

**NAPA COUNTY
GRAND JURY**

2008-2009

Final Report on

**NAPA COUNTY
CRIMINAL JUSTICE
FACILITIES:**

County Jail and Juvenile Hall

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A Tradition of Stewardship
A Commitment to Service

NAPA COUNTY GRAND JURY

P.O. BOX 5397

NAPA, CALIFORNIA 94581

April 2, 2009

The Honorable Raymond A. Guadagni
Presiding Judge
Superior Court of the State of California
County of Napa
825 Brown Street
Napa, CA 94559

Dear Judge Guadagni,

Pursuant to Section 933(a) of the California Penal Code, the 2008-2009 Napa County Grand Jury submits to you its Final Report on the Napa County Criminal Justice Facilities: County Jail and Juvenile Hall. Our investigation of these facilities was conducted in a manner consistent with the California Penal Code, this Court's Charge, and the historic role of the Grand Jury – to protect the interests of the citizens of Napa County.

This is the fifth in a series of final reports we will be issuing before our term ends. I would like to acknowledge the hard work and dedication of the Grand Jury which our report reflects. It is a privilege and a pleasure to work with them.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "W. Trautman".

William E. Trautman
Foreperson
2008-2009 Napa County Grand Jury



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To the Citizens of Napa County:

The 2008-2009 Napa County Grand Jury visited and inspected both the Napa County Juvenile Hall and the Napa County Jail on two occasions during the past year and reviewed their operations in compliance with the mandate of California law.

The Napa County Juvenile Hall is operated by the Napa County Department of Probation. The Chief Probation Officer, who is also the Director of Juvenile Hall, has been in this position for five years. The Grand Jury found the Juvenile Hall facility to be clean, well maintained, and secure. The facility and programs are all designed to engage and rehabilitate youth, and the juveniles are treated with respect and courtesy.

The Napa County Jail is operated by the Napa County Department of Corrections ("NCDC"). Napa is only one of three counties in the State to have a jail not administered by the county sheriff. As noted in the 2007-2008 Grand Jury's report, the position of Director has, in the past, been one of constant turnover. During our initial review of the County Jail, the newly hired Director had only been there a month. However, during our last visit, it was evident that the new Director had already begun to make positive changes.

In 2007, the Board of Supervisors directed the NCDC to implement Phase I of the Napa County Adult Correctional System Master Plan. One of the recommendations of the Master Plan was the creation of a Community Corrections Services Center ("CCSC"), which opened in February 2009. Phase II of the Master Plan includes a proposal to evaluate the feasibility of expanding or reconfiguring the existing jail or building a new facility to accommodate the growing number of inmates in Napa County.

Napa County Counsel's Office has reviewed this final report on the Napa County Criminal Justice Facilities: County Jail and Juvenile Hall and the Presiding Judge of the Napa County Superior Court has certified that the report complies with Title 4 of the California Penal Code. The report has been accepted and filed as a public document by the County Clerk.

Copies of this report are available for your review in the Napa City/County Library and online by following the link to the Grand Jury at <http://www.napacounty.com>. It is our pleasure and honor to serve you during the 2008-2009 Grand Jury tenure.

Respectfully submitted,

The 2008-2009 Napa County Grand Jury

NAPA COUNTY CRIMINAL JUSTICE FACILITIES: County Jail and Juvenile Hall

SUMMARY

As prescribed by law, the 2008-2009 Grand Jury has completed its annual inspection and review of the Napa County Jail (NCJ) and Napa County Juvenile Hall (NCJH).

