



**NAPA COUNTY GRAND JURY
2017-2018**

June 14, 2018

FINAL REPORT

Empty Beds: Juvenile Hall Review

Empty Beds: 2017-2018 Napa County Grand Jury Juvenile Hall Review

SUMMARY

Rehabilitation and treatment, rather than incarceration, is the primary goal of the California juvenile justice system and has been for more than half a century. This is the focus of Napa County Juvenile Hall through its organization, management, and programming.

The 2017-2018 Napa County Grand Jury toured the Juvenile Hall facility twice, each time noticing that the number of youth housed was less than 20. Since the facility is capable of housing 50 youths, the space is considerably underutilized. Many counties throughout the state find themselves in similar situations due to declining juvenile arrest and detention rates in California since 2007.

Napa County officials were approached by a neighboring county about the possibility of consolidating juvenile hall operations. While this might increase cost efficiency for the municipalities, this would cause new challenges for the juveniles in residence. Specifically, moving juveniles farther away from their homes would make family visits and transportation more difficult. It would also remove them from their local educational programs. Napa ultimately dropped the idea of consolidation. It is hoped that current and future policies and initiatives may increase the utilization of Juvenile Hall.

In an interview with management, the grand jury learned that the county-wide criminal justice computer system is now serving all of the member departments except Juvenile Hall. It is expected to be completed by fall of 2018. This custom-designed system will be beneficial to Juvenile Hall.

The grand jury finds that the activities and services provided to Napa County Juvenile Hall youth are suited to the current juvenile justice philosophy of rehabilitation, not incarceration.

GLOSSARY

BSCC [California] Board of State and Community Corrections: Formerly Corrections Standards Authority, the BSCC was established in 2012. It is an independent statutory agency that provides leadership to the adult and juvenile criminal justice systems. It inspects for compliance of standards, in addition to several other responsibilities.

CJCJ (Center on Juvenile and Criminal Justice): CJCJ is a nonprofit, nonpartisan organization whose mission is to reduce society's reliance on incarceration as a solution to social problems. In pursuit of this mission, CJCJ provides direct services, technical assistance, and policy analysis that work in unison to promote a balanced and humane criminal justice system designed to reduce incarceration and enhance long-term public safety.

EBP (Evidence-based practices): EBP places an emphasis on achieving measurable outcomes, and making sure the services provided and the resources utilized are effective. It involves using research-based and scientific studies to identify interventions that reliably produce significant reductions in recidivism, when correctly applied to offender populations, through the use of four

principles of effective intervention. [BSCC] See also: University of California at Irvine Center for Evidence-Based Corrections. www.ucicorrections.seweb.uci.edu.

Juvenile Hall (Defined by the BSCC): A county facility designed for the reception and temporary care of youth detained in accordance with the provisions of Title 15 Minimum Standards for Juvenile Facilities and the juvenile court law.

Proposition 64: Effective November 9, 2016, in part, legalizes specified personal use and cultivation of marijuana for adults 21 years of age or older and reduces criminal penalties for adults. It amends existing statutes to provide that most marijuana related offenses for minors are infractions.

SB1004, Young adults: deferred entry of judgment pilot program. Napa, one of five pilot counties, shall allow “certain transitional age youth access to age-appropriate rehabilitative services available in the juvenile justice system when an assessment determines that the individual would benefit from the services, with the aim of reducing the likelihood of the youth continuing in the criminal justice system.”

Youth (formerly Minor) (Defined by Title 15, Minimum Standards for Juvenile Facilities):

“A person who is in the custody of the juvenile detention facility. This person may be under 18 years of age or over 18 years of age. This includes persons whose cases are under the jurisdiction of the juvenile court and persons whose cases are under the jurisdiction of the adult court.”

BACKGROUND

As required by California Penal Code §919(b) and §921, the grand jury is charged with inquiring into the condition and management of the detention facilities within the county. Such an investigation points out issues important not only to the efficiency and collaboration within the criminal justice systems within the county, but for the benefit of the youth served by the county facility.

Napa County was one of the original counties in California when it became a state in 1850. At that time there were no correctional facilities for juveniles in California. Reform schools were the first facilities in California to house juvenile offenders. It was not until 1909 that county juvenile halls were established and Napa County opened its first juvenile hall in 1954. It was designed to house 26 detainees. Prior to the county juvenile hall, youth were sent to the Alameda Juvenile Hall.

