

2013-2014 GRAND JURY REPORT

Riverside County Sheriff's Department Corrections Division

Background

The Riverside County Sheriff's Department (RCSD) has the responsibility to maintain the county's detention (jail) facilities. The budget of \$179,029,238 is for correctional services.

There are five (5) jails within the County of Riverside:

- Robert Presley Detention Center (RPDC)
- Southwest Detention Center (SWDC)
- Larry D. Smith Correctional Facility (SCF)
- Indio Jail (IJ)
- Blythe Jail (BJ)

The implementation of AB 109 (realignment) on October 1, 2011, has resulted in a significant increase in the jail population. Since realignment, all five (5) jails are at maximum capacity. This legislation shifted the responsibility for the incarceration and monitoring of certain classes of convicted felons and parolees who were previously housed in state prison and monitored by state parole to the RCSD and the Riverside County Probation Department. All five (5) jails operate on "short term incarceration" for inmates sentenced to less than one (1) year in county jail or awaiting their pending court cases. Realignment changed this to "long term incarceration" for inmates convicted of specific felonies and violation of parole and resulted in early releases called "Fed Kick." This new class of inmates are "more sophisticated" according to testimony from randomly selected correctional deputies from all five (5) jails.

The Grand Jury focused on three (3) specific Corrections Division Policies:

- Personnel Training
- Headcount
- Security Logs / Checks

Methodology

1. The Grand Jury investigation included the following:
 - Randomly selected and interviewed under sworn and unsworn testimony correctional deputies, senior correctional deputies, sergeants, lieutenants, captains, and chief deputies from all five (5) jails
 - Reviewed the Riverside Sheriff's Department Corrections Division Policies and Procedures for all five (5) jails
 - Reviewed Title 15 California Code of Regulations (CCR), Section 1027
 - Reviewed Corrections Roll Call Training (CRT) Logs and CRT Manual
 - Reviewed two (2) biannual audits of the California Board of State and Community Corrections on Riverside County Facilities Inspections
 - Viewed Jail Information Management System (JIMS)
 - Viewed the Inmate Tracking System (ITS)
 - Viewed the G Drive (a storage system for policy and procedures and records specific for each facility)
 - Reviewed the Milestone Video System for inmate activity within Housing Units

Findings

Personnel Training 503.06 Corrections Roll-Call Training (CRT)

1. The Grand Jury conducted a random review of the CRT logs for the years 2012, 2013, and 2014. All five (5) jails do not follow the training set forth in the CRT Quarterly Manual as mandated in Sections 8.1 and 8.1.1 of Corrections Division Policy Manual 503.06. This policy states in part...

POLICY:

The Riverside County Sheriff's Department shall meet or exceed the minimum training standards for corrections personnel defined in Title 15 of the California Administrative Code.

8.1 Each correctional facility shall conduct daily briefing training as scheduled in the CRT manuals. CRT manuals are published quarterly and are designed to review specific corrections related topics.

8.1.1 Each facility shall establish a procedure to track roll-call training. The information needed for tracking includes; who attended the training, who gave the training, the date, and the topic. These records shall be maintained for the current year, plus three years.

The Grand Jury investigation found:

- Training topics differed on the CRT logs from the CRT Quarterly Manual for that specific date.
- CRT logs were initialed/signed by someone other than the person listed and some were initialed by the same person for the whole shift. Nothing in the policy states that CRT logs get signed.
- In many instances, the CRT manual subject matter, which articulately describes the training with a full page scenario format, was abandoned in favor of another topic only documented by a single word on the CRT record. No other documentation to demonstrate the substance of what was discussed was ever documented to show why that subject was chosen. During our interviews with correctional jail personnel, the reason given was the sergeant giving the daily CRT had a "better topic" to discuss than the one assigned or the topic had already been addressed.

- Interviews conducted under sworn and unsworn testimony revealed that there is no follow-up to ensure the personnel who were absent ever received the required training.
- CRT logs for April and May 2013 for an entire team are missing and cannot be found.
- CRT logs are incomplete with no training topic listed and no sergeant listed as the trainer.
- Testimony from various staff revealed that some employees are identifying CRT logs as “Shift Training Logs.” Corrections Division Policy Manual 500.01, Section 8.1, addresses the Shift Training Log.

8.1 Supervisors Responsibilities / Training

Each Supervisor shall be responsible to provide training of the revision(s) to all personnel as part of roll-call training.

