

IMPERIAL COUNTY CIVIL GRAND JURY



2018-2019 FINAL REPORT

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

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Table of Contents

Letter from the Imperial County Civil Grand Jury Foreperson	3
Letter from the Presiding Judge and Court Executive Officer	4
Imperial County 2018-2019 Civil Grand Jury	
Jurors.....	5-6
Presiding Judge	7
County Council	8
Support Staff	9
Introduction to the Civil Grand Jury	
Mission Statement.....	10
Investigations/How to Submit a Complaint	10-11
Confidentiality.....	11
Jurisdiction	11
Civil Grand Jury Qualifications	12
Jury Selection	12
Jury Organization.....	12
Commitment.....	13
Renumeration	13
Orientation	13
Why Become a Civil Grand Juror?	13
How to Contact the Civil Grand Jury.....	13
California Penal Code Section 933.05	
Jury Reports.....	14
Response Requirements and Instructions	14-15
Address for Delivery of Responses	15

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Final Reports

Investigations

Imperial County Department of Social Services	17
---	----

Matrix Inspection

El Centro Fire Department	23
---------------------------------	----

Annual Inspections

Calipatria State Prison	29
-------------------------------	----

Centinela State Prison	34
------------------------------	----

Imperial County Jail	39
----------------------------	----

Imperial County Juvenile Hall.....	44
------------------------------------	----

Appendix

Responses to the 2017-2018 Grand Jury Final Report

City of Calexico – Measure H	50
------------------------------------	----

City of Westmorland – Hiring of Chief of Police	50
---	----

Imperial County Jail	51
----------------------------	----

Imperial County Juvenile Hall.....	52
------------------------------------	----

Calipatria State Prison	53
-------------------------------	----

Centinela State Prison	53
------------------------------	----

Copy of Civil Grand Jury Complaint Form.....	54
--	----

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

LETTER FROM THE FOREPERSON

Imperial County Civil Grand Jury
P.O. Box 2011
El Centro, CA, 92244
June 5, 2019

Presiding Judge of the Civil Grand Jury
Superior Court of California in the County of Imperial
El Centro, California, 92243

Citizens of Imperial County and Honorable Judge,

In accordance with the California Penal Code, Section 933 (a), and in the name of the 2018-2019 Imperial County Civil Grand Jury (Grand Jury), it is my duty to submit our final report.

The 2018-2019 Civil Grand Jury was sworn into service in June 2018 with nineteen citizens from around the county. By the end of our third month, we were down to 14 active members and were unable to complete our duties as desired due to a lack of regular attendance. The Grand Jury requested assistance throughout the next four months with no response from the court. The remaining members of the Grand Jury worked tirelessly to keep our vow to the citizens of this county and the court. The members that remained gave their time and talents though taking on more than their share of the duties. The members of this Jury hope that our trials and setbacks will lead to some substantive changes in the way future juries are instructed and handled by the court and its representatives.

Due to a lack of available members, our Grand Jury was only able to produce seven quorums throughout the year, which amounts to approximately 32% of meetings where we were able to complete necessary procedures. It is a testament to those who continued to persevere that we were able to conclude this year's Grand Jury and publish six (6) reports for the Judge and the citizens of Imperial County. I again thank those members of this year's Grand Jury for their support and unwavering commitment to their duties in the face of such a rough term.

I wish to thank the California Civil Grand Jury Association for their guidance when no other support was available, as well as the County Council for her assistance and stewardship throughout this trying year.

Sincerely,

Gregory Siota
Foreperson
2018-2019 Imperial County Civil Grand Jury

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

[pending]
[DEMOGRAPHIC INFO – COURT EXECUTIVE OFFICER]

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Imperial County 2018-2019 Civil Grand Jurors

<u>Juror Position</u>	<u>Juror</u>	<u>City of Residence</u>
Foreperson:	Gregory Siota	Imperial
Secretary:	Jennifer Kidwell	Brawley
Treasurer:	Espy Verdugo	El Centro
Sergeant-at-Arms:	Glenn Granish	Brawley
	Janice Barr	Holtville
	Christina Castro	Calipatria
	Helen Garcia	Imperial
	Sandra Harris	Westmorland
	Robert Hayes	El Centro
	Jesus Jimenez	El Centro
	Jacqueline Marin	Calexico
	Gloria Panduro	Heber
	Paul Redona	El Centro
	Jeanette Trejo	Calexico

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

The 2018-2019 Imperial County Civil Grand Jury

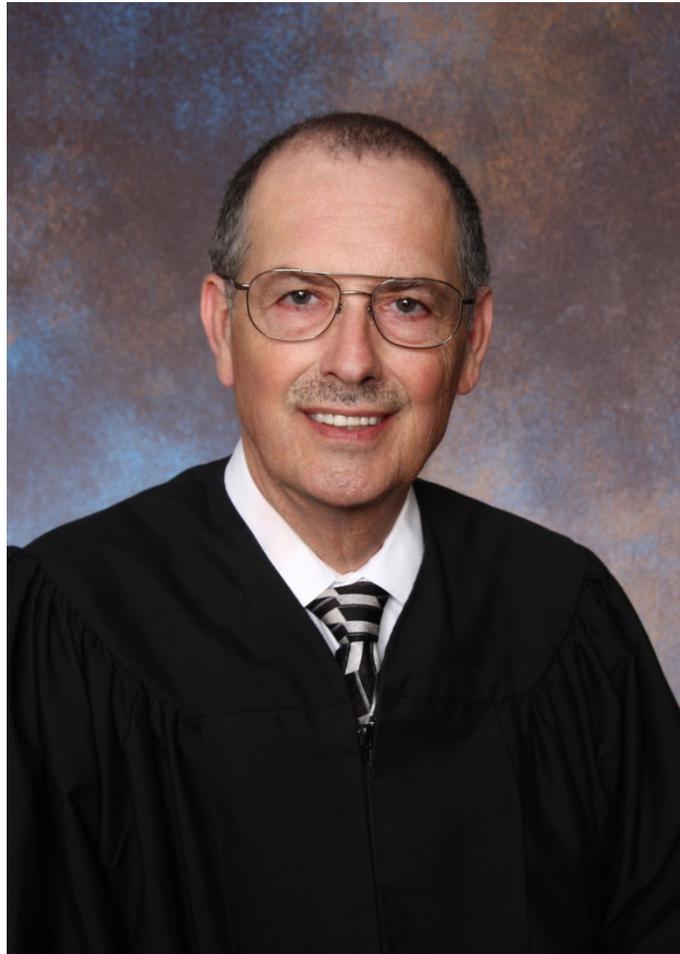


Civil Grand Jurors (Left to Right, Top to Bottom): Espy Verdugo, Robert Hayes, Glenn Granish, Jacqueline Marin, Sandra Harris, Jennifer Kidwell, Jeanette Trejo, Jesus Jimenez, Gregory Siota, Christina Castro

Not Pictured: Janice Barr, Helen Garcia, Gloria Panduro, Paul Redona

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Presiding Judge



Honorable L. Brooks Anderholt
Presiding Judge (January 2019-June 2019)
Superior Court of California

County Counsel



Katherine Turner
County Counsel

Jury Commissioners Office – Staff Members



Billie Padilla, Hernan Alanis, Analisa Cortez

2018-2019 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.

