



SUTTER COUNTY SHERIFF'S OFFICE
BRANDON BARNES
SHERIFF – CORONER

June 30, 2020

Superior Court of California, County of Sutter

Attn: The Honorable Susan Green- Presiding Judge

1175 Civic Center Blvd.

Yuba City, CA. 95993

Please accept this response on behalf of the Sutter County Sheriff's Office regarding the findings of the Grand Jury for FY 19/20. It has been my honor to get to know the Grand Jury members and to provide an overview of the operations of the Sheriff's Office. I want to express my appreciation of the Grand Jury and the role they play in helping to bring deficiencies to our attention. I have reviewed the proposed report and offer the following responses to both the "Findings" and the "Recommendations" suggested by the Grand Jury.

SUTTER COUNTY JAIL

FINDINGS:

F1 There is a staffing issue within the Sutter County Sheriff's Jail Facility.

F1 Response: The Sheriff's Office agrees with the finding. The jail opened approx. 11,000 square feet of additional space that must meet with the Board of State and Community Corrections (BSCC) standards, which has placed more responsibility on existing staff.

F2 The Sutter County Grand Jury found that there are drugs and other contraband present within the jail.

F2 Response: The Sheriff's Office agrees with the finding.

F3 Lack of overhead netting in the medium security exercise yards.

F3 Response: The Sheriff's Office agrees there is no netting over the exercise yards at the medium security facility.

F4 The current search method for contraband has proven to be inadequate.

F4 Response: The Sheriff's Office agrees with the finding and have already taken steps to improve in this area.



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F5 The laundry room has no surveillance cameras present.

F5 Response: The Sheriff's Office agrees and has already taken steps to improve in this area.

RECOMMENDATIONS:

R1 The Sutter County Sheriff's Department should expand jail employment to provide more manpower within the jail by December 1, 2021.

R1 Response: The Sheriff's Office sought information for a comprehensive staffing analysis for the entire office. Regretfully, the cost was prohibitive so the Sheriff is exploring other options that may be more affordable. With the opening of the AB900 jail expansion project, there has been approx. 11,000 additional square feet of space that needs to be maintained. This includes inmate housing, a new jail medical, and kitchen renovations. The Sheriff's Office recognized additional resources would be needed but further analysis is needed to determine appropriate staffing levels. The Sheriff's Office did add one position to the jail medical area during FY19/20 and added a secretary to the jail to assist with organization and tracking. The Sheriff's Office is committed to finding reasonable solutions for improving staffing and is working with the County Administrator for possible solutions.

R2 The Sutter County Sheriff's Department should invest in a full body scanner placed within the Sutter County Main jail by January 1, 2022.

R2 Response: The Sutter County Sheriff's Office is committed to ensuring best practices for safety and security of the jail. To that end, we previously identified the benefits of a full body scanner and researched various options. The Sheriff requested a body scanner as part of the FY 20/21 budget package, which has been approved. The purchase of the scanner is being paid out of special revenue funding, so there will be no general fund impact for the purchase. It is the hope of the Sheriff's Office to purchase the scanner as soon as September of 2020.

R3 The Sutter County Sheriff's Department should purchase and install overhead netting over the open aired spaces/areas near the Medium Security facility and/or create a fenced off area preventing civilians from having access to this area by December 2021.

R3 Response: The Sheriff's Office appreciates the feedback from the Grand Jury, and this is a valid recommendation. The Sheriff has directed the Jail Commander to research possible options and submit recommendations. If this project is fiscally feasible, it will be included in the budget proposal for FY20/21, in hopes it would be completed by December of 2021.



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R4 The Sutter County Sheriff's Department should place surveillance cameras in the laundry room by January 1, 2021.

R4 Response: The Sheriff's Office previously recognized this as a deficiency in the laundry facility. Adding cameras to the laundry room was budgeted and this project has been completed. The laundry room and medium security courtyard cameras went active on June 2, 2020. The cameras in the laundry room and the laundry courtyard all possess zoom capabilities. The inside views cover the entire main laundry room, where linens are washed and folded.