To track employee notification, supervisors shall ensure all employees complete the Shift Training Log (503.06 Attachment #2).

Each employee signing the Shift Training Log will be accepting responsibility for reading their e-mail and making themselves aware of the changes made.

If an employee on any shift or specialty assignment is in training, on vacation, on sick leave, or for any other reason does not complete the Shift Training Log, it is the responsibility of the employee’s supervisor to ensure the employee is aware of the policy and procedure changes within 15 days. The supervisor will have the employee sign a copy of the synopsis memorandum and forward the signed copy to the Facility Appointed Committee Chair. The committee member shall maintain the memorandum for current year plus two.

- During interviews and visits to the jails, no one knew what a “synopsis memorandum” was.
- At one (1) jail, each team is given an article from the County Safety Newsletter once a month to be used as a training topic. The sign-in sheet serves as documentation that training was conducted.

- A correctional deputy stated they have periodic roll-call training on safety issues.

Headcount 504.07

2. Sworn testimony and documents reviewed revealed that headcount reconciliation was not in compliance with Corrections Division Policy Manual 504.07. When the Grand Jury began their investigation, Policy 504.07 was dated 4-4-08. As of 1-15-14, it had been revised; therefore, both revisions are shown.

Revision 4-4-08

POLICY:

Each Facility commander must establish and maintain a system to accurately account for all inmates under his/her jurisdiction at all times. A stat card to inmate count must be taken at least once during each twenty-four (24) hour period.

GUIDELINES:

- 1.0 *Physical count of inmates may be random or routine based on the facility needs and the security classification of those confined.*
- 1.1 *A physical count of the inmates shall be conducted at the beginning of each shift.*
- 1.2 *The count will be conducted to verify the amount of inmates in each housing unit. The number of inmates will be matched to the number of stat cards located in the housing unit or to the number of inmates assigned to the housing unit in JIMS (JIMS - Jail Information Management System).*
- 1.3 *The physical headcount will be used to order meals and to track the inmates assigned to the housing unit but signed out to court, appointments, programs, etc.*
- 1.4 *This count will not be a substitute for the stat card to inmate headcount report.*
- 2.0 *Stat card to inmate Headcount Report*

- 2.1 *A stat card to inmate count will be conducted at least once within every 24 hour period.*
 - 2.1.1 *Staff members are required to compare the individual inmate with the information on the inmate's stat card and wristband.*
 - 2.1.2 *Each inmate will be called by his/her last name. The inmate shall respond by giving his/her first name.*
 - 2.1.3 *No inmate will be allowed to sleep or avoid taking part in the headcount.*
 - 2.1.4 *The staff member will make notation of any irregularity in the headcount and resolve any problem with the headcount, ensuring that an accurate count is obtained.*
- 2.2 *A designated staff member will be responsible for compiling the headcount information from all housing units and holding areas into a single headcount report for the facility.*
 - 2.2.1 *The final report will be reviewed and approved by the on duty sergeant.*

Revision 1-15-14 (2)

POLICY:

Each Facility commander must establish and maintain a system to accurately account for all inmates under his/her jurisdiction at all times. A stat card to inmate count must be taken at least once during each twenty-four (24) hour period.

GUIDELINES:

- 1.0 *Physical count of inmates may be random or routine based on the facility needs and the security classification of those confined.*
- 1.1 *A physical count of the inmates shall be conducted at the beginning and end of each shift.*
 - 1.1.1 *The count at the beginning of the shift will ensure the count matches what is documented in JIMS and the amount of stat cards located in each housing unit.*

- 1.1.2 *The count at the end of shift will ensure all inmate movements, releases, and courts have been accounted for and the physical counts match what is in JIMS and the amount of stat cards in each housing unit.*
- 1.2 *The physical headcount will be used to order meals and to track the inmates assigned to the housing unit but signed out to court, appointments, programs, etc.*
- 1.3 *This count will not be a substitute for the stat card to inmate headcount report.*
- 2.0 *Stat card to inmate Headcount Report*
- 2.1 *A stat card to inmate count will be conducted at least once within every 24 hour period.*
- 2.1.1 *Staff members are required to compare the individual inmate with the information on the inmate's stat card and wristband.*
- 2.1.2 *Each inmate will be called by his/her last name. The inmate shall respond by giving his/her first name.*
- 2.1.3 *No inmate will be allowed to sleep to avoid taking part in the headcount.*
- 2.1.4 *The staff member will make notation of any irregularity in the headcount and resolve any problem with the headcount, ensuring that an accurate count is obtained. A sergeant shall be notified immediately when discrepancies exist.*
- 2.2 *A designated staff member will be responsible for compiling the headcount information from all housing units and holding areas into a single headcount report for the facility.*
- 2.2.1 *The final report will be reviewed and approved by the on duty sergeant.*

The Grand Jury found through documentation and sworn testimony that physical headcounts were not being done at the beginning of the shift.

