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**NEVADA COUNTY SUPERIOR COURT
OFFICE OF THE JURY COMMISSIONER
201 CHURCH STREET, SUITE 6
NEVADA CITY, CA 95959**

Thomas M. Anderson
*Presiding Judge of the
Grand Jury*

Audrey M. Golden
Deputy Jury Commissioner

(530) 265-1475

July 30, 2014

Keith Overbey Foreman
Nevada County Civil Grand Jury
950 Maidu Avenue
Nevada City, CA 95959

Dear Keith:

Enclosed is the response from the Courts on the Holding Facility at the Truckee Courthouse.

Sincerely,

A handwritten signature in blue ink, appearing to read "Audrey M. Golden".

Audrey M. Golden

SUPERIOR COURT OF THE STATE OF CALIFORNIA
County of Nevada

CANDACE S. HEIDELBERGER,
Presiding Judge



G. SEAN METROKA,
Court Executive Officer

201 Church Street
Nevada City, CA 95959
(530) 265-1311

July 29, 2014

Grand Jury, County of Nevada
Attn: Keith Overbey, Foreperson
950 Maidu Avenue
Nevada City, CA 95959

Dear Mr. Overbey:

As requested in the 2013-2014 Nevada County Grand Jury Report on the subject of the Nevada County Holding Facility, Truckee Courthouse, the following response is submitted.

Findings

Fi.1 The current conditions at the Joseph Center are believed to pose an imminent threat of serious injury to the public, courthouse employees and county employees.

Disagree.

While we agree that the current conditions can and should be improved, the assertion that these conditions may "pose an imminent threat of serious injury to the public, courthouse employees and county employees" is greatly overstated. Many countermeasures are in place in this facility which significantly mitigates the potential risk to court users and employees.

Fi.2 Safety improvements identified by the county and AOC have not been approved and/or funded by the AOC.

Partially agree.

Several improvement requests have been approved and funded by the AOC. These include tinting of exterior windows, installing obstacles to prevent running a vehicle into sensitive areas of the building and installation of bullet resistant windows. There are other requests awaiting approval and funding, however, they are still in the approval process.

Fi.3 Proposed safety improvement would enhance the safety of the public and court and county employees.

Agree.

Fi.4 The BOS and the Court have not provided leadership in urging the AOC to release the necessary funds to improve the safety at the Joseph Center.

Disagree.

The Court has made several attempts to gain approval of our requests for safety improvements at the Joseph Center. We regularly follow up on these requests and provide additional information as necessary to establish an appropriate priority for funding. The plain fact is that funding across the State is too little to meet all security needs in all courthouses. The Grand Jury's assumption that this is a shortfall in leadership on the part of the BOS and Court completely lacks foundation.

Recommendations

- R.1** The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Office of the Courts and the Nevada County Superior Court should take all the measures necessary to move forward with a formal agreement which provides the recommended safety improvements immediately to ensure the safety of the public and employees.

Partially implemented.

The Court has taken all appropriate steps to secure funding for the identified security improvements. The recommendation that this effort should be pushed forward at all cost clearly fails to consider the statewide limitations on funding and competing priorities – not the least of which is simply providing sufficient staffing of court operations to provide basic access to justice for all.

- R.2** The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Office of the Courts and the Nevada County Superior Court staff should prioritize funding requests to implement the recommended safety improvements.

Partially implemented.

We have prioritized our security requests and submitted them to the State for consideration and funding. The State considers requests from all jurisdictions and establishes statewide priorities. We do not control that process.

- R.3** The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Office of the Courts and the Nevada County Superior Court staff should coordinate efforts to follow through with the request for funding, the implementation of the safety improvements and ensure the required work is completed.

Partially implemented.

We do currently coordinate our efforts in this area and will continue to do so. Ensuring these improvements are completed is outside of our control and subject to approval and funding by the State.

Respectfully submitted,

Candace S. Heidelberger
Presiding Judge

G. Sean Metroka
Court Executive Officer

NEVADA COUNTY HOLDING FACILITY NEVADA COUNTY COURTHOUSE IN NEVADA CITY

Summary

The Nevada County Grand Jury is statutorily required to inspect public prisons annually within Nevada County. The Nevada County Sheriff's Office has responsibility for the management of county correctional facilities at Nevada County Courthouse in Nevada City.

