

**NAPA COUNTY
GRAND JURY
2009-2010**

Final Report on

**NAPA COUNTY CRIMINAL JUSTICE
FACILITIES
Juvenile Justice Center/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

May 13, 2010

The Honorable Stephen T. Kroyer
Presiding Judge
Superior Court of the State Of California
County of Napa
825 Brown Street
Napa, CA 94559

Dear Judge Kroyer:

Pursuant to Section 933(a) of the California Penal Code, the 2009-2010 Napa County Grand Jury submits to you its Final Report on the Napa County Criminal Justice Facilities: Juvenile Justice Center/Juvenile Hall. Our investigation 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 fourth 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 reports reflect. It is a privilege and a pleasure to work with them.

Respectfully submitted,

A handwritten signature in blue ink that reads "John K. Morris".

John K. Morris
Foreperson
2009-2010 Napa County Grand Jury



A Tradition of Stewardship
A Commitment to Service

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P.O. BOX 5397
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To the Citizens of Napa County:

California Penal Code 919(a) and 919(b) mandates the Grand Jury to annually inspect detention facilities within the County. The 2009-2010 Grand Jury found the Napa County Juvenile Hall (NCJH) to be secure and extremely well maintained with a dedicated and professional staff which encourages young offenders in their charge to make better life choices. The NCJH and its implemented programs are designed to motivate and support juvenile rehabilitation.

NCJH is a secure twenty-four-hour facility that provides for the safe custody of delinquent youth. Detained youth are provided all necessary medical attention, counseling, and guidance, as well as a full educational program. Although the facility is rated for sixty beds, the current staff of twenty-seven full time employees, assisted by additional part-time help, allows for a maximum of only fifty minors. Maximum capacity has been exceeded in the past. Minor population, as of this inspection, was forty-two.

To provide for the educational needs of incarcerated minors, NCJH allows certain individuals to continue attending their regular school, while others attend the in-house school, Crossroads, operated by the Napa County Office of Education (NCOE). Medical and dental needs are provided by California Forensic Medical Group (CFMG), under contract with Napa County. Mental health needs are addressed by both CFMG and County mental health workers.

The Napa County Office of County Counsel has reviewed this final report and the Napa County Superior Court Presiding Judge has certified the report complies with Title 4 of the California Penal Code. This report has been accepted and filed as a public document by the County Clerk.

Copies of this report are available for review in the Napa City-County Library and online at www.napa.courts.ca.gov (follow link to Grand Jury).

It is an honor and privilege to serve you during the 2009-2010 Grand Jury tenure. We hope you find this report informative.

Respectfully submitted,

The 2009-2010 Napa County Grand Jury

NAPA COUNTY CRIMINAL JUSTICE FACILITIES

Juvenile Justice Center/Juvenile Hall

SUMMARY

California Penal Code 919(a) and 919(b) mandates the Grand Jury to annually inspect detention facilities within the County. The 2009-2010 Grand Jury found the Napa County Juvenile Hall (NCJH) to be secure and extremely well maintained with a dedicated and professional staff which encourages young offenders in their charge to make better life choices. The NCJH and its implemented programs are designed to motivate and support juvenile rehabilitation.

BACKGROUND

Since opening in 2004, the Napa County Juvenile Justice Center (NCJJC), which includes Juvenile Hall, has been well maintained. The 40,000 square foot building was constructed with “earth friendly” features, including solar technology. The Napa County Probation Department oversees Juvenile Hall operations with the Chief Probation Officer serving as Director of Juvenile Hall, while the day-to-day operations are handled by the Juvenile Hall Superintendent. The NCJH budget for FY2009-2010 is approximately \$4.5 million.

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METHODOLOGY

The Grand Jury conducted a physical inspection of the NCJH and met with various individuals within the juvenile justice community. These meetings included interviews with NCJH personnel and Probation Department representatives as well as interaction with incarcerated minors. The Grand Jury reviewed numerous juvenile justice documents and conducted Internet research.

