

TUOLUMNE COUNTY SUPERIOR COURT TRANSPORTATION AND DETENTION

REASON FOR INVESTIGATION

The Tuolumne County Civil Grand Jury reviewed and toured the transportation and holding facilities for inmates at the five (5) different Tuolumne County Superior Courts and security for each courtroom as part of our investigation into inmate detention in general. Inmates spend a considerable amount of time in court for hearings and trials. Of concern was the safety of judges, bailiffs, attorneys and citizens present in court. This investigation was not complaint driven.

METHODOLOGY

The Civil Grand Jury (CGJ) observed the transportation of inmates from County Jail to the Superior Courts. Members toured and inspected the holding facilities in each of the five (5) Superior Courts and reviewed the security measures in place for each court room.

The CGJ witnessed video arraignments (first court appearance) from both the jail and the courtroom. While inside the jail the inmates were arraigned utilizing a closed circuit video by a Superior Court Judge.

FINDINGS

1. Each day at 4:00 PM jail staff members setup a video link with the Superior Court, Department 4. All individuals arrested within the previous 24 hours (weekends/holidays excluded) have their first court appearance (arraignment) from the jail via the closed circuit video link. This process can take as little as fifteen minutes or up to one (1) hour depending on the number of defendants. The process occupies the time of three (3) deputies leaving one (1) sergeant, one (1) deputy and two (2) transportation deputies to maintain the jail.
2. There are no lockup holding facilities in any of the five courtrooms. Defendants must be transported to the courtroom for his/her hearing and then be transported back to the jail for holding. If a defendant has a morning and afternoon hearing, then he/she will be transported a total of four (4) times during the day. The two (2) transportation deputies must stay with the defendant at all times. If more than one defendant has a court appearance, additional deputies, being paid overtime, are used.
3. During transportation and most court appearances, inmates wear ankle and wrist restraints. With few exceptions, during trials and when a defendant is in front of a jury, no restraints are allowed.
4. Vehicles used for transportation are well maintained and very secure. Some of the vehicles are approaching the need to be replaced due to high mileage.

RECOMMENDATIONS

1. For Finding 1, the use of closed circuit video arraignment is efficient and profoundly increases safety for the judge and court staff as well as defendants, inmates and jail staff. This video arraignment procedure mitigates the danger

- created by not having holding facilities in the courts and should be continued and encouraged.
2. For Finding 2, the lack of physical security leaves the courtrooms highly susceptible to escape during a trial. As the physical aspects of the courtrooms will not be changed anytime soon, the number of transport deputies and bailiffs should be increased when deemed necessary. This would be temporary and be assessed and determined by the Sheriff utilizing criteria such as the defendant's history, current charges, and potential length of sentence.
 3. There is no recommendation for Finding 3.
 4. For Finding 4, replace vehicles as they age out.

COMMENDATIONS

The Tuolumne County Civil Grand Jury commends the Superior Court Judges, bailiffs and staff for being vigilant in their pursuit of safety in the courtroom especially in light of the functional obsolescence of the court house buildings.