



**2012 - 2013
Madera County Grand Jury**

Final Report

**Criminal Complaints within the
Madera County Jail**

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Introduction:

Pursuant to California Penal Code Section 919(b) the Madera County Grand Jury (GJ) inquired into the condition and management of the public prisons within the county. The GJ toured the Central California Women's Facility located at 23370 Road 22, Chowchilla, CA on September 14, 2012. Valley State Prison for Women (now Valley State Prison) located at 21633 Avenue 24, Chowchilla, CA on September 17, 2012, and the Madera County Department of Corrections (County Jail) at 14191 Road 28, Madera, CA 93638 on October 25, 2012.

During the GJ annual inspections of these institutions the GJ uncovered concerns about the lack of filing criminal complaints of crimes committed within the facilities.

Facts:

1. All three institutions refer crimes committed in their facilities to the Madera County District Attorney's Office for filing criminal complaints.
2. A Memorandum of Understanding (MOU) between the California Department of Corrections and Rehabilitation and the Office of the District Attorney currently in effect is dated January 22, 2013.
3. The MOU covers the agreement to establish guidelines for:
 - a. The prosecution of serious crimes committed in the state institutions
 - b. Investigation of criminal activity
 - c. Release of inmate records to the District Attorney's Office
 - d. Notification of an inmate death or other major incidents.
4. A Deputy District Attorney is assigned to process referrals from the state penal institutions.
5. The State of California provides funding to the District Attorney's Office for the prosecution of State inmates in Madera County Superior Court.
6. The County Jail has no MOU or guidelines in effect to refer criminal cases occurring in the facility for prosecution.
7. There is no liaison between the District Attorney's Office and the County Jail.
8. The District Attorney's Office has three funded supervisory positions currently unfilled.

Findings:

1. A MOU provides the guidelines which assist the state penal institutions in referring serious crimes committed in the institution to the District Attorney's office for prosecution.
2. There is a lack of liaison and communication (feedback) between the District Attorney's Office and the County Jail.
3. The County Jail might not refer a crime to the District Attorney's Office because they perceive the DA's Office will not prosecute the case.

Recommendations:

1. Establish an MOU guideline for the prosecution of crimes occurring at the County Jail facility.
2. Provide the County Jail with a liaison to the District Attorney's Office.

Respondents:

Madera County District Attorney
209 West Yosemite Avenue
Madera, CA 93637

Madera County Department of Corrections
Director
14191 Road 28
Madera, CA 93638

Informational:

Madera County Board of Supervisors
200 West Fourth Street
Madera, CA 93637