Napa County Juvenile Justice Center Physical Inspection

- Main Control Room
- Housing areas
- School classrooms
- Recreation areas
- Kitchen facilities
- Visitation areas
- Interview rooms
- Shower rooms

Interviews Conducted with Personnel from:

- NCJJC
- NCJH
- Napa County Probation Department
- NCOE
- Napa Valley Unified School District (NVUSD) personnel

Documents Reviewed and Internet Searches

- California Juvenile Justice Crime Prevention Act-Napa: 2009 Progress Report for STAR Program (www.bdcrr.ca.gov)
- California Juvenile Justice Crime Prevention Act-Napa: 2009 Progress Report for Juvenile Drug Court (www.bdcrr.ca.gov)
- Juvenile Hall Organizational Chart
- Juvenile Hall Orientation Information For Minors
- Juvenile Justice Crime Prevention Act. Annual Report to the Legislature. March 2005. California Board of Corrections (www.bdcrr.ca.gov)
- Juvenile Justice Crime Prevention Act. Annual Report(s) to the Legislature. 2005-2009. California Corrections Standards Authority (www.csa.ca.gov)

- NCJH current budget
- The Parent Project. <http://www.parentproject.com/overview.html>
- Various e-mails from staff of Napa County aAgencies, Departmentsdepartments, and offices Offices
- www.co.napa.ca.us
- www.countyofnapa.org

DISCUSSION

Since the last Grand Jury inspection there were no suicides at Juvenile Hall. Any expressions of suicidal thoughts by detained minors are taken very seriously. Even the slightest hint of a suicidal threat receives an immediate response and is listed as an “attempt.” Fortunately, the staff at NCJH is well trained to recognize and address emotional issues and none of the “attempted suicides” in the past year required medical attention.

There was one attempted escape from the facility in the past year. In that instance, an incarcerated male scaled a very tall perimeter fence (topped with razor wire) and leapt to the ground outside. The attempt left the minor with severe injuries that required hospitalization and surgery. Once medically cleared, the minor returned to NCJH in a wheelchair, where he continued to receive care from on-site medical staff.

Asked whether there had been assaults or attempted assaults since the last Grand Jury inspection, NCJH staff responded, “Kids get into fist fights.” The Grand Jury was informed that much of this violence is gang related and some was “just kid stuff” (i.e. “He looked at me funny,” “I don’t like his brother,” etc.). None of the incidents resulted in injuries that required medical attention.

There were no assaults on staff in the past year. NCJH personnel told the Grand Jury that while separating minors involved in an altercation may result in the staff member being struck, there have not been any attacks specifically directed toward staff “for quite a long time now.” Some years ago, NCJH had a minor in custody with the stated goal of hurting as many people as possible, including NCJH staff. This individual is now an adult serving time in jail.

Overcrowding

NCJH is staffed for 50 minors. In the past, NCJH occasionally exceeded its maximum capacity. When this does occur, requests are submitted to the Napa County Board of Supervisors (BOS) and the State for additional funding for extra

staff. NCJH staff indicated that its capacity is sometimes exceeded when there is a high level of anti-gang activity arrests made by law enforcement in the County.

Juveniles are separated into three categories to assist staff in managing capacity:

- Juveniles who have a release date and for whom the Court has allowed for early release if necessary
- Cases in which the Court has allowed NCJH staff discretion for early release as a last resort measure
- Juveniles who must complete the term of incarceration as ordered by the Court

Juveniles spending the longest time in the facility are generally not there as a result of Court imposed sentences. Most long-term residents of NCJH are either awaiting trial as an adult or placement in group homes or foster care. NCJH staff expressed concern that there are an insufficient number of foster care homes in Napa that accept youth on probation. Group home placements are also difficult since there is only one group home in Napa that is limited to a population of twelve adolescent boys. The lack of suitable placement for troubled youth prolongs the minor's stay at NCJH.

When a serious crime is committed, the District Attorney has discretion, under certain circumstances, to charge juveniles age fourteen and older as adults. Known as "Direct File," a minor may spend as long as two years in Juvenile Hall awaiting trial. If a minor turns eighteen while awaiting trial, he or she is isolated from the rest of the juvenile population on the night before their eighteenth birthday. The next morning, the now "adult" defendant is transferred to the County Jail.

Recidivism

As with adult offenders, Napa County does not formally track juvenile recidivism. However, NCJH and Probation personnel did report that recidivism rates are available for the small percentage of youth participating in post-disposition programs funded by the Juvenile Justice Crime Prevention Act (JJCPA).

The Grand Jury has the same concerns with regard to juvenile recidivism as it has with adult offender recidivism (see 2009-2010 Napa County Grand Jury Final Report: "Napa County Criminal Justice Facilities: Napa County Department of Corrections/County Jail"). The Grand Jury believes establishment and implementation of a program to accurately track recidivism for all offenders, adult and juvenile, is vital to the Napa community. Because the Grand Jury was informed that most programs take about three years to accurately track changes in

recidivism rates, we urge this program be established and implemented at the earliest possible date. These data would be available to more effectively evaluate evidence-based practices and would provide realistic statistics necessary for projecting the future needs of the County's juvenile justice system. The County defines evidence-based practices as:

Practices and programs are deemed "evidence-based" because research has shown that they have been successful in achieving the intended goal. When implementing an evidence-based practice or program, because research has already demonstrated results, we can be reasonably certain that if implemented properly, the program or practice will have the desired outcome.

