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INSPECTION

LOS BANOS POLICE DEPARTMENT JAIL FACILITY

SUMMARY

The 2012-2013 Merced County Civil Grand Jury investigated non-compliance issues with State mandated guidelines pursuant to Penal Code 6031. The Civil Grand Jury found that the Los Banos Police Department jail facility is in full compliance with all Federal, State and local mandates.

INTRODUCTION/BACKGROUND

On March 25, 2013, the 2012-2013 Merced County Civil Grand Jury conducted a site visit to the Los Banos Police Department jail facility. This site visit was to ensure the Los Banos Police Department jail facility corrected the deficiencies identified in the biennial Correction Standards Authority (CSA) Report of October 5, 2011.

METHODOLOGY

The 2012-2013 Merced County Civil Grand Jury interviewed the Chief and two commanders, reviewed personnel records, and inspected selected patrol vehicles. The Civil Grand Jury then toured the facility.

DISCUSSION

The CSA inspection on September 22, 2011 identified areas of non-compliance:

Title 15-Section 1023 - Jail Management Training: This regulation requires all jail management personnel to complete either the Standards and Training for Corrections (STC) or Peace Officer Standards Training (POST) management course within one year of assignment. All personnel completed the training as of February 2013 and a copy of the certificate was provided to the Civil Grand Jury.

Title 15-Section 1024 - Continuing Professional Training: This regulation requires all custody personnel of selected types of facilities to complete annual training (24-40 hours, depending on position). All personnel have completed the training as of February 2013 and a copy of the certificate was provided to the Civil Grand Jury.

Title 15-Section 145 - Decision on Secure Detention: This regulation requires the secure detention only be applied to minors in custody for offenses described by Welfare and Institutions Code (WIC) Section 602, who present a serious security risk and are at least fourteen years of age. The CSA report found that the detention records determined that a thirteen year old detainee was held in secure detention for forty-seven minutes.

The Civil Grand Jury received a copy of the Order and memos to staff that address this issue with personnel.

During the discussion it was learned that the Los Banos Police Department operates a Type IJ jail facility which allows the Department to house no more than twenty inmates for up to ninety-six hours, excluding holidays. Community Service Officers (CSO) are used as jail monitors under the supervision of an on-duty sergeant.

When a CSO is not available, the jail area is under constant surveillance by police dispatch personnel. The Chief of Police hopes the Los Banos jail will soon be expanded to include some holding cells (twelve-hour maximum).

The California Highway Patrol, Dos Palos Police Department, California Department of Fish and Game, Merced County Sheriff's Department, and Gustine Police Department all use the Los Banos jail for booking purposes.

The jail is part of the police department facility and was designed according to the standards in effect at the time of its construction in 1969. The jail has passed all required inspections, including those of the health department, fire department, and juvenile justice agencies. There is one cell designed to hold inmates who may be in danger of injuring themselves. There is a kitchen area where sandwiches and other snacks are prepared for inmates.

All personnel entering the jail area are required to place all dangerous devices in a secured locker. The Civil Grand Jury did not find any accessible dangerous objects within the jail area.

Los Banos Police officials will not hold violent or mentally disturbed detainees. They are considered unique inmates. These inmates are immediately transported to the appropriate Merced County facilities.

FINDING:

F1. The 2012-2013 Merced County Civil Grand Jury found that all deficiencies had been corrected at the time of our site visit.

RECOMMENDATION:

R1. The 2013-2014 Merced County Civil Grand Jury should meet with the Los Banos Chief of Police to ensure that the facility remains in compliance.

COMMENDATION:

The 2012-2013 Merced County Civil Grand Jury commends the Los Banos Police Department for ensuring the overall operation of the facility is in full compliance with all Federal, State and local mandates.

DISCLAIMER

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon the specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Sections 911, 924.1(a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Sections 924.2 and 929).

DISPOSITON OF COMPLAINTS