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# Annual Inquiry on Jails and Juvenile Detention Facilities

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**GRAND JURY 2014-2015**

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## EXECUTIVE SUMMARY

The California Penal Code 919(b) requires that Grand Juries annually inquire into the condition and management of the various public prison facilities within their respective county jurisdictions. Since there are no state prisons in Orange County, the Grand Jury inquires annually into the condition and management of the various adult jails and juvenile detention facilities in the County. In addition, the Grand Jury has the option to inquire, inspect, or investigate any public detention facilities that are located within the County.

There are five adult jails and four juvenile detention facilities in Orange County that are subject to annual inquiries by the Orange County Grand Jury. All nine of these facilities, the OC Sheriff's Court Holding Facility, and the Santa Ana City Jail were visited for the purpose of inquiry. The Grand Jury has found the jails and facilities to be acceptable and in overall compliance with state and federal standards.

## BACKGROUND

Five adult jails and four juvenile detention facilities are subject to annual inquiries by the Orange County Grand Jury (OCGJ). The Orange County Sheriff's Department (OCSD) operates the following five adult custody facilities:

- Central Jail Complex (CJX): Intake/Release Center
- Central Jail Complex (CJX): Men's Central Jail
- Central Jail Complex (CJX): Women's Central Jail
- Theo Lacy Facility
- James A. Musick Facility

The Orange County Probation Department (OCPD) operates the following four juvenile detention facilities:

- Juvenile Hall
- Youth Leadership Academy
- Youth Guidance Center
- Joplin Youth Center

*Note: Throughout this report, the first part of each section will present pertinent information about adult jails, and the second part will present pertinent information about juvenile detention facilities.*

### Adult Jails Background

The following sections provide background information for the various facilities that the OCGJ visited. The Central Jail Complex (CJX) consists of the Central Jails Division, the Intake-Release Center, and the Transportation Division. They are interconnected by a series of corridors and tunnels that provide secure movement throughout the various structures. The Theo Lacy Facility and the James A. Musick Facility are separately located and not part of the CJX. In Santa Ana, the Orange

County Court Holding Facility at the Central Justice Center and the Santa Ana City Jail were also visited.

The following paragraphs identify two levels of jail capacities. *Rated capacity* is a term used by the Board of State and Community Corrections (BSCC) for recommended inmate occupancy using state standards. The *maximum capacity* is the highest occupancy level before the OCSJ would be required to release inmates.

### **Central Men's and Central Women's Jails**

The Central Men's (CMJ) and Central Women's Jails (CWJ) are part of the Central Jails Division and opened in 1968 and are designed as linear style facilities used for housing both sentenced and un-sentenced inmates in a maximum security setting. The CMJ has a rated capacity of 1,219 males and the CWJ has a rated capacity of 274 females (Board, 2015). The maximum capacity of CMJ is 1,427 inmates and CWJ is 388 inmates (Orange, September 24, 2014). At the time of the OCGJ inspection, the occupancy in CMJ was 1,213 males and the occupancy in CWJ was 346 females.

#### **The Central Men's Jail (CMJ)**

The CMJ serves as a primary housing facility for the male population. There are several housing options, including one-, four-, six-, and eight-man cells. In addition, there are disciplinary isolation cells and dormitory style housing options.

The first floor includes a court that conducts arraignments to help streamline the court system within the CJX and to allow inmates to attend their court hearings. This operation began in October 2009, and processes 95 – 110 arraignments per day.

The second floor includes regular housing, dental, medical, and mental health clinics where approximately 1,450 medications are given each day, 55 miscellaneous medical treatments are conducted, and 60 diabetic inmates are treated. The second floor also has 76 different inmate programs with approximately 340 classes a year that include 12 Step, religious services, general education, and pre-release rehabilitation (Orange County, Central Jail, 2014).

#### **The Central Women's Jail (CWJ)**

The CWJ serves as a primary housing facility for the female inmate population. The housing options include one-person cells, and 13-, 16-, and 36-person dorms. The facility also provides for medical/mental housing, disciplinary isolation cells, single infirmary cells, safety cells for mental housing, and Federal Immigration and Customs Enforcement (ICE) detainee compliant housing.

The first floor includes the infirmary, safety cells, and sheltered living quarters. Inmates are monitored by mental health professionals 24 hours a day, 7 days a week. The 13- and 16-person dorms are located on the first floor for inmates with less severe medical issues, and there are four disciplinary isolation cells. The first floor also includes dental, medical, mental health, and OB/GYN services. Each day approximately 820 medications are given, 40 medical treatments are conducted, and 5 diabetic inmates are treated.

The second floor has housing, the dining hall, and the kitchen. The general population has 36-person dorms and 16-single-cell housing for high risk and/or special-handling inmates. The second floor has 80 different programs with approximately 140 classes a year that include 12 Step, multi-denominational religious services, general education, and pre-release rehabilitation (Orange County, Central Jail Complex, 2014).

### **Intake Release Center (IRC)**

The IRC opened in January, 1988, and is part of the CJX. IRC has a rated capacity of 408 inmates (Board, 2015) and a maximum capacity of 903 (Orange, September 24, 2014). It has a multi-storied, five-module configuration, in contrast to the older linear designs found in MCJ and WCJ. It provides a safe environment where arrestees are booked, processed, classified, housed, transferred, and released. A primary function of the IRC is to classify each arrestee in order to determine the initial housing location to which he or she will be assigned. The IRC also serves as the heart of the Court Transfer System, coordinating the movement of some 800 inmates per week. Every inmate who enters the county jail system is booked through the IRC. Approximately 60,000 new bookings occur each year, resulting in a daily population of all adult jails that ranges from 6,500 to 6,700 inmates.

