



A Tradition of Stewardship
A Commitment to Service

NAPA COUNTY GRAND JURY

2010-2011

Final Report on

NAPA COUNTY JUVENILE HALL

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NAPA COUNTY GRAND JURY
P.O. BOX 5397
NAPA, CALIFORNIA 94581

April 27, 2011

The Honorable Stephen T. Kroyer
Presiding Judge
Superior Court of the State of California
County of Napa
825 Brown Street
Napa, CA 94459

Re: 2010-2011 Grand Jury Final Report on the Napa County Juvenile Hall

Dear Judge Kroyer,

Pursuant to Sections 933 (a) of the California Penal Code, the 2010 -2011 Napa County Grand Jury submits to you its final report on the Napa County Juvenile Hall. Our investigation of this subject 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 residents of Napa County.

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

Respectfully submitted,

A handwritten signature in black ink that reads "Judith Bernat".

Judith Bernat
Forewoman
2010-2011 Napa County Grand Jury



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To the Residents of Napa County:

In order to fulfill the Grand Jury's mandate to investigate all local government agencies, to assure they are being administered efficiently, honestly, and in the best interest of Napa County residents, the 2010-2011 Grand Jury investigated the Napa County Juvenile Hall (NCJH).

California Penal Code Sections 919 (a) and 919 (b) mandate the Grand Jury to annually inspect detention facilities within the County. The 2010-2011 Grand Jury found the Napa County Juvenile Hall (NCJH) to be secure, and extremely well maintained with a dedicated and professional staff, who encourage young offenders to make better life choices. The NCJH and its programs are designed to motivate and support juvenile rehabilitation.

During the site inspection, the Grand Jury received several complaints from resident juveniles that the drinking water in the facility had a bad taste. Jurors drank the water and detected a distinctive metallic taste. Two samples of water were tested for copper; a sample from within NCJH and a control sample from an adjacent building. The water from within NCJH was deemed safe for consumption, as it met the California Department of Public Health's secondary drinking water standards; however, it did contain an elevated concentration of copper.

The Grand Jury made two recommendations. The first recommends that the County Public Works Department and the NCJH staff develop and implement a plan to eliminate the metallic taste in the water in NCJH. The second recommends that the NCJH provide palatable water within NCJH until such plan can be implemented.

The Napa County Office of County Counsel has reviewed this final report. The Napa County Superior Court Presiding Judge, pursuant to California Penal Code Section 933 (a), has found that this report complies with California Penal Code Part 2 Title 4. 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 the link to Grand Jury.

We hope you find this report informative.

It is an honor and privilege to serve on the 2010-2011 Grand Jury.

Respectfully submitted,

The 2010-2011 Napa County Grand Jury

NAPA COUNTY JUVENILE HALL

SUMMARY

As mandated by State law, the Napa County Grand Jury must physically inspect all jail and detention facilities within the County on an annual basis. The 2010-2011 Napa County Grand Jury inspected the Napa County Juvenile Hall (NCJH) in October 2010 and found the facility clean, secure, orderly, and well maintained. The NCJH counselors, supervisors, teachers, and managers who were on duty were cooperative, professional, dedicated, and enthusiastic. The Napa County Chief Probation Officer serves as the Director of NCJH and has held the position since October 2002.

The facility and programs are all designed to engage and rehabilitate juveniles. The staff is knowledgeable, maintains discipline and a strict regimen of activities. The juveniles are treated with respect and courtesy by the staff.

The Grand Jury investigated a medical incident which occurred in January 2011. The nurse on duty who handled this medical incident was well informed as to appropriate procedures to meet the immediate medical needs of the injured juvenile.

During the site inspection, several resident juveniles stated that the water in the facility “tastes bad” and they avoid drinking it. Jurors drank the water and noticed a distinctive metallic taste. The Grand Jury sent a sample of the water to Caltest Analytical Laboratory (Caltest), a certified laboratory that found elevated concentrations of copper. The tested concentration of copper met the California Department of Public Health’s (CDPH) secondary drinking water standards and deemed safe for consumption.

Further investigation discovered that water quality was a concern when the new NCJH facility opened in 2005. Initial water tests by the Napa County Public Works Department (NCPWD) determined that the water did not meet the CDPH secondary drinking water standards for copper. The NCPWD began testing and making corrections until the water met the secondary drinking water standards.

The juveniles, most of whom are teenagers, are at a critical period of maturation and have specific hydration needs. The Grand Jury recommends that the NCPWD develop and implement a plan to address the unacceptable taste in the

facility's drinking fountains to increase the juveniles' ability to stay properly hydrated.

