

## **BUTTE COUNTY GRAND JURY REPORT 2008/2009 BUTTE COUNTY JAIL**

### **SUMMARY**

The Grand Jury is required by California Penal Code Section 919 to visit the jail, inspect the conditions, and see how the jail is managed. The Butte County Jail received an update to the surveillance equipment and the equipment to operate the cell doors in the west wing of the jail. The west wing of the jail consists of two sections, named Delta and Charlie. There are 416 inmates housed in the west wing. With new equipment installed, the west section is state of the art. The correctional officers can isolate one cell at a time and use a digital video recorder to capture evidence in the event a crime or riot breaks out. One officer can control the entire set of pods, locking and unlocking doors, and speaking to the inmates as required.

The Sheriff's Office has obtained a contract to house sentenced federal prisoners. This contract could bring in an estimated \$3.8 million a year.

Jail staff is updating the jail handbook and will make an orientation video to show newly booked inmates what resources are available to them and what they can expect while incarcerated. The Compliance Officer (CO) will provide the narration, and said, "We want to give inmates the chance to rehabilitate themselves if they want to."

### **GLOSSARY**

Sally Port: A secured area preceding the booking area

### **BACKGROUND**

The Grand Jury is required by California Penal Code Section 919 to visit the jail, inspect the conditions, and see how the jail is managed. The jail is a Type II facility mandated by the California Constitution and defined by Chapter I of Title 15 of the California Code of Regulation. A Type II facility receives and houses misdemeanor and felony arrestees from all local law enforcement agencies. It also houses inmates that have been sentenced to county incarceration, and inmates sentenced and awaiting transport to state prison.

In 1964, the main jail facility was built and had a capacity of 197. North and south dormitories, constructed in 1968, are able to hold an additional ninety eight inmates. A major remodel of the kitchen was completed in 1994. The main jail facility was remodeled in 1999, improving and expanding the inmate medical services unit and the intake/booking areas. There are ninety-six beds in the women's section. The California Corrections Standards Authority has inspected the women's section and found it to be up to state standards.

The west facility, a state of the art complex, housing 416 inmates, was opened in November 1994, at a cost of \$7.5 million.

As the County population grows, the jail population increases. There have been times when inmates outnumber available beds and bedrolls have been laid on the floor for inmates. To take care of overcrowding, the Butte County Superior Court Order #84429, also known as the Consent Decree, was issued. This order allows the Sheriff to release low-level, pre-sentenced inmates, followed by un-sentenced, non-violent, misdemeanor offenders, to make room for new inmates. Un-sentenced felons are never released.

## **APPROACH**

The entire Grand Jury visited the Butte County Jail. They were introduced to the Jail Commander, the Operations Lieutenant, and the Compliance Officer. Before the Grand Jury was allowed in the jail, they were advised the jail has a no hostage negotiation policy. If a Grand Juror were taken hostage, the jail would not bargain to release the hostage. The Grand Jury entered the jail from the sally port, just like an inmate would. The entire jail was open for observation, allowing Grand Jurors to address questions to inmates, as well as attending officers.

The Grand Jury made two additional visits, one unannounced, to observe the operations and conditions of the jail.

## **DISCUSSION**

As the Grand Jury began the tour of the jail, the conditions were clean with a pleasant smell. Each section of the jail is secured so inmates from one section cannot come in contact with inmates from another section. The women's section is located in the older section of the jail. The CO would like to see a new section constructed for the women. AB900, signed by Governor Schwarzenegger on May 3, 2007, appropriates \$1.2 billion for jail construction through state lease-revenue bonds. The County must provide at least twenty five percent of the total project cost. The CO stated, with the current poor economy, it could take time before remodeling the women's section becomes a reality.

The CO took the Grand Jury into the kitchen where they met with the chef. He advised us the meals meet state nutrition requirements. Three meals a day, including one hot meal, are served. Several non-violent, sentenced inmates were doing the dishes after lunch was served. The kitchen was very clean, and sharp kitchen utensils are secured. Kitchen workers and inmates wear hair coverings or hats, aprons, and gloves. The ovens and stoves were visibly clean, and food containers were labeled and dated. No sign of rodents or bugs were evident throughout the jail.

The medical facility was impressive. The medical staff includes a physician, physician's assistants, nurses, and a dentist. The medical staff sees sick inmates, administers prescribed drugs, checks blood sugar levels, and provides medical needs for the inmates. Some inmates need prescribed psychiatric meds, but cannot be forced to take them. If an inmate refuses to take the meds and his/her condition becomes uncontrollable, the inmate can be referred to a state hospital. This process can take several months.

As the Grand Jury entered the west facility, inmates were wearing different colored jump suits. Different colors indicate inmate classification. White indicates a minimum-security inmate. Orange is worn by the general population and minimum-security inmates. Green is worn by inmates under minimum protective custody. Red is used for high risk, maximum-security inmates. Blue is for inmates under high risk protective custody. Yellow is for administrative security, the inmate who is isolated. Black and white stripes are worn by violent inmates. Correctional officers are aware of color classifications and do not house passive inmates with violent inmates.

