

THE CONDITION AND MANAGEMENT  
OF  
CORRECTIONAL FACILITIES  
WITHIN  
JACKSON COUNTY, OREGON

By

2013 Special Corrections Grand Jury

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## **I. EXECUTIVE REVIEW**

The 2013 Special Corrections Grand Jury inspected the Jackson County Jail, Jackson County Juvenile Detention and Shelter Facility, and the Community Justice Work Center. The Grand Jury's over all observation of the Jackson County Correctional Facilities is that they are incredibly well run given the resources available. With regard to specific recommendations we would like to address:

1. Explore additional revenue sources to expand staffing in the county corrections facilities in order to address safety and capacity concerns.
2. Improved data collection/documentation of forced releases due to occupancy cap to raise public awareness
3. Contract additional mental health specialists to handle increased work load for each facility.
4. Additional training for deputies/staff in dealing with inmate mental health issues.
5. Increase private facilities for inmate/attorney visitation.
6. Juvenile Center should continue exploring after school detention options.
7. Community Justice Center should explore additional education, skill development, job coaching resources and work options.
8. Structural and infrastructure analysis of the existing jail.

## **II. INTRODUCTION**

*Oregon Revised Statutes* requires that at least once yearly, a Grand Jury shall inquire into the condition and management of every correctional facility and youth correction facility in the county. On March 3, 2014, four grand juries attended orientation and were sworn in. Three juries were assigned to hear criminal cases presented by the District Attorney's office; on Tuesdays, Wednesdays and Thursdays. The fourth jury was assigned to meet on Fridays beginning March 7, 2014 to inquire into the condition and management of the correctional facilities within Jackson County. In this report, the Friday jury will be referred to as the Special Corrections Grand Jury, or simply, the Grand Jury.

The jury began its inquiry by receiving testimony on Friday, March 7, 2014 from Correction Lt. Dan Penland, District Attorney Beth Heckert and Community Justice Deputy Director John Watson.

On Friday, March 14, 2014 the jury received testimony from Joe Ferguson of the Juvenile Justice Department. Later, the Grand Jury toured and ate lunch at the main jail facility in Medford escorted by Lt. Dan Penland. After lunch, the Juvenile Detention Facility was toured, including the shelter where we received testimony from Joe Ferguson, Jean Nicholas, a male youth, and educators Guy Tutland and Seth Rand.

The jury received testimony on Friday, March 21, 2014 from a male prisoner as well as a female prisoner, Medical Administrator Jennifer Laughlin RN, Corrections Deputy Shad Barnard and Mental Health Specialist Dennis McNamara. The day concluded at the Community Justice Work Center in Talent where we interviewed Program Manager Eric Guyer and spoke with a male resident.

On Friday March 28, 2014 the jury received testimony from Drug Court Judge Patricia Crane and John Hamilton of the Public Defender's office.

On Friday April 4, 2014 the jury received follow-up testimony from Lt. Dan Penland.

On Friday April 11, 2014 the jury received follow-up testimony from Eric Guyer and John Watson.

In total, seventeen witnesses were sworn in before the Grand Jury representing a wide range of individuals whose lives and careers are affected by the operation of correctional facilities in our community. The observations, conclusions and recommendations of this report are based upon the testimony of these witnesses, from the facts and figures they provided, and from observations of the Grand Jury as it toured the county's correctional facilities.

The Grand Jury visited three correctional facilities which are operated within Jackson County.

- Jackson County Jail (JCJ).
- Juvenile Detention Facility (JDF)
- Community Justice Work Center (CJWC)

This report addresses the facilities and operations of each of these agencies and includes 8 recommendations.

### III. SYNOPSIS OF GRAND JURY INTERVIEWS AND FACILITY TOURS

#### Synopsis of Grand Jury Interviews and Facility Tours

Beth Heckert, District Attorney

- Grand Jury Orientation

On March 3, 2014 the Grand Jury was informed of their duty to review the administration of the Jackson County Detention system and tour the associated facilities. During this orientation meeting, Ms. Heckert presented and reviewed the document "Office of the District Attorney - Grand Jury Guide". This document provided general administrative information for the Grand Jury, crime definitions and classifications, and select photo copies of Oregon statutes concerning the duties of the Grand Jury.

