

THE STATE OF ORANGE COUNTY JAILS AND PROGRAMS

SUMMARY

Sections 919(a) and 919(b) of the California Penal Code state that the “Grand Jury shall inquire into the conditions and management of ...” jails in Orange County. The Grand Jury reviews whether the inmates are housed safely, including segregation at adult facilities by reason of sexual predator tendencies, witness protection, violent behavior, and gang affiliation. The inspections, along with written reports, follow guidelines provided by the Correctional Standards Authority (CSA), a state regulatory agency that establishes and promulgates standards for the construction, operation, and administration of local detention facilities.

In Orange County, jail facilities fall within three jurisdictions: the Orange County Sheriff’s Department (OCSD), local police departments in 21 of the county’s 34 cities, and the Orange County Probation Department. Accordingly, the Grand Jury reviewed the five OCSD-operated jails and all the detention facilities within Orange County.

REASON FOR THE INVESTIGATION

Each year, the Grand Jury examines the state of facilities where adults and juveniles are incarcerated. The purpose of this study is to report what the impaneled Grand Jury found as it carried out the mandates of the California Penal Code.

METHOD OF THE INVESTIGATION

The Grand Jury developed and asked a standard list of questions to assess each facility it visited. The Grand Jury was concerned with facility capacity, current population, numbers of staff and their training, booking process, inmate privileges, general cleanliness, and visitation procedure among other issues. The Grand Jury further reviewed jails for:

- overcrowded conditions based on the OCSD and California and federal standards for inmate housing;
- the status of county efforts to increase inmate housing and work release programs; and
- procedures citizens use to report complaints to OCSD.

BACKGROUND AND FACTS

Operations Review

There are basically five types of detention facilities (adult and juvenile) found in Orange County (OC) where inmates may be detained.

- JAIL is defined as a locked adult detention facility which holds both non-sentenced and convicted adult criminal offenders.
- LOCKUP is any locked room or secure enclosure under the control of the sheriff or police chief or other peace officer, which is primarily for the temporary confinement of adults upon arrest. Inmate workers may also be held in a jail confinement.
- COURT HOLDING FACILITY is a secure detention facility located within a court building used for the confinement of persons solely for the purpose of a court appearance for a period not exceeding 12 hours.

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- JUVENILE HALL is a locked juvenile detention facility which holds both non-sentenced and adjudicated (convicted) juvenile offenders.
- JUVENILE CAMP is a minimum to maximum security facility operated by the county that houses juvenile offenders. There are four of these facilities in OC.

The adult facilities operated by the Orange County Sheriff's Department include the:

- Central Men's Jail (Santa Ana);
- Central Women's Jail (Santa Ana);
- Intake and Release Center (Santa Ana);
- James A. Musick Correctional Facility (Irvine); and
- Theo Lacy Jail (Orange).

The Grand Jury is not the only agency or body that examines these facilities. They are routinely inspected by representatives of the State Board of Corrections, the Fire Marshal, state and local health inspectors, and representatives of various other oversight agencies for specific issues.

OCSD Adult Jail Facilities

Central Jail Complex (CJX)

The Men's and Women's jails opened in 1968 while the Intake & Release Center (IRC) opened in 1988. OCSD states that the capacity of CJX is 2,659 inmates and includes maximum security capability. CJX is allotted 354 sworn personnel, and non-sworn professional staff members, such as records personnel and technicians for a total of 622.

IRC is the entry point for all of the approximately 66,000 new arrestees brought into the county jail system each year and serves as a focal point for transportation of CJX inmates to court and in-custody transfers to other law enforcement and correctional agencies. Also, inmates are screened for medical and mental health needs upon entry, booked, and then classified to determine appropriate housing. The booking process serves to correctly identify inmates through photographs and fingerprints.

The Women's Jail has a capacity of 356 inmates, with overflows released early or transferred to the James A. Musick facility or IRC. The span of time women inmates are held ranges from three months to several years, with drug-related offenses the most common crime committed by the female inmates. As many as 6,000 women have reportedly passed through this facility in a recent three-month period.

James A. Musick Correctional Facility (JMF)

This facility first opened in 1964 in the wide open spaces of east OC. It is named after former OC Sheriff James A. Musick. In the early years, the facility held a maximum of 200 adult male inmates. The facility is located within a 100 acre section of unincorporated county land on the easterly outskirts of the City of Irvine and Lake Forest near the proposed Great Park and former El Toro Marine Corps Air Station. It is the county's minimum-security jail and is referred to as "The Honor Farm" or just "The Farm," because it supplies fruits and vegetables, about 8,000 eggs per day to all jail kitchens in OC, and boards horses for the mounted OCSD enforcement unit.

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The expansion of the JMF is presently under review by county departments and the communities of Irvine and Lake Forest. All lawsuits filed by OC cities against the expansion of the JMF are now resolved. Consequently, OCSD expects to have the master plan for the expansion selected by June, 2007, and to start construction within the next two to three years. The proposed initial expansion will replace the current tents and add approximately 1,000 inmate beds. The total expansion build-out is eventually expected to be about 7,500 inmate beds.

The JMF's rated inmate bed capacity according to the OCSD is 1,086 men and 170 women. The inmates' charges and criminal history classify them as low security risks. The jail staff includes 160 sworn sheriff's staff. Men and women are housed at JMF for an average length of stay of 60 days. Their crimes include driving under the influence (DUI), possession of drugs, burglary, failure to pay child support and prostitution. Ninety percent of the inmates admit to using some kind of drug or abusing alcohol. They are housed in barracks or dormitories and are encouraged to participate in various therapeutic programs.

