

FINAL REPORT

Del Norte County Grand Jury

2021-2022 Final Report



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2021-2022 GRAND JUDGES

YENG LO



Steve Yearout

Steve Yearout
Marty Tyler

MARTY TYLER

David O Cooper



Ryan Schillinger



Linda FIELD

Linda Field

DANIEL AMARANTE JR

Daniel Amaranite Jr

Daniel Amaranite III

Daniel Amaranite III

Blair Cochran

Blair Cochran

JACKI STRAUSS

Jackie Strauss

Marissa Borges

Marissa Borges

RONALD S. ALLEN

R. S. Allen

COUNTY OF DEL NORTE
GRAND JURY
450 H STREET
Crescent City, CA 95531

The Honorable Darren McElfresh

Judge of the Superior Court of Del Norte County

450 H Street

Crescent City, CA 95531

RE: Del Norte County 2021-2022 Grand Jury Report

Your Honor:

On behalf of the 2021-2022 Del Norte Grand Jury, I submit our final report to you, the citizens of Del Norte County, the Del Norte County Board of Supervisors, and the City Council of Crescent City.

The Grand Jury begins its service at the end of June and usually finishes at the end of the following June. This Year, our service had a rough beginning in finding jurors and starting our report due to the COVID-19 pandemic. For the first six months when we would normally have developed our committee groups, perform investigations and began writing our reports, we were isolating to slow the spread of the virus in our community. Through the pandemic our committees were affected by shortage in juror personnel and COVID-19 quarantine.

The Grand Jury functions as an oversight committee charged with investigating allegations of civil misconduct in four primary area of our government: The County, the City, Special Districts in the area, and our detention facilities. Due to COVID-19 and unforeseen circumstances, our Grand Jury committee were condensed to two committees:

The Committees consist of the following:

The County Committee: This committee is charged with overseeing all aspects of county government and investigates any citizen complaint filed. Due to the shortage of jurors, this committee was a collaborative effort of the entire committee.

The Detention Committee: The focus of this committee was on Pelican Bay State Prison.

I am proud to have service with my fellow Grand Jury Members. Thank you all for making this year successful. We could not have done this without the California Grand Juror's Association's training and the support of our families. I would like to thank each and every family member of our Grand Jurors; we could not have done our duties without your understanding and support. We could not have done this service without the help of the administration personal that processed all of our documents, our counselor Joel Campbell and for the wonderful Judge Darren McElfresh for appointing us to the Grand Jury and his assistance to ensure our needs were met.

I would like to again thank all of you who have made this years' service possible.

Sincerely,

Yeng Lo, Foreperson

2021-2022 Del Norte Grand Jury

2021/2022 Del Norte County Grand Jury PELICAN BAY STATE PRISON

SUMMARY

On May 25, 2022, six members of the 2021/2022 Del Norte Grand Jury made a scheduled visit to Pelican Bay State Prison, in accordance with the California Grand Jury mandate to conduct annual visits to all detention facilities within Del Norte County in accordance with California Penal Code §919(b).

BACKGROUND

Pelican Bay State Prison was constructed primarily as a maximum security facility which opened in December of 1989. The prison has a capacity of 3,000 inmates. It currently holds a total of 1,723 inmates. There are currently approximately 2000 employees of all types at the facility. The Level 1, minimum security, portion of the prison is currently closed. No death-row inmates are housed at this prison.

METHODOLOGY

Jury members met with the Public Information Officer. When finished with the meeting, the Grand Jury members were given an extensive tour of the prison by the Public Information Officer. At every area visited, the person in charge of that area was available to provide information and answer all questions.

DISCUSSION

The tour of Pelican Bay State Prison showed the facility to be a very well run institution. The care, housing, feeding of inmates is done in a professional and secure manner. The staff members are well trained and appear to do an excellent job maintaining security. The tour included not just the Secure Housing Unit (SHU) and Level 3-4 General Population units, but also included a detailed tour of Facility D, a facility where rehabilitation and programs are the focus and inmates are provided a greater degree of freedom as a privilege for a record of good conduct.

The members of the Grand Jury were introduced to several programs that are unique to Facility D. The Prison Paws Program has inmates conduct obedience and socialization training with shelter dogs in order to make them more adoptable. This program benefits both the dogs and the inmates by giving the inmates something constructive to devote effort to and pride in the result. The Grand Jury was also shown the art program seeking to beautify the housing unit environment, a music program that encourages artistic expression, and a gardening program that encourages inmates to raise fresh food for their own use.

