

A SNAPSHOT IN TIME

An Overview of the Yolo County Jail

SUMMARY

The 2021-22 Grand Jury conducted the mandated annual tour of the Monroe Detention Center (MDC) on November 18, 2021. This report focuses on the conditions of the MDC including mental health, nutrition, visitation, COVID-19 restrictions, grievances, and pre-release efforts. In particular, this grand jury is concerned about the archaic means MDC staff currently use to track grievances and the lack of pre-release planning afforded to inmates. A separate report entitled “**CANCELLED!**” by this YCGJ addresses the topic of inmate visitation.

The grand jury finds that changes are primarily needed in two areas. The grand jury recommends the Yolo County Sheriff’s Office (YCSO) establish a basic computer software program to electronically track inmate grievances, resolutions, and dispositions. The grand jury also recommends that the YCSO prioritize the hiring of a full-time program coordinator to better support inmates in preparing for their release back into our community.

DEFINITIONS

BSCC	California Board of State and Community Corrections, a state agency that conducts biennial inspections of state, county, city, and court detention facilities.
COVID-19	A communicable disease leading to emergency public health measures beginning in March 2020.
HHSA	Yolo County Health and Human Services Agency
LMC	Walter J. Leinberger Memorial Center, and will be the minimum custody inmate housing facility, that is scheduled for completion in December 2022
MDC	Monroe Detention Center, a jail facility for medium and maximum custody adult inmates, originally opened in 1988.
YCSO	Yolo County Sheriff’s Office located in Woodland, California

BACKGROUND

The MDC and Leinberger Memorial Center (LMC) are divisions of the YCSO. The grand jury reviewed prior grand jury reports from the 2014-15 term through the 2019-20 term. Previously, the California Board of State and Community Corrections (BSCC) conducted the 2018-20 biennial inspection of MDC operations on June 12, 2019.

The MDC is a facility rated to house inmates with several different security classifications (minimum, medium, maximum). During the November 18, 2021 tour, the grand jury observed

the areas toured were generally clean and well maintained. There were 254 males and 26 females housed there on the day of the visit. Custodial staffing included 95 non-sworn correctional officers, 4 correctional sergeants, 3 correctional lieutenants, and 1 sworn correctional captain. MDC staff stated that rule violations have declined during the ongoing COVID-19 pandemic.

On March 27, 2020, the YCSO received approval from the BSCC to suspend normal operations at the MDC due to the COVID-19 pandemic. Suspended inmate programs include: inmate education plan; social visiting; exercise and recreation; individual/family service programs; and religious programs. The YCSO must request approval from the state for continued suspension of normal operations on a monthly basis and has done so as recently as April 4, 2022 (Exhibit A). This April 2022 BSCC approval no longer lists *Visitation* or *Inmate Education* as suspended. During the tour, staff discussed current issues impacted by the suspension of the non-essential inmate programs. The emergency suspension of the BSCC standards has meant that non-essential staff and all volunteers have not been allowed to enter the MDC.

APPROACH

Annual visits by the grand jury are mandated by California Penal Code Section 919 (a)(b). The grand jury conducted a tour of the MDC on November 18, 2021. Special permission was needed in this case due to two separate inmate outbreaks of COVID-19 at the MDC during the Fall of 2021. On the day of the tour, detention staff reported there were no positive cases of COVID-19 among the inmate population or staff. As published in the “**CANCELLED!**” report, the general public has been denied the ability to visit inmates at the MDC since March 2020. MDC staff was very accommodating from beginning to end to ensure that the tour was safe for everyone involved.

The MDC areas toured by the grand jury include: intake booking and release, healthcare wing, inmate housing pods, recreation yard, main kitchen, laundry, central control, staff offices/training rooms, and inmate visiting areas. There was no inmate movement during the tour due to the lockdown of inmates in their housing units caused by COVID-19 restrictions. The grand jury interviewed several custodial line staff, supervisory staff, and non-custodial staff, as well as inmates. Jurors reviewed written policies from the YCSO Custody Policy and Procedures Manual specifically pertaining to visiting policies and the inmate grievance policy. The grand jury was provided a copy of the Inmate Rules Handbook.