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Additionally, Section 919 prescribes that:

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 online via the [Civil Grand Jury Complaint Form](#)¹, by calling (760) 482-2200, or by using the form found on in the appendix of this report (page 54).

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.

¹<http://www.imperial.courts.ca.gov/CourtDocumentsVB/Docs/Additional/Civil%20Grand%20Jury%20Complaint%20Form.pdf>

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

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 2018-2019 Imperial County Civil Grand Jury served a term from July 1, 2018 through June 30, 2019. Its officers included a foreperson, 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.

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

COMMITTMENT

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, 92244

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

Online: <http://www.imperial.courts.ca.gov/CourtDocumentsVB/SCourtDocuments.aspx#set2>

By Phone: (760) 482-2200

A copy of the complaint form is also located in the appendix of this report (page 54).

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

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>

RESPONSE REQUIREMENTS AND INSTRUCTIONS

Two working days prior to the release of the Final Report, the Grand Jury will provide a copy of the report to all affected agencies of persons or persons.

No officer, agency, department, or governing body of a public agency shall disclose the contents of the report prior to its public release.

All affected agencies or persons shall respond to their specific portions of the Final Report.

Responses are to be in writing, or on computer disk to assist with duplication, and are to be submitted in a timely manner.

Section 933(c) of the Penal code provides two different response times:

(1) **Public Agency:** the governing body of any public agency must respond within 90 days. The response must be addressed to the presiding judge of the Superior Court.

(2) **Elective Officer or Agency Head:** All elected officers or heads of agencies that are required to respond must do so within 60 days to the presiding Judge of the Superior Court, with an informational copy provided to the Board of Supervisors.

The legal requirements for responding to individual reports in the Civil Grand Jury Final Report, as contained in the California Penal Code, Section 933.05, are summarized as follows:

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

The responding entity or person must respond in one of two ways:

- (1) That you agree with the finding.
- (2) That you disagree wholly or partially with the findings. The response shall specify the part of the findings that are disputed and shall include an explanation of the reasons for the disagreement.

Recommendations by the Civil Grand Jury require action.

The reporting entity or person must report action on all recommendations in one of four ways:

- (1) The recommendation has been implemented with a summary of the implemented action.
- (2) The recommendation has not been implemented but will be implemented in the near future with a timeframe for implementation.
- (3) The recommendation requires further analysis. If an entity or person reports in this manner, the law requires a detailed explanation of the analysis or study and timeframe not to exceed six months. In this event, the analysis or study must be submitted to the director or head of agency being investigated.
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation of the situation.

If either a finding or a recommendation deals with budgetary or personnel matters of a county department headed by an elected officer, both the elected officer and the Board of Supervisors shall respond so if the Civil Grand Jury so requests.

The Board of Supervisors' response may be limited, while the response by the department heads must address all aspects of the findings or recommendations.

ADDRESS FOR DELIVERY OF RESPONSES

Civil Grand Jury Foreperson
P.O. Box 2011
El Centro, California, 92244

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

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Imperial County
2018-2019 Civil Grand Jury
Department of Social Services
INVESTIGATION

JUSTIFICATION

The Imperial County Civil Grand Jury (Grand Jury) 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.

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

BACKGROUND:

Federal, state, and county governments are responsible for assisting individuals and families in need. This assistance is provided through a variety of programs. Benefits are provided based on specific economic qualifications. Benefit and assistance programs include CalWorks (Welfare), CalFresh (Food Stamps), In-Home Support Services, and General Assistance. Public assistance programs are monitored through fraud detection and fund recovery. Efforts to reduce public assistance fraud have yielded millions of dollars in net cost savings annually to the citizens of the state of California.

The California Department of Social Services is the state agency responsible for providing public assistance aid, services, and protection to needy citizens of California. The management and distribution of these benefits is delegated to the individual counties in California. In the Imperial County, the Department of Social Services (DSS) operates the program.

In the Imperial County, applicants for public assistance first meet with DSS eligibility workers to provide personal information (i.e., name, age, income, etc.). The eligibility worker then determines if there is a need for immediate assistance for the individual and will issue funds/food stamps if appropriate. After the individual receives public assistance funds, the DSS Fraud unit works to collaborate information provided by the individual. Cases of suspected public assistance fraud are referred to investigators in the District Attorney's office.

Public assistance fraud takes place when people make false statements or fail to report information when applying for benefits. There are strict timelines necessary for investigation set forth by state and county ordinances. State regulations require counties to establish an applicant's eligibility for public assistance within 45 days.

COMPLAINT:

In October 2018, the Civil Grand Jury (Grand Jury) received a complaint against the Department of Social Services and District Attorney's office, alleging that these departments are not properly reviewing cases of public assistance fraud in the timeframe set forth by the State of California.

METHODOLOGY:

The Grand Jury started their investigation by reviewing the official website for the County of Imperial¹ and the DSS website² for information, including roles and responsibilities. They also reviewed documentation provided by the DSS, including internal records and timelines of investigation. In addition, the Grand Jury conducted an inspection and interviews with a number of staff members of the DSS and District Attorney's office. For background, previous Grand Jury

¹ <https://www.co.imperial.ca.us/>

² <https://www.imperialcountysocialservices.org/>

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Investigations on Welfare Fraud, prepared by Contra Costa and Los Angeles County Grand Juries were also reviewed.

The Grand Jury based their conclusions on information obtained during their interviews and through their review of available documents.

DISCUSSION:

Imperial County Department of Social Services

The Grand Jury conducted an inspection of the DSS (Welfare department) on March 28, 2019. The DSS has satellite offices located in various cities across the Imperial County, but their main building is located at 2985 S. 4th St in El Centro. As part of the inspection, employees from a number of departments were interviewed. DSS staff were compliant with the interview process.