The IRC is responsible for the following elements (Orange County, Intake Release, 2014):

#### **Booking and Release:**

1. Triage (Medical and Mental Evaluation)
2. TB Screening
3. Weapons and Contraband Pat-Down
4. Property / Clothing Inventory
5. Booking Photo
6. Identification
7. Classification
8. Housing (IRC, CMJ, CWJ, Theo Lacy, JAMF)
9. Release (Cite & Release, Bonded Out)

#### **Inmate Records:**

1. Open 14 hours a day, 7 days a week
2. Maintains all records for every inmate
3. Reviews all court paperwork, resulting in the updating and calculating of the inmates' sentences and the inmates' records for future court dates

#### **Module L:**

1. Designated as a medical/mental health housing unit
2. Medical and Mental Health professionals are assigned 24/7 to provide care for up to 97 inmates
3. Manages a Crisis Stabilization Unit (CSU)
4. Currently has 10 male beds assigned to the CSU

Immigration and Customs Enforcement (ICE) Detainees:

1. The IRC is rated by ICE as a 72-hour facility
2. Should ICE detainees have acute medical issues that would require extensive care or medical services, ICE personnel will pick up the detainees within 72 hours

**Transportation Division**

Transportation Division is included in the IRC command and is responsible for transporting inmates to and from courts, work sites, hospitals, state prisons, and out-of-county mutual aid during major events. The Transportation Division has a staff of 45 sworn and two professional employees and utilizes a variety of vehicles (Orange County, Central Jail, 2014).

**Theo Lacy Facility**

The Theo Lacy Facility is a maximum-security jail containing inmates of all security levels with a rated capacity of 2,494 inmates (Board, 2015) and a maximum capacity of 3,442 (Orange, September 21, 2014). It is located in the City of Orange, in the middle of an urban center including a retail mall, hospital, and other county government facilities. Inmates incarcerated at Theo Lacy are classified by their past confinement history, current charges, criminal sophistication, and a host of other significant indicators. Inmates are housed in units ranging from multiple-bunk dorms to one- or two-man cells. Inmates have access to television, outdoor recreation, local newspapers, mail, and commissary purchases. Religious services, vocational programs, and educational classes are also offered. Inmates receive medical, dental, and mental health care. Public visiting is available on Fridays, Saturdays, and Sundays.

Theo Lacy contains its own Booking and Intake/Release area as well as Classification, Inmate Records, and Inmate Law Library. In addition, there is a Community Work Program (CWP) and an Electronic Monitoring Program (EMP). The CWP allows minimum security inmates to do meaningful community work in lieu of 24-hour incarceration. The average daily CWP population for Fiscal Year (FY) 2013-2014 was 383. The EMP was implemented in March, 2013, and allows qualified sentenced misdemeanants to be monitored electronically instead of requiring incarceration. The average daily EMP population for FY 2013-2014 was 102.

Theo Lacy has an Emergency Response Team (ERT) that is used at the discretion of a sergeant, with notification to the Watch Commander, in situations that pose a threat to staff or other inmates. The deputies assigned to ERT are trained to use specialized equipment while responding safely and efficiently.

In July 2010, OCSD completed a contract with ICE for detention bed space and related services for ICE detainees. The ICE contract allows up to 838 detainees to be housed in the Orange County jail system. The average daily ICE population for FY 2013-2014 was 583 (Orange County, Theo Lacy, 2014).

The OCSD Inmate Services Division is very active at the Theo Lacy Facility. It serves all of the adult jail facilities and provides a wide array of correctional programs within the following categories: educational programs, behavior modification, substance abuse, vocational programs, and life skills.

### **James A. Musick Facility**

The James A. Musick Facility is a one-hundred acre, minimum-security facility located in an unincorporated area of Orange County near the cities of Irvine and Lake Forest. The Musick facility has a rated capacity of 713 inmates (Board, 2015) and a maximum capacity of 1,322 (Orange, December 18, 2014). It opened in 1963 and is often referred to as the "Honor Farm." The facility houses both men and women, and the inmates are considered low risk. ICE detainees are also housed at the facility as they await their immigration hearings. The average daily population for the facility in fiscal year 2014 was 1,190.

The Musick Facility offers several inmate programs, including GED, ESL, Substance Abuse, Workforce Preparation, Positive Parenting, Health Classes, Cabinetry, Welding, Sewing, Computer Skills, and Food/Culinary Services. In February 2013, inmate services implemented the Canines Offering Life Lessons and Rewards (COLLAR) program. This program provides vocational skills to inmates and offers a second chance to dogs from the Orange County Animal Shelter. Dogs with behavioral problems are trained to obey basic commands and to acquire socialization skills. After inmates attend six weeks of classroom study, they are provided with dogs. The dogs live in inmate housing areas for six weeks and receive training from an inmate services volunteer. The dogs are then adopted out to the public after graduation.

In addition to the above facilities, the OCGJ opted to inspect two additional adult facilities: the Orange County Sheriff's Court Holding Facility and the Santa Ana City Jail.

