

San Joaquin County Grand Jury



2012-2013 Law and Justice Report

Overview

Each California grand jury is mandated to review the detention facilities within its county whether it is operated by the State of California, the county, or any city within the county. California Penal Code Section 919 (b) states “The grand jury shall inquire into the condition and management of the public prisons within the county.”

The State of California has three institutions within San Joaquin County: Deuel Vocational Institution for adult males and two facilities for juvenile males, O.H. Close and N.A. Chaderjian. The County has three detention facilities: the San Joaquin County Jail, the Juvenile Detention Center and the medical custody facilities at the San Joaquin General Hospital. In addition, the County has temporary detention facilities at the San Joaquin County Superior Courts in Stockton and in Manteca. Finally, each city police department has jail facilities or other temporary detention facilities. The 2012-2013 Grand Jury (Grand Jury) visited all detention facilities located within the county.

The Grand Jury is reporting on the following detention facilities:

- Deuel Vocational Institution
- Northern California Youth Center
- San Joaquin County Jail (including the Honor Farm)
- San Joaquin County Juvenile Detention Center
- Temporary Detention Facilities

Property rooms for the Sheriff’s Department and all city police departments were visited. A report was written on these facilities.

The Grand Jury participated in 30 ride alongs with public safety agencies. A report was written with findings and recommendations.

Disclaimer

Grand jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the grand jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code section 911, 924.1 (a), and 929). Similarly, the grand jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code sections 924.2 and 929).

San Joaquin County Grand Jury



2012-2013 Law and Justice Report Deuel Vocational Institution

Summary

California Penal Code section 919(b) requires that grand juries inquire into the condition and management of public prisons within the county. In accordance with this mandate, the 2012-2013 Grand Jury (Grand Jury) toured the Deuel Vocation Institution (DVI), a State facility, located at 23500 Kasson Road, Tracy, California. This facility opened in 1953 as a Youth Authority Vocational School with a capacity of 1,756 inmates. Over time, the facility has grown and has served different needs of the California Department of Correction and Rehabilitation (CDCR). DVI currently houses adult males and its mission is two-fold: A general population prison and a reception center for newly committed prisoners to the CDCR. The prison currently has a capacity of 3,748 but at this time is only housing about 2,475 inmates.

The Grand Jury tour was conducted with the assistance of DVI's Public Information Officer. Additional briefings and interviews were conducted with the warden and the Health Care Chief Executive Officer. During these briefings, the Grand Jury learned about recent impacts of AB 109 to DVI including the reduction in the number of inmates housed along with a corresponding reduction of 50 jobs.

Background

The tour consisted of a visit to the reception center where prisoners from 22 California counties are delivered and processed for later reassignment to prisons throughout the State. The maintenance yard was visited where inmates receive/use training in vocational skills that include plumbing and welding. The tour included the dining halls, kitchen facilities, main exercise yard, chapels, inmate-housing units (C-Wing and East Hall) classrooms, and medical evaluation facilities.

Conclusion

The Grand Jury finds the job that the prison leadership and staff have accomplished at Deuel Vocational Institution is commendable, especially given the age of the facility, the impact of AB 109 and the ever-changing mission of the facility.

Acknowledgements

In addition, the Grand Jury sincerely appreciates the time spent by the Warden and staff, and their openness to discuss issues of interest to the Grand Jury.

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2012-2013 Law and Justice Report Northern California Youth Center

Summary

The 2012-2013 Grand Jury (Grand Jury) conducted its mandated tour of the Stockton facilities of the Northern California Youth Center (NCYC). The two facilities located in Stockton, California, are the N.A. Chaderjian Youth Correctional Facility (Chad) and the O.H. Close Youth Correctional Facility (Close). NCYC also operates the Pine Grove Youth Conservation Camp which was not toured because it is outside the County.

The NCYC facilities were built in 1991 and are located on 144 acres east of Highway 99 off Arch Road. Chad has a capacity of 600 youth and housed 325 at the time of the tour. Close has a capacity of 400 youth and housed 175 at the time of the tour. These correctional institutions are operated by the Division of Juvenile Justice (DJJ) and are maximum security lock-up institutions.