On December 14, 2021, two jurors returned to the MDC for a follow-up site visit, specifically to review staff logs of inmate grievances. MDC staff was unwilling to provide the jurors with hard copies of inmate grievances for the previous 12-month period. The jurors were instead provided with summary tracking logs to allow for manual counting of the total number of grievances. Approximately 22 pages of the paper tracking logs were reviewed and broken down into categories and sub-categories (EXHIBIT C). The overall process of reviewing the logs was cumbersome and time consuming. After logs were reviewed, the jurors interviewed a staff member knowledgeable about pre-release planning for inmates.

DISCUSSION

Mental Health

MDC staff estimated that 70 - 80% of the inmate population have mental health concerns. At the present time, the Yolo County Department of Health and Human Services (HHSA) contracts with Wellpath¹, a for-profit healthcare provider for correctional facilities for medical, mental health, and dental services at the MDC. Staff noted that Wellpath provides one part-time psychiatrist and one part-time dentist for the whole MDC population.

Nutrition and Laundry

The grand jury toured the kitchen building and an adjacent laundry room. These areas appeared clean and well maintained. Kitchen staff provided a sample meal to the grand jury members. The serving was adequate and nutritious and was said to meet the daily dietary needs of the inmates. The inmates receive two hot meals and one sack lunch per day, which are consumed in their cells. Several inmates interviewed complimented the food served at MDC. Notably, when inmates are disciplined, punishment may include receiving alternative meals. The MDC laundry room was in operation during the tour. Staff and several minimum custody inmates working here appeared content with their jobs.

Visitation

Grand jurors were given a copy of the current MDC visiting policy within the Custody Policy and Procedures Manual. The grand jury inquired about previous grand jury recommendations for an on-line visiting scheduling software program for use by family and friends. The lack of implementation of recommendations is an ongoing issue addressed by the 2021-22 Grand Jury in a separate report entitled "**CANCELLED!**".

COVID-19 Restrictions

There appeared to be excessive isolation among the inmate population due to the current lockdown. Inmates are provided with a minimum of one hour and a maximum of 6 hours of out-of-cell time per day, depending on an individual's security level. It is only during this time that they may enjoy the recreation yard connected to their housing unit, check-out books from the book cart, participate in video education programs, etc. The grand jury observed that inmates are fed in their cells and not in common dining areas, due to continuing COVID-19 restrictions. As mentioned above, volunteers from the public, such as those involved in self-help programs, have not been allowed inside the MDC. The grand jury observed that all staff were masked while the inmate population did not wear masks.

¹ <https://wellpathcare.com/>

Grievances

A copy of the Inmate Grievance Procedure was provided to the grand jury (Exhibit B). The jurors reviewed copies of grievance logs provided by staff to determine which issues were most often grieved by inmates. A total of 630 grievances were submitted by inmates during the 2021 calendar year. As of March 7, 2022, a total of 127 grievances had been submitted for the 2022 calendar year. The handwritten logs did not record the decision or disposition of each grievance (Exhibit C). Each grievance form submitted is given a log number and manually categorized by issue. The five issues most grieved were ranked as: (1) medical; (2) programs; (3) housing; (4) commissary; and (5) complaints against staff. The grand jury was not permitted to inspect copies of the grievances themselves.

The BSCC does not require a computerized grievance tracking system, it only requires that a detention facility have an inmate grievance process in place. The YCSO does not currently have a computerized inmate grievance tracking system. A simple software program would enable analysis and tracking of inmate grievances rather than, or in addition to, the handwritten “binder” system currently used. A basic data tracking system would allow MDC staff and the YCSO to identify trends early on, to promote resolutions, and to allow for prompt, evidence-based action. For example, this would be helpful in quickly determining the exact number of grievances, the category and subcategory of those grievances, and the individual grievances themselves. Additionally, a computerized program would enable greater organization and transparency. The last grand jury to inspect actual hard copies of inmate grievances was the 2015-16 Yolo County Grand Jury.

