



July 9, 2019

The Honorable Judge J.S. Hermanson
Superior Court of California
County of Amador
500 Argonaut Lane
Jackson, CA 95642

RE: 2018-2019 Grand Jury Response

Dear Judge Hermanson,

The following is the official response to the below listed report in the requested format.

Title of Report: Amador County Sheriff's Department – "Between a Rock and a Lawsuit"

Responding Agency: Amador County Sheriff's Office

Response by: Sheriff Martin Ryan

GRAND JURY FINDINGS:

Finding #1 –

The Jail was built in 1984 with a 20-year lifespan. It is obsolete, overcrowded, and is showing a lack of periodic maintenance. It has an aging infrastructure; a lack of programming space; a very small library; a small outdoor recreation area; and lacks the space to properly segregate inmates.

Response to Finding #1 –

The Sheriff partially disagrees with the finding. The Jail does suffer from its age and structural limitations, however, the outdoor exercise area at the Amador County Jail is 2,287 square feet which far exceeds the minimum space requirement of 600 square feet mandated by Title 24. The Amador County Jail's compliance with this component of Title 24 is supported by the findings of the California Board of State and Community Corrections (BSCC) during our last biennial inspection.

SERVICE • INTEGRITY • TEAMWORK • EXCELLENCE

BSCC is the independent statutory state agency that promulgates regulations for adult and juvenile detention facilities, conducts regular inspections of those facilities, develops standards for the selection and training of local corrections and probation officers, and administers significant public safety-related grant funding.

During their inspection of the state's correctional facilities, BSCC representatives document any areas in which a correctional facility is not in compliance with the provisions of Title 15 and Title 24 of the California Code of Regulations. Title 15 sets the minimum standards for local detention facilities to follow pertaining to matters including, but not limited to, training, inmate classification, medical and mental health care, nutrition, hygiene, and inmate programs and activities. Title 24 establishes minimum design and space standards for the physical buildings where inmates are held.

Finding #2 –

The Jail houses both male and female adults.

Response to Finding #2 –

The Sheriff agrees with the finding.

Finding #3 –

Three staff positions are unfilled.

Response to Finding #3 –

The Sheriff disagrees with this finding. Staffing levels are dynamic and constantly fluctuate for a variety of reasons. At the time of this response, there were four vacancies for Correctional Officer and two vacancies for Correctional Officer Assistant. One Correctional Officer candidate has been given a conditional offer of employment, with full employment expected in a few weeks if the candidate successfully meets psychological and medical standards for the position. Four additional Correctional Officer candidates and two Correctional Officer Assistant candidates are actively in the background investigation process to fill existing vacancies.

Finding #4 –

Use of the sobering cell is non-compliant as noted in Jail inspections and Grand Jury reports, but alternatives are not available until the expansion can be completed.

Response to Finding #4 –

The Sheriff agrees with this finding.

Finding #5 –

The outdoor recreation area is small and not conducive to recreational activity.

Response to Finding #5 –

The Sheriff disagrees with this finding. As previously stated, the outdoor recreation area at the Amador County Jail far exceeds the minimum space requirement for exercise areas as mandated by Title 24. Inmates have ample room to play basketball, handball, jog, engage in calisthenics, or just be in an outdoor environment.

Finding #6 –

The Amador County Jail Grievance Form does not indicate that inmates have the right to appeal grievances to the Grand Jury, and inmates are not otherwise informed of this right.

Response to Finding #6 –

The Sheriff agrees with this finding. The inmate grievance process utilized by the Amador County Jail allows inmates to appeal a grievance at three different levels within the organization, with the final appeal being to the Captain overseeing the operation of the Amador County Jail. The grievance and appeal process utilized by the Amador County Jail complies with Title 15 requirements.

Any individual, whether incarcerated or not, may directly file a complaint with the Grand Jury or lodge a complaint against a member of the Sheriff's Office. Grand Jury and Sheriff's Office complaint forms are available, without charge, to inmates within the Amador County Jail.

Finding #7 –

A copy of the grievance log was never provided to the Grand Jury.

Response to Finding #7 –

The Sheriff agrees with this finding. A member of the Grand Jury requested a copy of the "grievance log" which does not exist at the Amador County Sheriff's Office. The requesting member was informed of such and was provided with a year's worth of inmate grievance forms for review. Receipt of the grievance forms was acknowledged by the Grand Jury and the forms are referenced in their report(s). Creation and maintenance of a grievance log is not required by Title 15.

Finding #8 –

Hot food is delivered by the vendor, Aramark, to the standards established in the food service contract and Title 15.

Response to Finding #8 –

The Sheriff agrees with this finding.

Finding #9 –

The staff are professional and dedicated public servants. The day-to-day operations are handled with professionalism and competence.

Response to Finding #9 –

The Sheriff agrees with this finding and thanks the Grand Jury for this recognition of our staff.

GRAND JURY RECOMMENDATIONS:

Recommendation #1 –

Schedule painting of the common areas by October 1, 2019.

Response to Recommendation #1 –

The Sheriff agrees with this recommendation and implementation of the project is in process. Amador County Facilities & Project Management (Facilities) is responsible for the care and upkeep of buildings operated by the County of Amador. Facilities staff members are frequently at the Amador County Jail to perform repairs, conduct maintenance work, and discuss short and long term building care projects. Due to the jail population being at capacity, and the security concerns presented by our current inmate population, Facilities and Sheriff's Office staff members will be required to coordinate efforts to perform the needed work while maintaining the safety and security of the Jail. Performing large scale maintenance projects in a correctional environment is challenging, making it difficult to assure that all work will be completed by the recommended deadline.