Through their interviews, the Grand Jury learned that top level management do not always review ongoing public assistance fraud cases. DSS staff indicated there is a need for case review reports to be shared with supervisors/managers in each department, but this does not always happen. After reviewing documentation and interviews, the Grand Jury also learned that administration disqualification hearings, which can judge cases deemed fraudulent, are rarely utilized by the DSS.

According to DSS records, the average time for concluding an investigation is one hundred thirty-eight (138) days, after receiving an investigative report from the District Attorney's office. State regulations require counties to establish an applicant's eligibility for public assistance within 45 days.

Imperial County District Attorney's Office – Investigative Department

The Grand Jury chose to interview the investigative department of the Imperial County District Attorney's (D.A.) Office as part of their inspection, as the D.A. investigators are responsible for investigating public assistance fraud cases identified by the DSS. Initial requests for interview with the Grand Jury were denied until a subpoena was issued. D.A. investigators were compliant with the interview process.

The DSS and D.A.'s office have a Memorandum of Understanding (MoU) that details the work performed between these two agencies. A copy of the MoU was not provided to the Grand Jury, but it was explained to the Grand Jury that it is being honored as still in place.

Currently, the D.A.'s office provides two licensed investigators and two investigative assistants to handle all DSS fraud cases referred for review. The D.A.'s office conducts investigations and reports back to the DSS Fraud unit. Cooperation between agencies is vital for success. The D.A. investigators do not work out of the DSS building and are reported to rarely interact with DSS staff. D.A. investigators submit timesheets to the DSS for payment of work performed, but due

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

to the limited contact agencies have with each other, there is need for a more substantive or qualitative explanation of hours spent investigating each case.

The Grand Jury was informed that the D.A.'s office had requested the Imperial County Board of Supervisors hire additional investigators to assist with the workload but were denied due to budgetary constraints.

Overpayment of Fraudulent Claims

According to documentation provided to the Grand Jury, the total overpayment of fraudulent claims for the 2018 fiscal year was two hundred sixty-four thousand dollars (\$264,000). The time to prosecute these claims varied, with one case lasting two years, two months (804 days). State regulations require counties to establish an applicant's eligibility for public assistance within 45 days.

CONCLUSION:

The Grand Jury concludes that the Department of Social Services is governed by state regulations that set policy to deal with claims of public assistance. The regulations are vast and numerous. Due to the large number of cases of public assistance filed, and a state-regulated 45 days required for inspection, there is a need for close supervision. The Grand Jury believes that corrective action is required to meet these deadlines for the Imperial County. Cases must be properly logged and placed in priority status so that the required 45-day timeline is met. The Grand Jury also believes managerial and supervisory staff must have more direct involvement in cases.

The issue of public assistance fraud is an important one for the Imperial County, and one which must be addressed to ensure that public funds are awarded only to needy and qualified recipients, and those who misuse public funds are properly punished. Investigation and prosecution will send a message to county taxpayers that their taxes are being used for problems that need to be fixed, as well as discourage people from abusing the system.

FINDINGS:

- F1.** There is a lack of oversight/review into new and ongoing cases of public assistance benefits by the managers and supervisors of the Department of Social Services.
- F2.** Department of Social Services fraud investigators are not meeting the timeline for eligibility determination set by the state of California.
- F3.** The Memorandum of Understanding (MoU) that the Department of Social Services has with the Imperial County District Attorney's office does not appear to serve the needs of the community. Requests for more staff have been denied.

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

F4. There is insufficient interaction between the District Attorney's office and the Department of Social Services, which strains the positive working relationship needed to properly investigate fraudulent claims.

RECOMMENDATIONS:

R1. The Department of Social Services should create a review and tracking system of all cases of public assistance at the supervisory and management level, with a dedicated system to ensure proper timelines and mandates set by the state are being met.

R2. The Department of Social Services Fraud unit should conduct an internal review of how it intakes, reviews, and assigns investigations to the District Attorney's office. Procedures should be set in place to accurately reflect the actual dates of work being processed and the completion of each portion of the investigation.

R3. The current Memorandum of Understanding (MoU) between the Department of Social Services and the District Attorney's Office should be reviewed and updated to reflect the current needs of these departments. Additional investigative staff, perhaps those dedicated to only public assistance issues, would alleviate the workload and help ensure state-mandated timelines are met.

REQUIRED RESPONSES:

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requests responses as from the following governing bodies within 90 days:

- Imperial County Department of Social Services: F1, F2, F4, R1, R2, R3

Please submit an official response to the Civil Grand Jury Foreperson, P.O. Box 2011, El Centro, CA, 92244

INVITED RESPONSES:

The following governing bodies are invited to respond to the Grand Jury report:

- Imperial County District Attorney's Office: F3, F4, R3
- Imperial County Board of Supervisors: F3, R3

DISCLAIMER:

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.
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2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

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Imperial County
2018-2019 Civil Grand Jury
El Centro Fire Department
MATRIX INSPECTION

JUSTIFICATION

County and City agencies are under a matrix for the Civil Grand Jury (Grand Jury) to inspect on a regular schedule. It has been at least 8 years since a review has been completed on this agency.

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

BACKGROUND:

The El Centro Fire Department (ECFD) was established in May of 1908 as a Volunteer Fire Department. Today the department is directed by a Chief and three Battalion Chiefs. ECFD currently responds to over 4,600 emergency calls each year and provides fire protection to over 42,000 El Centro residents, in excess of 11 square miles.

Mission Statement

The ECFD Mission Statement is: "Protect life, property, and environment through mitigation, preparedness, response, and recovery actions". They accomplish their mission through:

- *Mitigation* – Action taken to prevent future emergencies and disasters and/or action taken to minimize their effect.
- *Preparedness* – Action taken to prepare to handle an emergency or disaster.
- *Response* – Action taken during the emergency or disaster.
- *Recovery* – Action taken recovering from an emergency or disaster.

Core Values

The Core Values of ECFD are as follows:

- *Integrity* – We hold each other accountable for adherence to a standard of high moral and ethical values.
- *Trust* – We rely on, and have confidence in, the character, abilities, strength, and truthfulness of all our members.
- *Respect* – We regard and treat each other as professionals.
- *Excellence* – We strive to continually improve and to provide the best service possible.