BACKGROUND

As mandated by State law, the Napa County Grand Jury must physically inspect all jail and detention facilities within the County on an annual basis. The Grand Jury inspected the NCJH facility located at 212 Walnut Street, Napa on October 14, 2010.

NCJH has two detention units, Merit and Prospect, with a total capacity for 60 minors. Due to staffing limitations, the facility operates under a self-imposed capacity of 50. The Napa County Office of Education (NCOE) operates the Crossroads school onsite. The California Forensics Medical Group, a medical services contractor for the County, provides an attending nurse.

The NCJH counselors, supervisors, teachers, and managers who were on duty during the Grand Jury's site inspection were cooperative, professional, and dedicated. The facility is clean, orderly, and well maintained. It has meeting rooms, a modern kitchen and two classrooms. The administration collaborates with non-governmental youth organizations and treatment facilities, such as the Wolfe Center, to provide intervention and prevention programs. Although the juveniles detained at the NCJH facility have varying needs and challenges, the Juvenile Hall staff strives to offer supportive programs in a secure and safe environment.

The Court orders some juveniles to be sent to one of the youth camps, run by the Division of Juvenile Justice, formerly known as the California Youth Authority, rather than being held at the NCJH. A juvenile is ordered to a youth camp depending on the severity of the crime or because the juvenile has been unsuccessful at lower levels of intervention in Napa. These camps are for juveniles who need to be separated from their current community. In the fiscal year (FY) 2009-2010, NCJH had 28 juveniles sent to youth camps, a much lower number than in previous years. It is projected that approximately 15 juveniles may be ordered to a youth camp this fiscal year.

When placed on probation, the juvenile is assigned a probation officer who meets monthly with the juvenile, their family and their school. Currently there are about 500 juveniles on probation within Napa County. The juveniles in NCJH who are under 18 years of age must attend Crossroads School, the onsite school administered by NCOE.

The NCJH budget in the fiscal year (FY) 2008-2009 was \$4,577,704, FY 2009-2010 was \$4,583,161 and for the FY 2010-2011 the budget is \$4,804,745. This department's budget has remained stable.

DISCUSSION

The NCJH Facility and Staff

The Napa County Grand Jury's site inspection led by the County's Chief Probation Officer, the Juvenile Hall Superintendent, and Assistant Superintendent began with an overview of the facility operations and challenges. The administrators identified the following issues the staff commonly encounters with the juveniles:

- gang affiliations
- mental health issues
- drug and/or alcohol addiction
- school truancy
- physical, sexual and emotional abuse
- anger and aggression

A merit system based on earned points encourages good behavior. As juveniles demonstrate they can adhere to the NCJH rules and follow the counselors' directions, they are allowed privileges such as:

- making a phone call during designated phone times
- earning the opportunity to watch movies on movie night until their bedtime
- working in the kitchen or garden with staff supervision
- an extra half hour with lights on or radio listening on after their regular "lights out"

The Grand Jury's inspection included a comprehensive walk-through of the facility including observations of:

- visitor lobby
- administrative offices
- intake area
- control room
- nurses' office
- counselors' office
- classrooms

- common area
- locked bedrooms
- outdoor recreation area
- safety cell
- locked holding rooms
- kitchen
- bathrooms and shower rooms

In addition to the site inspection, the Grand Jury reviewed grievances filed by the juveniles since NCJH opened in 2005. Most of the issues consisted of the typical teenage complaints. The Grand Jury did investigate one particular incident involving a broken arm which occurred in late 2010. The investigation found the attending nurse and doctor on call used appropriate procedures to meet the immediate medical needs of the juvenile. The incident did not occur as a result of unsafe conditions within NCJH.

When juveniles enter they receive an assessment of their medical and mental health needs. It is estimated that 50% of these juveniles suffer from drug or alcohol abuse with a similar percentage experiencing mental health issues. Over the past two years, the administration and staff have noticed an increase in the level of violence displayed by the juvenile offenders entering NCJH. This behavior carries over into the day-to-day life within NCJH.

Drinking Water

The site inspection included two separate groups of Grand Jurors. Each had lunch with the juveniles in either the Prospect or Merit detention units.

During lunch some of the juveniles mentioned that they avoid drinking water from the drinking fountains in the common areas and in their bedrooms because of an unpleasant taste.

Jurors sampled the water and noticed a distinctive metallic taste that lasted several hours. The Grand Jury obtained a sample of water from a drinking fountain in the Prospect detention unit of NCJH and a second sample from a faucet located in a different building adjacent to NCJH.

The Grand Jury sent the water sample to Caltest, a certified laboratory that tested both samples for copper. Copper is a common element responsible for a metallic taste in water.

