



COUNTY of NAPA

NANCY WATT
County Executive Officer



September 13, 2005

The Honorable Richard A. Bennett
Presiding Judge
Superior Court of California, County of Napa
825 Brown Street
Napa, CA 94559

Dear Judge Bennett:

As required by Penal Code Section 933(c), enclosed are the responses to the 2004-05 Grand Jury Final Report. Responses to findings and recommendations affecting local government entities other than the County are not included in the Board's response when those entities are not under the jurisdiction of the County Board of Supervisors.

Grand Jury activity takes place over the course of a number of months. As such, their findings and recommendations often address issues which county departments have already identified as problems and to which solutions are in the process of being developed. We note that a number of the Grand Jury's recommendations have been implemented or are in the process of being implemented at this time.

The Board acknowledges the members of the 2004-05 Grand Jury for the time they have devoted in preparing their report.

Sincerely,

A handwritten signature in cursive script that reads "Diane Dillon".

Diane Dillon, Chair
Napa County Board of Supervisors

Enclosure

cc: Foreman, 2005-06 Grand Jury

SEP 20 2005

CALIFORNIA SAFELY SURRENDERED BABY LAW (CSSBL)

Clerk of the Napa Superior Court

By: [Signature]
Deputy

FINDING 2: Napa County Health and Human Services and Child Protective Services do not have policies, procedures or training regarding the CSSBL.

Response – Director, Health & Human Services: HHSA agrees in part with the finding.

We agree that HHSA did not have policies and procedures specific to CSSBL, nor had it conducted a comprehensive training of staff in connection with the statute.

The only qualification to our complete agreement with this finding arises from the fact that the most sensitive part of HHSA’s activities in connection with surrender of a baby under the statute occurs after the baby has been delivered to a reception point and our Child Protective Services (CPS) office has been notified. From the moment of notification, our response is largely conducted in accordance with normal CPS procedures. The agency follows the exacting requirements of state CPS regulations, supplemented by our own policies and procedures, governing the process of taking custody of a baby that has been separated from its parents, ensuring that the baby receives necessary medical attention, and placement of the baby in an appropriate custodial home.

RECOMMENDATION 2: Training, policies and procedures must be developed and implemented for the Napa County Department of Health and Human Services.

Response – Director, Health & Human Services: The recommendation has already been partially implemented and will be completely implemented within the next ninety (90) days.

In a collaborative effort involving local fire authorities and CPS staff, a “Newborn Safe Surrender Kit” has been developed and distributed to all approved surrender sites. A copy of the materials in the kit is attached to this memorandum. The kit includes the protocol to be followed by fire personnel in the handling of the baby from the time it is surrendered until it is transported to a hospital (in the event the surrender does not occur at a hospital), the state mandated report form that must be completed to formally initiate the Child Protective Services process, an information sheet for the parent(s) delivering the baby, a medical questionnaire they are asked to complete, and confidential identifiers for the baby and parent(s) to facilitate communication by the parent(s) in the event they wish to communicate with CPS regarding the baby after surrendering custody.

A multi-agency training was conducted for CPS, fire, and medical personnel early this year. The effectiveness of the kit and training was evidenced when a baby was surrendered under the statute at a fire station in the City of Napa on June 20, 2005. The baby moved smoothly through the surrender process from the front steps of the fire station to the hospital to eventual placement in a foster home pending adoption.

HHSA and the Napa County Fire Department have collaboratively determined that it is in the best interests of infants who may be surrendered under the statute to limit non-

curriculum. CPS is adding a training module to these activities centering on the CSSBL. The first phase should thus orient the healthcare and social service professionals who are most likely to be interacting with an expectant mother with the CSSBL and the procedure that a new parent would follow to utilize it.

Each year, CPS also conducts several dozen community trainings on the child protective services which it provides. These are provided to virtually any organization or group that requests. CPS is incorporating a module on CSSBL in its standard community training.

CPS has contacted the Napa County Child Abuse Prevention Council and requested that they include the promotion of CSSBL in its regular activities. Among other things, this has resulted in the distribution of state-promulgated CSSBL awareness materials at various local public events. A copy of a representative handout is attached.

HHSA is also incorporating into its policies and procedures the strategies that it will pursue on an ongoing basis to build awareness among local healthcare professionals, community based organizations, HHSA staff, and the general public regarding the CSSBL.

