

IMPERIAL COUNTY CIVIL GRAND JURY



2017-2018 FINAL REPORT

<http://www.imperial.courts.ca.gov/>
Superior Court of California, County of Imperial

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

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LETTER FROM THE FOREMAN

Imperial County Civil Grand Jury
P.O. Box 2011
El Centro, CA, 92243
June 27, 2018

The Honorable Judge Plourd, Presiding Judge (June 2017- December 2017)
The Honorable Judge Altamirano, Presiding Judge (January 2018- June 2018)
Superior Court of California in the County of Imperial
El Centro, California, 92243

Judges Plourd and Altamirano, and Citizens of Imperial County,

As the Foreman of the Imperial County Civil Grand Jury for the term of June 2017 through June 2018, in accordance with California Penal Code Section 933, it is my privilege to submit our Final Report to the court and citizens of the Imperial County.

As this is my final year on the Jury, I would like to thank the panel for their hard work throughout the year. This panel gave their time, and utilized their diverse backgrounds, to create a very comprehensive report that showcases the effort put forward from each member involved. To the best of our efforts, I believe we have completed a report that demonstrates the importance of the Civil Grand Jury. It should also be noted, that three investigations conducted by the 2017-18 Session did not form part of this report due to the jurisdictions of a Civil Grand Jury.

As in previous years, I must extend gratitude to Ana Lisa Cortez, Billie Padilla, and Hernan Alanis, in the Jury Commissioners Office, as well as to Rosa Lopez and her staff in the County Executive Office. These individuals were always there for assistance and support.

I would also take this time to thank my panel for giving their time and effort for the citizens of the Imperial County. It has been a privilege to serve with them.

Sincerely,



Roy Caldwell, Foreman
2017-2018 Imperial County Civil Grand Jury



Superior Court of California
County of Imperial

On behalf of our judiciary and jury commissioner staff, we would like to thank and congratulate the 2017-2018 Civil Grand Jury of Imperial County for its service, commitment, and contributions in making the Grand Jury system a relevant and important part of our local government. It is community members, like the grand jurors and regular trial jurors that help us preserve the principles of democracy in action and public trust in our local government.

The many hours devoted by members of the grand jury have resulted in investigations and recommendations aimed at improving the operations and of services by the agencies audited. Each year, the Court engages in community outreach to promote jury service and ensure that community participation in this important civic duty is not simply seen as a burden or inconvenience, but as an opportunity to participate in our democratic governance process and improve our community.

Demographical data required by Rule 10.625 of the California Rules of Court, for the 2017-2018 Civil Grand Jury reflects the following representation of our community:

By Supervisorial District

District 1 = 3, District 2 = 11, District 3 = 6, District 4 = 3, District 5 = 3 Unknown = 0

Gender

Males = 12, Females = 14

Age

(18-25) = 2, (26-34) = 2, (35-44) = 3, (45-54) = 8, (55-64) = 5, (65-74) = 1, (75 & over) = 0,
Not Available = 5

Race/Ethnicity

American Indian = 0 Asian American = 0, African American = 1, Hispanic = 12,
Native Hawaiian = 0, White = 9, Not Available = 4, Other = 0

Again, many thanks to each member of the 2017-2018 Civil Grand Jury for their civic duty and for making a difference.

Sincerely yours,

Christopher J. Plourd
Judge

Maria Rhinehart
Court Executive Officer
Jury Commissioner

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Imperial County 2017-2018 Civil Grand Jurors

Foreperson:	Roy Caldwell	Imperial
Foreperson Pro Tempore:	Carl Stolberg	El Centro
Secretary:	Jennifer Kidwell	Brawley
Treasurer:	Raquel Alcaraz	Holtville
Sergeant-at-Arms:	Frank Rodriguez	El Centro
	Christina Castro	Calipatria
	Leticia Cota	Calexico
	Antonio Garcia	Calexico
	Denise Garcia	Calipatria
	Glenn Granish	Brawley
	Lizeth Murillo	El Centro
	Gloria Panduro	Heber
	Paul Redona	El Centro
	Juan Romero	Brawley
	Gregory Siota	Imperial

The 2017-2018 Imperial County Civil Grand Jury



Civil Grand Jury members (Left to Right): Roy Caldwell, Glenn Granish, Juan Romero, Jennifer Kidwell, Antonio Garcia, Carl Stolberg, Denise Garcia, Frank Rodriguez, Raquel Alcaraz, Christina Castro, Leticia Cota, Paul Redona, Gloria Panduro.

Not Pictured: Leticia Cota, Gregory Siota

Presiding Judges



Honorable Christopher J. Plourd
Presiding Judge (June 2017-December 2017)
Superior Court of California



Honorable Diane B. Altamirano
Presiding Judge (January 2018-June 2018)
Superior Court of California

County Counsel



Katherine Turner
County Counsel



Geoffrey P. Holbrook
Assistant County Counsel

Jury Commissioners Office – Staff Members



Billie Padilla, Hernan Alanis, Analisa Cortez

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

INTRODUCTION TO THE CIVIL GRAND JURY

The primary mission of a Civil Grand Jury in the State of California is to examine county and city governments, as well as districts and other offices, in order to ensure that the responsibilities of these entities are conducted lawfully and efficiently. The Civil Grand Jury is also responsible for recommending measures for improving the functioning and accountability of these organizations, which are intended to serve the public interest.

The Civil Grand Jury is part of the county judicial system, as authorized by the California State Constitution. It is advised by the Superior Court but is not accountable to elected officials or government employees. Its findings and recommendations are unbiased and impartial. Grand jurors are sworn to secrecy, and, other than final reports, their work is kept strictly confidential.

INVESTIGATIONS

The Civil Grand Jury is an investigatory body created for the protection of society and the enforcement of the law. The Civil Grand Jury in California is unusual because its duty includes investigation of local and county governments as provided by statutes passed in 1880.

The primary duty of the Civil Grand Jury is to evaluate local government entities through a systematic fact-finding process. The objective of the investigations is to produce beneficial reports that persuade local officials to run their agencies more effectively and efficiently. The final report is the end result of year-long investigative efforts and is the only public record of that endeavor.

Grand jury investigations are formal, systematic examinations in search of the truth. It is the process of determining Who, What, When, Where, Why ... and maybe Why Not? It is a specific, planned approach to determine the truth of allegations, assumptions, complaints, and speculation.

Anyone may ask the Civil Grand Jury to investigate a civil issue that falls within the Civil Grand Jury's jurisdiction. Whether it chooses to investigate such a complaint is entirely in the jury's discretion and may be affected by workload, resource limitations, or jurisdictional issues.

