

2002-2003 SANTA CLARA COUNTY CIVIL GRAND JURY

INSPECTION REPORT THE SANTA CLARA COUNTY MAIN JAIL

Summary

The Santa Clara County Civil Grand Jury (Grand Jury) inspected the Santa Clara County Main Jail on October 3, 2002. The tour began with a meeting with key jail staff, during which material about the jail was distributed, brief descriptions of their duties given by the jail commanders, managers and supervisors, followed by an extensive question and answer period. The Grand Jury then toured the entire facility, guided by senior staff, with a brief break for lunch midway through the tour. The Grand Jury was at the jail for about five hours.

Department of Correction Mission Statement

The mission of the Department of Correction is to serve and protect the citizens of Santa Clara County and the State of California, by detaining the people under its supervision in a safe and secure environment, while providing for their humane care, custody and control.

The Department will maximize opportunities for offenders to participate in programs that reduce criminal behavior and enhance the offenders' reintegration into the community.

This objective will be accomplished in a cost-effective manner in the least restrictive setting, without compromising public safety.

Description of the County Main Jail

The Facility

The Main Jail is situated near the County Government Center on Hedding Street in San Jose. The building is a multi-story, maximum security structure, with the south wing

originally built in 1956, and a new north wing added in 1989. The north wing was designed to minimize inmate movement within the facility, to increase direct supervision of inmates and to provide direct observation of inmate activities. This arrangement helps reduce tension, intimidation, extortion and acts of violence. The jail is fully self contained, with facilities for original admission and screening, holding areas for persons being transferred to court for trial, permanent cells and dormitories, recreation areas, classrooms, consultation rooms, medical clinic, law library, and a processing kitchen, to name a few. While plain, with a minimum of comfort provided, the facility is clean and appears to be well maintained. Much of the janitorial work in the cell blocks and dormitories is done by the inmates.

The older wing clearly lacks the new technologies of the newer wing. Nonetheless, a number of the guard staff said they prefer to work in the older wing because the more solid, jail-like appearance makes it easier to control inmates. This may be more a psychological perception on the part of the guards, rather than a preference based on real differences in security or inmate management.

Inmates

The jail is intended to handle persons convicted of serious crimes, usually felonies, who fall into one of two populations: (1) Those who have been tried and have been sentenced for a period of up to one year; (2) Those who are awaiting trial, including those charged with capital crimes, who, if convicted, may receive a sentence of one year or more. Persons given sentences of more than one year are transferred to one of the state prisons.

Within both populations, inmates fall into one of four levels of security, with level four being the most secure and made up of the most dangerous persons housed in the jail. An example of behavior exhibited by level four inmates can be seen in the cell blocks. The original floor tiles have been removed because inmates were prying them loose and using broken pieces as weapons. As the Grand Jury toured the jail, the changes in level of security were obvious, both in the nature of the confinement quarters and in the evident privileges granted to inmates. While it is clean and safe, it is not a pleasant place to be. Level Four inmates, the most dangerous, are confined to small cell blocks that measure about 5 feet by 8 feet, each with a cot, a shelf, a toilet and a sink. The inmate spends most of the day in this space, getting out for exercise, showers and programs on a scheduled basis. Lower level prisoners may be housed in dormitories and enjoy a bit more freedom to move around and engage in conversation with other inmates. Main jail population statistics prepared for the Grand Jury by the jail administrative staff are found in Appendix A.

Operations

The Main Jail is operated for the county by the Department of Correction (DOC). It is the most secure of all of the county's jails and holding facilities operated by the DOC, which include the Elmwood Correctional Center Complex for male and female inmates in Milpitas, the North County Jail in Palo Alto and the Brokaw Road Day Reporting Center in San Jose. The DOC provides all operational and unarmed guard staff, while armed peace officers who serve in all of these facilities are provided by and are under the jurisdiction of the Sheriff's Office. On occasion, for example, when correction officers are escorting inmates from the jail to the courthouse, they may be armed by special permission of the sheriff. This dual jurisdiction of the correction officers and the peace officers is a continuous source of friction among the senior administrative staff of both organizations, but the Grand Jury could not detect that this causes any problems in the management of facility staff. During questioning, the Grand Jury learned that this issue is being studied by the Sheriff's Office, the DOC and the Board of Supervisors. Within the DOC, overall jail operations seem to run smoothly. There is a real effort to consolidate services when possible. For example, the warehousing and preparation of food is done for all facilities at the Elmwood Center.

Programs

Using data from studies such as the Bureau of Justice Statistics' recent report, *Recidivism of Prisoners Released in 1994*, the DOC offers a wide range of programs to help inmates gain an education, learn job skills and develop self control and behavior modification. This study shows that inmates released to the community without job skills or drug abuse treatment are often unable to find employment and may be barred from re-entering their home communities. When such persons get reestablished in unfamiliar surroundings, they are very likely to commit crimes and return to prison. Inmates who receive this kind of help are less likely to return to prison. Nonetheless, prison systems are pressured to reduce costs; training programs are often the first to be cut. The Main Jail is no exception. Even so, the following kinds of programs are offered to inmates: Adult Basic Education; Arts and Crafts; English as a Second Language; General Education Diploma; Substances Abuse Program; Public Service; Work Furlough; Weekend Work Program. A recent trend in providing support programs for inmates is allowing a variety of outside volunteer organizations to offer or participate in inmate training programs. This assistance helps prisoners establish contacts they may rely upon when released back to their communities.