The JMF was not intended to house inmates who have committed crimes of violence, sex crimes, and mayhem. Consequently, all inmates housed at the JMF are of the minimum-security status despite a growing inmate population in OC that tends to be more violent.

At the JMF, emphasis is placed on rehabilitation through vocational programs, educational, and work programs. Some of the work programs involve off-site projects for various public agencies such as the county Fire Authority, OC Emergency Management, Public Works, and Solid Waste Management. In addition to these cost recovery programs, JMF inmate workers staff the kitchens at the CXJ complex. If inmates refuse to work while at the JMF, they lose privileges.

There are over 800 work positions filled by male inmates assigned to the JMF who perform over 24,500 hours of labor per week (or 1.25 million work hours per year). This results in expenditure savings equal to 613 full-time positions (data as of December 1, 2006).

Theo Lacy Jail

This facility is named in honor of former OC Sheriff Theo Lacy. It is operated on eleven acres in the City of Orange across the street from what is today the "BLOCK," a major shopping center. The facility was opened in 1960 with a rated capacity of 1,888 adult inmates. There are over 300 sworn deputies and 110 civilian personnel at the jail. In 2005, three new housing modules were added to increase the capacity to 3,111 adult males and up to 56 juvenile males for the probation department. Within the last year all of the new housing modules were being used.

Approximately 80% of the adult population at Lacy is kept under maximum security, while 20% are considered medium and minimum-security inmates, some of whom are allowed to do community work outside the jail during the day. The facility performs a wide range of functions including providing over 42,000 meals a week from its kitchen. Medical, dental and mental health facilities are provided as well. The jail contains its own booking and intake/release area, classification and records sections, and inmate law library. In addition to

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these services, the jail hosts programs for anger management, substance abuse and career planning.

Court House Holding Facilities, Central Court Operations

The OCSD Central Court Operations inmate holding facility is located mainly in the subterranean level of the main Court House in Santa Ana. It was built in 1968 to facilitate a capacity of 50-100 detainees per day with a security force of 15 to 20 sworn deputies. The daily operations extended to all levels of the court house, judicial chambers, and public courtrooms.

Today, approximately 600 inmates are transported daily from the county's five justice centers by secure bus or van to the court house for judicial appointments. The inmates are brought into a "holding" facility, segregated by race, gang affiliation, criminal level of intensity, and other characteristics to prevent trouble.

Through a labyrinth of sub-basements, tunnel, secured elevators, and holding cells, the inmates eventually make their way, one-by-one, to their appointed place and time for justice review. Deputies assigned to court operations are in charge of getting each inmate to the correct courtroom in a safe and timely manner. The deputies start at 6:00 a.m. and sometimes continue to remain on guard until 8:00 p.m.

As part of the Grand Jury's duties the Grand Jury toured the Central Justice Center's holding facilities and was informed that a comprehensive security assessment has been commissioned, under contract to the Superior Court, to evaluate court security conditions and make recommendations for improvements. Any further comments are beyond the scope of this report.

INMATE SERVICES DIVISION (ISD)

The ISD resulted from consolidation of Commissary Operations, Food Services, and Correctional Programs in 2004. ISD provides products and services to county jail inmates while providing a source of income to the Inmate Welfare Fund (IWF). IWF was established to meet the California requirement which states "... funds shall be expended by the Sheriff primarily for the benefit, education and welfare of the inmates..."

The IWF monies are non-taxpayer funds. Profits from inmate purchases generated \$1.5 million in Fiscal Year 2005-2006 (FY05-06) for the IWF. A 53,000 square foot warehouse was purchased with IWF monies for \$2.2 million in 1996-1997. Over 95% of IWF revenue comes from inmate use of telephones, reimbursement for educational services, commissary profits, and rental of excess warehouse space to the OCSD. The IWF monies are only spent on Correction Programs and Inmate Re-entry Services.

Commissary Operations

An inmate can purchase commissary items such as snack foods, stationery supplies, personal care, and gift certificates. The purchase amount is deducted from that inmate's account provided from personal resources. An inmate's account is limited to \$500 maximum and no county funds are placed into these accounts however, the inmates' commissary account is limited.

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Food Services

The mission of Food Services is to provide three nutritionally balanced meals daily to each inmate and to ensure that all meals meet or exceed the requirements set forth by the California Board of Corrections, the National Academy of Sciences and the California Food Guide. Food Services must also prepare the special dietary meals for inmates ordered by Correctional Medical Services which is staffed by the Health Care Agency. Sack lunches are also prepared for all court bound inmates and inmates on work crews. Approximately 20,000 meals are prepared each day, utilizing five kitchen facilities, five inmate and three staff dining areas, and warehouses located in Anaheim, the Central Jail, Theo Lacy, and JMF.

Correctional Programs

Correctional programs provide county inmates the opportunity for an effective rehabilitative experience, utilizing state and federal guidelines. The OC model of providing rehabilitative services consists of:

- initial inmate needs assessment;
- in-custody programming;
- pre-release planning sessions; and
- post release resource services.

While in custody, inmates have access to a multitude of services and material provided by IWF monies, including:

- academic, substance abuse, domestic violence/anger management, job development, positive parenting, health, vocational, and literacy programs;
- the inmate law library;
- recreation activities used to teach concepts of rules, teamwork, sportsmanship, positive use of leisure time, and the importance of fitness; and
- pre-release readiness programs.