Each civil grand jury sets its own rules of procedures and creates committees to investigate and create reports. California Penal Code Section 925 states:

The grand jury shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county including those operations, accounts, and records of any special legislative district or other district in the county created pursuant to state law for which officers of the county are serving ex-officio capacity as officers of the districts.

Additionally, Section 919 prescribes that:

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The grand jury shall inquire into the condition and management of the public prisons within the county, including inquiring into willful or corrupt misconduct in office of public officers of every description within the county.

The public may submit directly to the Imperial County Civil Grand Jury complaints, or requests for investigation, into issues of concern regarding public agencies or officials in the Imperial County. The public may request complaint forms by contacting the Superior Court of Imperial at <http://www.imperial.courts.ca.gov/CourtDocumentsVB/Docs/Additional/Civil%20Grand%20Jury%20Complaint%20Form.pdf> or by calling (760) 352-3492.

CONFIDENTIALITY

Civil Grand Juries conduct proceedings behind closed doors, as required by law, primarily for the protection of people who file complaints or who testify during investigations. All jury meetings, discussions, decisions, complaints, documents, investigations, and testimonies received are considered to be confidential, and members may not discuss these matters with others prior to publication of reports. All who appear as witnesses or communicate in writing with a grand jury are protected by strict rules of confidentiality, for which violations are subject to legal sanction.

JURISDICTION

The following summarizes the areas that are within the investigatory jurisdiction of the Imperial County Civil Grand Jury:

- The condition and management of the public jails within the County;
- Willful or corrupt misconduct in office of public officers of every description within the County;
- County government, city government, special districts, school districts, agencies and authorities;

Areas not within Civil Grand Jury jurisdiction include:

- Federal agencies;
- State agencies;
- Superior court system;
- School district personnel records, curriculum, and policy.

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CIVIL GRAND JUROR QUALIFICATIONS

Prospective grand jurors must possess the following qualifications (California Penal Code Section 893):

- Applicant is a citizen of the United States, 18 years or older, who has been a resident of Imperial County for one year immediately before being selected and sworn in;
- Applicant is in possession of their natural faculties, of ordinary intelligence, of sound judgement, and of fair character;
- Applicant is possessed of sufficient knowledge of the English language.

A person is not allowed to serve as a grand juror if the individual:

- Is serving as a trial juror in any California court;
- Has been convicted of a felony;
- Has been discharged as a grand juror in any court of this state within one year;
- Has been convicted of malfeasance in office or any felony or other high crime;
- Is serving as an elected public officer.

Desirable qualifications for a grand juror include the following:

- Have computer and Internet communication skills;
- Be in good health;
- Be open-minded with concern for the views of others;
- Have the ability to work with others;
- Have genuine interest in community affairs;
- Have investigative skills and an ability to write reports.

JURY SELECTION

Each year, citizens of the county who apply for civil grand jury service are invited to an orientation session for an overview of the process. The court then interviews them, and prospective names are forwarded for inclusion in the annual civil grand jury lottery. During the lottery, 19 panel members are selected, with the remaining to serve as alternates. Those selected are sworn in and instructed to their charge by the presiding judge. Civil grand jurors take an oath of confidentiality regarding any civil grand jury matters for the rest of their lives.

ORGANIZATION

The 2017-2018 Imperial County Civil Grand Jury served a term from July 1, 2017 through June 30, 2018. Its officers included a foreperson, foreperson pro tempore, secretary, treasurer, sergeant-at-arms, and a chairperson for each committee. During the course of the term, members were divided into various committees, and may have served on several committees. General meetings were held twice monthly, but sometimes jurors required more frequent meetings for specific committee functions. No less than twelve (12) members of the Civil Grand Jury were required to approve all investigations, inquiries, and reports. All reports are completed, published, and become public information no later than June 30 of the Civil Grand Jury term.

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COMMITMENT

Persons selected for Civil Grand Jury service can expect to serve 40 or more hours per month for a period of one year, July 1 through June 30. Jurors may opt to serve a second consecutive year, if approved by the Court.

RENUMERATION

Civil Grand Jurors receive a nominal payment for meetings they attend, and they are reimbursed for mileage to attend meetings, training, and possibly other minor expenses.

ORIENTATION

New jurors are encouraged to attend an orientation program regarding grand jury functions and information about the county, city, and special district governments.

WHY BECOME A CIVIL GRAND JUROR?

Those who volunteer, and are accepted, for grand jury service should feel privileged to be selected. They enter this service with interest and curiosity to learn more about the administration and operation of Imperial County government. Serving as a grand juror requires many hours and serious effort, and reflects a generous commitment to public service.

HOW TO CONTACT THE CIVIL GRAND JURY

By Mail: Imperial County Civil Grand Jury
P.O. Box 2011, El Centro, CA, 92243

In Person: Materials can be placed in a drop box located by the entrance door to the Imperial County Public Administration Building.

Online: <http://www.imperial.courts.ca.gov/CourtDocumentsVB/SCourtDocuments.html#set-2>

By Phone: (760) 352-3492

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CIVIL GRAND JURY REPORTS

Section 933(a) of California Penal Code declares:

Each grand jury shall submit...a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year.

The civil grand jury summarizes its findings and makes recommendations in a public report, completed at the end of its yearlong term. Each report is presented to the appropriate department or agency.

Section 933(b) declares:

One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

Each report is distributed to public officials, libraries, the news media and any entity that is the subject of any of the reports. The public may also view each year's final report through the Superior Court of Imperial website: <http://www.imperial.courts.ca.gov/index.htm>

CONTENT OF RESPONSES

Section 933.05 of the California Penal Code declares:

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
 - (1) The respondent agrees with the finding.
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
 - 1. The recommendation has been implemented, with a summary regarding the implemented action.
 - 2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
 - 3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
 - 4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

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- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During the investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding Judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

ADDRESS FOR DELIVERY OF RESPONSES

Civil Grand Jury Foreperson
P.O. Box 2011
El Centro, California, 92243

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Imperial County
2017-2018 Civil Grand Jury
City of Calexico – Measure H

JUSTIFICATION

The Imperial County Civil Grand Jury (CGJ) is authorized by state law to investigate complaints made against various agencies and bodies, which include those operated by county and city administrations, and special districts that operate within this county.