Napa County Jail

The jail staff performs their duties in a professional manner and is well versed in the operating procedures and policies of the facility. The facilities were found to be adequately maintained and managed. However, concerns currently under study include:

- Separation of low-risk and high-risk inmates
- The growing number of inmates with gang affiliations
- Increased female population
- Jail overcrowding
- Mental health services

Napa County Department of Corrections (NCDC) staff is working with the Criminal Justice Committee, under the direction of the Napa County Board of Supervisors, to develop Phase II of the Adult Correction System Master Plan which includes the building of a new jail facility at a location to be determined. This plan will address many of the issues the County faces in dealing with its future inmate population. The County recently approved the opening of a Community Corrections Services Center (CCSC) in an effort to reduce the estimated 80 percent recidivism rate by providing intensive therapy, training and Global Positioning System bracelets for medium and high risk offenders. The Grand Jury was informed that the planned CCSC facility was opened in February, 2009 and is located in downtown Napa.

The new Director of the NCDC was hired August 2008 and served one month at the time of the Grand Jury inspection. However, the new Director, with his assistant, cooperated in the Grand Jury inspection and review. The Grand Jury was impressed with the Director's past work experience, his knowledge of the corrections system and criminal behavior as well as his vision for the future operations of the NCDC.

Napa County Juvenile Hall

The current NCJH facility began operation in 2005. The Grand Jury found the facility clean, well maintained and secure. The Chief Probation Officer serves as Director of NCJH and has held this position for five years.

Various members of the staff participated in the interview and inspection. The facility and programs are all designed to engage and rehabilitate youth. The staff is knowledgeable, maintains discipline and a strict regimen of activities. The juveniles are treated with respect and courtesy.

BACKGROUND

Jail Facility

The NCJ was completed in 1975 as a secure facility for the detention and incarceration of both pre-sentenced and sentenced inmates. It has a maximum capacity of 264 inmates with a population of 235 at the time of the Grand Jury's inspection in September of 2008. Since January 2009, the inmate population has averaged 260. The annual budget is \$8.4 million. Seventeen percent of the inmates are female. The Jail is operated solely by the NCDC with a total paid staff of eighty-four, forty-eight of whom are correction officers working twelve hour shifts. The NCJ was the first in the State of California to become a civilian run facility and is currently one of only three in the State not affiliated with the Sheriff's Department. The recidivism rate is approximately 80 percent with a growing gang population that requires additional supervision. NCDC offers inmates limited programs and treatments for rehabilitation and currently offers no Evidenced Based Programs. The current Director is in the process of evaluating rehabilitative programs determining costs and effectiveness before delivering them to inmates.

Juvenile Hall Facility

NCJH is located at 212 Walnut Street in Napa, was built in 2005 and houses a maximum of fifty juveniles with an annual budget of \$4.6 million. Napa County Probation Department oversees the operation of NCJH and the Chief Probation Officer serves as its Director.

NCJH is a secure facility intended to provide safe custody, counseling, medical care and guidance to delinquent youth. The facility provides residents the opportunity to continue school through an on-site classroom. It cooperates with City and County agencies and non-profits to provide a variety of programs addressing mental health, alcohol and drug abuse, conflict resolution as well as religious services and art programs. The Director is committed to providing Evidence Based Programs to address behavioral issues which can impact recidivism. The recidivism rate is not tracked, but it is estimated at over 50

percent. As with the County Jail, NCJH houses a significant gang population which requires vigilant supervision to maintain order.

METHODOLOGY

Jail Facility

The Grand Jury inspected the Jail facility and met with representatives of the NCDC, the Probation Department, the District Attorney's Office, and interviewed inmates. The Grand Jury also reviewed and discussed the policies and procedures of the NCDC as well as the Adult Correctional System Master Plan-Phase II and the County budget.