County of Napa
NEWBORN SAFE SURRENDER KIT

CONTENTS

1. **Procedures for Accepting a Newborn**
 2. **Coded ankle identification bracelet for newborn (1)**
 3. **Coded wrist identification bracelet for adult (1)**
 4. **Kit for person surrendering newborn in postage paid envelope consisting of: a) newborn medical questionnaire (English), b) newborn medical questionnaire (Spanish), c) coded wrist identification bracelet for person surrendering newborn, d) Fact Sheet (English/Spanish).**
-

SURRENDER NOTES

Date: _____ Time: _____

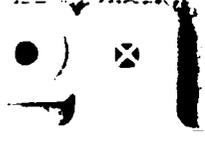
Location: _____

Newborn Received By [Name(s) of Personnel] _____

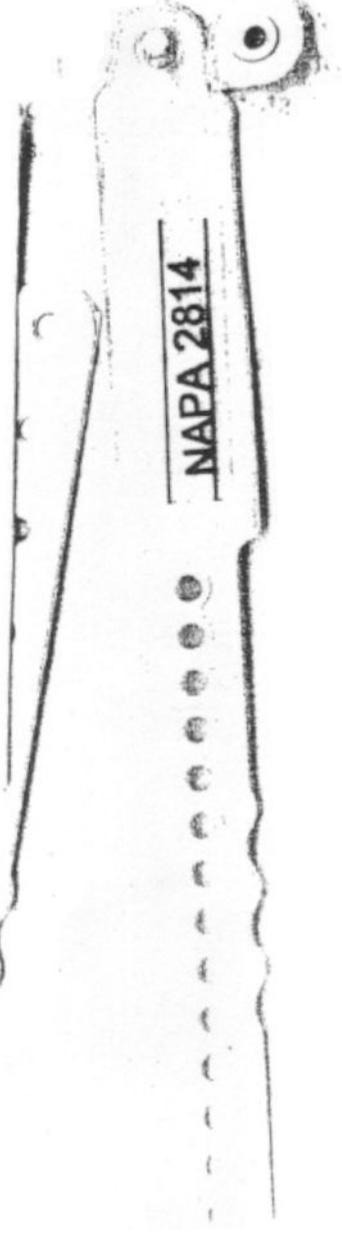
Newborn's Gender (circle one) M F

Taken to (Name of Hospital) _____

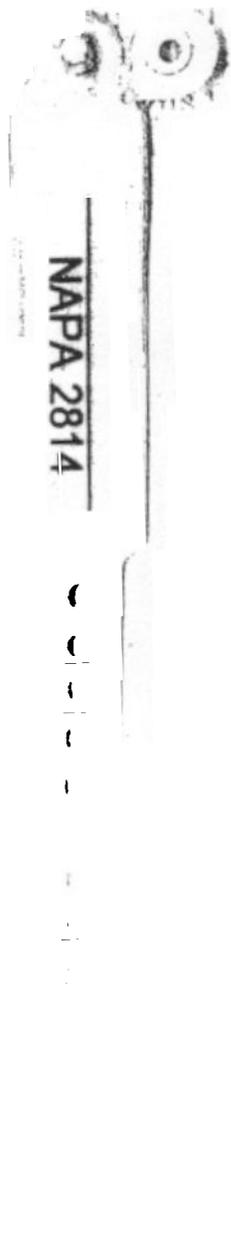
Child Protective Services Contacted (date/time) _____



NAPA 2814



NAPA 2814



NAPA 2814

Napa County Fire Department

Safe Surrender Program

Introduction

The California Safely Surrender Baby Law, as amended, allows a person to surrender a minor child (72 hours or younger) to any firefighter on duty at any one of our fire stations. Under certain circumstances, they may do so discreetly with out fear of being prosecuted for child abandonment.

Reference

California Penal Code 271.5 Infant Safe Haven

California Health & Safety Code Section 1255.7

California Health & Institutional Code Section 14005.24 Abandonment of Newborns

Procedure

Department members will take the following steps when a parent or other person voluntarily surrenders an infant. (72 hours old or younger)

- 1. Welcome the parent or other surrendering person. Make a good faith effort to not judge or make comments about why the parent or other person is surrendering the infant. Treat the parent or person with respect and dignity. This is an emotional and difficult time for the person. The parent or surrendering person is not required to give any identity information to personnel taking custody.**
- 2. Ascertain that the infant is under 72 hours or younger. Accept the infant, even if it appears older than 72 hours.**
- 3. Accept the infant and immediately assess the physical condition of the infant and provide appropriate medical care. Once the infant has been voluntarily surrendered, permission to treat and transport is not required from the surrendering parent or other person.**
- 4. Notify ECC to respond an ambulance to your location Code 2 or 3 depending on the medical condition of the infant.**

- 5. Locate and open the Newborn Safe Surrender Kit. Hand the surrendering person the inner business reply mail envelope containing the Newborn Family Medical History questionnaire, a fact sheet and a copy of the coded, confidential bracelet. Place the smaller coded, confidential bracelet on the infant's wrist and ankle. Record the bracelet number on an Emergency Run Report (ERR)**
- 6. Paramedics shall accompany the infant to the receiving hospital and transfer custody to a designated hospital employee.**
- 7. Notify Napa County Child Protective services as soon as possible and must occur no later than 48 hours from the time of taking custody. (253-4261)**