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

INVESTIGATION:

BACKGROUND

Calexico, California, is a city of over 48,000 citizens located in the Imperial County, California. It is the largest city in the area. It is 12 miles south of El Centro, California, and shares a border with Mexicali, Baja California, Mexico. In 2010, the Calexico City Council, per Ordinance #110, ordered the submission of a measure (Measure H) to implement a transaction(s) and use tax (sales tax) in the amount of 0.50 per cent to the qualified voters as part of the general municipal election. This was passed and adopted by the Calexico City Council on March 2, 2010 and was passed by voters on June 8, 2010.

Measure H was to include an Oversight Advisory Committee (OAC), the composition of which was to be determined in the following manner: each City Council member would appoint one member to the OAC for a term to correspond with the appointing councilmember's term of office. The OAC was to oversee, recommend, and report to the City Council on the expenditure of the proceeds created by Measure H. Because OAC members were to serve for a length of time that corresponded with the terms of City Council members, a new OAC might potentially be created every four years.

COMPLAINT

In February 2018, the Imperial County Civil Grand Jury (CGJ) received a complaint related to Measure H. According to the complaint, members of the Oversight Advisory Committee were never sworn in following the 2016 General Election, the committee had not had regular meetings, and the allocation of Measure H funds had not been disclosed by the Calexico City Council. The complainant alleges that these issues resulted in an unlawful usage of Measure H funds by the Calexico City Council.

EXAMINATION

The CGJ started their investigation by interviewing relevant personnel for the City of Calexico. The CGJ met with the current Calexico City Manager, and found them to be highly informative and open to questions. The CGJ took this time to inquire about specific areas of Measure H, as indicated in the complaint, including how the funds were delegated, who was on the Oversight Advisory Committee(s) (OAC), minutes of meetings, and so forth. In addition to answering questions, the City Manager also provided the CGJ with numerous Measure H documents, including hardcopies of Measure H PowerPoint presentations that had been presented to the Calexico City Council. The Measure H PowerPoint detailed all funding allocations from its 2010 inception through the 2018 projections.

After a review of the documents provided by the Calexico City Manager, the CGJ learned that Measure H funds are utilized for purposes as described in Ordinance #110, Section 5, which specifically states, *"If the tax is approved by the voters, the proceeds of the tax shall be deposited into the general fund to provide for general governmental services, which include police protection, fire safety, paramedics, libraries, recreation street repair, and other essential city services."*

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The provided documents also outlined various bylaws and requirements for the OAC. Specifically, the CGJ found that the Measure H bylaws required regular meetings, OAC members to be sworn in in timely fashion, and detailed minutes of meetings were to be kept and verified.

Public record indicates that on December 8, 2016, the regularly scheduled meeting of the OAC was canceled, due to five (5) vacancies created by the November 2016 General Election. There were no available documents to indicate that an OAC had been formed to fill these vacancies from December 8, 2016 through January 23, 2018.

When asked, the City Manager conceded that the committee had not been run properly, meetings had not been held regularly, and that recommendations of the OAC had been, essentially, nonexistent since 2013.

The CGJ learned that, in 2013, the OAC recommended, and the Calexico City Council approved, that Measure H funds be spent in specific areas, including Police, Fire, Parks and Recreation, and Roadways. The OAC was warned that this would severely hamper their ability to recommend where funds should be utilized, as this decision would tie up most of the funds. Regardless, the OAC approved four-to-one (4 to 1) the recommendation, which was voted on, and adopted by, the Calexico City Council.

Although in 2013, the OAC elected to divert a bulk of Measure H proceeds into specific areas, there are generally some excess funds available each year for other departments, as Measure H is a sales tax, and the revenue generated can fluctuate annually.

CONCLUSION:

The Imperial County Civil Grand Jury (CGJ) finds that the City of Calexico has come short of the expectations set forth by Measure H. At its inception, Measure H was to include an Oversight Advisory Committee (OAC), which was to meet regularly and provide recommendations for how funds were spent. Members of the OAC were to be appointed by members of the Calexico City Council and serve for the length of their appointing Members' term. After the 2016 General Election, there were five (5) vacancies on the committee, but no position had been officially filled. When these vacancies were brought to the attention of the current Calexico City Manager, the issue was resolved less than 72 hours later.

Regarding allegations made by the complainant, the CGJ does not find any illegal actions were taken by the OAC or Calexico City Council. As was detailed in the Measure H PowerPoint, there is a full accounting of where funds were utilized and into which areas of the city the funds were allocated. In 2013, the OAC elected, by majority vote, to divert a bulk of Measure H funds into specific city departments.

During the course of the investigation, the CGJ found that the Calexico City Manager's Office, the Calexico City Council, and the Measure H OAC had not followed specific Measure H bylaws, including swearing in new members in timely fashion, holding regular meetings, and keeping detailed minutes.

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The current Calexico City Administration has been honest over their shortcomings related to Measure H and is taking steps to correct them. As of the writing of this report, some issues detailed in the complaint have been resolved. In particular, a new OAC has been sworn in, ethics training has been provided, and meetings have been scheduled.

RECOMMENDATIONS:

- R1** The Civil Grand Jury recommends that the City of Calexico should enact mandatory quarterly meetings of the Measure H Oversight Advisory Committee. The Committee should be supplied with relevant city financial reports and be able to meet with the City Manager and Finance Manager for the City of Calexico, as needed.
- R2** The Civil Grand Jury recommends that the City of Calexico should add the findings and expenditures of the Measure H funds its annual “State of the City” address, as to inform citizens of where funds are allocated.
- R3** That current and future Oversight Advisory Committee members adhere to their bylaws.

RESPONSE REQUIRED:

The Civil Grand Jury requires a written response to this report from the City of Calexico within ninety (90) days of the official release date. Responses are to be directed to the Civil Grand Jury for the review of the Presiding Judge of the California Superior Court in Imperial County.



Imperial County
2017-2018 Civil Grand Jury
*City of Westmorland: The Hiring Process
for the Chief of Police*

JUSTIFICATION

The Imperial County Civil Grand Jury (CGJ) is authorized by state law to investigate complaints made against various agencies and bodies, which include those operated by county and city administrations, and special districts that operate within this county.

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

BACKGROUND:

Westmorland, CA., is a city of just over 2,444 citizens. There are twelve (12) full time city employees. The city does not have a Planning, Building, or an Engineering department; these services are outsourced to other city entities. The City of Westmorland is managed by an elected City Council. Westmorland City Hall has two full time employees: City Clerk and an Office Clerk.

OVERVIEW:

Two written complaints against the City of Westmorland's hiring practices were received by the CGJ in August 2017. The complaints alleged that the hiring of the new Chief of Police was fixed, and other, more qualified, candidates were not selected. The complainants stated that the selection was done by the "good-ole buddy system". In addition, the complainants allege that a City Council member had a conflict of interest and should not have been allowed to break the tied vote to move forward with the hiring of the new Chief of Police.

