

San Benito County Jail: 2007-2008 Grand Jury Annual Review

**Conducted by
Law and Justice Committee
Issued March 13, 2008**



**County of San Benito
Civil Grand Jury
2007-2008**

SAN BENITO COUNTY JAIL: 2007-08 GRAND JURY ANNUAL REVIEW

SUMMARY

The Grand Jury completed its annual review of the San Benito County Jail to ensure that the correctional facility is being administered adequately and in a safe and secure manner. The Jail is under the administration of the San Benito County Sheriff's Office. Overall, the Sheriff's jail management and staff run efficient, safe, and well-maintained operations.

PURPOSE OF INQUIRY

Each year, the Grand Jury performs a state-mandated inspection of the San Benito County Jail to determine that it is operating effectively, securely, and safely, and that the Sheriff's management and staff treat the inmates in a safe and humane manner.

Section 919 of the California Penal Code authorizes the Grand Jury to perform this inquiry into the condition and management of the local correctional facility.

METHODOLOGY

The Grand Jury's investigation involved the following:

- Interviews with the Sheriff, the Undersheriff, and the Jail Commander
- Tour of the San Benito County Jail
- Reviews of Jail inspection reports, grievances filed by inmates, and incident reports
- Review of the Jail's policy and procedure manual
- Review of local newspaper articles and other documents
- Visit online San Benito County's Jail Web site and other relevant Web sites

DISCUSSION

Several Grand Jury members took a tour of the San Benito County Jail on October 12, 2007. Before the tour, Grand Jury members met with the Sheriff, the Undersheriff, and the Jail Commander. The administrators presented a general briefing of the operations and answered questions. Follow-up interviews were completed in January 2008 with the Sheriff and the Jail Commander.

Background

The San Benito County Jail is a division of the San Benito County Sheriff's Office. It is classified as a type-II correctional facility. It holds inmates who are waiting for their arraignments, having their cases being tried in court, or serving their sentences.

Location

The Jail is located at 710 Flynn Road in Hollister.

First-time visitors may have difficulty finding the Jail, regardless of whether they are new to the area or long-time residents. No signs direct people to the Jail from Highway 25, Highway 156, San Felipe Road, or Flynn Road. Nor is there any sign on Flynn Road to alert drivers to the Jail's driveway entrance. Moreover, there is no sign on the driveway to distinguish the Jail from the Juvenile Hall. Hence, first-time visitors may be confused and turn into the Juvenile Hall's parking lot because it is the first building they encounter.

Staff

The San Benito County Sheriff is the overall administrative officer of the Jail, while the Jail Commander is responsible for the management of the daily operations.

The Jail employs 28 correctional officers who work 12-hour shifts. The officers work for four days, followed by four days off; then, they work for three days, followed by three days off. Five to six officers work the day shift, and at least four officers work the night shift. Each shift has at least one female officer on duty, as well as one officer who is bilingual in Spanish.

Inmates

Inmates (both male and female) are classified according to their sentence (type and length), risk type, and other factors. They wear colored-coded uniforms that identify them as being minimum-, medium-, maximum-, or high-risk inmates.

Approximately 65 percent of the inmate population is bilingual in Spanish and approximately 10 percent are monolingual in Spanish. The Jail occasionally houses inmates who speak a language with which the staff is not familiar. In such cases, correctional officers use an inmate who knows the language to act as an interpreter, if one is available.

Approximately 17 to 20 percent of the inmates have severe mental health problems treated with medications.

At the time of the inspection, a suicidal inmate was being housed in one of the safety cells for observation. A staff member stated that this inmate had been in that cell for approximately six months. This was a unique case. In general, suicidal inmates are kept in safety cells for short periods. Correctional officers visually check suicidal inmates every 15 minutes, as the safety cells are not currently under video surveillance.

Overcrowding Issues

The Jail has a maximum capacity rating of 142 inmates, according to the *Corrections Standards Authority 2004/06 Biennial Inspection Report*. Jail administrators cannot exceed this capacity. Otherwise, they would be in violation of federal law.

During times when the Jail nears its maximum capacity, administrators utilize various options to ensure that they comply with federal regulations. For example, administrators may request that minimum-risk inmates be assigned to work furloughs, be released on their own recognizance at night, or, if they have a few weeks left on their sentence, be released early.

The Sheriff reported that he and his staff have been developing plans for the last two years to expand the Jail by an additional 144 beds. Currently, they are seeking a State grant to be funded by the recently passed legislation *AB 900: Public Safety and Offender Rehabilitation Services Act of 2007*.

AB 900 provides funding to counties that expand their jails to house State prisoners completing the final portion of their sentences. The jails would be required to establish a State prisoner re-entry program that includes the creation of job training, mental health, substance abuse, and other services and support to help prisoners successfully transition back into the community. (Note: When State prisoners complete their sentences, they are released to the county from where they received their sentencing.) If the San Benito County Jail receives AB 900 funding, it will be able to expand the Jail by 48 beds, according to the Sheriff.

Transportation Issue

The Jail releases inmates (who have served their sentences or who were detained overnight for various reasons) once a day, seven days a week. The release time is usually 8 a.m. Once inmates are released, the Jail no longer has any jurisdiction over them.

Released inmates must find their own means of transportation from the premises. Because of liability issues, the Jail staff cannot transport them to the downtown area, which is over 2 miles away, via San Felipe Street, to the intersection of Fourth Street and San Benito Street. San Benito County Express has a dial-a-ride service, but the Jail does not fall within its service area. The nearest bus stop is at 1111 San Felipe Street, which is nearly 1 mile from the Jail. Hence, released inmates must either wait for friends or relatives for a ride or walk to the bus stop or downtown on roads that are not intended for pedestrian traffic.

One correctional staff member remarked that sometimes released inmates linger around the Jail or Juvenile Hall when they have no immediate means of transportation to leave the premises. When the staff sees released inmates standing on or near the Juvenile Hall's grounds, they ask the loiterers to leave the area out of concern for the safety and security of the incarcerated youth.

Residents and business owners have complained to the Jail about released inmates who are loitering on their properties.

Physical Plant

The San Benito County Jail was constructed in 1992.

On the day of their tour, Grand Jury members looked at the laundry room, kitchen, intake room, nurse's room, pods (inmates' living areas), sobering cell, safety cells, control center, and hallways. All areas visited were exceedingly neat and clean. The Sheriff expects this high level of cleanliness. He expressed that if the Jail is dirty, the staff members are not doing their jobs, which can lead to hazardous situations.

The Jail has swamp coolers as well as an air-conditioning system. The air quality in the Jail was comfortable, except in the west end of the building that included the intake room, sobering cell, and safety cells. In that part of the Jail, some Grand Jury members noted that the air was stuffy. One correctional staff member stated that it gets very hot in the summer and cold in the winter in this section.

The Jail has a computerized system that controls access through all doors in the building, as well as provides external surveillance. All correctional officers are cross-trained to operate the system. The control system is always manned by at least one officer. The control system was built to allow for future expansion.

The Jail passed the annual inspections (in 2007) conducted by the San Benito County Fire Department and the San Benito County Public Health Services.

Housing Units

The Jail houses males and females in separate wings. The inmates live in dormitory-style housing units, called pods. Male inmates are assigned to live in one of four pods, depending on their security classification. There are two maximum-security and two minimum/medium-security pods for the male inmates.

Female inmates are divided between two pods. The female section has its own laundry equipment so that inmates can do their personal laundry.

Grand Jury members noticed that in one female pod that books were available to inmates for recreational reading. It was not observed whether books were readily available to inmates in the male section. The books in the female section were predominately religious materials.

The law requires that jails provide inmates with one sheet and one blanket. The San Benito County Jail provides its inmates with two sheets and one blanket, and gives them two blankets during the winter.

Suicidal inmates, as well as inmates who display violent behavior, are placed in one of two safety cells. A safety cell holds a single inmate. The safety cells are not currently under video surveillance.

Food Service

San Benito County Jail contracts with Aramak Food Service to provide daily meals for breakfast, lunch, and dinner. Annually, a dietitian approves one year's worth of meals in advance. The food service delivers meals four times a week to the Jail's kitchen. There, the meals are refrigerated until serving time. Meals are heated in a large warming unit. The food service also supplies the Jail with three days worth of food for emergencies.

By law, jails are required to serve inmates two cold and one hot meal every day. The San Benito County Jail provides its inmates with two hot meals and one cold meal daily.

On the day of the inspection, Grand Jury members were shown a lunch package that consisted of four pieces of bread, two slices of bologna, a packet of mustard, two cookies, and one banana.