Grand Jury Tour

This tour began in the staff dining room where the senior command and administrative staff were introduced to the members of the Grand Jury. Each one explained his/her job duties and responsibilities and answered many questions. The members of the staff are well informed about overall jail operations and about their specific roles in the operation. It is the observation of the Grand Jury that the staff is well trained for their jobs and have compatible working relationships. During the course of the tour it was evident that the staff took pride in its job. We noticed that when telling us about the more disagreeable aspects of managing an inmate population, the staff displayed appropriate professionalism, showing respect for their charges while maintaining necessary control. Brutal treatment of inmates is forbidden, of course, and we saw no evidence of inmate mistreatment. The staff does have ways of intimidating the more difficult inmates, and does not hesitate to use a system of rewards and extra privileges for good behavior and the reverse when inmates step over the line.

One of the problems the senior staff discussed with the Grand Jury was the issue of the split command between the Sheriff's Office and the DOC. This split in jurisdiction began in 1989 when the County Board of Supervisors separated law enforcement (Sheriff) from prisoner confinement (DOC). Each department has its own command organization and each relies on the Board of Supervisors for its budget. The move originally may have had political implications, but today it is viewed primarily as a cost-cutting measure. Correction guards are not usually armed and are paid on a lower salary scale than the armed peace officers in the Sheriff's Office. The Grand Jury has been told by leaders in both departments that over the years, various plans have been proposed to ameliorate the more severe of the problems, but none of these proposals have ever been adopted. Having two lines of command does not seem to interfere with the day-to-day operations of the jails. Friction does occur at times at senior command levels when alleged confusion arises about who is in charge in a given circumstance. However, none of the Main Jail administrators or commanders would admit to this being an impossible situation; all claimed to be able to work within the system. This echoes what the Grand Jury heard at the Elmwood Complex Center and at the Sheriff's Office.

Because of scheduling, the Grand Jury did not get to see any of the programs in operation. We did see some of the murals the inmates have painted on the walls in an effort to decorate the jail. For the most part, these were well done. We also toured the kitchen where we were shown how the food delivery service from the Elmwood Complex is handled. (Elmwood prepares all the meals for DOC facilities.)

Observations and Conclusions

The Grand Jury found the Main Jail complex to be a well-run facility. Based on what we saw, we conclude that the inmates are treated humanely, given excellent health care, and have opportunities to exercise those rights available to prisoners. The DOC offers a wide variety of rehabilitation programs to the inmates, although few, if any, of these are mandatory.

The difference of opinion between the Sheriff's Office and the Department of Correction regarding command jurisdiction is regrettable. The Grand Jury believes that a compromise solution is possible that retains the two departments, may save considerable money and ameliorates any command problems. Given the extreme financial crisis the state and the county are facing, the Grand Jury urges the two departments and the Board of Supervisors to continue working to resolve this issue as quickly as possible.

PASSED and **ADOPTED** by the Santa Clara County Civil Grand Jury on this 20th day of February 2003.

Fred de Funiak
Foreperson

Ron R. Layman
Foreperson Pro Tem

Patricia L. Cunningham
Secretary

References

Main Jail Complex: A general brochure of Main Jail facts and data.

Corrections and Beyond: Department of Correction 2000-2001 Annual Report

Recidivism of Prisoners Released in 1994, Department of Justice Statistics Report.

Appendix A



Main Jail Population Statistics

Thursday, October 03, 2002

James Babcock, Chief
David Gottlieb, Captain

At 5am on: 0/3/2002

Total Pop: 1,207

Average Length of Stay in Days: 135

	Men: 1,195			Women: 12		
	#	%	Length of Stay	#	%	Length of Stay
Felony Sentenced:	106	9%	67.86 days	1	8%	114 days
Misdemeanor Sentenced:	62	5%	67.46	1	8%	2
Felony Unsented:	908	76%	159.1	6	50%	54.66
Misdemeanor Unsented:	115	10%	52.72	4	33%	20

Number of prisoners whose most serious charge at booking is a Felony in one of the following categories:

Vs Person (not sex):	#	%
Sex:	77	6%
DUI:	10	1%
Drug:	215	18%
Prop:	80	7%
Oth Fel:	300	25%
Par. Viol:	29	2%

	Ethnicity:			
	Men		Women	
W:	311	26%	3	25%
B:	189	16%	3	25%
H:	566	47%	4	33%
Oth:	12	1%	0	0%
N/Am:	3	0%	0	0%
Asian:	114	10%	2	17%

Age		
<18:	2	0%
18-24:	253	21%
25-34:	379	31%
35-44:	289	24%
45-54:	132	11%
55+:	41	3%

192 16% Misdemeanor is most Serious Charge: