including additional support staff.

Sheriff's Response: I agree with the finding.

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3. The position of Correctional Deputy was recently reclassified under California Penal Code Section 830.1.

Sheriff's Response: I agree with the finding.

4. In the current contract, Correctional Deputies are scheduled to receive a three percent pay raise spread over 18 months. Additional qualifications, such as an AA or BA degree or Field Training Instructor status, will result in a further increase, up to a maximum of eight percent.

Sheriff's Response: I agree with the finding.

5. There are Bi-Lingual Correctional Deputies, with pay incentives for those who qualify, at a rate of three percent for basic command of a second language and five percent for advanced knowledge.

Sheriff's Response: I agree with the finding.

6. Correctional Deputies receive \$1,000 a year as a clothing allowance.

Sheriff's Response: I disagree with the finding. The amount is \$800.00

7. In 2005, there was a 13.6% turnover rate among Correctional Deputies.

Sheriff's Response: I agree with the finding.

8. Basic Correctional Deputy training consists of twelve weeks working in-house with a Field Training Deputy, six weeks of Core (basic) training, and three weeks of California Penal Code Section 832 training.

Sheriff's Response: I agree and disagree with parts of the finding. I agree that the Core (basic) training is six weeks, however the initial in-house training is thirteen weeks and the California Penal Code Section 832 arrest and firearms training is two weeks.

9. Correctional Deputies do most of the transporting of inmates; Field Deputies transport inmates on an "as needed" basis.

Sheriff's Response: I agree with the finding.

10. MCJ has received funding for five Sheriff's Service Technicians to relieve the bottleneck in the Booking Room.

Sheriff's Response: I agree with the finding.

11. The average stay for an inmate in the MCJ is 16.6 days.

Sheriff's Response: I agree with the findings.

12. There are currently six Tasers available to Correctional Deputies on duty.

Sheriff's Response: I agree with the finding.

13. From January to June of 2005, there were 21 incidents of Taser use by Correctional Deputies; from July to December 2005, there were five incidents of Taser use.

Sheriff's Response: I agree with the finding.

14. There is a medical doctor on staff and on call who sees to the health needs of the inmates.

Sheriff's Response: I agree with the finding.

15. There is one full-time Registered Nurse Manager on staff.

Sheriff's Response: I agree with the finding.

16. A Licensed Vocational Nurse is on duty at all times.

Sheriff's Response: I agree with the finding.

17. There is a psychiatrist on staff who spends up to 15 hours a week at the MCJ; in 2005 there were 1,636 psychiatric visits.

Sheriff's Response: I agree with the finding.

18. Mental Health workers from the Mendocino County Mental Health Department provide counseling for inmates. The number of visits from Mental Health workers in 2005 was 4,542.

Sheriff's Response: I agree with the finding.

19. The medical staff creates and maintains medical records on all inmates.

Sheriff's Response: I agree with the finding.

20. The nurse on duty dispenses inmates' medications at the direction of a medical doctor.

Sheriff's Response: I agree with the finding.

21. There is an extremely high percentage of inmates with a history of methamphetamine use.

Sheriff's Response: I agree with the finding.

22. There is no Social Worker on staff.

Sheriff's Response: I agree with the finding.

23. The MCJ works with the Ukiah Adult School for inmates who want to earn a GED.

Sheriff's Response: I agree with the finding.

24. There are Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) programs available for inmates.

Sheriff's Response: I agree with the finding.

25. At the time of inspection, there were many significant problems with the MCJ facility, including malfunctioning door locks, roof leaks, aging plumbing, floor tile in need of replacement, and inadequate storage space.

Sheriff's Response: I agree with the finding.

26. Mendocino County General Services is charged with the maintenance of the MCJ.

Sheriff's Response: I agree with the finding.

MENDOCINO COUNTY COURTHOUSE HOLDING CELLS

FINDINGS

1. There are four Holding Cells.

Sheriff's Response: I agree with the finding.

2. All Holding Cells were clean and all fixtures were in working order at the time of inspection.

Sheriff's Response: I agree with the finding.

3. Thirty minutes is the average amount of time an inmate occupies a Holding Cell.

Sheriff's Response: I agree with the finding.

4. A Correctional Deputy is stationed outside a Holding Cell when it is occupied.

Sheriff's Response: I agree with the finding.

5. There is no video surveillance or monitoring system for the Holding Cells.

Sheriff's Response: I agree with the finding.

6. The different colored coveralls worn by inmates indicate to Correctional Deputies the security classification of each inmate.

Sheriff's Response: I agree with the finding.

7. Female inmates are separated from male inmates in the Holding Cells.

Sheriff's Response: I agree with the finding.

8. Sheriff's Department vehicles transport inmates between the MCJ and the Mendocino County Courthouse.

Sheriff's Response: I agree with the finding.

MENDOCINO COUNTY EVIDENCE ROOM

FINDINGS

1. The Evidence Room is used by the Mendocino County Sheriff's Department and the Mendocino County Major Crimes Task Force.

Sheriff's Response: I agree with the finding.

2. At the time of inspection, the Evidence Room was well maintained.

Sheriff's Response: I agree with the finding.

3. Staffing at the Evidence Room is insufficient to purge the large quantities of out-dated evidence.

Sheriff's Response: I agree with the finding.

RECOMMENDATIONS

The Grand Jury recommends that:

1. A social worker be added to the staff of the MCJ. (MCJ Finding 22)

Sheriff's Response: The recommendation requires further analysis due to being part of the request for proposal in the third round of the Mentally Ill Offender Crime Reduction Grant. If received will begin in 2007.

2. The Mendocino County Board of Supervisors should at the earliest possible date relocate and consolidate all of the Mendocino County Justice facilities to one central location on a site that is easily accessible. (MCJ Finding 25 and Holding Cell Finding 8)

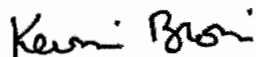
Sheriff's Response: Further analysis needs to be completed prior to implementation. The Criminal Justice Master Plan and Needs Assessment are complete. The Feasibility Study will be complete in the first quarter of 2007.

This will have budgetary impacts and those costs are going to be explored in a feasibility study. We will continue to work with our criminal justice partners, the County Executive Officer, and the Board of Supervisors to achieve this recommendation.

This concludes my response to the Grand Jury's reports. I want to thank the members of the Grand Jury, and in particular the members of the Criminal Justice Committee, for their dedication, professionalism, spirit of cooperation and desire to learn. My staff members who had contact with the Grand Jury members during tours of our facilities all spoke highly about the way in which they went about your work. Please let them know they are welcome to return at any time.

I have made every effort to provide the Grand Jury with thorough, accurate replies to its various findings and recommendations. Should you or the Grand Jury have any questions about any of my responses, please do not hesitate to contact me at the address and telephone number listed on my letterhead.

Sincerely,



KEVIN BROIN
SHERIFF-CORONER

CC: Benj Thomas, Foreperson, Mendocino County Grand Jury
Mendocino County Board of Supervisors
Al Beltrami, County Executive Officer
Jeannine Nadel, County Counsel
File Jail-2006