



*SISKIYOU COUNTY  
CIVIL GRAND JURY*

*2023/2024*

*REPORTS*



COVER PHOTOS BY DENNIS SMITH

# 2023-2024 Civil Grand Jury Glossary

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## 2023/2024 Civil Grand Jury

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*Siskiyou County Grand Jury recruitment is open.*

If you are interested, applications are available on the County website:

[www.co.siskiyou.ca.us/cgj](http://www.co.siskiyou.ca.us/cgj)



# FOREPERSON'S COMMENTS

## Foreperson's Comments

The role of the Civil Grand Jury is to serve as a watchdog, working to assure that the our local government serves the citizens' interests efficiently, effectively, and accountably.

The work of the Jury is undertaken by up to 19 citizens representing many viewpoints, backgrounds, and experiences, from across the county. The Jury investigates complaints when appropriate, undertakes inspections of county correctional facilities, and examines at least one county agency each term. Not all Jury actions result in reports.

While the Civil Grand Jury has broad authority to collect, evaluate and report on the local government that has been created to serve the public's needs, the Grand Jury's authority ends when the reports are written and distributed. The Grand Jury has little or no power to implement changes. The power of change rests with the citizens of Siskiyou County. Please take the time to read this year's report and learn about the challenges Siskiyou County is facing.

As this Grand Jury term ends I would like to express my profound gratitude to each juror who served. It was an honor to serve as the foreperson. The 2023-2024 Civil Grand Jury was a very committed group of citizens who overcame many obstacles to get the job done. Thank you for your time and service.

More information on how to become a Civil Grand Juror can be located on the Siskiyou County website ([www.co.siskiyou.ca.us/cgj](http://www.co.siskiyou.ca.us/cgj)). You may also contact the Court as noted below. Serving on the Jury is both rewarding and critically important for the health and future of Siskiyou County.

Kelly Atchley, Foreperson  
Siskiyou County Civil Grand Jury

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# JAIL OVERCROWDING

## *The County has an Option*

### SUMMARY

Siskiyou County is faced with a serious public safety issue: the Siskiyou County Jail remains overcrowded. The Grand Jury has, for at least the past 12 years, repeatedly reported on the overcrowding crisis at the County jail. Previous efforts to address the overcrowding problem have failed. Without a specific plan to create additional jail space, the overcrowding crisis will not be resolved.

Each day, approximately 2 to 3 suspected and/or convicted felony offenders are released back into the community because the County jail is at maximum capacity. County leadership is aware of the overcrowded jail conditions however they are not addressing the problem.

Voters in Siskiyou County share responsibility in the continuation of jail overcrowding. On two separate occasions, voters rejected ballot initiatives that would have augmented the \$27 million received from the State to build a new and modern jail. The current jail was built in 1988.

The County has an existing 40-bed correctional facility that is currently not being used for its built purpose of housing offenders.

The Charlie Byrd correctional facility was identified as the Charlie Byrd Youth Corrections Center (Juvenile Hall) while it was housing juvenile offenders. The County is now referring to it as Charlie's Place, as noted on the County website. For this report, it is referred to as the Charlie Byrd correctional facility to provide clarity that the building is a correctional facility.

The Charlie Byrd correctional facility was originally built for juvenile detention. The facility design is compatible for and meets the basic standards for housing adult offenders. The facility, whether juveniles or adults being housed within its walls, was constructed as a correctional facility. The 40 bed Charlie Byrd correctional facility could be utilized as a branch of the County jail to house adult offenders and provide relief for the current overcrowding crisis.

Presently, the Probation Department, with the approval of County leadership, is in the process of converting this vacant correctional facility into office space for their departmental staff. The funding for this conversion is set at \$250,000. The offices were framed out during our visits with an anticipated completion date by the end of 2024.

This conversion of a correctional facility is not a typical office remodel, and a transformation of this magnitude could have been publicly debated, especially when the County is in dire need of inmate bed space.

The County has other options for office space but not for adult jail space. These office space options were rejected by the Probation Department and the County leadership.

***The taxpayers built the Charlie Byrd correctional facility less than 20 years ago and the taxpayers should get an operational correctional facility in return. This is paramount to public safety for the County.***

## **GLOSSARY**

ADA – Americans with Disabilities Act  
ARPA – American Rescue Plan Act  
BOS – Board of Supervisors  
BSCC – Board of State and Community Corrections  
FTA – Failure to Appear

## **BACKGROUND**

Prior to the 2023-2024 Grand Jury initiating their annual inspection of the Siskiyou County jail, research was completed which identified the jail overcrowding crisis for the past 12 years. Previous Grand Juries have consistently reported on the overcrowding at the jail dating back to at least 2012.

During the initial tour of the Siskiyou County jail, it was verified that the jail is still overcrowded and that 2-3 suspected and/or convicted adult felony offenders are being released back into the community **EVERY DAY** due to a lack of bed space.

Further research revealed that Siskiyou County has a 40-bed correctional facility (Charlie Byrd Youth Correctional Center) that currently is not being utilized for its intended purpose. The Charlie Byrd correctional facility originally detained juveniles up until 2019, but now juveniles requiring detention housing are being contracted out to other counties. Understanding that the County jail is consistently overcrowded and that a centrally located 40-bed correctional facility remains unutilized for its intended purpose prompted this investigation.

During the first tour of the Charlie Byrd correctional facility, it was discovered that the Probation Department is converting the correctional facility into office space.

## **METHODOLOGY**

Members of the 2023-2024 Grand Jury conducted approximately two dozen in-person interviews with County staff and elected officials. Extensive research was conducted that included reviewing BOS meeting minutes for the past 8 years, annual budget reports, and a variety of documents provided by different County entities. Additionally, the Jury reviewed the 2011 Public Safety Realignment Act, State and County websites pertaining to Public Safety, California Department of Justice website, California Department of Tax and Fee Administration and local and national news articles. The Grand Jury also completed two tours, each of the Charlie Byrd correctional facility and of the County jail.

## **DISCUSSION**

### **HISTORY OF OUR JAILS:**

#### **County Jail:**

The County Sheriff operates the jail. The current Siskiyou County jail was opened in **1988** in Yreka with an operational capacity for 68 offenders. Its current location is one block from the Courthouse and the Sheriff headquarters. Since its initial opening, the jail has managed to increase its capacity to 104 inmates. Currently the jail only houses adult felony offenders. Due to its age and design, the jail faces ongoing maintenance issues, has no room to expand, has limited space for ADA inmates and lacks facilities for long term incarceration.