July 2005

SUSPECTED CHILD ABUSE REPORT

To Be Completed by Mandated Child Abuse Reporters

Pursuant to Penal Code Section 11166

CASE NAME: _____

CASE NUMBER: _____

PLEASE PRINT OR TYPE

A.	REPORTING PARTY	NAME OF MANDATED REPORTER		TITLE		MANDATED REPORTER CATEGORY					
		REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS			Street	City	Zip	DID MANDATED REPORTER WITNESS THE INCIDENT? YES NO			
		REPORTER'S TELEPHONE (DAYTIME) ()		SIGNATURE		TODAY'S DATE					
B.	REPORT NOTIFICATION	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION		AGENCY							
		<input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services)		ADDRESS		Street	City	Zip	DATE/TIME OF PHONE CALL		
		OFFICIAL CONTACTED - TITLE					TELEPHONE ()				
C.	VICTIM	NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE		SEX	ETHNICITY		
		ADDRESS			Street	City	Zip	TELEPHONE ()			
		PRESENT LOCATION OF VICTIM				SCHOOL		CLASS		GRADE	
		PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO		OTHER DISABILITY (SPECIFY)			PRIMARY LANGUAGE SPOKEN IN HOME			
		IN FOSTER CARE? YES NO	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: <input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND <input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVE'S HOME					TYPE OF ABUSE (CHECK ONE OR MORE) <input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENTAL <input type="checkbox"/> SEXUAL <input type="checkbox"/> NEGLECT <input type="checkbox"/> OTHER (SPECIFY)			
		RELATIONSHIP TO SUSPECT				PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO		DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? YES NO UNK			
D.	INVOLVED PARTIES	VICTIM'S SIBLINGS									
		1. NAME		BIRTHDATE	SEX	ETHNICITY	3. NAME		BIRTHDATE	SEX	ETHNICITY
		2. _____		4. _____							
		NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE		SEX	ETHNICITY		
		ADDRESS			Street	City	Zip	HOME PHONE ()		BUSINESS PHONE ()	
		NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE		SEX	ETHNICITY		
		ADDRESS			Street	City	Zip	HOME PHONE ()		BUSINESS PHONE ()	
		SUSPECT'S NAME (LAST, FIRST, MIDDLE)				BIRTHDATE OR APPROX. AGE		SEX	ETHNICITY		
		ADDRESS			Street	City	Zip	TELEPHONE ()			
		OTHER RELEVANT INFORMATION									
E.	INCIDENT INFORMATION	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/>							IF MULTIPLE VICTIMS, INDICATE NUMBER: _____		
		DATE / TIME OF INCIDENT			PLACE OF INCIDENT						
		NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incidents involving the victim(s) or suspect)									

SS 8572 (Rev. 12/02)

DEFINITIONS AND INSTRUCTIONS ON REVERSE

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was determined not to be unfounded

THINGS YOU HAVE THE RIGHT TO KNOW ABOUT SAFELY SURRENDERING A BABY

- 1. You can help us make sure that the baby has a healthy future by providing some important medical information. This information can be very useful in caring for the child.**

When people need medical care, it can help the doctor to know about the family's medical background and what diseases or disabilities other people in the family may have or have had in the past. This is called a "medical history".

All you have to do is answer the questions on the enclosed form as best as you can and mail it in the self-addressed, pre-stamped envelope. If you'd like, you can fill it out now and leave it with the Fire Department personnel helping you.

You don't need to give your name or address or any other contact information. The label on the medical form is only to make sure the medical history can be matched to the right baby. **Please fill out the form and send it in. By completing this form, the baby will have a medical history.**

- 2. Do you need help ?**

We want to make sure that you are getting the help you need. Here is the number you can call to get it: **1 - 88 - TOCUDDL**E or (1 - 888 - 628 - 3353). **PROJECT CUDDLE** will provide you with information on where to get medical treatment and supportive services, as well as other support you may need.

- 3. If you change your mind and want the baby back, here is what you can do:**

- Call PROJECT CUDDLE at 1- 88 - TOCUDDL**E or (1 - 888 - 628 - 3353), **within 14 days from today.** (You still may be able to get your baby back after 14 days, but it becomes much more difficult).
- Please keep the plastic bracelet we gave you.** You will need the bracelet if you change your mind and want the baby back. By having the bracelet you can prove that you are the person who surrendered the baby.

NEWBORN FAMILY MEDICAL HISTORY QUESTIONNAIRE

2817

Notice: The baby you have brought in today may have serious medical needs in the future that we don't know about today. Some illnesses, including cancer, are best treated when we know about family medical histories. In addition, sometimes relatives are needed for life-saving treatments. To make sure this baby will have a healthy future, your assistance in completing this questionnaire fully is essential. Thank you.

Please answer these questions as well as you can. If you need help answering the questions, please ask.

If you would prefer to take this form with you, an envelope is provided for you to mail the completed form to the hospital.

	Circle one		
	No	Yes	Not Sure
1. When the baby was born, was the mother 35 years of age or older?	No	Yes	Not Sure

Where the baby's ancestors came from may sometimes give us important information about the baby's health.

