



This two-cell jail was built in Buttonwillow, CA in 1940. It remained in service till the late 1960's.

LAW AND JUSTICE COMMITTEE

MISSION STATEMENT

The California Penal Code is the foundation for the Grand Jury. The Law and Justice Committee within the Grand Jury is charged with the oversight of all law enforcement agencies and custody facilities in Kern County. The Law and Justice Committee also reviews and takes action, as necessary, on citizen complaints related to these agencies.

Wes Brown, Chairman
Mahlon 'Sonny' Keel
Michael McNatt
Teresa Vasquez

LAW AND JUSTICE COMMITTEE

SUMMARY OF ACTIVITIES

- California City Correctional Facility, California City CA
 - California Correctional Institution, Tehachapi CA
 - Camp Erwin Owen, Kernville CA
 - Central Valley Modified Community Correctional facility, McFarland CA
 - City of Delano Modified Community Correctional Facility, Delano CA
 - Kern County Sheriff's Office Lerdo Facility
 - Golden State Modified Community Correctional Facility, McFarland, CA
 - Tehachapi Police Department
 - Kern County Probation Department James G. Bowles Juvenile Hall
 - Kern County Sheriff's Office Central Receiving Facility
 - Kern Valley State Prison, Delano
 - McFarland Female Community Reentry Facility
 - North Kern State Prison, Delano, CA
 - Shafter Modified Community Correctional Facility
 - Taft Modified Community Facility
 - Wasco State Prison
- Other Activities:**
- China Lake Naval Weapons Center Tour
 - Community Outreach Presentations
 - Edwards Air Force Base Tour
 - Grand Jury Awareness Week
 - Grand Jury Indictment
 - Kern County Sheriff's Office-Lerdo Facility-Residential Substance Abuse Treatment Program-attended graduation ceremony
 - Kern County Sheriff's Office-Search and Rescue, Helipad and Bomb Squad Division
 - Kern County District Attorney-Crime Lab tour

The Law and Justice Committee received and responded to 16 citizen complaints. The Law and Justice Committee utilized the Kern County sheriff's Office Fleet Management Office (trip vehicles) for 12 out of 16 visits.

CALIFORNIA CORRECTIONAL INSTITUTION

PREFACE:

On October 30, 2014, the Law and Justice Committee (Committee) of the 2014-2015 Kern County Grand Jury (Grand Jury) visited the California Correctional Institution at Tehachapi (CCI) to inspect and report on conditions and operations pursuant to California Penal Code §919(b).

PROCESS:

The Committee reviewed previous Grand Jury reports and recommendations, and then sent CCI staff a list of questions related to the scheduled inspection. A written response was provided to the Committee upon arrival. The Committee was met by the Warden, CCI executive personnel and various institutional staff. A question and answer session was followed by an extensive tour of CCI, a Level III prison, with a Lieutenant and staff.

BACKGROUND AND FACTS:

The CCI is located at 24900 Highway 202, Tehachapi, CA 93561. The facility is situated on approximately 1,650 acres. The land was purchased in 1929 for \$110,000 with the intent it be used as a female-only institution. In 1933 the original California Institute for Women, the first facility for female inmates, opened on the site. In July of 1952 the facility suffered extensive earthquake damage. The facility was then closed and 417 inmates were transferred to the new California Institution for Women Frontera in Corona. The CCI reopened in 1955 as a branch of the California Institute for Men, and by the end of one year was filled to capacity. In 1964, the institution was renamed California Correctional Institution. The facility is the third oldest prison in the California Department of Corrections and Rehabilitation (CDCR) system. Only San Quentin and Folsom Prisons are older.

- A. California Correctional Institutional Staff and Inmate population numbers reflect information provided to the Committee on the date of inspection. Security Housing Units (SHU) and Administrative Segregation Units (ASU) are the most secure areas within a Level III prison that requires an electrified perimeter fence. California Code of Regulations Title 15, Article 7-3335(a) allows an inmate to be placed in the ASU or the SHU or in an emergency to any single cell unit capable of providing secure segregation, “...when an inmate’s presence in an institution’s general inmate population presents an immediate threat to the safety of the inmate or others, endangers institution security or jeopardizes the integrity of an investigation of an alleged serious misconduct or criminal activity, the inmate

shall be immediately removed from general population and be placed in administrative segregation.”

There are various levels of security housing at CCI including open dormitories and celled housing known as SHU and ASU. Inmates in SHU and ASU are allowed only non-contact family visitation. General population inmates may request conjugal/family visits.

B. Inmate populations are as follows:

- Facility A
SHU – 480
ASU – 316
- Facility B
SHU – 688
ASU – 43
- Outpatient Housing Unit – 8
- Community Hospital inmate patients (higher level of care) – 5
- Facility C (Level III) Sensitive Needs Yard – 930
- Facility D (Level II) – 1,064
- Facility E (Level I) – 859
- Firehouse Inmates – 5
- Total Population - 4,398

C. As a result of Assembly Bill 109 (AB109), Facility C was converted from a reception/assessment center to a Sensitive Needs Yard in 2012. The gymnasium which had been used as a dormitory was converted back to an athletic facility for general population use, limited to 30 inmates at a time.

D. CCI sworn staff are as follows:

- Correctional Officer Positions - 850 (80 vacancies)
- Correctional Sergeant Positions - 83 (10 vacancies)
- Correctional Lieutenant Positions 30 (5 vacancies)

E. There are 428 non-sworn staff at CCI.

F. In October 2013 CDCR entered into agreements with Sun Edison for two solar plants at CCI. The solar facilities provide all the necessary electrical power for CCI until approximately 9:00 PM daily. These plants will offset almost 221 million pounds of carbon dioxide over a 20 year period which is equivalent to taking 21,000 cars off the road for a year. The plants are on 37 acres located behind Facilities D and E.

- G. Various academic and vocational programs are available to all eligible inmates. Some program examples are:
- Welding
 - Certification/Technician Programs
 - GED/college courses
 - Sewing Program/Operation and Hospital Level of Care Cleaning, both provided through the Prison Industry Authority (PIA)
- H. Introduced as a pilot program and now made permanent, the “Step Down Security Threat Group Program” provides ASU and SHU inmates the opportunity to transition back into the General Population.
- I. Approximately 150 expanded metal temporary holding cells are located throughout the Facility. The temporary cells are used to hold inmates pending medical appointments, awaiting parole board review, outside transportation to courts or other prisons as well as for security/disciplinary purposes. Initially, inmates may be held up to four hours.
- J. The Facility provides a variety of recreational activities and programs for inmates such as:
- Flag Football
 - Basketball
 - Soccer
 - Music
 - Substance Abuse Program
 - Behavior Modification/Anger Management Programs
- K. Proposition 36, Proposition 47 and Assembly Bill 109 have had a significant impact on inmate populations and staffing levels.
- L. An Inmate Welfare Fund is derived from canteen sales to fund various activities.
- M. Crews consisting of low security risk inmates are available for work assignments requested by the City of Tehachapi and monitored by CCI staff.
- N. Two inmates, selected by CCI staff, were interviewed by the Committee.
- O. Visitations are available for all inmates.
- P. Medical, Dental and Mental Health services are available at each Facility.
- Q. Central Kitchen, located in Facility D, prepares all meals for CCI with the exception of Facility C which has its own kitchen.

- R. California Department of Public Health Environmental Compliance Section conducted an inspection on August 15, 2014, “...as a means to insure the health and safety of inmate workers and staff in meet (sic) correctional accreditation and standards.”
- S. Despite previous Grand Jury reports and recommendations, some corrective actions have not been taken to date. These concerns relate to needed road repairs and structural building issues.

FINDINGS:

- F1. Roof leaks continue to plague Facilities A & B, and require immediate repairs.
- F2. Due to age and despite constant repairs, the Central Kitchen continues to present safety hazards to staff and inmates.
- F3. The Committee observed the asphalt roads within CCI to be in need of repair or repaving as reported by past Grand Juries.
- F4. Inmate placement in a temporary disciplinary holding cell requires approval from a Captain if confinement is to last more than four hours.
- F5. The Institution has an informal music program, largely formed and run by inmates with limited supervision by staff.
- F6. The recently passed Proposition 47 which changed the penalties for certain crimes from a felony to a misdemeanor and Proposition 36 have resulted in the early release of some inmates. According to CCI staff, prior to the passage of Proposition 47 the inmate population for Facility E - level I was 900 - 1,000; now that population average is approximately 720.
- F7. According to staff, an internal placement security level review of inmates was conducted; 16 cases were re-evaluated; their security risk lowered. In addition, 78 CCI inmates were released into Kern County, and 1,100 inmates have been released statewide.
- F8. Some Inmate Welfare Fund revenues are generated from the Canteen sales. Disbursement from this fund is determined by discussions between the Warden and the Inmate Advisory Council.
- F9. Fire and Work crews from CCI that provide services to the City of Tehachapi are now limited in number due to a smaller pool of low-risk inmates.