### **Orange County Sheriff's Court Holding Facility**

The Orange County Sheriff's Court Holding Facility is under the command of the Custody/Courts Division at the Central Justice Center in Santa Ana. It is responsible for efficiently shuttling prisoners in and out of the courts. The statistical information is as follows:

Daily average number of inmates: low = 165, high = 200

Special handling:

- Protective custody = 18-25
- Total separation = 7-9
- Juveniles = 1-2
- Crime partner separation = 1-2

Personnel:

- Total staff = 129

- Deputies = 71 (31 bailiff/40 detention)
- Sheriff Special Officers = 57 (18 bailiff/33 security/6 conservatee detail)
- Correctional Service Assistants = 5

Courtroom totals:

- Total courtrooms = 74
- Criminal = 39
- Civil = 35

### **Santa Ana City Jail**

The Santa Ana City Jail (SACJ) opened in 1997 and is a revenue- driven facility owned and operated by the City of Santa Ana. It is a state-of-the-art city jail built with a podular, direct-supervision design, wherein the correctional officer is located within the pod, interacting directly with the prisoners. Jail personnel are civilian correctional officers employed by the Santa Ana Police Department. The only armed correctional officers are those who transport prisoners on the bus. There are normally 123 personnel, including clerical staff. There are positions for 78 correctional officers and 9 supervisors; however, the current staffing level is down to 72 correctional officers because of unfilled vacancies.

The jail has a maximum capacity of 512, but there are currently 460 beds. At the time of the inspection, there were 340 inmates. There is a unique classification system that allows the lower-risk inmates to have the freedom to be out of their cells throughout much of the day. The inmates have the liberty to shower, have coffee, and read the newspaper. The day rooms are carpeted and furnished; the cleanliness of the entire facility is the responsibility of inmates, which excludes ICE detainees. Inmates are required to keep their cells clean as they work under the direction of the correctional officers. Unlike regular inmates, the ICE detainees, have special privileges in that they are required to clean only their own cells; if ICE detainees are needed to perform additional work, they must be paid.

The facility has two federal contracts: one with the U.S. Marshal, and another with ICE. The jail previously had a contract with the California Department of Corrections and Rehabilitation (CDCR), but it was discontinued after the implementation of AB 109. Due to the federal contracts, the entire facility is governed by, and is in conformity with, the higher federal standards. An on-site federal auditor inspects the facility 2-3 times a week.

The facility is designated as a maximum-security facility. It does have a minimum-security section where the correctional officers have direct supervision of the inmates and a maximum-security section for the more dangerous inmates. There are 32 beds available for administrative segregation that currently house inmates who were transported for trials from such maximum–security state prisons as Pelican Bay. Currently there are 24 of those inmates in custody who are high-profile, dangerous inmates and may be subject to Racketeer Influenced and Corrupt Organizations Act

(RICO) charges. Members of the Mexican Mafia have been housed in administrative segregation.

The facility has an excellent video surveillance system that monitors the entire facility. The video recordings are kept for three to six months. When the prisoners are booked, they receive a medical exam before they are assigned to a cell or transferred to County Jail. For prisoners transferred to County Jail, there is a tunnel that goes under the street to the O.C. Sheriff's Jail. Prisoners are escorted through the tunnel three to four times daily when needed. This is beneficial for the booking officer, who does not have to wait for the next walk-through. The jail correctional officers wait until there are a few prisoners to go to the County Jail, at which time two correctional officers escort them through the tunnel. Once the prisoners are accepted by Sheriff's personnel, they become the responsibility of the Sheriff.

There are two units of female detainees, all of whom are on hold for various reasons (federal trials, witness protection, etc.), and none of whom are sentenced offenders. There are some occasional local bookings at the facility based on special circumstances. For example:

1. A deputy sheriff at County Jail has had previous contact with the inmate, thereby requiring the inmate to be separated from County Jail.
2. The District Attorney wants someone in protective custody.
3. An inmate is an informant and needs to be isolated.

SACJ is the only facility in the country to have a segregated section for males who are gay, bisexual, or transgender. As a result, there are federal prisoners who are transferred to the facility from all over the United States. The outside contracting agency's cost to house each prisoner is approximately \$82 dollars per day. However, each prisoner costs SACJ approximately \$110 per day. Annually, the facility collects approximately \$15 million, and it costs the City some \$17 million to operate.

## **Juvenile Detention Facilities Background**

### **Juvenile Hall**

Juvenile Hall is a 434-bed institution for juvenile offenders operated by the Orange County Probation Department in the City of Orange. It houses boys and girls, generally between the ages of 12 and 18, who are detained pending Juvenile Court hearings or who remain in custody by order of the Juvenile Court. Juveniles who are being prosecuted as adults are detained in Juvenile Hall separate from other minors.

Boys and girls are assigned to living units that are designed to house between 20 and 60 youth. The living units have sleeping rooms, restrooms, showers, and a day room for leisure and a variety of activities. Teenagers are normally housed by gender and age. The Intake and Release Center houses those youth newly arrested by police officers and awaiting their first court appearance. Each living unit is supervised by deputy juvenile correctional officers who provide individual and group counseling and supervise daily activities to ensure the safety of the juveniles and security of the facility and staff.