Napa County's STAR Program

The "Success Through Acting Responsibly" (STAR), funded by the CJJCPA, and is described as:

...a delinquency intervention program of the Napa County Probation Department. The purpose of the program is to increase the competencies of juvenile probationers and their families so that youth successfully complete probation, do not re-offend and attempt to repair harm they might have done to a victim.

There are several additional programs available to minors participating in the STAR program. Referrals for programs and services are made by probation officers who supervise the juvenile offender caseload. Using a screening process known as Youth Level of Service/Case Management Inventory (YLS/CMI), the juvenile probation officers survey and classify juvenile offenders regarding the level of services, supervision, and programming relevant to each offender's particular needs. As the juvenile progresses through the program, performance assessments are made and risk levels are adjusted accordingly.

The following STAR services available to Juveniles include:

- The YLS/CMI is administered by a probation officer to each youth placed on probation
- An initial mental health and substance abuse screening is administered by the Juvenile Hall Forensic Mental Health Counselor to each juvenile soon after they are admitted to Juvenile Hall
- Aggression Replacement Training (ART) is a thirty-session evidence-based practices program, developed specifically for institutional settings. This program is designed for adolescents and teaches pro-social interpersonal skills, alternative methods to aggressive behavior, techniques

to utilize when provoked, values related to respecting others, and anger management

- Thinking For a Change (TFC) is also available. Although this is not evidence-based programming, it offers ongoing open-ended programming that focuses on identifying, understanding, and practicing social communication, and decision making skills which aid juveniles in dealing with issues related to peer-pressure, exercising good judgment and expressing emotions in a socially appropriate manner. The Life Skills Program, which is similar to TFC is also available
- The Parent Project provides parents with instruction on the “prevention, identification and intervention strategies for the most destructive of adolescent behaviors.” Training is offered in both English and Spanish
- Brief intervention substance abuse treatment, an intensive evidence-based outpatient substance abuse treatment program for youth, is provided to juveniles in custody on a weekly basis by a counselor from the Wolfe Center, (a youth drug and alcohol rehab center). The counselor utilizes the American Society of Addiction Medicine (ASAM), an early intervention and pre-assessment tool and educational program

The STAR program’s mandated outcomes focus on six areas:

- arrest rates
- incarceration rates
- probation violation rates
- rates for completion of probation
- rates for completion of community work service
- rates of completion of victim restitution

Last year (FY2008-2009), the program served 130 juveniles, 107 completed the program and 23 are still in progress.

Napa County Juvenile Drug Court Program

The Juvenile Drug Court (JDC) Program, funded by the CJJCPA, is a post-disposition program focused on reducing and/or eliminating substance abuse and crimes associated with juvenile substance abuse in Napa County. This program is an alternate sentencing option available to minors who meet certain suitability and eligibility requirements, including the commitment and motivation by both the juvenile and his or her parents. Multiple County agencies, including the Juvenile Court, Probation Department, District Attorney’s Office, Public Defender’s Office, NCOE, and the Wolfe Center, have joined together to establish this seven phase program which includes:

- Intensive juvenile probation supervision
- Frequent court reviews
- Outpatient substance abuse treatment programs
- Random and frequent drug screening and curfew checks
- Clean and sober recreational activities
- Immediate sanctions for non-compliance
- Rewards for progress

Minors referred to the JDC Program by the Court are initially assessed by the Probation Department, using the YSL/CMI system, to determine their level of risk. Additionally, as part of a Court-ordered participation in STAR, regular reviews are performed at the Wolfe center.

The Wolfe Center provides case management services in an intensive day treatment model that includes enrollment at Wolfe High School that is the Center's on-site community school operated by NCOE. At Wolfe Center, juveniles attend a combined treatment and school program for approximately forty-five hours per week. Additionally, participants attend six to twenty hours per week of programs that address their specific risks. The minimum duration of the seven-phase program is twelve months, with an average of eighteen to twenty-four months needed to complete the full program. While participating in the JDC Program, juveniles and their families receive traditional treatment elements of assessment, planning, education, parental support, individual and group therapy, psychiatric evaluation, and, if necessary, medication management.