Staff Concerns

The grand jury interviewed custodial and non-custodial staff on both tour dates. Staff reported that California Assembly Bill 109 (AB 109) resulted in more inmates serving longer sentences in the MDC than before. AB 109, known as Realignment, is a measure passed in 2011 that diverts defendants convicted of less serious felonies to serve their time in local county jails rather than state prisons. Due to those changes, one result was an increase in average levels of criminal sophistication among the inmate population. Staff also expressed concerns with the aftermath of Proposition 47, The Safe Neighborhood and Schools Act, a ballot initiative approved by voters in 2014, which they claim correlates with higher rates of recidivism and potentially increases the average criminality in the inmate population. As a result, safety concerns for staff and inmates have continued to increase. Staff also reported that involuntary over-time had recently occurred as a result of the COVID-19 lockdown. Supervisory staff reported that staffing at the MDC is adequate at this time, although there are currently six vacancies.

Inmate Pre-Release Planning Efforts

Another area of concern is the minimal level of assistance provided to inmates prior to release. Assistance is limited to only those inmates who request pre-release planning and those referred by medical or mental health staff. Housing is the most requested form of assistance from inmates who are pending release. Staff also expressed concern that many inmates are released back into our community with very little or no “case management” or follow-up care surrounding their mental health, drug treatment, or physical health appointments. During the COVID-19 pandemic, staff reportedly tried to assist with emergency housing options however, homeless shelters and other available outside resources were very limited. Newly released inmates are provided with YoloBus vouchers to any part of the county, if they request it. Inmates are not released with any “gate funds” beyond their own possessions and may be released at any time during the day or night. If requested, inmates can seek assistance with job search and placement prior to their release date. Recidivism remains a big concern for Yolo County as inmate recidivism within five years of original conviction sits at over 50%².

There is *no* full-time staff member solely assigned to assist inmates in developing a pre-release plan. There are kiosks in the inmate housing pods with informational handouts regarding available re-entry planning.

MDC staff provided follow-up information concerning pre-release efforts. One staff member’s job duty includes assisting inmates with community re-entry matters, among other assigned responsibilities at the MDC. There are several Yolo County partner agencies that manage inmate cases and assist in release planning, including: HHSA, Probation Department, California Department of Corrections and Rehabilitation (Parole Unit), Office of the Public Defender, and CommuniCare. Staff from these partner agencies normally refer inmates back to the designated staff person at MDC who assists with re-entry planning. Inmates may request substance abuse residential treatment and/or transitional housing through the HHSA referral process.

FINDINGS

- F-1 The current tracking system for inmate grievances (paper, pens) does not lend itself to analysis of the dispositions, tracking or data searching to make reports, discern trends or proactively identify areas of concern.
- F-2 There are inadequate pre-release planning and resources available for inmates pending release.

RECOMMENDATIONS

² <https://www.yolocounty.org/home/showpublisheddocument/65272/637414760246630000>; accessed 04/23/2022

- R-1 The grand jury recommends that the YCSO utilize computer programming already procured and paid for by Yolo County, Microsoft Excel, to establish a simple computerized grievance system. If necessary, the grand jury recommends that the YCSO request funding from the County Board of Supervisors to fund a basic computerized grievance system. This should be completed by December 31, 2022.
- R-2 The YCSO should develop a procedure and train staff to use the computerized grievance tracking system by December 31, 2022.
- R-3 The YCSO should prioritize the hiring of a full-time program coordinator to better support inmates in preparing for their release back into our communities, by December 31, 2022.

COMMENDATIONS

It should be noted that the grand jury was not made aware of any formal complaints from the public regarding the MDC.

REQUIRED RESPONSES

Pursuant to California Penal Code Section 933.05, the YCGJ requests a response from the Yolo County Sheriff to Recommendations R-1 through R-3 by October 1, 2022.

EXHIBIT A: BSCC approval to the Yolo County Sherriff's Office to continue to suspend standards at the MDC, April 4, 2022.



TO: Tom Lopez, Yolo County Sheriff
FROM: Linda Penner, Chair, Board of State and Community Corrections
DATE: April 4, 2022
RE: COVID-19 EMERGENCY SUSPENSION OF STANDARDS THROUGH May 3, 2022

In response to the COVID-19 pandemic, and in accordance with federal, state and local public health guidance and directives, the Yolo County Sheriff's Office requested emergency suspension of the following standards in their local detention facilities:

- 3/20/2020 § 1065. Exercise and Recreation.
- 3/20/2020 § 1070. Individual/Family Service Programs.
- 3/20/2020 § 1072. Religious Observances.