- F10. The passage of AB109 required a reduction in the inmate population resulting in a need for less staff. Additional staff vacancies have resulted due to transfers to the newly opened California City Correctional Facility and by attrition.
- F11. The Hospital Level of Care Program is considered a model program and may be emulated by other institutions.
- F12. In 2013, CCI established a PIA Sewing Program/Operation and a Vocational Electronics Program so inmates could acquire skills in preparation for release from prison.
- F13. Visits by family members for the 750 eligible inmates housed in the SHU are restricted to only nine non-contact booths. Visitation days are on Saturday and Sundays by appointment only on a first come first serve basis. Only five appointments per day per booth can be scheduled with a duration of one hour each.
- F14. Planning is underway to construct new stand-alone full Health Care Clinics in each facility.
- F15. “Yard time” for inmates housed in the SHU is available for up to four hours per day in exercise cages. Pull-up bars were installed approximately one and one-half years ago as a result of demands made during a hunger strike.
- F16. During the tour, the committee found housekeeping in the Central Kitchen to be deficient. Plastic wrappings and food scraps were found on the floor. Live cockroaches were observed and large amounts of food scraps found in a sink drain. A Vector Control Position was recently created and staffed to help address insect and vermin issues. Staff advised the committee that a request has been submitted to Sacramento to replace the old automatic food service tray cleaning machine which is failing to work properly. A dead cockroach was found in the food preparation kettle room. A steam line to one of the kettles had been temporarily repaired with duct tape. Staff advised that a maintenance order had been submitted for a more permanent repair.
- F17. The California Department of Public Health - Environmental Health Survey was conducted in March 2014, and found numerous areas in need of attention or correction. The CCI’s Environmental Corrective Plan was prepared with a response for each area of concern and submitted to the California Department of Public Health for review on October 8, 2014.

COMMENTS:

The Committee was met by the Warden, Administrative staff and other personnel. The Committee appreciates the staff’s hospitality, cooperation, professionalism and for providing a comprehensive tour.

RECOMMENDATIONS:

- R1. As noted in previous Grand Jury reports, roof repairs should be a priority for facilities A and B with replacement as a permanent solution. (Finding 1)
- R2. The roads within the grounds of the institution continue to need repair or repaving as previously reported by past Grand Juries. (Finding 3)
- R3. As recommended in previous Grand Jury reports, priority should be given to replace or update the Central Kitchen in the next fiscal budget. (Findings 2 and 15)
- R4. The CCI management should review the procedures to determine if an increase in visitation opportunities for inmates in the SHU is possible. (Finding 12)
- R5. The CCI should consider utilizing revenue from the Inmate Welfare Fund to expand the current music program. (Finding 5)
- R6. The proposed CCI Environmental Corrective Plan should be implemented as soon as possible to prevent any health issues or injuries to staff or inmates. (Findings 2 and 17)

Note: Due to the age of the institution and in order to maintain a viable facility, it is strongly recommended the above listed **recommendations 1, 2 and 3 be given priority over newer institutions.**

NOTES:

- The California Correctional Institution should post a copy of this report where it will be available for public review.
- Persons wishing to receive an email notification of newly released reports may sign up at: www.co.kern.kern.ca.us/grandjury.
- Present at past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: www.co.kern.ca.us/grandjury.

RESPONSE REQUIRED WITHIN 90 DAYS

**PRESIDING JUDGE
KERN COUNTY SUPERIOR COURT
1415 TRUXTUN AVENUE, SUITE 212
BAKERSFIELD, CA 93301**

**CC: FOREPERSON
KERN COUNTY GRAND JURY
1415 TRUXTUN AVENUE, SUITE 600
BAKERSFIELD, CA 93301**

DIVISION OF ADULT INSTITUTIONS**CALIFORNIA CORRECTIONAL INSTITUTION**

P.O. Box 1031
Tehachapi, CA 93581
(661) 822-4402



April 13, 2015

Honorable John S. Somers
1415 Truxtun Avenue
Bakersfield, CA 93301

Honorable John S. Somers:

GRAND JURY TOUR

On March 6, 2015, the California Correctional Institution (CCI) received the Kern County Grand Jury's, Final Report addressed to K. Holland, Warden, requesting a formal response to the findings and recommendations contained within the report.

CCI Administration is pleased with the overall findings contained within the report, and with the Grand Jury's recommendations to repave the institutional roads, prioritize critical infrastructure repairs to its aging Facilities and to designate a new Central Kitchen as a priority in the next fiscal budget.

Based on the Grand Jury's recommendations, CCI Administration has submitted a *Special Repair Project Report* to the Facilities Asset Management Branch, Capitol Renovation and Maintenance Services Division requesting the aforementioned recommendations be prioritized as urgent for review and consideration for allocation of funding for the 2015/2016 Fiscal Year.

Additionally, CCI Administration would like to commend the Grand Jury Committee members who toured CCI for their professionalism and for the comprehensive tour they conducted. Also, as requested in the Final Report, a copy of the Kern County Grand Jury Final Report has been posted and made available for public review.

It is of the utmost importance of the California Department of Corrections and Rehabilitation to keep the safety of the public foremost, while providing rehabilitative service to the inmate population in accordance with departmental policy. If you have additional questions in this regard, please contact me at 661-822-4402, Extension 4201.

Sincerely,


K. HOLLAND
Warden

cc: R.A. Groves, Chief Deputy Warden, Facilities C, D, E and Operations
D. Elliott, Foreperson, Kern County Grand Jury ✓

KERN COUNTY SHERIFF'S OFFICE

CENTRAL RECEIVING FACILITY

PURPOSE OF INQUIRY:

On August 21, 2014, the Law and Justice Committee (Committee) of the 2014-2015 Kern County Grand Jury (Grand Jury), pursuant to Penal Code §§919(b) and 925, visited the Central Receiving Facility (CRF) which also serves as the main booking facility of the Kern County Jail.

PROCESS:

The Committee members were greeted by the Commander responsible for the Kern County Sheriff's Office (KCSO) Downtown Services and the Lieutenant in charge of the CRF. The Committee had a question and answer session with the Commander and Lieutenant followed by an extensive tour of the Facility. The Committee also reviewed past Kern County Grand Jury reports.

BACKGROUND AND FACTS:

The CRF is located at 1415 Truxtun Avenue adjoining the Superior Court Building. The CRF originally opened as a jail in 1958. The Facility was closed from 1993 to 1998 due to budgetary constraints. During that time portions of the CRF were used by the courts as a holding facility Monday through Friday and prisoners were taken directly to the Kern County Sheriff's Lerdo Facility (Lerdo) for booking and processing. In 1998 the Sheriff re-opened CRF and the facility resumed the role as the main inmate reception center for the County of Kern. Since that time the needs of the facility have outgrown available administrative space. As noted in past Kern County Grand Jury reports the gate control panel is antiquated and in dire need of replacement. At present there are 125 separate locks requiring 38 keys to operate the jail's doors. There is an ongoing project to reduce the number of keys required to operate the jails doors to only five.

- A. The maximum capacity of CRF is 292 male and female inmates. On the date of inspection, 129 male and 46 female inmates were occupying bed space in the facility. Between 88 and 154 arrestees are booked daily into the CRF. The facility consists of three deck levels A, B and C. Male inmates are housed on A and B and females on C.
- B. The CRF staffing level is as follows:
 - Deputy Sheriff (Deputy): Current 58; Authorized 58
 - Senior Deputy Sheriff: Current 4; Authorized 4
 - Sheriff Sergeant: Current 5; Authorized 5
 - Sheriff Support Technician; Current 17, Authorized 18
 - Sheriff Support Specialist; Current 3, Authorized 3

- Senior Sheriff Support Specialist: Current 0; Authorized 1
 - Sheriff's Aide: Current 1; Authorized 5
- C. Information from the KCSO indicates Assembly Bill 109 (AB109), the Criminal Justice Realignment Bill implemented in October 2011, has had a significant impact on the jail system. Projections suggest the influx of felons into the jail populations as a result of realignment has caused the felon population to eclipse misdemeanants.
- D. The KCSO created a Pre-trial Release Program sanctioned by the Probation Department, District Attorney and Superior Court, in July 2014.
- E. According to the Lieutenant, since more serious offenders are now being incarcerated at the county level, the detainee population has become more saturated with career criminals. These inmates, formerly held in state institutions, are bringing prison politics, gang influence and mindset usually only present on state prison yards to the KCSO facilities. Since these "hard-core" detainees are being housed in county facilities for longer periods of time, they are able to entrench themselves and their interests into the jail culture.
- F. The Lieutenant stated, *"We are seeing more gang dropouts than before. This has led to an increase in 'protective custody' inmates. However, this has led to a rise in cliques/gangs forming within the 'protective custody' population (i.e. 25-ers). The northerners have become more organized in the last year. They can now no longer be mixed with neutral white/black/Hispanics. All Northern affiliated inmates are now housed together in one unit."*
- G. The CRF has a padded safety cell and three sobering cells. When in use, these cells are checked at random times within a 15 minute period and Staff maintains a log in accordance with California Code of Regulations, Title 15 (Title 15).
- H. The KCSO has a contract with Trinity Services Group for preparation and distribution of meals. Meals are prepared at Lerdo, and delivered to CRF daily. Three meals a day are provided. A cold meal is provided for breakfast and lunch, and dinner is a hot meal.
- I. Average daily cost per inmate is \$85.17 (includes food, staff salaries and transportation costs). Medical care is primarily contracted with Kern Medical Center (KMC).
- J. Ten to fifteen inmate laborers provide daily janitorial services and general maintenance for the CRF, under the supervision of a single Deputy. There is only one maintenance worker assigned to the CRF.

