

County of San Diego



JAIL INSPECTION HANDBOOK

"SERVING THE COMMUNITY AND THE JUSTICE SYSTEM FOR 27 YEARS"

CLERB JAIL INSPECTION HANDBOOK

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SAN DIEGO COUNTY CITIZENS' LAW ENFORCEMENT REVIEW BOARD

MISSION STATEMENT

To increase public confidence in government and the accountability of law enforcement by conducting impartial and independent investigations of citizen complaints of misconduct concerning Sheriff's Deputies and Probation Officers employed by the County of San Diego.

OFFICE INFORMATION

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INTRODUCTION

San Diego County citizens voted to establish the Citizens' Law Enforcement Review Board (CLERB) in November 1990. CLERB was established to receive and investigate complaints of misconduct concerning peace officers performing their duties while employed by the Sheriff's Department or the Probation Department. CLERB is also authorized to investigate any death that occurs in the custody of, or in connection with, actions of Deputies and Probation Officers. The Review Board is made up of 11 citizens who are appointed by the Board of Supervisors.

Section 4.7 (d) of CLERB's Rules and Regulations authorizes CLERB to annually inspect county adult detention facilities and annually file a report of such visitations together with pertinent recommendations with the Board of Supervisors, the Presiding Judge of the Superior Court, the Sheriff, the Board of Corrections and the Attorney General. Inspections shall be concerned with the conditions of **inmate employment, detention, care, custody, training and treatment** on the basis of, but not limited to, the minimum standards established by the Board of Corrections. These standards are detailed in California Code of Regulations, Title 15: https://www.cdcr.ca.gov/Regulations/Adult_Operations/docs/Title15-2016.pdf.

Data pertaining to all lodged, filed, and closed allegations originating from complaints stemming from and deaths occurring at the facility since the last CLERB inspection or, if it is a facility's first CLERB inspection, over the preceding two years will be compiled and analyzed prior to the inspection. The inspection will be tailored to address any trends and/or issues identified by CLERB's data.

This inspection handbook will assist CLERB staff and Review Board members in carrying out these inspections. The included checklist will be utilized during an inspection, with the results detailed in a comprehensive CLERB Inspection Final Report.

GENERAL INFORMATION ABOUT DETENTION FACILITIES

There are basically four categories of detention facilities (adult and juvenile) found in counties where inmates (adult and juvenile) may be detained. On occasion juveniles (minors) are held in adult facilities. For the purposes of this handbook the following definitions are provided:

- **Prison** is a secure facility operated by the State of California or a contracted prison provider that houses sentenced offenders under the jurisdiction of the California Department of Corrections and Rehabilitation, Adult Operations Division, or the Division of Juvenile Justice;

- **Jail** is defined as a locked adult detention facility which holds both non-sentenced and convicted adult criminal offenders. May be administered by a County or a City (these are the entities covered by CLERB's Rules and Regulations);
 - ❖ Type I – holds inmates up to 96 hours
 - ❖ Type II – holds inmates pending arraignment, during trial, and after sentencing
 - ❖ Type III – holds only convicted or sentenced inmates
 - ❖ Type IV – work furlough facility
 - ❖ Temporary Holding Facility – holds inmates up to 24 hours
 - ❖ Lockup – locked room or secure enclosure under the control of a peace officer or custodial officer – primarily for the temporary confinement of those recently arrested
 - ❖ Court Holding Facility – located in a courthouse – used to hold inmates for a court appearance, not more than 12 hours

- **Juvenile Hall** is a locked juvenile detention facility, which holds both non-sentenced and adjudicated (convicted) juvenile offenders; and

- **Juvenile Camp** is a minimum to maximum secure facility (un-locked to locked) for sentenced juvenile offenders.

PREPARING FOR THE INSPECTION

It is important to prepare carefully for the inspections of these facilities. Advance notice should be given to the facility administrator so you may schedule a mutually convenient date for the inspection. The facility administrator is the sheriff, the chief of police, or the chief probation officer, depending on the type of facility you plan to inspect.

The facility administrator may not be available to meet with you during the inspection and may assign the task to the facility manager or supervisory staff who will be your contact person. Facility managers have different titles, such as commander, deputy chief, superintendent, or facility manager. Keep the name, title and phone number of your contact person in your inspection file.

If mutually convenient, a pre-inspection meeting is a good idea. This allows for introductions and discussion of key expectations. Be on time. Arrive prepared. Have questions and a list of materials you may want for the inspection. Set mutually accepted ground rules.