By 2003, the facility was deemed to be old and in need of replacing. The new Napa County Juvenile Hall (NCJH) was constructed in 2004 and opened its doors adjacent to the old facility in 2005. The new 43,000 square-foot, two-story facility was a phased project that included demolition of the existing 8,200 square foot housing unit and remodel of the 8,066 square foot remaining juvenile court and probation office building.

The NCJH is run by the Probation department. It is a 24-hour/365-day secure facility with a capacity for 50 youth. The typical length of stay is from 17-24 days. Upon its completion in

2005, the facility housed an average daily population (ADP) of 40 youth, nearing its capacity. It has consistently run well under-capacity for the last decade. The NCJH considered consolidating juvenile detention facilities with a nearby county, but decided not to pursue the idea.

In February 2014, the BSCC's Juvenile Justice Standing Committee published a report detailing the principles of juvenile justice in California, including information technology (IT) systems and case management. The report concluded that modern data systems are necessary to optimize justice performance measures. Also, comprehensive data regarding operations and outcomes should be "transparent and accessible." Prior to the BSCC report, The Criminal Justice Information Management System (CJIMS) of Napa County was reviewed, and recommendations were made to upgrade the system.

While conducting our review of the NCJH, the BSCC provided its biennial final report following its inspection on December 5-6, 2017. This extensive inspection covers Title 15 Procedures and Checklist requirements, a physical plant review outlining Title 24 requirements, and a Living Area Space Evaluation (LASE). Local agency inspections, which are incorporated into the BSCC report, include county fire, building inspectors, health officers, Superintendent of Schools, and others.

METHODOLOGY

Interviews

- Multiple interviews with members of Juvenile Hall facility management
- Informal interviews over lunch with NVJH youth
- Informal interview with Juvenile Hall teacher

Tours

Our tours included the following areas:

- Sally Port (a secure entry for youth in police/law enforcement vehicles)
- Control Desk
- Outside Recreation Area
- Kitchen
- Library and Classroom
- Occupied Youth Housing/Dining Area
- Unoccupied Youth Housing/Dining Area
- The "Rewards Store" (an in-house canteen where youth can exchange behavior-points for toiletries or other items)
- Video Psychiatric/Treatment Counseling Room
- Holding Area

DOCUMENTS REVIEWED

See Bibliography at the end of this report

DISCUSSION

The 2017-2018 Napa County Grand Jury took a fresh look at the current state of and potential changes to the Napa County Juvenile Hall. State laws regarding marijuana and its use/possession along with statewide measures now focusing on rehabilitation—as opposed to incarceration—have recently changed. The Napa County Grand Jury initiated its investigation with no predispositions. An extensive document review was followed by two tours of the Napa County facility; several interviews with management and mid-management level employees; interviews with educators; and open discussions over lunch with several juvenile hall youth.

Grand Jury Facility Tour

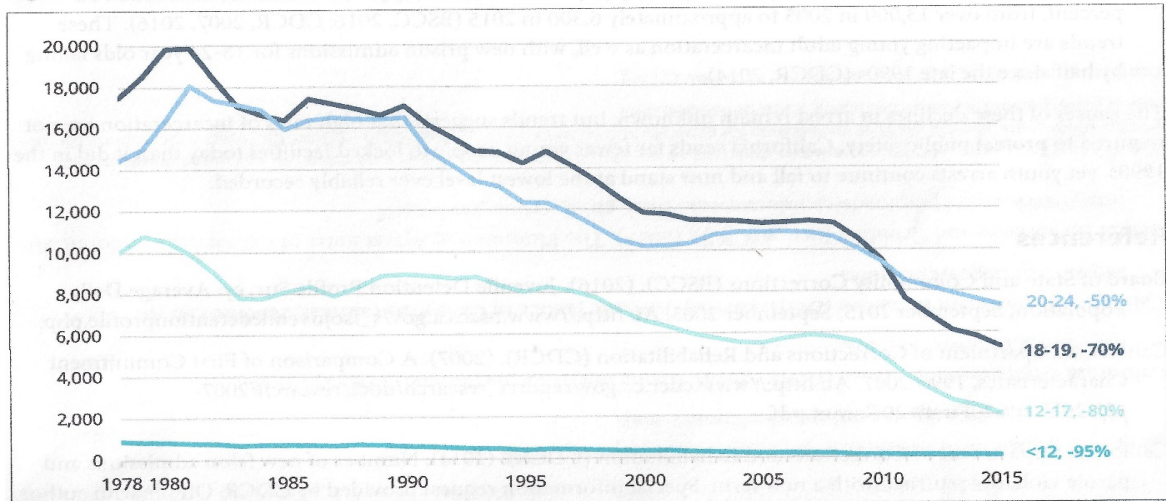
Grand Jurors noted NCJH youth artwork decorating the public entrance to the facility. The grand jury found the employees extremely professional and dedicated to youth rehabilitation. All staff appeared to be working toward the same goal: youth success. Every juvenile hall employee interviewed displayed integrity, coupled with educational and professional experiences specific to youth rehabilitation.