The Grand Jury was also shown an array of homemade weapons that were seized from inmates in various housing units at the prison.

FINDINGS

F1. Pelican Bay is a well run institution that is committed to providing safe and secure housing and rehabilitative opportunities for the inmates and a safe working environment for the employees.

F2. Pelican Bay has a focus on rehabilitation for those inmates that are looking for a way to prepare themselves for when they are released.

F3. The Warden and senior staff are actively seeking creative and constructive ways of providing rehabilitative programs to those inmates that are seeking to prepare for re-entry into the community

F4. Various paid work assignments are available to inmates.

F5. The SHU is currently underutilized as the population of maximum security inmates has been reduced by a combination of inmate threat assessment and new California Department of Corrections and Rehabilitation (CDCR) regulations concerning the assignment of inmates to the SHU that are taking effect.

F6. The SHU uses a "Security Threat Group Step Down Program", where inmates may return to the General Population upon completion of all 5 designated steps. Phone Calls and extra vendor packages are allowed after completing certain steps. These inmates have access to physical activity, visiting, library and legal representation while confined to the SHU.

RECOMMENDATION

R1. That the warden and his senior staff continue to develop creative rehabilitative opportunities for the inmates.

R2. That the Public Information Officer find communication channels to let other CDCR units know of the successful innovations and programs to improve the overall utilization of the facility.

2021-2022 Del Norte County Grand Jury Report

Del Norte County Jail

Summary

The Del Norte County Grand Jury received an initial inspection report for the 2020-2022 biennial inspection cycle. This report was written on 12/8/2021 by the Board of State and Community Corrections for the Del Norte County Jail facility. The Del Norte County Grand Jury is required by the State of California to annually “inquire into the condition and management of the public prisons” within Del Norte County, as per California Penal Code 919 [b].

Background

The Del Norte County Jail is constructed of 2 wings. The first was built mainly of brick in the 1960’s with an expansion and remodel in 1993 - 1994, along with a control booth and second recreation facility added to the newly constructed portion.

It is the responsibility of the Del Norte Jail and its staff to ensure the safe and secure housing of the inmates housed at the Jail. The inmates include those awaiting trial, those serving their County sentences, and those awaiting transportation to State facilities.

Historically, inmates have been offered resources such as: Narcotics and Alcoholics Anonymous; medical services; recreational privileges, religious support, visits with attorneys/ family/ friends; work programs throughout the facility; and online coursework through College of the Redwoods. At this time, some resources are on hold due to COVID restrictions.

The Grand Jury received a copy of the Initial Inspection Report of the Board of State and Community Corrections (BSCC) 2020 – 2022 biennial inspection, which occurred 11/04/2021, detailing non-compliance in the following categories:

Title 15, Section 1025- Not having annual required training specified in Section 184 of Title 15, CCR.

Title 15, Section 1027.5- Safety Checks not being routinely documented and completed with the 60-minute time-lapse of this regulation throughout the facility.

Title 15, Section 1032- Not having documented monthly fire inspections conducted by staff from 02/2020 – 10/2021.

Title 15, Section 1280- Various areas needing maintenance and other noncompliance issues noted in the Del Norte County Environmental Health Inspection report.

Title 24, Section 1231.3.9- The mirrors in Modules A – E need to be replaced due to being in disrepair.

Methodology

Documents

During the course of its investigation, the Del Norte Grand Jury reviewed multiple documents. These include:

- The BSCC biennial inspection report, issued 12/08/2021.
- The Del Norte County Environmental Health Inspection report, date 09/29/2021.
- The corrective action plan issued by the Del Norte County Jail, written 11/29/2021.
- A list of applicable work order tickets initiated between 11/01/2021 – 05/16/2022 by the Jail to the Maintenance Department.

Site Tours

The Grand Jury conducted a visit to the Del Norte County Jail on 05/09/2022 to follow up on this information. Members met with responsible staff and toured the facility. The Grand Jury noted conditions listed in the previously mentioned reports, and compared them to the list of noncompliance issues to determine whether these items had been addressed.

Interviews

A list of questions was determined, and an interview completed with a representative of the Jail. The Grand Jury also spoke with multiple other members of the jail staff during the tour, detailing the Jail's operation as well as their responses to the specific findings listed in the reports.

