

EL DORADO COUNTY 2021–2022 GRAND JURY

INSPECTION OF COUNTY JAILS AND JUVENILE TREATMENT CENTER

Case # 21-03 – June 16, 2022

The 2021-2022 El Dorado County (County) Grand Jury (Grand Jury) conducted its annual inspections of the County jails and juvenile facilities located in South Lake Tahoe and Placerville. The inspections included a physical inspection of the facilities as well as interviews with staff. It has been two years since a physical inspection was done as COVID-19 forced the inspections to be virtual in 2020-2021.

BACKGROUND

Each year, the Grand Jury in each county is mandated by California Penal Code (PC) Section 919(b) to “inquire into the condition and management of the public prisons within the county.” The term “public prisons” was recently clarified in a California Attorney General (AG) Opinion (No. 18-103) dated March 10, 2022. The AG opined that the term “public prisons” in PC Section 919(b) includes “local detention facilities,” that confine prisoners for more than 24 hours. A county or city jail is a typical example of such a local detention facility. The AG concluded that each Grand Jury must inquire into the local detention facilities located within its county.

METHODOLOGY

Site Visits:

- Inspection of the South Lake Tahoe Jail in South Lake Tahoe was conducted on November 10, 2021;
- Inspection of the El Dorado County Juvenile Treatment Center (JTC) in South Lake Tahoe was conducted on November 10, 2021; and
- Inspection of the El Dorado County Jail in Placerville was conducted on January 5, 2022.

Documents Reviewed:

- Prior El Dorado County Grand Jury Reports;
- Board of State and Community Corrections (BSCC) 2018-2020 Biennial Inspection Report (Dated June 15, 2020);
- BSCC *Jails Inspection Handbook for Grand Jurors*; and
- California Grand Jury Association Detention Facility Inspection Form.

Interviews:

- El Dorado County Sheriff's Department staff; and
- El Dorado County Probation Department staff.

DISCUSSION

JAIL OPERATIONS

Inspections conducted of both jails included housing, holding cells, medical units, culinary facilities, indoor gym recreation facilities, library, classrooms, and control rooms. The main control room monitors the entire facility including adjacent grounds. Separate control rooms monitor the housing units. Also inspected were the booking/intake area, public access areas, isolation cells, and the sally port, which is a secure entrance where inmates are brought into the jail and processed.

County jails were built originally to serve as pretrial detention centers and to house criminals sentenced to no more than one year. Those subject to longer sentences were sent to State prison. County jails were not designed to house prisoners serving long-term sentences.

In 2011, the Public Safety Realignment Act [Assembly Bill (AB) 109], reduced California's overcrowded prison system by moving lower-level offenders to county jails. Consequently, counties became responsible for incarceration and all ancillary services related to long-term incarceration. Prior to AB 109, criminals were sent to state prison or county jail based mostly on length of sentence.

Inmates are classified to determine the housing unit where they will be assigned. The housing units, referred to as pods, house inmates depending on their ability to associate with others. Some inmates are housed in isolation, based on their criminal charges, combativeness, gang affiliation, mental state, and other issues that could make them a danger to others. Inmates with mental health issues are not segregated unless a safety and/or behavioral issue arises.

Officers monitor all pods from control rooms 24 hours a day. Each control room contains monitors showing all activity in each pod. From the control room, officers can remotely lock/unlock individual cells and give inmates directions by intercom.

The El Dorado County Office of Education (EDCOE) offers a wide range of educational classes at both facilities, including court-ordered narcotics and alcohol abuse treatment and anger management. Inmates can complete General Educational Development (GED) requirements, giving them an alternative to a high school diploma. EDCOE is working with both jails to upgrade the classroom technology. Inmates will soon be able to select from an expanded coursework menu of certification programs.

Inmates have numerous activities in which they may participate. They all have access to computer tablets for education and entertainment purposes. Permission to use the tablets depends on an inmate's good behavior. The Network Computer Integrating Company provides controlled internet access that is preloaded on tablets. Inmates may join religious services within the jail, or they can request a visit from a clergy member. Both facilities allow inmates to exercise in the yard for one hour, two to three times per week.

Both jails have culinary programs that have received many awards. To participate in the program, inmates must meet specific guidelines and complete a food safety course. Qualified candidates prepare daily meals under the supervision of a registered dietician and staff cook. Inmates also prepare meals for a variety of County functions. Food storage and refrigerated areas at both jails were clean and well organized. Cleaning fluids and other chemicals were labeled properly and stored safely. Knives and other sharp instruments are counted and secured when not in use.

Wellpath, an independent medical care provider, contracts with the County to provide services to inmates. During the day at both jails, a Registered Nurse (RN) is on duty. At night, a Licensed Vocational Nurse is on duty as well as an RN on call. Psychiatric/psychological services are also available.