Security is handled via a security desk that electronically controls access through the facility and has cameras to monitor conditions. Additional security cameras are needed.

The Nevada County Grand Jury strongly recommends the Superior Court, Nevada County Sheriff's Office and Nevada County Board of Supervisors work together to obtain funding for safety and security upgrades.

Reasons for Investigation

California Penal Code §919(b) states in part; "*The grand jury shall inquire into the condition and management of the public prisons within the county.*" The Nevada County Grand Jury (Jury) defines public prisons as any adult or juvenile correction or detention facility within the county.

Background

The Nevada County Sheriff's Office (NCSO) is a county sheriff's office within the State of California as defined by the California Penal Code. The NCSO is responsible for the management of the county correctional facilities located in the Nevada County Superior Court, Nevada City Branch (Courthouse).

This area has six cells on the ground floor for use as an inmate holding area for inmates awaiting court appearances. This area of holding has two entrances in use during normal business hours. Public entry is via Church Street where people are subject to security screening. The Washington Street door is primarily used for ingress and egress of inmates when the underground sally port is not used and for self surrender actions.

Administrative staff of the Courthouse (Staff) is responsible for the daily functions of this facility.

Procedures Followed

The Jury reviewed previous reports concerning holding facilities for reference. Interviews with courthouse management staff, NCSO courthouse staff and county facilities staff were conducted. On January 16, 2014, the Jury inspected the NCSO holding facility along with other areas of the Courthouse, located at 201 Church Street, Nevada City.

Facts

- Fa. 1** Nevada County (County) is the owner of certain real property located in Nevada City and having a street address of 201 Church Street. Ownership and maintenance responsibilities are: County, in all areas used for temporary holding; Administrative Office of the Courts (AOC) for all other areas.
- Fa. 2** The Courthouse was once the site of the Nevada County Jail and Courthouse. An annex was added to the structure for additional courtrooms and office space.
- Fa. 3** The Courthouse handles criminal court cases and various civil court actions.
- Fa. 4** In 1991 prisoners were moved from this facility to the Wayne Brown Correctional Facility.
- Fa. 5** A portion of the Courthouse now serves as a holding area for individuals scheduled for criminal court hearings. It also serves to conduct some booking duties for self-surrenders.
- Fa. 6** A self-surrender is when an individual knows that they are subject to arrest and voluntarily turn themselves in to custody.
- Fa. 7** Security is handled at a single security area (Desk). The Desk is responsible for access throughout the area via electric locks. Movement is recorded via a series of cameras.
- Fa. 8** The camera system is wholly owned by the AOC. The camera system is operated and monitored by NCSO staff.
- Fa. 9** There are cameras positioned throughout the interior and exterior of the Courthouse building.
- Fa. 10** The camera system ensures that NCSO movements and security activities are monitored through the AOC camera system.
- Fa. 11** Camera images are displayed on a computer screen that can have a single image, or multiple images viewed simultaneously.

- Fa. 12** The Washington Street intake hallway is used for movement of self-surrenders and inmate movement between a transport vehicle and holding cells.
- Fa. 13** There was an analog camera in the Washington Street intake hallway that was not compatible with the new security system and was removed and not replaced.
- Fa. 14** A digital camera for live view only is available for approximately \$300.00 to \$500.00. An additional digital recording system connection would cost \$1,000.00 to \$1,500.00.
- Fa. 15** The Staff has requested funds from the AOC for purchase and installation of additional external and internal cameras for:
- court rooms,
 - hallways,
 - underground garage area,
 - sally port.
- Fa. 16** The 2012-2013 Jury Report recommended upgrades to the Courthouse camera security system. Staff responded to the Jury Report Recommendations as follows:
- *“The current camera system was purchased by the Administrative Office of the Courts (AOC) and is the sole property of the Court. While the Court will coordinate any system changes and camera placement with the Nevada County Sheriff’s Department, we do not expect that the County will contribute funds to purchase additional cameras for a system that they do not own.”*
 - NCSO response was that *“...there was no funding available.”*
- Fa. 17** The NCSO response to the recommendation was that, *“...there was no funding available.”*
- Fa. 18** The NCSO is responsible for submitting an annual budget to the Nevada County Board of Supervisors (BOS) for approval.
- Fa. 19** The BOS is responsible for approval of the NCSO budget.