These two facilities receive juveniles whose crimes are violent and/or sexual in nature. The mission of this agency is to assess the needs of the incarcerated youth and to implement various programs for rehabilitation. Intense treatment programs are offered including specialized counseling for sex offenders and substance abuse treatment. These facilities also offer instruction in basic skills, high school courses, special education and vocational programs. The total operating budget for NCYC is over \$205 million per year, or over \$176 thousand per incarcerated youth.

Glossary

CDCR	California Department of Corrections and Rehabilitation
Chad	N. A. Chaderjian Youth Correctional Facility
Close	O.H. Close Youth Correctional Facility
DJJ	California Department of Juvenile Justice
NCYC	Northern California Youth Center

Background

The California Department of Corrections and Rehabilitation (CDCR) operates the California prison system. Within CDCR, the Division of Juvenile Justice operates four programs comprised of the three NCYC programs and a program in Ventura. The NCYC has two programs in Stockton, California (Chad and Close), as well as the Pine Grove Youth Conservation Camp located in Pine Grove, California. While all three NCYC facilities are under the leadership of one superintendent, each facility has its own administrators, correctional officers, youth counselors and other support staff. The Grand Jury toured the Chad and Close facilities and reviewed information on their staffing, expenditures and schools.

Issues

As a result of the tour and review of documents, the Grand Jury found two general issues: Maintenance and underutilization of the facilities. The general maintenance of the facilities is of concern because many examples of poor maintenance were observed on the grounds of the 144-acre facility as well as the interior and exterior of the buildings.

During the tour, it was apparent that the facilities are operating at approximately half of their capacity. The reduction of inmates has been accomplished by returning juveniles to the counties, either to the juvenile probation department or to juvenile hall. Even with the unused capacity, both institutions have duplicate administrative staff and offer similar services. Given the underutilization of the facilities and the duplication of administrative staffing, the cost of housing these youths (\$176,029 per year per incarcerated youth) is noteworthy, especially considering the condition of the facility.

Discussion, Findings and Recommendations

1.0 Maintenance

Although all buildings appear to be structurally sound, the Grand Jury noted that both facilities are aging and in need of repairs to ensure the health and safety of the youths and the staff members. During the tour, the following issues were noted:

- Underground plumbing is leaking in multiple locations
- Rain gutters are not being cleaned as grasses/weeds were seen growing in many of the gutters
- Some floor tiles are partially or completely missing
- Ceiling tiles over sleeping areas show signs of water damage
- Exterior paint on some buildings is peeling

Findings

F1.1 The building and grounds maintenance issues observed are significant enough to jeopardize the health and safety of the youths and the staff members.

F1.2 The building and grounds maintenance issues observed could lead to expensive repairs if not addressed soon.

Recommendations

R1.1 The Youth Authority Administrators of N.A. Chaderjian Youth Correctional Facility and O.H. Close Youth Correctional Facility determine all repairs needed, prioritize the repairs needed for the welfare of the youths and make the necessary repairs.

R1.2 The Youth Authority Administrators of N.A. Chaderjian Youth Correctional Facility and O.H. Close Youth Correctional Facility review, and revise where needed, their preventative maintenance program. In the event a preventive maintenance plan has not been created, a plan should be developed.

Conclusion

The overall security of the facility seems to be adequate for the level of incarcerated youths.

Response Requested

The California Department of Corrections and Rehabilitation, Department of Juvenile Justice, is requested to respond within 90 days of publication of this report to the findings and recommendations in writing to the Presiding Judge of the San Joaquin County Superior Court.

Mail a hard copy of the response to:

Honorable David P. Warner, Presiding Judge
San Joaquin County Superior Court
P.O. Box 201022
Stockton, CA 95201

Also, please email the response to Trisa Martinez, Staff Secretary to the Grand Jury at:

grandjury@sjcourts.org

San Joaquin County Grand Jury



2012-2013 Law and Justice Report San Joaquin County Jail John J. Zunino Detention Facility

Summary

In accordance with Penal Code section 919(b), one of the mandated requirements of a grand jury is to annually conduct a review of the condition and management of the County Jail facilities. The 2012-2013 Grand Jury (Grand Jury) commends the Sheriff's Department for operating a clean and well-run facility, despite intermittent overcrowding, gang-related inmate interactions and limited funding.