SOUTH LAKE TAHOE JAIL

The jail was originally built in 1973 and was modified in the 1980's. The jail was inspected on November 10, 2021. Inmates are classified into the following categories: general population, maximum security, administrative separation, and discipline separation. The maximum capacity of the facility is 158 inmates. When inspected, it housed 102 inmates, 81 males and 21 females. There were 64 inmates awaiting trial and 38 convicted and serving a sentence; 23 of the convicted inmates have been housed longer than one year.

Since the previous virtual Grand Jury inspection in 2020-21, one inmate committed suicide, and there were nine attempted suicides. There were no deaths by other causes. An inmate awaiting trial escaped in November 2021 and was captured in March 2022.

It was noted during the inspection that many of the inmate programs had not been operating due to COVID and lack of staffing and volunteers. All the programs have resumed since the inspection except for the Parenting Class due to no instructor.

The facility was clean, graffiti-free, and well maintained. Everything appeared to be in working order and organized. Staffing meets the minimum standards established by BSCC.

Maximizing space is always a challenge and an ongoing effort. Plans were explored to reconfigure the "old side" of the jail, adding an eight-person housing unit and converting the "old yard" into a more accessible recreation area, in accordance with the Americans with Disabilities Act (ADA). The plans were not implemented as they were considered cost-prohibitive, and the facility's needs had changed.

PLACERVILLE JAIL

The jail was built in 1988. The jail was inspected on January 5, 2022. Inmates are classified into the following categories: general population, maximum security, administrative separation, discipline separation, and special needs. The maximum capacity of the facility is 303 inmates. When inspected, it housed 208 inmates. There were 159 inmates awaiting trial and 49 convicted and serving a sentence; 38 of those convicted have been housed longer than one year.

Since the previous virtual Grand Jury inspection, there were no escapes or deaths; however, there were four attempted suicides.

It was noted during the inspection that many of the inmate programs had not been operating due to COVID and lack of staffing and volunteers. All the programs have

resumed since the inspection except for Moral Recognition Therapy classes due to no instructors.

The facility was clean, graffiti-free, and well maintained. Everything appeared to be in working order and organized. Staffing meets the minimum standards established by BSCC.

A \$25 million grant, provided under California Senate Bill 844, has allocated funds for the jail's expansion. The expansion includes a separate housing unit for female inmates, a new medical wing increasing beds to 14, construction of several ADA-compliant cells, technical and programming spaces, and a computer lab. On January 13, 2022, the project moved forward with BSCC approving the project site. The next step involves the County identifying placement of utilities before proceeding to the State's Request for Qualifications/Request for Proposals process.

FACILITIES INSPECTIONS JUVENILE TREATMENT CENTER (JTC)

The JTC in South Lake Tahoe was built in 2003 and is a 40-bed facility. JTC was inspected on November 10, 2021, and at that time housed five male youths. The age range for youth placement in the facility is 14 to 25 years old.

Since the previous virtual Grand Jury inspection, there were no escapes or deaths; however, there were eight attempted suicides. JTC staff work to meet the youths' physical and health needs. The facility contracts with Wellpath for medical care. An RN is onsite in the morning, seven days a week, and a physician is at the facility one day a week. On-call medical services are also available. In addition, a mental health care program coordinator, therapist, psychiatrist, and other medical staff provide mental health care.

JTC is developing vocational educational programs, including a culinary one. EDCOE provides high school and community college instruction. Youths have a structured daily schedule that includes designated times for meals, exercise, hygiene, educational instruction, counseling, and a minimum of one hour participation in a program determined through an assessment by a probation officer (see attached Juvenile Treatment Center Daily Schedule).

Daily educational classes continued without interruption during COVID, with online instruction via the Internet. In-person classes have resumed at the facility. Visitations are conducted in person and by Zoom.

JTC has a Behavior Incentive Program (see attached) that encourages and rewards positive behavior. The Program awards youths with "dollars" and is unrelated to

consequences, which are utilized as learning tools to correct misbehavior. Youths cannot lose earned dollars, nor can the dollars be taken away based on misbehavior.

The facility was clean, graffiti-free, and well maintained. Everything appeared to be in working order and organized. Staffing meets the minimum standards established by the El Dorado County Probation Department.

FINDINGS

- F1. South Lake Tahoe Jail has not resumed the Parenting Class that was suspended due to COVID because of a lack of instructor.
- F2. Placerville Jail has not resumed the Moral Recognition Therapy classes that were suspended due to COVID-19 because of a lack of instructor.
- F3. The three facilities inspected were well-maintained and appeared to be in working order and organized.