Motto

The Motto of ECFD is "Courage to Act, Commitment to Serve"

Personnel and Locations

The ECFD staffs three fire stations, 24 hours a day, 7 days a week, with a minimum of 10 personnel. There are forty-one staff members working for ECFD: thirty-eight sworn safety officers, one Fire Chief, three Battalion Chiefs, ten Captains, nine engineers, and fifteen firefighters. There are also two clerical assistants and one staff assistant.

Fire Station 1

Fire Station 1 was built in 1946 and is located at 775 State Street. It is currently being retro fitted in electrical areas. Security is also being increased. Due to its age, the repair work is a lengthier process. A shutoff system for the gas line is being added to the kitchen, to improve safety in the event of an emergency. The beds for personnel are in the process of being replaced; in the meantime, firefighters are using cots. This is the busiest station of ECFD due to its location in downtown El Centro. Emergency generators are tested for thirty-minutes every Friday.

Fire Station 2

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Fire Station 2 was built in 1984 and is located at 900 S. Dogwood Avenue. It features the Burn Institute Fire Safety Car, which is a mobile emergency car that holds the equipment and supplies that cannot be placed in the fire engines. Fire Station 2 is adjacent to Gomez Park, which is named after fallen ECFD member Lieutenant David Gomez, who passed away in the line of duty in 1976. The park contains a plaque and monument in memory of fallen members. ECFD personnel see this park as part of their station and they take pride in keeping it clean.

Fire Station 3

Fire Station 3 is located at 1910 N. Waterman Avenue. It was built in 2014. As the newest fire station, it is the most state-of-the-art. It features classroom areas open to the public. It also houses the administrative offices of ECFD and stores equipment for all three stations.

METHODOLOGY:

A committee of the Civil Grand Jury (Grand Jury) conducted numerous interviews and visited the three fire stations for the City of El Centro as part of this investigation. They based their conclusions on information obtained during their interviews.

INVESTIGATION:

Throughout interviews, members emphasized the importance of maintaining equipment and stocking an appropriate amount of equipment necessary to aid firefighters in their service to the public.

Personnel & Facilities:

All three fire stations share space with American Medical Response (AMR) members. There are 10 fire personnel operating ECFD on a daily basis. Firefighters are grouped in a 3-3-3 distribution along with the Fire Chief. Firefighters rotate through each station for 6-months. The benefit of the rotation means that members are familiar with each other and each station. ECFD Firefighters are trained for all duties to be well-rounded, which is beneficial if there are staff shortages. They have the capacity for 12 total members and are in the process of hiring two new members to completely staff their needs.

The ECFD is staffed with three arson investigators. All members are trained hazmat technicians, which is invaluable in situations involving chemicals or natural disasters. Members are also trained on OSHA Law and Regulations and sexual harassment policy. There is also a strike team that can be called as needed. The strike team is trained for crucial moments, such as assisting in large fires or helping other local agencies (e.g., U.S. Customs & Border Protection).

Each fire station contains at least two restrooms, showers, and a kitchen. The restrooms have inner locks to accommodate female members as needed. Stations also contain a small living room for the firefighters to use. All stations are being upgraded for increased security, including access codes for gates, security cameras, and new sprinkler systems inside of the buildings.

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

According to interviewed personnel, with the addition of the two soon-to-be-hired personnel, ECFD will be maintaining an appropriate number of firefighters to meet the needs of the City of El Centro. The facilities of each station are adequate for members.

Equipment:

Each station has a fire engine, with two in reserve. The frontline fire engines used by ECFD include two Pierce engines (2015) and one KME engine (2017). There are also two American LaFrance engines (2005) on reserve. All firefighters are assigned their own radios so that they can always be alerted of emergencies, even at home. Firefighters each have their own uniform, and there are additional uniforms available if needed. The additional uniforms are older uniforms that have been removed from regular use but are still within the limits of safety.

According to the interviewed personnel and Grand Jury inspection, older equipment (e.g., protective personal gear) is often reused as needed or until deemed no longer safe. Due to budgetary constraints and the overall high cost of fire equipment, the ECFD tries to utilize equipment for as long as possible before ordering replacements.

Maintenance Schedule:

Firefighting uniforms are replaced every 10 years (max). Firefighters must report any rip or tear in their uniforms, as this decreases safety. Equipment must be replaced every 15 years (max). Water hoses are replaced every 10 years (max). Frontline fire engines are replaced every 8 years (max).

Weekly checks of all equipment and hoses are performed, in addition to daily checks of uniforms and fire engines. There is also a five-year assessment performed to see which materials or equipment will be needed, and which will be put out of commission. When the Grand Jury visited Station 1, in April 2019, hoses were stamped 2018 as the last date of inspection. No hose had a 2019 stamp.

According to interviewed personnel, ECFD is on-time with their maintenance schedules.

CONCLUSION:

It was determined by the Grand Jury that the El Centro Fire Department is following their policies and procedures. There appears to be a need for additional equipment, as often times, outdated equipment is used as backup until they can be replaced.

FINDINGS:

- F1.** Older equipment is being used until replacements are available, even if they have been pulled from regular use due to age/wear.
- F2.** The El Centro Fire Department has now hired the last two members needed to be staffed with the appropriate number of personnel to meet the needs of the City of El Centro.

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

- F3.** The El Centro Fire Department is on-time with their maintenance schedule.
- F4.** While visiting Fire Station 1, hoses were stamped 2018 as the last date of inspection. No hose had a 2019 stamp.

RECOMMENDATIONS:

- R1.** The El Centro Fire Department should budget for surplus equipment so that when items break down, firefighters are not forced to use outdated equipment until replacements can be ordered.

RESPONSE REQUIRED:

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses from the following governing bodies within 90 days:

- El Centro Fire Department: F1, F4, R1

You are required to submit your official response to the Imperial County Civil Grand Jury Foreperson on behalf of the superior court to: P.O. Box 2011. El Centro, California 92244.

DISCLAIMER

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2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

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Imperial County
2018-2019 Civil Grand Jury
Calipatria State Prison
ANNUAL INSPECTION

JUSTIFICATION

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

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

BACKGROUND:

Calipatria State Prison (CAL) is a minimum-maximum security prison located in Calipatria, California. In May 1989, the City of Calipatria agreed to annex the property as a satellite of its city property and provide city services as a way to increase its revenue through state funding (Bill 328). In September 1990, an agreement between the City of Calipatria and the State of California was made to declare that the annexed land would be owned by the State and exempt from local property taxes (City Resolutions 90-16B, 91-14).