2. Is the baby's family:

a. from Southeast Asia, Taiwan, China or the Philippines?	No	Yes	Not Sure
b. from Italy, Greece or the Middle East?	No	Yes	Not Sure
c. African American (Black)?	No	Yes	Not Sure
d. Latino/Hispanic/Puerto Rican?	No	Yes	Not Sure

3. Is your family, or your baby's father's family, European (Ashkenazi Jewish)?	No	Yes	Not Sure
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The following questions are about the baby's blood relatives. By "blood relative," we mean the baby's mother, father, sister, brother, grandparent, aunt, uncle, niece, nephew, or cousin.

4. Is any blood relative in the baby's family mentally retarded?	No	Yes	Not Sure
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5. Does the baby have any blood relatives who had an unborn baby or a child who had Down syndrome?	No	Yes	Not Sure
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6. Do any of the baby's blood relatives have any other chromosome problem?	No	Yes	Not Sure
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7. Were any of the baby's blood relatives born with

a. a heart defect?	No	Yes	Not Sure
b. a cleft lip and/or cleft palate?	No	Yes	Not Sure
c. any other birth defect?	No	Yes	Not Sure

(turn over)

CUESTIONARIO SOBRE ANTECEDENTES MÉDICOS DE LA FAMILIA DEL RECIÉN NACIDO

2814

Aviso: El bebé que usted ha traído hoy puede tener serias necesidades médicas en el futuro que aún no conocemos. Algunas enfermedades, inclusive el cáncer, se pueden tratar mejor si tenemos información sobre los antecedentes médicos de la familia. Además, a veces se debe contar con familiares para tratamientos necesarios para salvarle la vida a una persona. Para asegurarnos de que este bebé tendrá un futuro saludable, es fundamental que colabore con nosotros completando este cuestionario en su totalidad. *Gracias.*

Por favor responda a estas preguntas lo mejor que pueda. Si necesita ayuda para responder, por favor pídala.

Si prefiere llevarse este formulario con usted, le entregamos un sobre para que envíe el formulario completo por correo al hospital.

Marque una respuesta

1. Cuando nació el bebé, ¿la madre tenía 35 años de edad o más? No Sí No estoy seguro

El lugar de origen de los ancestros del bebé a veces puede darnos información importante sobre la salud del bebé.

2. ¿La familia del bebé es:

- | | | | |
|---|----|----|-----------------|
| a. del sudeste asiático, Taiwán, China o las Filipinas? | No | Sí | No estoy seguro |
| b. de Italia, Grecia o Medio Oriente? | No | Sí | No estoy seguro |
| c. afroamericana (negro)? | No | Sí | No estoy seguro |
| d. latina/hispana/portorriqueña? | No | Sí | No estoy seguro |

3. ¿Su familia, o la familia del padre de su bebé, es de origen judío europeo (ashkenazi)?

No Sí No estoy seguro

Las siguientes preguntas se refieren a los familiares consanguíneos del bebé. Por "familiar consanguíneo" nos referimos a la madre, padre, hermana, hermano, abuelo, abuela, tía, tío, sobrina, sobrino, prima o primo del bebé.

4. ¿Algún familiar consanguíneo de la familia del bebé es retrasado mental?

No Sí No estoy seguro

5. ¿El bebé tiene algún familiar consanguíneo que haya tenido un bebé nonato, o un hijo con síndrome de Down?

No Sí No estoy seguro

6. ¿Alguno de los familiares consanguíneos del bebé tiene algún otro problema cromosomático?

No Sí No estoy seguro

7. ¿Alguno de los familiares consanguíneos del bebé nació con:

- | | | | |
|---|----|----|-----------------|
| a. un defecto cardíaco? | No | Sí | No estoy seguro |
| b. labio leporino y/o el paladar abierto? | No | Sí | No estoy seguro |
| c. algún otro defecto de nacimiento? | No | Sí | No estoy seguro |

(dé vuelta la hoja)

**no shame.
no blame.
no names.**

now there's a way to
safely surrender your baby



Safely Surrendered Baby Law

A Confidential Safe Haven For Newborns

In California, the Safely Surrendered Baby Law allows an individual to give up an unwanted infant with no fear of arrest or prosecution for abandonment as long as the baby has not been abused or neglected. The law does not require that names be given when the baby is surrendered. Parents are permitted to bring a baby within 3 days of birth to any hospital emergency room or other designated safe haven in California. The baby will be placed in a foster or pre-adoptive home.



CIRCLE OAKS COUNTY WATER DISTRICT

FINDING #1: The system's total storage capacity of 250,000 gallons still does not meet the county's recommended minimum for the subdivision, making the current building moratorium both necessary and prudent to public safety.

Response – Board of Supervisors: The Board of Supervisors agrees that the system's total storage capacity of 250,000 gallons still does not meet the County's recommended minimum for the subdivision, making the current building moratorium both necessary and prudent to protect public safety.

RECOMMENDATION #1: Until emergency water storage capacity is increased to at least 300,000 gallons, a moratorium on new development must continue in effect.