Discussion

Jail Staff

The interview revealed a chronic short-staffing issue with the jail. With 1 Lieutenant, 4 sergeants, and 10 officers currently employed, staff is forced into 12 hour shifts. Fully staffed, the Jail should have 14 officers. A proper shift should include 6 officers plus 1 supervisor. At the time of our visit, 2 officers were out of town for training. Each officer is required to complete 24 hours of continuing professional training annually. We questioned the availability of a standard training procedures manual, and were informed no such manual is known to exist. Jail staff is required to complete a monthly fire prevention inspection, document the

findings, and retain these records for 2 years. These records were requested at the time of our visit, but have not been made available as of the writing of this report. Hourly safety checks are also required by staff, making direct visual observation of inmates, and documenting these checks. We were informed the Sheriff's Department is actively looking into a digital system for logging safety checks.

Jail Conditions

The control booth is located in the newer side of the jail. There are 2 large monitors, each containing multiple screens which are visible to inmates from certain positions. These screens show the cameras' views throughout the facility, but many screens said "no video." We were informed this message on screen meant a camera had lost signal, and the construction of the building prevented installation of wireless cameras.

During power outages, the Jail's power comes from a backup generator. This generator's performance has been an issue for staff. We were told the generator often fails to automatically activate in the event of a power outage, and must be manually started if it does not. Very few staff members have the ability to start the generator. Without power, the interior of the Jail has no lighting available, and no source of natural lighting. Some doors lock in the absence of power, and can only be unlocked manually. The keys are not readily available, and staff may have extreme difficulty accessing them in an emergency.

Overall maintenance of the Jail has been lacking. Many of the items detailed in the reports have required the attention of the Maintenance Department. Jail staff informed us that certain requests are handled quickly, but many go without resolution indefinitely. Out of a total of 15 required maintenance items, only 5 had been addressed satisfactorily. Help desk tickets appear to have been submitted by Jail staff in a timely fashion. For example, item 1.a in the Corrective Action Plan details broken windows. We were told there has been an open help desk ticket for this repair for over 3 years. During the tour, we noted multiple examples of damaged or missing floor tiles as well as cracked and broken windows. Peeling paint, missing ceiling tiles, and exposed sink pipes remain issues. High-traffic areas on the floor have been worn through and are no longer sealed from contaminants.

Findings

F1. The Del Norte County Jail's lack of competitive compensation and difficult working conditions limit the attraction of new staff members, as well as makes retention of qualified staff difficult. It was reported that many staff members gain experience at the Jail before seeking higher-paying positions, with similar duties, at the State Prison or other agencies.

F2. The Jail's flooring is susceptible to being chipped into small pieces, creating a safety issue for both staff and inmates. These pieces may be sharpened and used as weapons.

F3. Broken floor tiles are used to transport contraband from one cell or unit to another.

F4. The floor's level of wear prevents proper cleaning, as the porous layer is exposed. This creates a potential health hazard, harboring bacterial growth.

F5. Due to the size and position of the control room monitors, visibility of the screens by inmates is possible from multiple angles, creating a clear safety concern.

F6. The size and position of the screens obstructs proper viewing of the housing units by the control room operator.

F7. The video monitoring system at the Jail poses a security threat.

F8. The Jail's backup generator is unreliable.

F9. Broken windows remain unrepaired, creating a visibility and safety issue.

F10. Exposed sink pipes create a potential safety hazard.

F11. Peeling paint was noted throughout the facility.

F12. Missing and damaged ceiling tiles were observed.

F13. The retirement of the supervisor responsible for tracking continuing training, without a successor, has created a loss of corporate knowledge and effective tracking of the training.

F14. Maintenance tickets submitted by the Jail staff are not always addressed in a timely manner.

Recommendations

R1. Maintenance issues should be prioritized while ensuring completion of all repairs.

R2. Individuals should be designated responsible for maintaining and documenting key areas of the Jail's operations, such as training, maintenance, and safety checks.

R3. Control room monitors should be sized and positioned in a manner preventing inmates' viewing, while allowing the control room operator's full, unobstructed viewing of the housing units.

R4. Offer a competitive compensation package for Jail staff.

R5. Hire additional correctional officers.

R6. The backup generator should be fully serviced and diagnosed, and replaced if deemed unreliable.

R7. All jail staff should be trained on how to start the backup generator if it does not automatically start.

R8. The defective flooring should be removed, and the facility assessed for installation of a proper replacement.

Invited Responses

- The Del Norte County Sheriff is invited to provide plan to improve documentation of training.
- The Sheriff is also invited to provide plan to improve documentation of maintenance tracking.