



# COUNTY of NAPA

BOARD OF SUPERVISORS

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July 22, 2008

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

# FILED

JUL 30 2008

Clerk of the Napa Superior Court  
By: C. Ben  
Deputy

Dear Judge Guadagni:

As required by Penal Code Section 933(c), enclosed is the response to the following 2007-08 Grand Jury Final Reports:

- Napa County Emergency Communications
- Napa County Office of Emergency Services
- Napa County Jail Department of Corrections
- Napa County Roads
- Napa County Juvenile Hall

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 2007-08 Grand Jury for the time they have devoted in preparing their report.

Received  
Napa Superior Court

JUL 22 2008

Court Executive Office

Sincerely,

Brad Wagenknecht, Chair  
Napa County Board of Supervisors

Enclosure

cc: Foreman, 2007-08 Grand Jury

**NAPA COUNTY  
RESPONSE TO THE NAPA COUNTY GRAND JURY  
FINAL REPORT ON NAPA COUNTY JAIL  
DEPARTMENT OF CORRECTIONS**

Finding No. 9: It has been, and will continue to be, difficult for Napa County to recruit an experienced, proven person to lead the Department of Corrections until such time as the Criminal Justice Committee redefines the position, recognizing that the jail is only one component of a comprehensive corrections plan.

Response, County Executive Officer: The County Executive Officer disagrees with this finding. It is true that the County has, in the past, experienced difficulty in recruiting for the Director of Corrections position. However, this difficulty has not been related to the job description for the position. The primary reasons for the difficulty in recruiting include: (1) the fact that Napa County is unusual in California in administering the jail through a separate department of corrections rather than as part of a Sheriff's Department; (2) high housing prices in Napa County, which make it difficult to recruit from other states; (3) the fact that the position is not eligible for safety retirement, unlike Sheriff's Deputies and, in many cases, Probation Officers in other counties; (4) the generally tight labor market for seasoned managers, as the baby-boomers are retiring (the County has had difficulty in recruiting for other department head and senior manager positions).

More recently, the County completed another recruitment for the Director of Corrections position and that recruitment has proven successful.

Finally, it is not the responsibility of the Criminal Justice Committee to redefine the Director of Corrections position, though the Committee will be making recommendations concerning the appropriate roles of various departments in the criminal justice system related to developing and implementing evidence-based practices. Responsibility for defining individual position roles rests with the County Executive Officer and Board of Supervisors.

Response, Board of Supervisors: The Board of Supervisors concurs with the response of the County Executive Officer.

Finding No. 10: The job description in the recruiting materials does not give sufficient emphasis to the expanded responsibility the head of the Department of Corrections will have for developing and superintending evidence based practices programs.

Response, County Executive Officer: The County Executive Officer disagrees with this finding. The recruitment brochure (copy attached) clearly describes the County's expectations for whoever is selected and provides sufficient information concerning the need to collaborate with the criminal justice community to define and embrace and implement evidence-based practices. The recruitment brochure also emphasizes that the Director of Corrections will be expected to manage a corrections program that values and

uses various tools and programs that effectively manages the use of both custody and non-custody programs.

Response, Board of Supervisors: The Board of Supervisors concurs with the response of the County Executive Officer.

Finding No. 15: The Inmate Welfare Trust Fund and its use for the funding of certain Jail custodial and food staff training does not impart sufficient substantive job skills facilitating inmate transition from detention to the general population.

Response, Department of Corrections: The Department of Corrections disagrees with this finding because there is no evidence that supports it. At the same time, while the Department of Corrections believes that there are long-term benefits to inmates participating in the custodial and food services work programs, the Department acknowledges that there is no evidence to support the claim that the programs do impart sufficient substantive job skills facilitating inmate transition from detention to the general population. Part of the evidence based practices implementation process the County is currently undergoing, includes the evaluation of the effectiveness of all custody and non-custody programs. Once that process is complete, program changes may be proposed.

Recommendation No. 1: The Criminal Justice Committee address and identify in the Adult Correctional System Master Plan the proper official or agency to provide the leadership necessary to carry out the plan's recommendations.

Response, Criminal Justice Committee: The recommendation has not been implemented but will be implemented in the future. The Adult Correctional System Master Plan involves various law, justice, and public safety agencies and responsibility for implementing the Plan cannot be assigned to just one agency or official. As part of Phase II of the Adult Correctional Master Plan, the Criminal Justice Committee will address and identify the proper officials and agencies to carry out the plan's recommendations. The Criminal Justice Committee is scheduled to present a progress report on the Adult Correctional System Master Plan to the Board of Supervisors on September 23, 2008 and make final recommendations by the end of calendar year 2008.

Response, Napa County Department of Corrections: The recommendation has not been implemented but will be implemented in the future. The Department of Corrections will have the responsibility for carrying out certain aspects of the Adult Correctional System Master Plan. The Acting Director of Corrections is a member of the Criminal Justice Committee and will continue to participate in the Adult Correctional System Master Plan process. The Criminal Justice Committee is scheduled to present a progress report on the Adult Correctional System Master Plan to the Board on September 23, 2008 and make final recommendations by the end of calendar year 2008.

