

JAIL INSPECTIONS

Each year under its civil oversight authority within the California Penal Code, the grand jury inspects jails and holding facilities of local law enforcement agencies in Alameda County. To determine which facilities to visit, the 2019–2020 Alameda County Grand Jury chose jails that had not been recently inspected. This year, the grand jury inspected jails located at the Fremont and Berkeley police departments, as well as the holding facility located at the Alameda County Sheriff's Office Eden Township Substation.

Fremont Detention Facility

On December 3, 2019, the grand jury performed an unannounced inspection of the Fremont Detention Facility, operated by the Fremont Police Department at 1990 Stevenson Boulevard. Opened in 2002, this facility provides booking, intake and temporary custody to persons arrested by the Fremont, Newark, and Union City police departments. It is also used by the California Highway Patrol, BART Police, and the East Bay Regional Park Police. Fremont Detention is a Type I facility which means, in part, that a detainee can only be held for up to four days. This facility has 54 beds and can hold a maximum of 96 people at one time.

Unique to the Fremont facility is its “pay-to-stay” program. This is an alternative to serving jail time at larger, more crowded county jail facilities. Individuals sentenced to thirty days or less can elect to serve their time at this facility by paying \$155 a day. These individuals can serve up to ninety-six-hours in blocks of time at Fremont Detention until they complete their sentence. These detainees stay in a smaller, quieter area than those available to other detainees. This smaller section has a capacity for only a limited number of detainees and offers the detainee additional benefits such as the use of a microwave, magazines, television and a shower.

The grand jury met with the Fremont jail facility staff for a briefing regarding the facility's operations and then inspected the entry and exit areas, the pre-booking and booking areas, followed by the holding cells and movement corridors. The facility appeared to be in overall good condition. It was generally clean with no visible graffiti or debris.

The facility processes approximately 6,500 detainees annually. Fremont Detention is staffed by 16 non-sworn detention officers, eight men and eight women, split between multiple shifts.

Each detainee enters and exits through a secure controlled receiving area. No firearms are allowed past the secure receiving area. Visiting officers who are delivering detainees must secure their firearms in lockers outside the receiving area. Jail staff has access to pepper spray.

An arriving detainee is brought into the pre-booking and booking areas and can be placed in one of nine temporary cells, which include four detox cells for individuals temporarily impaired by alcohol or drug use.

There is no medical facility on-site. Upon booking, all detainees are screened and observed for mental and physical health issues. Detainees requiring immediate medical care are transferred to Washington Hospital in Fremont. Those with acute mental health issues are transferred to John George Psychiatric Hospital in San Leandro.

Upon booking, detainees' personal items are inventoried, logged in the presence of the detainee and locked in a secured property room. The facility provides detainees with toiletries, fresh towels daily, as well as a change of clothes if needed. Belongings not held for evidentiary

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purposes are returned to each detainee when the detainee is released from the facility. Finally, each detainee is given a written set of Fremont Detention's procedures, including those on how to file a grievance.

There are separate sections for males and females and several single cells for those inmates who need to be isolated for their own or the general jail population's safety. Each cell has a sink, toilet, and emergency button to call a detention officer. Common areas are also

monitored by detention officers. Additionally, officers conduct inspections of the common areas and individual cells. The facility has full-time central video monitoring by approximately 20 cameras covering all entries and exits, passageways, and areas around single cells. Each common area includes a television, tables with built-in seating and telephones. Visits are conducted in booths equipped with telephone handsets and a glass partition that separates the detainee from visitors.

Fremont Detention has a kitchen giving staff the ability to prepare meals for detainees. The kitchen has such features as a walk-in freezer and commercial gas cooking range. The facility has its own separate laundry facility for bedding, towels and jail clothes. Both the kitchen and laundry areas appeared neat, clean and well-maintained.

The California Board of State and Community Corrections conducted an annual inspection in November 2019 and found the jail to be compliant with state standards. Fremont Detention was also inspected by the Alameda County Health Officer and the Fire Marshal in 2019 and found to be compliant with relevant state and local regulations.

The grand jury found Fremont Detention to be clean and well-managed. The grand jury commends the Fremont Detention staff for contributing to a positive environment at this facility.

Berkeley City Jail

On October 22, 2019, the grand jury inspected the Berkeley City Jail. The facility, located at 2100 Martin Luther King Jr. Way, is in the city’s public safety building which houses the police and fire department’s administration. The grand jury inspected the jail facility including cells, kitchen area, intake, booking, and the jail’s control center. In addition, the grand jury discussed the jail’s policies and procedures with the sergeant in charge of the facility.