Both the Charlie and Delta sides of the facility have six pods. A command center above the pods controls all the cameras and door locks. The Delta and Charlie inmates are not allowed to come in contact with one another. The correctional officers use the different pods to house non-violent inmates away from violent inmates. Each command station is equipped with a door and stairs to gain access to the roof, in case of emergency. Once the roof door is locked, the door cannot be opened without keys. Not one escape has occurred from the new West Facility.

There are multiple gangs in the jail and opposing members are separated to prevent gang wars. Each side has a separate recreation yard. The Grand Jury observed inmates exercising and were informed the gangs require their members to stay in shape to create a fighting machine. The largest gang affiliations in this jail are the Norteno and Sureno. Additional gangs include: Hmong, African American, white supremacists, and Native American. Confrontations have occurred requiring medical attention.

The Grand Jury returned to the Jail after the Christmas break. A remodel of the command center at the west facility was in process. The CO said they had to go back to using keys to open doors until the new operations center was complete, which would take up to a week. The new command post will allow one officer to open doors for all locks on all pods. A digital video recorder will allow the correctional officers to record any disturbance or destruction of jail property, and identify the responsible inmate. The command center upgrade is equipped with the latest, most advanced technology available, and is designed to keep inmates and correctional officers safe.

During this visit, the Grand Jury toured the evidence room where all items of evidence are stored. Some evidence must be kept until the evidence-correlated inmate is released from prison, or he/she dies. Drugs are kept until the case is closed and then the evidence is destroyed. Only evidence technicians are allowed inside the evidence room. Officers have a key to the outside room where they log evidence to be stored. They sign in and place a case number on each piece of evidence. Freezers and refrigerators for biological and blood samples must be held at a certain temperature. A new heating and air conditioning unit has been installed, and commercial freezers are now in use. The CO reported no evidence had been lost. The evidence room was neat and well organized.

The Grand Jury returned to the jail to talk to the CO for the purpose of gathering additional information for this report. When asked if any correctional officers would be let go due to the economic conditions, jurors were told the Sheriff's Department lost one un-filled clerical position. The Sheriff is always looking for ways to avoid laying off deputies.

A contract with the federal government has been negotiated to house between 100-144 federal prisoners at the Butte County Jail. The government would pay Butte County Jail \$77 a day per prisoner. The jail could potentially, make \$3.8 million a year for the County, over the next three years. Butte County Jail can house an inmate for under \$50 per day without neglecting inmates or compromising efficiency. This is less than the California Department of Corrections per day costs. To give an example of varying costs of housing inmates, the Jury was told that South Carolina spends approximately \$20 per day, per inmate.

The Grand Jury learned how costly it is to transport a prisoner to another facility. In asking if there were any other ways in which the jail was attempting to save money; the panel was informed of a new prisoner transport system. An arrangement has been made for most Northern California jails and prisons to meet at the Rio Cosumnes Correctional Center in Elk Grove, CA, where prisoners are dropped off to be incarcerated or transported to another facility in the north state. When the County transports prisoners to the drop off location, they then pick up inmates going to Butte County Jail. This process allows for one round trip, rather than transporting inmates all over the state at the expense of the County.

An orientation video will be produced to show newly booked inmates the resources available to them and what they can expect while incarcerated. The CO said he would provide the narration. His message, "We want to give inmates the chance to rehabilitate themselves if they want to." The *Jail Handbook* is in the process of being re-written. A Spanish version is also planned for both.

## **FINDINGS**

- F1. The west facility received an equipment update to make it a state of the art facility. One officer can control digital video recorders, open and close individual doors, and give commands and information to the inmates while they are in their cells.
- F2. The Sheriff is continuously looking for ways to reduce costs in the jail, and run the jail more efficiently. A contract has been awarded to the Sheriff's Department to house sentenced federal prisoners. Approximately \$3.8 million could be realized from this contract, which goes to the County.
- F3. A video in English and Spanish, for the purpose of explaining rules, programs available, and what inmates can expect while incarcerated at Butte County Jail, is in the planning. A Spanish version of the *Jail Handbook* is planned as well.

## **RECOMMENDATIONS**

- R1. The Sheriff and the Butte County Jail staff should continue to look for ways to improve housing of prisoners while making conditions safe for inmates and correctional officers.
- R2. A video informing the newly booked inmates of the programs available to them should be produced, and the *Jail Handbook* should be published. A Spanish version of both is recommended.

## REQUEST FOR RESPONSES

Pursuant to Penal Code Section 933.05, the Grand Jury requests responses as follows:

Butte County Sheriff

Butte County Board of Supervisors

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

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.

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