

# *CIVIL GRAND JURY*



## *Official Final Report*

2005-2006

Imperial County Grand Jury  
Final Report

TABLE OF CONTENTS

Letter to Presiding Judge ..... 2

Role and Scope of the County Grand Jury ..... 3

2005-2006 Grand Jury Membership ..... 4

Grand Jury Investigations and Tours

Behavioral Health Department Investigation .....5

Centinela State Prison .....6

Imperial County Jail Facility .....8

Betty Jo McNeece Receiving Home .....9

Imperial County Juvenile Facility .....10

El Centro Police Department ..... 11

Calipatria State Prison .....13

Imperial County Grand Jury  
Final Report

The Honorable Jeffrey B. Jones  
Superior Court  
County of Imperial  
El Centro, CA 92243

Your Honor,

It has been a pleasure to serve you and the citizens of the Imperial County as the 2005-2006 Grand Jury Foreperson. I would like to thank the court and the Imperial County Counsel staff for their assistance throughout this term.

This year's grand jury membership was comprised of a well diverse group with a wide variety of educational backgrounds, life experiences, age groups and ethnic breakdown. I am so proud to have been a part of this year's team of jurors. Each and every one of the jurors worked very hard throughout this term and showed nothing less than total dedication. I thank them all for their support, trust and professionalism. I consider each and every juror a personal friend.

To the readers of this report, I encourage you to participate in this unique and valuable public service.

Judge Jones, this has been a great and unforgettable experience. Thank you for allowing me this opportunity to learn more about my community and serve my fellow citizens of the Imperial County.

Sincerely,



Raymond Downs  
Foreperson

## ROLE AND SCOPE OF THE COUNTY GRAND JURY

The Grand Jury is a civil oversight body, composed of 19 local citizens, who serve a term of twelve months. The Jury conducts random visits and or audits of local public agencies, government, and officials for any abuse of authority or misappropriation of funds. The Jury does not deal with criminal matters; rather it concerns itself solely with civil issues. During the course of an investigation, if criminal activity is suspected or uncovered, the matter would then be turned over to the Imperial County District Attorney for further action. All counties within the State of California are required to have a Grand Jury. The District Attorney has the option to form additional special grand juries, chosen from the jury pool to handle criminal cases and thus ensure indictment by those who represent a random cross section of the community. Some counties utilize their Grand Jury for both criminal and civil duties.

Imperial County Grand Jury  
Final Report

IMPERIAL COUNTY GRAND JURY  
2005-2006

Membership

Raymond Downs -----Foreperson  
Barbara Garcia -----Pro-Tem  
Thelma Baker -----Secretary  
Mary Slaughter -----Treasurer /Chairperson-Health & Welfare

Matt Dessert, Administration Committee Chairperson

Ralph Richey, Law Enforcement Chairperson

Roy Alsip

Constantin Alex

Tom Dineley

John Duesenberg

Antonio Ramos

John Strong

Frances Luker

Mark Hill

George Hilburn

Allan Starr

Mary (Donna) Tackett

Richard Fragale

Juan Diaz

Imperial County Grand Jury  
Final Report

October 28, 2005  
Imperial County Grand Jury  
Health and Welfare Committee 2005-2006

**Subject of Investigation**

Behavioral Health Department

**Reason for Investigation**

Complaint received alleging unfair hiring practices.

**Background**

Several complaints received alleging two administrative secretaries were promoted to position of Office Supervisor I & II and were not qualified for the position and not supervising other employees.

The committee requested and received copies of the applications, interview sheets, ranking forms and interview guide and job description.

**Findings**

The requested documents were reviewed by the committee. The two individuals went through the interview/hiring process handled by the Human Resources Department. The Director of Behavioral Health is not involved in the interview process and screening process. Once this process is completed, the Director is given the names of the top three candidates and he may choose from those. The Behavioral Health Department is in the process of updating their departments and additional staff will be hired and at that time the two individuals in question will be supervising.

After reviewing all the documentation, the committee felt the complaint was not valid.

**Recommendations**

- 1) Include the full name of applicant and the interviewer on all interview sheets.
- 2) Make a place on each sheet to record score and on the last page a total score.
- 3) Write or print legibly.
- 4) Use pen instead of pencil.
- 5) Update all job descriptions. The ones currently being used are dated 1992.