- K. On August 18, 2014, the Inmate Reception Center (IRC) remodeling project was initiated to accommodate a plan to facilitate an expeditious booking process. The project has been delayed pending a new maintenance schedule.
- L. The new Electronic Field Arrest Data Form, currently in development, will permit an arresting officer to begin booking a subject in the field.
- M. A body scanner is now being used to search inmates for contraband upon returning to the CRF or arrestees being booked.
- N. Movement of inmates for medical appointments or court appearances is coordinated through the CRF Transportation Division.
- O. The CRF had no inmate escapes from the facility in the last twelve months. One subject was released in error and returned to custody the same day.
- P. An essential part of the booking process for inmates is a medical assessment by a KMC Nurse. A KMC Doctor is available for consultation at CRF from 1:00 pm to 3:00 pm five days a week. The Kern County Mental Health Department has staff assigned to CRF daily from 8 to 5.
- Q. The CRF is responsible for providing Deputies to guard inmates admitted to a hospital. All felony inmates are accompanied and monitored by an armed Deputy while receiving medical treatment. In fiscal year 2013-2014, \$600,000 was budgeted for hospital guard overtime. In that same year, \$1,159,506.48 was actually spent.
- R. All laundry is done on a daily basis at Lerdo. Laundry for the CRF is returned for sorting and folding by CRF inmate labor.
- S. Sobering cells are available for intoxicated inmates.
- T. The CRF has two restraining chairs used to control disordered inmates who display behavior which might result in the destruction of property or reveal intent to cause physical harm to self or others.
- U. During the Committee's inspection several maintenance, recordkeeping and food handling issues were found.

FINDINGS:

- F1. The antiquated Jail Gate Control Panel, while still functional, is in need of replacement. Future repairs may be problematic as replacement parts are no longer available.

- F2. As of August 21, 2014, the CRF had 125 locks requiring modification. According to the Lieutenant, *“14 locks have been re-keyed in the Inmate Reception Center to match other locks in the facility”*. It takes approximately three hours to remove the lock, work on the unit, re-assemble and re-install. The project to reduce jail keys has been impeded since there is only one maintenance worker assigned to the CRF and Court Holding Facility responsible for all daily repairs and maintenance at the Justice Court Building.
- F3. Information gathered by the Committee reflects that AB109 has resulted in the average sentence of a felony offender to be between three to five years of which they will serve an average of one year. Parole and community supervision violators will serve an average of 30 days. Projections suggest that the County will be responsible each year for more than 1,500 felony offenders sentenced to jail instead of prison, 3,600 parole violators, and 200 offenders incarcerated in jail in violation of their community supervision agreements. Based on these estimates AB109 has created a need for additional jail beds.
- F4. A Pre-trial Release Program was established to alleviate overcrowding in the jail. This program utilizes the Virginia Risk Assessment Tool to identify low risk pre-trial inmates for release under program supervision or with an electronic monitoring device also under supervision.
- F5. Current and future programs for inmates, requiring additional office space for staff, are impacted due to physical space limitations at the CRF.
- F6. To reduce staff overtime costs, a flight risk assessment is performed to determine if an inmate may be transported to the hospital with an electronic monitoring device. These inmates are placed on a “Hospital Hold” thus eliminating the need for an on-site Deputy.
- F7. In the past year there have been two inmates walk away from KMC and one from San Joaquin Hospital all wearing an ankle monitor and on “Hospital Hold”. Two inmates attempted an escape from a transportation van but were recaptured almost immediately.
- F8. Male sobering cells are monitored by cameras; no cameras are located in the female sobering cell. The Facility has 59 recording surveillance cameras and the images are retained for 25 months. There are 34 non-recording cameras.
- F9. In the kitchen area there was a leaking faucet on the west wall. Due to the non-use of the kitchen for food preparation, the garbage disposal has been left unrepaired for approximately 11 years. On the date of inspection, it was noted a required entry had not been made for August 17, 2014, on the temperature log posted on the inmate food storage refrigerator door.

- F10. One elevator used for inmate movement between floors shows extreme wear and tear.
- F11. The Committee observed an open bag with perishable food items sitting on the B deck floor. Staff confirmed this food was to be distributed to the inmates. After apprising the staff about the health hazard, the items were removed from the floor.
- F12. According to staff, inmate labor consisted of seventeen males and three females.
- F13. The Committee observed general housekeeping and maintenance throughout the facility to be deficient. For example, a mop and bucket filled with dirty water was found unattended in the middle of a hall. In addition the male dress out room shower drains were plugged. A maintenance order was submitted by Staff and repairs have been completed.

COMMENTS:

The committee would like to thank the Commander, the Lieutenant and the CRF staff for their reception, time and extensive tour of the facility.

RECOMMENDATIONS:

- R1. The Committee concurs with previous Grand Jury reports that the jail gate control panel should be replaced as soon as possible. When the panel fails, the entire jail gate system could be compromised jeopardizing security and safety of staff and inmates. (Finding 1)
- R2. In order to expedite and complete the project to reduce the number of required keys to operate the jail doors to only five, the Department should budget for additional maintenance personnel. This project has been ongoing since at least 2012 as noted in a prior Kern County Grand Jury Report. (Finding 2)
- R3. The KCSO Transportation Department could be moved to another site which would allow much needed space for facility staff. (Finding 5)
- R4. The KCSO should continue to utilize electronic monitors on inmates in conjunction with "Hospital Holds" to better utilize staff time and minimize overtime costs. To ensure the public's safety, the inmate assessment process should continue to be utilized to identify lower risk inmates. (Findings 4 and 5)
- R5. The Kern County Sheriff's Office should review the Department's budget forecast as allocated expenses for "hospital guard overtime" has significantly exceeded the fiscal year 2013-2014 budget estimate. (Findings 5 and 6)

- R6. To reduce overtime costs, a dedicated hospital ward staffed by a unit of Detention Deputies could be assigned “hospital guard” duty replacing higher paid Deputy Sheriffs. Kern Medical Center, in collaboration with KCSO, could designate a specific area for this purpose. (Findings 5 and 6)
- R7. The female sobering cell should have recording surveillance cameras installed. Additional recording cameras should be installed throughout the facility for the safety of staff and inmates. (Finding 8)
- R8. More emphasis should be placed on general housekeeping and maintenance issues. (Findings 9, 10, 11 and 13)
- R9. Food handling and storage procedures should be followed in accordance with Title 15. (Findings 9 and 11)

NOTES:

- The Kern County Sheriff’s Office, Central Receiving Facility, should post a copy of this report where it will be available for public review.
- Persons wishing to receive an email notification of newly released reports may sign up at: www.co.kern.kern.ca.us/grandjury.
- Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: www.co.kern.ca.us/grandjury.

RESPONSE REQUIRED WITH 60 DAYS

**PRESIDING JUDGE
KERN COUNTY SUPERIOR COURT
1415 TRUXTUN AVENUE, SUITE 212
BAKERSFIELD, CA 93301**

**CC: FOREPERSON
KERN COUNTY GRAND JURY
1415 TRUXTUN AVENUE SUITE 600
BAKERSFIELD, CA 93301**

cc: Sheriff's Office

Response to Grand Jury Final Report

Response to Findings:

The Board of Supervisors agrees that all the Grand Jury's findings are correct.

Response to Recommendations:

R1: The Committee concurs with the previous Grand Jury reports that the jail gate control panel should be replaced as soon as possible. When the panel fails, the entire jail system could be compromised jeopardizing security and safety of staff.

The Board of Supervisors concurs with the recommendation but has not implemented this action. There are plans to work with the Sheriff's Office to implement the recommendation as additional resources are identified.

R2: In order to expedite and complete the project to reduce the number required keys to operate the jail doors to only five, the Sheriff's Office should budget for additional maintenance personnel. This project has been ongoing since at least 2012 as noted in a prior Kern County Grand Jury Report.

The Board of Supervisors concurs with the recommendation but has not implemented this action. There are plans to work with the Sheriff's Office to implement the recommendation as additional resources are identified.

R5. The Kern County Sheriff's Office should review the budget forecasts as allocated expenses for "hospital guard over time" has significantly exceeded the fiscal year 2013-14 budget estimate.

The Board of Supervisors concurs with the recommendations, but has not implemented this action. The Board will coordinate with the Sheriff's Office during the FY 15-16 budget development process to implement this recommendation

R6. To reduce costs, a dedicated hospital ward staff with a unit of Detentions Deputies could be assigned "hospital guard" duty replacing higher paid Deputy Sheriff's. Kern Medical Center, in coordination with the Sheriff's Office, could designate a specific area for this purpose.

The Board of Supervisors concurs with the recommendation, but has not implemented this action. There are plans to work with the Sheriff's Office to further evaluate this recommendation.

R7. The female sobering cell should have recording surveillance cameras installed. Additional recording cameras should be installed throughout the facility for the safety of staff and inmates.