Response – Board of Supervisors: The "moratorium" at Circle Oaks is entirely self-inflicted. The Board of Supervisors does not have jurisdiction over the provision of water. The Circle Oaks Water District has decided not to upgrade their private water system. As such, when a property owner comes to the County for a building permit, they cannot meet the Uniform Building Code requirements for drinking water (as well as fire protection water). At the direction of LAFCO, the County Fire Marshal has reviewed and made recommendations on the volume of stored water for emergency fire protection in Circle Oaks. Additional recommendations regarding pertinent ordinances will be forthcoming in the next few months.

NAPA COUNTY ELECTIONS REPORT

FINDING #3: The Grand Jury finds that Napa County has been well served by the members of the L&A Board. Although they are well motivated in the goal of providing free and fair election results and are competent in performing their duties, the Grand Jury questions the potential for conflict of interest when members also work for the Elections Department.

Response – Registrar of Voters: We disagree with this Finding in part. I appreciate the Grand Jury’s recognition of the excellent service provided by the Logic and Accuracy Board for many years. However, I disagree that there is a potential for conflict of interest in using persons experienced in elections procedures. California Elections Code §15000 sets forth the ballot tabulation testing requirements:

“No later than seven days prior to any election conducted pursuant to this code, the elections official shall conduct a test or series of tests to ensure that every device used to tabulate ballots accurately records each vote. The exact methods employed in this test shall conform to the voting procedures for the specific voting systems, as adopted by the Secretary of State.”

The Elections Official is charged with the responsibility for conducting testing and therefore there is no conflict of interest in using personnel associated with the Elections Department. We conducted a survey of all 58 counties Elections Departments on the topic of logic and accuracy. Of the 24 counties who responded a number used internal staff to perform these functions. The other respondents used persons not associated with the elections department. In all but one of the counties, the elections official or his/her deputy appointed the members of the testing group.

Response – Board of Supervisors: We agree with the Assessor-Recorder/County Clerk’s (in the ex-officio capacity as Registrar of Voters) response.

RECOMMENDATION #3: The Grand Jury finds that Napa County Board of Supervisors, with the assistance of the Registrar of Voters and the current members of L&A Board, prepare written operating policies and procedures for the L&A Board including:

- Expansion of duties and authority to include quality control of all Election Department activities.
- Qualification of members.
- Method of appointment and term of service of board members.
- Compensation.
- Description of possible conflicts of interest.

Response – Registrar of Voters: We disagree with this recommendation in part.

“ The Napa County Board of Supervisors . . . prepare . . . ”

Response: The Board of Supervisors does not have a role in the testing of ballot tabulation. That role is assigned exclusively to the elections official under Elections Code section 15000. The reason for this assignment is that the elections official conducts elections for entities other than the Board of Supervisors, including Federal, State, municipal, and district elections.

“ prepare written operating policies and procedures for the L&A Board:”

Response: The primary source of policies and procedures for testing are set forth in Elections Code section 15000 as “the voting procedures for the specific voting systems, as adopted by the Secretary of State.” Prior to September 15, 2005, the Election Department will prepare a handbook with the appropriate procedures for the use of the logic and accuracy board.

“Expansion of duties and authority to include quality control of all Election Department activities.”

Response: Elections Code 15000 speaks only to testing of ballot tabulation devices. There is no basis for the Logic and Accuracy Board to have any other duties. None of the 24 respondent counties expand the functions of their testing personnel.

“Qualifications of members”

Response: Respondent counties do not have any qualifications or requirements other than “logical minds, ability to understand directions, availability for more than one election for 10 to 12 hours over a 3 week period.” As a pilot program for the November 2005 Special Election; the L&A Board will include one of our existing members and a member of the Napa County Auditor-Controller Internal Audit Staff.

“Method of appointment and term of service of board members.”

Response: For the pilot program the Registrar of Voters will ask the Auditor-Controller to select one staff member to serve on the L&A Board for the November 2005 Special Election. However, the basic responsibility for appointment of testing personnel remains with the elections official.

“Compensation”

Response: Compensation for County staff beyond their regular salary would be limited to overtime as warranted for testing outside of regular working hours. For non-employee volunteers, compensation would be based on a poll worker one-day rate for the entire testing process for any given election.

“Description of possible conflicts of interest.”

provider to ensure that these policies are taught to each employee of their organization as well and follow up is done to ensure these policies are being carried out.

Response – Board of Supervisors: We agree with the response of the Director of Corrections.

FINDING #2: The Grand Jury finds insufficient oversight and management of Napa County Jail health care operations by NCDC.

Response – Director, Napa County Department of Corrections: We disagree with this finding.

