

# **SAN LUIS OBISPO COUNTY JUVENILE HALL, JAIL AND ALLIED AGENCIES INSPECTION REPORT**

## **INTRODUCTION**

The 2014-2015 San Luis Obispo County Grand Jury (Grand Jury) conducted an inquiry into the conditions and management of the County Jail (Jail), Honor Farms, Crime Lab and Property Storage, Coroner's Office, Juvenile Hall, and the county's and cities' temporary holding cells.

As background the 2013-2014 San Luis Obispo County Grand Jury's report titled "County Jail, Juvenile Hall and Holding Cells: Inspection and Information Report"<sup>1</sup> provided a description of the primary causes of jail overcrowding and actions being pursued to provide relief. It also provided detailed descriptions of the Jail, Honor Farms and Juvenile Hall operations, staffing, procedures including intake process, inmate classification, inmate access to programs and other services at these facilities.

By intent this report by the Grand Jury does not repeat information found in prior reports, but rather reflects its investigation into the current status of conditions at each facility and its inquiry into additional potential impacts on overcrowding. It also describes the results of this Grand Jury's inquiry into the operation of allied facilities of the Sheriff's Department of which the Grand Jury has a finding and a recommendation.

## **AUTHORITY**

*California Penal Code section 919(b)* mandates "The grand jury shall inquire into the conditions and management of the public prisons within the county."

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<sup>1</sup> The reader is encouraged to read this and other grand jury reports available on the internet at: [www.slocourts.net/grand\\_jury/Reports](http://www.slocourts.net/grand_jury/Reports).

## METHOD

The Grand Jury conducted a series of visits to each of these facilities in September and October 2014. This report is based on jurors' observations, interviews and discussions with correctional deputies and other personnel at Juvenile Hall and the Sheriff's Department.

## NARRATIVE

The Grand Jury found all places of incarceration to be well managed providing for both the health and safety of inmates and the safety of all personnel. The Grand Jury also found the allied services of the Crime Lab and Property Room, Coroner's Office and all holding cells to be well managed and effective.

### JAIL AND HONOR FARM

With respect to the Jail and Honor Farm the Grand Jury found only three areas needing comments:

#### *First, AB 109<sup>2</sup> – Current Impact on Living Space*

Growth<sup>3</sup> in Jail population due to *AB 109* continues. This results in both an increase in custody staffing funded through this bill and considerable re-organization of existing space to create more bed capacity. More bed capacity was created by:

- Relocating the Women's Honor Farm to a separate and larger facility
- Modifying housing criteria at the Men's and Women's Honor Farms to allow more inmates

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<sup>2</sup> *Assembly Bill 109*, widely known as "public safety realignment" effective October 1, 2011, resulted from a ruling by the United States Supreme Court requiring California to reduce overcrowding in the state prison system. In response, the state legislature requires that individuals sentenced to non-serious, non-violent or non-felony sex offenses will serve their sentences in county jails instead of state prison.

<sup>3</sup> The Jail population has increased 57% between 2010 and 2014. It is estimated that 30%-35% of the Jail population at any given time are *AB 109* offenders.

- Adding extra beds to every housing area
- Expanding capacity using alternative custody methods such as home detention with ankle bracelets
- Accelerating releases of inmates as authorized by state law

These steps have allowed the Sheriff's Department Custody Division to manage the growing inmate population while they eagerly await the completion of the Women's Jail that will provide expanded bed and inmate programs space.

Based on its inquiry, the Grand Jury observed the environment of the Jail has changed. As more inmates serve their sentences locally in lieu of state prison, there is limited physical space and an increase in assaults, violence and gang politics. With present staffing and insufficient classroom space, the Jail is not able to support more education and rehabilitation programs at this time. In an attempt to reduce recidivism, the Sheriff's Department is focusing on efforts to provide classes that meet inmate population needs for reintroduction into society.

### ***Second, Proposition 47<sup>4</sup> – Current Impact on Jail Population***

The potential impact of *Proposition 47* on the Jail and the communities within the county has not been fully determined. As recently as April 2015 the Sheriff's Department told the Grand Jury they will not have an accurate accounting for the impact of this proposition for at least one to two years. The Sheriff's Department observed it took over three years to fully realize the impact of *AB 109* on the management of the jail.

### ***Third, Changes in Jail Inmate Composition and the Impact on Contraband Control***

In response to questions about contraband the Sheriff's Department told the Grand Jury that much of it is the same and has not changed drastically since the implementation of *AB 109*. What has changed is the expertise with which contraband is smuggled into the facility and the success rate has gone up due to the sophistication of the inmates. Many of the *AB 109* inmates

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<sup>4</sup> Voter initiative *Proposition 47*, effective November 5, 2014, redefined some non-violent offenses such as drug and property offenses from felonies to misdemeanors. This measure is also referred to as the *Safe Neighborhoods and Schools Act*.

have done previous time in the state prison system and are much more educated in these tactics compared to non -*AB 109* Jail inmates. Inmates with previous state time are now educating other inmates. Another factor impacting the contraband coming into the facility since *AB 109* is the length of incarceration. Previous to *AB 109* the longest sentence was one year. With inmates serving much longer sentences they have an increased incentive to smuggle narcotics or other contraband into the Jail.

The Grand Jury was especially interested in the Jail's control of smuggled cell phones. Ironically the Jail has little problem with cell phones as contraband. Concern mainly focuses around the Honor Farm where cell phones can more easily be dropped off and accessed by the inmates while they are outside working. Even there the cell phone smuggling is not a major problem.