The Board of Supervisors concurs with this recommendation and has worked with the Sheriff's Office to implement this action through the procurement of Community Corrections Partnership funds.



1350 Norris Road
Bakersfield, California 93308-2231

January 2, 2015

The Honorable Collette Humphrey, Presiding Judge
Kern County Superior Court
1415 Truxtun Avenue
Bakersfield, CA. 93301

On August 21, 2014, the Law and Justice Committee of the 2014-2015 Kern County Grand Jury visited the Kern County Sheriff's Office Central Receiving Facility (CRF). Based on their findings, the Grand Jury published a report that was made public on December 8, 2014. Below is the Sheriff's Office response to the 2014-2015 Grand Jury Final Report concerning the Kern County Sheriff's Office Central Receiving Facility.

I would like to express my appreciation to the Grand Jury for its efforts in reviewing the operations of the Central Receiving Facility. The objective review of the Central Receiving Facility provided by the Grand Jury helps to strengthen the foundation of trust between the community and the Sheriff's Office. As always, the Sheriff's Office appreciates the valuable insight the Grand Jury has provided.

GRAND JURY RECOMMENDATIONS:

- R1. *The Committee concurs with the previous Grand Jury reports that the jail gate control panel should be replaced as soon as possible. When the panel fails, the entire jail system could be compromised jeopardizing security and safety of staff and inmates.*
- R2. *In order to expedite and complete the project to reduce the number of required keys to operate the jail doors to only five, the Sheriff's Office should budget for additional maintenance personnel. This project has been ongoing since at least 2012 as noted in a prior Kern County Grand Jury Report.*
- R3. *The Kern County Sheriff's Office Transportation Unit could be moved to another site which would allow much needed space for facility staff.*
- R4. *The Kern County Sheriff's Office should continue to utilize electronic monitors on inmates in conjunction with "Hospital Hold" to better utilize staff time and minimize overtime costs. To ensure the public safety, the inmate assessment process should continue to be utilized to identify low-risk inmates.*

PLEASE ADDRESS ALL COMMUNICATIONS TO THE SHERIFF

- R5. *The Kern County Sheriff's Office should review the budget forecasts as allocated expenses for "hospital guard over time" has significantly exceeded the fiscal year 2013-2014 budget estimate.*
- R6. *To reduce overtime costs, a dedicated hospital ward staff with a unit of Detentions Deputies could be assigned "hospital guard" duty replacing higher paid Deputy Sheriff's. Kern Medical Center, in coordination with the Sheriff's Office, could designate a specific area for this purpose.*
- R7. *The female sobering cell should have recording surveillance cameras installed. Additional recording cameras should be installed throughout the facility for the safety of staff and inmates.*
- R8. *More emphasis should be placed on general housekeeping and maintenance issues.*
- R9. *Food handling and storage procedures should be followed in accordance with Title 15.*

KERN COUNTY SHERIFF'S OFFICE RESPONSE:

The Kern County Sheriff's Office concurs with a majority of the recommendations provided by the Grand Jury. However, the unavailability of adequate funding in recent years has made the completion of many of the recommended actions problematic. The Sheriff's Office continues to explore additional avenues of funding in order to complete many of the Grand Jury's recommendations.

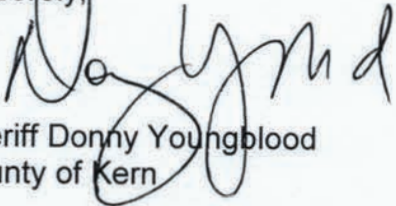
- R1. The Sheriff's Office recognizes the importance of replacing antiquated and unserviceable equipment. The Sheriff's Office has explored the options available and associated costs related to the replacement of the CRF control panel for the gate system. This is considered a high priority and we are actively looking for additional funds to complete this project.
- R2. Working within the constraints of the current budget, the Sheriff's Office is continuing to work towards the completion of this project and is looking at ways to add additional manpower hours in order to expedite the completion of this project.
- R3. Based on the growth of the Transportation Unit's operations and the lack of available parking space for transportation personnel and other County personnel, the Sheriff's Office concurs with the recommendation to move the Transportation Unit to an alternate site. The Sheriff's Office is currently exploring options and potential sources of funding to complete this project.
- R4. The Sheriff's Office continually re-evaluates the appropriateness of utilizing electronic monitoring devices on individual inmates at Kern Medical Center. When an inmate's classification status indicates that they are not a safety or

security threat to staff, we agree that placing the inmate on an electronic monitor is an appropriate and cost effective course of action.

- R5. The Sheriff's Office began using electronic monitoring devices on inmates at Kern Medical Center in early 2014. Moving forward, the expanded use of electronic monitoring devices should result in a reduction of overall overtime costs.
- R6. The Sheriff's Office is currently in discussions with Kern Medical Center to determine an appropriate location within the hospital where a dedicated room or wing could be used to house in-custody inmates.
- R7. The Community Corrections Partnership has approved \$175,000 to expand the current camera system within CRF. This will add approximately 36 additional cameras to the facility. One of the cameras is earmarked for the recommended purpose of surveilling the female sobering cell. The purchase and installation of these additional cameras is slated to occur in the next several months.
- R8. The Sheriff's Office is dedicated to maintaining a safe, secure, and clean environment for our inmate population. The Sheriff's Office will implement immediate steps to improve the overall cleanliness of CRF.
- R9. The Sheriff's Office is required to follow the guidelines of Title 15, and we are taking the necessary steps to ensure we are in compliance with those guidelines.

The Kern County Sheriff's Office sincerely thanks the Grand Jury's Law and Justice Committee for taking the time to visit the Central Receiving Facility and providing their valuable insight and recommendations. I hope this information will assist the Grand Jury in its service to the citizens of Kern County.

Sincerely,



Sheriff Donny Youngblood
County of Kern

cc: Undersheriff RoseMary Wahl
Chief Deputy Shelly Castaneda
Chief Deputy Curtis Cornelison
Chief Deputy Brian Wheeler
Chief Deputy Kevin Zimmermann
Clerk of the Board
Kern County Grand Jury Foreman
Assistant CAO Teresa Hitchcock



1350 Norris Road
Bakersfield, California 93308-2231

February 12, 2015

The Honorable John Somers, Presiding Judge
Kern County Superior Court
1415 Truxtun Avenue
Bakersfield, CA. 93301

On January 2, 2015, the Sheriff's Office submitted a response to the 2014-2015 Grand Jury Final Report concerning the Law and Justice Committee's August 21, 2014 visit to the Kern County Sheriff's Office Central Receiving Facility (CRF). On February 4, 2015, the Grand Jury requested the Sheriff's Office submit a follow-up response to three specified findings from their original report. This letter will serve as an addendum to the Sheriff's Office's initial response and will address the following three findings.

GRAND JURY FINDINGS:

- F3. *Information gathered by the Committee reflects that AB109 has resulted in the average sentence of a felony offender to be between three to five years of which they will serve an average of one year. Parole and community supervision violators will serve an average of 30 days. Projections suggest that the County will be responsible each year for more than 1,500 felony offenders sentenced to jail instead of prison, 3,600 parole violators, and 200 offenders incarcerated in jail in violation of their community supervision agreements. Based on these estimates, AB109 has created a need for additional jail beds.*
- F4. *A Pre-Trial Release Program was established to alleviate overcrowding in the jail. The program utilizes the Virginia Risk Assessment Tool to identify low risk pre-trial inmates for release under program supervision or with an electronic monitoring device also under supervision.*
- F10. *One elevator used for inmate movement between floors shows extreme wear and tear.*

KERN COUNTY SHERIFF'S OFFICE RESPONSE:

- F3. The Sheriff's Office agrees with this finding. Like most local agencies, the Sheriff's Office has felt the challenging impacts of Realignment (AB109) upon all aspects of jail operations, including: facility security, inmate supervision,

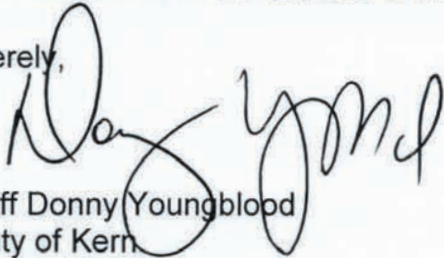
PLEASE ADDRESS ALL COMMUNICATIONS TO THE SHERIFF

rehabilitation, food services, custody support services, transportation, medical and mental health treatment, classification, employee supervision, and investigations. The increase in population and change in the type of inmate housed impacts nearly every component of jail operations.

- F4. The Sheriff's Office agrees with this finding. Pre-trial release programs across the United States have been proven to effectively manage jail populations and reduce recidivism. After California's prison realignment took effect, our pre-trial release program was implemented to help manage our jail population. This program allows us to responsibly reduce the pre-trial jail population while maintaining public safety and the integrity of the judicial process. All candidates are interviewed, investigated and scored using the Virginia Risk Assessment Tool. Only those determined to be low risk to the community are eligible. This program ensures that we have room in our jail facilities to house more serious and violent offenders and also to reduce and eliminate the early release of sentenced inmates due to overcrowding
- F10. The Sheriff's Office agrees with this finding. The referenced elevator was installed in the late 1980's. The elevator interiors are original from when the elevator was installed. The cosmetics of the interior of the elevator are showing wear and tear. CRF staff does paint the interior of the carts periodically; however, the floors are laminate and have been worn away from constant use. We are in the process of getting an estimate from the elevator company as to how much it would cost to refurbish the cart.