NCDC management has constant contact with the on site Medical Services Manager and continually talks to and knows the owners and operators of this health care provider. We work together to ensure the highest quality service is being provided to the inmates in our custody and have given staff supervisors the power to intervene when needed to make certain that no inmate in our custody is not having their medical needs met. We have weekly meetings regarding medical issues to better communicate with our provider and have quarterly Medical Quality Assurance meetings to confirm this is occurring. Attendees at the quarterly meetings include representatives of the County Executive Office, Health and Human Services Agency, Juvenile Hall, County Counsel, NCDC Management, Public Health Director, together with representatives of the California Forensic Medical Group which includes the on site Medical Services Manager, Medical Director, psychiatrist, and president. Discussions regarding concerns, needs, and individual case management are held to ensure the highest quality of health care is being given.

Response – Board of Supervisors: We agree with the response of the Director of Corrections.

RECOMMENDATION #2: NCDC must regularly monitor inmate health care to ensure appropriate assessment and health care, and must hold the medical services contractor fully accountable.

Response – Director, Napa County Department of Corrections: This recommendation was implemented prior to the Grand Jury's report. NCDC regularly monitors inmate health care and together with the County Executive Officer holds the medical services contractor fully accountable.

Response – Board of Supervisors: We agree with the response of the Director of Corrections.

FINDING #3: Correctional guards need additional training in understanding medical conditions in order to recognize when signs/symptoms could potentially be a signal of a medical need or crisis.

Response – Director, Napa County Department of Corrections: We disagree in part with this finding.

Our Correctional Officers are trained in-house for five weeks prior to being released on their own. Part of this required training is done by medical personnel, usually the on site manager, regarding medical intake procedures, identification of medical emergencies and needs assessment, and a training regarding medical intake and request forms and grievances that they will handle. It is also required that each officer attend a STC (Standards and Training for Corrections) approved jail operations basic core course within the first year of hiring. During that academy training, they again receive mandated courses concerning medical issues in corrections.

However, we agree that continual training regarding medical conditions and the ability to recognize when signs/symptom could potentially be a signal of a medical need or crisis is important and that is reinforced with staff as well as being a part of the Department’s policies and procedures.

Response – Board of Supervisors: We agree with the response of the Director of Corrections.

RECOMMENDATION #3: The NCDC must provide education to correctional officers in recognizing the health-care needs or crises of inmates.

Response – Director, Napa County Department of Corrections: We agree with this recommendation and as stated above it has been implemented.

Response – Board of Supervisors: We agree with the response of the Director of Corrections.

FINDING #4: Napa County holds approximately \$590,000 in the Inmate Welfare Trust.

Response – Director, Napa County Department of Corrections: We disagree with this finding. The Inmate Welfare Fund is an account that consists of profit from the inmate commissary store, the revenues from the telephone system and the monies that have been unclaimed for at least three years and the owner is not able to be located. The current balance of that fund is \$691,500.

Response – Board of Supervisors: We agree with the response of the Director of Corrections.

RECOMMENDATION #4: Using the Inmate Welfare Trust, NCDC should provide programs to directly aid inmates. These might include expanded counseling services for drug, alcohol, and anger management problems; housing assistance for released homeless inmates; work release and home detention programs; and vocational training and placement services.

Response – Director, Napa County Department of Corrections: We agree in part with this recommendation. The authority for the Inmate Welfare Fund is found in Penal Code Section 4025. The expenditure of those funds is under the authority of the designee of the Board of Supervisors. The current expenditure of funds is for programs to aid in the rehabilitation of inmates, furthering their education, helping them to locate and apply correctly for employment, teaching them life skills which will aid them in taking care of their family, employing persons connected to these programs and the commissary store operated in the jail under this authority. We have also utilized this fund to enhance programs that assist inmates and have helped indigent inmates to get transportation to their home counties. Anger management programs and substance abuse programs offered through two contracted groups are paid for from this fund.

In addition, funds are used to employ additional maintenance personnel, to do maintenance projects or to rejuvenate areas of the jail by reconstructing the area to be more program-friendly or to fix areas damaged by the inmate population. We have also enhanced the laundry and clothing storage area and have hired a person to oversee this area of use to teach inmates to use the machinery, mend and repair clothing and to order clothing to ensure proper supplies are on hand to outfit an increasing inmate population.

The code does not give authority to expend any of these funds for housing homeless people.

Although the Penal Code gives the authority to the Board of Supervisors' designee, an Ad Hoc committee has been formed at the Director of Correction's request to oversee the expenditure of what has grown to be a very large Inmate Welfare Fund. This committee consists of the Director of Corrections, the Chief Probation Officer and the Chief Public Defender of Napa County.

Response – Board of Supervisors: We agree with the response of the Director of Corrections.

FINDING #5: The Napa County Jail is overcrowded and needs to expand.

Response – Director, Napa County Probation Department: We agree in part with this finding. The Jail is permitted to exceed the maximum capacity established by the Board of Corrections on a temporary basis pursuant to Title 15 of California Code of Regulations and at times does exceed that capacity. However, jail expansion is a policy decision that will require additional review by County staff and the Board of Supervisors.