#### **Charlie Byrd Correctional Facility:**

The Charlie Byrd correctional facility is a multimillion-dollar correctional facility that was opened in **2006** as a juvenile detention center. It was operated by the County Probation Department. It sits on County property located on Sharps Road in Yreka and has a bed capacity of 40. Its location is within three miles of the County jail and the courthouse.



The design of the Charlie Byrd correctional facility is very similar to adult jail facilities built over the last 30 years and has design aspects that are found in both adult and juvenile facilities. The cells, showers, dayroom areas, exercise yard, kitchen and Health Care facilities are all consistent with an adult operation (The lead writers have decades of experience in this field). The two housing units are managed by one control booth that oversees each area. The control booth has a control panel that controls all cell doors, ingress/egress doors to and from the housing units, lighting, etc.

In 2019, the facility shut down operations as a juvenile detention center due to lack of offenders. All youth offenders requiring detention housing are now contracted out to other counties. The Charlie Byrd correctional facility is more modern (18 years newer) than the County jail and offers Siskiyou County the opportunity to operate it as a branch to the County jail. The closing of the Charlie Byrd correctional facility netted the County \$3 million in annual savings.

**Note: Currently the Charlie Byrd correctional facility is no longer certified as a Correctional Facility.**

### **WHY IS THE JAIL OVERCROWDED:**

- Crime is increasing within Siskiyou County, which was validated through the crime statistics listed on the California Department of Justice website.
- The County jail has no room for expansion to create additional inmate bed space.
- The citizens of Siskiyou County failed to approve two sales tax increase measures to fund building a new jail.
- The BOS rejected funding for the staffing and operational expenditures for the expansion of the Charlie Byrd correctional facility (refer to plan B on the next page).
- Jail staff reported that there is a rise in felony offenders committing crimes while awaiting trial for their initial offense. These individuals are those who have been released back into the community due to overcrowding at the jail or by court order.
- The 2011 Public Safety Realignment Act requires that certain felony convictions are no longer sentenced to a state prison term and must serve their sentence in the county of conviction. This realignment greatly impacted local jail overcrowding.
- FTAs - Every individual that fails to appear for their court date negatively impacts the judicial process.

**Note: Siskiyou County has one of the smaller jails per capita in the State.**

### **FAILED ATTEMPTS TO ADDRESS OVERCROWDING**

Siskiyou County had a Plan A and Plan B for the construction of a new jail. Both attempts failed and the \$27 million grant fund received from the State for construction of a new jail was returned.

#### **Plan A - Proposed new jail on Foothill Drive in Yreka:**

The County purchased land on Foothill Drive in Yreka to build a new 180 bed jail. Plans were drawn up prior to 2014 and after construction bids were received, the \$27 million State grant was not going to be sufficient to cover the costs. Ballot initiatives were presented to the voters to increase the local sales tax by .25% to cover the funding gap to build the new jail. The voters rejected the initiatives in 2014 and 2016, respectively. At some point the voters will need to decide if they want to maintain the quality of life here in Siskiyou County and rally behind changes that may include some form of tax increase to ensure public safety is a priority.

**Note: Per the California Department of Tax and Fee Administration, Siskiyou County has the lowest sales tax rate in the State (7.25%).**

#### **Plan B - Proposed new jail expansion of the current Charlie Byrd correctional facility:**

After the failed attempts to fund the new jail on the Foothill site, a new 120 bed jail plan was presented to the BOS by the previous Sheriff that would build onto the current 40-bed Charlie Byrd correctional facility utilizing County owned property and staying within the \$27 million grant budget. Plan B had an estimated annual budget increase of \$1.2 million in operational costs.

***The proposed budget increase was summarized at the December 8, 2020, BOS meeting. \$960,000 to the Sheriff's budget to operate a new facility and \$267,000 for the Public Health Division.***

The BOS on December 8, 2020, rejected the plan due to the \$1.2 million increase in the Sheriff's annual budget. The \$27 million State grant fund was returned to the State.

During this investigation and specific to this jail expansion plan (Plan B), numerous items of interest were uncovered:

- The \$3 million annual savings from closing the juvenile operation at the Charlie Byrd correctional facility was not reserved as a jail funding source nor was it considered as an offset to the projected \$1.2 million increase in annual operating costs.
- The projected \$1.2 million increase in annual operating costs would not have been necessary until the Charlie Byrd correctional facility expansion was completed and operational (approximately three years to construct).
- After the rejection of Plan B, the BOS have had no further discussion on jail overcrowding as recorded in their meeting minutes since the December 2020 rejection. In the three plus years since the December 2020 rejection, there has been NO mention of the jail NOR any discussion of jail overcrowding in BOS minutes.

### **HOW DOES JAIL OVERCROWDING AFFECT THE COUNTY:**

Felony offenders who should be in jail are released back into the community due to a lack of bed space. This has a direct effect on public safety, negatively impacting citizens and businesses alike.

Many felony offenders who are released from custody are failing to show up for their court dates and this negatively impacts the entire Judicial process. Parole/probation violators and individuals with warrants often serve little or no time in jail because of the overcrowding crisis.

An example of the impact on the Judicial process:

- Many inmates being released from custody due to overcrowding are provided a court date and sign a 'Notice to Appear' agreement.
- The court date is logged into the Court and District Attorney's calendars.
- The Judge, Court staff, Prosecutor and possibly a Public Defender are required to be in attendance for the scheduled court hearing. When an inmate fails to appear (FTA), these resources are wasted.
- A new court date is provided, and a warrant is issued.
- Each FTA delays the Judicial process for everyone involved, adds additional costs, and slows down the cycle of getting offenders through the courts.

The above-listed inefficiencies brought on by jail overcrowding are costing the County taxpayers money.

***Note: The courts are assisting in reducing overcrowding by utilizing sentencing guidelines such as split sentences where applicable. A split sentence involves combining variables such as time already served, and possible probation.***

### **POST CONVICTIONS AND HOW THEY AFFECT THE COUNTY:**

Post convictions are described as individuals that are convicted in a court of law for a felony crime and sentenced to a specific amount of confinement time. Due to the numerous changes in California sentencing laws, many felony convictions are no longer sent to State prison to serve the sentence. Counties where the felony crime was committed are now responsible to fulfill the Court's order. Unfortunately, some of those felony convictions that require a jail sentence are not being fulfilled here in Siskiyou County due to the lack of available bed space for long term confinement. This results in convicted felons being released back into the community without having to serve the term of their conviction. This investigation revealed that if the Charlie Byrd correctional facility were utilized as a branch of the County jail, it would create additional jail space to house more convicted felons sentenced to County time.