CAL opened in January 1992 and is operated by the California Department of Corrections and Rehabilitation. It covers a total of 1,227.5 acres (with the prison itself 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. CAL 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. CAL has approximately 1,300 employees: 600 custody staff members, and 700 support staff employees. Of the six hundred custody staff members, ninety are female.

The inmate count averages approximately 3,500+ on any given day. Inmate security ranges from Level One, the lowest level, to Level Four, the highest. 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 recidivism has dropped by 44%, but 1% of released inmates eventually return. CAL is a designated Immigration and Naturalization Service prison for inmates who will be deported at the end of their prison sentences.

METHODOLOGY:

The Imperial County Civil Grand Jury (Grand Jury) conducted an inspection of CAL that included a tour of major areas of the prison. They used a checklist developed by previous Grand Jury members to guide their inspection. The areas of interest to the Grand Jury 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, the Grand Jury toured major areas within the prison, including Prison Perimeter, Medical Care Center, Receiving and Release, Inmate Housing, Educational Departments, Vocational Training Areas, and Kitchens.

DISCUSSION:

Prison Perimeter

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

The Prison Perimeter is the perimeter of the main areas within 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. There are twelve 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

The Outpatient Housing Unit is located at the center of the prison and is designed to meet all immediate medical needs of inmates. It has short term housing for inmates who need medical attention not available in the housing facility. The Grand Jury 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 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. As of March 1, there are no copays required for inmates. Medical staff at each facility see approximately 60 inmates a day.

Receiving and Release

The Receiving and Release area is located next to the Outpatient Housing Unit. It is where inmates are released, and new inmates are received. CAL has a new X-Ray machine, which was received through a pilot program. The X-Ray process was demonstrated for the Grand Jury, 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

At CAL, each of the four facilities contain five housing units, each with a capacity of two hundred inmates. The Grand Jury visited Facility A, which contained an average of 900+ inmates. An observational officer is posted above the entrance of each unit, which allows the officer to command and direct inflow. Correctional staff are equipped with batons and pepper spray. During the visit, two officers were posted in the Facility A Housing Units, as well as one observational officer. Each facility has educational classrooms, a satellite kitchen, and vocational training areas.

Educational Departments

The State of California mandates that every inmate receive a General Education Development (GED) while incarcerated. Inmates at CAL have access to classes that help them with their GED.

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

There is also a general library and a Legal Library for inmates. At the time of the inspection, the Grand Jury was able to observe a morning class.

Vocational Training

Each facility at CAL has a vocational training area for inmates. Skills taught include GREEN employment skills (e.g., Solar, Geothermal, Smart Energy), welding, auto body and paint, auto repair, heating ventilation, and air conditioning.

Kitchens

Food for inmates is prepared in a central kitchen, quick chilled, and then reheated at satellite kitchens. The food can be served up to three days later. A state nutritionist/dietician determines what food is prepared and served. Varied meals are provided for inmates on medical diets, such as those with diabetes, those on religious diets, or vegetarians. All food from outside vendors is received at the central kitchen. The central kitchen maintains approximately enough food to feed everyone at the prison for a week.

The Grand Jury inspected a satellite kitchen. Each satellite kitchen will provide minor meal preparation and serving. The satellite kitchens are equipped to provide two hot meals a day, morning and evening, plus a sack lunch, for each inmate in the facility. It takes approximately two hours to feed approximately 1,000 inmates from 6 A.M. to 8 A.M. each morning. The Grand Jury observed no cameras in the satellite kitchen. Inmates prepare meals under the direction of a staff cook and a correctional officer.

FINDINGS:

- F1.** Adding an X-Ray machine into the Receiving and Release area has given CAL an advantage in reducing contraband.
- F2.** The housing facilities are well-run. Officers are well-equipped to respond to emergencies.
- F3.** The Grand Jury was able to inspect CAL without restrictions. Staff was open to answering any questions.

RECOMMENDATIONS:

- R1.** Maintain the expanded medical care to the inmate population and keep staffing levels appropriate for the safety and security of the local public.

REQUIRED RESPONSES:

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

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

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Imperial County
2018-2019 Civil Grand Jury
Centinela State Prison
ANNUAL INSPECTION

JUSTIFICATION

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

2018-2019 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. The prison was originally designed to house 2,208 inmates. At the time of the Civil Grand Jury (Grand Jury) inspection, the prison reported that it held an average of 3,400 inmates. Since November 2015, CEN has operated as a half Level III/half Level IV facility. 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 operates a smaller, Level I, facility.

The CEN mission statement is as follows:

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.

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 issues 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 Grand Jury.

METHODOLOGY:

The Grand Jury conducted an inspection of CEN that included a tour of major areas of the prison. The Grand Jury was able to meet the Warden and numerous staff members to ask relevant questions. They were encouraged to visit or inspect any department or area so desired.

The Grand Jury chose to inspect the following areas of CEN: Staffing, Finance & Payroll, Inventory Control, Procurement, Inmate Housing, Receiving & Release, Dining/Culinary, and the Correctional Treatment Center.

The Grand Jury were provided white paper jumpsuits prior to the tour, to differentiate civilians from the inmates and ensure safety.

DISCUSSION:

Staffing

CEN maintains a standardized staffing ratio to ensure appropriate levels of coverage and services

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

are supported. A Central Office in Sacramento utilizes a "Standardization Package" for all Level III prisons in the State of California. The Standardization Package can be adjusted for each institution based on special projects within each prison or the mission of each prison. The positioning at each prison is based on a ratio of inmates to staff. This can impact the officer positions, sergeants, and lieutenants at each prison. Augmentations can be approved with adequate justification, such as safety concerns. Inmate to staff ratios are monitored regularly to ensure compliance and efficiency.

CEN staff is staggered, and are not assigned to work with relatives, to ensure separation of duties and internal control measures. Human Resources (HR) maintain Ethical Standards documents that are signed yearly by all staff members. Staff members are trained to report suspicious activities without fear of retaliation.

Payroll

Sign in/sign out sheets are maintained to ensure that employees are compensated for only hours worked. Time logs are submitted weekly and are monitored by supervisors daily. Logs are accounted for by first line supervisors and then verified by the second line supervisor in the area of responsibility. There are two categories of staff at CEN: custody and non-custody. Custody staff will sign in and out each shift, which is part of the Federal Labor Standards Act (FLSA). These forms are then reviewed by the second line supervisor, signed off, and forwarded to personnel. Non-custody staff have a form called a 998, in which they write their hours daily, which is verified by a supervisor. The 998 is submitted at the end of each month for payroll. The personnel office staff review all logs for appropriate authorizations and completeness. Adequate controls are in place to ensure public funds are expended properly.