The Kern County Sheriff's Office sincerely thanks the Grand Jury's Law and Justice Committee for taking the time to visit the Central Receiving Facility and providing their valuable insight and recommendations. I hope this information will assist the Grand Jury in its service to the citizens of Kern County.

Sincerely,



Sheriff Donny Youngblood
County of Kern

cc: Undersheriff RoseMary Wahl
Chief Deputy Shelly Castaneda
Chief Deputy Curtis Cornelison
Chief Deputy Brian Wheeler
Chief Deputy Kevin Zimmermann
Clerk of the Board
Kern County Grand Jury Foreman
Assistant CAO Teresa Hitchcock

TEHACHAPI POLICE DEPARTMENT

PURPOSE OF INQUIRY:

The Law and Justice Committee (Committee) of the 2014-2015 Kern County Grand Jury visited the Tehachapi Police Department (Department) on July 24, 2014, to inspect the new facility and to inquire into the management and operation of the Department pursuant to Penal Code Section §925a.

PROCESS:

The Committee was briefed by the recently appointed Chief of Police (Chief) and Administrative Sergeant on Departmental operations. Following a question and answer session the Committee toured the facility.

BACKGROUND/FACTS:

Formal law enforcement began in Tehachapi in the early 1870's and was initially policed by Constables. In 1909 the township of Tehachapi appointed its first official peace officer, the Town Marshall. In 1944 the Town Marshal's Office was officially changed to the Tehachapi Police Department. The Department was disbanded in 1987 and policing responsibilities were transferred to the Kern County Sheriff's Office (KCSO). The Tehachapi Police Department was reinstated in 2007 and was located at 129 East "F" Street. On June 27, 2014, the Department moved to a remodeled facility at 220 West "C" Street which had been a long abandoned garment factory. The population of Tehachapi is approximately 8,493 residents. A fluctuating additional 5,921 prisoners housed within the California Correctional Institute located at 24900 Highway 202 are included in the total city population count for tax purposes only.

- A. The new Police Chief was appointed on July 1, 2014, and is a 26 year veteran of the Los Angeles County Sheriff's Department holding a Bachelor's degree in Criminology and a Master's degree in Criminal Justice.
- B. The Department currently employs 16 sworn officers consisting of the Chief, three Sergeants, one Detective, two Senior Officers and eleven Patrol Officers. The Department currently has two Reserve Officers and also employs a professional staff consisting of an Administrative Assistant, a Records Clerk, and a part time Crime Prevention Officer. The Department has an active group of approximately 12 volunteers in Patrol and 11 cadets in the Explorer program.
- C. On June 2, 2014, the Board of State and Community Corrections (BSCC) completed a preliminary assessment on the Departments' new facility. The Department received written notice on June 27, 2014, from the BSCC identifying several non-compliant areas under Title 24, sec. 13-102 (6) design requirements for local detention facilities, including Temporary Holding Facilities.

- D. A Dispatch Center has been incorporated into the facility, with the original intent to provide on-site dispatch services to the local community.
- E. Current dispatch services are furnished by Bear Valley Springs Police Department at an annual cost to Tehachapi taxpayers of \$438,000.
- F. Documentation is required according to the Departments' Policy Manual for the monitoring and supervision of detainable arrestees per Policy Sections 900.1.4, 900.3.1 and 900.3.2.
- G. The new facility includes an enclosed Sally Port for secure movement into or out of the Station.
- H. Recording surveillance cameras are located throughout the facility.
- I. The Departments' practice is to deploy two officers per shift. Under defined conditions, officers are permitted to take Department cars home.
- J. The Department has two Motor Officers, on alternating shifts. The Department has one functional motorcycle and another motorcycle cannibalized for parts.
- K. Individual cubicles are provided in the squad room for Police Officers to complete reports.

FINDINGS:

- F1. Two sworn Officers are assigned as School Resource Officers to the local school district. One has an office onsite at Tehachapi High School and the second Officer travels between the elementary and middle schools to provide outreach services.
- F2. The current Records Clerk also acts as the Department Receptionist.
- F3. The City of Tehachapi constructed a new police station containing a local detention facility without considering the required statute and regulations governed under the BSCC. A letter from the BSCC dated June 27, 2014, addressed to the prior Chief stated that, "It is significant to note the BSCC had not previously been notified of the facility's construction. No pre-construction communication occurred between BSCC and the City or others involved in the project." (Penal Code §6031.4 (b), Penal Code §6029 and Title 24, sec. 13-102)
- F4. Due to the noncompliant design plan, the Department is unable to fully maximize all the new areas and improvements built into the facility.

- F5. A study is in progress to determine if it is cost effective to assume in-house dispatch services.
- F6. According to the Chief, there has been an increase in criminal activity including burglaries and larcenies. Arrests are up 40% which may be the result of Assembly Bill 109 (Bill), the re-alignment of prison populations in California. This Bill has resulted in the early release of inmates prior to completion of their sentences.
- F7. According to the Chief, a study has been conducted concerning the issue of methamphetamine usage and its effect on criminal activity. The results of this study are being used to implement an action plan to combat the increased drug and criminal activity in the community.
- F8. The facility has installed artificial grass to reduce grounds maintenance costs and water usage.
- F9. The Department continues to use a security restraint bench to hold arrestees awaiting transport to Kern County Central Receiving Jail or KCSO Mojave substation. The Chief is consulting with BSCC staff to correct the deficiencies in the current holding cells with the intent to eliminate the use of the security restraint bench.
- F10. According to the Administrative Sargent, arrestees are visually monitored and with few exceptions, are held for no more than 45 minutes before transport. The Committee requested to view the required arrestee logs; however, the Chief advised they were not readily available.
- F11. One Police Officer has received specialized drug enforcement training and is assigned to the KCSO's Kern Narcotics Enforcement Team (KNET). This collaboration provides additional policing resources without adding costs to the Department.
- F12. The Department has initiated a six month pilot Cadet Program. The Department is recruiting candidates ages 18 to 21 through an application and interview process. The Program is designed to attract and develop future Tehachapi Police Officers.

COMMENTS:

The Committee found the new Chief to be enthusiastic and knowledgeable, reflecting his many years in law enforcement. The Committee would like to thank the Chief and his Staff for their time, professionalism and providing an extensive tour of the facility.

RECOMMENDATIONS:

- R1. The Department should create and budget, as funds become available, for a position of Receptionist to provide assistance to the public during operational hours. (Finding 2)
- R2. The Department should closely analyze the estimated costs and additional work load associated with complying with BSCC regulations under Title 24 and Title 15 regarding holding cells to determine if the need to use these cells surpasses the costs. (Findings 3, 4 and 8)
- R3. A cost analysis study to bring outsourced dispatch services in-house should be completed expeditiously to determine the financial impact. (Finding 5)
- R4. The Department should increase utilization of the KNET program, whenever possible, to combat the rising crime rate. (Findings 6, 7 and 10)
- R5. The Department should maintain and make readily available arrestee new documentation in accordance with the Departments' Policy Manual. (Findings 9 and 10)

NOTES:

The Tehachapi Police Department should post a copy of this report where it will be available for public review.

Persons wishing to receive an email notification of newly released reports may sign up at: www.co.kern.ca.us/grandjury, click on: Sign up for early releases.

Present and past Kern County Grand Jury Final Reports and Responses can be accessed through the Kern County Library system and the Kern County Grand Jury website: www.co.kern.ca.us/grandjury.

RESPONSE REQUIRED WITHIN 90 DAYS TO:

**PRESIDING JUDGE
KERN COUNTY SUPERIOR COURT
1415 TRUXTUN AVENUE, SUITE 212
BAKERSFIELD, CA 93301**

**cc: FOREPERSON
KERN COUNTY GRAND JURY
1415 TRUXTUN AVENUE, SUITE 600
BAKERSFIELD, CA 93301**



December 2, 2014

Presiding Judge
Kern County Superior Court
1415 Truxtun Avenue, 2nd Floor
Bakersfield, CA 93301

cc: Foreperson
Kern County Grand Jury
1415 Truxtun Avenue, Suite 600
Bakersfield, CA 93301

The Law and Justice Committee of the 2014-2015 Kern County Grand Jury visited the Tehachapi Police Department on July, 24, 2014, to inspect the new facility and inquire into the management and operation of the Department pursuant to Penal Code Section 925a.

The Grand Jury released the final report documenting their findings and recommendations on November 26, 2014. Penal Code Section 933 requires a response to these findings and recommendations within 90 days. This document contains the response provided by the Tehachapi Police Department and the City of Tehachapi.

FINDINGS:

F1. Two sworn Officers are assigned as School Resource Officers to the local school district. One has an office onsite at Tehachapi High School and the second Officer travels between the elementary and middle schools to provide outreach services.

Response: The Tehachapi Police Department agrees with this finding and would add that the second Officer now has an office onsite at Monroe High School. He continues to travel between the elementary and middle schools.