## **IS THERE A LEGAL IMPACT FOR THE COUNTY IF JAIL OVERCROWDING IS NOT RESOLVED?**

There is the possibility of court intervention. The US Supreme Court ruling in Plata v. Brown states that the court has ordered that inmate populations in California prisons must be reduced due to overcrowding. This ruling may impact County jail conditions as well.

## **DOES THE COUNTY HAVE A PLAN TO ADDRESS THE JAIL OVERCROWDING CRISIS?**

**The answer is no.** There is currently no proposed plan to address the issue. Many of those interviewed for this investigation openly acknowledged that jail overcrowding is an issue. There has not been any public discussion among the County leadership since December 2020 regarding the crisis.

Jail space is at a premium for most counties within California. Siskiyou County is one of the few, if not the only county, which has a 40-bed correctional facility already built and not being used for its intended purpose.

Throughout the many interviews conducted, we heard only one mention about utilizing the Charlie Byrd correctional facility as a branch of the County jail. In a response to the 2021/2022 Grand Jury jail inspection report, the current Sheriff spoke to the utilization of the Charlie Byrd correctional facility as a secondary facility to house adult offenders. The Sheriff stated in his response that a feasibility study should be completed by November 1, 2022. No record of a feasibility study could be located during this investigation.

The Sheriff is responsible for mitigation of jail overcrowding and should be pro-active in developing a plan to address the jail overcrowding. The Sheriff, and the Board of Supervisors should be strong advocates to ensure that a plan is brought to realization. The citizens need to be included and supportive of an appropriate solution.

## **COUNTY OPTIONS FOR REDUCING or ELIMINATING OVERCROWDING AT THE JAIL:**

The options for reducing or eliminating overcrowding are limited. The County could build a new jail, expand, or rebuild the deteriorating current jail, contract to house offenders in other counties, or open the Charlie Byrd correctional facility as a branch of the County jail.

## **WHY IS THE CHARLIE BYRD CORRECTIONAL FACILITY THE BEST OPTION FOR THE SHERIFF TO ADD ADDITIONAL JAIL SPACE?**

The Charlie Byrd correctional facility was originally constructed to house youth offenders. The construction design is compatible to the housing of adult offenders (The lead writers of this report have decades of experience in this field). Built in 2006, this correctional facility sits on County property located on Sharps Road in Yreka and has a bed capacity of 40. Its location is within three miles of the County jail and the courthouse. The proximity could allow for certain shared services between the County jail (cost savings).

The Charlie Byrd correctional facility also offers the ability for future expansion if needed. It has areas within the facility that could be used for rehabilitation and mental health programs. It could also accommodate long-term sentences requiring a county commitment.

Although there may be costs associated with bringing the facility into State compliance to house adult inmates, those costs cannot be identified nor realized until a thorough inspection is completed by the Board of State and Community Corrections (BSCC) for the facility to be re-certified as a correctional facility.

Additionally, the facility could provide space for the Sheriff to establish a central location for all vehicles under his command. Possibilities could include placing the patrol division there, open office space for the detectives who currently operate out of the County Administration building or with future planning, move the entire Sheriff operation to the facility.

## **WHY ISNT THE COUNTY USING THE CHARLIE BYRD CORRECTIONAL FACILITY AS A JAIL?**

The County is in the process of converting the Charlie Byrd correctional facility to office space for the Probation Department. The County has other options for office space, but they do not have any options for additional jail space other than the Charlie Byrd correctional facility. **The Grand Jury investigation did not uncover any justification to alter a fully functional multi-million-dollar correctional facility from its intended purpose.** Further, the County offered the use of modular buildings, on county owned land, with necessary utilities, for new office space. This offer was rejected by the Probation Department.

The Charlie Byrd correctional facility is constructed of all steel and concrete and includes the required fire sprinkler system. The current modifications being made at the Charlie Byrd correctional facility involve building a fully enclosed office space using lumber (flammable material) in each housing unit's dayroom areas. In addition, office cubicles will be utilized for additional office space outside of the wood structures. The office units and cubicles will be wired for electricity and lights will be installed. The construction of the wood framed office units could compromise the existing fire sprinkler system.

The Grand Jury learned that the construction modifications occurring at the Charlie Byrd correctional facility are being performed by the County General Services Division. The investigation further revealed that no building inspection has been completed for the remodel of the Charlie Byrd correctional facility. The primary purpose of an inspection by a certified building inspector per the California Code of Regulations, Title 25, Section 1018 is to ensure the work being completed is safe and in compliance with building, electrical, plumbing and fire codes.

## **FUNDING FOR CHARLIE BYRD CORRECTIONAL FACILITY AS A BRANCH OF THE COUNTY JAIL:**

The Grand Jury recognizes that the annual budget to operate a branch jail will be significant, but necessary. It may require a joint approach to funding including general funds, grants, or additional taxes, which the citizens would need to support.

To establish the annual funding requirements for operating Charlie Byrd correctional facility as a branch jail, a staffing package along with an operational expenditures budget will need to be developed. Siskiyou County, like most rural counties, has funding obstacles different from those counties in large metropolitan areas. While the general fund revenue over the past three fiscal years has increased by about 22%, adding additional operational costs to future budgets could be a challenge to accommodate, but not impossible. The County could again explore available State funding options related to public safety/jails.

Another option to fund the annual operating costs could be through a district tax designated for operating the Charlie Byrd correctional facility as a branch jail. A clear and concise statement with countywide exposure would be required for any future ballot initiative regarding public safety to be successful.

## **CONCLUSION:**

The citizens of Siskiyou County SHOULD get involved in addressing the jail overcrowding crisis. On average, 2 to 3 felony offenders are released back into the community each day from the County jail due to lack of bed space. The Sheriff should be a strong advocate for additional jail space.

Siskiyou County is a beautiful area with a unique quality of life. There is something special about the small-town atmosphere, knowing your neighbors and the willingness to help and support each other that you do not find in metropolitan cities. Yet, we have the same types of crime being committed here as those found in larger cities. Those committing serious crimes need to be detained in a jail environment. If they are released back into the community due to overcrowding, it places public safety at risk.