The Sheriff's Office is grateful for the recommendations of the Grand Jury. We feel we have an exemplary staff, but regrettably have financial limitations like most agencies our size. We will work to improve in the areas noted and continue to build upon our successes. If the Grand Jury would like to discuss any of these issues in greater detail, please feel free to contact the Office of the Sheriff.

A handwritten signature in blue ink, appearing to read "Brandon Barnes", is written over a horizontal line.

Brandon Barnes

Sheriff-Coroner

RECEIVED

JUL 09 2020

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER

CALIFORNIA CODES
PENAL CODE
SECTION 925-933.6

933. (c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

933.05. (a) For purposes of subdivision (b) of Section **933**, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

(b) For purposes of subdivision (b) of Section **933**, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**

SUTTER COUNTY JAIL

SUMMARY

Pursuant to Cal. Penal Code §919 (b) the Sutter County Grand Jury (SCGJ) shall inquire into the condition and management of the public prisons within the county, which allows the SCGJ the ability to investigate how effectively the Sutter County Sheriff's Department administers the Sutter County Jail.

The 2019-2020 SCGJ inspected and toured the Sutter County Jail facility. Interviews were conducted with county contracted employees of the Sutter County Sheriff's Department, as well as multiple inmates housed within the Sutter County Jail facility. The SCGJ found various areas of concern regarding contraband being introduced into the Sutter County Jail facility, lack of surveillance cameras in a pertinent area within the medium security jail facility, and lastly an understaffing issue.

BACKGROUND

The Sutter County Main Jail facility is located at 1077 Civic Center Boulevard, Yuba City, California. The Sutter County Sheriff's Department serves the County population of approximately 96,438. The Sutter County Jail was recently approved for a State Building Grant, which paid for 90% of the newly completed construction project for the expansion of the Sutter County Jail. This new expansion has provided 42 additional beds for the inmates, specifically 28 male beds and 14 female beds. The SCGJ was impressed by the state-of-the-art expansion which included new pod configuration, classroom capabilities, and an open-aired exercise yard.

The Sutter County Sheriff's Department had a new Sheriff elected in 2019, who has been proactively working with the Sutter County community showing transparency and a desire to see the community flourish successfully. The Sutter County Sheriff's Department is very engaged on social media pages to connect with the public, and participates in various community outreach events like 'Coffee with the Community', 'Slice with the Sheriff', 'Soft Serve with the Sutter County Sheriff' and many more. The Sheriff has also been receptive towards changes that need to be made from within the jail.

METHODOLOGY

Tours:

- Sutter County Main Jail Facility
- Sutter County Medium Security Jail Facility
- Sutter County Sheriff's Department Office
- South Placer County Jail

Interviews:

- Employees of the Sutter County Sheriff's Department
- City of Yuba City staff
- South Placer County Jail staff
- City of Yuba City Fire personnel

Research:

- Sutter County Sheriff's Office Jail Operations Manual
- Sutter County Jail Inmate Handbook
- South Placer County Jail documentation
- Sutter County Sheriff's Department Confidential correspondence
- Webpages:

www.suttersheriff.org/

<https://www.placer.ca.gov/>

<https://www.cdcr.ca.gov/>

<https://osfm.fire.ca.gov/>

<https://www.appeal-democrat.com/>

<https://leginfo.legislature.ca.gov/>

<https://www.google.com/maps>

<https://www.globalindustrial.com/>

DISCUSSION

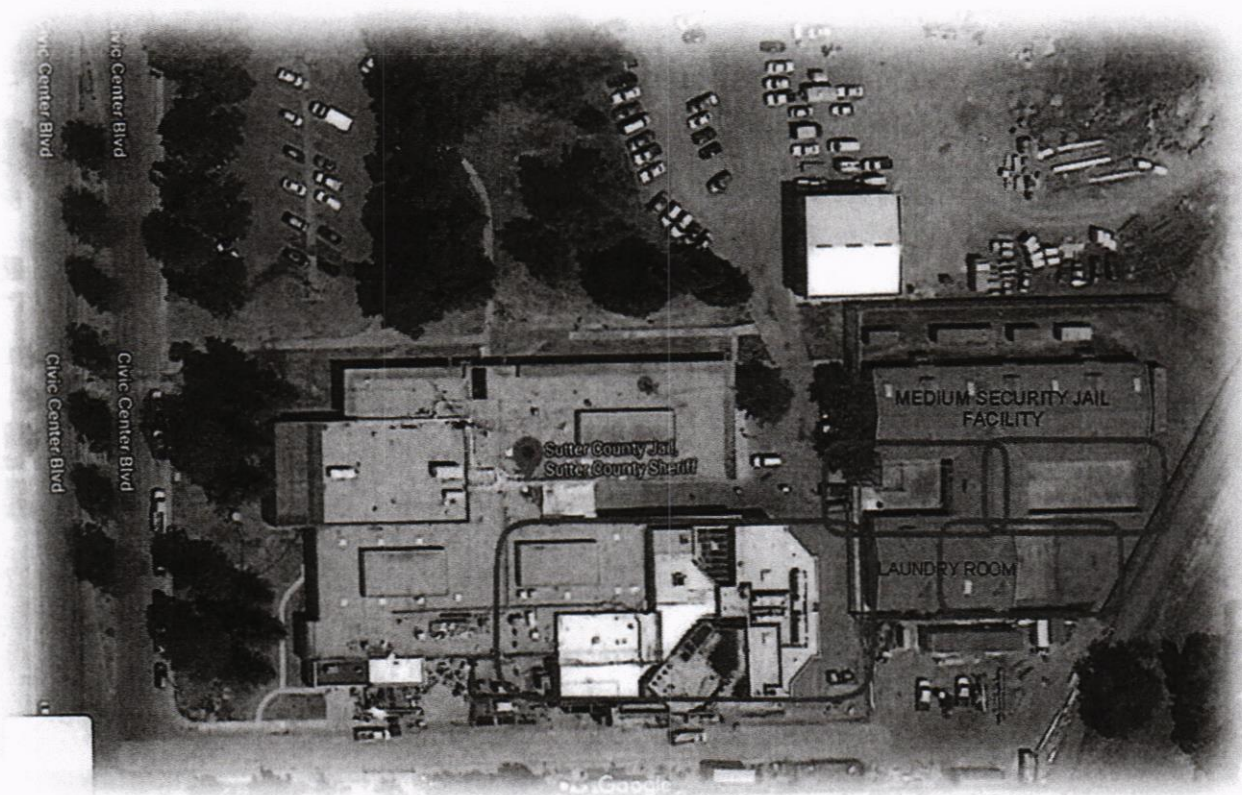
The SCGJ conducted multiple interviews with various Sutter County Sheriff personnel. During a final walkthrough of the Sutter County Jail, the SCGJ observed that the new expansion was not being used, which, according to staff interviews, was due to lack of staffing. The Sutter County Jail competes with other higher paying departments, which makes it difficult to interest applicants, but are striving to recruit new members to their department to resolve the personnel understaffing.

The SCGJ became aware that contraband is being smuggled into the jail and spoke with various Sutter County personnel about possible solutions. Contraband comes in many forms, including but not limited to, tobacco, cigarette lighters, items that can be weaponized, controlled substances, cellular devices, and much more. It was noted that most of the contraband was being brought in by the arrestees and occasionally by the public who have found opportunities around the unsecured exterior of the jail.

The 2018/2019 SCGJ recommended that the medium securities facility needs to be blocked off to prevent unauthorized public access, and to help prevent contraband from being introduced into the jail from outside sources. According to personnel, building a new security perimeter around the Sutter County Sheriff's Department facility is currently being budgeted. There are also two fenced in exercise yards located behind the facility with no netting or prevention in place to catch any contraband from being thrown over.

Provided below is an aerial satellite photograph of the Sutter County Sheriff's Department specifically highlighting the open-aired exercise yards circled in red.

The newly completed jail expansion is also circled in red for reference purposes.



Inmates have access to these open-aired spaces while working in the laundry room or exercising in the fenced in yards. The SCGJ discussed the idea of overhead, fire marshal approved, netting being placed over the open-aired areas of the medium security facility. This could limit or prevent contraband from being thrown over these fences for inmates to obtain.