Interviews Conducted

- NCDC Administration and Staff
- NCDC Correction Officers and Supervisors
- NCDC Inmates (male & female)
- Napa County Probation Department personnel
- Napa County District Attorney's Office personnel

Documents Reviewed

- Grand Jury Report – 2007-2008
- Napa County Adult Correctional System Master Plan (Phase II)
- 2005 Adult Title 15 Regulations
- 2005 Title 24 Physical Plant Regulations
- Napa County Department of Corrections Overview of Programs and Services
- Notice of Proposed Changes to Building Standards
- Operational Procedure: F501 Inmate Grievance Procedure
- Inmate Grievance Log
- Napa County Department of Corrections Inmate Programs Guide

Napa County Jail Physical Inspection

- Initial Booking area
- Holding cells
- Sally Port Entry
- Male and Female inmate cells
- Food Preparation area
- Visitation area
- Court Holding area
- Main Control Room

Juvenile Hall Facility

The Grand Jury inspected the NCJH facility and operations, interviewed facility administrators as well as personnel from other agencies that interact with NCJH and reviewed the county budget.

Interviews Conducted:

- NCJH administrators and personnel
- Wolfe Center personnel and administrators
- NCDC personnel
- Napa County Probation Department personnel
- Various community youth service organizations

Documents reviewed

- California Corrections Standard Authority Report 2007
- Napa County Juvenile Hall Incident Report
- Napa County Budget Fiscal Year 2007-2008

DISCUSSION

Napa County Jail

The Jail facility is old and the cells do not meet State standards. In its current conditions and configuration it cannot effectively accommodate the number and classifications of inmates. It is mandated by state law that each classification of male and female inmates (i.e., gangs, mental health, and protective custody) be separated and receive yard time a minimum of three times per week. There is one yard shared by all classifications so rotation of yard time per State requirements is challenging. The Criminal Justice Committee (CJC) for the County of Napa projected an additional thirty-six beds will be needed by 2010 to properly address classification issues and to maintain security. The current jail has serious limitations in housing options.

Specifically, with the increase in Nortenos and Serenos gang members, and inmates with mental health issues, the Jail is not well designed to handle separation of dangerous inmates. Therefore, staff could possibly be placed in jeopardy. Also, the women's wing is small and cannot accommodate the increase in female inmate population and current staff is inadequate to monitor the female wing.

The recidivism rate is approximated at 80 percent with alcohol related offenses having extremely high recidivism. Gang affiliation is not specifically tracked, but is estimated at 30 to 50 percent. According to Jail administration, this is a significant increase from ten years ago. Unfortunately, the consensus is there is no effective gang intervention treatment at NCJ due to the fact that inmates are sentenced to less than a year and is cost prohibitive. It is generally too late to intervene for those in gangs once they are adults and part of the correctional system. Mental health issues are another concern, which also includes a significant portion of the gang population.

The current facility does not have the funds to offer mental health programs nor is it configured to provide the space to accommodate inmates suffering mental health issues. The state does not allow Napa County access to Napa State Hospital services despite the belief it has the space, treatment programs, a police force, and staff available. Furthermore, if an inmate at Napa State Hospital commits a serious crime, he/she is transferred to NCJ upon arrest. The Jail does not have the staff or capacity to house violent, mentally ill patients who might jeopardize the safety of Jail staff and other inmates. Mental health patients consume a significant amount of Jail resources, and the Jail currently does not offer sufficient mental health services or post-release follow-up. As a result, inmates with mental health issues, who are potentially dangerous, may be released into the community upon completion of their sentence without adequate medication or treatment services. Inmates with significant mental health issues, who have been convicted of serious crimes, are usually returned to Napa State Hospital or the California State Prison System.

Community Corrections Services Center (CCSC)

In 2007, the Board of Supervisors directed the NCDC to implement Phase I of the Napa County Adult Correctional System Master Plan. The Master Plan recommended the use of Evidence Based Practices to insure program effectiveness and reduce recidivism. At this time, there is no pre-release program to integrate offenders into the community; however, there seems to be some progress in recognizing the need for this. The new Director has eliminated jail programs that are ineffective and have no discernible effect on recidivism. He is actively evaluating new programs that are cost effective and have demonstrated results. With the new Director in place, there is hope there will be better implementation of programs and services designed to reduce recidivism and better assimilate inmates upon release.