The economy in Siskiyou County was crippled when the large lumber mills closed, and the related jobs disappeared. Much of the revenue for the County's general fund is provided through property taxes. The voters

will need to decide at some point if they want to maintain the quality of life here in Siskiyou County and rally behind changes that may include some form of tax increase to ensure public safety is a priority.

On two separate occasions (2014 and 2016), Siskiyou County voters have rejected ballot initiatives that would have augmented the \$27 million from the State grant given to build a new and modern jail. The ballot initiatives would have increased the sales tax by .25%. To put that in perspective, the tax increase on \$100 spent would have been an additional 25 cents. Residents of Siskiyou County need to recognize the importance of housing felony offenders in jail pre-trial and post-conviction.

The County is allowing an already built correctional facility to be altered to provide office space. The Charlie Byrd correctional facility has 40 beds for offenders and is more modern (18 years newer) than the County jail. This investigation identified a lack of future planning to correct the overcrowding crisis on behalf of the County.

***Even if all the recommendations within this report are fulfilled, the County is still faced with an aging County jail that at some point in the future will need to be replaced.***

***The lead writers of this report have extensive Law Enforcement/Peace Officer experience specializing in auditing/reviewing operations of State Prisons, Youth Facilities and County Jails.***

**PICTURES OF THE CHARLIE BYRD CORRECTIONAL FACILITY (Before and during construction).**





## **FINDINGS**

- F1 The Siskiyou County jail does not have sufficient bed space for adult felony offenders.
- F2 The County leadership has not addressed jail overcrowding since 2020.
- F3 Siskiyou County owns a modern multi-million-dollar 40 bed jail available to house adult offenders.
- F4 The County failed to keep the Charlie Byrd correctional facility certified as a correctional facility.
- F5 The Charlie Byrd correctional facility is being converted to office space, eliminating its ability to operate as a correctional facility.
- F6 Office space options exist within the County to accommodate the Probation Department elsewhere.
- F7 The County did not get documented required inspections by certified building inspectors for work completed on Charlie Byrd correctional facility by County staff.

## **RECOMMENDATIONS**

- R1 The Sheriff should present a plan to reduce/eliminate overcrowding at the Siskiyou County Jail to the Board of Supervisors by February 2025.
- R2 The BOS, in conjunction with the Sheriff, should identify and decide on a plan for funding the operational costs for Charlie Byrd correctional facility as a branch jail facility by January 2025. This may entail new grants, new taxes and/or shifts in funding from other priorities.
- R3 Utilize the Charlie Byrd correctional facility as a branch of the County jail operated by the Sheriff by July 2025.
- R4 The County should have the Charlie Byrd correctional facility recertified by June 2025.
- R5 By December 2024, the Board of Supervisors should act to remove the building modifications at the Charlie Byrd correctional facility to have it returned to its original design build.
- R6 Relocate the Probation Department out of the Charlie Byrd correctional facility by March 2025.
- R7 Develop a policy and procedure by January 2025 whereby General Services work gets building department review and inspections on projects involving occupancy changes, significant structural changes, electrical work, plumbing and any changes that compromise fire sprinkler coverage.

## **REQUEST FOR RESPONSES**

The following responses are required pursuant to Penal Code sections 933 and 933.05:

From the following individuals:

- Siskiyou County Sheriff R1, R2, R3

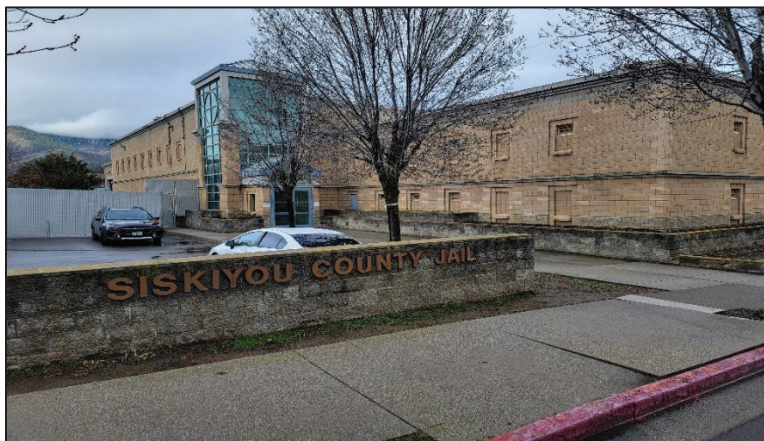
From the following governing bodies:

- Board of Supervisors R2, R3, R4, R5, R6, R7

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.



# SISKIYOU COUNTY JAIL INSPECTION REPORT



## SUMMARY

Jail overcrowding is again the top issue with the jail operation. **Presently, on average, 2 or 3 felony offenders are released daily due to overcrowding.** For at least the past 12 years, the Grand Jury has identified the overcrowding crisis in each of its jail reports. At this time there is no plan in place to address this on-going crisis.

The Civil Grand Jury conducts annual inquiries into the condition and management of correctional facilities located within the county. Jail management, particularly overcrowding, is of concern to the public. Siskiyou County has one of the lowest beds per capita in all of Northern California, making it one of the smallest county jails in the State, according to the Board of State and Community Corrections. The Siskiyou County Main Jail is one of two jail facilities located in Yreka, but it is currently the only one operational jail serving the county. The second jail, the Charlie Byrd detention facility, is not being used to house inmates.

The Siskiyou County Jail is at an age when maintenance costs will continue to increase to address all the different components within the building requiring repair, replacement and/or upgrades. A budget increase for maintenance of the jail may need to be considered for future fiscal years.

The 2011 Public Safety Realignment (AB 109 and 117, Proposition 47 and 57) has had a negative impact on Siskiyou County. The effects of the decriminalization of certain crimes, changes to the Penal Codes, closure of State Prisons and the burden of retaining certain convicted felons within the County of offense has impacted the ability for the Sheriff to keep felony offenders locked up and off the streets due to limited space at the jail.

If our jails do not have the space to house offenders, those offenders are released back into the community. This has created an environment whereas a person arrested with a felony offense must be judged against a person currently housed within the jail with a felony offense to determine which one is the lesser risk factor to release back into the community due to lack of bed space. This procedure is a daily practice in our jail. The inmate release information regarding overcrowding is not readily available to the public and not well known by County elected officials.