The Orange County Department of Education provides a fully accredited academic program for the youth at Juvenile Hall. Medical professionals from the Orange County Health Care Agency provide onsite medical and dental care. Psychiatrists and psychologists from the Health Care Agency evaluate and treat juveniles exhibiting emotional and mental health problems. In addition to the OCGJ, representatives from the Board of State and Community Corrections, the Juvenile Court, and Orange County Juvenile Justice Commission monitor conditions of confinement and care of the youth at Juvenile Hall.

### **Youth Leadership Academy (YLA)**

The Youth Leadership Academy (YLA) is a 120-bed, juvenile detention facility operated by the Orange County Probation Department. The facility opened in July, 2006, and consists of two, two-story modular living units that are each designed to house 60 youth. Each building contains a control center, dayrooms, dining area, and multi-purpose areas with access to five classrooms and outdoor recreation space. A third building functions as an administration office.

YLA provides a PRIDE (Positive Rehabilitation in a Dynamic Environment) Program that is a comprehensive residential program for youth between the ages of 14 and 20 who have received lengthy local commitments. The program is designed for youth who would have been formally sentenced to the Department of Juvenile Justice, but are now sentenced at the local level. The program includes a behavioral based phase advancement process that allows traditional services with the Safe Schools therapists, including furloughs and family reunification counseling to assist in a smooth transition to the community. PRIDE also participates in the PAW Program (Puppies and Wards Program), a collaborative effort between the Orange County Animal Shelter and the Probation Department. The program pairs shelter dogs with youth serving commitments in the PRIDE Program .

The Youth Leadership Program focuses on preparing youth to re-enter and successfully transition back into the community. This program houses older males who are 17 – 20 years of age and encourages them to be leaders in the program and in their communities upon release. There are four levels of leadership for youth to achieve, ranging from Level 1 to Level 4. The responsibilities increase when they promote to each level. The goal of the program is to help youth increase their responsibilities and build a sense of self-confidence, self-esteem, and pride.

### **Youth Guidance Center (YGC)**

The Youth Guidance Center (YGC) is an 125-bed facility that offers substance abuse rehabilitation for minors ranging from 13 through 20 years of age. The YGC facility provides centrally located accommodations to meet the commitment needs of the Juvenile Court. Of the 125 beds, 100 are for boys and 25 are for girls.

YGC offers two programs aimed at drug and alcohol abusers that focus on the needs of juvenile offenders. The primary goal of the program is to provide cognitive-behavioral interventions to facilitate social interactions and to develop the youth

emotionally, behaviorally, vocationally, and academically for re-entry into the community.

Each program has individualized treatment plans designed for the minor's specific needs. Each 25-bed unit has an assigned on-site psychologist, a drug counselor, and a probation officer who, along with an assigned deputy juvenile correctional officer, establish goals and objectives for the minors to achieve. All minors are required to participate in an academic program at the institution's Rio Contiguo High School, which is under the auspices of the Orange County Department of Education. Students normally attend six periods each school day; however, selected minors may attend off-grounds college courses. Boys and girls also take part in the culinary arts program as well as assist with the laundry and basic housekeeping, building maintenance/carpentry, and horticulture/landscaping.

### **Joplin Youth Center**

The Joplin Youth Center (JYC) was originally established in 1956 as the Joplin Boys Ranch. It is located at a 1,800-foot elevation in the foothills of the Santa Ana Mountains. Today it is a juvenile correctional facility operated by the Orange County Probation Department, which provides residential treatment for teenage boys ages 13 to 16. The facility has a maximum capacity of 64 boys who are serving commitments ordered by the Juvenile Court. The boys at Joplin typically have 30 to 90 days remaining on their Juvenile Court commitments. The youths assist in maintaining the site and provide services by working in the kitchen, doing laundry, performing custodial work, and participating on various work crews. Off-site work includes supervised community projects that include graffiti removal and maintaining a portion of Whiting Wilderness Park. The normal school day consists of five 55-minute classes in which the boys work on individualized courses of instruction. Rehabilitation is also stressed along with academics. Narcotics Anonymous and Alcoholics Anonymous hold meetings on-site either weekly or every other week.

Each youth is assigned to a staff member who tracks his progress and needs. Volunteers offer a number of services, including Bible study, tutoring, and crafts. Families are allowed to attend case reviews and can meet with Joplin staff. The goal of the Joplin program is for the youth to avoid future criminal violations and to be productive citizens.

### **REASON FOR STUDY**

The California Penal Code section 919(b) requires the following: "The grand jury shall inquire into the condition and management of public prisons within the county." Accordingly, the Orange County Grand Jury inquires annually into the adult jails and the juvenile detention facilities in Orange County.

### **METHODOLOGY**

The 2014 -2015 OCGJ complied with the annual jail and juvenile facility inspection mandate by performing research, conducting interviews, and performing visual inspections of adult and juvenile facilities in the County. Research involved review

of documents associated with the various agencies charged with inspection and oversight of County facilities including prior Grand Jury studies. Interviews with the Orange County Sheriff's Department (OCSD) and Orange County Probation Department (OCPD) personnel were primary sources of information with supporting and confirming data provided by several outside agencies. Additionally, the OCGJ performed on-site inspections of County facilities.