F2. The current Records Clerk also acts as the Department Receptionist.

Response: The Tehachapi Police Department agrees with this Finding. The Records Clerk is responsible for citizen requests at the counter and is assisted by volunteers as well as a Police Cadet.

www.tehachapicityhall.com

220 West C Street ■ Tehachapi ■ California ■ 93561 ■ (661) 822-2222

F3. The City of Tehachapi Constructed a new police station containing a local detention facility without considering the required statute and regulations governed under the BSCC. A letter from the BSCC dated June 27, 2014, addressed to the prior Chief stated that, "It is significant to the BSCC had not previously been notified of the facility's construction. No pre-construction communication occurred between BSCC and the City or others involved in the project." (Penal Code 6031.4 (b), Penal Code 6029 and Title 24, sec. 13-102)

Response: The Tehachapi Police Department disagrees partially with this finding. While we agree that BSCC was not notified of the construction and no pre-construction communication occurred, this was an unintentional error which occurred within an extremely large-scale project. Both the Department and the City believed the Holding Facility was being constructed to meet required statutes and regulations. The Department was unaware of the requirements of Penal Code 6031.4 (b), Penal Code 6029 and Title 24, sec. 13-102 until receiving notification from BSCC. The Department has been extremely cooperative and has worked with BSCC over the past months to correct the structural deficiencies identified.

F4. Due to the noncompliant design plan, the Department is unable to fully maximize all the new areas and improvements built into the facility.

Response: The Tehachapi Police Department agrees with this finding. The structural deficiencies have been corrected allowing for full use of the facility.

F5. A study is in progress to determine if it is cost effective to assume in-house dispatch services.

Response: The Tehachapi Police Department agrees with this finding.

F6. According to the Chief, there has been an increase in criminal activity including burglaries and larcenies. Arrests are up 40% which may be the result of Assembly Bill 109 (Bill), the re-alignment of prison populations in California. The Bill has resulted in the early release of inmates prior to completion of their sentences.

Response: The Tehachapi Police Department agrees with this finding. It is important to note however that the increases in burglaries and larcenies have occurred over the past five years. The Tehachapi Police Department is making significant progress in these areas with decreases in both burglaries and larcenies over the past year and a half.

F7. According to the Chief, a study has been conducted concerning the issue of methamphetamine usage and its effect on criminal activity. The results of this



study are being used to implement an action plan to combat the increased drug and criminal activity in the community.

Response: The Tehachapi Police Department agrees with this finding. The Kern County Mental Health Department released the findings and recommendations from this study in September of 2014. The strategy identified four key areas: prevention, early intervention, treatment, and suppression. The effectiveness of some components of this strategy may be reduced by the passage of Proposition 47.

F8. The facility has installed artificial grass to reduce ground maintenance costs and water usage.

Response: The Tehachapi Police Department agrees with this finding.

F9. The Department continues to use a security restraint bench to hold arrestees awaiting transport to Kern County Central Receiving Jail or KCSO Mojave substation. The Chief is consulting with BSCC staff to correct the deficiencies in the current holding cells with the intent to eliminate the use of the security restraint bench.

Response: The Tehachapi Police Department agrees with this finding. The deficiencies to the temporary holding cells have been corrected.

F10. According to the Administrative Sergeant, arrestees are visually monitored and with few exceptions, are held for no more than 45 minutes before transport. The Committee requested to view the required arrestee logs; however, the Chief advised they were not readily available.

Response: The Tehachapi Police Department agrees with this finding. The Department did not previously maintain a log of arrestees. This deficiency has been corrected and a log is now maintained and available for review.

F11. One Police Officer has received specialized drug enforcement training and is assigned to the KCSO's Kern Narcotics Enforcement Team (KNET). This collaboration provides additional policing resources without adding costs to the Department.

Response: The Tehachapi Police Department partially disagrees with this finding. The Department has had two officers receive training through KNET. This collaboration was recently discontinued due to a lack of funding and the disbanding of KNET.

www.tehachapicityhall.com

220 West C Street ■ Tehachapi ■ California ■ 93561 ■ (661) 822-2222



F12. The Department has initiated a six month pilot Cadet Program. The Department is recruiting candidates ages 18 to 21 through an application and interview process. The program is designed to attract and develop future Tehachapi Police Officers.

Response: The Tehachapi Police Department agrees with this finding. While one Cadet remains, expansion of the program has been delayed while deficiencies with the training program are being corrected.

The Kern County Grand Jury provided the following recommendations to the Tehachapi Police Department. The Department has thoroughly reviewed each of these recommendations and report the following actions:

RECOMMENDATIONS:

R1. The Department should create and budget, as funds become available, for a position of Receptionist to provide assistance to the public during operational hours. (Findings 2)

Action: The recommendation has not yet been implemented and requires further analysis. The Tehachapi Police Department recognizes the need to provide timely and quality service to the public and the creation of a Receptionist position would increase our ability to provide that service. The outcome of the in-house Dispatch study will have an impact on our decision to create such a position. It is our intention to have the Dispatch Study completed by the end of 2014.

R2. The Department should closely analyze the estimated costs and additional workload associated with complying with BSCC regulations under Title 24 and Title 15 regarding holding cells to determine if the need to use the cells surpasses the costs. (Findings 3, 4, and 8)

*Action: The recommendation has been implemented. The Tehachapi Police Department worked closely with BSCC to identify cost effective solutions to the deficiencies identified within the temporary holding facility. The deficiencies to the structure have been corrected at **no additional cost** to the city. The corrections included raising the ceiling height in the holding cells and installing security caulk to external fixtures. Other deficiencies have been addressed through policy implementation in concurrence with BSCC. The operation of the Temporary Holding Facility will be in compliance with Title 15 and Title 24.*

R3. A cost analysis study to bring outsourced dispatch services in-house should be completed expeditiously to determine financial impact. (Finding 5)

www.tehachapicityhall.com

220 West C Street ■ Tehachapi ■ California ■ 93561 ■ (661) 822-2222



Action: The recommendation has been implemented. The Tehachapi Police Department has contracted with RCC Consultants to conduct a cost analysis study to determine if it is a cost effective option to discontinue outsourcing our dispatching services. The initial phase of the study was completed in August of 2014. RCC is completing a second phase of the study involving a call volume analysis. The Department anticipates this phase of the study to be completed by the end of 2014 and should provide sufficient information to make an informed decision regarding dispatch services.

R4. The Department should increase utilization of the KNET program, whenever possible, to combat the rising crime rate. (Findings, 6, 7 and 10)

Action: This recommendation will not be implemented. As previously discussed, the KNET Program has been disbanded and is no longer a funded program. Additionally, the Tehachapi Police Department is making significant progress toward reducing crime with existing resources. An aggressive crime prevention strategy is being implemented to educate citizens and businesses in an attempt to involve all stakeholders in our crime reduction efforts.

R5. The Department should maintain and make readily available arrestee new documentation in accordance with the Department's Policy Manual. (Finding 9 and 10)

Action: The recommendation has been implemented. The Department has created an arrestee log, medical questionnaires, and classification forms to comply with all statutes and regulations. A Temporary Holding Facility Operations and Procedures Manual has been recently completed based upon input and inspection forms provided by BSCC.

The Tehachapi Police Department welcomes the opportunity to have every aspect of our organization and the management of our daily operations reviewed and analyzed. We strive to be completely transparent in everything we do and believe assessments of this nature can only help improve our organization and the service we provide to the citizens of Tehachapi.

Sincerely,

Kent Kroeger, Chief of Police

www.tehachapicityhall.com

220 West C Street ■ Tehachapi ■ California ■ 93561 ■ (661) 822-2222

KERN VALLEY STATE PRISON

PURPOSE OF INQUIRY:

On March 10, 2015, the Law and Justice Committee (Committee) of the 2014-2015 Kern County Grand Jury (Grand Jury) visited the Kern Valley State Prison (KVSP) to inquire into management and conditions at the KVSP pursuant to California Penal Code §919(b).

PROCESS:

The Committee met with the Warden, Associate Warden, the Administrative Assistant/Public Information Officer, and Staff. After a comprehensive overview of the institution, a tour of KVSP was provided by the Public Information Officer and Staff.

BACKGROUND AND FACTS:

First opened in 2005, Kern Valley State Prison is a male-only prison located on 800 acres at 3000 West Cecil Avenue, Delano, California 93215. The facility is located just southwest of North Kern State Prison and Reception Center. The prison is a maximum security institution, consisting of level I, II, III and IV inmates. It is designed with four identical 180° facilities A, B, C and D. An internal electrified fence surrounds two stand-alone Administrative Segregation Units (ASU). Located inside the outer perimeter fence is a level I Minimum Support Facility (MSF).