The individual who is released from custody due to overcrowding, is given a 'Notice to Appear' for court on a specified date/time. Unfortunately, after reviewing documents, a remarkably high number of these individuals failed to appear (FTA) for their court date. Even with a bench warrant issued, those individuals are rarely held accountable. Many individuals have multiple FTAs on their record. More than 95% of the inmates in the jail are awaiting trial. Inmates that are convicted and sentenced for a felony offense and do not qualify for State Prison are released with time served, often without probation supervision.

This report outlines findings and recommendations about issues regarding visitor procedures, health equipment, inventory, food services, public notifications, and safety/security concerns.

## **GLOSSARY**

AB109 –	Assembly Bill 109
AB117 –	Assembly Bill 117
ADA –	The Americans with Disabilities Act
BSCC –	Board of State and Community Corrections
CAL/OSHA –	California Occupational Safety and Health Administration
FTA –	Failure to Appear

## **BACKGROUND**

Penal code section 919(b) stipulates that the Grand Jury conduct an annual inquiry into the condition and management of correctional facilities within the county.

## **METHODOLOGY**

Members of the Grand Jury , several of whom have extensive experience in jail management, conducted in-person interviews with staff of the Sheriff’s office regarding operational procedures, staffing, maintenance, and safety of the Siskiyou County Jail, located in Yreka.

The Grand Jury also toured and conducted an inspection of the jail on two occasions. Upon the conclusion of the tours/inspections, the Grand Jury conducted question-and-answer sessions with jail staff. The jail staff provided all documents requested by the Jury.

The Grand Jury referenced the Board of State and Community Corrections (BSCC) Title 15 and Title 24 (Minimum Standards for Local Detention Facilities). The Siskiyou County Sheriff Custody Policies and Procedures manual was also reviewed.

## **DISCUSSION**

The BSCC does a periodic inspection of all jails in California. The jury reviewed the most current state inspection report for Siskiyou County issued in 2022. The BSCC report noted two deficiencies; a malfunctioning shower and missing floor tile.

The Siskiyou County Jail was constructed in 1988 with an operational capacity to hold 68 offenders. Over the course of time, the jail has managed to increase its operational capacity to hold 104 offenders utilizing double bunks within its housing units. No misdemeanor offenders are housed within the jail. **Every inmate housed in the jail is charged with a felony offense.**

The Siskiyou County Jail is 36 years old. Due to its age and design, the jail faces ongoing maintenance issues. The jail does not have room for any expansion; thus the 104-bed capacity is the limit. The current bed space is not sufficient for the number of felony offenders within the County. The County does have a more modern 40 bed detention facility that is not being utilized.

Siskiyou County currently and will continue to have a problem housing felony offenders due to lack of available bed space. This has the potential to directly impact the health and safety of residents, property owners, businesses, visitors, and vulnerable populations. The Sheriff can only house the number of felony offenders that the bed capacity allows for in the jail. Any number exceeding the bed capacity limit results in felony offenders being released back into the community, generally unsupervised. **Presently, on average, 2 to 3 felony offenders are released daily due to overcrowding.**

To authorize the release of a felony offender due to overcrowding, the jail staff must review those in custody against the person(s) being booked to determine which is the lesser risk to the community. The District Attorney is asked for input and then a recommendation is submitted to a Superior Court Judge for approval.

The Grand Jury conducted two onsite tours of the jail. All areas were clean, and the jail staff cordial and informative.

### PHYSICAL PLANT

The overall condition of the interior physical plant (jail structure) was acceptable but will require constant maintenance and upgrades due to the age and life expectancy of the equipment. During one of the visits to the jail, the jury members were made aware of a toilet plumbing issue that affected the entire facility.

Upon inspecting the maintenance shop the tools and equipment being utilized lacked any organization. The Jury learned that tool inventory is not being conducted, and no picture board is utilized. A picture board contains an outline of each tool in the place where it is stored, which makes it easier to tell that a tool is missing. Tool and key control are of the utmost priority to maintaining a safe and secure jail.

On the exterior of the jail there is a wooden structure that appears to house plumbing from across the street. The structure is beginning to rot. Nails are also coming loose on the wood, posing a public safety hazard.



On the far west side of the jail, a tree from the neighboring property is overhanging the perimeter wall. While there is razor wire in place, the proximity of the branches provides potential access to the jail. This photo depicts easy access.



## **ADA**

The jail has limited space to accommodate inmates with disabilities.

## **METAL DETECTOR/BODY SCANNER**

Currently, all persons being booked and housed within the jail are only subject to a body search. All persons being booked and housed within the jail should be processed through a walk-through metal detector/body scanner. Without this process, foreign substances and/or contraband can be brought into jail without detection. These detectors/scanners provide an additional layer of safety and security for both inmates and staff.

During a tour of the Government Center (old courthouse), a newer metal detector was discovered, unused and stored in the basement. We were informed that it works and is currently listed as county surplus property.

## **FOOD SERVICES**

The food service area has limited space to prepare meals, store food and wash utensils/trays. The food manager and institutional cook have done an exceptional job in managing the operation with limited resources available.

Item of note: Section 900.5 (Food Safety) listed within the Siskiyou County Sheriff Custody Policies and Procedures Manual is not practiced. The manual states that one sample for each meal served shall be dated, and maintained, under refrigeration for testing in the event of a food-borne illness outbreak. Sample meals shall be discarded at the end of three days if no food-borne illness is reported. At the time of our inspection no meal samples were being maintained. This is important because in the event of a food borne illness or suspected poisoning the sample can be tested for contamination.

## **MEDICAL**

During the tour, the medical staff explained their daily functions, medication disbursement process and inmate sick call procedure. It is recommended practice for a jail to have a rescue litter available in the event of an emergency when it is necessary to remove a victim from a hostile environment or a patient to a more stable area. It would allow staff to move a victim/patient to the booking area thus preventing outside responders from having to enter the inner perimeter of the jail. No Stokes stretchers are present in the jail.

CAL/OSHA section 5193 (California Code of Regulations, Title 8, Section 5193) requires a Bloodborne Pathogen Exposure Control Plan, and the kits necessary to maintain the safety of staff. The jail does not have Bloodborne Pathogen kits for the staff. Every effort should be made to ensure staff safety. Exposure to blood and other bodily fluids is extremely likely in a jail environment.