The County Jail has been significantly impacted by the passage of California Assembly Bill (AB) 109 that became effective on October 1, 2011. This act moves specific classifications of inmates from state prisons to county jails. While the State will continue to incarcerate offenders who commit serious, violent, and/or sexual crimes, the responsibility of supervising, rehabilitating, and managing low-level offenders has now been placed with the County. In addition, parole violators are now sent to county jails and not state prisons. The implementation of this bill has raised concerns within the Grand Jury because it has increased the overcrowding of the jail, which has significantly affected the jail operations and inmate population.

The overcrowding in the County Jail and the implementation of AB 109 is fully addressed in another 2012-2013 Grand Jury report. Therefore, this report does not contain findings or recommendations regarding the jail capacity.

Background

In compliance with its legal mandate, the Grand Jury toured the County Jail. The tour was conducted with the assistance of the officers of the Sheriff's Custody Division and consisted of the following locations: Honor Farms (male and female), Intake/Booking area, Medical Housing Unit, General Population Housing, South Jail, Transportation and the Administration Center.

The San Joaquin County Jail has 1,411 beds, serves as an intake center and provides for the detention of pre-trial persons as well as the confinement of sentenced persons. Housing and services are of equal quality for all detainees. Juveniles are not housed within this facility.

Issues

As a result of the tour, the Grand Jury found two general issues. First, the architectural design of the housing units creates blind spots that are unsafe for inmates and correctional officers. In addition, it was observed that inmates at the Honor Farm had time without structured activities.

Discussion, Findings, and Recommendations

1.0 Safety Concerns

During the Grand Jury's tour of the jail, it was observed that the architectural design of the corridors of the housing units created blind spots. Within each housing unit, the correctional officers monitor the inmates from a central guard station. There are areas within these units where a person could stand but not be seen from the guard station. When a correctional officer is working in one of these areas, officers in the central guard station could not monitor his/her safety. In addition, inmates could stand in these areas and conduct illegal or otherwise inappropriate activities.

Finding

F1 Blind spots in the common areas of the housing units can be a safety concern.

Recommendation

R1 The San Joaquin County Sheriff's Department, by December 31, 2013, identify the blind spots in the common areas of the housing units and install surveillance cameras, mirrors, or other aid so that correctional officers are able to visually monitor all areas of the housing units.

2.0 Additional Positive Programs and Activities

Some Honor Farm inmates work in designated service areas in and around the jail during a portion of their day. When their work assignments are completed, they return to the housing unit without structured activities.

Over the years, programming for inmates has been reduced due to budget constraints. Additional programming is needed to more fully fill the inmates' day with positive activities.

Finding

F2 There is a lack of positive activities for idle inmates at the Honor Farm after completion of their work assignments.

Recommendation

R2 The San Joaquin Sheriff's Department, with the assistance of other agencies, by December 31, 2013, implement additional educational (vocational or other) programming for its Honor Farm inmates.

Acknowledgements

The Sheriff, his immediate staff, the Correctional Officers, and Deputy Sheriffs, are all to be commended for their performance, positive attitude and level of professionalism in their efforts to protect the citizens of San Joaquin County. The Grand Jury would also like to thank the private citizens who volunteer their time to assist the Sheriff's Department. Currently there are more than 150 volunteers who are team-oriented, positive, and supportive, helping make a difference in the lives of the inmates.

Response Requirements

From The San Joaquin County Sheriff's Department:

California Penal Code sections 933 and 933.05 require that specific responses to all findings and recommendations contained in this report be submitted to the Presiding Judge of San Joaquin County Superior Court within 60 days.