Employee policy and facility operations manuals were kept in plain view for all employees to reference. The youth classroom was furnished with up-to-date and clean desks, video monitors for educational programs, a large Promethean/Smart Board, and decorated with vibrant colored student art. During both tours, the facility was well below maximum capacity with fewer than 20 youths housed.

NCJH Unused Capacity/Space Issues

The low number of youth housed at Juvenile Hall is not a situation unique to Napa County. The juvenile arrest rate for California youth ages 10 to 17 has experienced a steady decline since 2007. Since then, California has passed a series of bills that focus on rehabilitation rather than punishment, as well as reduced criminal penalties.

Figure 1. Trends in the arrest rates of Californians under age 25, 1978-2015



Sources: DOJ (2011, 2015, 2016, 2016a). Notes: Population for youth ages 10-11 are used to calculate rates for the under age 12 category.

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Statistics maintained by the BSCC for Napa County, Publicly Accessible Data Sets, reported by law-enforcement agencies in Napa County indicate that the arrest rate of 10 to 17-year-olds dropped from 469 arrests in 2011 to 258 in 2016, a 45% decrease.²

Similarly, the BSCC finds that juvenile facility populations statewide also continue to decline.

The Napa County Juvenile Justice Crime Prevention Act and Youthful Offender Consolidated Annual Plan 2017 reports that in 2009, ADP at Napa County Juvenile Hall was 43. This number has declined nearly every year since to an ADP of 18 in 2016, a 58% decrease.

Eight Year Arrests/ADP Census Chart

Year	Total Juvenile Arrests	Juvenile Hall ADP	#Youth on Probation
2009	420	43	
2010	426	36	567
2011	367	30	373
2012	322	25	306
2013	239	22	297
2014	243	24	257
2015	195	19	238
2016	Not available	18	232

Table abstracted by Napa Grand Jury

¹ "California's Youth and Young Adult Arrest Rates Continue a Historic Decline." Mike Males, Ph.D., Senior Research Fellow, Center on Juvenile and Criminal Justice. August 2016.

² California Department of Justice's *10 Year Arrest Data 2006-2015* (<https://openjustice.doj.ca.gov/data>)

The grand jury recognizes differences in the reported numbers of juvenile arrests, attributed to discrepancies in the reported sources; however, they clearly show that both juvenile arrests and average daily population are declining.

NCJH Unused Capacity/Space Issues

The Napa County Grand Juries are annually tasked with inquiring into the condition and management of NCJH. While prior Napa County Grand Jury reports have not discussed the declining ADP, the 2014-2015 Marin County Grand Jury considered contracting with surrounding counties to address the low facility-to-youth space ratio. According to the Marin County Grand Jury, first impressions of this plan seemed operationally and financially sound. Upon closer review it was determined that transport time and cost would increase significantly and youth would be housed relatively far away from their family and friends. Additionally, youth who already attend their local schools would no longer be able to do so and increased distances from home would reduce family visit opportunities. Ultimately, it was determined that contracting out with neighboring juvenile facilities was neither practical nor in the best interests of their youth.

The NCJH management discussed a potential consolidation with Marin County, but ultimately agreed with their Marin counterparts about the negative consequences of such a move. In addition to the reasons stated above, NCJH management's overwhelming concern continues to be that more-hardened offenders would negatively affect the less criminally-sophisticated youth commonly dealt with in Napa County.