Findings

- Fi. 1** The safety of county and court employees and the public is compromised by a lack of security cameras in some areas of the Courthouse.
- Fi. 2** Although the Staff is attempting to remedy some of the identified safety and security issues, there are still deficiencies in the security camera system that needs immediate attention by the AOC.

- Fi. 3** NCSO could be active in assisting the Staff in their request for camera upgrades because the cameras are a first-line observation of potential harm.
- Fi. 4** This issue has been on the forefront for several years without resolution. The safety of the public, the Courthouse employees and NCSO staff remains at risk.

Recommendations

- R. 1** The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to take all the steps necessary to move forward with a formal agreement in order to secure funding from the AOC and provide safety improvements immediately to ensure the safety of the public and Court employees.
- R. 2** The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to prioritize funding requests and obtain the funding from the AOC to implement the safety improvements.
- R. 3** The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to follow through with the request for funding, the implementation of the safety improvements and ensure the required work is completed.

Responses

Nevada County Sheriff: Findings 1, 2, 3 and 4 and Recommendations: 1 and 2.
Due Date: August 16, 2014

Nevada County Board of Supervisors: Findings 2, 3 and 4 and Recommendations 1, 2 and 3
Due Date: September 16, 2014

Nevada County Superior Court: Finding 1, 2 and 3 and Recommendation 1, 2 and 3.
Due Date: August 16, 2014



**NEVADA COUNTY SUPERIOR COURT
OFFICE OF THE JURY COMMISSIONER
201 CHURCH STREET, SUITE 6
NEVADA CITY, CA 95959**

Thomas M. Anderson
*Presiding Judge of the
Grand Jury*

Audrey M. Golden
Deputy Jury Commissioner

(530) 265-1475

August 12, 2014

Keith Overbey Foreman
Nevada County Civil Grand Jury
950 Maidu Avenue
Nevada City, CA 95959

Dear Keith:

Enclosed is the response from Nevada County Superior Court of California, on the subject of the Nevada Holding Facility and the Recorders response for the Elections office.

Sincerely,

A handwritten signature in black ink, appearing to read "Audrey M. Golden".

Audrey M. Golden

County of Nevada

CANDACE S. HEIDELBERGER,
Presiding Judge



G. SEAN METROKA,
Court Executive Officer

201 Church Street
Nevada City, CA 95959
(530) 265-1311

August 11, 2014

The Honorable Thomas M. Anderson
Presiding Judge of the Grand Jury
Superior Court of Nevada County
201 Church Street
Nevada City, CA 95959

Dear Judge Anderson:

As requested in the 2013-2014 Nevada County Grand Jury Report on the subject of the Nevada County Holding Facility, Nevada County Courthouse in Nevada City, the following response is submitted.

Findings

Fi.1 The safety of county and court employees and the public is compromised by a lack of security cameras in some areas of the Courthouse.

Agree.

Fi.2 Although the Staff is attempting to remedy some of the identified safety and security issues, there are still deficiencies in the security camera system that needs immediate attention by the AOC.

Agree.

Fi.3 NCSO could be active in assisting the Staff in their request for camera upgrades because the cameras are a first-line observation of potential harm.

Disagree.

The Court would certainly welcome any help the NCSO might offer to enhance the Court's camera system. However, this system is the Court's responsibility and we rely on the Judicial Council for funding to expand / enhance the system.

Recommendations

R.1 The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to take all the steps necessary to move forward with a formal agreement in order to secure funding from the AOC and provide safety improvements immediately to ensure the safety of the public and Court employees.

Not implemented.

The entities listed in this recommendation do not all share responsibility for improving the court's camera system and cannot be compelled to enter into a formal agreement in order to secure funding for this system.

- R.2** The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to prioritize funding requests and obtain the funding from the AOC to implement the safety improvements.

Not implemented.

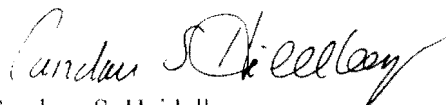
Funding for the Judicial Branch and our court is very limited and expenditures must be prioritized according to greatest need. While we agree that this system is important to the overall security of our court buildings, we cannot say with certainty that the proposed system enhancement should be made the highest priority for funding statewide – we rely on the Judicial Council to make that assessment and allocate funding accordingly.