Imperial County Grand Jury  
Final Report

**Subject of Investigation:**

Centinela State Prison

**Reason for Investigation:**

The Grand Jury is required by State Law Penal Code Section 919 (b) to inquire into the conditions and management of the public prisons within the county.

**Background Information:**

The 2005-2006 Imperial County Grand Jury conducted a tour of Centinela State Prison on January 31, 2006. The Warden and several of his staff were present and provided jurors with an informational packet containing Centinela's In-Service Training (IST) Bulletin, An Institutional Profile sheet and an agenda sheet. We were briefed about statistical facts concerning Centinela and the California Department of Corrections and Rehabilitation.

**Facilities:**

Centinela State Prison currently has one Level I Facility and four Level III Facilities designed to accommodate 2,208 inmates. The Cells are modified to double cell inmates. And the gym area has also been modified to house additional inmates bringing the total population to 4655.

Further security modifications include the addition of an Electrified Lethal Fence between the two outside security perimeter fences, which allow the institution to deactivate ten perimeter towers and achieve an annual savings of \$2.5 million dollars. Two additional towers controlling entry into the institution are manned twenty-four hours a day.

**Findings:**

Areas toured included Facility A, Central Kitchen, Correctional Treatment Center and Administrative Segregation Unit C-6, were found to be in good operating condition and well staffed.

During final discussions, the Warden voiced concerns about a new court order concerning releasing custody of state incarcerated inmates to the county jail at the attorney's request. The argument against the court order was compelling due to the differences in security between the county and state. (I.E.- Inmates phone privileges in state institutions are monitored and in some case disallowed. Jail inmates have free access to the phones in their pods. The same disparity exists for visiting privileges and items given to the inmates.)

Imperial County Grand Jury  
Final Report

**Recommendations:**

The Grand Jury would like to thank the Warden and his staff and at this time do not have any recommendations concerning the institution. The Grand Jury has been informed that the Warden's concern has been temporarily resolved but the Grand Jury recommendation is for 2006/2007 Grand Jury to again visit this concern.

**Response Required:**

At this time a response is not requested to the Imperial County Grand Jury or the Imperial County Superior Court.

**Acknowledgments:**

The Grand Jury would like to thank the Warden and his staff for an informative tour and well-maintained facility.

Imperial County Grand Jury  
Final Report

December 5, 2005

**Subject of Investigation**

Imperial County Jail Facility

**Reason for Investigation**

Annual Inspection of Jail Facility

**Summary**

The Jury members met with the Undersheriff for a briefing and tour of the Imperial County Jail Facility. The members were shown the Booking Area where a personal assessment of the prisoner is made and are checked for any medical conditions.

They also toured the holding cells and kitchen area, it was noted everything was clean and well maintained.

During the tour of the exercise yard, it was explained how the reward system worked.

**Findings**

At this time the members of the Grand Jury do not have any recommendations. They felt overall the facility was in good condition, well staffed and clean. The staff answered questions made by the members of the jury. The members would like to thank the Undersheriff and staff for their cooperation.

Imperial County Grand Jury  
Final Report

December 5, 2005

**Subject of Investigation**

Betty Jo McNeece Receiving Home

**Reason for Investigation**

As required the Grand Jury members conduct their annual inspection of the Betty Jo McNeece Receiving Home on December 5, 2005.

**Summary**

The tour was conducted by Gary Tackett, Chief Deputy Probation Officer and Ramona Campos, Coordinator of the Receiving Home. Members of the Grand Jury toured the dormitories and found to be neat and clean. The Infant Wards were properly staffed and well equipped, neat and clean. Other areas of the facility toured were the inside recreation area, dining room, kitchen, Youth Point Store, laundry room and outside recreation areas. All areas were found to be well maintained, orderly and properly staffed. The staff members that were interviewed appeared to be well trained and able to answer all questions asked of them by the Grand Jury members.

**Recommendations**

The staff of the Betty Jo McNeece Receiving Home is to be commended for their dedication to the children who are housed at the facility. The Grand Jury would like to thank them for a very informative and their cooperation.

Imperial County Grand Jury  
Final Report

December 5, 2005

**Subject of Investigation**

Imperial County Juvenile Facility

**Reason for Investigation**

On an annual basis the Grand Jury is required to inspect the Juvenile facility.

