



**2006-2007 Yuba County Grand Jury  
Final Report**

**Yuba County Sheriff's Department:  
Jail Division**

# 2006-2007 Yuba County Grand Jury Final Report

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## Subject of Investigation

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**Yuba County Sheriff's Department:  
Jail Division**

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## Reason for Investigation

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The inspection of the Yuba County Jail, which is run by the Yuba County Sheriff's Department, is mandated by Penal Code 919(b), which states: "The grand jury shall annually inquire into the condition and management of the public prisons within the county."

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## Background

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Jails are required to operate under Title 15 and Title 24 of the California Code of Regulations (CCR) and are guided by the California Correction Standards Authority.

Yuba County's Jail, constructed at 215 Fifth Street, Marysville, was finished in 1962 and built to house approximately 135 inmates. Due to the changing social climate and the growth of the county, the jail became over-crowded and was expanded to its present capacity of 430 in 1995. With the increase in size, the county has been able to rent excess bed space to other counties and Immigration and Customs Enforcement (I.C.E.). This allows the jail to operate more economically, plus generate income for operations and for county government. At the present time, the jail has an average population of 374 inmates, 214 county and 160 I.C.E. Each year the jail books approximately 10,000 inmates.

Staffing the jail has been difficult in the past due to pay scale competition with surrounding counties. Staff is lured by better paying jobs at other facilities and some continue on to other jobs within the Sheriff's Department.

Many of the operations have been computerized. The Sheriff's Department has instituted an ingenious system to ensure complete coverage in their rounds of the jail. Each officer carries a data collection device known as a "pipe," made by Guard 1 Plus. The "pipe" is inserted into a receptacle in the back of the cells, hallways, etc. during rounds and then plugged into a computer in the booking area to create a record of the time and place that rounds were made.

Upon arrival, there is a procedure for the intake of persons through the sallyport, or through the release corridor from the court rooms. The arresting or transport officer must fill out and submit a pre-booking form (see Exhibit A). If the inmate appears to be intoxicated, the admitting deputy must fill out a Sobriety Assessment Form (see Exhibit B). All inmates must be interviewed by the intake deputy and the Intake Medical/Classification Screening Form must be completed to assess their condition. A decision is then made as to whether they will be held or returned to the arresting officer to be taken to Rideout Hospital or Sutter-Yuba Mental Health (see Exhibit C). The inmate is searched and personal items are collected, packaged, and secured.

Once the entry procedure is completed, the arresting or transport officer is excused. If the inmate is intoxicated, they are placed in a detox cell or transferred to a holding or safety cell. Exhibit D is the check sheet for the holding cells, listing the inmate's name, what type of cell they are in, how often they must be checked and whether there are restraints in use. If the inmate is sober and cooperative, they are allowed to watch television or use the telephone in a holding area in front of the booking station until they can be processed.

The booking process is computerized through the JALAN AUTOMATED SYSTEM. Staff is also able to converse with inmates in over 70 languages through a Language Line interpreter on the telephone. Detainees are checked for prior incarceration locally or in other facilities, gang affiliation, aliases, tattoos, medical conditions, employment and family status. They are then fingerprinted and photographed. Inmates must be given the opportunity to make three telephone calls within three hours of their arrest.

If the inmate is not released or bailed, a deputy of the same gender will conduct a strip search, instruct the inmate to shower and issue them a clean set of jail clothing, a towel, footwear, comb, shaving implement, and tooth brush.

In order to protect the rights of inmates and staff, all inmates are given a copy of the jail's Information Booklet that outlines strict rules of conduct, grievance procedures, visitation, commissary, mail, meals, barber, arm bands, welfare, etc. They must understand and agree to abide by the rules, and are required to sign an acknowledgement.

Detainees are then issued linen, a blanket and a mattress and placed in a pre-classification unit. They are held in lock-down status until interviewed by a classification officer for permanent housing assignments. The purpose of classification is to ensure the safety of inmates and staff and identify inmate's special needs, problems and skills. They are given a color coded wrist band with their first, last, and middle name, and their identification number. The color of the wrist band denotes the classification of the inmate.