- R.3** The Nevada County Board of Supervisors, Nevada County Sheriff's Office, Administrative Offices of the Court and Nevada County Superior Court staff need to follow through with the request for funding, the implementation of the safety improvements and ensure the required work is completed.

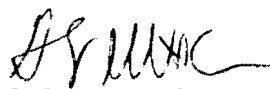
Partially implemented.

The Superior Court of Nevada County has requested State funding to implement the recommended safety improvements and we routinely follow up on our request to ensure it isn't lost in bureaucracy. We cannot ensure the work is completed until funding is allocated by the Judicial Council.

Respectfully submitted,



Candace S. Heidelberg
Presiding Judge



G. Sean Metroka
Court Executive Officer

**NEVADA COUNTY
SHERIFF'S OFFICE****KEITH ROYAL**
SHERIFF / CORONER
PUBLIC ADMINISTRATOR

July 11, 2014

The Honorable Thomas M. Anderson
Presiding Judge of the Grand Jury
201 Church Street
Nevada City, Ca. 95959

RE: Response to 2013-2014 Nevada County Holding Facility Nevada County Courthouse in Nevada City Grand Jury Report

Dear Honorable Judge Anderson:

In response to the Grand Jury Report dated June 16, 2014 on the Nevada County Holding Facility Nevada County Courthouse in Nevada City.

FINDINGS:

1. The safety of county and court employees and the public is compromised by a lack of security cameras in some areas of the Courthouse.

Partially Disagree

Due to past experience, we do not feel an imminent threat of serious injury to the public, courthouse employees, and/or county employees exists. We have had an excellent record with our transport of prisoners from transportation units to the Courthouse in Nevada City. We are committed to mitigating risk at every opportunity within the County's existing resources. Inmates are transported from the transportation unit to the Courthouse in customary restraints, including leg shackles and waist shackles. Officer safety practices are primary in maintaining a safe environment while transporting prisoners; although security cameras may provide additional security.

2. Although the Staff is attempting to remedy some of the identified safety and security issues, there are still deficiencies in the security camera system that needs immediate attention by the AOC.

Partially Disagree

If money were no object it would be optimal for additional security cameras to be installed and additional staff to monitor the cameras. In light of the fact that the AOC has other funding requests to consider and a limited budget, the immediacy of the attention needed by the AOC is questionable on our part. Our opinion is that the AOC must determine their funding priorities.

3. NCSO could be active in assisting the Staff in their request for camera upgrades because the cameras are a first-line observation of potential harm.

Agree. We are always willing to participate in discussions with Court Staff regarding Courthouse Security.

4. This issue has been on the forefront for several years without resolution. The safety of the public, the Courthouse employees and NCSO staff remains at risk.

Partially Disagree

The issue has not been fully resolved, yet, due to past experience, we do not feel an imminent threat of serious injury to the public, courthouse employees, and/or county employees exists. We have had an excellent record with our transport of prisoners from transportation units to the Courthouse in Nevada City. We are committed to mitigating risk at every opportunity within the County's existing resources. Inmates are transported from the transportation unit to the Courthouse in customary restraints, including leg shackles and waist shackles. Officer safety practices are primary in maintaining a safe environment while transporting prisoners; although security cameras may provide additional security.

RECOMMENDATIONS:

1. The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Offices of the Court and the Nevada County Superior Court need to take all the steps necessary to move forward with a formal agreement in order to secure funding from the AOC and provide safety improvements immediately to ensure the safety of the public and Court employees.

The recommendation will not be implemented because the Nevada County Sheriff's Office does not secure funding from the AOC for Court equipment.

2. The Nevada County Board of Supervisors, the Nevada County Sheriff's Office, the Administrative Offices of the Court and the Nevada County Superior Court staff need to prioritize funding requests and obtain the funding from the AOC to implement the safety improvements.

The recommendation will not be implemented because the Nevada County Sheriff's Office does not secure funding from the AOC for Court equipment.

The Sheriff's Office would like to thank the members of the 2013-2014 Grand Jury for their participation and effort in preparing their reports. We are committed to providing the highest level of safety and security to our employees, the public, and inmates.

Sincerely



Keith Royal
Sheriff-Coroner