As part of the investigation, the CGJ reviewed numerous documents, conducted interviews with relevant parties, and made multiple site visits. The following documents were requested as part of the investigation:

- All hiring policies and procedures – Not Received
- Past practice hiring procedures – Not Received
- Standard of wages, city employee handbook – Not Received
- City Council agendas and minutes reflecting policies and hiring practices – Not Received
- Job duties for the Westmorland City Clerk, Police Officers, and Chief of Police

The CGJ based their conclusion on the information provided.

CONCLUSION:

The CGJ finds that the City of Westmorland did not violate any hiring policy or procedures on the basis that the City of Westmorland has no set hiring policy or procedures in place. The City's hiring practices, which lack written minimum standards, consistency, and transparency, have led to the perception that no fair opportunity is available during the selection/hiring process. These perceptions are compelling reasons for the City of Westmorland to enact minimum standards for hiring, and require a Human Resource Department/Committee for oversight, to ensure appropriate Legal Compliance, Fairness, and Morale issues.

The complaint regarding a City Council member and their alleged conflict of interest in the hiring process was not substantiated. The CGJ did not find sufficient evidence to support an allegation of wrongdoing.

RECOMMENDATIONS:

The CGJ recommends that the City of Westmorland immediately create comprehensive written guidelines covering department promotions/hiring, and to provide appropriate training to department hiring managers and oral interview panelists. These guidelines will provide transparency and restore trust that the hiring process is operating in a fair manner.

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It is recommended the following be included in the promotions/hiring guidelines:

- How position is posted and a description of the job duties.
- The Minimum Qualifications (MQ) for the position.
- Who receives the application (i.e., Human Resources, City Clerk, etc.).
- How the applicants are screened to determine candidates meeting MQs.
- Which department reviews the list of eligible candidates and reviews the applications.
- Clarify the Hiring Authority for the City of Westmorland
- Clarify who oversees the hiring and handles promotions for City Departments

It is also recommended the following be included for Interview Panelists:

- MQs for oral interview panelists.
- Minimum standards for experience or knowledge regarding the open position.
- Requirements or guidelines for recusal or removal of a panelist for bias or conflicts of interest.
- Requirements or guidelines for securing interview materials.
- Standard procedure for notifying candidates of the results of the hiring decision.

RESPONSE REQUIRED:

The Imperial County Civil Grand Jury respectfully requests that it be notified, in writing, when the above recommendations are implemented.

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Imperial County
2017-2018 Civil Grand Jury
Calipatria State Prison
ANNUAL INSPECTION

JUSTIFICATION

California State Law mandates that the Civil Grand Jury (CGJ) will inspect all prison and jail facilities on a yearly basis.

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BACKGROUND:

Calipatria State Prison (CAL) is operated by the California Department of Corrections and Rehabilitation. It opened in January 1992 and covers a total of 1,227.5 acres (with the prison on 300 acres). The prison was originally designed to house 2,208 inmates, but prior to activation, modifications were made to double the number of inmates that could be held. The prison can hold over 4,000 inmates, if needed.

CAL has been accredited by the Commission on Accreditation for Corrections (CAC) of the American Correctional Association (ACA), with a 100% rating for mandatory areas, and a 98.9% rating for non-mandatory areas.

OVERVIEW:

A committee of the CGJ inspected the prison using a checklist developed by previous CGJ members, as well as additional information requested by the committee. The areas of interest to the CGJ included the general safety and security of the facility, fire safety, food service, medical service, job training requirements for staff, escape procedures, law library, inmate treatment, investigations, housing units, and staff morale. As part of the inspection, a committee of the CGJ toured major areas of the prison. They were informed that CAL has, approximately, 600 custody staff members, of which 90 are female. There are also, approximately, 700 support staff employees, making the total number of staff close to 1,300.

During the CGJ visit, the CAL inmate count was 3,738. There are 137 Level Four inmates, which is the highest level of security at CAL. There are 106 Level One inmates, which is the lowest security level. Seven (7) of the Level One inmates are assigned as institutional firefighters. 60% of inmates at CAL are serving life sentences, while 40% will eventually be released. CAL reported that the recidivism has dropped by 44%, but 1% will eventually return. CAL is a designated Immigration and Naturalization Service prison for inmates who will be deported at the end of their prison sentences.

CAL currently has an annual budget of \$145 million, which is a \$5 million increase from the previous year.

Prison Tour

The CGJ committee conducted their inspection of CAL on November 22, 2017. Prior to the tour, the CGJ was welcomed by an Administrative/Public Informational Officer, and was given an informational pamphlet of CAL that included their Mission Statement, Institution Statistics, Volunteer & Self-Help Programs, Family Liaison Service Specialist, Calipatria Adult School, and Volunteer Groups. The CGJ also received a daily movement sheet that contained the number of inmates per housing unit for the week of the inspection.

The CGJ committee chose to visit the Perimeter, the Medical Care Center (Outpatient Housing Unit), Receiving and Departing, an Inmate Housing Unit ("Yard"), the Law Library, Vocational Training Areas, and a Satellite Kitchen.

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Prison Perimeter

The Prison Perimeter is the perimeter of the main areas of the prison. The Prison Perimeter includes two layers of tall chain link fencing, topped with concertina wire. Between the two fences, there is a third, which is a lethal fence. The lethal fence is electronically charged at all times, to prevent escape attempts. Each Inmate Housing Yard has its own tall fencing to keep the inmates contained. The CGJ was told there are twelve armed guard towers on the Prison Perimeter, but normally only two are used, due to the electronic fences. If need arises, all towers may be armed.

Medical Care (Outpatient Housing Unit)

Located at the center of the prison, the Outpatient Housing Unit is designed to meet all immediate medical needs of the inmates. It has short term housing for inmates that need medical attention not available in the housing facility. The CGJ observed a complete pharmacy, dental room, complete X-Ray unit, and rooms for examining inmates, both by medical staff and contracted medical staff who may be brought in to treat inmates. Pioneers Memorial Hospital (PMH) and CAL have established a secure modular facility at PMH, which also helps to reduce medical costs. CAL also uses the TeleMed program, where inmates can be seen by medical staff outside of the prison electronically, thus reducing excess medical and transportation costs. The CGJ was told the inmate is charged \$5 for a doctor visit. If the inmate is indigent, the visit is provided at no cost.