Deputies perform several steps to identify and confiscate contraband in an attempt to prevent its entry into the Jail. Two changes since last year are:

- The recently purchased electronic body scanner is used in screening inmates who are going to be housed at the Jail.
- The recently acquired Custody Canine Team assists in random drug searches both inside and outside the Jail facility. The canine is trained and certified in the detection of cocaine, methamphetamine, heroin, opium and marijuana odors.

## **JUVENILE HALL**

The Probation Department is overseeing the expansion and modernization of Juvenile Hall as a three-phase improvement program. The last phase began in November 2014 to include a new wing to house 20 additional youths, classrooms, full gym/multi-purpose room, lockers and offices for staff and is scheduled for completion in 2015.

The Grand Jury inspected Juvenile Hall and found it to be operated and staffed by highly qualified professionals at all levels. The cells, bathrooms, showers, classroom areas and the exercise yard were all clean and well maintained. Programs to reduce recidivism are provided and well-received. Effectiveness of some programs is affected by short duration sentences with youth being released before the completion of the program.

There are grievances, frivolous or bona fide, filed by youths. All are addressed promptly. Of 72 grievances filed since last year's Grand Jury visit, only 7 were found valid and resolved.

## **CORONER'S OFFICE**

The Coroner's Office is located near the San Luis Obispo airport. The Coroner's office investigates most deaths in the county and jurors were informed that it is adequately staffed with trained coroner detective investigators. It is clean, has ample space to accomplish its functions and has excellent security entering the office and its laboratories.

## **CRIME LAB**

The Crime Lab is located on Kansas Avenue, adjacent to the Jail, and has undergone physical changes since last visited in 2013 by the previous Grand Jury. As a result of a 2013-2014 Grand Jury recommendation, an additional 300 square feet was made available by moving the property/evidence room to another location. Work space is now considered adequate for the normal day-to-day operation of each lab and a vehicle garage lab adjacent to the property room is available for processing large items and large quantities of items.

### ***Staffing***

The four labs (chemical and toxicology, alcohol and drug level testing, fingerprint and fiber analysis, and blood spatter tracing analysis and imaging) are supervised by two highly trained forensic specialists. One goes to each crime scene; if both are available both go. Each specialist is on-call 24 hours a day, every other week.

Lab personnel estimate it can take up to five years to fully train a new forensic specialist. Current forensic specialists describe the work activities as subjecting this position to “extremely ugly and dangerous situations” which takes it beyond the scope of an intern trainee. The retirement, transfer or incapacitation, of either of the two forensic specialists would critically impact crime investigation in San Luis Obispo County. The need for an additional forensic specialist is acknowledged by lab personnel, but no replacement plan exists.

### ***Evidence Handling***

The Grand Jury ascertained that procedures are in place and followed for evidence handling. Evidence is collected, bagged, sealed and tagged at the crime scene. Each time evidence bags are transferred the chain of custody is maintained. Access to bagged evidence requires a new opening and closing seal with appropriate notation on the tag.

## **PROPERTY ROOM**

The new Property Room opened for operation in 2014 and is located on Kansas Avenue near the Crime Lab. The 2300 square-foot building allows considerable room for expansion. It incorporates the latest technology in evidence and property storage. There is a steel-titanium security cage, a vault and refrigerator for drug storage, two walk-in freezers and three workstations. It appears to be a model of property and accurate record control. It provides ample room for future evidence storage.

## **HOLDING CELLS**

The county had seven cities with holding cells. In the last 18 months the holding cells in Atascadero, Arroyo Grande and Morro Bay closed due to underuse. According to several city police departments since the passage of *Proposition 47* the need for holding cells has continued

to decrease. Persons who are arrested are either cited and released or taken directly to Jail. The remaining cells operated by Grover Beach, Pismo Beach, Paso Robles, San Luis Obispo police departments, and in the county courthouse (operated by the Sheriff's Department) are well maintained and in current use.

## **CONCLUSIONS**

The uncertainty generated by shifting numbers and types of the Jail population and increasing criminal sophistication of inmates resulting from *AB 109* and *Proposition 47* have made the sheriff's planning and management of custodial facilities in San Luis Obispo County much more difficult. Current overcrowding, largely a result of *AB 109*, has dramatically reduced the opportunity for meaningful rehabilitation programming and adequate physical exercise for Jail inmates.

Crime Lab forensic specialists are on-call 24 hours a day, 7 days a week and go to each crime scene to collect, bag and tag evidence. There is a need for an additional forensic specialist. Since the training can take up to five years, action is needed now.

## **FINDINGS**

F1: Current staffing of forensic specialists in the Crime Lab is limited to two well trained and experienced professionals.

F2: Forensic specialists are required to have extensive hands-on training which could take up to five years.

F3: There is currently no plan to obtain an additional specialist or provide back-up.

## RECOMMENDATIONS

R1: The Sheriff's Department should hire a third full-time forensic specialist in the Crime Lab to provide additional support and long-term capability for personnel replacement.

## COMMENDATIONS

The Grand Jury would like to acknowledge and congratulate members of the Sheriff's Department and Juvenile Hall for their continued excellent work. The Grand Jury would further like to thank the staff for their assistance, patience and courtesy during the inspection process.

## REQUIRED RESPONSES

The San Luis Obispo County Sheriff s Department shall respond to Findings 1, 2 and 3 and Recommendation 1.

The responses shall be submitted to the presiding judge of the San Luis Obispo County Superior Court. Please provide a paper copy and an electronic version of all responses to the Grand Jury.

Presiding Judge	Grand Jury
Presiding Judge Dodie Harman Superior Court of California 1035 Palm Street, Room 355 San Luis Obispo, CA 93408-1000	San Luis Obispo County Grand Jury P.O. Box 4910 San Luis Obispo, CA 93403-4910 GrandJury@co.slo.ca.us