The OCGJ utilized checklists developed by the BSCC that list criteria to be applied to specific locations or area of inspection: one checklist for adult jails, and another for juvenile facilities. See Appendix 1 for criteria and specific checklist examples

## **INVESTIGATION AND ANALYSIS**

Based on research and observations, the OCGJ has found several noteworthy items for inclusion in this report as described below. Changes in the past few years have successfully addressed previous findings by prior Grand Juries, BSCC reports, and federal investigations. These changes include incorporation of a viable plan for video system upgrades and improvements in correctional health care.

### **State and Federal Impacts**

The OCGJ is one of the many agencies responsible for inquiring into or inspecting the various correctional facilities. For example, the Intake and Release Center (IRC) has had some 25 inspections in the last 12 months, including those by the California State Department of Justice, Bureau of State Community and Corrections (BSCC), U.S. Marshal, State Fire Marshal, Orange County Fire Authority, Environmental Services Inspection, etc. Although the number of inspections appears to be excessive, each agency tends to focus on its mandated specialty.

Two recent California legislative actions (Assembly Bill 109 and Proposition 47) have had significant effects on the challenges and demands on each county's sheriff department and county probation department. Further, federal contracts continue to impact the management and operation of county facilities.

### **Assembly Bill 109**

Assembly Bill 109 (AB 109) took effect on October 1, 2011 and has resulted in the shifting of responsibilities for incarcerating many less serious felons from the State to the counties. This shift of responsibilities is known as "prison realignment." In other words, the State has placed an increasing burden on the 58 counties for housing and managing convicted felons. As a result of this law, the State will continue to incarcerate offenders who commit serious, violent, and sexual crimes, but the counties will supervise, rehabilitate, and manage low-level offenders.

There are three categories of prisoners who were formerly incarcerated in State prisons, but are now located in county jails.

1. Offenders convicted in Orange County of non-sexual, non-violent, non-serious crimes serve their sentences in county jails rather than in state prisons. These offenders are referred to as "3-nons" or "1170(h) felons."

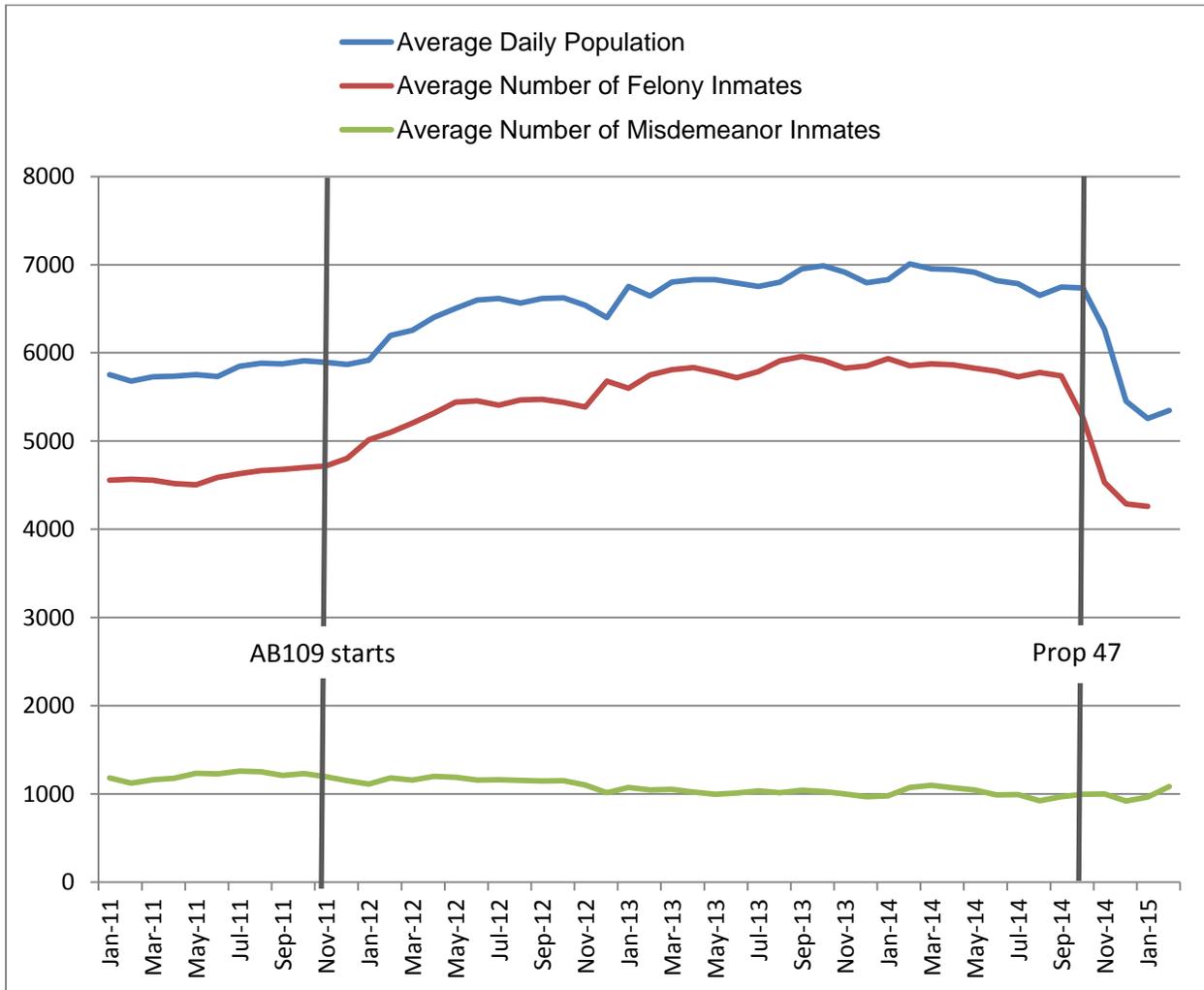
2. The majority of the “3-nons” offenders who had not completed their State prison sentence and were transferred to county jail to serve the remainder of their sentence.
3. State prison parolees who violate the terms of their release (technical violation), but do not commit a new felony, are no longer remanded to State prison but are sanctioned within the counties by the county probation departments (California Assembly Bill 109, Public Safety Realignment).