Receiving and Departing

The Receiving and Departing area is located next to the Outpatient Housing Unit. It is where inmates are released, and new inmates are received. The CGJ learned that CAL has a new X-Ray machine, which was received through a pilot program. CAL officers were pleased to demonstrate the process by which the X-Ray is used to scan inmates entering the prison. Reported benefits of the X-Ray include a reduction in smuggled contraband, particularly when inmates arrive from other facilities.

Inmate Housing Facility

The CGJ elected to visit Facility D, which contained 928 inmates. At CAL, each of the four facilities contain five housing units, each with a capacity of two hundred inmates. The CGJ noted an observational officer was posted above the entrance of each unit, which allows the officer to command and direct the inflow. The CGJ also noted that correctional staff in the housing units were equipped with batons and pepper spray. During the visit, there were two officers posted, as well as one observational officer. Each facility has educational classrooms, a satellite kitchen, and vocational training areas.

Law Library

Inmates have access to a law library for legal research on their cases, as well as for other matters. There is also a general library for inmates at CAL. At the time of the visit, there were several inmates using the library.

Vocational Training

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Each facility has a vocational training area for inmates. Skills taught include GREEN employment skills (i.e., Solar, Geothermal, Smart Energy), welding, auto body and paint, auto repair, heating ventilation, and air conditioning. These areas were not observed by the CGJ.

Satellite Kitchen

The CGJ inspected a satellite kitchen. Each kitchen is equipped to provide two hot meals a day, morning and evening, plus a sack lunch, for each inmate in the facility. The CGJ was told it takes two hours to feed 1,000 inmates from 6 A.M. to 8 A.M. each morning. It was noted by the CGJ that there are no cameras in the satellite kitchens. Inmates prepare meals under the direction of a staff cook and a correctional officer. The CGJ was informed that the food is prepared in a central kitchen, quick chilled, then reheated and served up to three days later at the satellite kitchens. The central kitchen was not toured during the CGJ visit. A state nutritionist/dietician determines what food is to be prepared and served. Varied meals are provided for inmates on medical diets, such as those with diabetes, those on religious diets, or vegetarians.

CONCLUSION:

It was determined by the CGJ committee members that CAL is a well-run prison with no major issues observed. The committee was able to inspect the prison with no restrictions. The staff was very open to answering any questions.

FINDINGS:

- F1 Adding an X-Ray machine into the Receiving and Departing area has given CAL an advantage in reducing contraband.
- F2 The housing facilities were well-run by the officers. It was noted that officers were well-equipped to respond to emergencies.

RECOMMENDATIONS:

- R1 It is recommended that cameras be added to the Satellite Kitchens, to help officers have better control of the inmates.
- R2 It is recommended that more officers be hired, to help with the overload of duties that must be handled on a daily basis.

RESPONSE REQUIRED:

No response is required, as Calipatria State Prison is part of a State Agency.



Imperial County
2017-2018 Civil Grand Jury
Centinela State Prison
ANNUAL INSPECTION

JUSTIFICATION

California State Law mandates that the Civil Grand Jury (CGJ) will inspect all prison and jail facilities on a yearly basis.

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

BACKGROUND:

Centinela Prison (CEN) is operated by the California Department of Corrections and Rehabilitation. The prison was opened in October 1993, and began receiving inmates immediately thereafter. Although the prison was originally designed to house 2,208 inmates, it has operated at double its capacity. At the time of the Civil Grand Jury inspection, the prison held 3,485 inmates.

Since November 2015, CEN has operated as a half Level III/half Level IV facility to meet the needs of its inmates. In addition, CEN has a Level III "sensitive needs" facility, which houses inmates who are believed to be unable to successfully integrate into the general inmate population facility, for both safety and security reasons. CEN also has a smaller, Level I, facility.

CEN has passed yearly inspections by the American Correctional Association (ACA). It holds a 97.4% compliance rating on non-mandatory areas, and a 100% compliance rating on mandatory rating from the Commission on Accreditation for Corrections (COAFC). These ratings were conducted in 2014, and are re-evaluated biennially. The 2016 re-evaluation results were not available to the CGJ.

OVERVIEW:

A committee from the Civil Grand Jury (CGJ) toured major areas of the prison. The tour was provided by an Administrative Assistant/Public Information Officer Centinela State Prison Lieutenant. The CGJ committee were able to meet the Warden and numerous staff members, and ask relevant questions. The committee was encouraged to visit and inspect any department or area so desired.

CEN provided the following as their mission statement:

The mission of the Centinela State Prison is to provide long-term confinement to men who have been convicted of felonious crimes and remanded to the State of California for incarceration. Inmate productivity and self-improvement are considered integral components to Centinela's overall objective to reduce recidivism among those inmates incarcerated at our institute.

Prison Tour

The CGJ committee visited numerous areas, including the administration building, the Correctional Treatment Center (CTC Infirmery), the Administrative Segregation Unit (ASU), Inmate Housing Units (including Family Visiting Unit). A general tour of the prison perimeter was also provided.

Inmate Housing Unit

The CGJ visited one of the housing units at CEN. Each unit is divided into three sections: A, B, and C, with upper and lower tiers. There are up to two inmates per cell. Due to special circumstances, inmates can be housed without a cellmate. There are six inmate showers available per unit, three per tier. Working or vocational inmates are allowed more flexible showers than other inmates, whose showers are offered every third day. Three correctional officers were

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assigned to the housing unit toured by the CGJ: two officers on the floor with the inmates, and one manning the control booth charged with the opening and closing of doors. All officers appeared equipped to handle any situation.

Inmate Interview

The CGJ committee were able to interview a pair of inmates during their tour. Both inmates expressed interest in expanded educational opportunities and vocational courses. Currently, there are courses offered by Imperial Valley College (IVC), but such courses have a waiting list. While on the waiting list for an IVC course, some inmates are able to obtain a Graduate Equivalent Degree (GED), if needed. The inmates expressed support for vocational courses available, but would like to see more courses/trainings offered. The inmates interviewed had short to medium incarceration terms.

Administrative Segregation Unit (ASU)

Inmates placed in the Administrative Segregation Unit (ASU) require more restricted control, due to concerns of the safety of other inmates if they were placed within the general population. Inmates of the ASU are placed in restraints any time they leave their cell. The ASU has a maximum capacity of 200 inmates, and is currently operating at 160. These inmates are allowed 10 hours of recreation per week, an amount that is determined by their behavior. As with the general population, the inmates with the ASU have the same rights to the law library, religious meetings with clergy, or meetings with their lawyers for legal purposes. A medical clinic is readily available within the unit, along with a counselor. The recreation yard of the ASU is much smaller than other yards. No immediate issues were observed by the CGJ.

