



A Tradition of Stewardship
A Commitment to Service

Board of Supervisors

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Mark Luce
Chairman

July 22, 2014

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

FILED

AUG - 5 2014

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

Dear Judge Stone:

As required by Penal Code Section 933(c), enclosed is the response to the 2013-2014 Final Report on the Napa County Jail. 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.

The Board acknowledges the members of the 2013-2014 Grand Jury for the time they have devoted in preparing their report.

Sincerely,

Handwritten signature of Mark Luce in black ink.

Mark Luce, Chairman
Napa County Board of Supervisors

Enclosure

cc: Foreman, 2014-2015 Grand Jury

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JUL 25 2014

Napa Superior Court

Brad Wagenknecht
District 1

Mark Luce
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Diane Dillon
District 3

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District 4

Keith Caldwell
District 5

NAPA COUNTY
RESPONSE TO THE GRAND JURY FINAL REPORT ON
THE NAPA COUNTY JAIL
MAY 2014

The Grand Jury requested responses from the Napa County Board of Supervisors.

Finding 1. Realignment has changed the composition of the Napa County Jail population and the dynamics between inmates and correctional staff by the addition of more criminally sophisticated felons, serving longer sentences in a facility designed for shorter-term stays.

Board of Supervisors Response: The Board of Supervisors agrees with this finding.

Finding 2. Recruitment and retention of correctional staff is a significant problem for Napa County Department of Corrections.

Board of Supervisors Response: The Board of Supervisors agrees with this finding.

Finding 3. The Napa County Jail is one of two remaining county jails in California managed by a Director of Corrections under the authority of the Board of Supervisors rather than the Sheriff.

Board of Supervisors Response: The Board of Supervisors agrees with this finding.

Recommendation No 1: The 2013-2014 Grand Jury has identified three “compelling issues” in favor of returning the management of the Napa County Jail facility to the Napa County Sheriff and requests that the Board of Supervisors reconsider its prior position on the management structure of the jail.

Board of Supervisors Response: The recommendation will not be implemented because it is not warranted. The Grand Jury identified three issues in their report: the impact of Realignment; the extreme difficulty in recruiting and retaining quality personnel; and the inadvisability of structuring the system around one extraordinary individual – the Director of Corrections.

The Board of Supervisors acknowledges that the impact of Realignment on operations in the jail has been significant. However, the Board disagrees that returning the management of the jail to the Sheriff’s Office is the appropriate response.

Realignment has required all counties to deal with inmates who are incarcerated for longer terms. Regardless of whether the jail is operated by the Sheriff or under the Board of Supervisors authority, the impact of Realignment will continue to challenge jails and change the way counties deal with their local corrections issues. In Napa County, the Correctional Officers are trained to address these changes and are seen as professionals in the field of corrections. The level of training and education required for correctional officers at NCDC is exactly the same as the level of training and education required for correctional deputies who are employed at Sheriff-run jails. Unlike many Sheriff’s departments, NCDC Correctional Officers have sought out the position and are not seeking to work a minimum amount of time in the jail before being

assigned to patrol functions. Because of this the Board does not believe that shifting management to the Sheriff's Office would result in any tangible benefits.

As to recruitment and retention issues, the Board of Supervisors does not believe these issues are unique to NCDC. Law enforcement/corrections agencies have been experiencing a downward trend in gaining the interest of well qualified candidates. Changes in retirement benefits have affected virtually all agencies in the state, and many agencies continue to deal with budget constraints in this uncertain economic period which has decreased the overall number and quality of candidates looking to move into the field. Additionally, Realignment funding and subsequent jail construction funding that was made available to increase correctional beds throughout the state has resulted in an increase in recruitments as multiple agencies are attempting to fill similar positions simultaneously.

This year the Board of Supervisors supported legislative efforts (Senate Bill 1406), which were passed and recently signed by the Governor, to allow for enhanced inmate custodial duties for NCDC Correctional Officers. Under SB 1406, correctional officers are given the ability to perform almost all of the functions that correctional deputies are allowed to perform in sheriff-run jails. Once authorized by a vote of the Board, this bill comprehensively gives correctional officers authority similar to those previously granted to correctional officers in the County of Santa Clara including serving warrants, court orders, writs, and subpoenas in the detention facility, performing searches, and making arrests within the facility. Additionally, the bill designates our Correctional Officers as "custodial officers" under the State's definition which allows for higher charges against inmates who assault correctional officers. The Board believes this new slate of duties and protections will assist with recruitment and retention. Over the last three years, the Director of Corrections has undertaken additional efforts to recruit staff. Correctional officer job postings are now advertised on national websites, and staff has been working to establish protocols regarding recruiting from nearby military bases. There have also been targeted recruitments at local police academies.

It is hoped that with the steps taken by the department to recruit nationally and to access potential candidates from the local military bases, Napa County will see some favorable results.

Finally, the Board agrees that the current Director of Corrections has been outstanding in helping the County to navigate the historic changes in criminal justice management brought on by the passage of Realignment. However, the Director is supported not only by the Board of Supervisors in his efforts but also by colleagues in every criminal justice agency in the county. Napa County has a long history of collaborative efforts and while the management of the jail is under the control of the Director of Corrections, he enjoys dedicated partnerships from his peers.

Although not mentioned in the report, relationships with the Superior Court, District Attorney's Office, Probation Department, Public Defender's Office, Health and Human Services Agency, as well as local law enforcement further support the Director's success. Moving the management of the jail to the Sheriff's Office would not create any substantive advantages over the current model, which is very successful and cost effective. The jail and its operations are dependent upon the support and backing of various agencies and personnel. In Napa County, the cooperative relationships ensure that various partners consider the impact of their actions on

other members in the criminal justice community. This also explains the level of success seen by the Grand Jury members. NCDC is one portion of the larger criminal justice system and the Board of Supervisors sees it as an integral part of the overall team.

Recommendation No 2: The Grand Jury Requests that the Board of Supervisors implement any changes in management structure by the end of Fiscal Year 2015-2016,

Board of Supervisors Response: The recommendation will not be implemented because it is not warranted. Based on the response to recommendation No. 1, there is no action warranted in response to Recommendation No. 2.