Follow up with a letter verifying the inspection date and provide the names of the CLERB inspectors who will be participating in the inspection. It is a good idea to have two CLERB inspectors present for each inspection. CLERB inspectors could be two staff members, two Board members, or one of each. Ideally, a CLERB staff member will be present. Request any written material that you would like to have made available on the day of the inspection and specific staff you would like to interview. You should meet with medical and mental health staff and the program staff, in addition to the facility's operational staff.

Call two to three days prior to the inspection to confirm your appointment. Let your contact know how many CLERB inspectors to expect and if you are planning to have a meal at the facility. Be on time for your appointment and have proper identification. Facility security is an important issue; you would not want to be turned away because you lack proper identification. It is important to be professional and courteous. Wear comfortable shoes for walking and dress professionally, i.e., business casual, no shorts, no open-toed shoes, etc. Take only what you need into the facility. Purses and briefcases should not be brought into the facility.

CLERB inspectors are also encouraged to review the following resources in preparation for the inspection:

Board of State and Community Corrections:

<http://www.bscc.ca.gov/>

Board of State and Community Corrections (BSCC), Minimum Standards for Local Detention Facilities:

<http://www.bscc.ca.gov/downloads/Adult%20Titles%2015%20-%20Effect%204%201%2017.pdf>

San Diego Sheriff's Department Detentions Services Bureau Policies and Procedures Manual:

<https://www.sdsheriff.net/policies.html>

THE INSPECTION PROCESS

Inspection Documents

It is a good idea to review local inspection reports and specific facility documents before touring the facility. You can request and review available documents before arriving at the facility and can examine the others upon your arrival. Review of the documents listed below will provide you with information about the facility operation and areas of concern and areas of non-compliance with the California Code of Regulations, as well as local and state ordinances. These documents will also highlight areas where the facility has developed innovative programs and streamlined procedures. Note any non-compliance issues and check these areas during your inspection. You should plan to review the following documents:

- Previous CLERB Final Inspection Reports
- Previous Grand Jury Inspection Reports – What concerns were identified? Have problem areas been corrected?
<https://www.sandiegocounty.gov/content/dam/sdc/grandjury/reports/2017-2018/SDCountyDetentionFacilitiesConditionandManagementReport.pdf>
- Latest BSCC inspection report - What concerns were identified? Have problem areas been corrected?
- Local Inspection Reports including:
 - Fire authority
 - Health administrator: (Medical and Mental Health Inspections and Environmental Health Inspections)
 - Building and Grounds/Public Works
 - Registered Dietician (All adult except a temporary holding facility; all juvenile facilities)
 - Education, Juvenile Justice Committee, Superior Court (juvenile only)
- Grievances – Ask to review a sampling of grievances filed by inmates. This will give you an idea of concerns expressed by inmates.
- Serious Incident Reports – Ask to review a sampling of serious incident reports. These will alert you to incidents involving suicides, suicide attempts, injuries, restraints, emergencies, escapes and other serious or critical incidents.

Facility Tour

It is suggested that you begin the facility tour at the booking/receiving area. This will provide you with an opportunity to become acquainted with booking, the intake process, intake health screening and any other steps an inmate goes through when entering the facility.

Ask questions and observe security as you proceed through the facility. Be sure to tour the following areas: booking, intake/holding, medical, housing units, dining hall, classrooms, visiting area, personal and institutional storage areas, kitchen, sobering cell (if present), safety cell (if present), court holding areas located in the facility (if any) and exercise areas.

Note the following items as you tour the facility:

- condition of the exterior and interior of the building noting graffiti, peeling paint, unpleasant odors, or other signs of deterioration;
- condition of the grounds, exercise areas, playing fields, and exercise equipment;
- general cleanliness of the facility including windows, lighting, lockers, desks, conditions of the mattresses, bedding and pillows;
- condition of sleeping room door panels;
- temperature of living units and classrooms;
- safety and security issues including fencing, outdoor lighting, location of the weapons locker; and,
- if a court holding area is present in the facility, ensure access to toilet and drinking water.

INTERVIEWS

Entry Interview

Upon arrival at the facility, meet with your contact person. Let your contact know how long you plan to be at the facility and your general plan of action. Arrange a time for the exit interview.

This is a good time to ask if there are specific areas of concern or areas that need particular observation. As a representative of CLERB you can be extremely helpful in looking at problematic issues as well as providing feedback and suggestions.

At the time of your inspection there may not be inmates in the facility. If there are inmates present be sure to complete an interview with a sampling of them. Interviews with inmates and staff are a vital part of the inspection process and will provide you with data about the day-to-day operation of the facility. Interviews should be conducted with privacy in mind. You can conduct interviews in the day room, exercise area, dining hall or wherever you can find a fairly secluded spot which still provides you safety and observation by the security staff. It is not necessary to have staff and inmates brought to an interview room.