Correctional Treatment Center

The correctional treatment center is designed to meet all of the immediate medical needs of inmates. It is located in the center of CEN. It has short-term housing for inmates that need medical attention not available at the facility. The treatment center is made up of two Triage rooms, and is open twenty-four hours a day, seven days a week, for inmates and personnel. It contains a complete pharmacy, negative pressure rooms for air-borne contagious diseases, and an Infirmary with 15 rooms, including a visitation area.

At the time of the CGJ visit, an inmate attempted suicide. To the CGJ, the situation appeared to be very well handled. Two nurses and an officer for 1:1 observation were provided. There appeared to be good communication between the nursing staff and the officer. It was explained that when an inmate attempts suicide, they cannot be kept in the prison. They use an Entrance Outpatient Program and are sent out to other prisons who accept this program. The CGJ was able to see the CEN helicopter pad, that is utilized in an emergency. CEN also uses contracted medical care staff as needed.

Satellite Medical Unit

Each of the five inmate facilities has its own medical clinic. In these units, the medical staff will dispense medication during pill pass and administer injections needed for diabetic inmates on a daily basis. During the CGJ visit, pill pass had finished, but jury members were able to observe an insulin injection. At the Satellite Medical Unit, complete medical examinations can be done

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for inmates reporting a sick call, or to those who may have sustained injuries. The Satellite Medical Unit also contains a complete dental unit, for, as needed, treatment.

CONCLUSION:

It was determined by CGJ committee members that CEN is a well-run prison with no major issues discovered. The committee was able to inspect the prison with no restrictions and staff was very open to any of our questions.

FINDINGS:

- F1** Educational programs are offered to inmates in conjunction with Imperial Valley College. Inmate students find this educational program extremely useful with the hopes of giving back to the community when they are released.
- F2** The medical department staff works together with the Entrance Outpatient Program to send out inmates who attempt suicide as soon as possible.

RECOMMENDATIONS:

- R1** It is recommended that IVC programs with inmates continue, but also offer more variety in terms of classes and four-year degrees.
- R2** It is recommended that more volunteer work assignments be provided for inmates.

RESPONSE REQUIRED:

No response is required as Centinela State Prison is a part of a State Agency.



Imperial County
2017-2018 Civil Grand Jury
Imperial County Jail
ANNUAL INSPECTION

JUSTIFICATION

California State Law mandates that the Civil Grand Jury (CGJ) will inspect all prison and jail facilities on a yearly basis.

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

BACKGROUND:

The Corrections Division of the Imperial County Sheriff's Office (ICSO) operates the Imperial County Jail. Currently, one hundred and twenty-one (121) staff members are employed by ICSO, including sixteen females. Two facilities adjoin the main ICSO building: the *Herbert Hughes Correction Center (HHCC)*, built in the 1960s, and the *Regional Adult Detention Facility (RADF)*, built in the 1970s.

Incarceration admission occurs at the *RADF*. The admission process is as follows: first, individuals are booked and given a brief medical screening; then, they are put into a temporary holding cell; next, they are sent to a dressing room and issued clothing; finally, they are brought to an incarceration cell. If needed, inmates are sent to the medical treatment center prior to their placement in an incarceration cell. The *RADF* can house up to 288 inmates, both male and female, among twelve separate modules. Each module, or pod, contains ten to twenty cells. The general population of the *RADF* is made up of those who have yet to be sentenced, but there are also groups of sentenced inmates, including those under administrative segregation, those with special needs, and those who are high risk. The Medical Treatment Center is housed at the *RADF*.

The *HHCC* has a capacity of 324 inmates, both male and female, in six separate dormitories. In 1989, two dormitories and a multipurpose room were added to the facility. Inmates who are sentenced, non-sentenced, and federal detainees are located at the *HHCC*. The *HHCC* was originally intended to house county inmates who had been sentenced for up to one year of time. In 2011, California Governor Brown signed Assembly Bill (AB) 109, which transferred responsibility for supervising certain kinds of felony offenders and state prison parolees from state prison and state parole agents, to county jails and probation officers. As a result of AB 109, state sentenced inmates may be housed at the *HHCC* for as long as twenty-two years.

The total capacity between the *RADF* and *HHCC* is 612 inmates; however, typical occupancy averages 505 inmates, or 80% capacity.

The *Oren Fox Detention Facility* is in the process of being built. As of May 31, 2018, it is not operational, pending fire and safety inspections. Once open, it will be a medium security facility that is expected to house 278 inmates, and is anticipated to provide population management coordination between *RADF* and *HHCC*. In addition to inmate housing, a multipurpose room will serve as a dining place for the food prepared in the *HHCC* kitchen.

TOUR:

A committee of the Civil Grand Jury (CGJ) conducted an inspection of the ICSO facilities on October 17, 2017. Prior to the start of the tour, the CGJ committee received a presentation outlining the present and future goals of the jail. The Jail staff encouraged questions and answered them fully and they were able to provide back-up statistics and general information, as needed.

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

The CGJ committee based their inspection on a checklist recommended by previous Civil Grand Juries, as well as their own personal experiences and professional interests. The areas of focus of the inspection included general safety and security of the facility, medical services, food service, and programs offered to inmates. The committee toured all areas of the *RADF* and *HHCC*, and also received a tour of the *Oren Fox Detention Facility*, which was still under construction. The CGJ spoke to Correctional Officers, medical staff, and other non-peace officer staff members. All staff members were very courteous and open to answering questions posed by the CGJ. Many staff members are bilingual (English/Spanish), an asset in the Imperial County area. Multiple staff members shared that the jail is often understaffed. On the day of the tour, the inmate count was 505.

Safety and Security: In each part of the jail, cameras have been installed so staff can monitor the inmates. Cameras are used to help increase safety and security. The quality of the video footage appeared poor, with limited recording capacity. The video in the Control Tower at the *HHCC* facility was grainy, and it appeared difficult to identify which inmate was being monitored through the footage.

During the tour the CGJ members observed and questioned a medication cabinet that was unsecured and unattended. The cabinet did not have a working lock to secure it while medication was still inside. The medical file room was also discovered to have been unattended, and medical files appeared accessible to anyone passing through. The file room seemed to have outgrown its capacity and was very cluttered. The desk used by staff members in the medical file room was tucked between large piles of records, and there did not appear to be much space for the staff member to move about.