RECOMMENDATIONS

- R1. South Lake Tahoe Jail should enlist or hire an instructor or implement a temporary alternative to resume the Parenting Class by December 31, 2022.
- R2. Placerville Jail should enlist or hire an instructor or implement a temporary alternative to resume the Moral Recognition Therapy classes by December 31, 2022.

ATTACHMENTS

- Juvenile Treatment Center Daily Schedule
- Behavior Incentive Program

REQUESTS FOR RESPONSE

This Grand Jury report is an account of an investigation or review. It contains findings and recommendations, and names those who should respond to each finding and each recommendation pertaining to matters under the respondent's control.

Please review "*How to Respond to an El Dorado County Grand Jury Report*," a separate document included with this report.

The following responses are required in accordance with California Penal Code §933 and §933.05.

- Response to Findings F1, F2 and Recommendations R1, R2 are requested from the El Dorado County Sheriff's Department.

Procedure Number: F10
 Issued: 07/04
 Revised: 04/20

JUVENILE TREATMENT CENTER DAILY SCHEDULE

Time	Daily Schedule						
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
0715	Lights On	Lights On	Lights On	Lights On	Lights On	Lights On	Lights On
0730-0735	Breakfast	Breakfast	Breakfast	Breakfast	Breakfast	Breakfast	Breakfast
0735-0800	Hygiene / Med Pass	Hygiene / Med Pass	Hygiene / Med Pass	Hygiene / Med Pass	Hygiene / Med Pass	Hygiene / Med Pass	Hygiene / Med Pass
0800-0930	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call
0930-1100	B-Food Clean Up / A- Pod Bedding / Washing	Bathroom Break	Bathroom Break	Bathroom Break	Bathroom Break	Bathroom Break	Bathroom Break
1100-1150	Open Recreation	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call
1155-1235	Lunch	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call
1235-1300	Hygiene	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call	School / Graduate Activity / Sick Call
1315-1415	Interactive Journaling	Hygiene	Hygiene	Hygiene	Hygiene	Hygiene	Hygiene
1430-1600	Visiting / Alternative Activity	School	School	School	School	School	School
1600-1700	Large Muscle Exercise	Large Muscle / Jog	Large Muscle	Large Muscle	Large Muscle	Large Muscle	Large Muscle
1700-1800	Dinner	Dinner	Dinner	Dinner	Dinner	Dinner	Dinner
1800	Shift Change	Shift Change	Shift Change	Shift Change	Shift Change	Shift Change	Shift Change
1810-1830	Counseling / Classroom	Counseling / Classroom	Counseling / Classroom	Counseling / Classroom	Counseling / Classroom	Counseling / Classroom	Counseling / Classroom
1830-2000	Open Recreation	Open Recreation	Open Recreation	Open Recreation	Open Recreation	Open Recreation	Open Recreation
2010-2100	Medication Pass	Medication Pass	Medication Pass	Medication Pass	Medication Pass	Medication Pass	Medication Pass
2100-2102	Shower	Shower	Shower	Shower	Shower	Shower	Shower
2100	Lights Out	Lights Out	Lights Out	Lights Out	Lights Out	Lights Out	Lights Out
2100-2130	Latent Night	Latent Night	Latent Night	Latent Night	Latent Night	Latent Night	Latent Night
2130	Collect Hygiene Products	Collect Hygiene Products	Collect Hygiene Products	Collect Hygiene Products	Collect Hygiene Products	Collect Hygiene Products	Collect Hygiene Products

Legend:

Hygiene
Med Pass
Recreation
Exercise
Shower
Observation
Court Orders

BEHAVIOR INCENTIVE PROGRAM

AUTHORITY:

Related JDF Procedures:

- G2 Juvenile Detention Facility Guidelines
- G5 Grievances
- G23 South Tahoe Challenge Guidelines
- M1 Schools
- M3 Commitment Programs – Chances, Choices, Changes
- M3.1 Chances Program
- M3.2 Choices Program
- M3.3 Changes Program
- M6 Challenge Program

PURPOSE

To establish a system that rewards positive behavior for youth in the Juvenile Detention Facility (JDF). The Behavior Incentive Program will be awarded as “dollars” and is unrelated to consequences, which are utilized as learning tools to correct misbehavior. The dollar system is utilized solely to reward and encourage positive behavior. Youth cannot “lose” earned dollars, nor can the dollars be “taken”.

GUIDELINES

Youth have the opportunity to earn ten (10) dollars per day for exhibiting appropriate behavior and attitude, following established guidelines and rules in the facility, and following directives in the youth’s program.

Youth also have the opportunity to earn eight (8) dollars per school day for exhibiting appropriate behavior and following the school directives and program expectations.

Youth are eligible to earn dollars through different time blocks throughout the day. Youth will begin each established time block with zero dollars and will earn dollars through the time block for demonstrating the above listed behaviors. The time blocks and available dollars which may be earned during the time blocks are listed below.