In addition to the Wolfe Center, participants are provided intense supervision by their Probation Officer. The Probation Officer is responsible for referring the minors and their families to community-based services that address co-occurring issues as well as monitoring compliance with the Court's Orders. While the ultimate goal is to reduce incarceration, it is sometimes necessary to commit JDC participants to Juvenile Hall as a sanction for non-compliant behavior.

The JDC Program's mandated outcomes focus on the same six areas as provided in the STAR Program. Last year, the JDC served twenty-six juveniles. Three successfully completed the program, eight were unsuccessful, and fifteen are continuing.

Education

The Juvenile Court and Community Schools run by NCOE provide all educational services to the most "at-risk" students in Napa County. These programs serve students incarcerated in the juvenile detention facility, students on formal probation, or those expelled by school districts. The community schools

include Chamberlain High School, Liberty High School, Wolfe High School, Napa Community High School and Creekside Middle School. The only Court school in Napa County is Crossroads, located in Juvenile Hall. Napa County is the only juvenile detention facility in the state that releases offenders to attend their regular school when possible.

Crossroads has one full-time teacher (with Special Education credentials), three teacher-assistants, and a part-time Individual Education Plan (IEP) coordinator. The minors at Juvenile Hall are assigned to either the “Prospect” or “Merit” section of the Hall depending upon their behavior and other factors. Each of the sections has its own classroom and each classroom has approximately fifteen to twenty students. One teacher monitors both classrooms, while the teacher-assistants work directly with students. NCJH rules preclude student conversations during class and there are no “class” or group discussions allowed. Students may only address the teacher or teacher-assistants.

Some juveniles are permitted to leave Juvenile Hall to attend their regular high school during the day. When they return to Juvenile Hall they are searched for contraband and return to their room.

Unfortunately, juveniles who remain confined to NCJH, but who are enrolled in the Napa Valley Unified School District (NVUSD) schools, may find themselves left behind when they are released from the Hall. While juveniles continue to earn credit toward high school graduation through the Crossroads program, they also lose the opportunity to keep up with their normal course work at NVUSD.

The Grand Jury was advised that it is a difficult issue for those juveniles who miss two to several weeks of regular school work and then must return to NVUSD classes. While Juvenile Hall teachers can, and do, request assignments from NVUSD teachers, the minor may be released prior to the course work getting to the NCJH teacher. When the minor goes back into his or her regular class just weeks later, they find they are hopelessly behind and are on a path to failure due to a lack of credits.

At the time of this report, there was no re-entry counseling for youth returning to NVUSD High Schools from Juvenile Hall. No one at NVUSD is assigned to guide, motivate, or direct these students. Students released from NCJH are expected to pursue make-up work on their own. Unfortunately, these are the very students who are least equipped to self-motivate and pursue additional educational goals. The Grand Jury strongly encourages NVUSD and its high school principals to implement a re-entry program for youth returning from Juvenile Hall to their high schools. All NVUSD students deserve the opportunity to succeed.

FINDINGS

The 2009-2010 Grand Jury finds that:

1. Napa County does not currently track juvenile recidivism with the exception of those minors participating in programs funded by the Juvenile Justice Crime Prevention Act.
2. NVUSD is not required to provide current course work, for minors incarcerated at Juvenile Hall in a timely matter.
3. There is no re-entry counseling for minors returning to NVUSD schools from NCJH.

RECOMMENDATIONS

The 2009-2010 Grand Jury recommends that:

1. The County develop and implement a standardized program to track recidivism for all juvenile offenders.
2. NVUSD, in conjunction with NCJH personnel, establish and implement a re-entry program for youth returning from Juvenile Hall.

COMMENDATIONS

The Grand Jury commends the Director and staff at NCJH and NCJJC for their professionalism, dedication, and devotion to redirecting troubled youth into productive, meaningful lives.

REQUEST FOR RESPONSES

The 2009-2010 Grand Jury requests responses from:

- BOS for Recommendation 1
- NCJH Director for Recommendations 1 and 2
- NVUSD for Recommendation 2

GLOSSARY

ART--- Aggression Replacement Training
ASAM---American Society of Addiction Medicine
BOS---Napa County Board of Supervisors
CFMG---California Forensic Medical Group
CYA---California Youth Authority
FY---Fiscal Year
JDC---Juvenile Drug Court
JJCPA---Juvenile Justice Crime Prevention Act
NCJH---Napa County Juvenile Hall
NCJJC---Napa County Juvenile Justice Center
NCOE---Napa County Office of Education
NVUSD---Napa Valley Unified School District
STAR---Success Through Acting Responsibly
TFC---Thinking For a Change
QVH---Queen of the Valley Hospital
YLS/CMI---Youth Level of Service/Case Management Inventory