Medical Care:

Physical Health- The jail has medical staff on duty twenty-four hours per day for inmate injuries and illnesses. The county contracts with an outside medical care service at a cost of \$2.6 million per year. When an inmate is booked for admission, a Pre-Medical Questionnaire is completed. If the Questionnaire indicates potential medical problems, a screening is performed in the booking area. If needed, new inmates can be sent to the Medical Treatment Center for further evaluation. Medical stations for non-emergency treatment are available in the *RADF* and *HHCC*. A sick call Registered Nurse (RN) does rounds in the facilities daily, and will forward concerns to the contracted Doctor, when warranted. Inmates are also able to log medical concerns via an electronic tablet in their dorm or cell.

Mental Health- The Imperial County Jail relies on local and outside agencies to evaluate and treat the mental health of its inmates. A Psychiatric Technician provides services for inmates 40 hours each week, including daily rounds. According to the technician, their practice is guided by information obtained during the booking process, notes from nursing staff, screening results, and court notes. At the time of the CGJ inspection, roughly 25% of the inmate population was receiving treatment from the Psychiatric Technician. A position for a Psychiatric Social Worker was recently filled at the Imperial County Jail, via an outside contract, but this individual had not yet begun services at the time of the CGJ tour. Staff also indicated that Licensed Clinical Social Worker (LCSW) interns have been obtaining clinical hours at the Imperial County Jail, which

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

has been beneficial. Throughout the CGJ inspection, the need for expanded mental health services in the Imperial Valley was reiterated by staff.

During the CGJ tour, Imperial County Jail staff indicated concerns with the booking process as it relates to the mental health of inmates. Specifically, staff expressed concern that the location of intake, where the Pre-Medical Questionnaire is completed, is not compliant with the 1996 Health Insurance Portability and Accountability Act (HIPAA). Intake forms are completed in an open lobby without privacy. If an inmate requires further screening, it is often conducted in the same room. Staff members feel that due to the limited privacy, inmates are not always truthful in their responses. If an inmate does not share their addiction or mental health status, the results can be life-threatening. Inmates can request to move to a room with more privacy, but it is not the default option at the Imperial County Jail at this time. According to staff, there will be more privacy available during intake in the future *Oren Fox Detention Facility*.

During the CGJ inspection, questions were asked about prescription medication at the time of release. During release, medical staff members are required to provide inmates with an adequate supply of any required prescription medication. When questioned, medical center staff indicated that they do not always have adequate time to prepare the prescriptions for release, particularly if the medical staff members have not been included in the discharge planning. In those instances, where prescriptions are not ready at discharge, inmates are given a 7-day emergency supply, and a reorder is placed at a local pharmacy. There is a concern that many inmates do not follow-up with their prescription medication.

Food Preparation/Services: The jail serves 500,000 meals per year. Inmates are provided with two hot meals and one cold meal each day. The cost per meal is around \$2.30. At the *HHCC*, correctional staff members serve meals directly to the pods. At the *RADF*, inmates have access to a dining hall. The jury members observed the food preparation area which appeared to be clean and sanitary. Some of that area also appeared to be worn but still usable. Jury members did not notice any kitchen appliances to be deficient. A dietician from San Diego consults on the nutritional needs, but meals have a balanced calorie count and meal temperatures are recorded before serving.

Miscellaneous: Imperial County Jail staff members were open about their goals for inmates. One area of particular interest was related to limiting recidivism (reoffending). Jail staff hope to accomplish this by providing inmates the means to develop life skills, including counseling for drug and alcohol addiction/dependency, anger management courses, and family counseling. Low risk inmates gain job skills in a variety of areas, including food handling, heating and air conditioning training, and landscaping work. Mentoring by successful past inmates is provided, and spiritual guidance is available through community volunteers.

Educational programs offered by the Imperial County Jail include *HiSet* and *Inside Out*. *HiSet* is a high school equivalency course that allows inmates to obtain a high school diploma. *HiSet* is similar to a *General Education Development (GED)* course but does not require the inmates to leave the facility. *Inside Out* is a college course that covers Addiction Studies. Those enrolled attend classes at both the Imperial County Jail, and at the local community college, Imperial Valley College, with non-incarcerated students. The Imperial County Jail is the only jail in the

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nation offering an Inside Out program; which is traditionally used in prisons. Low risk offenders with 1-13 years left on their sentence are allowed to enroll.

RECOMMENDATIONS:

- R1** It is the Grand Jury's recommendation that any questioning during the intake process that involves medical information is in compliance with the Health Insurance Portability and Accountability Act (HIPAA). The Grand Jury recommends a more private location for medical intake questioning.
- R2** It is the Grand Jury's recommendation that the medication cabinet is properly secured and that there are procedures in place to account for the medication. A log should be used to keep track. This log should also verify which staff member inputs, as well as checks out, the medication.
- R3** It is the Grand Jury's recommendation that the medical file room is properly secured. If the room is not secured at any time, a staff member should be in the room in order to monitor the confidential information. The Civil Grand Jury also recommends that the desk in the medical file room be placed in a location that allows the staff member to exit the room quickly in case of a fire or any other kind of emergency.
- R4** It is the Grand Jury's recommendation that Custody and Non-Custody staff members have some type of key retention tool on their person. Keys should not be carried in hands or pockets.
- R5** It is the Grand Jury's recommendation that the Control Tower video surveillance camera be replaced with higher quality equipment. The current equipment records very grainy footage that is difficult to review.

RESPONSE REQUIRED:

The Imperial County Civil Grand Jury requires the Imperial County Jail respond to the recommendations within (90) ninety days from issuance of the report. Please submit an official response to the Civil Grand Jury Foreperson, P.O. Box 2011, El Centro, and CA. 92243.



Imperial County
2017-2018 Civil Grand Jury
Imperial County Juvenile Hall
ANNUAL INSPECTION

JUSTIFICATION

California State Law mandates that the Civil Grand Jury investigate and report on the state prisons and jail facilities each year, this mandate includes the Imperial County Juvenile Hall.

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

BACKGROUND:

Authority and Facility Responsibility

The Imperial County Juvenile Hall (JH) operates under the auspices of the Imperial County Probation Department. The JH serves as a care facility for detained minors. Minors being held in JH are either awaiting a decision on their future, or have been sentenced by the Court in Imperial County to a one-year, or less, time period.

Assessment and Evaluation

All new Juvenile Hall Court referred minors are given a pre-screen Positive Achievement Change Tool (PACT) Risk/Needs Assessments by the Probation Department. There are also Full-PACT Risk/Needs Assessments on all cases set for disposition or deferred entry of judgment.

In addition to the PACT Assessments, the intake process includes a Massachusetts Adolescent Youth Screening Instrument (MAYSI) assessment of their mental health, and the computerized Detention Risk Assessment Instrument (DRAI) evaluation, which is based on prior and current convictions and offenses.