Inmate Re-Entry Services

An important part of the Correction Programs is Inmate Re-entry Services (IRS). Its mission is to seamlessly transition OC inmates upon release from custody into community based programs designed to enhance their successful reintegration into the community. Studies show that about 75% of inmates released from jails re-offend within three years of release. However, those inmates in jail programs who continue with community programs immediately after release are 25% less likely to re-offend in the same period.

The Great Escape Program is an integral part of assisting an inmate's transition into society. The program:

- conducts group sessions to assist inmates with resources;
- assesses the inmates' potential needs (i.e. housing, employment, transportation, education, etc.);
- encourages inmates to continue substance abuse treatment after release; and
- arranges inpatient and outpatient, mental and health care, treatment on request.

The program has a limited staff of three people.

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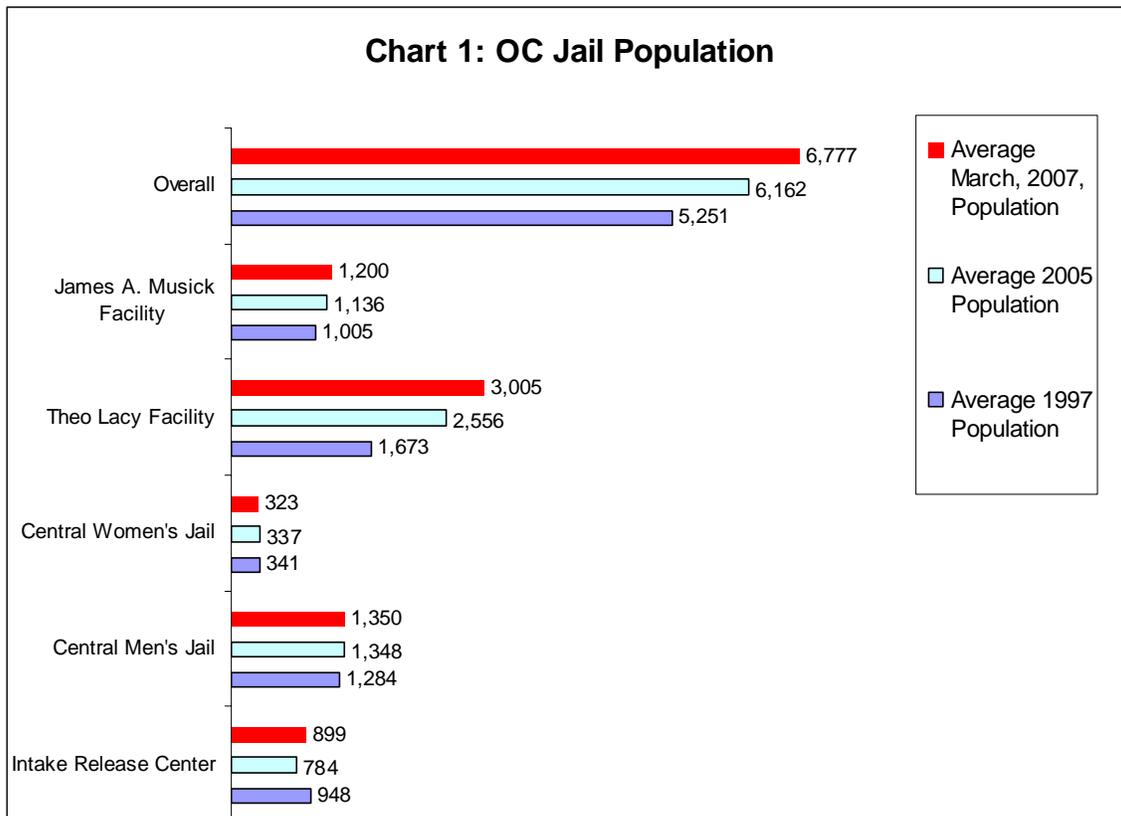
In January of 2007, ISD began operation of the Great Escape Resource Center in Santa Ana, California. This center is available to all formerly incarcerated OC individuals on a walk-in, call-in, or appointment basis. At the center, clients can get individualized referrals, counseling and placement into a variety of county facilities.

The IRS team has established a Consumer Advisory Group, comprised of formerly incarcerated individuals who have gone through the local jail and/or state prison system. The group's purpose is to identify resources that are most needed for inmates immediately upon release. All of the consumers invited to participate in the group have successfully completed their probation and/or parole and have been clean and sober for at least two years.

OCSD FACILITIES OBSERVATIONS AND DISCUSSION

Overcrowded Jails

The following chart will help illustrate the extent of overcrowding for each county jail facility and for the county overall. The chart shows the number of inmates for the three years: 2007, 2005 and 1997.



The chart shows that the inmate population in OC continues to grow. In 2006, the final phase of Theo Lacy Building B opened accommodating about 576 inmates. However, as shown in the 2007 statistics, rather than reducing the number of inmates in the Central Jail and JMF, the inmate population in all OC jails actually increased.

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Early Release of Inmates

The California Penal Code authorizes the OCSD to release inmates early, primarily to relieve OC jail overcrowding. In 2004, the OCSD released 252 inmates early, 2,057 in 2005, 66 in the last six months of 2006, and 691 from January through March, 2007. In 2006, the released number was smaller because Building B in Theo Lacy was put into service, allowing for an increase of over 576 inmates in the OC jails. Also, in the past year, no inmates charged with kidnapping or involuntary manslaughter have been released early and only 10 inmates charged with transportation/sales of narcotics have been released early.