Mail a hard copy of the response to:

Honorable David P. Warner, Presiding Judge
San Joaquin County Superior Court
P.O. Box 201022
Stockton, CA 95201

Also, please email the response to Trisa Martinez, Staff Secretary to the Grand Jury at:

grandjury@sjcourts.org

San Joaquin County Grand Jury



2012-2013 Law and Justice Report San Joaquin County Juvenile Detention Center

Summary

In accordance with California Penal Code section 919(b), the 2012-13 Grand Jury (Grand Jury) toured the Juvenile Detention Center (Juvenile Hall) of San Joaquin County. This penal code section requires that the Grand Jury inquire into the condition and management of public prisons within the county. The Probation Department of San Joaquin County operates the Juvenile Hall that houses males and females who are generally 12 to 18 years of age.

Background

San Joaquin County's Juvenile Hall is located at 575 W. Mathews Road, French Camp, California. The newest portion of the facility was built in 2002 while other parts date back to the 1950's and 1980's. The newer areas and units are in good condition with the older units showing their age. The facility holds 179 beds, however only 120 beds are utilized due to staffing reductions. The food is provided (three hot meals per day plus two snacks) by an outside contractor. The administrator complemented this company for providing healthy and balanced meals for the youths. The annual budget for the Probation Department's Detention and Institutional Services Division is \$16.3 million.

Juvenile Hall serves the dual purposes of intake and detention. On average, 400 to 500 youths are processed at the facility each month. About 90-100 youths are detained each month at Juvenile Hall. The other youths have home supervision, probation or are sent to other agency destinations and programs.

As a detention facility, security is critical. Mirrors and security cameras are placed throughout the facility to monitor activity. Incidents of attempted escapes were reported as very infrequent with no actual escapes occurring in recent years.

The facility consists of a reception area, five housing units, and Camp Peterson. There is also a property room that contains personal belongings for juveniles housed there and for those juveniles bound for detention at a California Division of Juvenile Justice facility.

Camp Peterson is an open dorm housing 15-17 males who are in a 360-day program. Eligibility for this program is determined by an evaluation based on many factors including the crime committed, social skills, educational level and age. As the youths display positive behavior, they accrue higher privileges that ultimately lead to weekend home passes. Once the youth has been released to the probation system, a tracking device is utilized for on-going monitoring.

The goal at the Juvenile Hall is to educate and guide the youths to become better citizens and to build positive self-esteem. Currently, the Juvenile Hall is utilizing Evidence Based Cognitive Behavior Aggressive Replacement, a program developed by Dr. Edward Latessa of the University of Cincinnati. This program consists of 200 hours of programming geared to assist the youths as they transition into society. The modules offered include:

- Thinking for a Change
- Buster Training
- Pro Social Choices
- Substance Abuse Education
- Gang Education
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Girl Scout programs are offered to female detainees and parenting classes are offered to the parents of the youths.

Method of Investigation

The Grand Jury conducted two tours of the Juvenile Hall so that all members were able to see the facility. Both groups were given background information on the operation of the Juvenile Hall, were shown the full facility and were able to ask questions of the staff.

Issues

When touring one area of the Juvenile Hall, the Grand Jury saw tables and chairs that were not secured to the floor. This raised safety concerns.

Discussion, Findings, and Recommendations

1.0 Unsecured Furniture

Unit 6 houses juveniles who are charged as adults. During the tour of the facility, the Grand Jury observed that the tables and chairs in this unit were not secured to the floor. When staff members were asked about the furniture, they indicated that the chairs had been used in fights in the unit.

Finding

F1 The tables and chairs in Unit 6, which houses juveniles charged as adults, are not secured which raises safety concerns.

Recommendation

R1 The Probation Department, by September 1, 2013, secure the furniture in Unit 6 of the Juvenile Hall as is done in Department of Juvenile Justice and adult facilities.

Conclusion

The Grand Jury found the Juvenile Hall to be well maintained. All operations appeared efficient and orderly. The youths are kept occupied much of the day with education and training classes. There is a well-structured program of school, recreation, free-time and program attendance.

Response Requirements

From the San Joaquin County Board of Supervisors:

California Penal Code sections 933 and 933.05 require that specific responses to all findings and recommendations contained in this report be submitted to the Presiding Judge of San Joaquin County Superior Court by (within 90 days).