Recommendation #2 –

Fill the vacant staff positions by January 1, 2020.

Response to recommendation #2 –

The Sheriff partially agrees with this recommendation as efforts to fill vacant positions continue to be ongoing. Given the number of people employed at the Amador County Jail, fluctuations in staff numbers and vacancies are not uncommon.

The Amador County Sheriff's Office continually accepts applications for employment. Candidates seeking a Correctional Officer position must first successfully complete a State approved written examination, oral board interview, background investigation, medical evaluation, and psychological screening before a full offer of employment is given. Amador County's geographic location and small population also limits the number of viable candidates interested in employment as a Correctional Officer. This limited pool of applicants is further reduced during each step of the employment process through attrition.

The Amador County Sheriff's Office will not compromise our high standards by hiring unqualified or unethical individuals to fill critical positions of public trust. The Amador County Sheriff's Office will continue to advertise and recruit to fill vacancies, with only those people with impeccable character being offered employment. Given our strict hiring standards and length of the required background and hiring process, it is not possible to project that all vacant positions will be filled by January 1, 2020.

Recommendation #3 –

Update the Amador County Jail Grievance Form to indicate the inmates' right to escalate grievances to the Grand Jury by January 1, 2020.

Response to recommendation #3 –

The Sheriff disagrees with this recommendation as the grievance process is a state established internal jail process. Updating the existing grievance process form to include an outside Grand Jury component falls outside of the established state regulations and therefore will not be implemented.

The Amador County Jail grievance process is consistent with Title 15 requirements and allows inmates to lodge a grievance pertaining to any condition of confinement. The involved inmate can appeal decisions at multiple levels of supervision until a final decision is reached by the Captain overseeing the Corrections Division.

Any person, including those incarcerated, may lodge a complaint with the Grand Jury for investigation and review at any time. An inmate maintains the right to file a complaint with the Grand Jury without ever initiating a grievance through an employee of the Amador County Sheriff's Office. As such, filing a complaint with the Grand Jury would

not be considered an “escalation” of a grievance, but an independent action allowing for investigation by an outside body capable of making findings and recommendations. The Amador County Jail’s grievance process and the Grand Jury’s complaint investigation processes are, and should remain, independent from each other.

All inmates can access the Amador County Jail Grievance Form, Grand Jury Complaint Form, and Amador County Sheriff’s Office Complaint Form if desired.

Recommendation #4 –

Initiate the use of a grievance log to track inmate grievances immediately.

Response to Recommendation #4 –

The Sheriff disagrees with this recommendation and it will not be implemented as it is unnecessary for proper Grand Jury review nor required by state regulations. Given the relatively small inmate population of the Amador County Jail, the minimal number of grievances received, and the diverse range of issues brought forth by inmate complainants, the creation of a log would not prove beneficial.

All inmate grievances and staff responses are reviewed by the Corrections Lieutenant and are maintained on file for biennial inspections by the California Board of State & Community Corrections and the Grand Jury as requested. The use of a grievance log is not mandated by Title 15.

Respectfully Submitted,



MARTIN A. RYAN
Sheriff-Coroner

CC: Brian Oneto, Chairman, Amador County Board of Supervisors
Chuck Iley, Amador County CAO

DIVISION OF JUVENILE JUSTICE
PINE GROVE YOUTH CONSERVATION CAMP
P.O. Box 1040
13630 Aqueduct-Volcano Road
Pine Grove, CA 95665
209-296-7581



July 17, 2019

The Presiding Judge
Amador County Superior Court
500 Argonaut Way
Jackson, CA 95642

RE: 2018-2019 Amador County Civil Grand Jury Report

The Amador County Grand Jury inspected Pine Grove Youth Conservation Camp (PGYCC) on February 14, 2019. Pursuant to Penal Code 933.05, I am required to respond to this Grand Jury Report. During the inspection they took an extensive tour of the facility and interviewed me, as well as other PGYCC staff and youth.

In their report they made eight findings and three recommendations:

FINDINGS


- F1. The dormitories and the day room need paint.
- I agree with the finding.
- F2. The northern door in dormitory bay two had a rag stuffed at the threshold.
- I agree with the finding.
- F3. The wards can discuss their problems with the staff at any time.
- I agree with the finding.
- F4. PGYCC is unique in that it gives the wards an opportunity to benefit the community through productive work.
- I agree with the finding.
- F5. The wards earn genuine respect being seen as firefighters rather than youth offenders.
- I agree with the finding.
- F6. PGYCC is the only facility of its type in California.
- I agree with the finding.
- F7. The staff at PGYCC is dedicated to fulfilling their mission.
- I agree with the finding.
- F8. No data was provided on: recidivism rates, continuing education, or gainful employment for released wards.
- I agree with the finding.

RECOMMENDATIONS

- R1. Schedule maintenance to paint the dormitories and day room by October 1, 2019. [F1]
- The recommendation has been implemented. Scheduled maintenance completed in June 2019.
- R2. Replace or add insulation to the northern door in bay two to eliminate drafts by October 1, 2019. [F2]
- The recommendation has not been implemented. Maintenance was notified and will correct this recommendation by October 1, 2019.
- R3. Provide data on recidivism rates, continuing education and gainful employment for released wards on the PGYCC website. [F8]
- The recommendation requires further analysis. Grand Jury's recommendation has been forwarded to the Department's IT support. However, since the loss of the Department's parole department we no longer have the ability to track recidivism. This concern has also been identified by our Department and they are actively seeking a solution.

If you have any questions or concerns, please contact me at 209-296-7581.

Sincerely,


Jim Liptrap
Superintendent