- A. Maximum design capacity is 2,448 inmate beds. Total inmate population on the date of the Committee's visit: 3,706 inmates.
- Facility A
 - General Population 926
 - Facility B
 - General Population/ASU (Mental Health) 761
 - Facility C
 - Sensitive Needs/Enhanced Out Patient 911
 - Facility D
 - Sensitive Needs/Transitional Housing Unit 821
 - Facility M (MSF)
 - General Population 92
 - Infirmary 20
 - ASU (Non-Mental Health) 170
 - Off-site Medical 3

- B. Work crews consist of level I minimum security inmates and are responsible for the upkeep of the facility such as ground maintenance, janitorial service, etc. The KVSP has mutual aid agreements with all local law enforcement and the Kern County Fire Department.
- C. On the date of the visit, KVSP was staffed as follows
- Total budgeted Staff positions: 841
 - filled positions 794
 - vacant positions 47
- D. The estimated cost to house and maintain an inmate is \$54,000 a year. Of that total, medical, dental and mental health costs are estimated to be \$11,000.
- E. Inmates are provided a hot meal for breakfast and dinner and a cold midday sack lunch. All level IV inmate meals are served in their cells and level I-III inmates are served in the dining hall. Religious and dietary meals have an additional cost.
- F. Academic classes offered include English Language Learner, Adult Basic Education and preparation for General Equivalency Diploma (GED).
- G. The KVSP provides a variety of vocational courses such as automotive mechanics, small engine repair, welding, masonry, electronics, office services and related technologies.
- H. Fire suppression services for KVSP are provided by North Kern State Prison.
- I. The KVSP has an understanding with the City of Delano to provide citizens with shelter, food and other services during emergency situations.
- J. The California Department of Public Health (DPH) – Environmental Compliance Section conducted an inspection at KVSP between October 20 and 24, 2014, “...as means to ensure the health and safety of inmate workers and staff in meeting correctional accreditation and standards.” A Correction Plan was requested to address identified deficiencies outlined in the DPH report. According to management at KVSP a Correction Plan has been submitted.
- K. Kern Valley State Prison is periodically inspected and audited by various entities. The American Correctional Association accredited the KVSP on August 18, 2014, for a three year accreditation. This accreditation requires annual spot audits and a complete recertification in 2017.

FINDINGS:

- F1. As with other California Penal institutions, Assembly Bill 109 and the recent passage of Proposition 47 have impacted the California Department of Corrections and Rehabilitation (CDCR) security classification system for inmates by modifying the criteria by which security levels are determined.
- F2. Inmates are now eligible to earn up to eight points a year through participation and completion of various rehabilitation programs. Inmates may now earn sufficient points to have their security level reviewed and possibly reduced. This has resulted in a reduction of some inmate's security level, thus creating the possibility for a level IV inmate to eventually be classified to a level I.
- F3. According to staff, 64% of inmates at KVSP will never be released.
- F4. Level I inmates assigned to the Maintenance Facility must have three years or less to serve on their sentence.
- F5. The KVSP no longer provides work crews to the City of Delano.
- F6. A pilot program through Bakersfield College provides an instructor for General Education course work two times per week.
- F7. The KVSP provides a law library program (Lexus/Nexus) for legal research.
- F8. A fine arts program, Arts in Corrections, has been added to the KVSP curriculum. This program currently is available in six CDCR prisons which provide classes in acting, drama and musical instruments.
- F9. The KVSP staff advised in 2014 there were five vocational programs available and to date there are now a total of eight including electronics.
- F10. The KVSP began offering a voluntary Enhanced Outpatient mental health program in April 2015.
- F11. The CDCR has initiated a statewide Healthcare Facilities Improvement Project to provide improved major onsite medical care at each prison. The KVSP will be enhanced through the addition of a stand-alone 2,400 square foot complex which will provide comprehensive medical, dental and mental health treatment with a completion year of 2017.
- F12. The KVSP medical staff coordinates and tracks 9,000 to 12,000 medical appointments per month.

- F13. The exercise yard in the Correctional Treatment Center, which houses in-patient inmates receiving mental health services on a long term basis, was observed not to have been cleaned or maintained over a long period of time. Photographs were subsequently provided to the Committee indicating corrective actions had been taken and staff instructed to include this area in their regular cleaning schedule.
- F14. In the satellite kitchen of Facility B, a pile of melting ice was observed in front of the ice machine with no warning signs in place. When staff was informed, they immediately placed the appropriate signage.
- F15. While in the Central Kitchen, the Committee observed a leaking faucet in sink #2 and a steam kettle was leaking water onto the floor near the back wall.
- F16. On March 1, 2015, KVSP initiated the use of an ION Scanner to scan inmates, visitors and, randomly, staff in an attempt to stop the flow of illegal drugs and contraband from entering the prison.

COMMENTS:

The Committee would like to thank the Warden, the Administrative Officer and staff for their professionalism and the extensive orientation and tour.

RECOMMENDATIONS:

- R1. As recommended in the 2013-2014 Kern County Grand Jury Report on Kern Valley State Prison, staff should be more vigilant in placing wet floor signage in kitchen areas. (Findings 14 and 15)
- R2. Kern Valley State Prison should consider increasing the number of instructors from Bakersfield College who provide General Education course work in the prison. (Finding 6)
- R3. Kern Valley State Prison should expand their electronics program to include vocational courses such as introduction to telecommunication, customer service, fiber optics and network copper cabling as offered at California Correctional Institution, Tehachapi CA. The CDCR should implement these types of courses statewide in all institutions to enhance employment opportunities after release. (Finding 9)
- R4. The proposed Kern Valley State Prison Environmental Corrective Plan should be implemented as soon as possible to prevent any health issue or injuries to staff or inmates. (Findings 14 and 15)

NOTES:

- The Kern Valley State Prison should post a copy of this report where it will be available for public review.
- Persons wishing to receive an email notification of newly released reports may sign up at: www.co.kern.kern.ca.us/grandjury.
- Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: www.co.kern.ca.us/grandjury.

RESPONSE REQUIRED WITHIN 90 DAYS

**PRESIDING JUDGE
KERN COUNTY SUPERIOR COURT
1415 TRUXTUN AVENUE, SUITE 212
BAKERSFIELD, CA 93301**

**CC: FOREPERSON
KERN COUNTY GRAND JURY
1415 TRUXTUN AVENUE, SUITE 600
BAKERSFIELD, CA 93301**

**DIVISION OF ADULT INSTITUTIONS
KERN VALLEY STATE PRISON**P.O. Box 3130
Delano, CA 93216-6000

COPY



August 24, 2015

RECEIVED

AUG 31 2015

By

A handwritten signature in blue ink, appearing to be "J. [unclear]".

Presiding Judge
Kern County Superior Court
1415 Truxtun Avenue, Suite 212
Bakersfield, CA 93301

Dear Honorable Judge,

This is in response to the letter I received dated, June 11, 2015, concerning the 2014-2015 Kern County Grand Jury report on Kern Valley State Prison. The following is submitted in response to the aforementioned letter:

- Per California Penal Code Section 933 (a), Kern Valley State Prison agrees with the findings located in the Kern County Grand Jury's report for 2014-2015.
- Recommendations of the Grand Jury:

R1. Staff being more vigilant in placing Warning signs in wet floor areas of the kitchen areas.

Kern Valley State Prison has re-iterated to all staff and has ensured availability of signs for posting as needed when sections of floors are wet.

R2. Kern Valley State Prison should consider increasing the number of instructors from Bakersfield College who provide General Education course work in the prison.

With the recent passage of Senate Bill 1391 Kern Valley State Prison has welcomed the advancement of this program at Kern Valley State Prison. Should the Pilot program continue its successes it will most likely be expanded as staffing from Bakersfield College increases for the program. More information on this program can be found at <http://www.cdcr.ca.gov/rehabilitation/voluntary-education-program-college.html>

R3. Kern Valley State Prison should consider expanding their electronics program to include vocational courses such as telecommunications, customer service, fiber optics and network copper cabling. The California Department of Corrections and Rehabilitation (CDCR) as a whole should implement these

cc: Foreperson
Kern County Grand Jury
1415 Truxtun Avenue, Suite 600
Bakersfield, CA 93301

COPY

types of courses statewide in all Institutions to enhance employment opportunities after inmates are released.

Kern Valley State Prison follows the directives of the Division of Rehabilitative Program – Office of Correctional Education (OCE) Division who is tasked with implementing various academic and education programs at each of California's adult state prisons. The goal of OCE is to provide offenders with needed education and career training as part of a broader CDCR effort to increase public safety and reduce recidivism. The Career Technical Education programs (i.e. - Vocational) offer industry standard training and certifications. More information on OCE and the programs they focus on can be found at <http://www.cdcr.ca.gov/rehabilitation/oce.html>

R4. The proposed Kern Valley State Prison Environmental Corrective Plan should be implemented as soon as possible to prevent any health issue or injuries to staff or inmates.

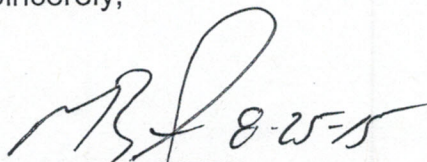
Kern Valley State Prison implemented a number of the recommended corrections and is still correcting identified discrepancies. A Corrective Action Plan (CAP) was submitted to the California Department of Health on April 10, 2015.

- Kern Valley State Prison has implemented the recommendation that the Kern County Grand Jury's report be posted where it is available for public view. Kern Valley State Prison has posted the report on Institution Bulletin Boards, and a scanned copy placed in a folder accessible to Institutional computer users.