Medical Services

San Benito County Jail contracts with California Forensic Medical Group to provide medical services. A doctor visits the facility once a week. A dentist comes twice a month. A nurse and nurse's aide are on duty at the Jail seven days a week, eight hours a day. If inmates need medical attention after-hours, the Jail contacts its medical provider for assistance. For example, in the case of a suicidal inmate, the medical provider is contacted, and, if needed, transports the inmate to a hospital.

According to the *2007 Jail Health and Safety Inspection Report* (by the San Benito County Public Health Services): "...Questioning random inmates about the medical unit personnel and the care they receive was positive. Inmates felt their requests for medical services were answered promptly and the illness or symptom was treated right away...."

The nurse's station consists of one room with an inner chamber for an examining room, which has both an examining table and a dentist's chair. The examining room was small and cramped. During the inspection, four people occupied the room and there was a lack of space to move around. .

Inmate Services Programs

In April 2007, the Sheriff's Office hired an Inmate Services Manager to plan, develop, and implement a variety of programs, such as drug prevention, education, and treatment services, to address the various social issues of inmates. This position also serves as the Jail's liaison with community, regional, and state agencies.

Within her short tenure, the Inmates Services Manager has begun building various programs for the inmates, including a high school equivalency program (through Gavilan College) and an anger-management program.

Maintenance

Minimum-risk inmates perform daily cleaning tasks under the supervision of correction officers. At least two inmates work indoors, cleaning hallways, bathrooms, and other rooms, excluding the pods. Two other inmates are assigned to the laundry room, two or three inmates to the kitchen, and two inmates to the outdoors.

The Jail employs one full-time maintenance worker to perform general maintenance and repair of buildings, facilities, fixtures, and building equipment. The Jail Commander and the Sheriff highly praised this employee's work ethic and the quality of his work. They stated that since this worker was hired (about two years ago), they have not needed to utilize any outside trade services. His variety of skills are impressive, according to the correctional staff. Along with doing general handyman tasks, the maintenance worker has the skills to perform work in various crafts such as wiring, plumbing, welding, and carpentry. The Sheriff expressed his desire to have this staff member's job status be upgraded to at least the next level, as his excellent performance of his daily tasks saves a considerable amount of money for the county.

FINDINGS

- F1.** Visitors to the Jail may have difficulty finding it, because of a lack of signage on Highway 25, Highway 156, San Felipe Road, or Flynn Road to direct them to the facility. There are also no signs on the driveway to guide visitors to the Jail, which is behind the San Benito County Juvenile Hall.
- F2.** The Jail's maintenance worker is to be commended for his hard work in and dedication to keeping the facilities to a superior standard.
- F3.** Books, which were predominately religious materials, were available to female inmates within their living quarters for recreational reading.
- F4.** The air was stuffy in the west end of the Jail that included the intake room, sobering cell, and safety cells, as compared to the rest of the building.
- F5.** Public transportation services is not available to the Jail. Sometimes inmates are released without any immediate means of transportation. They loiter around the Jail, Juvenile Hall, or the surrounding residences and businesses, which is a cause for concern about the safety and security in those areas.
- F6.** Suicidal inmates are kept in safety cells that are not under video surveillance; hence, correctional officers must personally check these inmates every 15 minutes.

RECOMMENDATIONS

Overall, the Jail Commander, the Jail staff, and the Sheriff's Office are to be commended for managing and maintaining a safe, secure, clean, and healthy facility.

- R1.** Install signs to clearly identify the location of the San Benito County Jail from Highway 25, San Felipe Road, and Flynn Road. In addition, install a sign on the driveway that distinguishes the Jail from the Juvenile Hall. (Based on finding F1)
- R2.** Upgrade the job classification of the Jail's maintenance worker. (Based on finding F2)
- R3.** Offer inmates a variety of reading materials for their reading pleasure, as well as for helping them improve their English and adult literacy skills. Include both fiction and non-fiction books, such as American literature, classic children's literature, adult literacy novels, job skills books, and dictionaries. (Based on finding F3)
- R4.** Upgrade the heating and air-conditioning system in the intake room, safety cells, and sober cell to match or exceed the air quality observed in the rest of the Jail. (Based on finding F4)
- R5.** Negotiate with the San Benito County Express to provide bus service to or near the Jail at the daily scheduled time of release. Alternatively, arrange for the San Benito County Express's Dial-a-Ride service to pick up the released inmates. (Based on finding F5)
- R6.** Provide an adequate observation room for suicidal inmates. The observation room should be under video surveillance. (Based on finding F6)

RESPONSE REQUIRED

California Penal Code Section 933 requires that a response to the recommendations found in this final report be delivered to the Presiding Judge of the Superior Court within 90 days of the receipt of the report.