- Grand Jury Checklist (see attachment)

To aid the Grand Jury in the execution of their inspections, Ms. Heckert provided an inspection checklist. This checklist contained sections for Grand Jury members to indicate their observations regarding the facility description/limitations, facility security, conflict resolution, legal issues, prisoner access to counsel and family, and facility medical services.

- Facility Locations

Discussed where each facility is located.

- Grand Jury Statutes

Discussed the state statutes that govern the Grand Jury.

- Community Justice System

Described how Community Justice is the adult probation and parole division. It is responsible for keeping track of people serving their sentences and violations. Described how the transition center is operated as a work release center. Went over criminal justice system: courts (state-adult & juvenile), police (state, city, sheriff- jail), defense (court appointed, state-So. OR Public Defender Inc., takes most cases, but has limit), community justice (county/state, local probation office-supervision and rehab, juvenile-delinquency/dependency), corrections (jails), prisons (state), probation, district attorney (prosecute cases in state court), federal court, U.S. district attorneys,

city attorneys, victim witness office, family support office, drug courts.

- General Guidance

In addition to the organizing and scheduling the interviews and tours, Ms. Heckert provided helpful advice for the Grand Jury to complete their duty and discussed technicalities of being on Grand Jury (attendance roster, schedule, report writing).

Lt. Dan Penland- Jail Commander (Interview)

Officer Penland distributed a memo to the Special Grand Jury regarding jail statistics. (see attachment)

- Forced releases increased 3.9% in the last year.
- Overcrowding issues due to decreasing budget.
- Inmates with mental health issues pose a huge risk for the jail.
- Basement remodel was completed, adding 62 beds.
- Additional staff to cover increased bed count.
- Addition of video visitation.
- New partnerships fostered between Jail, Courts and Community Justice.
- Community Justice Officers assigned to Jail Mon-Fri.

John Watson-Community Justice Deputy Director (Interview)

- Jackson County Community Justice Adult Services Division (see attachment) This document indicates how a person would enter the Community Justice Supervision department, the statistics of the population, and the how a person would navigate through the program. It documents High and Medium Caseloads and includes statistics on the probation officers caseloads.
- System Entry
- People reach community justice program from three separate systems: Circuit Court, Parole Board, and Supervisory Authority.
- Staffing Level
- As of 2013, Jackson County has 21 senior deputy probation officers. These officers currently supervise 1809 offenders. His largest concern was the budget for staffing.
- Goals

- Mr. Watson indicated that the main goals of Adult Services Division are rehabilitation and Public Safety.
- Case Load
- The case load is divided between 38.5% low risk and 61.5% Mid/High risk (including sex offenders and drug crimes).

Joe Ferguson, Juvenile Deputy Director

- Distributed a report including statistics from the Jackson County Juvenile services. (See Attachment)
- Mental health services provided mainly by request and are not regularly scheduled. Not adequate mental health services for female juveniles.
- Three beds are contracted to Josephine County.
- They house all measure 11 in detention until conviction ages 15-17.
- There is very little violence within the facility.
- They focus more on reform than punishment.
- Most have drug/alcohol issues.
- Looking at possibly adding an after school detention program

Jackson County Jail (Inspection)

On March 14, 2014, the Grand Jury participated in a tour of the Jackson County Jail, conducted by Lt. Penland. What follows is a listing of the Grand Jury's observations of the facility.

- Public Reception
- Video visitation equipment
- New basement addition
- Booking Area
- Sally Port
- Administration
- Video Monitoring & Central Internal Control Room
- Procedures for Prisoner Movement
- Classifications of Prisoners
- Laundry
- Trustee System
- Clothing Designation
- Inmate Assignment of Clothing, Bedding and Personal Hygiene Products
- Jail Design (various housing units, Observation areas etc.)

- Food Administration
- Video Conferencing
- Suicide, Detox and High Risk Procedures
- Law Library, and General Library
- Medical Clinic
- Recreation Areas
- Visitation area

#### Jackson County Juvenile Facility (Inspection)

On March 14, 2014 the Grand Jury participated in a tour of the Jackson County Juvenile Detention Facility, conducted by Jean Nicholas and Joe Ferguson. What follows is a listing of the Grand Jury's observations of the facility.