It is important that you do not share your impressions of the facility with inmates or staff. You may clarify your impressions during the exit interview with the facility manager or administrator.

Interviews with Staff

Attempt to interview both supervisory and non-supervisory staff. Supervisors can answer questions regarding staff training, number of personnel, staff experience and turnover, use of overtime and "as needed" or part time staff. Non-supervisory staff can give you their opinion on whether there are a sufficient number of supervisors and line staff and they can provide you with an overall view of how the living units operate.

Non-supervisory staff can also provide you with information about their years of experience and training, their work assignment, what works well, what needs to change, how the unit runs, programs for inmates, and issues that come up during meals, school, and visiting.

For a more complete understanding of the facility operation it is recommended that you also conduct interviews with the medical and mental health personnel, inmate training program instructors, and kitchen staff.

Interviews with Inmates

Two CLERB inspectors should be present for each individual interview with an inmate. An inmate may become intimidated if more than two people are present during the interview. Assure interviewees that their answers to your questions will be held in confidence and will only be generally reported in the CLERB Final Inspection Report. It is a good idea to ask open-ended questions. Sample questions include:

- What do you like best about this facility?
- What is your daily schedule?
- How do you arrange to see the medical personnel?
- What is the grievance process?

- What do you do during the day?
- How did you learn about the rules?
- What would you like to see changed in this facility?
- How do you get along with staff?
- Do you understand the jail's written documents?
- Is there a gang or inmate culture that governs many inmates' actions?
- How does the jail help inmates prepare for life after incarceration?

It is **not** appropriate to discuss the inmate's offense, case or other personal matters. Your interview should focus on the experience of the inmate in the facility. If the inmate attempts to engage in a discussion of his/her case, give you mail to send, or asks you to make a phone call, make it clear that you cannot discuss these matters or conduct those activities. If the inmate wishes to lodge a complaint with CLERB, provide him/her with the information required to do so and/or facilitate later contact with or by a CLERB Special Investigator to ensure the complaint is lodged.

Exit Interview/Conference

The exit interview is a critical part of the inspection. During this meeting you can ask additional questions for clarification of issues and to obtain additional information on what you have observed. If the CLERB inspectors become aware of non-compliance issues with the BSCC standards, local ordinances, etc., determine a mutually agreeable date that the CLERB inspectors can expect to have these issues addressed and corrected. Tell your contact when he/she can expect your written follow-up in the CLERB Inspection Final Report.

Detention Facility Inspection Form

Please fill out those sections that apply to the facility you are inspecting

Facility Name:	Inspection Date:
Facility Capacity:	Last Inspection Date by CLERB:
Address:	Telephone Number: FAX Number:
Facility Administrator and Contact Person:	Staff Interviewed:
Detention Facility Jail Type (I, II, III, IV, V, Temporary Holding Facility, Lock-Up, Court Holding Facility):	
CLERB Inspectors:	
Findings and Recommendations:	

AREA INSPECTED/REVIEWED (Please Check)		
<u>Quality of Life</u>	<u>Programs</u>	<u>Persons Interviewed</u>
<input type="checkbox"/> Physical Plan <input type="checkbox"/> Meals/Nutrition <input type="checkbox"/> Mental Health <input type="checkbox"/> Physical/Dental Health <input type="checkbox"/> Religious Services <input type="checkbox"/> Visiting <input type="checkbox"/> Volunteer Involvement <input type="checkbox"/> Other	<input type="checkbox"/> Educational <input type="checkbox"/> Vocational <input type="checkbox"/> Community Services <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Victim/Gang Awareness <input type="checkbox"/> Substance Abuse <input type="checkbox"/> Other	<input type="checkbox"/> Inmates <input type="checkbox"/> Facility Manager <input type="checkbox"/> Medical <input type="checkbox"/> School Staff <input type="checkbox"/> Mental Health Staff <input type="checkbox"/> Line Staff <input type="checkbox"/> Food Services Staff <input type="checkbox"/> Other

GENERAL INFORMATION

What is the capacity of the facility?

Has the facility exceeded capacity since the last inspection?