The staff acknowledge they are in full compliance with Local, State and federal guidelines and compliant with Juvenile correctional standards. This facility is also inspected by the Board of State Community Corrections.

Case Plans

Individualized case plans are developed for minors and families based on the Probation Department's assessment of needs and strengths.

Incarceration

Once minors are detained and become Wards, staff members attend to discipline and security, personal hygiene, clean clothing and bedding, mental health and/or drug counseling, work programs, recreational exercise, and visitation with parents/guardians.

Most Wards, after a short stay, go on to probation. The determination for probation is made by a Judge, based on the recommendations from the JH staff and other factors.

OVERVIEW:

Purpose

JH is committed to enhancing public safety through the reduction in the number of repeat offenders. This is done by motivating behavioral change, while enforcing court orders and advocating for victims.

Place

JH is located directly behind the main building of the Imperial County Probation Department on Applestill Road near the corner of McCabe and Clark Roads, in El Centro, California.

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The facility consists of five (5) dorms to house the juvenile Wards, a central center, classrooms, a medical room, recreation areas, a cafeteria, and other offices used for services offered to the Wards (i.e. Counseling, social services interviews). Some of the security features in this facility include security cameras, electronic detection, and reinforced fencing.

In addition to the JH Applestill location, field supervision by Imperial County Sherriff's employees is provided to the Imperial County Office of Education Academies, DEJ, Wraparound Services, Moderate to High Risk Youth, and an Evening Learning Center.

The JH Facilities also include Medical Services and Food Service. Medical Services are provided at a nursing station, where a nurse is on-duty four hours each day. A doctor can be called, or a Ward can be transported to a hospital if more serious medical attention is warranted. On-call Behavioral Health Services are also available for assistance with mental health problems.

Food is prepared for the Wards in a kitchen. It is then transported to the JH cafeteria, where it is kept warm at food-warming stations until served to the Wards. The JH food facilities have passed inspections by State and County Departments

People

Standards set by the Title 15 of the California Code of Regulations require one (1) staff member for every ten (10) minors in detention. There are twenty-six (26) staff members at the JH, including one (1) facility manager, one (1) shift supervisor, and three (3) full-time staff members. Additional help is provided through outside programs, including a Grandparent Volunteer Program. The Grandparent Volunteer Program is an outstanding group of three volunteers that have over thirty years of experience volunteering with the JH.

Programs

Educational Program – There are two education classrooms at the JH. The teachers for these classrooms hold valid California Teaching Credentials. Computers are provided for school assignment preparation, but access to the Internet is limited due to potential security concerns. JH maintains compliance with California State Educational Standards, and offers a High School Diploma Program, or the General Equivalency Diploma (GED). Because the stay for each Ward is relatively short, the classroom teachers try to maintain pace with what would be taught at their home schools. Schooling is provided for three and a half hours per day.

Foster Grandparents Program – Volunteer grandparents provide support and acceptance by listening to what the Wards have to say, and providing counseling as needed. They are also available to help with schoolwork, to replicate a more home-like environment.

Gardening Program – A garden has been established within the outside yard of the JH. The garden provides Wards with the opportunity to assist in the growing of vegetables, including cherry tomatoes, carrots, and kale.

Performance

Wards are responsible for keeping their rooms clean, and have specific work responsibilities assigned to them at the facility. The JH staff uses a point rewards program to control behavior in

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

a positive way. Wards may accumulate daily points based on behavior, attitude, work performance, grooming, manners, and room maintenance. Staff report they are considering opening an “Honors Wing” (separate housing area), to entice the wards to excel in all facets while at the facility.

CONCLUSION:

In conclusion, the staff of the Imperial County Juvenile Hall are doing well to ensure that their Wards understand what is expected of them. Wards of the JH are provided with several beneficial programs to make their stay positive, including High School classes taught by credentialed teachers, support from the Foster Grandparents Program, and outside activities, such as a vegetable garden.

FINDINGS:

- F1** The ways that the JH staff can assist Wards in developing their future plans appear limited. For example, there is little community outreach available to Wards for future career opportunities. The JH staff state that there are approximately 15 Wards on average in the facility at a time (there were 17 at the time of the CGJ visit), and the average stay is 13 to 18 days.
- F2** Generally, the JH facilities appeared to be in Fair to Good condition, depending on the section (new or old). However, it was noted that there were places where paint was peeling off the walls, and other areas where regular maintenance is ongoing.
- F3** The main section of the Imperial County Juvenile Hall was built in 1974, with an addition in 2000. There are marked differences in the two areas of the facility. The older sections of the facility are in need of repair and upkeep, while the newer sections (Control 2) are in better overall condition and have better security and surveillance.
- F4** The food preparation area (Kitchen) had received a grant from the USDA, and has upgraded its cooking facility. This was a well-maintained and clean area of the facility. The kitchen staff are able to feed all of the Wards, as well as be available to assist under numerous mutual aid compacts (i.e., agreements to assist other agencies during times of crisis).

RECOMMENDATIONS:

- R1** Existing programs in education, and activities such as gardening, should be enhanced to provide Wards with positive experiences. In addition, there should be an attempt to help Wards develop plans for the future. This could be accomplished through contact with the Imperial Valley Regional Occupation Program (IVROP), who provide information on technical career opportunities and educational programs, or through local faith-based chaplains, who reflect the community at large.

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

- R2** The issue of peeling wall paint should be addressed, since it may have the potential to create health problems. The walls could be prepared, and an epoxy coating applied, which would help old paint from peeling.
- R3** The facility would be better operated if the operations of this facility were moved into the newer sections, built in 2000, which is more up-to-date and not in need of constant repair, and the older areas updated and only utilized when the number of wards exceeds the newer facilities capabilities. The Imperial County Juvenile Hall can accommodate a total of 72 Wards, with a minimum of 20 in the newer area, and up to 40 with double bunking.
- R4** The kitchen should continue to pursue various grants, and upgrade any aging equipment.

RESPONSE REQUIRED:

The Civil Grand Jury requires a written response to this report within ninety (90) days of the official release date. Responses are to be directed to the Civil Grand Jury for the review of the Presiding Judge of the California Superior Court in Imperial County.



APPENDIX

RESPONSES TO THE 2016-2017 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Responses to the 2016-2017 Civil Grand Jury report have not yet been received as of June 30, 2018.

Responses will be posted as they are received at:
<http://www.imperial.courts.ca.gov/CourtDocumentsVB/SCourtDocuments.html#set-2>

2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

END OF REPORT