The BSCC has reviewed your request for suspension of standards and plans to mitigate impact of the suspension. I hereby grant the Yolo County Sheriff's Office's request for Emergency Suspension of Standards pursuant to Title 15, Section 1012, Emergency Suspension of Standards, **until May 3, 2022**. Prior to May 3, 2022, BSCC staff will contact you or your designee to determine whether the agency anticipates continuing the emergency suspension of standards.

The BSCC will consider and grant requests for continued emergency suspensions of standards in 30-day increments.

If you need any assistance, or your agency suspends additional standards please notify your assigned Field Representative immediately.

Thank you,

LINDA PENNER
Chair

EXHIBIT B: Yolo County Sheriff's Office's Detention Division Policy Manual

**YOLO COUNTY
SHERIFF'S OFFICE**

**DETENTION DIVISION
POLICY MANUAL**

TITLE: Inmate Grievance Procedure

S.O. NO.: R - 400

EFFECTIVE DATE: 07/01/02

REVISION DATE: 07/09/03
01/31/07
12/15/09
01/16/15
06/09/16
02/08/17

POLICY:

A viable complaint process is available to inmates to allow systematic redress of conditions relating to confinement. All complaints shall receive written, signed response within a reasonable period of time.

GENERAL INFORMATION:

This policy encourages internal problem solving at the level of most direct inmate contact. Additionally, it offers the facility a means for continuous review of administrative policy and decision as well as acquiring written documentation of an incident for possible subsequent judicial reviews. A viable grievance procedure reduces the numbers of court filed suits. Should a case come to court, acquired documentation may facilitate a speedier decision. The grievance procedure shall function as the proper appeal method for dispositions passed by the institution discipline committee or for minor disciplinary action.

REFERENCES:

Title 15 Section 1073

DEFINITIONS:

GRIEVANCE: A circumstance action considered to be unjust and grounds for complaint or resentment.

TORT CLAIM: A wrongful act (not involving a breach of contract), which results in an injury, loss or damage, for which the injured party can bring civil action.

PROCEDURES:

INFORMAL RESOLUTION:

Informal resolution between the inmate and staff member is strongly encouraged. If the inmate cannot find an informal solution and wishes to utilize the grievance procedure, he/she shall file their complaint with the housing unit officer for processing. If dissatisfied with the housing unit officer's solution, the inmate may appeal to the Correctional Sergeant.

FILING PROCESS:

An inmate may mail the complaint or file a lawsuit directly with the appropriate court. Inmates should be so advised, however, that courts frequently require evidence that grievance procedures have been exhausted before ruling on a complaint. Grievances shall be submitted by individual inmates. Mass grievances by groups of inmates are unacceptable. Grievances with foreign substances on it will be rejected. Inmates shall limit the text of the complaint to the space provided on the grievance form.

PROGRAM RESPONSIBILITY AND PROCESSING:

Program operation shall be the responsibility of the Correctional Lieutenants. The investigation of complaints and drafting of reply shall be accomplished by a Correctional Lieutenant or their representative and subject to review by the Detention Commander.

NOTIFICATION:

All inmates shall be advised of this grievance procedure policy statement. This shall be addressed through, but not limited to, all inmate bulletin boards, inmate publications and the admission/orientation process.

RECORD KEEPING:

The Correctional Lieutenants shall maintain a log of grievances filed under this procedure.

USE OF THE GRIEVANCE FORM:

Every effort will be made to resolve grievances at the lowest level. An inmate wanting to file a grievance will request an inmate grievance from the Pod officer. After completion, the grievance will be forwarded to the Correctional Lieutenants.

The Correctional Lieutenants will assign a log number for the grievance. The name of the inmate and the nature of the complaint will be documented in the logbook along with the date received, the name of the staff member assigned to respond to the grievance and the date the grievance was answered and returned to the inmate.

A copy of each grievance answered will be filed in a binder in the Correctional Lieutenant's office. The original will be returned to the inmate.

LEVEL ONE:

The Correctional Lieutenant will review the grievance and assign it for response.