### **Proposition 47**

California Proposition 47 (Reduced Penalties for Some Crimes Initiative), was approved by the voters on November 4, 2014, and took effect on November 5, 2014. The initiative reduces the classification of most “non-serious and nonviolent property and drug crimes” from a felony to a misdemeanor (California Proposition 47, Reduced Penalties for Some Crimes Initiative). Prosecutors who have been accustomed to using the threat of incarceration as leverage to coerce drug offending felons into drug treatment programs, will no longer have that tool because of the lenient sentences that accompany misdemeanor cases. Without the threat of jail, there is very little incentive to participate in a drug treatment program. Since this legislation was enacted, there has been a noticeable decrease in inmate population in the Orange County jails. When inmates in State prison have their felonies reduced to misdemeanors, many of them are immediately released from prison and return to the community.

With the passage of Proposition 47, and with fewer people incarcerated in Orange County jails, convicted misdemeanants are allowed to serve their sentences at home. Sheriff’s Department officials have stated that the GPS program has become a useful tool to reduce the jail population thereby allowing room for overdue repairs. Proposition 47 has resulted in the County’s daily inmate population dropping from over 7,000 in 2013 to about 5,300 in 2015 (See Figure 1). In addition, there is a significant cost savings by monitoring convicts through the GPS program. GPS monitoring costs \$4.75 per person per day, while incarceration in the county jail costs \$140 per person per day (Cuniff, 2014, April 5).

**Figure 1: Orange County Jail Population Since 2011**



(Board, n.d)

**Federal Contracts**

In August 2010, the Orange County Sheriff’s Department (OCSD) entered into a contract with the U.S. Department of Homeland Security (DHS) and ICE to house immigration detainees in Orange County detention facilities. The contract requires that a certain number of beds be available to ICE’s Enforcement and Removal Operations (ERO) activity. OCSD takes custody while ICE coordinates the detainees’ immigration proceedings. OCSD provides housing and services for the detainees in accordance with federal standards to provide consistent conditions of confinement for immigration detainees throughout the country (OCSD ICE/ERO Detention Contract).

**Inmates with Mental Illness**

Another challenge for the Sheriff’s Department is that of identifying and assisting inmates with mental illness. The average number of mental health cases reported each month (from October 2014 through February 2015) was over 1100. Given that the

average daily jail population over the same time period was approximately 6000, the mental health cases in the Orange County jail system are about 20% of the overall adult jail population (Board, 2015).

Inmates with mental illness are identified in various ways. When arrestees are brought to the Orange County Jail for booking, they are first seen by a health care staff member. Nurses conduct a medical/mental health screening that includes questions about current and past medical and mental health issues, past hospitalizations, current treatments, and medications. The nurses also document observations on behavior, affect, and appearance. Inmates with mental health issues identified in the initial screening will undergo a more comprehensive mental health screening and evaluation while still in the booking area to better determine housing and treatment needs. Inmates with identified mental needs are also assigned to a case manager for ongoing coordination of care throughout the incarceration.

## **Adult Facilities**

### **Inspections**

A large number of county, state, and federal agencies frequently inspect the adult facilities for compliance with a variety of requirements and standards (health, safety, fire, inmate conditions, standards compliance, programming, etc.). The OCGJ found that the reports from these agencies indicated that general jail conditions were acceptable and inspection certificates were current. Visual inspections further confirmed to the OCGJ that conditions are generally adequate. Though some conditions are understandably and necessarily austere, no significant health and safety issues were identified or observed.

Of all the various inspection agencies, the BSCC has perhaps the most rigorous inspections that deal with procedures, facilities, and conditions. These inspections are guided by State legislation, are conducted biennially, and have well defined procedures and checklists to ensure consistency across the State. The latest BSCC inspection of Orange County facilities occurred in June 2014, with a final report provided to OCSD on 1 April 2015 (Board, 2015). This most recent report found that the policies and procedures manuals used by OCSD were in compliance with applicable standards. Subsequent reviews confirmed that the practices were consistent with the procedures manuals with one exception. This exception concerned the visibility of inmates by OCSD deputies and was resolved satisfactorily prior to the report's release.

The Inspection portion of the BSCC report noted that on the dates of the June 2014 inspection, the overall combined rated capacity of the Orange County Adult Jail Facilities was 5,108 inmates and the population was 6,708. The primary reason for this noncompliance was attributed to the use of additional beds beyond rated capacities in dormitory areas as well as single- and double-occupancy cells. The Grand Jury did not observe any significant issues with overcrowding during independent visits. Further, even though the observed population exceeded the rated capacity, it is below the maximum capacity of the combined OCSD jail facilities which is 7,482. The maximum capacity is the point at which OCSD would be required to release inmates. Orange

County, unlike several neighboring counties (San Diego, Los Angeles, San Bernardino, and Riverside), has not had any early capacity releases since the beginning of the AB109 Realignment. (Board, n.d.)