Response, Napa County Chief Probation Officer: The recommendation has not been implemented but will be implemented in the future. The Chief Probation Officer will

have the responsibility for carrying out certain aspects of the Adult Correctional System Master Plan. The Chief Probation Officer is a member of the Criminal Justice Committee and will continue to participate in the Adult Correctional System Master Plan process. The Criminal Justice Committee is scheduled to present a progress report on the Adult Correctional System Master Plan to the Board on September 23, 2008 and make final recommendations by the end of calendar year 2008.

Response, County Executive Officer: The recommendation has not been implemented but will be implemented in the future. Recognizing that different officials and agencies will have responsibility for carrying out different aspects of the Adult Correctional System Master Plan, Phase II of the Plan being prepared by the Criminal Justice Committee will identify the proper officials and agencies to carry out the Plan's recommendations. The County Executive Officer is a member of the Criminal Justice Committee and will continue to participate in the Adult Correctional System Master Plan process. The Criminal Justice Committee is scheduled to present a progress report on the Adult Correctional System Master Plan to the Board on September 23, 2008 and make final recommendations by the end of calendar year 2008.

Response, Board of Supervisors: The Board of Supervisors concurs with the response of the Criminal Justice Committee and the County Executive Officer.

Recommendation No. 2: The Criminal Justice Committee develop a proposed job description for the Director of the Department of Corrections that acknowledges the broad responsibility such a person will have for the jail and for community-based corrections efforts in cooperation with other agencies.

Response, Criminal Justice Committee: The recommendation will not be implemented by the Criminal Justice Committee because it is not reasonable. The Napa County Board of Supervisors directed the Criminal Justice Committee to embark on a well-thought out effort to assess the operation of the local criminal justice system and its impact on jail use, and to make reasoned decisions on various issues, including, but not limited to, whether additional jail beds were needed. The Criminal Justice Committee is a system-wide advisory and coordinating committee and is not involved in the management or operations of individual departments. In Napa County, the responsibility for developing job descriptions rests with the Human Resources Division, working in consultation with the relevant department and the County Executive Office. The Board of Supervisors, not the Criminal Justice Committee, is the appointing authority for the Director of Corrections position, and therefore would be ultimately responsible for all employment issues. Nonetheless, we agree that the Director of Corrections will have significant responsibility for jail and community-based corrections efforts, in collaboration with other key criminal justice and corrections officials.

Response, Napa County Department of Corrections: The recommendation will not be implemented by the Department of Corrections because it is not reasonable. The Napa

County Board of Supervisors, not the Department of Corrections, is the appointing authority for the Director of Corrections position.

Response, Napa County Chief Probation Officer: The recommendation will not be implemented by the Chief Probation Officer because it is not reasonable. In Napa County, the responsibility for developing job descriptions rests with the Human Resources Division. The Board of Supervisors is the appointing authority for the Department of Corrections and responsible for employment issues. However, this county always involves key collaborators in the hiring process and the Chief Probation Officer will have input in that process.

Response, County Executive Officer: The Criminal Justice Committee is a system-wide advisory and coordinating committee that has been tasked with evaluating the criminal justice system as a whole as it relates to corrections issues and making recommendations concerning things like jail size and the type of programs to be provided. Development of job descriptions is the responsibility of the County Executive Office's Human Resources Division, in consultation with the County Executive Office and relevant departments. Therefore, the recommendation will not be implemented because it is not warranted or reasonable. Nonetheless, the County Executive Officer agrees that the Director of Corrections will have a broad responsibility for jail and community-based corrections efforts and will need to work collaboratively with other agencies. Although County job descriptions, particularly at the department head level, generally are written broadly enough to cover a wide range of managerial responsibilities, the County Executive Officer will ask the Human Resources Division to review the current job description to insure that it adequately reflects the depth and breadth of the position's responsibilities.

Response, Board of Supervisors: The Board of Supervisors concurs with the response of the County Executive Officer.

Recommendation No. 3: The selection of a new Director of the Department of Corrections be deferred until such time as a decision is made regarding the job description for this position, taking into account the new responsibilities described in the Adult Correctional System Master Plan.

Response, Criminal Justice Committee: The recommendation will not be implemented by the Committee because it is not reasonable. As previously mentioned the Napa County Board of Supervisors is the appointing authority for the Director of Corrections and is responsible for determining when to recruit for or appoint an individual to that position. It is not within the purview of the Criminal Justice Committee to determine when the position should be filled. Nonetheless, we agree that whoever is selected as the new Corrections Director be able to work collaboratively with the other members of the criminal justice and corrections community to effectively implement the Adult Correctional System Master Plan.

Response, Napa County Department of Corrections: The recommendation will not be implemented by the Department of Corrections because it is not reasonable. The Napa County Board of Supervisors, not the Department of Corrections, is the appointing authority for the Director of Corrections position.

Response, Napa County Chief Probation Officer: The recommendation will not be implemented by the Chief Probation Officer because it is not reasonable. The Board of Supervisors is the appointing authority for the Director of Corrections and it responsible for deciding when to recruit and appoint an individual to the position.