Dollar Amount Available and Time Blocks Defined

1 st Block 0600-1000 hours	2 nd Block 1000-1400 hours	3 rd Block 1400-1800 hours
\$2 Dollars for Behavior / Attitude / Following Facility Rules and Guidelines	\$2 Dollars for Behavior / Attitude / Following Facility Rules and Guidelines	\$2 Dollars for Behavior / Attitude / Following Facility Rules and Guidelines
4 th Block 1800-2200	5 th Block 2200-0600	School Days Monday - Friday
\$2 Dollars for Behavior / Attitude / Following Facility Rules and Guidelines	\$2 Dollars for Behavior / Attitude / Following Facility Rules and Guidelines	\$8 Dollars for Behavior / Attitude / Following School Rules and Program

Each shift is responsible for recording the earned dollars during the block of time, at the completion of the time block. School dollars will be recorded by officers at the end of the school day. All earned dollars will be recorded on the Dollar Chart.

Youth who do not attend school due to court, medical, or any other scheduled appointment during a school day will be able to earn the school dollars dependent on the youth's behavior and attitude during the school day hours.

Youth will earn dollars over seven (7) day increments, beginning on Saturday morning and concluding Friday night. Youth may earn a maximum of 110 dollars each earning period. Each Saturday morning, each youth will be provided with their individual JDF Purchase Order Sheet which will include the youth's name, date issued, and total number of dollars earned during the previous earning period (like a pay check). This JDF Purchase Order Sheet will be used by the youth to purchase incentive items listed on the sheet during the established purchase times.

Each youth are responsible for their JDF Purchase Order Sheet. Any lost, misplaced, or destroyed sheet will not be replaced and will result in any remaining dollars being relinquished.

Youth who are on Restricted (R) Status may earn dollars normally. However, youth on R Status may not make any purchases until the youth returns to Full Status or higher.

Youth may not "save" any unused dollars from one earning period to another and any unused incentive dollars will be discarded after the Friday evening purchase period.

Youth may not share any purchased food, drink, or hygiene items with another youth. Further, youth may not share or combine earned dollars with any other youth to make purchases.

Failure to earn dollars may be grieved through the formal grievance procedure.

Purchase Times:

Youth may purchase hygiene/shower related items at the beginning of showers each day.

Youth may purchase items other than hygiene/shower items at the beginning of Open Recreation each night.

Youth Use and Storage of Purchased Items:

Shower and hygiene items may only be used by youth during the established shower and hygiene times.

Food and drink items may be consumed during the recreation period which the item was purchased. Youth may not bring any purchased food or drink item to their sleeping room. Any items not consumed by the end of the recreation period will be discarded. You may purchase up to one (1) food and one (1) drink item per day.

Other items are for use in the sleeping room (i.e., radio, puzzle, sensory ball) and will be collected at the following day's purchasing time. Some items may have defined usage times on the JDF Purchase Order Sheet.

RESPONSIBILITIES

Deputy Probation Officers (DPO):

- Take into account the cognitive functioning emotional level and any disabilities of each individual youth when utilizing the Behavior Incentive Program and awarding dollars.
- Ensure youth is orientated to the Behavior Incentive Program and the Behavior Incentive Guidelines (form #572) are posted in the unit.
- Record the dollars earned at the end of each earning period on the Dollar Chart.
- Record any failure to earn dollars in a CSO Contact Summary in Caseload Explorer and noting the reasons why the dollars were not earned with the total number of dollars not awarded at the end of each earning period.
- Record school program dollars on the Dollar Chart at the completion of the school day.
- Inform and counsel youth in a timely manner on the reason the youth did not earn a behavior dollar and provide recommendations for how the youth can improve.
- Post the Dollar Chart updated with the previous day's earned dollars in the unit each morning where youth can access it.
- Offer eligible youth the opportunity to make purchases during the established purchase times. Fill out the youth's JDF Purchase Order Sheet marking each item purchased, when it is purchased, and total the remaining dollars left at the latest purchase period for the day.

Educational Staff:

- Take into account the cognitive functioning emotional level and any disabilities of each individual youth when utilizing the Behavior Incentive Program and awarding dollars including any applicable IEP or specialized program.
- Inform DPOs of each youth's dollars earned at the completion of each school day.
- Inform youth in a timely manner of any dollars not earned during the school day and the reason why the dollar was not earned with a recommendation for how the youth can improve.

Supervising Deputy Probation Officers:

- Monitor the Behavior Incentive Program to ensure objective and fair administration of the program to all youth.
- Ensure an updated Dollar Chart is posted in each living unit each day and is accessible by youth.
- Act as a liaison with educational staff for any issues in the application of the Behavior Incentive Program.