Forecasting Facility Needs

While the declines in ADP and recent juvenile arrests may suggest a need to downsize the Napa County Juvenile Hall in the name of efficiency, NCJH leadership is uncertain about the future housing needs due to the dynamic legal changes at the state level.

Napa County was chosen as a pilot county for SB 1004, Transitional Aged Youth (TAY) Project. This program requires 18-20 year-old adults to be housed separately, but inside one of the existing Juvenile Hall units for special training and life skill development. While this program is in its early stages of implementation, space will be needed to accommodate the program's housing requirements. Future statewide rehabilitation initiatives may also require additional space for operation.

Outdated IT/Case Management System

Since the spring of 2009, a countywide review/upgrade of the Criminal Justice Information Management System (CJIMS) has been underway. In February 2014, the BSCC's Juvenile Justice Standing Committee published a report detailing the principles of juvenile justice in California, including IT systems and case management. Key tenets of the BSCC's report include: "Juvenile justice performance measures at all levels of intervention must be supported by adequate, modern data systems." Tenets also include that "Comprehensive aggregate data on

the caseloads, operations, costs, and outcomes of the California juvenile justice system, at the state and local levels, should be transparent and accessible to policymakers, stakeholders, and members of the public.”

CJIMS was built on software platforms that are no longer supported and do not possess the sophistication of a modern criminal justice IT system. CJIMS was not capable of incorporating the general principles of the 2014 BSCC Juvenile Justice Committee. The County Sheriff’s department, Superior Court, Adult Probation, and other members of the Napa criminal justice system have implemented the new records system, CJNet. However, Juvenile Probation/NCJH has not. Full implementation by the NCJH is expected by September 2018, at which time separate case management and data systems will be fully integrated, capable of sharing and measuring juvenile-justice outcomes.

Programming

Several initiatives and programs have been started to help train NCJH youth life skills and behavior modification. A new and successful program is “Thinking for Change.” This evidence-based program addresses cognitive behavioral issues, discusses these issues with participants, and teaches new skills for conflict resolution.

Other programs taught or administered by NCJH’s specially-trained staff include therapy dogs; arts programs; and substance abuse education, including treatment, and tutoring. A new culinary arts program is planned, which will teach life skills and provide potential career training. This program will incorporate the existing and fully-outfitted kitchen facility at the NCJH and aligns with the local tourist economy.

Social awareness programs include Aggression Replacement Therapy (ART); Thinking for a Change; Art Appreciation; Gang Awareness; Planned Parenthood; Life Skills; and the Mariposa Program, which focuses specifically on life skills for girls. Staff counselors set and assess targeted goals tailored to individual youth case plans. During grand jury interviews with NCJH youth, it was determined that positive experiences occurred with their counselors, unit managers and staff, with interactions often on a first-name basis.

Operationally, the Napa County Juvenile Hall was noted by the BSCC to have a full schedule of youth engagement activities with services provided by various staff member specialists. Educationally, the Napa County Office of Education’s Crossroads School educators were noted by the BSCC to “go above and beyond to assist youth during school hours and after school, including assisting youth with tutoring for credit recovery.”

FINDINGS

The Napa County Grand Jury finds that:

- F1. A multi-county consolidation of juvenile detention facilities is not optimal for serving Napa County youth.
- F2. Present and future state initiatives may increase the utilization of the NCJH facilities.
- F3. With the September 2018 implementation of CJNet in the Napa County Juvenile Hall, juvenile justice information technology will be fully integrated with the county's criminal justice system.
- F4. NCJH programming aligns with the current juvenile justice philosophy of rehabilitation as opposed to incarceration.

RECOMMENDATIONS

The Napa County Grand Jury recommends that:

- R1. No later than December 31, 2018, the BOS commission a study to determine whether excess Juvenile Hall physical capacity and staffing above near-term projected needs can be put to an alternate use. The results of the study should be published.

REQUEST FOR RESPONSES

Pursuant to Penal Code section §933.05, the Napa County Grand Jury requests responses:

From the following governing body:

- Napa County Board of Supervisors: **F1-F4, R1**

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