The jail does not have an eye wash station available for staff and inmates. Staff are equipped with pepper spray (chemical agent) and the quickest way to decontaminate individuals exposed to pepper spray is an eye wash station, garden hose or cold shower. This is important because eye irritants, such as pepper spray, are used for controlling inmates. Further in the event that staff were accidentally sprayed, there is no eyewash station available at this time. On a follow-up visit, staff informed the jury that an eye wash station was on order.

## **INMATE RECREATION**

Inmates have access to a small indoor recreation area.

## **INMATE TABLETS**

Inmates have access to controlled electronic tablets that allow them to take educational classes, watch approved movies, and connect with family. Inmates must earn credits to watch movies or play games and pay to make phone calls. Video calls to friends and family are allowed. This appears to be a successful program for the inmate population.

## JAIL ACCESS

A particular concern for the Grand Jury was the lack of procedure for processing persons into the inner perimeter of the jail. No identification is required of persons and no logbook to sign in/out is utilized. Persons visiting the jail are not processed through a metal detector/body scanner. Without this process, foreign substances and/or contraband can be brought into jail without detection. These detectors/scanners provide an additional layer of safety and security for both inmates and staff.



Further there was no written or verbal information on what items are not allowed inside the jail. The jury was not notified of the state mandated “No Hostage” policy. A “No Hostage Policy” means that there is no negotiation in a hostage crisis. This policy applies to all official persons, inmate visitors, vendors (i.e., copier repair person, delivery persons, etc.) and any non-Sheriff employee entering the jail. **Accountability is crucial in any jail setting.** This policy is important because jail security is designed to keep people in. If there should be an emergency, first responders need to account for all persons in the jail.

## POLICY AND PROCEDURES MANUAL

The current Siskiyou County Policies and Procedures manual for the jail is maintained by a 3<sup>rd</sup> party vendor and is over 500 pages in length. Although the manual goes into extensive detail, it is generic in nature and is **NOT** specific to the day-to-day operation needed in the Siskiyou County jail.

## COURTHOUSE OPERATION

The new courthouse has made the process of moving inmates between the jail and the courthouse very efficient. The courthouse has facilities dedicated to keeping inmates isolated and secure prior to, during and after court appearances.

## SHERIFF’S WEBSITE

Website information about the Siskiyou County Sheriff is housed under the Siskiyou County general website ([www.co.siskiyou.ca.us](http://www.co.siskiyou.ca.us)). However, the Sheriff’s portion of the website lacks information relevant for County residents. There is no jail booking and release information.

## FINDINGS

- F1 There is no procedure in place to document the inventory of tools maintained within the Jail.
- F2 On the outside (East Side) of the jail, there is a wooden structure, (appears to cover piping coming up from across the street) that is beginning to rot. Nails are also coming loose on the wood.
- F3 On the far west side of the jail vehicle sally port area, a tree from the neighboring property is overhanging the perimeter wall and is exceptionally low to the razor wire.
- F4 No metal detector/body scanner is being used at the Jail.
- F5 Food Services is not maintaining a sample meal tray per Title 15, Section 1243(n) and Section 900.5 of the Siskiyou County Custody Policies and Procedures manual.
- F6 No rescue litters are available in the jail.
- F7 The jail does not have Bloodborne Pathogen Kits.
- F8 The jail does not have an eye wash station available for staff and inmates. On a follow-up visit, staff informed the Jury that an eye wash station was on order.
- F9 No visitors log is maintained.
- F9b There is no posting of items that are prohibited within the jail.
- F9c There is no notice posted of the “No Hostage” policy.
- F10 The current Siskiyou County Policies and Procedures manual for the jail is maintained by a 3<sup>rd</sup> party vendor and is over 500 pages in length. Although the manual goes into extensive detail, it is an impractical tool for staff to reference for the day-to-day operation of the jail.
- F11 The Sheriff’s website lacks booking and release information.

## RECOMMENDATIONS

***Sheriff is to implement all recommendations by December 2024***

- R1 Develop a policy and procedure for conducting a tool inventory at the beginning and end of each shift. The policy should include a procedure for reporting missing/lost tools.
- R2 Inspect and ensure that a safety issue is not present to the public. A more permanent cover with material other than wood is recommended.
- R3 Make arrangements to have branches trimmed or removed.
- R4 Install a walk-through metal detector/body scanner for use in the booking area. Develop a policy and procedure for use of such. ***Note: A newer metal detector is available in the basement of the Government Center (old courthouse). It is operational and listed as County surplus.***
- R5 Update any pertinent policy and procedures for Food Services to ensure the ‘three-day mainline sample tray’ is being practiced.
- R6 Purchase a rescue litter for the jail.

- R7 Purchase Bloodborne Pathogen kits. Develop a policy and procedure for use of such kits and provide training to staff.
- R8 The jail has indicated the eye wash station has been purchased. Confirm that the eye wash station has been installed.
- R9 Develop a policy for identification and documentation of persons entering the jail, including arrival and departure dates/times.
- R9b Post documentation of items not allowed within the jail by all persons.
- R9c Post a notice of the “No Hostage” policy for all persons entering the jail.
- R10 Develop a specific procedures manual relevant for the daily operations of the jail.
- R11 Update the website to include information about individual bookings, and releases including reason for release.

**REQUEST FOR RESPONSES**

The California Penal Code (Section 933) requires elected officials and/or Agency Heads to respond within 60 days of the issuance of a Grand Jury report that requires their response. Government agencies are required to respond within 90 days. Elected Officials/Agency Heads/Government Agencies are required to respond to recommendations made within the Grand Jury report. The response shall indicate their agreement or disagreement with those recommendations listed and directed for their specific response. The responses shall also include their reason and any action taken pursuant to the recommendation. These responses, once completed, shall be addressed to the presiding Judge of the Superior Court located in Siskiyou County.

The following responses are required pursuant to Penal Code sections 933 and 933.05:

From the following individuals:

Siskiyou County Sheriff R1-11

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury .
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# HOW IS YOUR VOTE COUNTED?

## SUMMARY

In consideration of 2024 being an election year, the Grand Jury committed to reviewing the voting process in Siskiyou County. Past elections have caused concerns throughout the nation as well as locally. The 2023-2024 Grand Jury examined our local election process. The Grand Jury found that the Siskiyou County Clerk's office and the volunteers they employ on election day are competent, careful, and dedicated to their task.