Provided on the next page is a screenshot that was given to the SCGJ from Sutter County Sheriff's Department personnel of a possible preventative measure that can be put in place.

CATEGORIES

ACCOUNT & LISTS

RESOURCES

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HELP

[Return to Category List](#)
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[Crowd Control](#)
[Security Fence & Nets](#)
[Debris Safety Netting](#)

BOEN SN-20016 Fire Resistant Safety Netting, 8.6 Ft. x 150 Ft., Black, 1 Roll

Item #: WBB1501702

★★★★★ (2)

Enter zip code for delivery date estimate

Price: \$160.95

or

Save \$8.06 with 5% off* when you use your Global Industrial Credit Card.

Save 5%¹ | [Apply Now](#)

1

BOEN SN-20016 Fire Resistant Safety Netting, 8.6 Ft. x 150 Ft., Black, 1 Roll

Improve the safety of on-the-street pedestrians and construction workers, and adjacent properties with Debris Defense Netting. Debris Defense Netting is your ultimate source protection from debris that falls from the working deck. Our heavy duty, fire resistant, OSHA Complied debris netting can wrap a building into a cocoon of safety. The most advanced reinforced buttonhole design assures easy installation and optimum performance.

Features:

- Debris protection
- UV inhibited and resistant to temperature changes
- Fire retardant
- Hole openings approx. 1/4 in.
- Meets OSHA specifications & NY Local Law 61
- Knitted polyethylene threads with reinforced border
- Vision barrier
- Wind protection
- Demolition Protection
- 150R Roll

SPECIFICATIONS

Product Specifications	
WIDTH INCHES	1800
HEIGHT INCHES	103
COLOR FINISH	Black
BRAND	Boen
DESCRIPTION	Fire Resistant Safety Netting
CONSTRUCTION	HDPE
MANUFACTURERS PART NUMBER	SN-20016
APPROVALS OR CERTIFICATIONS	OSHA Compliant
PACKAGE QUANTITY	1
FIRE RETARDANT	Yes

1

When arrestees arrive at the jail the deputies use pat down and exchange of clothing searches. However, they cannot conduct a strip search or body cavity search without legal justification. Per California Penal Code 4030(e) and (f)², many arrestees being brought in by deputies on small crime charges or DUI (driving under the influence) may not be strip searched without further reasonable suspicion that an individual is concealing weapons or contraband. The SCGJ found that the current search technique used on the arrestees is insufficient in preventing individuals intentionally being arrested for crimes that are not subject to body searches, which allows them to smuggle in contraband.

Other county jails, such as the South Placer County Jail, have been using full body scanners to help prevent contraband from entering the facilities. The SCGJ visited that jail solely to inspect their scanner, a “Tek84” which is used to detect metallic, nonmetallic, organic, and inorganic contraband. It can do so in a less intrusive manner, and takes as little as 4 seconds, while a strip search can take 15 minutes or more. The South Placer County Jail personnel stated that it has been extremely helpful in discovering contraband hidden internally and

¹ <https://www.globalindustrial.com/>

² <http://www.search-california-law.com/research/ca/PEN/4030./Cal-Penal-Code-Section-4030/text.html>

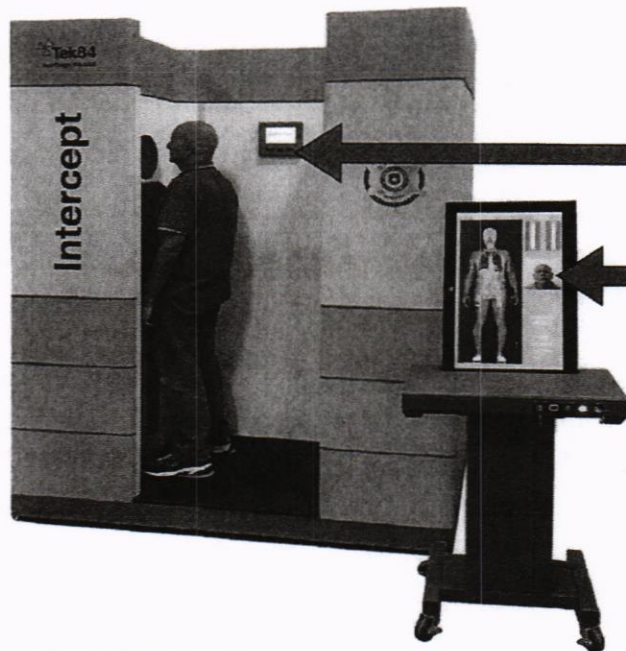
externally which could be missed during other searches, significantly dropping the numbers of contraband being introduced into the jail.