Depending upon their classification, such as; predator, prey, sex offender, gang member, I.C.E., etc., the inmates are housed in different areas of the jail. Females and males are housed in separate areas and have their own recreation and training facilities.

There are three control rooms within the jail. Two of the control rooms monitor the interior areas and control interior doors and elevators. The third control room monitors the entrances, exits, booking area, visiting lobby and the outside perimeter.

Meals are prepared in a clean, modern, and well-equipped kitchen. A dietician plans balanced and nutritious meals. Most of the kitchen staff is selected from the I.C.E. inmates. The meals are loaded on to closed carts and delivered to the inmates in their cells. The jail serves three hot meals per day, and bag lunches are made available to inmates in transit or working outside as trustees. The jail staff has been able to keep the cost per meal down to approximately 72 cents per serving by good planning and buying in large quantity. Meals are planned on a six week cycle ensuring diversity. Special therapeutic diet options are available.

The medical unit at the jail includes office space, treatment rooms and single occupancy observation cells which can accommodate medical isolation inmates. The basic charge for each inmate-initiated medical or dental visit is \$3.00. However, inmates may receive private care at their own expense and indigent inmates cannot be refused care. Medical services are available 24 hours per day and emergency services are provided at Rideout Hospital. The jail medical staff consists of a physician (County Medical Officer), a psychologist and a dentist. They examine each inmate, review their medical history and determine what, if any, prescription medication or treatments are necessary. Under the direction of the medical staff, a Registered Nurse or Medical Technician administers the prescribed medication or treatments. Inmates may purchase additional non-prescription medications such as Aspirin or Tylenol for fifty cents a dose.

Inmates who comply with behavior standards are offered classroom instruction within the jail by instructors provided by Yuba County Office of Education. They can earn their GED and receive certificates for vocational skills such as construction, electrical, janitorial and food service. They are offered counseling in domestic violence, parenting, sexual harassment, substance abuse and victim awareness. Women are also offered life skills, and computer training.

The jail maintains an extensive law library of books and materials for the inmates. If an inmate requests a book not in the library, the recreational officer will attempt to borrow the book from the county law library. A sampling of the books in the library includes; West's Annotated California Penal Code, U.S. Code annotated: Constitution, including amendments, The U.S. Law Week or the Criminal Reporter, West's Federal Rules of Criminal Procedure, Cases and Materials on the Law of Correction and Inmate's Right, California Administrative Code, Title 15.

Exercise is offered for two hours, four days per week. Inmates can play basketball or ping pong and have access to free weights.

Visitation is offered to all inmates unless they are on disciplinary lock-down. Visiting hours vary depending upon the day of the week. Special hours can also be arranged to be convenient for family members if needed.

Indigent inmates are allowed two letters per week without charge. Other inmates can send as much mail as they desire. Mail is inspected for contraband and selectively read. No packages may be received. Mail to attorneys is unlimited and will not be read, but will be inspected for contraband in the inmate's presence.

There are phones in the housing areas for inmate use. The calls are either collect or made by way of a prepaid calling card which can be purchased through the jail commissary. Rate limits are determined by the Public Utilities Commission. Calls to attorneys are privileged and are not monitored. All other calls may be recorded and monitored.

Religious services are held regularly by volunteer pastors, rabbis, clerics, etc. There is a list of 62 religious volunteers. If an inmate has a need for spiritual counseling, the jail sergeant will arrange a visit. There are Bible study classes held regularly with up to 50 inmates attending.

There are two classes of rule violations, minor and major, and all rules are listed in the information booklet which is issued to each inmate. Disciplinary measures are also stated in the information booklet.

As stated in the information booklet:

Inmates shall not be subject to cruel, corporal or unusual punishment or lack of care which injures or impairs health. You cannot be punished by deprivation of clothing, bedding, or normal hygienic items. You will not receive less than two meals a day as punishment. If any punishment other than reprimand is imposed, the deputy shall make a written report within 49 hours of the incident.