- Some correctional deputies stated they were not trained to do a physical headcount at the beginning of each shift.

- A Correctional Training Officer (CTO) stated it was not mandatory but “a good idea” to conduct a physical headcount, or that it was required by policy and procedure.
- A CTO considered “Headcount” a Security Check, which it is not.
- A senior correctional deputy falsely reported headcount as completed when it had not been done.
- Inmates were left out in two (2) day rooms prior to headcount and not secured.
- A CTO never observed his trainee conducting a headcount. The trainee stated “he was not familiar with policy and procedure and was left with a deputy in charge who also stated he didn’t know it was required under policy.” This deputy stated, “he never supervised a trainee, was unsure of his responsibilities and not familiar with current policies and procedures.”
- Individual inmates are not compared to their wristband or stat cards.
- A correctional deputy stated “as long as they don’t leave the unit, they don’t have to check wristbands.”
- Inmates were allowed to sleep during headcount. Testimony revealed that some correctional deputies stated, “it was okay as long as the inmate was breathing.”
- Day room time for inmates was given priority over headcount completion.
- Sworn testimony revealed that after the January 15, 2014, revision (2), headcount is still not in compliance.

Security Logs / Checks 502.10

3. The Grand Jury randomly selected and interviewed correctional deputies, senior correctional deputies, sergeants, lieutenants, and captains from five (5) jails.

When the Grand Jury began this investigation, the Corrections Division Policy Manual 502.10 was dated 8-3-11 (7). It has since been revised as of 1-15-14 (8); therefore, both revisions are shown in part...

Revision 8-3-11 (7)

POLICY:

Regular security checks shall be done to assure that there is intermittent, direct visual supervision of all inmates and to ensure implementation and operation of the programs and activities recommended by Title 15 guidelines.

REFERENCE:

California Code of Regulations: Title 15; Sec. 1027, 1055, 1056, 1058; P.C. 6030, 6030.1, 6031. P.C. 4021

- 1.1 *It is the responsibility of assigned personnel to conduct a physical security check in accordance with the following Title 15 guidelines:*

- 1.1.1 *The entire jail shall be checked at least once every sixty minutes.*

NOTE: If a security check exceeds the sixty-minute time limit, the reason for the delay will be annotated in the comments area of the Security Check Log and a supervisor shall be notified.

- 1.1.2 *Staff members conducting security checks are to physically observe **every** inmate.*

- 1.1.6 *Facilities may use a computer generated Security Check Log (Attachment 1), or the paper log version, to document security checks.*

- 2.1 *Security checks of inmates will be documented on the Security Check Log. The Security Check Log will contain the date, time, employee's initial, shift assigned, and supervisor's review and approval of documented information.*
- 2.2 *If a paper log is used (Attachment 1), the Security Check Logs will be kept at the deputy's assigned workstation and changed at 0001 hours daily.*

Revision 1-15-14 (8)

POLICY:

Security checks shall be completed to ensure there is direct visual supervision of all inmates housed within a jail facility in accordance with Title 15 guidelines. Security checks are a fundamental duty of Corrections staff and a high priority shall be placed on their completion by each facility within the Corrections Division.

REFERENCE:

California Code of Regulations: Title 15; Sec. 1027, 1055, 1056, 1058; P.C. 6030, 6030.1, 6031. P.C. 4021, PREA § 115.15.

- 1.1 *It is the responsibility of assigned personnel to conduct a physical security check in accordance with the following Title 15 guidelines:*
 - 1.1.1 *Per Title 15, Section 1027, the entire jail shall be checked at least once every sixty minutes.*
 - 1.1.2 *Employees assigned to complete security checks will ensure direct visual supervision occurs on all inmates at the jail except those who are absent due to court or other official business. The whereabouts of all inmates not present such as those who have court or other custody commitments, shall be accounted for.*
 - 1.1.6 *Facilities may use a computer generated Security Check Log (Attachment 1), or the paper log version, to document security checks.*

1.1.7 In the event an employee believes a security check will be late or cannot be accomplished, a sergeant will be notified immediately. Sergeants shall ensure adequate staff is present to complete the required security check.