Kern Valley State Prison extends our appreciation to the Kern County Grand Jury for its annual reviews and recommendations to improve and sustain our high standard of excellence.

Please contact Lieutenant Marshall Denning, Administrative Assistant/Public Information Officer should you have concerns/questions at (661) 721-6314.

Sincerely,



MARTIN D. BITER
Warden
Kern Valley State Prison

NORTH KERN STATE PRISON

PURPOSE OF INQUIRY:

On December 2, 2014, the Law and Justice Committee (Committee) of the 2014-2015 Kern County Grand Jury (Grand Jury) visited North Kern State Prison (NKSP) to inquire into the management and conditions of NKSP pursuant to California Penal Code §919(b)

PROCESS:

The Committee met with the Warden, Public Information Officer, Litigation Coordinator, executive and medical staff and numerous personnel representing various areas of expertise/responsibility. After a comprehensive overview of the institution, a tour of NKSP was provided by the Public Information Officer, the Litigation Coordinator and staff.

BACKGROUND AND FACTS:

The NKSP is located at 2737 West Cecil Avenue, Delano, California. Sitting on 640 acres, construction began in 1990, and the Facility opened in April 1992. The Facility is one of the California Department of Corrections and Rehabilitation (CDCR) prison sites taking steps to help our State go green with clean, renewable energy. A 5.7 megawatt solar power plant was constructed by Sun Edison at no cost to the CDCR, State of California or taxpayers. It is projected the cost of NKSP's utilities will be reduced by approximately 13 million dollars over the next 20 years, and millions of pounds of carbon dioxide will be offset by the solar power generated. NKSP has stated it is committed to being a good steward of the environment and has installed energy efficient lighting and replaced antiquated water heaters with tank-less water heaters. The institution has a 16 bed Correctional Treatment Center licensed in 2005, providing 24-hour medical and psychiatric care for the inmates. The Institution has a fully staffed fire department and when called upon provides mutual aid to the Delano Community.

- A. The Institution is a Reception Center for processing inmates from southern and some northern county jails, currently averaging a monthly intake of 900 and an outflow of 930 inmates.
- B. The Central California Transportation Hub is located at NKSP and functions as the transportation hub for the CDCR.
- C. Due to Assembly Bill 109, Reception Centers were reduced from nine to six: California Institution for Men, Del Norte Vocational Institution, San Quentin State Prison, Wasco State Prison (Kern County), North Kern State Prison (Kern County) and Central California Women's Facility.

- D. Total inmate population on the date of the Committee's visit: 4,320 (design capacity 4,529)
- Reception Center – 3,494
 - Facility B (two-tiered cell setting) – 1,079
 - Facility C (two-tiered dormitory) – 1,537
 - Facility D (two-tiered cell setting) – 864
 - Correctional Treatment Center – 14
 - General Population – 708
 - Facility A (two-tiered cell setting) – 569
 - Facility M (open dormitory) – 139
 - Administrative Segregation Unit – 88
 - Fire House – 6
 - Outside Hospital/Out to Medical/Out to Court – 9
 - Receiving/Release - 15
- E. On the date of the visit, NKSP was staffed as follows:
- Total budgeted Safety positions: - 736
 - Management – 14
(includes the Warden, Chief Deputy Warden, Associate Warden and Captains)
 - Lieutenants – 23 (6 vacancies)
 - Sergeants – 66 (5 vacancies)
 - Correctional Officer (CO) – 562 (71 vacancies)
 - Permanent intermittent CO – 11 (one long term sick leave)
 - Correctional Counselor I – 49
 - Correctional Counselor II – Supervisor – 6 (1 vacancy)
 - Correctional Counselor II – Specialist – 5
- F. There are 563 civilian positions including Medical Staff.
- G. General Population inmates are assigned either to a work assignment or an academic class. Inmates providing work support are medium or minimum custody inmates who may be assigned to maintenance, warehouse, building porter, clerical support, fire house (minimum security only), kitchen duty or janitorial services.
- H. Vocational training programs are available to General Population inmates, such as Small Engine Repair and Residential/Commercial Electrical Installation Works and Repair. A certified Hospital Standards Janitorial Program was initiated at NKSP on November 1, 2014. According to NKSP staff, this program is currently in place at 20 other prisons throughout California and CDCR has plans to implement this program at all prisons by the end of 2015.

- I. The NKSP offers both voluntary and required educational programs for inmates. The Voluntary Education Program is available to inmates in all facilities. Opportunities are provided for tutoring and instruction at all reading levels from General Education Development (GED) through college. Level III General Population inmates housed in Facility A are assigned to the Adult Basic Education (ABE) program providing instruction from basic literacy through GED.
- J. A variety of religious services are offered: Catholic, Protestant, Muslim, Native American and others. Outside volunteers conduct these services.
- K. Medical services are provided 24 hours a day seven days a week. Patients requiring hospitalization may be moved to outside hospital facilities, including the dedicated 24 bed prison ward at San Joaquin Community Hospital. The inmates have dental and mental health services available. Mental health services are currently provided to 1,051 inmates.
- L. Estimated cost to house an inmate is \$51,889 per year and medical cost is \$9,000.
- M. The NKSP maintains an onsite firehouse, staffed only by minimum custody inmates. The prison is part of a mutual aid agreement with Kern Valley State Prison, City of Delano and the Kern County Fire Department.
- N. The California Department of Public Health Environmental Compliance Section conducted an inspection from November 5 through November 7, 2014, “... as a means to ensure the health and safety of inmate workers and staff in meeting correctional accreditation and standards.”
- O. The NKSP is periodically inspected and/or audited by various entities. Accreditation was granted in 2014 by the American Correctional Association. This accreditation requires a 95% approval rating of nationally set standards for Correctional Institutions.

FINDINGS:

- F1. Inmates may earn a Janitorial Hospital Sanitation Certificate through the Prison Industry Authority. This program consists of four crews totaling 21 positions. These crews are responsible for all janitorial service for all medical areas and staff restrooms.
 - Qualifying criteria requires inmates have a minimum of two years remaining on their sentence but no more than five years. They must have an education equivalent to 7th grade or above.

- F2. Prison pharmacists distribute approximately 17,000 to 19,000 prescription medications per month. The NKSP participates in a program whereby expired medications are returned to the manufacturer for credit. This has reduced pharmaceutical costs from approximately \$5.2 million annually six years ago to \$2.7 million today.
- F3. Approximately 25% of the NKSP inmate population is currently receiving mental health services.
- F4. Fire suppression training received by inmates at the firehouse, may qualify them for future employment with various fire services.
- F5. According to staff, NKSP has the second highest GED graduation rate among CDCR prisons.
- F6. The inmates at NKSP periodically participate in food sales. Proceeds from these sales are donated to local community organizations.
- F7. Currently, there are four prisons participating in an Electronic Health Records pilot program to digitally record medical records. The NKSP is scheduled to begin implementation of this program upon completion of the pilot phase of testing.
- F8. During the tour of the Central Kitchen the Committee observed food scraps in a sink lacking a disposal unit. Trash strewn about on the floor and unemptied mop water buckets were observed in the A-1 Satellite Kitchen. Staff indicated trash would be removed and the buckets emptied by the end of the day.
- F9. Several roof leaks in the covered open air corridors between the housing facilities were observed during the tour. Staff has provided verification of maintenance orders to repair these leaks.
- F10. As noted in a 2013-2014 Kern County Grand Jury report the dormitories were found to suffer from excessive humidity during summer months. In an attempt to mitigate the excessive humidity, NKSP has modified the shower schedule and reduced the length of time for showers.
- F11. Phase one of a multimillion dollar medical renovation project is scheduled to begin March 2015 and the second phase in October 2015 to expand medical clinics and to increase the area for treatment and triage.
- F12. A major renovation of dental facilities is also underway with a projected completion date of May/June of 2015.

COMMENTS:

The Committee would like to thank the warden, management and personnel of NKSP for their hospitality, cooperation and time spent inspecting their facility.

RECOMMENDATIONS:

- R1. The CDCR and NKSP should explore opportunities to add additional certificated vocational programs, in a variety of fields, to increase an inmate's potential for employment upon release. (Finding 1)
- R2. The NKSP should continue to aggressively pursue the return of expired pharmaceutical products to manufacturers for credit. (Finding 2)
- R3. The NKSP staff should continue to encourage participation in the GED program. (Finding 5)
- R4. The NKSP should maintain all areas of sanitation and food handling as required under California Code of Regulations, Title 15. (Finding 8)
- R5. The NKSP should continue efforts to mitigate the humidity issues in the dormitories. (Finding 10)

NOTES:

- The North Kern State Prison should post a copy of this report where it will be available for public review.
- Persons wishing to receive an email notification of newly released reports may sign up at: www.co.kern.kern.ca.us/grandjury.
- Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: www.co.kern.ca.us/grandjury.

RESPONSE REQUIRED WITHIN 90 DAYS

**PRESIDING JUDGE
KERN COUNTY SUPERIOR COURT
1415 TRUXTUN AVENUE, SUITE 212
BAKERSFIELD, CA 93301**

**CC: FOREPERSON
KERN COUNTY GRAND JURY
1415 TRUXTUN AVENUE, SUITE 600
BAKERSFIELD, CA 93301**