Any inmate can file a grievance. The grievance procedure form (see exhibit E), lists all pertinent information with dates and times. The routine for filing and appealing is referenced in the information pamphlet acknowledged by the inmate on entry into the jail. The floor deputy first attempts to solve the grievance informally. If the deputy is unable to solve the problem, a grievance form is supplied within 24 hours and filled out and signed by the inmate or inmates.

When the inmate has completed the form, including signature, date and time, it is given to jail staff. The person accepting the grievance should note the date, time and their number in the upper right hand corner of the form. The shift supervisor shall next attempt to resolve the grievance at his level within 48 hours of receiving the grievance. If the grievance has been satisfactorily resolved, the form will be filed in the monthly grievance file. If the shift supervisor is unable to satisfactorily resolve the complaint, the grievance form will be forwarded to the Jail Supervisor.

The Jail Supervisor will review the grievance and if unable to resolve the matter, will immediately forward the grievance to the Jail Commander for review. The Jail Commander shall conduct a grievance hearing within 72 hours of receipt of the grievance, excluding weekends and holidays. During the Jail Commander's hearing, the inmate and any witnesses will be heard and all pertinent information reviewed. The inmate may be assisted by another inmate or a member of the Sheriff's Department willing to act as the inmate's representative.

If the inmate is not satisfied with the disposition by the Jail Commander, the inmate may appeal to a Grievance Board. Within seven days of receiving the form entitled "REQUEST FOR HEARING BEFORE GRIEVANCE APPEAL BOARD", the board will be convened and the hearing conducted. The inmate shall be given an opportunity to meet with the board in person

and given an opportunity to provide testimony. The Appeal Board shall submit a written disposition of the appeal and a brief explanation of its findings within 72 hours of the completion of the appeal hearing. The decision of the Appeal Board is final and cannot be appealed further.

The jail has its own laundry. This facility not only does the jail's laundry, but has a contract to do outside laundry as well. Inmates can have clean clothing and towels three times per week and clean bedding twice per month. The laundry is done by female inmates who are paid and issued clean clothing every day.

An inmate welfare fund is generated by sales from the commissary and fees from phone calls initiated by inmates. This fund provides basic necessities for indigent inmates, pays related staff and purchases entertainment equipment such as televisions and digital video recorders.

In addition to the Yuba County Grand Jury's annual inspection of the jail, the County Health Department under Health and Safety Code section 10145 also conducts a yearly inspection. Bi-annually, the State Fire Marshal under Health and Safety Code section 13146.1, and the State Board of Corrections under California Penal Code section 6031 are required to inspect the jail.

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### **Method of Investigation**

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The Grand Jury inspected the jail on four occasions. On the tours, all areas of the facility were inspected. A route was chosen to follow a perspective inmate from arrival to release.

Prior to the inspection, the Grand Jury met with Sheriff's Department and Jail staff to discuss procedures, operation, and the actual tour of the facility. Staff were cooperative, gracious and patient.

Prior to the first investigation, the jail manual and the Board of Corrections inspection report were reviewed. Interviews were conducted with the Sheriff's Department and Jail Staff to determine the objectives and operation of the County Jail. At all tours and interviews there were at least two or more members of the Grand Jury in attendance. After the initial tour, members returned to verify facts and inspect the jail at various times of the day and evening. On the tours, staff in different areas were interviewed to gain a complete picture of jail operation.

Inmate complaint letters received during this Grand Jury's tenure were also investigated.

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## Facts and Observations

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Laundry is done within the jail proper. Female inmates are trained to operate the machinery and are directed by a female staff member. There is an intercom to the main control room and a common door key to facilitate removal of the workers in case of emergency. A Class A fire extinguisher was present, but no extinguisher for electrical fires. On a later tour, an ABC rated extinguisher had also been supplied.

The kitchen is clean, well organized, efficient, and all utensils and foods are secure. In order to get a fair sampling of the meals served to inmates, several trays were pulled from different carts to appraise quality and quantity. All meals were appetizing and portions were equal in size.

The commissary is extremely small but still carries a wide variety of products. Inventory includes basic toiletry items, sweets, Top Ramen, chili, writing supplies, footwear, and writing material.

Grievances must follow a set procedure. Any inmate may file a grievance.