Response – Board of Supervisors: We agree with the response of the Director of Corrections. The County recognizes the impacts of jail overcrowding. We have authorized the creation of an Adult Correctional Systems Master Plan and together with all the criminal justice departments and the Courts will be developing that Plan within the fiscal year 2005-06. In the meantime, staff will continue to monitor the population and the jail will utilize all means available to relieve overcrowding such as early release orders from the Court, electronic home confinement, and County parole.

RECOMMENDATION #5: The Napa County Jail should expand by using the space vacated by the Sheriff's Department. The Napa County Probation Department, working with the cooperation of the county courts, should seek to expand home detention and work release programs as an alternative to incarceration.

Response – Director, Napa County Probation Department: While we acknowledge this recommendation as a valid observation, it is not within the jurisdiction of the Probation Department. As a member of the team developing the Adult Correctional System Master Plan, the Probation Department will work closely with the Jail in developing or expanding alternatives to incarceration.

Response – Board of Supervisors: We disagree in part with the recommendation. The 2001 County Facilities Master Plan calls for using the space freed by the Sheriff's move to house the District Attorney's Office. We acknowledge that it is now timely to begin the process of addressing the broader policy issues related to how the County will meet our long-term adult corrections needs and have authorized the development of the Adult Correctional System Master Plan. The Plan will include:

- An analysis of historical trends in the adult corrections system, including an evaluation of what has driven population growth;
- A profile of the current population in the system by such things as gender, pre-sentence vs. post-sentence, most serious offense, risk category, etc;
- An assessment of what the community wants in terms of an adult corrections system, including any policy or process changes that should or could be made;
- A projection of future demand for corrections services over the next 20 years, categorized by type of service (e.g., probation, jail, work release facility, drug treatment services, honor farm, etc.) taking into account any of the process or policy changes identified in the study;
- Recommendations concerning types of programs and/or facilities that will be needed at different time intervals, including the size of any corrections facilities and the configuration of any facilities in terms of security level, gender, etc;
- Operating cost estimates for any proposed new or enhanced programs or facilities;
- Capital cost estimates for any proposed facility construction; and
- Options for funding increased operating and capital costs.

The intent is to use solid data to realistically assess what has been happening and is likely to happen in the future in the adult corrections system, to determine what the key players in the justice system and the community want to see and are willing to pay for in terms of the type of adult corrections system the County has, and to let those factors drive the study's conclusions. Additionally, depending on the outcome of the study, staff may propose changes to the 2001 Facilities Master Plan regarding use of certain County owned buildings such as the Hall of Justice.

In addition, however, the Director of Corrections continues to utilize population control mechanisms authorized under law and staff will continue to work to develop viable alternatives to incarceration, while ensuring community safety standards are maintained.

FINDING #6: Napa State Hospital (NSH) inmates often require additional guard support and contribute to the overcrowding at the jail.

Response – Director, Napa County Department of Corrections: We agree that Napa State Hospital inmates often require additional guard support and contribute to the overcrowding at the jail.

Response – Napa County Sheriff: The Sheriff is in agreement that NSH inmates often require additional guard support and contribute to the overcrowding at the jail.

RECOMMENDATION #6: NSH inmates should be transported to and from the court directly from the hospital, where their needs are best served. This would also help relieve overcrowding, by increasing the jail capacity by three percent.

Response – Director, Napa County Department of Corrections: We agree in part with this recommendation.

Staff agrees that if NSH inmates were to be transported to and from court rather than housed at NCDC it would relieve some of the pressures placed on the overall population. However, it is the policy of the NSH administration, that NSH inmates who can no longer be housed in a hospital setting or no longer qualify to stay at NSH under the Penal Code because of new serious violations, must be housed at the jail. The security provided at NSH is not sufficient to keep inmates from assaulting staff or other patients at their facility. Under their guidelines, the hospital is unable to isolate these offenders and therefore they must be housed at the jail until the new charges have been adjudicated. Minor offenders are brought directly to the Court and returned to the Hospital after their court proceedings are completed.

We do believe that the mental health population of the jail is a problem and needs to be addressed. This can only be done by working together with the Courts and the proper State officials to enact legislation to either build more mental health facilities with the proper housing areas, or by have the State provide funding that adequately reimburses counties that must deal with these patients.

Response – Napa County Sheriff: The Transportation Unit of the Napa Sheriff's Department is responsible for the movement of or arranging for the movement of prisoners to and from Napa County Department of Corrections (NCDC), State Department of Corrections Facilities, State Department of Mental Health Facilities, County Jails, and any number of local private medical service providers. It is also called upon to assist in the transportation of prisoners that are being extradited from other States to Napa County. Mental Health patients are transported to and from all of the State's Mental Health facilities to NCDC by the Sheriff by order of the court and those orders are

very specific as to where the Sheriff is to deliver the inmate. The recommendation cannot be implemented without the concurrence of the Courts and the California State Department of Mental Health. The County, through the Adult Correction System Master Plan Coordinating Committee, will include this recommendation in the development of its 20 year master plan.