The CCSC, which was recommended in Phase I of the Master Plan, was approved and opened in February, 2009. It will be managed and staffed by an outside contractor. The Center is intended to provide supervision, control, and programming for adult offenders who might otherwise be housed in the Jail. The County is currently reviewing proposals and is focusing on companies which provide Evidence Based Programs and rehabilitation. The Center will serve offenders who are deemed most responsive to behavioral modification. Based on assessment data, criminogenic studies that suggest rehabilitation for extremely high-risk offenders is futile. Low-risk offenders exposed to entrenched criminal behavior show a propensity to increase criminal behavior.

There are public safety concerns regarding Jail services and CCSC. Currently, parolee drug testing is done at the Jail. This means approximately 300 parolees are standing in line in downtown Napa in close proximity to popular restaurants and the Napa City-County Library. Furthermore, the location of the Center will most likely result in a steady stream of offenders with records of assault, robbery, and drug use.

Grievance Procedure

Under the new Director, a grievance procedure has been implemented. Grievance boxes are visible in all units of the jail. A lieutenant is assigned to check the boxes daily, log complaints and respond. During the Grand Jury investigation, there were no complaints of staff abuse. This can be attributed to the professionalism of the staff, trained in diffusing conflicts through conversation and skilled negotiations.

Technology Issues

Currently, there is no Information Technology Department (IT) support to maintain or repair the computer system, which controls the locking system, intercoms, security cameras and elevators. In fact, the computer system did fail in fall of 2008 which resulted in cells not being locked and posing a significant security problem to the staff.

Jail Inmate Welfare Fund

The fund is approximately \$300,000 and is funded by inmate concessions. Proceeds subsidize inmate programs such as drug rehabilitation and anger management classes which are implemented by private organizations and county agencies.

Staff & Management

The new Director of the NCDC was hired August 2008 and served one month at the time of the Grand Jury inspection. The Director is reviewing training standards and rewriting the policy and procedures manual scheduled to be implemented by the end of 2009. The Grand Jury was impressed with the Director's past work experience, his knowledge of the correctional system and criminal behavior as well as his commitment to implement programs that effectively address recidivism. There are eighty-four staff members at NCJ. Although all correction officers have received the minimum forty-hour California Peace Officers Standards and Training (POST) training, NCJ officers are not sworn peace officers and carry no weapons. There is one nurse and no psychiatrist on staff. One staff member with medical training is available twenty-four hours. "Tele-psych" sessions are available three hours per week via closed circuit television. Mental Health workers conduct assessments and schedule several inmates at a time according to the results of their assessment.

There are an increasing number of inmates who speak Spanish only while only 10 percent of staff are bi-lingual.

Appendix II identifies the total Full Time Equivalent positions needed to fill all of the currently established posts in the NCDC if the County were to replace the use of overtime and extra-help with actual relief positions. This chart reflects the current practice of locking some custodial holding areas during the early morning

hours and not specifically assigning any one officer to supervise the female housing area or the Protective Custody housing area.

The Proposed New Jail Facility

Phase II of the Master Plan includes a proposal to evaluate the feasibility of expanding or reconfiguring the existing jail or building a new facility to accommodate the growing inmate population, the need to separate various segments of said population and address the growing number of females incarcerated. Part of the vision includes possible relocation of the jail. This would remove out-placement services such as parolee drug testing from being conducted adjacent to high population areas. Comparative cost estimates of expanding, reconfiguring, or relocating the existing Jail are shown in Appendix I.

Juvenile Hall

The NCJH continues to fulfill its mandated responsibilities. The facility is clean and secure with a traditional classroom, meeting rooms, and modern kitchen facility. NCJH has thirty-seven staff members with one officer specifically assigned to gangs. The administration is engaged in identifying and incorporating Evidenced Based Programs to reduce recidivism. The Administration also collaborates with non-county youth organizations and treatment facilities to provide effective intervention and prevention programs.