**Summary**

On December 5, 2005, members of the Grand Jury met with the Chief Deputy Probation Officer and the Facility Manager. Members of the Grand Jury were presented with the requested documentations. A very thorough and professional presentation was conducted by the Chief Deputy Probation Officer. The concerns and questions posed by the Grand Jury members were professionally answered by each respecting officer. Several juveniles were interviewed by members of the committee. The juveniles stated they are pleased with the staff and that they were well treated. It was noted that the dorm, bedding, clothing and the personal appearance of the juveniles were clean and neat.

The members of the Grand Jury also noted that the culinary area was very clean, and the meals served on time, warm and nutritious.

**Recommendations**

Overall, the Grand Jury was positively impressed by the operations of the Juvenile Facility including their Education Department. The Grand Jury recommends that the officers and employees continue the same good work.

Congratulations to the working members of the Juvenile Facility for their professionalism and good work.

Imperial County Grand Jury  
Final Report

October 4, 2005  
Law Enforcement/Administration Committees

**Subject of Investigation**

El Centro Police Department

**Reason For Investigation**

Complaint received regarding the failure of the El Centro Police Department to follow through on an alleged embezzlement complaint reported to them on November 2003.

**Background Information**

Members of the Grand Jury met with the complainant in October 2005 and received copies of the evidence that were given to the Officer assigned to the case. After this meeting the Chairperson of the Administration Committee contacted the El Centro Police Chief to discuss the committee's concerns regarding the case. Per the Chief, he was unaware of the case in question but would research and get back to the Chairperson. The following day the Chief informed the Chairperson that he had located the case and it had been assigned to another Detective after the complainant has inquired about the case in August. As of October 3, 2005, it was officially handed over to the District Attorney's Office for review. When questioned about the delay in the case, the reply was that it had been "lost" and/or the Officer handling the case had "dropped the ball".

**Findings**

Committee members met with one of the officers who handled the case who informed us at the time he received the case, the department was short on manpower and the case was assigned a priority 3 by the supervisor responsible for assigning cases and during this time there was a Departmental Rotation and the incoming supervisor closed the case. The committee members met with a Lieutenant who was a former shift supervisor (no other shift supervisors were available). He explained to us the procedure for assigning cases and the follow up process that was in place at the time he was a supervisor. He also suggested that we also speak to a clerk as she would be able to enlighten us to the procedures in the case. Upon speaking to a clerk, the policy had changed at the time of the departmental rotation that had occurred and the incoming supervisor had dismissed several old cases with this being one of them.

Prior to the Grand Jury completing their investigation, it had received information from the El Centro Police Department that the case had been forwarded to the District Attorneys Office for possible prosecution. After learning this, the Grand Jury discontinued their investigation.

Imperial County Grand Jury  
Final Report

**Recommendations**

The Grand Jury makes the following recommendations:

- 1) Implement a better follow up system on outstanding cases and reassign cases if necessary. Cases should be reviewed periodically.
- 2) Implement better communication between the investigating officer and victim and/or complaining parties.

Imperial County Grand Jury  
Final Report

November 29, 2005  
Health & Welfare Committee

**Subject of Investigation**

Calipatria State Prison

**Reason for Investigation**

The Civil Grand Jury is required by State Law Penal Code Section 919(b) to inquire into the conditions and management of the public prisons within the county.

**Background Information**

The Imperial County 2005-2006 Grand Jury met with the Warden (A) and administrative staff at Calipatria State Prison on November 29, 2005. The Warden provided background information regarding the history and facility design. The members asked for and received information regarding procedures and practices of the prison.

Calipatria State Prison is a Level IV, maximum security facility, designed to accommodate 2208 inmates, with a current population of 4265 inmates which includes 340 Level I inmates housed in a support facility located outside the security perimeters.

**Findings**

Areas toured included the Outpatient Housing Unit, Receiving & Release Area, Central Kitchen, and Administrative Segregation Unit. All areas were found to be in good condition and well staffed. Due to a series of violent incidents on August 18, 2005, the facilities located inside the secured perimeter have been on modified program. Due to lack of inmate workers some areas looked neglected.

**Recommendations**

The Grand Jury was pleased with the visit and at this time has no recommendations. They would like to thank the Warden and staff for an informative tour.