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## Findings and Recommendations

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### **Finding 1**

Disciplinary rules are strict, necessary, and enforced in accordance with the information booklet provided to every inmate.

### **Recommendation**

None.

### **Finding 2**

Grievances are on file, numerous and handled according to written policy

### **Recommendation**

None.

### **Finding 3**

Grievance appeal process is thorough and fair.

### **Recommendation**

None.

### **Finding 4**

The stock in the commissary is adequate and not out of date.

### **Recommendation**

None.

### **Finding 5**

Meals are planned by a dietician on a six-week cycle to ensure variety and with provision for special diets and religious requirements.

### **Recommendation**

None.

## **Finding 6**

Jail operations are well organized and efficient. Staff is attentive to inmate safety and welfare.

## **Commendation**

The Yuba County Grand Jury commends the Sheriff's Department and the Jail Staff for exemplary behavior and procedure in operating the Yuba County Jail.

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**PASSED and ADOPTED by the Yuba County Grand Jury on the 15th day of May 2007.**

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**Exhibit A**

YUBA COUNTY SHERIFF'S DEPARTMENT  
PRE-BOOKING FORM

DATE \_\_\_\_\_ TIME \_\_\_\_\_

PLACE \_\_\_\_\_

NAME \_\_\_\_\_

CHARGES \_\_\_\_\_

\_\_\_\_\_

(To include subsection and value of property,  
if applicable.)

LOCATION OF VEHICLE \_\_\_\_\_

\_\_\_\_\_

ARRESTING OFFICER \_\_\_\_\_

(OR CITIZEN'S ARREST) \_\_\_\_\_

TRANSPORT OFFICER \_\_\_\_\_

## Exhibit B

### Sobriety Assessment Form

**Inmate Name** \_\_\_\_\_ **Booking #:** \_\_\_\_\_  
**Date:** \_\_\_\_\_ **Time Admitted to detoxification cell:** \_\_\_\_\_ **Cell:** \_\_\_\_\_

**ODOR OF ALCOHOL:**

Officers Initials/ #	Strong	Moderate	Weak	Absent	Recovering
Initial Assessment					
Hour 2 Assessment					
Hour 4 Assessment					
Hour 6 Assessment					

**SPEECH:**

Officers Initials/ #	Slurred	Slowed	Normal	Recovering	Other
Initial Assessment					
Hour 2 Assessment					
Hour 4 Assessment					
Hour 6 Assessment					

**ATTITUDE:**

Officers Initials/ #	Hallucinating	Difficult to awaken	Confused	Belligerent	Boisterous	Cooperative	Recovering
Initial Assessment							
Hour 2 Assessment							
Hour 4 Assessment							
Hour 6 Assessment							

**WALKING:**

Officers Initials/ #	Falling	Staggering	Unsteady	Swaying	Slow	Deliberate	Normal	Recovering
Initial Assessment								
Hour 2 Assessment								
Hour 4 Assessment								
Hour 6 Assessment								

**ORIENTATION:**

Officers Initials/ #	Unaware of location	Easily Distracted but not confused	Able to provide booking info	Recovering
Initial Assessment				
Hour 2 Assessment				
Hour 4 Assessment				
Hour 6 Assessment				

**TREMOR:**

Officers Initials/ #	Severe	Moderate	Weak	Absent	Recovering
Initial Assessment					
Hour 2 Assessment					
Hour 4 Assessment					
Hour 6 Assessment					

Evidence of Physical Injury:  Yes  No Describe: \_\_\_\_\_  
 Any Medical Complaints:  Yes  No Describe: \_\_\_\_\_  
 Medication Taken Regularly:  Yes  No Describe: \_\_\_\_\_  
 Cleared By Jail Supervisor/Medical Staff:  Yes  No  Signature: \_\_\_\_\_ Time: \_\_\_\_\_

Disposition:  Released from Custody/Booked on Other Charges  Transported/Released to Medical /Mental Health Facility