The Berkeley Jail is a Type 1 facility per California’s state jail classification standards. Type 1 facilities limit a detainee’s stay to a maximum of 96 hours. The Berkeley Jail also provides booking and temporary detention for other local police departments, which include: Alameda, Emeryville, Piedmont, Bay Area Rapid Transit, California Highway Patrol, East Bay Regional Parks, and the University of California at Berkeley.

The Berkeley Jail holds up to 30 arrestees until their release or transfer to Santa Rita Jail in Dublin. The holding facility consists of a total of 24 cells, 16 cells for men and three cells for women, two detoxification cells, and three safety cells. There is a separate booking area and two holding cells for juveniles. No firearms are allowed past a secure receiving area. Visiting officers who are delivering prisoners must secure their firearms in lockers outside the receiving area of the jail. There are cameras located inside the hallways of the jail, and the main booking area camera is monitored by the Berkeley Police dispatch center.

The jail is staffed by one police sergeant and 12 community services officers (CSOs) and is managed under the Professional Standards Division of the Berkeley Police Department. Three of the CSOs are supervisors. The CSOs are trained as jailers at a California training corrections academy. Minimum staffing is three CSOs during any one shift. Each cell contains a bed, sink, and a toilet, along with an emergency alarm button.

Additionally, there are cameras located in hallways and other common areas and are monitored by jail staff and in the dispatch center. Pre-packaged food from the Santa Rita Jail food preparation contractor is stored in the freezer and heated in a microwave onsite.

An inspection report dated October 18, 2019, by the California Board of State and Community Corrections noted that some of Berkeley’s policies and procedures were incomplete. At the time of the grand jury’s inspection, we were informed that jail policies were being reviewed and

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updated with the help of LEXIPOL, a company that provides software solutions to assist police agencies to formulate and train on best practices and policies.

Inside the south entry hall of the jail building, the grand jury observed sandbags on the floor. These were intended to prevent water intrusion from the base of the building into the hallway during heavy rains. We were told that this has been a problem since the opening of the building in the year 2002.

A control room is located inside the jail and contains a control board that electronically operates all doors in the jail, as well as the intercom system. At the time of the grand jury's inspection, the control board would not work during power outages because it had no auxiliary power. During those circumstances, cell doors would have to be opened with keys and sally port doors would be opened using a manual crank. Additionally, during power outages, the intercom system would not work, hampering communications within the facility. The grand jury was notified after our inspection that these electrical issues had been corrected.

The grand jury noted no deficiencies relative to jail cells, security, or arrestee processing. Overall, the Berkeley City Jail facility was clean, well-maintained and in good order.

Eden Township Substation

The Alameda County Sheriff's Office (ACSO) provides traditional police services to unincorporated areas in Alameda County. Similar to a city police station, the Eden Township Substation (ETS) is the patrol and investigative hub for ACSO and unincorporated Alameda County.



Eden Township Substation, San Leandro

On December 10, 2019, the grand jury inspected the Eden Township Substation's holding cells located at 15001 Foothill Boulevard in San Leandro. Subsequent to arrest and pending investigation, detainees can be held in one of three holding cells at ETS (one cell on the upper level and two on the lower level). The upper level cell has a steel door with a glass window, while the two lower level cells have traditional jail bars. Each cell has a bench, sink, and toilet. These cells are used to temporarily hold detainees during on-going investigations.

There is a stated holding time limit of up to four hours at ETS. If a detainee spends more than four hours at the facility, they are provided with food purchased from nearby fast food restaurants. Detainees are not booked at this facility, but they are searched and their property is secured for later return, or for transfer to Santa Rita Jail in Dublin.

ACSO deputies provide close supervision of juveniles in order to prevent contact with adult detainees. If an adult detainee is in a holding cell in the lower holding area, juveniles will be held separately in the upper holding area. Juveniles can also be held in non-secure detention in a report-writing room or a briefing room located at the facility.

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Each holding cell is equipped with an intercom system and video monitoring. The cells are monitored from the sergeant’s office. The grand jury also observed secure storage for officers’ weapons, as well as a First Aid kit, CPR masks, and an automated external defibrillator (AED) device near the cells.

No deficiencies were noted by the grand jury. All cells were in excellent condition.

FINDINGS:	<i>None</i>
RECOMMENDATIONS:	<i>None</i>
RESPONSES REQUIRED:	<i>None</i>