Many times inmates are released early because their jail space is needed by prisoners awaiting transport to overcrowded California prisons. There were 382 inmates in December, 2005, and 458 inmates in March, 2007, awaiting transport to state prisons. OC receives \$77 per day from the state to house state prisoners; however, it costs OC about \$100 per day to house a prisoner. State prisons are full, and will not take prisoners from county jails until they have enough beds to do so. In addition, state prisoners who are witnesses in OC trials are transferred to, and temporarily held in, OC jails.

Jail Overtime

The OCSD reports that in 2006, \$15.8 million was spent on overtime for OC jail deputies, an increase of about \$5.5 million over 2005. This increase is primarily due to the opening of the Theo Lacy Building B which is staffed entirely by employees working scheduled overtime. The advantage of using overtime is that no additional pension or health care benefits must be paid. However, this savings is offset by the additional cost of overtime pay, and the stress that overtime work could, in the long run, result in an increase in sick leave and poorer job performance. In 2006, the overtime costs represented about 11% of the OC jail budget. Based on the OCSD deputy salary and benefit averages, the \$5.5 million in overtime costs for staffing Theo Lacy Building B could be used to employ about 30 to 40 equivalent full-time deputies, if these deputies could be hired and trained.

In 2006, 4,414 people applied to the OCSD for a deputy sheriff position, 1,146 passed the written exam, and 118 completed the background process and were hired. Of these 118, 19 were lateral transfers from another law enforcement agency and the rest were sent to the OCSD Academy. Of the 99 sent to the OCSD Academy, 49 graduated. Consequently, there were 68 OCSD deputies hired in 2006 and 32 of these new deputies were assigned to the jail. In 2006, 142 jail deputies were either transferred, promoted, and/or separated from OCSD.

Operational Statistics

The OCSD operates the eighth largest jail nationally and the second largest jail in California. The FY06-07 operating budget for the OC Jail Complex is more than \$145 million which averages to a yearly cost of \$22,000 per inmate or a daily cost of \$60. However, this amount does not include costs for food, facility maintenance, inmate transportation, health care, dental care, mental health care, utilities, inmate programs, inmate security in the courts, facility depreciation, or other OCSD support such as payroll, purchasing, staff training, etc. OCSD estimates that the actual inmate daily cost is about \$100.

Since July of 2006, there have been three suicides in OC jails and about one in-custody death per month. In October of 2006, there was one homicide, the first since 1994.

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The OC jails experienced 19 inmate-on-staff assaults in 2006 or an average of 1.4 per 100 inmates. The national average is about 2.7 per 100, according to the 2000 Corrections Yearbook-Jails, Criminal Justice Institute.

The OC jails experienced 92 inmate-on-inmate assaults in 2006 or an average of 1.4 per 100 inmates. The national average is 10 per 100 inmates, according to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, Census of Jails 1999.

The OC jails operate with a low inmate-to-sworn-staff ratio when compared to other systems throughout the nation. The OC average for inmate to total sworn-staff ratio is 8.8 to 1. The national average is 4.3 to 1 according to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, Census of Jails 1999. The inmate to on-duty staff OC average is 32 to 1. The national average is approximately 14 to 1 according to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, Census of Jails 1999.

Impact of Governor's State Prison Reform Plan on Orange County

The Governor's State Prison Reform Plan requires counties to retain prisoners who are sentenced to three years or less. Currently, the counties retain only those inmates sentenced to one year or less. At the present time, there are about 3,500 inmates from OC in state prisons who were sentenced to three years or less. The following is a list of the most significant impacts anticipated to occur if OC were required to accommodate those 3,500 inmates:

- The jail system is currently at maximum capacity. There are approximately 3,200 sentenced inmates who would have to be released to make room for the state inmates, and approximately 72% of these sentenced inmates are felons.
- This will result in a reduction of the lower security inmates who provide a labor pool for work crews such as jail maintenance, laundry services, warehouse and kitchen staff, and outside agencies. Presently, there are 100 staff and 450 inmate workers operating the 6 jail kitchens.
- The OC jail areas are not built to house long term higher level inmates who represent an increased danger to the jail staff and to each other, thus requiring additional staffing.
- All OC jail facilities, including the JMF, will have to be reclassified for higher security level inmates.

Narcotic Detection Canine Program in the OC Jail Complex

In 2006, Sergeant Tim Moy submitted a proposal to the OCSO Command Staff for a Correctional Narcotics Canine Program (CNCP). For his efforts in researching, documenting, costing and implementing the CNCP, he received the Medal of Merit. The CNCP began in October of 2006, and presently has two dogs in the program. A third dog and handler will be added in the near future. Their primary function is to patrol the OC jail system including the lobbies, jail cells, booking area, and visitor parking areas. Focus is also given to the mail room where contraband might easily be forwarded to the incarcerated. The dogs are also being Federal Emergency Management Agency (FEMA) trained to find bodies in times of disaster.

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Narcotics found in the OC jails ranged from minute residue to more substantial quantities. The canines detected pipes, pills, needles, letters soaked in methamphetamine (meth), and meth behind affixed postage. Additionally, guns, knives, and other contraband have been discovered when drugs were detected on a person or in a vehicle.