After our informative visit, the SCGJ mentioned the capabilities of the scanner to the Sutter County Sheriff's Department, and it was noted that a body scanner was currently being budgeted for their department.

Provided below is a brochure picture of the 'Tek84' scanner used at the South Placer County Jail



Body scanner for High-Security Screening— Prisons, Jails, Customs



Intercept's built-in camera ensures a positive match between the person and their scanned image.

Breakthrough Technology

Prisons and jails are rapidly adopting body scanners to detect weapons and contraband hidden in body cavities and elsewhere on inmates and visitors. Unlike the units used in airports, these scanners use a low-level of x-rays transmitted through the body, similar to medical exams. More than 500 such body scanners are now installed in U.S. correctional facilities, manufactured by companies in Belarus, EU, Brazil and China.

Intercept™ is a true breakthrough in this technology, scanning the person *vertically* instead of *horizontally*. Vertical scanning provides revolutionary benefits:

- The person remains stationary, not standing on a moving conveyor belt or platform;
- A quick 4-second scan, not 7-15 seconds
- Narrow width, removable top, built in wheels; easily clears doorways 34" wide by 80" high
- Quick setup: a few hours, not a few days
- No image distortion, objects appear in the image at the same location as on the body
- No waiting for a daily warm-up period; ready to scan at a moment's notice

Head-to-toe screening including body cavities

- Subject doesn't move
- 4-second scanning
- Ultra-small footprint
- 2-hour installation
- Best image quality
- On-screen photo

Tek84 is owned and operated in the USA. Our design staff has been at the forefront of body scanner innovation for 30 years.

The Sutter County Sheriff's Department has installed a new high-tech video surveillance system to monitor the facility and the inmates housed within, to increase safety for inmates and personnel. However, there is a surveillance issue in the Sutter County Jail, specifically in the laundry room located within the Medium Security facility. The laundry room is adjacent to the medium security jail facility surrounded by chain link fencing. This fenced area is entirely accessible to the public and is an area of concern.

Inmates considered as "trustees" that have displayed good behavior are allowed in the laundry room to perform work duties. The SCGJ observed that there are zero surveillance cameras present in the laundry room, and very little supervision from Sutter County correctional officers during the time the inmates are in laundry room.

The SCGJ recognizes that managing a jail facility is a huge responsibility to maintain a safe and secure environment, not only for the staff, but also for the inmates. Our investigation revealed that the Sutter County Sheriff's Department is doing an admirable job at running and maintaining the jail, however there were some areas of concern that do need to be addressed.

FINDINGS

- F1: There is a staffing issue within the Sutter County Sheriff's Jail facility.
- F2: The Sutter County Grand Jury found that there are drugs and other contraband present within the jail.
- F3: Lack of overhead netting in the medium security exercise yards.
- F4: The current search method for contraband has proven to be inadequate.
- F5: The laundry room has no surveillance cameras present.

RECOMMENDATIONS

- R1: The Sutter County Sheriff's Department should expand jail employment to provide more manpower within the jail by December 1, 2021.
- R2: The Sutter County Sheriff's Department should invest in a full body scanner placed within the Sutter County Main jail by January 1, 2022.
- R3: The Sutter County Sheriff's Department should purchase and install overhead netting over the open-aired spaces/areas near the Medium Security facility and/or create a fenced off area preventing civilians from having access to this area by December 1, 2021.

R4: The Sutter County Sheriff's Department should place surveillance cameras in the laundry room by January 1, 2021.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses as follows:

The following elected county official within 60 days:

- Sutter County Sheriff: F1 - F4 and R1 - R4

The following response is required within 90 days:

- Sutter County Board of Supervisors: F1 - F4 and R1 - R4

DISCLAIMER

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