- Intake Room
- Temporary Holding Cells
- Visitation Area
- Classroom
- Common Area
- Control Room
- Recreation Area
- Housing Units

#### Male Juvenile Detainee (Interview)

On March 14, 2014, the Grand Jury interviewed a male juvenile detainee. He said he feels safe at the facility. Staff is nice and helpful. Food is not the best and needs more flavor but is satisfying and portions are good. He stated you get out of school what you put into it and the teacher is nice. The group sessions are helpful.

#### Facility Teacher Guy Tutland (Interview)

On March 14, 2014, the Grand Jury interviewed the teacher. His job is to determine the education level for each youth detained, then structure a curriculum and lesson plans appropriately. His biggest concern is the short timeframe to deliver the curriculum and the wide range of ages in the class room at the same time. He informed us that the transferring of academic records is the responsibility of the youth's particular school, and that it is impossible to match each juvenile's individual class work load from all the various school districts. He described the program that allows residents to earn guitars in the Cognitive Behavior



## Treatment (CBT) Program.

Interviews continued on March 21, 2014

- Male Sentenced Jail Inmate (Interview)  
The inmate had been in prison for a few months this time on a Medford municipal charge. He had been arrested 172 times. He said the jail is clean. The food is not good but they do a good job with what they have to work with. It takes a while to get dental treatment. He stated he had a toothache for three weeks before it was pulled. They sometimes lose privileges when others break the rules. Kites get next day medical response. Costs have gone up but the amount they earn a day has not increased. It takes a while for the jail heating and cooling to catch up with the outside temperature changes. Visiting regulations have changed and are much stricter than they used to be, with recording of conversations. He stated he was treated very well by staff, he feels safe and the staff keeps order.
- Female Sentenced Jail Inmate (Interview)  
She entered the system willingly through the Drug Court. She had been in for one week of a 32 day sentence. She was on a list to go to the Transition Center. She stated it took too long to receive both medical and mental health treatment. She had kited repeatedly for medical and mental but had not been seen. She felt she had adequate access to attorneys. The staff is nice and she feels safe. Beds are uncomfortable. Visitation was better in Josephine County and doesn't require advance scheduling.
- Jennifer Laughlin RN-Jail Nurse (Interview)
- Ms. Laughlin is the Director of Medical programs within the adult and juvenile facilities and her employer is ConMed, contracted with Jackson County. She stated that she had all of the equipment that she required. She said the space that she is provided is adequate. She stated they are understaffed, by terms of the contract with Jackson County. She expressed a need for additional administrative staff so she could focus more on patients. She feels that they are able to address all relevant medical requests and needs sent to them through the "kite" system. She said every "kite" is recorded and responded to in the inmate's medical records. She expressed concern with the quantity of "kites" from some inmates, especially multiple repeat "kites" in a single day from the same inmate. Nurses can write a five day order for over the counter medication. They try to keep an eye on pain issues with the inmates. They receive a batch of screening evaluations three times a day from intake. They get diabetics started with treatment as soon as possible, taking medication to cells and making sure that they are used. Needles never leave their sight. Ninety percent of the inmates are repeat offenders and the medical staff is familiar with them. There is a Nurse Practitioner that is mental

health certified, but mental health on a whole is understaffed. They have good communication with the hospitals. They do not currently have electronic medical records. They are able to refuse incoming inmates as medically unfit to be housed. They are inspected annually by Immigration and Customs Enforcement (ICE), quarterly by a pharmacist and monthly by ConMed. She stated it is a safe working environment, with panic buttons and ambient alarms. She felt there were not enough pillows for the inmates or the medical facility.

- Shad Barnard, Corrections Deputy (Interview)  
Has been at the jail for 17 years. He likes the benefits and the pay is good. Corrections staff could use additional mental health training, and there needs to be more mental health staff. They are seeing a huge increase in inmates with mental health issues. They are overworked at times with overtime, creating safety concerns. He felt the opening of the basement was going to affect morale with longer shifts and more overtime. He would rather work extra days than 12 hour days. Day staff is 10, but sometimes down to 5-7 with deputies in court, hospitals, and transfer. He felt this created unsafe conditions. Would like to see increase in video use with court to keep deputies on site.
- Dennis McNamara-Mental Health Specialist (Interview)
- Mr. McNamara is a ConMed employee who also works with Jackson County Mental Health. He indicated his primary function was suicide watch evaluation when the inmate is first detained, and he is the only person that can take them off suicide watch. He has an extensive caseload and could use additional help. He believes he has the tools he needs to adequately take care of the inmates although there are limited services for crisis and triage. There is an increasing number of inmates with mental health issues. No training is available in mental health for other staff, but is feasible and has been done in the past with four hour sessions. There is no real adequate housing for inmates with chronic mental health illness that don't fit in with the general population. The system is working for initial intake and diagnosis.