A breakdown of the CNCP activities, with the number and types of drug discovered, is:

- October, 2006:
 - Total Searches = 7
 - Results = 1 marijuana
- November, 2006:
 - Total Searches = 133
 - Results = 9 marijuana, 5 heroin, 1 meth, 1 unknown substance, 1 cocaine
- December, 2006:
 - Total Searches = 57
 - Results = 6 marijuana, 2 meth, 1 crystal meth, 1 heroin
- January, 2007:
 - Total Searches = 73
 - Results = 4 marijuana, 2 meth, 1 heroin, 1 oxycontin
- February, 2007:
 - Total Searches = 152
 - Results = 9 marijuana, 6 meth, 4 heroin

Mentally Ill Offender Crime Reduction (MIOCR) Grant and Program

In January, 2007, OC was awarded a \$1.5 million MIOCR grant, matching the maximum amount awarded to any county in California. The purpose of the MIOCR grant is to introduce strategies and projects that are designed to reduce recidivism among the adult mentally ill population. The MIOCR project is designed after the mental health court model, enabling the county to treat mentally ill offenders charged with minor offenses in an environment more conducive to rehabilitation than a jail.

Approximately 900 inmates in OC jails suffer from some form of mental illness. Of the 67,000 people booked in 2005, nearly 9,000 had mental health issues that required attention by the jail's mental health team. Mentally ill misdemeanants represent a target population that was not previously served in OC.

The MIOCR program starts in the OC jails when a social worker, in concert with jail personnel, identifies inmates who may qualify for the program. Inmates must have a primary diagnosis of a mental illness that most likely contributed to the individual's involvement in the criminal justice system. Approved participants must plead guilty to their charges and are placed on supervised probation. The participants then enter an intense mental health treatment program for a minimum of one year. The program will accommodate 50 participants at a time.

Emergency Management Tool (EMT)

The OCSD, in 2006, designed and implemented a software system to assist in handling OC jail emergencies, such as earthquakes, fire, flooding, gas leaks, or power outages. This EMT

system enables the OC jail watch commanders to quickly assess where water, electrical power and gas shutoff systems are located in the OC jail. Furthermore, EMT shows evacuation routes and sites to be used if the OC jails are not inhabitable. EMT is an excellent example of the OCSD's preparedness for handling emergency situations and state-of-the-art use of computer systems.

City Jail Inspections

The Grand Jury inspected all 21 OC city jails. At all the city jail facilities, the Grand Jury was treated with respect and courtesy by facility personnel. Every request to see rooms and to obtain information was promptly honored by the jail staff. The Grand Jury gives every city jail facility high marks for cleanliness, safety and efficiency.

Probation Department Juvenile Operations

The juvenile correctional/detention facilities operated by the Probation Department include:

- Juvenile Hall (Orange);
- Theo Lacy Juvenile Annex (Orange);
- Joplin Youth Center (Santa Ana Mountains);
- Los Piños Conservation Camp (Cleveland National Forest);
- Youth Guidance Center (Santa Ana); and
- Youth Leadership Academy (Orange).

Individual juveniles housed in juvenile facilities are likely to have experienced one or more of the following difficulties: family problems, abuse of illegal substances, truancy, criminal street gang affiliation, and mental health issues. Many have committed one or more felonies.

High-risk juveniles are held at Juvenile Hall and the Theo Lacy Juvenile Annex. When the court process is completed for low-risk minors, they may be transferred to a minimum security facility – Joplin, Los Piños, the Youth Guidance Center, or the Youth Leadership Academy. Schooling at all the juvenile facilities is provided by the OC Department of Education Access Program.

Juvenile Hall

Juvenile Hall is a 434-bed institution for juvenile law violators operated by the Probation Department across from the "BLOCK" of Orange in Orange, California. It houses both boys and girls, generally between the ages 12 and 18 years, who are detained pending Juvenile Court hearings in the adjacent Betty Lou Lamoreaux Juvenile Justice Center, or who remain in custody by order of the court.

Boys and girls are assigned to living units which are designed to house 20 to 30 minors each. The living units have sleeping rooms, restrooms, showers, and a day room for a multitude of structured and leisure activities. Teenagers are generally housed by age group and gender. Sex offenders are housed in separate units. Juvenile Hall's Intake and Release Center houses those juveniles newly arrested by police officers and awaiting their first court appearance. Each living unit is supervised during each shift by deputy probation counselors who provide individual and group counseling as well as maintain order.

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Nurses and dentists from the OC Health Care Agency provide medical and dental care on-site. Psychiatrists and psychologists from the Health Care Agency evaluate and assist minors exhibiting emotional or mental problems. Juveniles participate daily in outdoor sports and other recreation. Religious services and Bible studies are available to youths upon their request. Each living unit has a small library as well as telephones to make collect calls. Visitations are scheduled weekly.

Theo Lacy Juvenile Annex

The Theo Lacy Juvenile Annex is the only juvenile facility located in a county jail. The Annex contains 64 beds; however, due to California standards for juveniles, the Probation Department can only house a maximum of 56 juveniles. Residents are housed in a separate module from adult inmates, and complete sight and sound separation is maintained between adult and juvenile inmates. The Probation Department provides staffing and the appropriate programs and services to the juveniles. The programs include drug and alcohol abuse education, life skills, anger management, communication, relationships and making appropriate choices. The OCSD assumes the cost of their food and clothing.

Joplin Youth Center (Joplin)

This facility opened in 1956 at the base of Saddleback Mountain near what is now Rancho Santa Margarita and, for its first 24 years, was a working ranch for probation wards. The county later expanded the site, which now has 64 beds and is limited to boys 13 to 17 years old with 30-120 remaining detention days. Attempts to expand the facility further have been stopped by community resistance.