Youth entering NCJH receive an assessment which is an Evidenced Based Evaluation designed to determine the type of program or sentencing needs. Youth are also screened for mental health issues. At the time of the Grand Jury's inspection, thirteen of thirty-four incarcerated youth scored as having mental health issues. In general, it is estimated 50 percent of youth entering Juvenile Hall suffer from drug abuse with a similar percentage experiencing mental health issues.

Once on probation, the youth is assigned a probation officer who meets monthly with the youth, the family and the school. NCJH Administrators believe that lack of parental involvement is a key contributing factor to youth delinquency. They currently offer "Parent Project" in an effort to engage and educate parents while their child is on probation from Juvenile Hall. If a youth is truant while on probation, the Court can send him/her back to Juvenile Hall. Youth on probation attend Liberty High School in Napa. NCJH also provides an on-site classroom. Depending on the terms and conditions provided by the Court, youth expelled from school and sentenced to NCJH can also attend Creekside Middle School and Chamberlain High School in Napa.

NCJH also offers camp alternatives for youth. Seen as the "last chance" for offenders, Napa County has contracts with camps in Colusa County and near the Oregon border that focus on utilizing cognitive behavioral programs. Boot Camps are not Evidence Based and are not found to be effective. IMPACT is a juvenile day-camp held in Napa County that stresses physical fitness, team building and

cognitive behavior exercises. The youth respond well to this program, and rival gang members who were once enemies learned to work together.

In the past year, there has been a marked increase of medium and high risk juveniles entering NCJH. As a result, NCJH is now above the recommended caseload of thirty juveniles to one officer and is currently 40:1. Budgets for adult probation and juvenile probation are approximately \$4.3 million each. However, there are about 500 youth on probation versus 2,100 adults, which allows for lower caseloads and more intervention services for the juvenile division.

In light of the trends showing an increase in juvenile offenders and emergent levels of violence, administrators estimate they are approximately two officers short of an effective staffing level. Napa County does not allocate additional money to compensate for increasing costs as state allocations stay the same or go down every year. The result is a reduction in intervention and rehabilitative services for youth.

As is the case with NCJ, there appears to be a growing gang population and the increased violence among gang members is manifest in the NCJH population. Gang membership is not specifically tracked; however, it is estimated that 30–40 percent of juvenile inmates are affiliated with a gang. This results in increased behavioral issues such as fights and graffiti inside the facility. There are no Evidenced Based Programs specifically addressing gangs. This poses a problem not only for the Napa community but also for NCJH administrators who do not have the financial resources to deal with this problem.

FINDINGS

The 2008-2009 Grand Jury finds that:

Napa County Jail

1. there is currently an estimated 80 percent recidivism rate among inmates.
2. the NCJ does not have the staff or capacity to house pre-sentenced mentally ill patients who commit violent crimes at Napa State Hospital.
3. ten percent of the staff is bilingual; however, many inmates speak Spanish only.
4. there are currently no pre-release programs to integrate inmates into the community.
5. the current configuration of the NCJ cannot accommodate the number and classification of inmates.
6. Evidence Based Programs as recommended by the Napa County Adult Correctional System Master Plan do not yet exist.

7. parolee services and CSCC located in downtown Napa pose a potential public safety concern.
8. there is no Information Technology Department support to maintain and repair the computer system, which controls the locking system, intercoms, security cameras and elevators.

Juvenile Hall

1. the Juvenile facility is well maintained and managed.
2. parent classes are not mandated for all parents of youths in NCJH.

RECOMMENDATIONS

The 2008-2009 Grand Jury recommends that:

Napa County Jail

1. implement Evidence Based Programs in an effort to reduce the recidivism rate.
2. provide additional mental health care services, possibly in cooperation with Napa State Hospital.
3. make an effort to recruit more bi-lingual staff.
4. relocate the Jail and CSCC out of downtown Napa.
5. allocate a portion of the inmate trust fund for substantive job skills training to assist inmates in transition to the community.
6. the County's IT Department maintain and repair the Jail's computer system.