#### Jackson County Corrections Work Center (Inspection)

On March 21, 2014, the Grand Jury participated in a tour of the Jackson County Work Center Facility, conducted by Program Manager Eric Guyer. What follows is a listing of the Grand Jury's observations of the facility.

- Levels of Detention
- Counseling Programs
- Work Release
- Men's Dormitory

- Women 's Dormitory
- Kitchen Facility
- Outdoor Facility
- Classrooms

Eric stated the Work Center has a strong relationship with the jail. The center provides employment classes, life skills classes and forestry firefighting classes through Rogue Community College. The center focuses on facilitating re-entry into the community. Needs presented to the jury include becoming a remote campus for RCC and a jobs coach. Currently medical needs are a challenge at the center.

#### Male Work Release Center Probationer (Interview)

Also on March 21, 2014, a male probationer of the Work Center was interviewed. He was currently serving a 20 day sanction. He stated it is a good program and teaches work ethic. The program gives them the opportunity to change if they want to. He felt medical services were adequate. He doesn't like the food. He would like to see more training for people who were there for longer periods, and felt longer stays would be beneficial to help in transition. He thought highly of the staff and trusts them.

On Friday March 28, 2014 additional interviews were conducted as follows:

- Judge Patricia Crane, Drug Court

Judge Crane described the three components of the Drug Court: Community Family Court, Adult Drug Court and Recovery Opportunity Court. The goal of Community Family Court is to intervene with families and break the cycle before their kids get into the system. They take repeat rather than first time offenders. Grants require they take high and medium risk offenders that have a criminal history. There are lots of opportunities in Jackson County because of OnTrack.

- John Hamilton, Public Defender

The public defender is a constitutional mandate, with money set aside in the Oregon general fund. Some fees may be imposed at sentencing. He has a great deal of respect for the jail staff; they are very open, helpful and responsive. He stated that access to clients is very limited and Jackson County is one of the most restrictive counties in the state. There is a lack of private visiting booths for confidential discussions. He doesn't feel the visiting windows and video conferencing provide the privacy he feels is necessary. Mental health issues are a significant concern. He stated a significant number of his clients have mental health issues not being treated and consequently they end up in jail. He feels Dennis McNamara is doing great trying to do an impossible job dealing with the mental health issues of inmates with the resources available.

#### IV. GRAND JURY RECOMMENDATIONS

The affected agency/department should respond to the recommendations in the following format. This written response then becomes part of the Grand Jury report.

- A. Agreed and completed. The agency/department affected agrees with and has implemented the recommendation.
- B. Partial Agreement and completed. There is partial agreement, which has been completed, and partial rejection. Reasons for and details of this action are solicited.
- C. Disagreed and rejected. Reasons for rejection are solicited.
- D. Agreed but unable to implement at this time. Reasons for unable to implement are solicited.
- E. Unanswered. The agency or department has not responded to the recommendation.
- F. Pending. Partial or full acceptance has occurred but implementation is either incomplete or has yet to be initiated.

After a careful and thorough review, the Grand Jury makes the following recommendations:

1. As noted in previous reports, the Grand Jury recommends that Jackson County pursue additional sources of revenue to ensure staffing levels are adequate to maintain staff and prisoner safety with the increased capacity made available with the basement addition.
2. The Grand Jury recommends the Jackson County Jail increase efforts to raise public awareness of forced releases due to jail capacity caps. Information regarding the new release matrix should also be provided to educate the public on additional steps being made to improve the forced release process, including statistics gathered under the new matrix system.
3. The Grand Jury recommends additional mental health specialists to handle increased work load for each facility. Mental health issues were mentioned at all facilities, and by most of the individuals appearing before the Grand Jury. It is our observation that resources are not adequate to handle the need.
4. As stated in the previous recommendation (#3) inmate mental health issues are a major concern. It is recommended Jackson County provide mental health training for staff to aid

them in understanding and dealing with inmate mental health issues.