The Joplin mission is to prepare juveniles for a successful return to their homes and communities via re-involvement in academics, building fundamental social skills and dealing realistically with the gang culture.

From April to June of 2006, the juveniles at the center were 88% Hispanic, 8% Caucasian, 2% Asian and 2% African-American. The top three crimes committed by the juveniles were Property Theft, Property Vandalism, and Assault. The residents belonged to 26 different gangs and 10% of the boys had Gang Enhancements added to their sentences. Half the residents came from the cities of Santa Ana and Anaheim.

The thrust of the program is to enable juveniles to interact with rival gang members while eating, sleeping, working, playing, and going to school together. The juveniles are given different colored T-shirts based on their behavior and progress. They receive or lose privileges as they move up or down through the colors. Those who cannot get along with others or who cannot follow the rules may be sent back to Juvenile Hall.

A balanced approach builds the minors' competencies and holds them accountable for their behaviors and interactions with others. The staff's job at Joplin is to teach juveniles to make good decisions on their own and to be accountable for their decisions. The residents are responsible for maintaining the center's cleanliness and assisting in preparation of the meals.

Los Piños Conservation Camp (Los Piños)

Los Piños is a correctional facility, using buildings leased from the U.S. Forest Service, located in a remote portion of the Santa Ana Mountains. The lease was recently renewed

after extended negotiations between the U.S. Forest Service and OC. Since the lease renewal, a general renovation of all buildings is underway.

The facility can house 157 males and 28 females, 16 to 18 years of age. The length of commitment is from three to twelve months with an average of about six months. Males and females are kept in separate units, classrooms and dining tables. With good behavior in other juvenile correctional facilities, boys and girls are eligible for assignment to Los Piños.

Los Piños has an academic program, vocational training (e.g., through the Regional Occupational Program), and mental health, as well as substance abuse, services. The youth incarcerated there can work toward earning high school diplomas or General Education Development (GED) diplomas. AYSO soccer is available, as are CIF athletic competitions in basketball, volleyball, and baseball. The job training programs focus on learning a skill, working together, making positive life decisions, and being accountable for decisions. Preparing these juveniles for a successful return to their homes and communities is the goal of probation counselors at Los Piños.

The Youth Guidance Center (YGC)

Opened in 1969, the YGC is located in Santa Ana and houses up to 100 boys and 25 girls. The current focus is rehabilitation for substance and/or alcohol abusing juveniles in the 11 to 18 year old age group. Average detention time at the facility is between six months and one year, with 80% of the juveniles having committed felonies.

Although all five juvenile facilities that the Grand Jury visited had extensive programs dedicated to the rehabilitation of young people, this report uses the following YGC programs as a sample:

- A fleet of vehicles is used to transport juveniles to cultural, educational, and sporting experiences, such as Bowers Museum, Angels' games, and theatrical productions. Attendance is paid with donated tickets. In addition, opportunities are provided for juveniles to participate in community service projects such as Toys-for-Tots and service at a local food bank.
- The Breakthrough program is aimed at drug and alcohol abusers and is modeled after the methods and philosophies of the Phoenix House, Inc. The program uses several techniques to deal with substance issues and addictive behavior. Residents participate in many group meetings throughout the day, such as ENCOUNTER, in which individuals are confronted about their negative behaviors, discuss the causes and agree to make a commitment to change those behaviors. Many volunteers give their time to serve as mentors for the residents. After release, residents must participate in a weekly Aftercare Group.
- The Sobriety Through Education and Prevention (STEP) program is a full-service program specifically designed to serve female residents in a secure and structured environment. After assessments of the females, Individual Intervention Plans (IIPs) are developed for each resident. Awareness of the responsibility for and care of babies is provided through the program utilizing computerized dolls. These "infants" are programmed with uncontrollable crying spells, dirty diapers, illness, and feeding demands. The computer records each juvenile's responses and provides a

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format for discussion with counselors. The Center has 26 of these "computer babies."

- The Addiction, Substance Abuse, Education and Recognition Treatment (ASERT) program provides intervention treatment for juveniles. Residents in the program must have at least six months remaining on their sentences. The program comprises four basic components: Substance Abuse Education, Recognition/Intervention, Behavioral/Emotional/Education/Vocational development, and Transitional services.
- The Regional Occupational Program (ROP) is a course in practical issues about making good choices in a work environment, presented in a four to six month job training curriculum. The goal is to assist youth who are at least 16 years of age in ways to apply for, interview for, and keep paid positions. Course studies include creating cover letters, completing applications, passing critical interviews, understanding paycheck stub information, and selecting appropriate business attire. Students attend job fairs and find assistance, even after they leave the YGC.

Youth Leadership Academy

The Youth Leadership Academy (YLA) opened in July of 2006. The YLA is located next to the Juvenile Hall. The YLA construction was funded by the State of California upon the condition that it house only juvenile delinquents in an open camp environment. It consists of one Administration building, five classrooms and two housing units and shares the athletic fields with the Juvenile Hall, but the minors of the two facilities are never on the fields at the same time.

The YLA has a capacity for 120 minors, 60 minors in each housing unit, and can house both male and females from ages 14 to 19. There are 29 double bed cells and 2 single bed cells in each unit. As of February of 2007, there were 45 male minors housed in one unit. The other unit is anticipated to be opening in June of 2007. Each housing unit has a full service kitchen, congregational area, conference rooms, and staff break areas.