Inventory

Property Controllers assure inventory tags are used on state property. Physical inventories are performed at least every three years to ensure that items are accounted for and not missing. To ensure due diligence, missing items are tracked and searched for. Loss reports are filed. Surplus items are disposed of properly via allowable measures.

Procurement

The Department of General Services (DGS) goes out to bid on different commodities, and most food items, to ensure competitive purchases. The prison is mandated to buy from state awarded contracts. For minor items, those not included in the State-awarded bid, CEN will bid locally. The lowest bidder is awarded unless there is a certified small bidder locally (i.e., Disabled Veteran owned or Small Business). All vendors must be from California, and on an approved list.

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

The Central Office has current bids on most of the everyday items used within the institution. These items include computers, printers, ink cartridges, and bulk items. Locally bid items might include local businesses to maintain large printers or air conditioning maintenance. Local contracts are awarded based on the lowest bid, and contracts are maintained for a certain period of time, 2-3 years.

Receiving and Release

The Receiving and Release (R&R) department handles inmate arrival or release. R&R also handles personal packages delivered to inmates from outside vendors, including X-Raying and searching packages if needed. R&R will order and issue appliances (e.g., radios/televisions/hot pots) to the inmate population. Medical staff are available to oversee prescribed medications and medical records. Staff in R&R assign inmates to proper housing areas.

Inmate Housing Units

Housing units at CEN are divided into three sections: A, B, and C, with upper and lower tiers. Two inmates are housed 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. Each unit can house up to 200 inmates. Three correctional officers are assigned to the housing units: two on the floor and one manning a control booth. The office of the control booth is charged with the opening and closing of doors. They have access to lethal and non-lethal weapons, as mandated for the control of the housing unit in times of emergency.

Dining/Culinary

CEN has two dining rooms available. A single dining room has a capacity to serve 200 inmates in one setting. During a typical meal, two officers supervise in the dining room, with a first line supervisor and coverage officers outside to supervise the inmates returning to their housing units. It appeared to the Grand Jury that if trouble occurred in this area, it would be problematic. CEN staff clarified that problems are dealt with immediately by the coverage staff outside, and with the first line supervisor.

Correctional Treatment Center

The Correctional Treatment Center is designed to meet all of the immediate medical needs of inmates. 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,

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

negative pressure rooms for airborne contagious diseases, and an infirmary with 15 rooms, including a visitation area. The treatment center has on-site staff physicians, nurses, and medical technicians to treat most medical needs. If an emergency is too severe to be treated on-site, inmates are sent to outside facilities for treatment.

FINDINGS:

- F1.** CEN Staff in leadership positions are very well-informed and knowledgeable about laws and regulations for the State of California.
- F2.** The Correctional Treatment Center is well-staffed and ready to treat inmates. It is well-equipped to handle emergencies.
- F3.** The Grand Jury was able to inspect CEN with no restrictions. Staff was very open to answering questions.

RECOMMENDATIONS:

- R1.** It is recommended that administrative staff continue to value and provide appropriate training and professional development to prison staff.
- R2.** It is recommended that the same level of staffing and training be maintained, to ensure the same quality of treatment and supervision is provided for inmates.

REQUIRED RESPONSES:

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

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Imperial County
2018-2019 Civil Grand Jury
Imperial County Jail
ANNUAL INSPECTION

JUSTIFICATION

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

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

BACKGROUND:

The Imperial County Jail is operated by the Corrections Division of the Imperial County Sheriff's Office (ICSO). The ICSO employs 132 individuals, including 1 Chief, 3 Lieutenants, 12 Sergeants, 11 Corporals, 67 Correctional Officers, 14 Clerical Staff, and 24 Support Staff. These employees work among the three facilities adjoining the main ICSO building. The three facilities include the Herbert Hughes Correction Center (HHCC), built in the 1960s, the Regional Adult Detention Facility (RADF), built in the 1970s, and the Oren Fox Detention Center (OFDF), which became operational in 2018.

Regional Adult Detention Facility

Incarceration admission occurs at the RADF. The 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; Then, if needed, inmates are sent to the medical treatment center; Finally, inmates are placed in an incarceration cell.

At the RADF, there are twelve separate cell modules, each consisting of ten to twenty cells. These modules are known as pods. The RADF has a capacity of 279 inmates, both male and female. The general population is made up of those who are unsentenced. There are also groups of sentenced inmates, including those under administrative segregation, those with special needs, and those who are high risk.

Herbert Hughes Correctional Center

The HHCC contains two dormitories and a multipurpose room, which were added to the facility in 1989. The dormitories are divided into six separate dormitories and have the total capacity to house 314 inmates. Originally, the HHCC was intended to house county inmates who had been sentenced for a period of up to one year. However, with the passing of Assembly Bill (AB) 109 in 2011, state-sentenced inmates may be housed in the HHCC facility for as long as twenty-two years. AB 109 transferred responsibility for supervising certain kinds of felony offenders and state prison parolees from *state* prisons and *state* parole agents, to *county* jails and probation officers.

Oren Fox Detention Facility

The Oren Fox Detention Facility is an 8,000 square foot medium security facility named after retired Imperial County Sheriff Oren R. Fox, who served 23 years in the ICSO, and who dedicated his life protecting the community among his 40 years in law enforcement. The \$33 million facility was funded by the State through AB 900. It started housing inmates in September 2018.

OFDF features six housing pods, which can each house 45 inmates. There are four additional medical beds designated for treating inmates. It has a capacity of 274 inmates. In addition to

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

housing, it can provide healthcare, rehabilitative programs, educational programs, intake and release, and is the site of administrative and support service offices.

OFDF is designed to encompass a new concept of detention in the Imperial County. The new concept, called Direct Supervision, will have a correctional officer stationed inside a pod 24 hours a day along with the inmates. This interaction has been proven to lower assaults and lower tension within a detention facility.

Currently, much of the OFDF is unused. Due to funding limitations, it cannot operate at full capacity, and instead operates only one pod at a time (housing only 36 inmates). The other pods are empty. Although it was designed to improve and streamline the booking, intake, and health screening processes, these services continue to be performed at the RADE. The Imperial County Jail will trial the booking and intake process at the OFDF in the future and determine what services can be moved to this new building.

METHODOLOGY:

The Imperial County Civil Grand Jury (Grand Jury) conducted an inspection of the Imperial County Jail that included a tour of major areas of the facilities. Prior to their tour, the Grand Jury were given a presentation outlining the present and future goals of the jail. The Jail staff encouraged questions and answered them fully, providing backup statistics, as well as general information in writing.