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FINDING #2: According to the Grand Jury's own estimates shown in the table above, the costs will increase by nearly a third (approx. 30%, by the Grand Jury's estimates) when the new facility opens. Given a relatively stable average population of 33 detainees, the Grand Jury questions the initial need and costs for fourteen new staff positions.

Response – Chief Probation Officer: The Napa County Probation Department disagrees with this finding. While it is true the cost of operating the new facility is increased over previous years, the County is required to staff the facility to meet minimum standards set by State regulations.

Response – Board of Supervisors: We agree with the Chief Probation Officer's response.

Response – Director, Juvenile Hall: We agree with the Chief Probation Officer's response.

RECOMMENDATION #2: County officials should reconsider increases in staffing until the average number of detentions rises sufficiently to justify the added personnel.

Response – Chief Probation Officer: This recommendation will not be implemented. The State, through the Board of Corrections, requires specific staffing ratios and regulations regarding minor's activities while in the facility. The County is required to provide minimum staffing to meet these regulations and in order to provide an efficient operation without compromising security and safety.

Response – Board of Supervisors: We agree with the Chief Probation Officer's response.

Response – Director, Juvenile Hall: We agree with the Chief Probation Officer's response.

FINDING #3: The department was unable to provide financial records of the daily cost per bed of housing juvenile detainees.

Response – Chief Probation Officer: Napa County Probation agrees with this finding, although the Department was able to provide the Grand Jury costs of operating the juvenile hall and even showed comparisons to other counties. However, the Department acknowledges the difficulty in understanding the records provided due to the complexity of the various budget units and the daily changes in the Juvenile Hall population. In addition, it will take some time for the Department to develop a true daily cost per bed due to the move from the old Juvenile Hall to the new Juvenile Justice Center.

Response – Board of Supervisors: We agree with the Chief Probation Officer's response.

Response – Director, Juvenile Hall: We agree with the Chief Probation Officer's response.

RECOMMENDATION #3: In order to better control staffing and budgets, County officials must regularly calculate the daily and annual cost per bed of housing juvenile detainees.

The Department of Probation budget report alludes to the department's strategic plan and measurable goals. However, when the Grand Jury requested a copy of the strategic plan, members were told none existed, and instead were provided with a brief list of eleven departmental goals. It does not appear to the Grand Jury that a comprehensive evaluation process of the operations and programs associated with Napa County Juvenile Hall exists. In the absence of regular program evaluations, including statistics on rehabilitation and recidivism rates for detainees, it is impossible to determine if the Department of Probation and Juvenile Hall are meeting their goals. The only regular statistics currently being compiled by the department are the monthly and quarterly detention population numbers mandated by the California Department of Corrections.

Response – Chief Probation Officer: Napa County Probation Department agrees in part with the recommendation. As mentioned earlier, staffing requirements are regulated by the State Board of Corrections. However, the Department does agree that regularly calculating the daily and annual cost per bed of housing juvenile detainees is a useful tool in understanding the budgets. Currently, a daily rate is calculated to determine the cost of housing a minor in Juvenile Hall; that rate is then charged to a parent or legal guardian. However, not all costs of running the Juvenile Hall are allowed in determining this rate and the State sets a cap on the allowable daily rate. The Department will work with the Auditor-Controller and the County Executive Office to develop a daily cost per bed that is all-inclusive once the Juvenile Justice Center has been fully operational for one fiscal year. Although members of the Grand Jury were told a strategic plan does not exist, the Department has developed a strategic plan.

Response – Board of Supervisors: We agree with the Chief Probation Officer's response.

Response – Director, Juvenile Hall: We agree with the Chief Probation Officer's response.

FINDING #4: Without a strategic plan, the Department of Probation and Juvenile Hall neglect long-term planning, goal-setting and evaluation of program effectiveness.

Response – Chief Probation Officer: Napa County Probation Department agrees with this finding and in fact, has a strategic plan.

Response – Board of Supervisors: We agree with the Chief Probation Officer’s response.

Response – Director, Juvenile Hall: We agree with the Chief Probation Officer’s response.

RECOMMENDATION #4: The Department of Probation must immediately develop and implement a comprehensive strategic plan, including long-term goals and evaluation methods.

Response – Chief Probation Officer: This recommendation has been implemented by the Napa County Probation Department. A three-day strategic plan process was held in February and March 2004. California Board of Corrections staff facilitated this event at no cost to the County. Staff from every unit within the department, including Juvenile Hall, attended all three days. At the end of the process, we have developed a mission statement, values for the department and goals for the coming year. For each goal, a sub-committee was developed and met through the next 6 months. A follow up meeting to review progress was held with all staff in October 2004. The Department has been monitoring each of the goals and reports most have been met. Goals which involve input from other County departments are still in progress. The Department has scheduled another review for October 2005.

Response – Board of Supervisors: We agree with the Chief Probation Officer’s response.

Response – Director, Juvenile Hall: We agree with the Chief Probation Officer’s response.