Minors at the YLA have an average of 40 days remaining on their court imposed sentences. They attend school and counseling sessions, prepare meals, tend the YLA grounds, and have at least one hour of physical exercise per day. The minors earn privileges by behaving and completing steps in the program, "Thinking for a Change." This program is a 32 step Cognitive Restructuring Program designed to help youth assess issues in their lives. They complete one to two steps per week, which unfortunately means that most do not complete the program before they are released. The program has been well received and seems to help its participants. Important points of the program are:

- **Belonging:** Minors who have entered the juvenile justice system have generally not been successful in many areas of life. By fostering a sense of belonging, minors will begin to experience a sense of stability, ownership, and involvement in the course of their lives. Minors are encouraged to assist in developing their own customized programs based on their identified needs, giving each minor a sense of self-determination and beginning the process of *Belonging*.
- **Mastery:** Minors who are involved in the juvenile justice system generally have poor skills in many areas. These include social skills, athletic skills, study habits and a sense of worth. Minors utilize a *Minors Personal Goals (MPG)* worksheet to select

appropriate modules to complete while in the program. Each module is designed to address one or more of the minor's needs. As minors complete each module, they will be able to take on additional ones and build a sense of *Mastery*.

- **Independence:** As minors begin having a feeling of *Belonging* and achieve some *Mastery* over their lives and world, they naturally need to begin to experience *Independence*. As the minors begin to become more independent they are given more responsibilities, as may be appropriate, including off-site furloughs and field trips. Through this process the minors increase *Independence* by participating in such activities as Student Council, Mock Trial, and Peer Courts. These activities build a sense of confidence, self-esteem, pride and control over their lives, gaining them a heavy level of *Independence*.
- **Generosity:** Minors at YLA who began the process of transforming their lives through *Belonging, Mastery, and Independence* soon discover that they do not live in isolation. They also learn that they accomplish *Generosity* by giving back through community service projects, such as constructing get well cards for children at a children's hospital, reading at elementary schools, and providing physical labor at the OC Food Bank and other community based organizations, thus rounding out an important aspect of their overall rehabilitation through restorative justice opportunities.

The YLA staff is to be commended for recently receiving a \$1.5 million dollar state Mentally Ill Offender Crime Reduction grant to create a program to handle mentally ill minors. This money will be used to staff the second unit. Over 40% of the minors at Juvenile Hall are mentally ill and on psychotropic drugs.

Since the YLA is a new facility, everything appeared well maintained and state of the art. There have been a few issues with the buildings and systems, but they are still under warranty until July of 2007. The only immediate need for the YLA is for local warehouse space to house supplies and equipment.

Juvenile Court Programs

The OC Superior Court has set up special Drug and Truancy Courts to handle these types of juvenile cases. Many minors appearing in these matters would commit more serious crimes if they were not diverted through these special courts which perform a continuous monitoring of the minors, usually two to four court visits per month, and require counseling sessions for both the minors and the parents and ensure that the minors meet certain requirements prior to releasing them. These courts provide a multi-agency program designed to help teenagers and their families restore healthy lifestyles and relationships. Funding is provided by the Juvenile Justice Crime Prevention Act (JJCPA). These courts have great success in keeping the minors in school instead of in a detention facility.

Juvenile Drug Court

The goal of the Juvenile Drug Court is to support the minor's commitment to remain sober by providing the treatment and supervision needed to help the minor abstain from substance abuse and further criminal behavior. The drug program is structured in five phases and can be completed in about one year. Drug Court helps the minor and the community by providing:

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- accountability;
- treatment for substance abuse;
- restoration of substance abusers to a productive place in the community;
- educational accountability and development of employment skills; and
- personal development through treatment and counseling.

The Juvenile Drug Court can accommodate about 50 juveniles in the program. The juveniles enter the program based on agreements between the Public Defender, Probation Department, District Attorney, and the Judge. Currently, the program has between 20 and 30 juveniles.

Juvenile Truancy Court

The goal of the Juvenile Truancy Court is to strongly encourage the minor to attend school. Juveniles are referred to the court after having gone through the Truancy Response Program (TRP). Minors in the TRP are supervised by a Probation Officer for six weeks to six months to insure that they attend school. Fewer than 50% of the minors in the TRP do not follow their Probation Officer's orders and are referred back to the Juvenile Truancy Court.

The Court employs many options to encourage the truants to attend school. The main motivator is to have the truant perform community service or to serve a short sentence at Juvenile Hall. At times the parents may also have to serve jail time or pay a fine if they do not follow through by encouraging the minor to attend school or attend court. There is also a counselor in the courtroom who reports on the family's attendance at group counseling sessions. Among the counseling sessions offered is the Parent Empowerment Program, which teaches parents about maintaining control over their children.

Within the last fiscal year, about 55% of the minors in Truancy Court were released successfully and fewer than 5% of these minors committed further crimes. Furthermore, fewer than 2% of the successfully released minors are repeat offenders in Truancy Court.

FINDINGS

In accordance with California Penal Code sections 933 and 933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2006-2007 Orange County Grand Jury has arrived at the following findings:

- F-1. The entire Theo Lacy Building B is staffed almost exclusively by OCSJ deputies working scheduled overtime.
- F-2. The proposed California State Prison Reform Plan would significantly increase the number of inmates at the OC Jails.
- F-3. Relief from inmate overcrowding in OC Jails is at least two to three years away.
- F-4. OC jails are housing a large number of California state prisoners and are not being compensated appropriately.