The Grand Jury used a checklist, developed by previous members, to guide their inspection. The checklist included, but was not limited to, the general safety and security of the facility, food services, medical services, as well as key and tool control. The Grand Jury toured various areas of each facility.

All staff members encountered were courteous and open to answering questions posed by the Grand Jury. The Grand Jury found many staff members to be bilingual in English and Spanish, which appeared to be an asset in the Imperial County. The Grand Jury also learned that there are language services available for communicating with inmates who speak other languages. When asked, multiple staff members stated that the jail is often understaffed.

DISCUSSION:

Medical Care

Physical Health

The Imperial County Jail has medical staff on duty twenty-four hours daily for inmate injuries

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

and illnesses. The county contracts with outside medical care services to evaluate the physical health needs of inmates. Medical services are part of the admission process, where a pre-medical questionnaire is filled out during booking. If the questionnaire indicates possible medical problems, after receiving their clothing, new inmates are sent to the medical treatment center for evaluation and screening.

Mental Health

The Imperial County Jail contracts with an outside mental health service to help evaluate the mental health needs of its inmates. There were reportedly 306 inmate mental health contacts up to the date of the Grand Jury tour. It was explained that the early diagnosis of mental health problems can be facilitated by having inmates sign a HIPAA waiver form. By alerting Imperial County Jail staff in advance of any medical diagnoses or issues, problems can be addressed before they arise.

Food Preparation/Services

The Imperial County Jail serves approximately 56,155 meals per year. Jail staff reported that the cost of each meal was about \$2.30. Correctional staff serve meals in the pods directly, where the inmates are housed. The Grand Jury observed the food preparation area which appeared to be clean and sanitary. Some of that area appeared to be worn but still usable. Jury members did not notice any kitchen appliances to be deficient. The meals have a balanced calorie count and meal temperatures are recorded before serving.

Safety and Security

In each part of the jail, cameras have been installed so staff can monitor the inmates. Some of the cameras can zoom and pan-in to help increase safety and security. The OFDE has an Officer working in a control center in a second level located above the pod, allowing them to monitor and ensure the safety of both Correctional Officers and inmates.

Recidivism

Prior to the tour, the jury was given a presentation outlining the present and future goals of the Imperial County Jail. Some goals related to assisting inmates in not returning to jail (recidivism). This is targeted by helping inmates develop life skills through counseling with various issues, including drug and alcohol dependency, as well as family relationship counseling. The presentation outlined classes available to inmates, including education classes, cooking, yoga, electrician apprenticeship, graphic design, landscaping, choir, small engine repair, basic construction, and solar panel work. In addition, mentoring is provided by successful former inmates. Spiritual guidance is available through community volunteers.

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

FINDINGS:

- F1.** The Imperial County Jail is well-run. Officers appear well-equipped to handle emergencies.
- F2.** There are numerous programs available at the Imperial County Jail to reduce recidivism among inmates.
- F3.** Funding limitations hinder maximum use of the newly constructed Oren Fox Detention Facility.

RECOMMENDATIONS:

- R1.** Maximize the use of the Oren Fox Detention Facility, as allowed by the budget.

REQUIRED RESPONSES:

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses from the following governing bodies within 90 days:

- Imperial County Jail: F1, R1

Please submit an official response to the Civil Grand Jury Foreperson, P.O. Box 2011, El Centro, CA, 92244

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Imperial County
2018-2019 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.

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

BACKGROUND:

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

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. Standards set by the Title 15 of the California Code of Regulations require one (1) staff member for every ten (10) minors in detention. Additional help is provided through outside programs, such as the Grandparent Volunteer Program. The average stay for Wards is 13 to 18 days.

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

METHODOLOGY:

The Imperial County Civil Grand Jury (Grand Jury) conducted an inspection of the JH that included a tour of major areas, as well as staff interviews. They focused their inspection on the Facilities, Assessment and Evaluation, Incarceration, Performance Expectations, and Programs offered to the Wards of the JH.

At the time of the Grand Jury inspection, there were 47 Wards in residence.

DISCUSSION:

Facilities

The JH Facility consists of five (5) different dormitories, where Wards sleep, a central center, classrooms, a medical room, recreation areas, a cafeteria, and other offices used for services offered to Wards (e.g., counseling, social services interviews). Security features of the Facility include security cameras, electronic detection, and reinforced fencing.

At the time of the inspection, only three dormitories were in use, including one used as a co-ed wing. The co-ed wing housed two female Wards, while the other occupants were male. Some walls of the dormitories were cracked or in need of repainting. Some showers had visible mildew growth.

Medical & Food Service

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Medical Services are provided at a nursing station, where a nurse is on-duty for four hours each day. A doctor can be called, or a Ward can be transported to a local 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 at food-warming stations until served. The JH food facilities have passed inspections by State and County Departments.

Assessment and Evaluation

All new Juvenile Hall Court referred minors are given a pre-screen Positive Achievement Change Tool (PACT) Risk/Needs Assessment by the Probation Department. There are also Full-PACT Risk/Needs Assessments on all cases set for arrangement 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. Individualized case plans are developed for minors and families based on their assessment of needs and strengths.

When asked, JH staff acknowledge that they are in full compliance with Local, State, and Federal guidelines and compliant with Juvenile Correctional Standards. The Facility is routinely inspected by the Board of State Community Corrections.

Incarceration

Once minors are detained as 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, as well as based on the Ward's behavior and willingness to make appropriate changes in their lives.

Performance Expectations

Wards are assigned specific work responsibilities at the Facility. They are responsible for keeping their rooms clean. JH staff use a point rewards program to control behavior in a positive way. Wards are able to accumulate daily points based on behavior, attitude, work performance, grooming, manners, and room maintenance. Staff report there is an "Honors Wing" (separate housing area) to entice Wards to excel in all areas. The "Honors Wing" includes unique items

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

only available to those with enough points. Points expire every week. Some of these items include different snacks (i.e., chips, granola bars, sports drinks), as well as higher-quality basic daily necessities, such as an extra pair of sandals or hair products.

Programs

Educational Programs

There are two education classrooms at the JH. The teachers of 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). Teachers try to maintain pace with what would be taught at their home schools, as Wards are typically in JH for a relatively short period of time. Schooling is provided for three and a half hours per day. Career outreach programs for Wards appeared limited.