The following agencies must respond to the listed recommendations:

- San Benito County Board of Supervisors: R1, R2, R3, R4, R5, R6

The following agencies are requested to respond to the recommendations to the listed recommendations:

- San Benito County Sheriff's Office: R1, R2, R3, R4, R5, R6
- San Benito County Department of Public Works: R1
- San Benito County Local Transportation Authority: R5

BIBLIOGRAPHY

Interviews

- San Benito County Jail Commander
- San Benito County Sheriff
- San Benito County Undersheriff

Documents

- California Department of Corrections and Rehabilitation, Corrections Standards Authority. *Corrections Standards Authority 2004/06 Biennial Inspection Report* (March 10, 2006).
- San Benito County Administrative Office. *County of San Benito Recommended Budget Fiscal Year 2007-2008* (submitted by Susan Thompson, County Administrative Officer, 2006).
- San Benito County Fire Department. *Fire/Life Safety Inspection Report* (June 20, 2007).
- San Benito County Public Health Services. *2007 Jail Health and Safety Inspection Report* (June 6, 2007).
- San Benito County Sheriff's Office. *San Benito County Jail Policy and Procedure Manual* (2002).

Newspaper Articles

- Van Cassell, Michael. "Finding Peace Within," *Hollister Free Lance*, October 25, 2007. Available online at <http://hollisterfreelance.com/news/contentview.asp?c=228131>.
- Van Cassell, Michael. "Jail Eyes State Funds," *Hollister Free Lance*, November 5, 2007. Available online at <http://hollisterfreelance.com/news/contentview.asp?c=228972>.

Web Sites

- San Benito Council of County Governments—Local Transit Authority Web site, <http://www.sanbenitocog.org/LTA.html>.
- San Benito County Express Web site, <http://www.sanbenitocountyexpress.org>.
- San Benito County Government Web site, <http://www.san-benito.ca.us>.
- San Benito County Jail Web site, <http://www.sbcsheriff.org/jail.html>.
- San Benito County Sheriff's Office Web site, <http://www.sbcsheriff.org>.

SAN BENITO COUNTY JAIL: 2007-08 GRAND JURY ANNUAL REVIEW RESPONSES

RESPONSES RECEIVED

- Council of San Benito County Governments

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March 26, 2008

Honorable Harry J. Tobias, Presiding Judge
Superior Court, State of California, County of San Benito
440 Fifth Street
Hollister, CA 95023

RE: San Benito County Jail: 2007-2008 Grand Jury Annual Report

Dear Judge Tobias:

I am writing in response to the San Benito County Jail: 2007-2008 Grand Jury Annual Report regarding public bus service to the Jail. The Report concludes in its findings that public transportation services are not available to the Jail.

This finding is incorrect. The San Benito County Local Transportation Authority operates County Express bus service with a fixed-route system, Americans with Disabilities Act (ADA) Para transit service and general public dial-a-ride service. The general public dial-a-ride service is available to members of the public for pick-up or drop-off at the Jail. Anyone can schedule a ride with County Express by calling (831) 636-4161 for a reservation.

The Report recommends that the Jail negotiate with County Express to provide bus service to the Jail at the daily scheduled time of release. The Local Transportation Authority is working to modify the fixed-route bus service to serve more of the Hollister and San Benito County area. The new service will include a bus stop at the Jail and will begin this summer. The Local Transportation Authority has discussed the need for service with the Jail and will continue to work with personnel there to determine service details.

The Local Transportation Authority appreciates the recommendation from the Grand Jury to improve local bus service to meet the needs of the Jail.

If you have any questions about this information, please feel free to call me at (831) 637-7665.

Sincerely,

Lisa Rheinheimer
Executive Director

cc. Shirley Murphy, Deputy County Counsel
✓Roxy Montana, Foreman, San Benito County Grand Jury
Curtis Hill, San Benito County Sheriff

Council of Governments ♦ Measure A Authority
Airport Land Use Commission ♦ Service Authority for Freeways and Expressways
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Response to "San Benito County Jail: 2007-08 Grand Jury Annual Review"
by Council of San Benito County Governments
Page 1 of 1

San Benito County Jail: 2007-08 Grand Jury Annual Review
County of San Benito Civil Grand Jury of 2007-2008
This report issued March 13, 2008