Within a reasonable amount of time, the assigned officer will either provide a resolution for the grievance or advise the inmate that he/she is unable to resolve the matter. In either case, the responding officer will write his/her actions in the appropriate area of the grievance form. A copy of the answered grievance will be forwarded to the Correctional Lieutenants for review and placed in the grievance binder in the Lieutenants office. The original will be returned to the inmate. If the inmate is dissatisfied with the level one response, the grievance can be appealed to the next level within (72) hours. The inmate will sign the original and a copy of the original grievance and initial and date acknowledging he/she received a copy and has acknowledge they have (72) hours to appeal the decision. A copy of the grievance and the original will be taken to the inmate to acknowledge that they have received the first level review. The inmate shall initial / date each grievance and be given the original grievance. The copy will be placed in the binder in the Lieutenants office.

LEVEL TWO:

A grievance can be directed to level two by inmate appeal. Level Two provides a review by the Lieutenants.

Personnel reviewing the grievance at level two will either provide a resolution or respond as "unable to resolve" within a reasonable amount of time. Any action by level two personnel will be recorded on the original grievance submitted for appeal. A copy of the grievance and the

original will be taken to the inmate to acknowledge that they have received the second level review. The inmate shall initial / date each grievance and be given the original grievance. The copy will be placed in the binder in the Lieutenants office.

LEVEL THREE:

If the inmate is dissatisfied with the level two resolution, the grievance may be appealed to the final level. Return the grievance to the Lieutenants to be logged and forwarded to the Jail Commander. The Jail Commander will review and record comments or resolutions and return within a reasonable amount of time. A copy of the grievance and the original will be taken to the inmate to acknowledge that they have received the third level review. The inmate shall initial / date each grievance and be given the original grievance. The copy will be placed in the binder in the Lieutenants office. Review by the Jail Commander will be the final administrative remedy available to the inmates in the inmate grievance process.

EXCEPTIONS:

This policy statement shall not be construed to affect, in any way, the separate procedure established pursuant to the Federal Tort Claims Act, the Claims for Inmate Injury Compensation or other applicable statutes.

EXTENSIONS OF TIME PERIODS:

The periods of time referred to for action by the reviewing officials may be extended for a like period if findings indicate that the initial period is insufficient to make an appropriate decision. This shall be communicated in writing to the complainant.

INMATE ABUSE OF THE GRIEVANCE PROCEDURE:

The Jail Commander may order a limit of the number of grievances by an individual inmate should it appear if the grievances are in excessive in number and of frivolous in nature. The Correctional Lieutenants will evaluate the potential abuse and advise the Jail Commander. When abuse is determined, the inmate will be limited to two grievances a month.

Detention Commander

Date

EXHIBIT C: Copy of Grievance Log in 2021

Grievance #	Inmate Name & Booking	Complaint	Assigned to	Date Received First Level	Date Returned First Level	Assigned to	Date Received Second Level	Date Returned Second Level	Date Received Third Level	Date Return Third Level
21-001	[REDACTED]	MEDICAL	[REDACTED]	1/5	1/13					
21-002	[REDACTED]	MEDICAL	[REDACTED]	1/5	1/13	[REDACTED]	1/10	2/2		
21-003	[REDACTED]	MAIL	[REDACTED]	1/5	1/13	[REDACTED]	1/14	1/15		
21-004	[REDACTED]	CLEANING	[REDACTED]	1/5	1/7	RESOLVED				
21-005	[REDACTED]	SHOWER	[REDACTED]	1/5	1/7	RESOLVED				
21-006	[REDACTED]	CLASS	[REDACTED]	1/5	1/6	[REDACTED]	1/11	1/12		
21-007	[REDACTED]	TIME CALC	[REDACTED]	1/5	1/7	[REDACTED]	1/11	1/11	1/15	1/22
21-008	[REDACTED]	TV	[REDACTED]	1/5	1/6	:				
21-009	[REDACTED]	MEDICAL	[REDACTED]	1/5	1/13	[REDACTED]	1/21	1/21		
21-010	[REDACTED]	TIME CALC	[REDACTED]	1/5						
21-011	[REDACTED]	MAIL	[REDACTED]	1/5	1/13					
21-012	[REDACTED]	MEDICAL	[REDACTED]	1/5	NIC					
21-013	[REDACTED]	VISIT	[REDACTED]	1/5						
21-014	[REDACTED]	CLOTHING	[REDACTED]	1/8	1/12	[REDACTED]				