Grandparent Program

The Grandparent Volunteer Program is led by three volunteers with over thirty years of experience volunteering with the JH. They are available to listen to Wards, assist in schoolwork, and help to replicate a more home-like environment. The volunteers indicate that their services help the Wards feel like they are not alone, and that they have someone to support them.

Gardening Program

Wards are able to help grow vegetables in a garden to better understand the natural order of plants and vegetables, as well as their growth cycle. It was reported that Wards benefit from the garden because they are able to do something for themselves and feel accomplished in seeing how the things they grow can be put to use. Vegetables grown include cherry tomatoes, carrots, and kale.

Tai Chi Program

A Tai Chi instructor provides classes to Wards, in order to “return balance” to their daily schedules. The class is designed to inspire a better mental and physical state of mind. Wards are able to learn methods to remain calm in difficult situations.

FINDINGS:

F1. There are few programs related to career development available to Wards.

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

F2. Most of the walls in the sleeping areas are cracked or in bad shape. Some showers appeared to have mold or mildew growth.

F3. There was a co-ed dormitory that may not provide enough privacy for female Wards.

RECOMMENDATIONS:

R1. Career Development programs should be made available to help Wards plan for the future. This could be accomplished through contact with the Imperial Valley Regional Occupation Program (IVROP), an organization that provides information on technical career opportunities and educational programs. Other local organizations that offer similar programs include: SIATech, SER of El Centro, Youth for Christ, and the Sister Evelyn Mourey Center.

R2. Walls and flooring with peeling paint, cracks, or mildew should be repaired.

R3. Make use of all dormitories in order to enhance privacy and prevent unwanted behavior issues among Wards.

REQUIRED RESPONSES:

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses from the following governing bodies within 90 days:

- Imperial Valley Juvenile Hall: R1, R2, R3

Please submit an official response to the Civil Grand Jury Foreperson, P.O. Box 2011, El Centro, CA, 92244

DISCLAIMER:

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.
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2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

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APPENDIX

RESPONSES TO THE 2017-2018 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

<i>Subject of Investigation: City of Calexico – Measure H</i>				
	Recommendations	Responses	Date Received by Grand Jury	Respondent
R1	Measure H Oversight Advisory Committee should meet quarterly.	This recommendation will be implemented.	10/24/2018	David Dale on behalf of the City of Calexico
R2	Measure H fund allocations added to annual State of the City address.	This recommendation will be implemented.		
R3	Measure H Oversight Advisory Committee adhere to bylaws.	This recommendation will be implemented.		
<i>Subject of Investigation: City of Westmorland – The Hiring Process for the Chief of Police</i>				
	Recommendations	Responses	Date Received by Grand Jury	Respondent
R1	The City of Westmorland create comprehensive written guidelines for promotions and hiring.	This recommendation will not be implemented because a hiring policy is already in place.	11/14/2018	Mitch Driskill on behalf of the City of Westmorland

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Subject of Investigation: <i>Imperial County Jail</i>				
	Recommendations	Responses	Date Received by Grand Jury	Respondent
R1	Maintain HIPAA by using a more private location for medical intake questioning.	This recommendation is in the process of being implemented and is expected to be met when the OFDF is operational.	11/14/2018	Raymond Loera, Sheriff/Marshal/Coroner, on behalf of the Imperial County Sheriff's Office
R2	Properly store and log medication.	This recommendation is in the process of being implemented. Facilities Maintenance will replace cabinetry. The contracted medical company logs all narcotics. "Bubble packs" will soon be implemented to reduce medical storage. OFDF will contain a pharmacy to properly store/dispense medication.		
R3	Secure the medical file room.	This recommendation is in the process of being implemented and is expected to be met when the OFDF is operational.		
R4	Utilize key retention tools.	This recommendation will be implemented.		
R5	Increase quality of video surveillance equipment.	This recommendation is in the process of being implemented. The Sheriff's Office has been working with Public Works and the CEO's Office to pursue a Capital Improvement Plan for facilities.		

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Subject of Investigation: <i>Imperial County Juvenile Hall</i>				
	Recommendations	Responses	Date Received by Grand Jury	Respondent
R1	Enhance existing programs to provide positive experiences and planning for the future.	This recommendation was already implemented. Imperial County Juvenile Hall has collaborated with the Imperial Valley Desert Museum for weekly lessons and activities. Imperial County Office of Education provides support on career exploration, resumé building, interviewing skills, anger management, and empathy.	2/11/2019	Dan Prince, Chief Probation Officer, on behalf of the County of Imperial Probation Department
R2	Repair peeling paint.	This recommendation is in the process of being implemented. Facilities will identify options for preventing peeling paint.		
R3	Move operations to newer section of Juvenile Hall	This recommendation will not be implemented, as relocation is operationally difficult. All entrances, secured sally ports, administrative offices, intake office and behavioral health offices are located in the older section of Juvenile Hall.		
R4	Continue to pursue grants for kitchen funding.	This recommendation has already been implemented. Juvenile Hall was awarded the 2018 National School Lunch Assistance Grant through the Department of Education, to replace outdated equipment with energy efficient models.		

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

Subject of Investigation: <i>Calipatria State Prison</i>		
	Recommendations	Responses Received
R1	Cameras should be added to the Satellite Kitchens.	No response required as Calipatria State Prison is a State Agency.
R2	Hire more officers to handle overload of duties.	No response required as Calipatria State Prison is a State Agency.
Subject of Investigation: <i>Centinela State Prison</i>		
	Recommendations	Responses Received
R1	Expand college-level classes.	No response required as Centinela State Prison is a State Agency.
R2	Increase volunteer work assignments for inmates.	No response required as Centinela State Prison is a State Agency.



Imperial County Grand Jury

GRAND JURY CITIZEN COMPLAINT FORM

To: Civil Grand Jury
P. O. Box 2011
El Centro, CA 92244

Date: _____

THIS COMPLAINT IS AGAINST:

NAME/TITLE

ORGANIZATION

ADDRESS

CITY

PHONE

MY COMPLAINT AGAINST THE ABOVE IS:

(USE ADDITIONAL SHEETS IF NECESSARY)

COMPLAINANT

(FOR GRAND JURY USE ONLY)	NAME: _____
	ADDRESS: _____ _____
	PHONE: _____
	SIGNATURE: _____

ALL COMMUNICATIONS TO THE GRAND JURY ARE CONFIDENTIAL

2018-2019 IMPERIAL COUNTY CIVIL GRAND JURY FINAL REPORT

//END OF REPORT//