Response, County Executive Officer: The recommendation will not be implemented because it is not warranted. As the Grand Jury has noted, the Corrections Director position has not been filled on a long-term basis for some time. The County has already conducted a nation-wide recruitment process for this position. The recruitment brochure (copy of relevant section attached) clearly described the County's expectations for whoever is selected and provides sufficient information concerning the responsibility of the position as it relates to the Adult Correctional System Master Plan. The County Executive Officer does not believe that any purpose would be served by delaying the process any longer.

Response, Board of Supervisors: The Board of Supervisors concurs with the response of the County Executive Officer.

Recommendation No. 4: The Jail's on-site Medical Director ensures that inmates' medical needs are met on a timely basis.

Response, Criminal Justice Committee: The recommendation will not be implemented by the Committee because it is not reasonable. The Criminal Justice Committee is not responsible for the day-to-day operations of the jail and does not have the knowledge required to appropriately respond to this recommendation. The Criminal Justice Committee defers to the Department of Corrections to respond to and implement this recommendation.

Response, Napa County Department of Corrections: The recommendation has been implemented. Inmates requesting to be seen by medical staff are provided a Medical Sick Call Slip. Slips are placed in a locked box within the housing unit for confidentiality purposes and are picked up twice daily by the nursing staff. Inmates requesting a Sick Call will be seen during the next scheduled Sick Call. Medical staff conducts Sick Calls once daily, Monday through Friday, and on weekends as determined necessary. Emergency requests are reported directly to the nursing staff by the correctional staff and are responded to immediately. Inmate requests for medication requiring a physician's approval are reviewed daily. If the physician declines to prescribe medication, the inmate will be notified in writing within 48 hours. If an inmate is unsatisfied with the physician's response a medical grievance may be filed.

Recommendation No. 5: The Director of Corrections receives timely notice of each grievance filed by an inmate.

Response, Criminal Justice Committee: The recommendation will not be implemented by the Committee because it is not reasonable. The Criminal Justice Committee is not responsible for the day-to-day operations of the jail and does not have the knowledge required to appropriately respond to this recommendation. The Criminal Justice Committee defers to the Department of Corrections to respond to this recommendation.

Response, Napa County Department of Corrections: The recommendation will not be implemented because it is not reasonable. The inmate grievance process is designed to provide a structured method of communication between inmates and staff to seek resolution to problems. The process is designed so that issues are resolved as quickly as possible and at the lowest level possible either by the Correctional Officer (lowest level), Corporal or Sergeant (highest level). The Sergeant has discretion to consult with the Correctional Lieutenant, Assistant Director or Director. The Director of Corrections periodically reviews filed grievances and dispositions as a quality control measure and takes action as appropriate.

Recommendation No. 6: Accurate and complete grievance records, numbered sequentially, be retained for at least one year, assuring that all grievances are recorded and appropriate action taken.

Response, Criminal Justice Committee: The recommendation will not be implemented by the Committee because it is not reasonable. The Criminal Justice Committee is not responsible for the day-to-day operations of the jail and does not have the knowledge required to appropriately respond to this recommendation. The Criminal Justice Committee defers to the Department of Corrections to respond to and implement this recommendation.

Response, Napa County Department of Corrections: The recommendation will be implemented. Grievances submitted by inmates will be maintained in a grievance logbook and sequentially numbered in order of receipt for at least a one-year period. The Department intends to develop a system to separately log and number all medical grievances that are forwarded to medical staff by correctional staff so that the Department can follow-up with medical personnel to ensure that the grievance has been resolved.

Recommendation No. 7: The Inmate Welfare Trust Fund not be used for jail maintenance or cleaning and food services for the jail.

Response, Criminal Justice Committee: The recommendation will not be implemented by the Committee because it is not reasonable. The Criminal Justice Committee is not

responsible for the fiscal operations of the jail and does not have the knowledge required to appropriately respond to this recommendation. The Criminal Justice Committee defers to the Department of Corrections to respond to this recommendation.

Response, Napa County Department of Corrections: The recommendation will not be implemented because it is not warranted. While we agree that a portion of the Inmate Welfare Trust Fund is being used to supplement staffing, we believe that there are long-term benefits to the inmates. The staff positions that are being paid in whole or part using funds from the Inmate Welfare Trust Fund have been researched by County Counsel and approved as complying with Penal Code Section 4025 (...“inmate welfare funds may be used to augment those required county expenses as determined by the sheriff (or by the Director of Corrections in Napa County) to be in the best interests of inmates”).

The staff positions related to jail maintenance and food services supported by the Inmate Welfare Trust Fund include:

1 FTE (Full Time Equivalent) Cook: Supervises and works with sentenced inmate workers in the kitchen and laundry to provide basic instruction on use of equipment, cooking, cleaning, etc. These are skills that can be useful upon release.

1 FTE Maintenance Worker: Supervises and works with sentenced inmate workers performing janitorial services in the jail, including administrative offices and public areas. This also provides for a regular crew of inmates who assist in the routine painting of the jail, including cells and common areas. Again, these are skills and experiences that can be useful upon release.