Officers Signature: \_\_\_\_\_

# Exhibit C

## YUBA COUNTY JAIL INTAKE MEDICAL/CLASSIFICATION SCREENING FORM

INMATE'S NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

INTERVIEWING OFFICER: \_\_\_\_\_ TIME: \_\_\_\_\_

### OFFICER/EXAMINER OBSERVATION

- |   |  |         |        |
|---|--|---------|--------|
| 1 | Is the inmate having difficulty breathing?                     | ( ) Yes | ( ) No |
| 2 | Does inmate have visible signs of illness/injury?              | ( ) Yes | ( ) No |
| 3 | Does inmate appear to be mentally or developmentally disabled? | ( ) Yes | ( ) No |
| 4 | Does inmate's behavior suggest a danger to self or others      | ( ) Yes | ( ) No |
| 5 | Does inmate appear to have psychiatric problem                 | ( ) Yes | ( ) No |
| 6 | Was inmate brought via hospital by arresting officer?          | ( ) Yes | ( ) No |
|   | A. Is there a medical release form from the hospital?          | ( ) Yes | ( ) No |
| 7 | Does inmate appear to be under the influence?                  | ( ) Yes | ( ) No |

### INMATE QUESTIONNAIRE

- |   |   |         |        |  |         |        |  |  |  |
|---|---|---------|--------|--|---------|--------|--|--|--|
| 1 | Do you currently have or have you been exposed to the following?                  |         |        |  |         |        |  |  |  |
|   | Hepatitis (last 6 weeks)  | ( ) Yes | ( ) No | Aids   | ( ) Yes | ( ) No |  |  |  |
|   | Non Visible Injuries  | ( ) Yes | ( ) No | Withdrawals                                    | ( ) Yes | ( ) No |  |  |  |
|   | Vision Problems   | ( ) Yes | ( ) No | Breathing Problems                             | ( ) Yes | ( ) No |  |  |  |
|   | Tuberculosis  | ( ) Yes | ( ) No | Diabetic                                       | ( ) Yes | ( ) No |  |  |  |
|   | Heart Problems  | ( ) Yes | ( ) No | Seizure Disorder                               | ( ) Yes | ( ) No |  |  |  |
| 2 | Do you have any open wounds or sores?   | ( ) Yes | ( ) No |  |         |        |  |  |  |
| 3 | Have you any significant health problems which the jail staff should be aware of? | ( ) Yes | ( ) No | If yes, explain: _____                         |         |        |  |  |  |
|   | Cleared by Nurse: _____   |         |        |  |         |        |  |  |  |
| 4 | Are you currently taking any type of medication?                                  | ( ) Yes | ( ) No |  |         |        |  |  |  |
| 5 | Are you pregnant or recently delivered a baby?                                    | ( ) Yes | ( ) No |  |         |        |  |  |  |
| 6 | Have you been or are you currently a patient at Mental Health?                    | ( ) Yes | ( ) No |  |         |        |  |  |  |
| 7 | Do you feel like hurting yourself right now?                                      | ( ) Yes | ( ) No |  |         |        |  |  |  |
| 8 | Are you currently or ever been in a gang or have any gang affiliation?            | ( ) Yes | ( ) No | If yes, what gang and active/non-active: _____ |         |        |  |  |  |
| 9 | Have any enemies or keep aways we should know about?                              | ( ) Yes | ( ) No |  |         |        |  |  |  |
|   | If yes, who? _____  |         |        |  |         |        |  |  |  |

Revised 01-26-06





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## **Response Required**

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**Penal Code sections 933 and 933.05 require that specific responses to both the findings and recommendations contained in this report be submitted to the Grand Jury Presiding Judge of the Yuba County Superior Court (Hon. Debra L. Givens) within 90 days from:**

**Yuba County Sheriff's Department**

## **California Penal Code**

### **Part 2 of Criminal Procedure**

#### **Title 4. Grand Jury Proceedings**

##### **Chapter 3. Powers and Duties of Grand Jury**

###### **Article 2. Investigation of County, City, and District Affairs**

###### **§ 933. Finds and recommendations; copies of final report; comment of governing bodies, elective officers, or agency heads; definition**

(a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.

(b) 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.

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section "agency" includes a department.

### **§933.05. Responses to findings**

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decisionmaking authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.