Mail a hard copy of the response to:

Honorable David P. Warner, Presiding Judge
San Joaquin County Superior Court
P.O. Box 201022
Stockton, CA 95201

Also, please email the response to Trisa Martinez, Staff Secretary to the Grand Jury at:

grandjury@sjcourts.org

San Joaquin County Grand Jury



2012-2013 Law and Justice Report Temporary Detention Facilities

In addition to the County Jail, there are a number of other facilities in San Joaquin County that are used to detain individuals for a few hours or a few days. These facilities include one city jail and seven locations with holding cells, secured rooms for detaining individuals for not more than a few hours.

The City of Lodi has a jail that is a Type I facility, the lowest level of jails. Type I jails are built to higher standards than holding cells and can therefore house individuals for a few days but not longer. The 2012-2013 Grand Jury (Grand Jury) found the Lodi City Jail to be adequate.

Holding cells and are typically used to hold individuals for a matter of hours until they can be transported to a jail or prison or to hold individuals at a courthouse before or after their appearances. As such, holding cells are not required to meet the same level of standards as a jail or prison.

The holding cells of the following jurisdictions were toured:

- Escalon Police Department
- Manteca Police Department
- Ripon Police Department
- San Joaquin County Superior Courthouse, Manteca
- San Joaquin County Superior Courthouse, Stockton
- Stockton Police Department
- Tracy Police Department

The holding cells at the above facilities, with the exception of the Stockton Superior Courthouse, appear to be adequate.

The San Joaquin County Superior Court building was constructed in 1962. At that time, the volume of defendants handled by the Court system was about half of today's volume and the safety measures included in the design were adequate. Previous San Joaquin County grand juries have addressed this issue.

Concerns were expressed about the holding cells and about the movement of inmates through the same hallways used by the general public. The Sheriff's Department is responsible for courthouse security and has taken measures to protect the safety of everyone in the courthouse. Plans are moving forward to construct a new courthouse that addresses the security issues. The Grand Jury encourages the State to quickly move forward with the construction of a new courthouse.

San Joaquin County Grand Jury



2012-2013 Law and Justice Report Property Rooms

Each law enforcement agency in the County has a property room; a secure place where items are received and stored. The proper processing and storage of these items is critical when they are needed for future prosecutions. In order for evidence to be used in a trial, each item must be received, processed, and stored in such a way that the chain of evidence can be proven in court. In addition, some items are held that are not evidence for a trial. Examples of these are firearms taken from people involved in domestic violence and recovered stolen property.

The 2012-2013 Grand Jury toured each property room in San Joaquin County. They included:

- Escalon Police Department
- Lodi Police Department
- Manteca Police Department
- Ripon Police Department
- San Joaquin County Sheriff's Department
- Stockton Police Department
- Tracy Police Department

All property rooms toured appeared to be well organized and maintained.

San Joaquin County Grand Jury



2012-2013 Law and Justice Report Public Safety Ride Alongs

Summary

The 2012-2013 Grand Jury (Grand Jury) observed many public safety agencies within San Joaquin County by riding along with staff. Over the course of the year, the Grand Jury participated in more than 30 individual ride alongs, totaling more than 250 hours, with 12 different agencies. These ride alongs were with:

- Escalon Police Department
- Lathrop Police Services
- Lodi Police Department
- Manteca Police Department
- Ripon Police Department
- San Joaquin County Sheriff's Department (including their boat safety patrol)
- San Joaquin Delta College District Police Department
- Stockton Fire Department
- Stockton Police Department
- Stockton Police Department Animal Services
- Stockton Unified School District Police Department
- Tracy Police Department

The employees observed were very professional. The people of the public safety agencies in San Joaquin County are to be commended for the job they are doing.

During these ride alongs, the Grand Jury observed some issues related to resources used by the employees. Much of the equipment (e.g., vehicles, computers, radios, weapons) is aging and needs to be replaced. On a positive note, new rifles were recently purchased by the Sheriff's Department so that each car can now have a shotgun and a rifle. There were also examples of services being reduced. Due to severe reductions in staffing, some agencies do not respond to low priority calls.