## **Facilities**

The population of the adult jail facilities is declining, likely due to both societal and legislative changes such as Proposition 47. As a result of Proposition 47, there was a temporary decrease in inmate population through January, 2015. During this period of housing fewer inmates, the OCSD completed long-overdue maintenance work in some of the aging jail facilities. Unfortunately, the February, 2015, inmate population increased slightly.

In preparing for the future, the OCSD has proposed an expansion of the housing capacity and infrastructure at the Musick facility. The first phase of the Musick expansion master plan will add 512 minimum/maximum security inmate beds to the Orange County Jail system. State Assembly Bill 900 provided \$100 million to fund the project. The following services will be incorporated into the new facility's state-of-the-art infrastructure: inmate housing, Inmate Receiving Center, video visitation, and administrative headquarters.

OCSD staff reported that the second phase of the expansion will cost approximately \$80 million, and the funding will be provided through State Senate Bill 1022. It will accommodate an additional 384 minimum/maximum security inmate beds. This expansion will house inmates and provide life skills programs to help inmates succeed upon release (Orange County, James A. Musick, 2014).

## **Equipment**

Previous Grand Juries have found that all the adult jails have had inadequate video surveillance equipment. The Sheriff's Department response had been that they recognized the need for more adequate equipment in the jail facilities, and the upgraded video equipment had been listed as an improvement project for several years. However, the upgrades had not been completed due to lack of financial resources.

On January 14, 2015, the OCGJ received a *Jail CCTV Summary Sheet* from the Sheriff's Department that outlines the approval for future funding and installation of surveillance video cameras throughout the jails. When the entire project is complete, approximately 1,500 – 2,000 cameras will have been installed. The *Jail CCTV Summary Sheet* reveals that the Sheriff's Department has an approved budget total of \$10,850,608.50 over the next five years for this project. The project will be conducted in five phases as the Sheriff's Department prioritizes its jail video surveillance needs; upgrades will take place in order of priority.

## **Juvenile Facilities**

### **Inspections**

County, state, and federal agencies frequently inspect the juvenile facilities for a variety of requirements and standards (health, safety, fire, living conditions, standards

compliance, programming, etc.). The OCGJ researched these reports and found that the reports from these agencies revealed the general facility conditions to be adequate and inspection certificates to be current. Visual inspections further confirmed that conditions are generally acceptable. No significant health and safety issues were identified during the OCGJ inspections.

During the inspections, the OCGJ noticed that many deputy juvenile correctional officers were not wearing uniforms, resulting in an unprofessional appearance. Compensation guidelines specify that the employers must compensate those employees who are required to wear uniforms for the time they spend to change into or out of their uniforms.

### **Facilities**

The populations of juvenile facilities are declining, likely due to both societal and legislative changes. For example, Juvenile Hall is a 434 bed facility for youth offenders. At the time of the OCGJ inspection, 157 beds were occupied, 134 were for boys, 23 were for girls, and there were an additional 11 others housed in the Mental Health Unit. This is a much smaller population than in the past. Staff offered the following reasons for the reduced numbers: use of gang injunctions and better policing leading to less violent gang activity; use of risk assessment tools, screening out low risk offenders from being detained with high risk offenders; and use of community-based outreach programs.

The OCGJ learned that there has been a need for a gymnasium at Juvenile Hall for recreation, especially during inclement weather. It could also be used for vocational training and as a visiting center. In April, 2015, prior to the publication of this report, the OCGJ further learned that Senate Bill 81 was recently passed, providing a grant of \$17.5 million for a multipurpose gymnasium at Juvenile Hall.

### **Equipment**

Two of the Juvenile facilities have inadequate video surveillance systems; YGC and the JYC do not have any video surveillance systems. Juvenile Hall surveillance cameras are approximately 15 years old, and they are in the process of being replaced. All recordings are digital and color, but often fuzzy with ghosting images and low quality motion. Juvenile Hall has the capability of retaining recordings for 30 days only.

## FINDINGS

In accordance with California Penal Code sections 933 and 933.05, the 2014-2015 Grand Jury requires (or, as noted, requests) responses from each agency affected by the findings presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled “*Annual Inquiry on Jail and Juvenile Detention Facilities*,” the 2014-2015 Orange County Grand Jury has arrived at the following four principal Adult Jail and five Juvenile Detention Facility findings, as follows:

### Adult Jail Findings

- F.1. The condition and management of the Orange County Adult Jail facilities are acceptable and in overall compliance with state and local standards.
- F.2. The James A. Musick Facility offers a commendable and highly beneficial program called Canines Offering Life Lessons and Rewards (COLLAR).
- F.3. The OCSD is taking advantage of the recent decrease in jail population to perform needed maintenance and upgrades to a countywide aging facilities infrastructure.
- F.4. Although the jails still have outdated and inadequate video equipment, a viable upgrade plan with committed funding and priorities has been approved for implementation over the next five years.