During the course of this investigation, it was discovered that hourly security checks were not being done as mandated by Title 15, section 1027 of the California Code of Regulations and Division Policy. Title 15 requires documented direct visual supervision of all inmates at least hourly; more specifically, staff must be able to see each inmate without the aid of audio visual equipment to assure the inmate is alive and not experiencing any distress.

The Grand Jury found:

- Out of thirteen (13) security checks documented on the Security Check Log, only two (2) were actually performed in one (1) jail.
- A deputy made ten (10) separate false entries into the jail Security Check Log.
- A deputy failed to call other personnel to assist him resulting in security checks not being completed when he was alone.
- An entry was not made in the Security Check Log notating a battery.
- A correctional deputy stated security checks were entered prior to staff entering the day room to check on each inmate stating "this is routine here."
- Emphasis was placed on making a timely entry rather than an actual security check. Personnel stated, "this is common practice."
- Staff did not enter day rooms in some instances, therefore, did not confirm the welfare of each inmate.
- Staff left housing to complete reports because the computers did not provide adequate access to programs, which results in staff being left alone.
- Some staff placed clothing exchange as a priority instead of completing security checks.

- A deputy did not know there were two (2) inmates in a cell.
- Supervisors are not identifying training needs, which resulted in a problematic pattern of “this is the way we do it here,” foregoing the division policy and the procedures for their jail.
- The lack of knowledge of the policies and procedures by some senior correctional deputies, correctional deputies, deputies and CTOs is resulting in unsafe habits, which is passed on to their trainees, adversely affecting their performance and the overall safety of the inmates and staff.
- All correctional deputies that were interviewed stated that additional personnel are needed.

Recommendations

Riverside County Board of Supervisors Riverside County Sheriff’s Department

Personnel Training 503.06 - Corrections Roll-Call Training (CRT)

1. The Grand Jury has the following recommendations regarding Personnel Training:
 - Training topics as scheduled in the CRT Quarterly Manual shall be held on the scheduled date.
 - The Shift Training Log shall only be used for Corrections Division Policy Manual 500.01, section 8.1 and not CRT training.
 - All jails have adopted a procedure of having each staff sign/initial the CRT logs. No one other than the person who received the training shall sign/initial the CRT logs. (There is not a policy for the staff to sign/initial the CRT.)
 - Supervisors shall be trained on what a synopsis memorandum is (Corrections Division Manual Policy 500.01, section 8.1).
 - Jail supervisors shall ensure that when an employee is absent for any reason, he/she receives notice of the roll-call training that was held from the CRT Quarterly Manual for those days.

- The sergeant or correctional sergeant giving the daily briefing shall be knowledgeable in the policy and procedures.

Headcount 504.07

2. The Grand Jury has the following recommendations regarding headcount:
 - Physical headcount shall be done at the beginning and end of the shift.
 - Headcount shall take priority over day room time for inmates to ensure that all inmates are accounted for.
 - All staff shall be retrained on the policy for 504.07 so that all jails are in compliance.
 - Supervisors and chain of command shall review computer reports or paper logs to ensure that headcount is no longer falsely reported.
 - Staff members shall compare the individual inmate with the information on the inmate's stat card and wristband.
 - Additional specialized training shall be provided to all CTOs ensuring they are in compliance with Corrections Division Policy Manual 504.07 and Title 15, section 1027 prior to supervising a trainee. Policy interpretation should be clarified and resolved.

Security Logs / Checks 502.10

3. The Grand Jury has the following recommendations regarding Security Logs / Checks:
 - The Corrections Division shall adhere to Division Policy 502.10 and California Code of Regulations Title 15, section 1027.
 - Security checks shall be performed prior to being entered into the computer or on a paper log.
 - Staff shall document the activity that took place at the time of the security check.
 - Staff should not be alone when security checks are required to be done.

- Plan for how security checks are going to be completed when clothing exchange is conducted.
- Re-train staff on Security Logs / Checks Policy 502.10 and Title 15, section 1027.
- Supervisors and chain of command shall review computer reports or paper logs to ensure that Security Logs / Checks are no longer falsely reported.
- Additional specialized training shall be provided to all CTOs ensuring they are in compliance with Corrections Division Policy and Title 15, section 1027 prior to supervising a trainee. Policy interpretation should be clarified and resolved.
- Priority should be placed on the recruitment of new personnel.
- Staff shall be aware of how many inmates are in a cell.

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