

This document is an extract of a larger publication.

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8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF MONO

10 IN RE:

11 2019-2020 Grand Jury
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GENERAL ORDER

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15 I certify that the 2019-2020 Mono County Grand Jury Final Report, pursuant to
16 California Penal Code § 933 (a), complies with Title Four of the California Penal Code and
17 direct the County Clerk to accept and file the final report as a public document.
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19 Dated this 28th day of July, 2020.

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22 MARK MAGIT
23 Presiding Judge of the Superior Court
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Dear Judge Magit and Citizens of Mono County,

The 2019-2020 Mono County Grand Jury has finished its work. First, we would like to thank the Mono County citizens who served on the Grand Jury for their hard work and diligence despite the obstacles they were faced with.

We would also like to thank the support team of the Grand Jury. This is my second year serving on the Grand Jury and all our supporters in the Superior Court and Mono County have always been extremely helpful and quick to come to our aid with their knowledgeable counsel.

We would also like to thank the community leaders who we contacted and interviewed for their cooperation, and their invaluable insight into the workings of Mono County and the Town of Mammoth Lakes.

We believe it is important to review responses to the recommendations of the previous Grand Jury and provide updates where appropriate. We would like to thank those who responded to our questions and gave us updates on their progress in implementing the recommendations of the previous Grand Jury.

I would like to thank Ken Brengle for his work as Assistant Foreperson, Barbara Philips for her work as Secretary, Lorinda Beatty and Carolyn Balliet for chairing their committees, and Wendilyn Grasseschi for her work with the editorial process.

Lewis Jones

A handwritten signature in black ink, appearing to read 'L. Jones', written over the printed name 'Lewis Jones'.

Grand Jury Foreperson

THE GRAND JURY SYSTEM

Shrouded in secrecy, the functions of a Grand Jury are not widely known. The following summary describes what a Grand Jury is and does:

The Grand Jury system dates back to 12th century England during the reign of Henry II. Twelve “good and lawful men” were assembled in each village to investigate anyone suspected of crimes. The jurors passed judgment based on what they themselves know about a defendant and the circumstances of the case. It was believed that neighbors and associates were the most competent to render a fair verdict. By the end of the 17th century, the principle that jurors must reach a verdict solely on the basis of evidence was established, and that practice continues today. Although California Supreme Court decisions have curtailed the historical criminal indictment function, the Grand Jury still serves as an inquisitorial and investigative body functioning as a “watchdog” over regional government.

The Mono County Grand Jury, as a civil Grand Jury, is not charged with the responsibility for criminal indictments except in the case of elected or appointed county officials. Its primary function is the examination of county and city government, including special legislative districts such as community service districts and fire protection districts. The Grand Jury seeks to ensure that government is not only honest, efficient and effective, but also conducted in the best interest of the citizenry. It reviews and evaluates procedures, methods and systems used by governmental agencies to determine compliance with their own objectives and to ensure that government lives up to its responsibilities, qualifications and the selection process of a Grand Jury are set forth in California Penal Code Section 888 et seq.

The Grand Jury responds to citizen complaints and investigates alleged deficiencies or improprieties in government. In addition, it investigates the county’s finances, facilities and programs. The Grand Jury cannot investigate disputes between private citizens or matters under litigation. Jurors are sworn to secrecy, and all citizen complaints are treated in strict confidence.

The Mono County Grand Jury is a volunteer group of 11 citizens from all walks of life throughout the county. Grand jurors serve a year-long term beginning July 1, and the term limit is two consecutive years. Lawfully, the Grand Jury can act only as an entity. No individual grand juror, acting alone, has any power or authority. Meetings of the Grand Jury are not open to the public. By law, all matters discussed by the Grand Jury and votes taken are kept confidential until the end of term.

One of the major accomplishments of a Grand Jury is assembling and publishing its Final Report. This document is the product of concentrated group effort and contains recommendations for improving various aspects of governmental operations. When it is completed, the Final Report is submitted to the presiding judge of the Superior Court. After release by the court, it is directed first to county department heads for review, then to the communications media. The Final Report is a matter of public record, kept on file at the court clerk’s office. It is also available online at:

<http://www.mono.courts.ca.gov/>.