Juvenile Hall

1. mandate parents to participate in programs as part of the juvenile sentencing, at least for serious offenders

REQUEST FOR RESPONSES

Napa County Jail

The Napa County Board of Supervisors and the NCDC is requested to respond to all recommendations.

Juvenile Hall

The Director of NCJH is requested to respond to Recommendation 1.

COMMENDATION

The Grand Jury commends the new Director and staff of the NCDC for their dedication and commitment to exploring new programs and ideas to reduce recidivism and address inmate needs. The Grand Jury also noted the level of respect and professionalism among staff and administration. Inmates consider the

NCJ be better than neighboring counties and felt that NCDC officers really cared about their welfare.

The Grand Jury also commends the Director and staff at NCJH for their dedication toward finding innovative and effective programs in an ongoing effort to provide youth with alternative lifestyles and reduce recidivism.

GLOSSARY/BIBLIOGRAPHY/APPENDIX

CCSC – Community Corrections Service Center
CJC – Criminal Justice Committee
IMPACT – Juvenile Day Camp
IT – Information Technology
NCDC – Napa County Department of Corrections
NCJ – Napa County Jail
NCJH – Napa County Juvenile Hall
POST – Peace Officer Standards and Training

APPENDIX

Appendix I: Comparative cost estimates of expanding, reconfiguring, or relocating the existing Jail

Comparative Cost Estimates

Description	New or Renovated SF	Cost PSF	Estimated Construction Cost
Option 1-Existing Downtown Location with Renovated Annex			
Renovated Annex with Partial Demolition	45,000	\$ 210	\$ 9,450,000
New Housing	58,133	\$ 310	\$ 18,021,230
New Support	81,867	\$ 275	\$ 22,513,425
Demolition-Hall of Justice	76,000	\$ 50	\$ 3,800,000
Subtotal Construction Costs			\$ 53,784,655
Estimated Soft Costs (35 percent)			\$ 18,824,629
Estimated Temporary Location Costs			\$ 450,000
Estimated Probation Relocation Costs	6,000	\$ 140	\$ 840,000
Estimated Total Project Costs			\$ 73,899,284
Option 2-Existing Downtown Location, All New Facility			
New Housing	68,174	\$ 310	\$ 21,133,940
New Support	116,826	\$ 275	\$ 32,127,150
Demolition	121,694	\$ 50	\$ 6,084,700
Subtotal Construction Costs			\$ 59,345,790
Estimated Soft Costs (35percent)			\$ 20,771,027
Estimated Temporary Location Costs			\$ 450,000
Estimated Probation Relocation Costs	6,000	\$ 140	\$ 840,000
Estimated Total Project Costs			\$ 81,406,817
Option 3-Out of Downtown Location			
New Housing	68,174	\$ 300	\$ 20,452,200
New Support	110,977	\$ 265	\$ 29,408,905
Parking	250	\$ 1,350	\$ 337,500
Subtotal Construction Costs			\$ 50,198,605
Estimated Soft Costs (35 percent)			\$ 17,569,512
Estimated Land Acquisition Costs (15 acres)			\$ 9,000,000
Estimated Total Project Costs			\$ 76,768,117

Appendix II: Total Full Time Equivalent positions needed to fill all currently established NCDC posts

Existing Napa County Detention Staffing with Relief				
Position	<i>Current Staff Allocation</i>	Total FTE's Needed	Staffing With Relief	Difference
Director of Corrections	1	1.15	1	0
Assistant Director	1	1.15	1	0
Lieutenant	1	1.25	1	0
Sergeant	5	6.26	6	1
Corporal	5	6.46	6	1
Correctional Officer	44	49.69	50	6
Correctional Technician	10	11.94	12	2
Clerical	5	5	5	0
Laundry/Food Services	5	6	6	1
Maintenance	4	4	4	0
Total	81	92.9	92	11