5. It is the observation of the Grand Jury that private facilities for inmate/attorney visitation should be increased, in light of increasing capacity within the jail.
6. The Grand Jury recommends the Juvenile Center continue to explore after school detention options in order to maintain continuity of their existing schooling and keep juveniles connected with their support community.
7. The Grand Jury recommends the Community Justice Center explore additional education, skill development, job coaching resources and work options. Expanded use of the kitchen facility would provide additional job training opportunities. In addition, expanded relationships with Rogue Community College and other educational resources would provide educational and training opportunities.
8. The Grand Jury recommends a structural and infrastructure analysis of the existing jail. The jail is now 30 years old and should be evaluated for safety, environmental concerns and efficiency of design in order to meet future needs. Ultimately a higher capacity, better designed jail facility is needed to serve the County considering current inmate populations and trends.

#### V. ACKNOWLEDGMENT

The Grand Jury acknowledges the professional courtesy and cooperation we received from all agency managers, staff and witnesses we interviewed during this inquiry. We appreciate District Attorney Beth Heckert and Deputy District Attorney Terry Smith-Norton's help and guidance throughout this process. *We were impressed with the professionalism, sincerity and dedication of all the managers and staff that testified before the Grand Jury.*

#### VI. RECOMMENDATIONS FOR FUTURE SPECIAL CORRECTIONS GRAND JURY

1. The Jackson County Circuit Court should continue to convene a *Special Corrections Grand Jury* to conduct the inquiry. Future special corrections grand juries should continue calling and swearing in witnesses, taking testimony and issuing a thorough report. By such actions, we can ensure the continued integrity of the correctional system.
2. The Grand Jury should be allowed free access at all reasonable times to the correctional facilities and juvenile facilities in Jackson County. The Grand Jury should be consulted as to the day, hour and length of time necessary to conduct their inquiry.
3. Future Special Corrections Grand Juries should continue to have available the past five years of reports prior to the tour of any facility and the response from the affected

agency/department. In addition, a summary of specific changes to the facilities, procedures and programs over the last year should be provided.

4. Future Special Corrections Grand Juries should have a brief overview of the facilities then all tours completed before the hearing of testimony to have a better understanding of what issues and areas may need further investigation and review.

5. It is the Grand Jury's recommendation that future Grand Juries be allowed to voice record interviews and discussions for more accurate reporting.

6. The Grand Jury recommends that tours conducted through each correction facility should occur on two separate days. The Jackson County Jail and Juvenile Detention Facility should be visited on one day and the Community Work Center viewed on the second day.

8. Future Special Corrections Grand Juries should continue to be allowed to interview at least one male and one female detainee from each facility in order to gain perspective on the conditions at each of the three facilities. We also recommend that a prepared list be provided for the Grand Jury to select additional detainees at random to ensure hearing multiple viewpoints.

9. The Grand Jury recommends that future Grand Jurors review, as a group, past reports before starting the interview process. This would provide a better understanding of the expectations for generating the yearly report. We also recommend the Grand Jury be provided copies of the standards and guidelines that govern the Jail facilities.

10. The Corrections Grand Jury requests responses to our recommendations.

## **VII. WITNESSES**

1. Beth Heckert - Jackson County District Attorney
2. John Watson – Community Justice Deputy Director
3. Dan Penland-Corrections Lt.
4. Jean Nicholas-Program Manager, Community Justice Juvenile Detention Facility
5. Eric Guyer-Director, Community Work Center/Talent
6. F.P. (female prisoner) - Jail
7. M.P. (male prisoner) - Jail
8. M.P. (male prisoner) – work release center

9. Jennifer Laughlin- Jail Nurse, ConMed
10. Shad Bernard - Deputy
11. Dennis McNamara - Mental Health Specialist, ConMed
12. John Hamilton - Public Defender
13. Juvenile (M.P) male prisoner
14. Joe Ferguson- Juvenile Deputy Director
15. Patricia Crane – Judge, Drug Court
16. Guy Tutland - teacher, Juvenile Center
17. Seth Rand - teacher, Juvenile Center