Grand Jury members often observed drivers not responding appropriately when approached by vehicles with emergency lights and/or sirens being used. When drivers fail to pull to the right and stop, response time for emergency vehicles is increased. These drivers also threaten their own safety as well as the safety of the emergency responders.

Greater use of technology is becoming standard practice in public safety vehicles. Law enforcement vehicles have computers, which direct them to emergencies, give them the ability to research individuals and vehicles, provide information regarding the calls they respond to and provide other information. Lodi police and fire have a computer system that assists both departments.

The Grand Jury surveyed the fire departments/districts in the County and found that the fire engines of the Stockton Fire Department and the Manteca Fire Department operate without GPS support. Firefighters in these departments rely on binders of printed material for the emergency response information they need.

A quick internet survey resulted in a number of software solutions to assist firefighters. One such company even advertises that its software program will “replace all those 3-ring binders” (the actual data storage system for Stockton and Manteca Fire Departments).

Issues

During these ride alongs, the Grand Jury found two areas of concern. First, it was observed that drivers did not pull over when approached by an emergency vehicle. Also, it was found that the fire vehicles of some departments are without GPS navigation and other current technology.

Discussion, Findings, and Recommendations

1.0 Public Does Not Respond Appropriately When Approached by Emergency Vehicles

When emergency vehicles are responding to an incident/situation, a quick response time is critical. When drivers do not pull over, emergency vehicles must slow down to protect the safety of the emergency responders as well as the occupant(s) of the other vehicle(s).

Finding

F1 Drivers of private vehicles often do not pull to the right and stop for an emergency vehicle, which not only delays the emergency vehicle but also causes safety issues for all concerned.

Recommendation

R1 The Public Information Officer for San Joaquin County, by September 1, 2013, coordinate efforts with local print, radio, TV and cable media outlets in the county and the cities of the county to use Public Service Announcements (PSAs) to educate the public on the proper way drivers should respond when approached by an emergency vehicle.

2.0 Lack of GPS in Fire Engines

During the ride alongs with Stockton Fire Department, it was observed that the engines were not equipped with GPS devices or other similar technology. In a survey of other large fire departments/districts, it was learned the large departments in the County had some form of modern technology including GPS except the Manteca and Stockton Fire Departments.

When the fire engines are without this technology, the firefighters must rely on large binders of printed maps and other information when responding to an emergency. Each engine only has data for their coverage area. However, there are times when engines must respond to emergencies outside their assigned area. In these cases, the firefighters are responding without any geographic or logistics information, other than general personal knowledge, necessary to appropriately respond.

Findings

F2.1 The absence of GPS devices and computers in the fire vehicles may delay the response times to emergencies.

F2.2 The absence of GPS devices and computers in fire vehicles put firefighters at risk when responding to an emergency outside their assigned area and without the necessary data.

Recommendations

R2.1 The Manteca City Council, by December 31, 2013, approve the purchase of current mobile technology (e.g., laptop computers, tablets, GPS devices) along with appropriate software for all fire engines in the city's fire department.

R2.2 The Stockton City Council, by December 31, 2013, approve the purchase of current mobile technology (e.g., laptop computers, tablets, GPS devices) along with appropriate software for all fire engines in the city's fire department.

Response Requirements

California Penal Code sections 933 and 933.05 require that specific responses to all findings and recommendations contained in this report be submitted to the Presiding Judge of the San Joaquin County Superior Court.

The San Joaquin County Board of Supervisors respond to Finding F1 and Recommendation R1 in writing within 90 days of publication of this report.

The City Council of Manteca respond to Finding F2.1, Finding F2.2, and Recommendation R2.1 in writing within 90 days of publication of this report.

The City Council of Stockton respond to Finding F2.1, Finding F2.2, and Recommendation R2.2 in writing within 90 days of publication of this report.

Mail a hard copy of the response to:

Honorable David P. Warner, Presiding Judge
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