### Juvenile Facility Findings

- F.5. The condition and management of the Orange County Juvenile Detention facilities are acceptable and in overall compliance with state and local standards
- F.6. The need for a gymnasium at Juvenile Hall/Youth Leadership Academy will be met, now that a State grant via Senate Bill 81 has been received to fund this project.
- F.7. Some deputy juvenile correctional officers do not wear uniforms, providing an overall appearance that is less than professional and making it difficult to differentiate deputy juvenile correctional officers from other staff.
- F.8. The reduction in population at the various Juvenile facilities provides opportunities to conduct maintenance, repairs, and upgrades.
- F.9. Two of the Juvenile facilities have inadequate video surveillance systems. The Joplin Youth Center and the Youth Guidance Center have no video surveillance systems.

## RECOMMENDATIONS:

In accordance with California Penal Code sections 933 and 933.05, the 2014-2015 Grand Jury requires (or, as noted, requests) responses from each agency affected

by the recommendations presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled “*Annual Inquiry on Jail and Juvenile Detention Facilities*,” the 2014-2015 Orange County Grand Jury makes the following three Adult Jail recommendations and four Juvenile detention facility recommendations:

#### **Adult Jail Recommendations**

- R.1.** Consider expanding the Canines Offering Life Lessons and Rewards (COLLAR) program at James A. Musick facility. (F.2.)
- R.2.** In the event of any future decrease in jail population, continue to utilize that time to conduct the needed maintenance work on the various facilities. (F.3.)
- R.3.** OCSD should closely monitor and expedite the five year plan for installing video surveillance system upgrades. (F.4.)

#### **Juvenile Facility Recommendations**

- R.4.** The new facility at Juvenile Hall should serve multiple purposes, including a gymnasium, capability for vocational training, and a visitation center. (F.6.)
- R.5.** Deputy juvenile correctional officers working with juveniles should be required to dress uniformly in order to look more professional and to be more easily identifiable. (F.7.)
- R.6.** During periods of population reduction, the OCPD should conduct maintenance projects as done by the OCSD. (F.8.)
- R.7.** Upgrade the video surveillance system in all of the juvenile facilities by installing modern equipment and increase retention capacity to one year. (F.9.)

#### **REQUIRED RESPONSES**

The California Penal Code section 933 requires the governing body of any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the governing body. Such comment shall be made no later than 90 days after the Grand Jury publishes its report (filed with the Clerk of the Court). Additionally, in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such elected official shall comment on the findings and recommendations pertaining to the matters under that elected official’s control within 60 days to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code section 933.05, subdivisions (a), (b), and (c), provides as follows, the manner in which such comment(s) are to be made:

(a) As to each Grand Jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding

(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) 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 time frame for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame 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 time frame 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.

(c) If a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary /or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with Penal Code section 933.05 are required from:

Responses Required:

Responses are required from the Orange County Sheriff-Coroner for Adult Jail Findings F.1., F.2., F.3., F.4., and Adult Jail Recommendations R.1., R.2., and R.3.,

Responses are required from the Orange County Board of Supervisors for Juvenile Facility Findings F.5., F.6., F.7., F.8., F.9 and Juvenile Facility Recommendations R.4., R.5., R.6., and R.7.

Responses Requested:

Annual Inquiry on Jails and Juvenile Detention Facilities

Responses are requested from the Orange County Probation Department for Juvenile Facility Findings F.5., F.6., F.7., F.8., F.9., and Juvenile Facility Recommendations R.4., R.5., R.6, and R.7.

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### **COMMENDATIONS**

The OCGJ received full cooperation from all personnel at every facility. The OCGJ was given complete access to each facility. Staff members throughout the adult jails and the juvenile detention facilities were cordial, professional, and knowledgeable.

## **APPENDIX: INQUIRY CRITERIA AND CHECKLISTS**

With regard to each area of jail and juvenile facility inquiries, the criteria were:

1. Condition of the facility
2. Cleanliness
3. Staff presence
4. Overall safety and security
5. Orderliness of operation

The OCGJ applied the above criteria on the Adult Evaluation Checklist in the following areas:

1. Booking
2. Intake-Release Center
3. Safety Cell
4. Sobering Cell
5. Kitchen
6. Dining Hall
7. Housing
8. Laundry
9. Exercise Area / Recreation
10. Visiting Area
11. Medical Area
12. Court Holding Area
13. Administrative Segregation (Anti-social / Poor behavior)
14. Segregation of AB 109 Inmates
15. Segregation of ICE Detainees
16. Housing for the Mentally ill / Medication / Suicide Watch
17. Protective Custody (Child Molesters / Law Enforcement Family)
18. Segregation of Gang Members
19. Disciplinary Isolation (Up to 10 days)
20. Operational Condition of Surveillance Cameras

Similarly, the OCGJ thoroughly applied the same criteria to each area on the Juvenile Evaluation Checklist. These areas included:

1. Booking
2. Intake-Release Center
3. Safety Cell
4. Kitchen
5. Dining Hall
6. Housing
7. Laundry
8. Schools/Classrooms/Programs
9. Exercise Area / Recreation Area
10. Visiting Area
11. Medical Area

12. Court Holding Area
13. Administrative Segregation (Anti-social / Poor behavior)
14. Segregation of ICE Detainees
15. Housing for the Mentally ill / Medication / Suicide Watch
16. Protective Custody (Child Molesters / Law Enforcement Family)
17. Segregation of Gang Members
18. Disciplinary Isolation (Up to 10 Days)
19. Operational Condition of Surveillance Cameras
20. Maintenance of Grounds
21. Overall Condition of Buildings