2019-2020 GRAND JURY MONO COUNTY JAIL FINAL REPORT

BACKGROUND

Penal Code Section 919(b) requires that the Grand Jury annually inquire into the condition and management of public prisons with the County.

METHODOLOGY

Due to the Covid-19 pandemic the Grand Jury was unable to visit the jail for an inspection or interview staff in person. The Grand Jury was able to question Mono County Jail staff remotely. The questions from the Grand Jury focused mainly on protocols for the mitigation of spread of the virus to personnel and inmates.

Contract to provide tele-psychiatric services to Mono County jail:

Mono County Board of Supervisors Meeting Minutes September 10, 2019

Link to original order to suspend standards for county jails:

<http://www.bscc.ca.gov/adult-facility-status-due-to-covid-19/>

link for real-time info on county jail status in California:

<https://app.smartsheet.com/b/publish?EQBCT=05cbaea0a5fd4e90baf0654ecdacfe1a>

DISCUSSION

The Mono County Jail, located in Bridgeport, CA is within the jurisdiction of the MCGJ. The current jail facility was built in 1964 with further construction done in 1988. The jail is a Type II Facility which constitutes a maximum of 48 beds with a current population of 23 at the time of the tour. Recent California State legislation has resulted in more offenders with longer terms being sent to county jail facilities rather than to state prisons. This has resulted in counties housing more inmates for longer periods time and all the additional costs associated with that legislation. As stated in The Marshall Project of April 23, 2019, "...changes were also supposed to help people convicted of nonviolent crimes, by letting them serve their sentences close to home in county jails with lots of education and training programs...County spending on medicine for inmates [statewide] has jumped (to almost \$64 million in 2017 from \$38 million in 2010), and the cost of psychotropic medication has recently spiked. " (1) Note: Juvenile offenders may not be housed within sight of an adult, therefore,

given the space restrictions at the current Mono County facility, they are sent to other counties within California where they can be appropriately accommodated.

The Mono County Jail has a Coronavirus testing protocol in place. Personnel are tested on a case by case basis. If an employee complains of any flu-like symptoms they are sent for a medical evaluation by their primary care physician and tested if they meet the screening requirements. If they are tested, they are kept from work until the test results are received. If the test is positive, they will be immediately isolated at home and Public Health will be contacted to arrange testing for all personnel and inmates. Inmates have not been tested as of this writing. The Jail staff explained that all the inmates have been in custody since before the shutdown and have not exhibited any symptoms. Jail staff do not currently have social distancing protocols in place also due to the isolation of the inmates. If a new prisoner were to be brought into the Jail, they would receive a medical clearance at Mammoth Hospital prior to booking and would be tested if they had any symptoms. They would then be held in isolation until results are received.

Jail personnel are required to wear PPE (personal protective equipment) which is provided by Mono County. Mono County Jail staff stated that everyone coming into or leaving the jail must follow their "Exposure Control Program" which outlines precautions to be taken by all personnel (The Grand Jury did not see a copy of this document).

All in-person visits with inmates, excepting attorney visits through glass barriers, are currently suspended at least through June 25th. Video visits via Zoom are provided on request according to Jail staff.

The medical needs of inmates have not been significantly disrupted by the Coronavirus pandemic according to staff. Officers and inmates are required to wear masks when entering a clinic or hospital. Toiyabe Health Center in Coleville is the primary health facility for inmates. Mammoth Hospital is being used for emergencies and specialty appointments. Mono County has entered into a contract with North American Mental Health Services for the provision of Tele-Psychiatry Services at Mono County Behavioral Health and in the Mono County Jail which should help to provide badly needed mental health services for inmates.

FINDINGS

F1: The Grand Jury finds that Mono County continues to maintain a well-run jail facility and has responded to the Coronavirus pandemic in an appropriate manner.

RECOMMENDATIONS

R1: The Grand Jury finds that the Mono County Jail continues to be a well-run facility. The Grand Jury has no recommendations at this time.