## BACKGROUND

As the U.S. Supreme Court said in 2008 in Crawford v. Marion County Election Board, "*flagrant examples of such fraud ... have been documented throughout this Nation's history by respected historians and journalists ... [that] demonstrate that not only is the risk of voter fraud real but that it could affect the outcome of a close election.*" The 2023-2024 Civil Grand Jury chose to investigate the voting procedures employed by the Siskiyou County Elections Department, and specifically reviewed election checks and balances.

## METHODOLOGY

Members of the Grand Jury conducted in person interviews with County officials and a poll inspector. Members also attended a poll worker training in Yreka and Mt. Shasta led by the County Clerk's office. A polling place was observed on Election Day March 2024 from set up of the actual room to the closing of the polling place at the end of the day. State law requires all polling places to be open from 7 am to 8 pm.

## DISCUSSION

The County Clerk is responsible for the administration of all elections in Siskiyou County, from registration of voters to verification of signatures and addresses on election day. California allows same day registration and also allows voters to change their party affiliation at any time on election day. The State of California provides the County Clerk with a current list of signatures for all registered voters in Siskiyou County. One challenge mentioned by poll workers at the Mt. Shasta training was the fact that some signatures are hard to read, and many are decades old. California law prohibits poll workers from asking voters for identification. On rare occasions, such as new to the area individuals or first-time voters, workers may ask for proof of address. Staff members only review the signature. Any signatures noted as questionable are returned to the Clerk's office for further verification. If a voter is deceased, the State Vital Statistic Department notifies the Clerk's office electronically. Family members also should notify the Clerk's office of any family deaths.

The Assistant County Clerk works closely with the County Clerk during elections. The Assistant also hires, screens and trains poll workers, drivers, and inspectors. Each poll worker receives a guidebook with detailed step by step instructions and procedures for election day. Included in the poll worker duties are the setup of equipment before the polls open and the teardown after voting has ended.

Since California has mandated that all counties use a vote-by-mail system, every eligible voter in Siskiyou County receives a mail ballot starting 29 days before each election day. Voters return their ballots by mail, deposit them in the drop box at the old courthouse or drop them off at the County Clerk's office prior to polls closing on election day. Voters may also drop their ballots off at polling sites on the day of the election.

The Clerk's office processes ballots received via the mail or drop off locations one week before election day. Two employees verify signatures. If any signatures are in question a third person is requested to review them. All three must reach agreement on the signature or the Clerk's office contacts the voter directly. Ballots dropped off at polling places on election day are totaled and placed in a sealed bag with two signatures and the number of ballots inside. These bundles are transported by at least two people to the Clerk's office after polls close. Poll workers do not count any mail in ballots dropped off at polling places. The Clerk's office verifies that the total number of mail-in ballots is accurate and then they are counted by County Clerk staff.

Not all voters choose to return their ballot by mail. Some prefer to vote in person. In such cases a voter must surrender their mail-in-ballot. If a mail-in-ballot is not in their possession a person may still vote that day through a provisional ballot. Poll workers call the Clerk's office to alert them to the request for a provisional ballot. The voter's name is flagged. If a provisional ballot and a mailed ballot with the same name come into the Clerk's office, the County Clerk notifies the Secretary of State's Fraud Division, and an investigation is opened. At that point, the Clerk's office is no longer involved and is not informed of the investigation outcome. All provisional ballots are hand counted and current registration verified after Election Day and retained until the election is certified. The clerk's office indicated that while it is possible for a voter to vote twice, the duplicate vote will not be counted due to the sufficient safeguards that exist in Siskiyou County.

The County Clerk has the discretion to determine which voting machines the County will use. Siskiyou County currently uses Dominion voting machines. Voting machines are secured with randomized serial numbers and numbered ties (locks) on sensitive access points. When the machines are delivered to the polling places the night before an election, these numbers are recorded by at least two authorized workers. These numbers are locked and secured in a specialized box overnight and checked again on election morning for comparison and accuracy. Jury members observed that the voting machines used in the March 2024 primary election were unpacked by two poll workers, tie (lock) numbers recorded, and the machines registered "zero" ballot count. In the event any ties are missing, broken or the numbers do not match, that machine is removed from service until the problems are satisfactorily resolved.

Voters in line at the polling place by 8:00 PM are allowed to vote. When all voting is completed, at the close of the polls, the machines print a receipt of ballots voted, which is confirmed by a hand count by two poll workers. The transfer of ballots from the polling places to the County Clerk's office requires at least two poll workers. To check the accuracy of the machines it is standard protocol for 1% of the total ballots to be counted by hand. Two people are mandated to review those ballots. Provisional ballots cast on election day are hand counted by two people. Voting machine counts are double-checked randomly and have not revealed any discrepancies since their local implementation.

The Grand Jury investigation found that the County Clerk's office personnel are well informed, professional, and helpful. The office is fully staffed on election days and available via phone to address any issues at poll locations. Poll workers are well trained; there is a high degree of returning experienced volunteers. Our observation of a working polling place showed professionalism by all workers in maintaining accuracy, reliability, transparency, and accountability. The Clerk's office publishes an invitation for observers to receive training and watch the process.

There is an online website, [WheresMyVote.sos.ca.gov](https://WheresMyVote.sos.ca.gov), where voters may track their ballots ensuring they have been received and counted. Voters may also sign up to receive automatic emails, texts, or voice mails about their ballots.

## **CONCLUSION**

The local voting process has many checks and balances. The County Clerk's office works diligently to insure that the voting system in Siskiyou County is safe and secure. Election officials are dedicated to assuring that eligible voters can vote. If there are any questions the Clerk's office stands ready to help. Siskiyou voters can feel confident their votes are accurately processed.

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# DEADWOOD CONSERVATION CAMP

## 2023-2024 Inspection

### SUMMARY

The Deadwood Conservation Camp is a joint effort operated by the California Department of Forestry and Fire Protection (CAL FIRE) and California Department of Corrections and Rehabilitation (CDCR). Costs for administrative and maintenance operations are split 50/50. The camp has been in operation since June 1, 1962 with the primary mission to provide inmate crews for fire suppression in Siskiyou County. It is an 80-man camp that can staff four Type 1 fire/emergency crews. The Camp has provided Siskiyou County and the State of California with four Type 1 20-man fire/emergency crews since it opened. They also provide flood control, conservation, and other projects. The camp is self-sustaining as the inmates provide area maintenance, cooks, porters, clerks, and skilled shop workers to keep the overhead as low as possible and support for CAL FIRE operations. At the time of the inspection there were only 50 minimum security inmates residing at the facility which is a reduction from full capacity.