The sample taken from within the facility had a copper concentration more than four times that of the control sample taken from the adjacent building. Table 1 shows the results of the Napa County Grand Jury water test.

CDPH Secondary Drinking Water Standard	1,000 ug/L
Juvenile Hall Fountain Sample	621 ug/L
Control Sample Adjacent Building	146 ug/L

Less than 1,000 ug/L is acceptable

The copper concentrations found by Caltest met the CDPH secondary drinking water standards. Copper concentrations in excess of the CDPH's secondary drinking water standards may pose possible health problems.

Jurors questioned the NCJH administration about the water condition and were advised that the water had been tested by the NCPWD and met the minimum drinking water requirements. NCPWD is responsible for the construction, operation, and maintenance of the NCJH.

The Grand Jury contacted the NCPWD and obtained copies of past water tests of the facility. When the facility opened in 2005, the NCPWD tests demonstrated that copper concentrations in the facility were above the CDPH secondary drinking water standards. After a period of testing and system corrections, the copper concentrations dropped below 1,000 ug/L, thus meeting the CDPH's secondary drinking water standards, and the NCPWD discontinued testing.

Access to Water

The juveniles do not have access to water sources other than the drinking fountains in the common areas of the two detention units and in their bedrooms. If juveniles avoid drinking water, then milk which is served with meals, is their only source of hydration.

Until such time that palatable water is available through the drinking fountains, jugs of water should be available throughout the detention units.

Juveniles residing at NCJH are minors at a critical period of maturation requiring specific hydration needs. Some are on medications which may require hydration. Because of these conditions, the Grand Jury considers the current drinking water within the two detention units at the NCJH unacceptable.

FINDINGS

The 2010-2011 Grand Jury finds that the:

- F1 Juveniles in NCJH do not have access to water sources other than the drinking fountains.
- F2 Drinking fountain water in the NCJH has a metallic taste.
- F3 Juveniles in the NCJH avoid drinking the water due to the metallic taste.
- F4 Water in the NCJH facility currently meets the CDPH's secondary drinking standard for copper.

RECOMMENDATIONS

The 2010-2011 Grand Jury recommends that:

- R1. Within six months of this report the NCPWD and the NCJH staff develop a plan to eliminate the metallic taste in the water in NCJH.
- R2. No later than February 2012 the NCPWD implement the above plan that will eliminate the metallic taste in the water in NCJH.
- R3. The NCJH provide palatable water within NCJH until the plan to eliminate the metallic taste has been implemented.
- R4. Once palatable water is available from the water fountains in NCJH, that NCPWD conduct regular water taste tests.

REQUEST FOR RESPONSES

Pursuant to California Penal Code section 933.05, the 2010-2011 Grand Jury requests responses from the following individuals:

- Director of Napa County Public Works Department: F2, F4; R1, R2, R4
- Chief Probation Officer of Napa County Juvenile Hall: F1, F2, F3; R3

GLOSSARY

Caltest – California Analytical Laboratory

CDPH - California Department of Public Health

FY – Fiscal Year

NCJH - Napa County Juvenile Hall

NCOE - Napa County Office of Education

NCPD - Napa County Probation Department

NCPWD - Napa County Public Works Department

ug/L - micrograms per liter – a measure of concentration (acceptable level is less than 1,000 ug/L)

Primary Drinking Water Regulations are mandatory. The legally enforced water quality standards for drinking water contaminants were established by the U. S. Environmental Protection Agency. The enforceable standards are based on a maximum contaminant level.

Secondary Drinking Water Regulations are non-mandatory. The legally unenforceable water quality standards for 15 contaminants were established by the U. S. Environmental Protection Agency. These secondary maximum contaminant levels were established as guidelines in the management for aesthetics (taste, color and odor) in public drinking water systems. These contaminants are not considered to present a risk to human health at the secondary maximum contaminant levels.

METHODOLOGY

The Grand Jury conducted an on-site inspection of NCJH that included lunch with the juveniles in the detention areas.

Interviews Conducted:

- California Forensics Medical Group personnel
- Napa County Juvenile Hall personnel

- Napa County Office of Education personnel
- Napa County Probation Department personnel
- Napa County Public Works Department personnel
- Residents of Napa County Juvenile Hall

Documents Reviewed:

- Water Quality Report prepared by Caltest Analytical Laboratory
- Napa County Juvenile Hall Minor Orientation Packet
- Napa County Juvenile Hall Budgets
- 2005 through January 2011, NCJH Juvenile Grievance files
- 2010 California Corrections Standard Authority Biennial Inspection Report