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F-5. IRS has insufficient staff to assess all the high-risk re-offenders in OC jails.

Responses to Findings F-1 through F-5 are required from the Orange County Sheriff-Coroner.

RECOMMENDATIONS

In accordance with to California Penal Code sections 933 and 933.05, each recommendation will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. Based on the findings of this report, the 2006-2007 Orange County Grand Jury makes the following recommendations:

- R-1. The OCSJ should expand their hiring program to reduce the need for using overtime deputies in the OC Jails. (This recommendation arises from Finding F-1.)
- R-2. The OCSJ and OC Board of Supervisors should continue to work with state legislators to insure that the proposed State Prison Reform Plan does not burden the OC jails. (This recommendation arises from Finding F-2.)
- R-3. The OCSJ and OC Board of Supervisors should consider expediting contract approval for the expansion of the JMF and selecting construction companies who can quickly build-out the JMF. (This recommendation arises from Finding F-3.)
- R-4. The OCSJ should continue working with the California state prison authorities to ensure OC inmates are transported expeditiously to California state prisons and to request more funding to cover the non-reimbursed cost of housing state prisoners. (This recommendation arises from Finding F-4.)
- R-5. The OCSJ and OC Board of Supervisors should consider increasing IRS' funding for assessing high-risk re-offenders. (This recommendation arises from Finding F-5.)

Responses to Recommendations R-1 through R-5 are required from the Orange County Sheriff-Coroner.

Responses to Recommendations R-2, R-3, and R-5 are required from the Orange County Board of Supervisors.

RESPONSE REQUIREMENTS

The California Penal Code specifies the required permissible responses to the findings and recommendations contained in this report. The specific sections are quoted below:

§933.05(a) For purposes of subdivision (b) of Section 933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:

- (1) The respondent agrees with the finding.

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(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

(b) For purposes of subdivision (b) of Section 933, as to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the Grand Jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

ACKNOWLEDGEMENTS

The Grand Jury commends the deputies, both on and off-duty, who saved the lives of civilians and inmates alike in the following ten incidents. These deputies received commendations, as well as Medals for Courage, Valor, Purple Heart, and Lifesaving:

On March 7, 2007, Deputy William Dow from the Theo Lacy Facility was commended for saving the life of an inmate who was choking in the chow hall, by utilizing the Heimlich maneuver. The inmate had been arrested for possession of a controlled substance.

On April 16, 2006, Deputies Michael Carlson, Carlo Diganci, Steven Wayt, Frank Tomeo, Brian Shelton and Kent Carpenter, assigned to the Central Men's Jail Complex, received the "Medal for Lifesaving" for observing an inmate hanging in his cell and immediately responding with CPR life saving measures. The deputies' coordinated response at the scene and retrieval of life saving equipment saved the life of the inmate, who had been arrested for the murder of a two-year-old girl.

On April 19, 2006, Deputy Kevin Webster from the Theo Lacy Facility was commended for saving the life of a choking inmate in the chow hall, using the Heimlich maneuver. The inmate had been arrested for driving under the influence.

On May 9, 2006, Deputy Jeremiah Prescott from the Theo Lacy Facility was commended for saving the life of a choking inmate in the chow hall, using the Heimlich maneuver. The inmate had been arrested for burglary and possession of stolen property.

On May 11, 2006, Deputies Kevin Mitchell and Manuel Duran from the Central Jail Complex were commended for observing an inmate preparing to jump off an upper tier. The deputies' use of a Taser prevented the six-foot-one, two-hundred-fifty pound inmate from injuring himself by jumping off of a 30 foot tier. The inmate is in custody for murder.

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On May 11, 2006, Deputy Michelle Rowland from the Central Jail Complex was commended for saving the life of an inmate choking in her cell, using the Heimlich maneuver.

On September 9, 2006, Deputy Thomas Graham from the Theo Lacy Facility received the "Medal for Lifesaving" for saving the lives of three children caught in a rip-tide from drowning. Despite being off-duty and on vacation at a local beach, Graham ignored his own safety and swam twice into the heavy surf and rip-tide to complete the rescue.

On November 20, 2006, Deputy Benjamin Nicholson from the Central Jail Complex was commended for observing an inmate standing on a table in his cell with a bed sheet around his neck. Nicholson believed the inmate would seriously injure himself if his six-foot-five, two-hundred-seventy pound body left the table. Nicholson's communication skills convinced the inmate to untie the sheet and he was removed from the cell without the use of force or restraints. The inmate was in custody for possession of a dangerous weapon.

On December 9, 2006, Sergeant MacPherson was commended for saving the life of a court clerk who became unconscious while choking. MacPherson's immediate use of the Heimlich maneuver saved the person's life.

On December 16, 2006, Deputy Trenton Hoffman, awarded the "Medal of Valor" and "Purple Heart," and Jeremy Campbell, awarded "Medal of Courage," were escorting an inmate from his public visit when the inmate turned and attacked Hoffman with a make-shift knife. Hoffman was stabbed in the shoulder and in the back. Campbell fought with the armed suspect to stop the attack on Hoffman, who was then stabbed a third time in the back. While disarming the inmate, Hoffman was bitten on the elbow by the inmate prior to being disarmed and restrained with the assistance of responding deputies. The inmate has an extensive history of violence and gang affiliation and is facing murder charges.