### GLOSSARY

CCC:	California Conservation Corp
CDCR:	California Department of Corrections and Rehabilitation
CAL FIRE:	California Department of Forestry and Fire Protection
Deadwood Fire Camp:	Minimum security fire camp for inmates serving the balance of their sentence
FTRP:	Fire Fighters Training Rehabilitation Program
Hand Crews:	Firefighters use hand tools such as axes and chain saws

### BACKGROUND

As required by law, the Civil Grand Jury conducted its annual inspection of the Deadwood Fire Camp.

### METHODOLOGY

The Grand Jury met with CDCR staff and CAL FIRE staff at the Deadwood Camp in October and November 2023. In addition to interviews, an inspection of the camp was conducted. Additional interviews were conducted with local Fire Chiefs and CAL FIRE personnel in December 2023.

### DISCUSSION

#### CAPACITY

The Deadwood Camp is designed to operate with 80 inmates. The current population is approximately 50 inmates. Historically, qualified inmates were allowed to serve at the camp for up to two and a half years. Recently, due to new legislation and changes in maximum sentencing, inmates are serving on average eight months. Inmates who are paroled from Deadwood are taken to the Amtrak train station in Dunsmuir to return to their communities. The majority of Deadwood inmates originate from southern California. There are no Siskiyou County inmates serving at Deadwood.

#### STAFF

There are eight CDCR staff at the Deadwood Camp (two supervisors, six officers). Staff are assigned to one of three 8-hour shifts and rotate every three months.

### PARTNERSHIP

Deadwood Camp receives inmates from the Sierra Conservation Center in Jamestown, CA. CAL FIRE provides

roving personnel. Deadwood also utilizes the services of the California Conservation Corp (CCC) for help with projects as needed.

## QUALIFICATIONS

To qualify to be assigned to Deadwood an inmate must volunteer for placement in a fire camp through the institution from which they were incarcerated. The inmate must have no history of any sex crimes or arson and must pass a two-week physical fitness regimen along with a two-week program for fire safety. No work experience is required.

## EDUCATION

The camp provides education and job training that will allow inmates to reenter society with the skills gleaned through physical fitness and firefighting training. The primary focus of the program is to build a camaraderie between staff and inmates and encourage inmates to gain a sense of pride and self-worth through their accomplishments. Not all the inmate successes are in firefighting. Deadwood staff told the Grand Jury of a former inmate who is now employed as a Chef in a public restaurant. The staff further reported hearing from many released inmates about their successes post incarceration. **The goal is that they become contributing members of society.**

It is possible for an inmate to earn certificates of completion in their training as proof of their successful participation in the CDCR program. There is another option available to inmates for the further honing of their firefighting skills outside of Siskiyou County called the Firefighters Training Rehabilitation Program (FTRP). This program is in Ventura, CA and may lead to employment as a firefighter.

## FOOD SERVICE

The Grand Jury's tour of the kitchen revealed a clean, well-organized facility. Kitchen staff practiced all necessary hygiene requirements. All of the meals are prepared by the inmates under the direction of the food manager who is a CDCR employee and lives onsite. Staples and dry goods are ordered through the state prison system. Perishables are purchased through various local sources.

## DAY-TO-DAY OPERATIONS

The day begins with reveille at 7 am and breakfast at 7:30 am. The daily briefing includes an inmate count, and daily work assignments. Work crews leave at 8:30 am, accompanied by an officer. They return to the camp at 4:30 pm and inmates give a briefing to staff about the day's assignments, including reports of breakages or damage to equipment, etc. If there are any medical needs, they are addressed at the time. There is basic first aid equipment in the camp. Anything more serious is referred to the proper providers.

Inmates have a five-day work week but may opt to work seven days. Inmate pay range is \$5.80 -\$10.24 per day depending on their assignment. Inmates receive a one-to-one benefit credit off their sentence. For inmates assigned to firefighting duties there is an additional incentive of a two for one credit which translates into half time removed from their sentence. Inmates can also earn one additional dollar per hour when assigned on an active fire line. Each inmate has an account for these funds.

Inmates are housed in a large dormitory with single cots. Each inmate has a small storage cabinet for their personal items. The sleeping units are arranged in two bed compartments, with low dividers separating them from their neighbors. The large shower room and bathroom facilities are located in this building along with the camp's laundry facility.

The camp has an auto shop, a machine shop, cabinet shop, garden area, three hobby rooms and an entertainment center. The inmates may watch movies, play pool, do woodworking, resin casting, and get haircuts. Some of the woodworking which has been done for the State is of extremely high quality.

There is a commissary onsite for the purchase of miscellaneous items. Inmates can receive packages. They can also send out packages of items they have made as gifts. Currently, books are available as are two public telephones. They are allowed to make special purchases and also to take classes that are offered onsite (e.g.,

welding by a College of the Siskiyous instructor when available). There are presently no self-help programs available at the camp.

Visitors are allowed. Conjugal visits are permitted in a separate cottage just beyond the visitors' office.

There are signs posted at the camp stating that any sexual assault is not tolerated and is against the rules.

#### COMMUNITY SERVICE

Although fighting fires is the primary focus, the camp hand crews also perform conservation and community projects. CAL FIRE determines conservation strategies. The following are examples of Deadwood Conservation Camp's completed and ongoing community services and initiatives:

- ✓ Cleanup at local cemetery districts
- ✓ Emergency flood control
- ✓ Fire prevention (fuel reduction) in several local communities
- ✓ Fire prevention (fuel reduction) at Castle Crags State Park
- ✓ Fire prevention (fuel reduction) and clean up at local schools
- ✓ Habitat improvement at Shasta Valley Wildlife Area
- ✓ Maintenance of the College of the Siskiyous Fire Training Center
- ✓ Maintenance and cleanup of Yreka non-profit facilities and the community center
- ✓ Snow removal

#### CONCLUSION

Members of the Grand Jury interviewed administrators of local fire departments about their interaction with the Deadwood Camp in December 2023. The departments were enthusiastic about the inmates' work ethic and ability to complete whatever tasks they are assigned. There was no negative feedback. At this time there are no plans to close Deadwood Camp and it continues to provide much needed services. The primary issue affecting Deadwood is the lack of inmates qualifying for the program, resulting in fewer available fire crews. Further, changes in sentencing laws have reduced the amount of time that inmates are available to serve at Deadwood.

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