What is the inmate classification system? Describe

Since the last inspection indicate the following, along with specifics (to include Summarily Dismissed Case Types, Death Case Types, Sustained Finding Types, etc.):

- # of CLERB Lodged Complaints _____
- # of CLERB Filed Complaints _____
- # of CLERB Closed Complaints _____
- # of CLERB Sustained Findings _____
- # of CLERB Death Cases Opened _____
- # of CLERB Death Cases Closed _____
- # of CLERB Policy Recommendations _____
- # of CLERB Policy Recommendations Implemented (List Below) _____

INDIVIDUAL CELLS/ROOMS

Condition of walls:

Condition of toilets:

Personal possessions allowed in cell/room (art, books, etc.):

Graffiti present:

Ample bedding:

LOCAL INSPECTIONS

Fire Inspection Conducted: YES/NO – Date:

Medical/Mental Health: YES/NO – Date:

Environmental Health: YES/NO – Date:

Nutritional Health: YES/NO – Date:

Corrections Standards Authority YES/NO – Date:

Other (Describe): YES/NO – Date:

STAFFING

Is there enough staff to monitor inmates? Is there an established staff/inmate ratio?

Does staff communicate in language that an inmate can understand?

Diversity of staff:

Impression of staff/inmate interactions:

CONDITION OF GROUNDS (lawns, recreation area, blacktop, asphalt, other)

EXTERIOR OF BUILDING(S) (general condition, paint, roof, drains/gutters, other)

INTERIOR OF BUILDING(S)

Walls, paint, floors, drains, plumbing fixtures working, air vents, windows:

Are cleaning fluids and chemicals labeled and safely stored?

Weapons locker present:

Recreation/sports equipment:

Are the hallways clear, are doors propped open or closed?

Holding areas (cells/rooms) – [if present], is there access to drinking water and toilet?

Are there individual cells/rooms, or dormitories:

Beds – Type of bed and is it off the floor?

Adequate lighting:

Temperature:

ORIENTATION OF INMATES

Are inmates oriented to rules and procedures?

Are rules and grievance procedures posted?

Are rules and grievance procedures understood by inmates?

Inmates interviewed? Number interviewed: _____

MEALS/NUTRITION

The kitchen area – Is it clean? Are knives and chemicals locked?

Have the inmates working in the kitchen been trained?

Have the inmates had a medical clearance/review before assignment?

Are meals served in the cell, dayroom or at a central cafeteria?

Are inmates permitted to converse during meals?

Length of time allowed for eating?

PERSONAL APPEARANCE OF INMATES

What is the appearance of inmates (dirty, unkempt, well groomed, etc.)?

Showers – frequency, privacy, maintained, supervised by staff?

Hygiene – hygiene packs, razors, etc.

Condition of clothing (does the clothing fit; is it appropriate for the weather, etc.)?

PROGRAMS

Exercise -- is it inside or out? How frequently is it offered? How much time is each inmate offered? Do men get more exercise time than the women?

Are there clergy available to inmates upon request? Is there access to religious services?

Are anger management and other applicable programs available?

Are medical services available? How frequently is medical staff onsite? How long do inmates wait to be seen? Is a physician available by phone or come onsite?

Are mental health services available? How frequently is mental health staff onsite? How long do inmates wait to be seen?

Are vocational classes available? If so, what types, cooking, gardening, painting, computers, etc.?

Is there a program to involve community volunteers?

Is there a work program?

DISCIPLINE OF INMATES

How often is discipline enacted? What is the range of discipline options?

GRIEVANCES

What are the most common types of grievances filed by inmates? Is there a record kept based on type and number?

TELEPHONE

Do inmates have access to telephones?

CORRESPONDENCE

Is there limited free postage for inmates without money?

Incoming/outgoing – are inmates aware that mail can be read?

Confidential correspondence – letter to attorneys, CLERB, etc., How is it handled?

VISITING

Is there adequate space, convenient times, or accommodations to family's schedule, etc.?

Are there provisions for special visits with attorneys/clergy?

Does staff supervise visits?

Do all inmates have access to visiting? – If not give reasons:

If visitors are present, ask their opinion of visitor accommodations and if they have recommendations for improvement.

EDUCATIONAL PROGRAM

College level/high school level/other:

Name of school district providing educational services:

Teachers – number of full-time, number of substitutes:

Number of inmates in educational program:

Atmosphere of classroom:

Are there adequate supplies (books, paper, computers, etc.)?

Relationship between educational program staff and facility staff:

JUVENILES IN ADULT FACILITY

What is the proximity to adult inmates?

Is staff available to supervise juveniles?

Is the juvenile provided a snack if requested?

Is there access to drinking fountains or water?

Are there provisions to provide clothing or blankets to assure comfort?

CONDITIONS OF SECURE DETENTION OUTSIDE A LOCKED ENCLOSURE (e.g., CUFFING RAIL)

Is there a contact with other juveniles?

Is there constant supervision by staff?

Is there access to toilet and washing facilities?

Is there access to drinking fountain?

CONDITIONS OF NON-SECURE DETENTION

Is there constant supervision?

Are males and females in same room?