



CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

AGENDA ITEM

Report: City of Glendale's Response to 2019-2020 Report by the Los Angeles County Civil Grand Jury re: Detention

1. Resolution Approving City of Glendale's Proposed Response Letter to the 2019-2020 Report by the Los Angeles County Civil Grand Jury re: Detention

COUNCIL ACTION

Item Type: Consent Calendar

Approved for October 27, 2020
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ADMINISTRATIVE ACTION

Submitted by:

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Prepared by:

Juan Lopez, Jail Administrator

Reviewed by:

Michele Flynn, Director of Finance

Michael J. Garcia, City Attorney

Approved by:

Roubik R. Golanian, P.E., Interim City Manager

RECOMMENDATION

It is recommended that the City Council approve the proposed response, authorize the Mayor to sign, and direct staff to submit the attached letter to the Presiding Judge of the Los Angeles County Superior Court, in response to the report entitled “Detention” issued by the 2019-2020 Los Angeles County Civil Grand Jury.

BACKGROUND/ANALYSIS

California Penal Code section 919(b) provides: “The grand jury shall inquire into the condition and management of the public prisons within the county.” Pursuant to this provision, during the months of August, September, and October of 2019, the 2019-2020 Los Angeles County Civil Grand Jury (Grand Jury) performed unannounced inspections of 142 detention facilities, including jails, courthouse holding cells, juvenile camps and detention facilities, and other penal institutions. Members of the Grand Jury inspected the Glendale Police Department Jail on August 6, 2019. Although they were disappointed for having to wait at the front desk for thirty minutes, based on statements made by the members of the Grand Jury, staff believed they were impressed with the Glendale Jail and its operations.

On July 31, 2020, the Grand Jury publicly issued its report entitled “Detention” (“Report”). The Report is attached as Exhibit 1. The Report indicates that the Glendale Police Department Jail received an unexpected unsatisfactory inspection rating. The rating was based on the following comments on page 9 of the Report:

We were kept waiting 30 minutes for our inspection; very clean; Video Court arraignments done at station to reduce prisoner transport; a pay to stay facility (\$91 a night); meals are from Central Jail; cleaning contracted out

Problems: when homeless are detained, clothes are confiscated and bagged as hazardous waste; when the inmates are released they are given paper clothing; officers do all the laundry: prison clothes, towels, and bedding; outside contractors are needed to free-up police officers time

As an agency recognized for maintaining a well-run jail operation, the Glendale Police Department is not accustomed to receiving unsatisfactory reports. Upon reviewing the Report, it was apparent the Grand Jury’s comments with regard to the noted problems at the Glendale Jail were inaccurate and not factual. Therefore, prior to the Report’s public release, the City Manager, the Chief of Police, and the Jail Administrator sent a letter (“City’s letter”) to the Presiding Judge objecting to the comments and requesting their removal from the Report. The City’s letter is attached as Exhibit 2. The letter also requested that the Glendale Jail be given a rating supported by facts. A response to the City’s letter was not received.

Pursuant to Penal Code sections 933 and 933.05, the City must now submit an official response to the published Report indicating whether the City accepts the statements and recommendations. In its response, the City must either agree or disagree with the statements and state whether the recommendation has been implemented, has not yet been implemented, or will not be implemented because it is not warranted or

reasonable, with an explanation therefor. Below are the specific statements in the Report and the City of Glendale's proposed responses.

Statement: "[W]hen homeless are detained, clothes are confiscated and bagged as hazardous waste; when the inmates are released they are given paper clothing[.]"

Response: The City of Glendale wholly disagrees with this statement as it is not supported by any facts in the Report. During the inspection, a juror asked whether the Glendale Police Department gives homeless people clothing if they defecated or urinated on themselves or had bloody clothing. A Custody Bureau Supervisor responded that persons who have defecated or urinated on themselves would be given blue paper pants, blue paper shirts, or white paper suits and disposable underwear. The Glendale Police Department does not remove or confiscate inmate clothing. Particular pieces of clothing that are hazardous due to blood or feces or otherwise infested are properly disposed of for health and safety reasons. If a person's clothing is removed for health and safety reasons, staff will provide temporary disposable clothing. The inmate may call family members or friends to bring a change of clothes before being released. If a change of clothes is not brought by family or friends, prior to release, staff may provide unmarked inmate clothing that is similar to medical scrubs. This procedure applies to all persons and not just homeless persons. The statement in the Report is inaccurate to the point of being reckless.

Further, the statement regarding homeless individuals in the Report is not consistent with policy or practice. Pertinent sections of the Glendale Police Department Custody Bureau policies are set forth below.

Chapter 15 Subsection 5

Jail staff will properly account for and accurately maintain control of the clothing and personal property of each person in custody until the person and/or property is released.

Chapter 20 Subsection 3 STANDARD INMATE CLOTHING

The Jail Administrator shall be responsible for overseeing the control, storage, and inventory of all inmate clothing. A sufficient supply of clothing shall be available at all times, and facilities shall be prepared to meet unusual demands that may arise (i.e.; contaminated prisoner clothing, prisoner booked without sufficient clothing, prisoner clothing held for evidence, etc.).

A standard issue of institutional clothing shall include, but not limited to the following:

1. Clean socks and footwear
2. Clean outer garments
3. Clean undergarments

For males: shorts and undershirt

For females: panties and bra

An inmate's personal undergarments and footwear may, subject to security requirements, be substituted for the institutional undergarments and footwear specified herein. Clothing shall be reasonably fitted; durable, easily laundered or dry-cleaned,

repaired, and shall be issued to all inmates held over 48 hours, excluding weekends and holidays. (California Code of Regulations, Title 15, Section 1260)

Finding No. 5: “Officers do all laundry for facility[.]”

Response: The City of Glendale disagrees wholly with this finding as City of Glendale police officers do not perform laundry duties at the Glendale Jail. Rather, Custody Bureau personnel perform laundry duties when trustees are not available. Laundry duties do not interfere with the primary responsibilities of Custody Bureau personnel. Further, these duties are done in accordance with Los Angeles County Health Department regulations and include solely prisoner towels, bed liners, and blankets, and not prisoner clothes. To specifically include this statement as a basis for an unsatisfactory rating is inappropriate.

Recommendation No. 5: “Outside contractors should be hired to do the laundry, as to free up officers’ time.”

Response: This recommendation will not be implemented because it is not warranted as police officers do not perform this work. Laundry duties do not interfere with the primary responsibilities of Custody Bureau personnel. The performance of this task by employees of the Custody Bureau does not violate any jail operational regulation and falls well within the Custody Bureau’s ability to perform its duties while continuing to ensure a safe and secure jail environment.

The proposed letter to the Presiding Judge is attached as Exhibit 3 to this report.

FISCAL IMPACT

There is no fiscal impact since operational changes are not called for as a result of the issues noted in the 2019-2020 Los Angeles County Civil Grand Jury Report on Detention.

ALTERNATIVES

Alternative 1: Council may adopt and approve the proposed response to the Detention Report by the Los Angeles County Civil Grand Jury.

Alternative 2: Council may amend any portion of the proposed response to the Detention Report by the Los Angeles County Civil Grand Jury, and may adopt any such amended response.

Alternative 3: The City Council may consider any other alternative not proposed by staff.

CAMPAIGN DISCLOSURE

Not applicable.

EXHIBITS

Exhibit 1: Report by the 2019-2020 Los Angeles County Civil Grand Jury: “Detention”

Exhibit 2: City’s Letter dated July 16, 2020

Exhibit 3: City’s Proposed Letter Response to Grand Jury Report